

Kirklees Council



Tuesday 14 March 2017

Dear Councillor

The Council will meet on Wednesday 22 March 2017 at 6.00 pm at Council Chamber - Town Hall, Huddersfield.

The following matters will be debated:

Pages

1: Announcements by the Mayor and Chief Executive

To receive any announcements by the Mayor and Chief Executive.

2: Apologies for absence

Group Business managers will report any apologies for absence.

3: Minutes of Previous Meeting

To receive the Minutes of the previous meeting of Council, held on 15 February 2017.

1 - 8

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

Any Member of the Council can submit a petition, in accordance with Council Procedure Rule 9.

6: Deputations/Petitions

Council will receive any petitions from members of the public, in accordance with Council Procedure Rule 10 or will receive any deputations, in accordance with Council Procedure Rule 10.

7: Questions by Members of the Public

Council will receive any questions from members of the public, in accordance with Council Procedure Rule 11.

8: West Yorkshire Combined Authority

9 - 30

To receive the Minutes of the previous meeting of West Yorkshire Combined Authority, held on 29 September and 1 December 2016, in accordance with Council Procedure Rule 5.

9: Review of Standards Regime and Member Code of Conduct (Reference from Corporate Governance and Audit Committee) 31 - 110

To consider the report.

Contact: Samantha Lawton, Senior Legal Officer

10: Report of Members Allowances Independent Review Panel 2016/2017 (Reference from Corporate Governance and Audit Committee) 111 - 130

To consider the report.

Contact : Carl Whistlecraft, Head of Governance and Democratic Services

11: Review of Planning Committees (Reference from Corporate Governance and Audit Committee) 131 - 138

To consider the report.

Contact: Simon Taylor, Head of Development Management

12: Written Questions to the Leader and Cabinet Members

To receive written questions to the Leader and Cabinet in accordance with Council Procedure Rule 12.

(Note: The deadline for the submission of written questions is 10.00am on the day prior to the Council meeting)

The schedule of submitted written questions will tabled at the meeting.

13: Minutes of Cabinet and Cabinet Committee - Local Issues

139 -
202

To receive for information; The minutes of Cabinet held on 03 October, 12 October, 15 November, 28 November, and 13 December 2016 17 January, 31 January and 07 February 2017 and Cabinet Committee – Local Issues held on 19 October 2016 and 22 February 2017.

14: Holding the Executive to Account

- (a) To receive the following updates from Cabinet Members;
 - Councillor Khan – Highways and Neighbourhoods
 - Councillor Mather – Housing and Enforcement Management
 - b) Oral Questions/Comments to Cabinet Members on their Portfolios and relevant Cabinet Minutes;
 - a) Highways and Neighbourhoods (Councillor Khan)
 - b) Housing and Enforcement Management (Councillor Mather)
 - c) Economy, Skills, Transportation and Planning (Councillor McBride)
 - d) Strategy and Strategic Resources, New Council and Regional Issues (Councillors Pandor and Sheard)
 - e) Asset Strategy, Resources and Creative Kirklees (Councillor G Turner)
 - f) Community Cohesion and Schools (Councillor Ahmed)
 - g) Family Support and Child Protection (Councillor Hill)
 - h) Adults, Health and Activity to Improve Health (Councillor Kendrick)
-

15: Minutes of Other Committees

203 -
404

- (a) Appeals Panel
- (b) Corporate Governance and Audit Committee
- (c) Corporate Parenting Board
- (d) District Committee – Batley and Spen
- (e) District Committee – Dewsbury and Mirfield
- (f) District Committee – Huddersfield
- (g) District Committee – Kirklees Rural
- (h) Health and Well Being Board
- (i) Licensing and Safety Committee

- (j) Overview and Scrutiny Management Committee
 - (k) Personnel Committee
 - (l) Policy Committee
 - (m) Strategic Planning Committee
-

16: Written Questions to Chairs of Committees and Nominated Spokespersons

To receive written questions to Chairs of Committees and Nominated Spokespersons in accordance with Council Procedure Rule 12 (1)

(Note: The deadline for the submission of written questions is 10.00am on the day prior to the Council meeting)

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

- (a) Appeals Panel (Councillor Armer)
- (b) Corporate Governance and Audit Committee (Councillor Richards)
- (c) Corporate Parenting Panel (Councillor Hill)
- (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 (Councillor Kendrick)
- (j) Licensing and Safety Committee - including Licensing Panel and Regulatory Panel (Councillor A U Pinnock)
- (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 Sheard)
- (t) West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
- (u) West Yorkshire Joint Service Committee (Councillor Pandor)
- (v) West Yorkshire Police and Crime Panel (Councillor Hussain)

18: Motion submitted in accordance with Council Procedure Rule 14 as to Constitution of Planning Sub-Committees

To consider the following Motion in the names of Councillors D Hall, Bolt, J Taylor, Patrick, Armer, Watson and Smith;

‘This Council notes the difficulty that residents of Kirkburton and Denby Dale wards have in accessing Council Planning Sub-Committee Meetings held in Dewsbury Town Hall. It recognises that without access to private transport it can take several hours to get to Dewsbury, often by having to change in Huddersfield Town Centre. It notes that in all other Council matters these wards are recognised as part of Kirklees Rural District and that in line with the Council's desire to encourage the public to access and engage with Council decisions the move of the planning applications for these wards be determined in Huddersfield rather than Dewsbury.

This Council resolves that the current arrangements for Planning decisions be amended to allow for one Strategic Planning Committee and 2 Planning Sub-Committees, a Heavy Woollen Planning Sub Committee based in Dewsbury covering the Birstall and Birkenshaw, Cleckheaton, Heckmondwike, Liversedge and Gomersal, Batley East, Batley West, Dewsbury East, Dewsbury West, Dewsbury South and Mirfield wards and a Huddersfield Planning Sub Committee covering the Lindley, Colne Valley, Holme Valley North, Holme Valley South, Crosland Moor and Netherton, Golcar, Ashbrow, Greenhead, Newsome, Dalton, Almondbury, Kirkburton and Denby Dale Wards.

This Council therefore instructs the Assistant Director (Legal, Governance and Monitoring) to take appropriate steps to make the necessary changes to the constitution required to implement the amendments, including the submission of a report to Corporate Governance and Audit Committee for consideration, prior to the implementation of the changes at the beginning of the 2017/2018 municipal year.’

19: Motion submitted in accordance with Council Procedure Rule 14 as to address the Conservative Government legislate to stop land-banking

To consider the following Motion in the names of Councillors McBride and Mather;

‘As the Government concede in their recent white paper that the

housing market is broken, this Council asks the Government to legislate to stop land-banking, reverse the policy of selling council houses and fund both local authorities and housing associations to provide the numbers of affordable houses which are urgently required nationwide.

This Council want to implement its plan to build 31,500 houses in the next 15 years with the aim to produce at least 1/3 of these affordable to the wider housing market. This may in part respond to current demand of 12,000 seeking council housing.

We therefore urge the government to remove the disincentive of the Right to Buy, remove the cap on borrowing to spend on housing and for government itself to invest via HCA in social affordable housing.

We for our part will bring forward the necessary land for the needs of all sectors of the housing market to fulfil our part of the bargain to which the white paper refers.

The motion asks that the leaders of all our political groups sign a joint letter to the relevant Secretaries of State, and campaign through local MPs and the LGA.'

20: Motion submitted in accordance with Council Procedure Rule 14 as to Real Term Cuts to England's Primary and Secondary Schools

To consider the following Motion in the names of Councillors Burke, Eastwood, Lawson, Marchington, A Pinnock, K Pinnock, N Turner and Wilkinson;

'This Council:

- 1) Recognises that the financial outlook for local schools is likely to deteriorate as cost pressures increase;
- 2) Regrets the phasing out of the Education Services Grant and its impact on schools and the Council;
- 3) Calls upon HM Government to increase the schools budget in order to prevent a serious detrimental impact on class size, support for pupils with special needs or valuable extra-curricular activities;
- 4) Asks the Chief Executive to write to all local MPs, urging them to raise the Council's concerns with the Secretary of State for Education.'

21: Establishment of Regional Issues Working Party

405 -
408

To consider the establishment of the Regional Issues Working Party.

Contact: Richard Farnhill, Governance Manager

22: Allocation of Seats - Updated Position

409 -
414

To consider the updated reallocation of seats.

Contact: Richard Farnhill, Governance Manager

By Order of the Council



Chief Executive

Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
Council Chamber - Town Hall, Huddersfield on Wednesday 15 February 2017**

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 Eric Firth	Councillor Donald Firth
Councillor Michelle Grainger-Mead	Councillor Charles Greaves
Councillor David Hall	Councillor Steve Hall
Councillor Lisa Holmes	Councillor Erin Hill
Councillor Edgar Holroyd-Doveton	Councillor Judith Hughes
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 Andrew Palfreeman
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 Cathy Scott	Councillor David Sheard
Councillor Ken Sims	Councillor Elizabeth Smaje
Councillor Mohan Sokhal	Councillor Julie Stewart-Turner
Councillor Amanda Stubley	Councillor John Taylor
Councillor Kath Taylor	Councillor Graham Turner
Councillor Nicola Turner	Councillor Sheikh Ullah
Councillor Michael Watson	Councillor Gemma Wilson
Councillor Linda Wilkinson	Councillor Fazila Fadia
Councillor Gulfam Asif	Councillor Richard Eastwood
Councillor James Homewood	Councillor Manisha Roma Kaushik
Councillor Bernard McGuin	Councillor Mussarat Pervaiz
Councillor Richard Smith	Councillor Rob Walker

116 Announcements by the Mayor and Chief Executive

Council received tributes to Adrian Lythgo, Chief Executive, who was in attendance at his final meeting of Council following 7 years' service at the Authority.

The Mayor announced that, in consultation with the Chief Executive, it had been agreed that Agenda Item 6 would be considered at the meeting, in accordance with Council Procedure Rule 3 as the matter is financial in nature and a decision on the matter was required prior to the next scheduled meeting of Council.

Members of the Council were reminded of the restrictions applying to voting on Agenda Item 5 under Section 106 of the Local Government Finance Act 1992.

117 Apologies for absence

There were no apologies for absence.

118 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 18 January 2017 be approved as a correct record.

119 Declaration of Interests

- 1) That the list of dispensations (as tabled) be noted. (please see attached)
- 2) That the following declarations be recorded;
 - Councillor Sokhal declared an 'other' interest in Agenda Item 5 on the grounds that his daughter works for Gateway to Care.
 - Councillor Lowe declared an 'other' interest in Agenda Item 5 on the grounds that her daughter is employed by Kirklees Active Leisure.
 - Councillor A U Pinnock declared an 'other' interest in Agenda Item 5 on the grounds that she works for a voluntary sector organisation that supports housing tenants.
 - Councillor E Firth declared 'other' interests in Agenda Item 5 on the grounds that he is (i) a member of Unite (ii) a trustee of Kirklees Community Association (iii) a trustee of Dewsbury Endowed Trust. He also declared a disclosable pecuniary interest in Agenda Item 5 on the grounds that he is Deputy Chair of West Yorkshire Combined Authority Transport Committee.

120 Budget 2017/2018

It was moved by G Turner and seconded by Councillor Pandor;

'(1) Capital

- (i) That the Capital Investment Plan be recommended to Council with an intention that the Plan is reviewed as an integral element of the Council's Budget Strategy to support Council priorities (on both capital and revenue budget proposals) and is contained within foreseeable resources (Appendix A, Section 1 and Appendix E refer).

(ii) That Council be advised to determine the Prudential Indicators as referred to in Appendix A (Section 1, para 1.3.19) and Appendix F.

(2) Treasury Management

(i) That the borrowing strategy as outlined in Appendix A (Section 2, para 2.3) be approved.

(iii) That the investment strategy be outlined in Appendix A (Section 2, para 2.4) and Appendix G be approved.

(iv) That the policy for provision of repayment of debt (minimum revenue provision) as outlined in Appendix A (Section 2, para 2.5) and Appendix I be approved.

(3) General Revenue Fund

(i) That the draft Revenue Budget for 2017-2020 and indicative high level funding and cost estimates for 2020-21 be approved (Appendix B refers).

(ii) That the proposed re-direct of £3.3m from rollover reserves to general balances, the proposed 2016-2017 year end transfer of £7.7m to organisational risk reserves (in-year further treasury management saving from the proposed amendment to the Council's minimum revenue provision strategy) , and the proposed re-alignment of £1.4m currently uncommitted resources earmarked for transformation projects totalling £1.4m to the New Council Transformation reserve be approved (Appendix A, Section 3, para 3.16.5 refers).

(iii) That, subject to approval of (3)(ii) above, the forecast levels of general and earmarked reserves as set out at Appendix A (Section 3, para 3.16.6) be noted.

(iv) That the strategy for the use of balances and reserves, as set out in Appendix A (section 3, paras 3.16.7 and 3.16.8 refer) be approved.

(v) That it be acknowledged that for 2017-2018 the minimum level of General Fund balances should be £5.0m (Appendix A, Section 3, para 3.16.6 refers).

(vi) That a further reassessment of reserves requirements be undertaken at year end and reported as part of the 2016-2017 revenue rollover and outturn report.

(vii) That it be noted that the Council's continued participation on the Leeds City Region business rates pool for 2017-2018 (Appendix A, Section 3, para 3.13.6 refers).

(viii) That approval be given to the Council Tax requirement for 2017-2018 (Appendix A, Section 3, para 3.14, and Appendix C; budget motion refer)

(ix) That approval be given to the Council's Pay Policy Statement for 2017-2018 as set out in Appendix D (i-v).

(x) That the Council's Statutory s151 Officer's positive assurance statement, as referred to in para. 4 of the considered report, be noted.

(xi) That the Council's Statutory s151 Officer be given delegated authority to amend how the finally approved precepts are recorded in the Council's revenue budget in line with the final notifications received following decisions by the Office of Police and Crime Commissioner, the Fire and Rescue Authority and Parish Councils should these be received after 15 February 2017.

(4) Housing Revenue Account (HRA)

(i) That the draft HRA Budget for 2017-2020 (as detailed in Appendix B) be approved.

(ii) That the strategy for the use of HRA reserves (as detailed in Appendix A, Section 4, para 4.3.1) be approved.'

Whereupon, it was moved by Councillor Cooper, and seconded by Councillor Allison, by way of AMENDMENT, that the following text be added to the Motion;

'This Council agrees to develop a Local Housing Development Company as a special purpose vehicle to deliver new housing on land identified for development in the Council's Local Plan. This would be as a minimum cover Kirklees but could be developed at scale with our neighbours. This will ensure that we can work with the Homes and Communities Agency and Registered Social Landlords, developers and institutional investors who can lever in additional resources as well as keeping the income generated from new development within Kirklees to help to support local services.

The company would deliver new housing on council land that has been identified for development in their Local Plans.

There are a number of reasons why this may be attractive to Kirklees.

- (i) At a time of diminishing balances Central Government is encouraging Councils to develop new housing to fund local services through the New Homes Bonus and new Council Tax revenue income. If the Council is in partnership with third parties developer profit from new development would be shared amongst the partners involved and could be used to help fund Council Services.
- (ii) There are occasions when the Council has granted Planning Permission on land but frustratingly developers with which the Council has no relationship have dragged their feet, sometimes for years, leaving areas blighted. The Council would have more control over development if it was itself part of the development vehicle.
- (iii) There is the opportunity to use the newly merged KNH and Building Services as a vehicle for Housing Development utilising existing skills in electrical and gas services
- (iv) The standard of new build housing in the private sector is variable and some Councillors have had cause to tackle substandard housing with developers. If the Council can put pressure on the market – control of building will be more effective. Cutting corners and reducing the quality of build to reduce costs will be avoided.

- (v) The opportunity to promote higher energy efficiency standards, such as Passivhaus development could be pursued by such a company. The embedded Quality Assurance in Passivhaus developments will ensure a quality build as well as very high energy efficiency standards. Householders benefiting from very low energy bills will have more money in their pockets to spend locally helping them to pay rents and mortgages more easily.
- (vi) With a substantial portfolio of work over a number of years partnerships with educational institutions could provide a rich source of local employment for apprentices working in a range of building jobs.

No income has been put against this budget amendment as it is too early to say how substantial the potential income could be to the Council. However, any revenue income generated above that required for the core purposes of the Housing Development Company would be utilised to support valued services in town and village centres that provide contact and services to people in our communities. This amendment does however show that there are alternatives to simply managing decline at a time when central government is starving the Council of funds.

If this amendment is passed the expectation would be that the Council establishes a Project Team to quickly establish the Local Housing Development Company before the 2018/19 Budget so projected incomes can be factored in to the Councils hard pressed finances.'

The AMENDMENT, on being put to the vote was CARRIED, and therefore became the Substantive Motion.

In accordance with the requirements of Council Procedure Rule 19 (7), the decision was taken by Recorded Vote as follows;
FOR: Councillors Ahmed, Akhtar, Allison, Asif, Calvert, Cooper, Dad, Fadia, E Firth, Greaves, S Hall, Hill, Holroyd-Doveton, Homewood, Hughes, Hussain, Kane, Kaushik, Kendrick, Khan, Lowe, Lyons, Mather, McBride, O'Donovan, O'Neill, Pandor, Pattison, Pervaiz, A U Pinnock, Richards, Sarwar, Scott, Sheard, Sokhal, Stewart-Turner, G Turner, Ullah and Walker (39 votes)
AGAINST: Councillors Armer, Bellamy, Bolt, Dodds, D Firth, Grainger-Mead, D Hall, Holmes, Iredale, Lees-Hamilton, Light, McGuin, Palfreeman, Patrick, Sims, Smaje, Smith, Stubley, J Taylor, K Taylor, Watson and Wilson (22 votes)
ABSTAINED: Councillors Burke, Eastwood, Lawson, Marchington, A Pinnock, K Pinnock, N Turner and Wilkinson.

The Substantive Motion, on being put to the vote, was CARRIED, and it was;

RESOLVED –

'(1) Capital

- (i) That the Capital Investment Plan be recommended to Council with an intention that the Plan is reviewed as an integral element of the Council's Budget Strategy to support Council priorities (on both capital and revenue budget proposals) and is contained within foreseeable resources (Appendix A, Section 1 and Appendix E refer).

(ii) That Council be advised to determine the Prudential Indicators as referred to in Appendix A (Section 1, para 1.3.19) and Appendix F.

(2) Treasury Management

(i) That the borrowing strategy as outlined in Appendix A (Section 2, para 2.3) be approved.

(iii) That the investment strategy be outlined in Appendix A (Section 2, para 2.4) and Appendix G be approved.

(iv) That the policy for provision of repayment of debt (minimum revenue provision) as outlined in Appendix A (Section 2, para 2.5) and Appendix I be approved.

(3) General Revenue Fund

(i) That the draft Revenue Budget for 2017-2020 and indicative high level funding and cost estimates for 2020-21 be approved (Appendix B refers).

(ii) That the proposed re-direct of £3.3m from rollover reserves to general balances, the proposed 2016-2017 year end transfer of £7.7m to organisational risk reserves (in-year further treasury management saving from the proposed amendment to the Council's minimum revenue provision strategy) , and the proposed re-alignment of £1.4m currently uncommitted resources earmarked for transformation projects totalling £1.4m to the New Council Transformation reserve be approved (Appendix A, Section 3, para 3.16.5 refers).

(iii) That, subject to approval of (3)(ii) above, the forecast levels of general and earmarked reserves as set out at Appendix A (Section 3, para 3.16.6) be noted.

(iv) That the strategy for the use of balances and reserves, as set out in Appendix A (section 3, paras 3.16.7 and 3.16.8 refer) be approved.

(v) That it be acknowledged that for 2017-2018 the minimum level of General Fund balances should be £5.0m (Appendix A, Section 3, para 3.16.6 refers).

(vi) That a further reassessment of reserves requirements be undertaken at year end and reported as part of the 2016-2017 revenue rollover and outturn report.

(vii) That it be noted that the Council's continued participation on the Leeds City Region business rates pool for 2017-2018 (Appendix A, Section 3, para 3.13.6 refers).

(viii) That approval be given to the Council Tax requirement for 2017-2018 (Appendix A, Section 3, para 3.14, and Appendix C; budget motion refer)

(ix) That approval be given to the Council's Pay Policy Statement for 2017-2018 as set out in Appendix D (i-v).

(x) That the Council's Statutory s151 Officer's positive assurance statement, as referred to in para. 4 of the considered report, be noted.

(xi) That the Council's Statutory s151 Officer be given delegated authority to amend how the finally approved precepts are recorded in the Council's revenue budget in line with the final notifications received following decisions by the Office of Police and Crime Commissioner, the Fire and Rescue Authority and Parish Councils should these be received after 15 February 2017.

(4) Housing Revenue Account (HRA)

(i) That the draft HRA Budget for 2017-2020 (as detailed in Appendix B) be approved.

(ii) That the strategy for the use of HRA reserves (as detailed in Appendix A, Section 4, para 4.3.1) be approved.

(5) That Council agrees to develop a Local Housing Development Company as a special purpose vehicle to deliver new housing on land identified for development in the Council's Local Plan. This would be as a minimum cover Kirklees but could be developed at scale with our neighbours. This will ensure that we can work with the Homes and Communities Agency and Registered Social Landlords, developers and institutional investors who can lever in additional resources as well as keeping the income generated from new development within Kirklees to help to support local services.

The company would deliver new housing on council land that has been identified for development in their Local Plans.

There are a number of reasons why this may be attractive to Kirklees.

- (i) At a time of diminishing balances Central Government is encouraging Councils to develop new housing to fund local services through the New Homes Bonus and new Council Tax revenue income. If the Council is in partnership with third parties developer profit from new development would be shared amongst the partners involved and could be used to help fund Council Services.
- (ii) There are occasions when the Council has granted Planning Permission on land but frustratingly developers with which the Council has no relationship have dragged their feet, sometimes for years, leaving areas blighted. The Council would have more control over development if it was itself part of the development vehicle.
- (iii) There is the opportunity to use the newly merged KNH and Building Services as a vehicle for Housing Development utilising existing skills in electrical and gas services
- (iv) The standard of new build housing in the private sector is variable and some Councillors have had cause to tackle substandard housing with developers. If the Council can put pressure on the market – control of building will be more effective. Cutting corners and reducing the quality of build to reduce costs will be avoided.
- (v) The opportunity to promote higher energy efficiency standards, such as Passivhaus development could be pursued by such a company. The embedded Quality Assurance in Passivhaus developments will ensure a quality build as well as very high energy efficiency standards. Householders

benefiting from very low energy bills will have more money in their pockets to spend locally helping them to pay rents and mortgages more easily.

- (vi) With a substantial portfolio of work over a number of years partnerships with educational institutions could provide a rich source of local employment for apprentices working in a range of building jobs.

No income has been put against this budget amendment as it is too early to say how substantial the potential income could be to the Council. However, any revenue income generated above that required for the core purposes of the Housing Development Company would be utilised to support valued services in town and village centres that provide contact and services to people in our communities. This amendment does however show that there are alternatives to simply managing decline at a time when central government is starving the Council of funds.

If this amendment is passed the expectation would be that the Council establishes a Project Team to quickly establish the Local Housing Development Company before the 2018/19 Budget so projected incomes can be factored in to the Councils hard pressed finances.'

In accordance with the requirements of Council Procedure Rule 19 (7), the decision was taken by Recorded Vote as follows;

FOR: Councillors Ahmed, Akhtar, Allison, Asif, Calvert, Cooper, Dad, Fadia, E Firth, S Hall, Hill, Holroyd-Doveton, Homewood, Hughes, Hussain, Kane, Kaushik, Kendrick, Khan, Lowe, Mather, McBride, O'Donovan, O'Neill, Pandor, Pattison, Pervaiz, A U Pinnock, Richards, Sarwar, Scott, Sheard, Sokhal, Stewart-Turner, G Turner, Ullah and Walker (37 votes)

AGAINST: Councillors Armer, Bellamy, Bolt, Dodds, D Firth, Grainger-Mead, D Hall, Holmes, Lees-Hamilton, Light, McGuin, Palfreeman, Patrick, Sims, Smaje, Smith, Stubley, J Taylor, K Taylor, Watson and Wilson (21 votes)

ABSTAINED: Councillors Burke, Eastwood, Greaves, Iredale, Lawson, Lyons, Marchington, A Pinnock, K Pinnock, N Turner and Wilkinson.

121 Arrangement for Selecting an External Auditor for the Year 2018/19 and onwards.

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

RESOLVED – That Public Sector audit Appointments Ltd be asked to carry out Auditor Panel duties on behalf of the Council and nominate a proposed External Auditor, and that the Assistant Director (Financial Management and Risk) be requested to inform Public Sector Audit Appointments Ltd accordingly.



**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY 29 SEPTEMBER 2016 AT WELLINGTON HOUSE, LEEDS**

Present:	Cllr Peter Box (Chair)	-	Wakefield MDC
	Cllr Tim Swift (Vice Chair)	-	Calderdale MBC
	Cllr Susan Hinchcliffe	-	City of Bradford MDC
	Cllr David Sheard	-	Kirklees Council
	Cllr Judith Blake	-	Leeds City Council
	Cllr Stewart Golton	-	Liberal Democrat Representative (Leeds City Council)
	Cllr Keith Aspden Roger Marsh	-	City of York Council Leeds City Region LEP
In attendance:	Ben Still	-	WYCA
	Caroline Allen	-	WYCA
	Angie Shearon	-	WYCA

41. Apologies for Absence

Apologies for absence were received from Councillors Andrew Carter, Simon Cooke and Jeanette Sunderland.

42. Declarations of Disclosable Pecuniary Interests

There were no pecuniary interests declared by members at the meeting.

43. Minutes of the Meeting held on 28 July 2016

Resolved: That the minutes of the meeting of the WYCA held on 28 July 2016 be approved and signed by the Chair.

44. Project and Spending Approvals

The Authority considered a report of the Director of Resources seeking the progression of, and approval of funding for, schemes from the West Yorkshire plus Transport Fund and the Local Growth Fund.

The report provided details of the projects considered by the Investment Committee on 7 September which were recommended to WYCA for progression and approval of funding. The report mapped each of the projects across to the new Project Management Office (PMO) process.

Resolved: That progression of, and funding for, schemes from the West Yorkshire plus Transport Fund and Local Growth Fund be approved as follows, with a decision on the final details on terms and conditions of the individual approvals to be delegated to the Managing Director:

- (i) £400k to develop the Leeds Station (Yorkshire Hub) Development - Reference Case Masterplan project.
- (ii) £130k to progress Mirfield to Dewsbury to Leeds (A653) corridor.
- (iii) £500k for feasibility works on East Leeds Parkway at Thorpe Park.
- (iv) £160k for Halifax Station Gateway.
- (v) £1.1m grant investment for Wakefield Civic Quarter site acquisition.
- (vi) £4.8m grant for the One City Park in Bradford.
- (vii) New Bolton Woods – part of the Bradford-Shipley Road Corridor, progressing from outline to full business case.
- (viii) In principle support to a £33.4m grant and £8.8m loan for Leeds City College.
- (ix) £1.0112m grant for Tackling Fuel Poverty Programme Phase 2.
- (x) A loan of £1m to LL309.

45. WYCA Medium Term Financial Strategy

The Authority considered a report of the Director of Resources regarding the budget process for 2017/18, the development of the medium term financial strategy and additions to the agreed budget following the award of further funding to the region.

It was reported that work was ongoing to produce a detailed budget for 2017/18 aligned with the priorities identified through the Strategic Economic Plan (SEP). The budget would need to be approved at the February meeting of the WYCA.

Members noted that work was underway to update the medium term financial strategy to ensure that funding available may be used to best effect in delivering its priorities for economic growth. It was acknowledged that there were significant challenges to address with increasing workloads for the Authority to support the growing agenda of activity including devolution and Transport for the North at a time

of pressure on local government funding. Early discussions with District Councils had also identified a requirement for WYCA to look at options for cutting services in order to reduce the transport levy. WYCA would be looking at the resources available and streamlining those resources and sharing costs where possible. Work was also required on the West Yorkshire plus Transport Fund to identify the extent of local funding required to support borrowing and to understand the growth of new business in the Enterprise Zone and the timing of how this translated to business rates income.

It was proposed that a further report be prepared for the Authority meeting of 1 December outlining the proposed budget for 2017/18 and addressing the issues set out above.

Resolved:

- (i) That WYCA note the process for the 2017/18 budget as set out in the submitted report.
- (ii) That WYCA note the work to date on the Medium Term Financial Strategy.
- (iii) That WYCA approve further budgets of £150k for the Enterprise Adviser Continuation Phase 1 and £192k for Strategic Heat Networks, funded as set out in the submitted report.

46. Implications of the vote to leave the European Union

The Authority considered a report of the Director of Policy, Strategy and Communications providing members with further information on the implications of the UK's vote to leave the European Union (EU).

In July, WYCA and the LEP approved a high-level joint Plan to provide a calm and measured approach to the decision to exit the EU in order to underpin investor and consumer confidence. The Plan covered short, medium and long-term issues which were considered to be best addressed at the city region level with close liaison with local partners such as universities, councils and business groups.

Members acknowledged that the UK's exit from Europe would present opportunities as well as some difficulties and discussed developments with Brexit over the summer, making the following observations:

- There had been very little further information from Government about the timing of Britain's exit from the EU, or what the outcome might mean for free trade and the movement of people.
- There had been no announcements of large scale job losses, although intelligence suggested that some contracts for overseas workers to come and work in the UK may have been withdrawn due to uncertainty in the job

market. It was acknowledged that there were particular skills shortages in the UK which needed to be addressed, for instance in the health sector.

- There had been a relatively calm economic reaction with no immediate recession, although it was projected that long-term growth would be lower than had the UK remained a member of the EU. It was acknowledged, however that there may be economic turbulence once Article 50 was triggered.
- Communities, local councils and employers continued to recognise the valuable contributions made to the city region by people of all nationalities and, although reports of hostility resulting from tensions had been limited, such crimes continued to be addressed swiftly.

European Funding

Members discussed the importance of securing the repatriation of European funding locally and felt that it was imperative that, once discussions commenced with government on the redistribution of funding, WYCA had a seat at the table.

Members were pleased to note that in August, HM Treasury had provided an assurance that all European Structural and Investment Fund (ESIF) projects under contract ahead of the Autumn Statement would be fully funded even if those projects were to continue beyond the UK's departure from the EU

In July 2015, WYCA had agreed to be the Urban Authority (UA) and take on intermediate Body (IB) status to be able to receive delegated authority from government for a Sustainable Urban Development (SUD) Strategy. Members noted that there had been renewed impetus from the Department for Communities and Local Government (DCLG) for SUD strategies to be agreed by the end of September 2016 and for IB status with the UA to be in place by early December largely because SUD was an EU regulatory obligation and therefore potentially more secure than ESIF funding.

Members discussed the response of city region partners in response to Brexit and felt it would be useful to convene a meeting involving representatives of the business community, health sector and universities and colleges to understand their interests and concerns.

Members noted that the short-term responses set out in the Plan had been completed and the medium-term actions were being developed, including helping growth sectors exploit new international opportunities and for exports to exploit the weak pound.

Resolved:

- (i) That the latest update of the joint CA/LEP plan to respond to the vote to leave the EU be noted.
- (ii) That authority be delegated to WYCA's Managing Director to finalise and agree, in conjunction with the Head of Legal and Democratic Services, the Legal Agreement with the Department for Communities and Local Government for Intermediate Body status, and commence operations as required.
- (iii) That a joint meeting be arranged with city region partners, including representative of the business community, health sector and universities and colleges to discuss their respective interests and concerns regarding the implications of leaving Europe.

47. Devolution

The Authority considered a report of the Director of Policy, Strategy and Communications on progress to secure the devolution of further powers and budgets away from Whitehall and Westminster to Leeds City Region (LCR), building on the first stage deal secured in 2015.

Members discussed progress made to date in securing a devolution deal and also the impact of recent events on progress, including the changes to the Government ministerial line up following the EU referendum. It was recognised that, in the absence of a clear steer on national policy over the summer, eg on the Northern Powerhouse and English Devolution, there had been some press speculation about a potential shift in Government policy on the requirement for directly elected Mayors in return for devolution.

Members welcomed the Prime Minister's confirmation of her Government's support for the Northern Powerhouse which the Leeds City Region wished to be a part of and help to shape.

Members re-affirmed their commitment to secure a devolution deal for the City Region and proposed, ahead of the Autumn Statement on 23 November 2016, to seek to progress discussions with officials and Ministers on the terms of a devolution deal, including seeking clarity on the following:

- that the ambition of WYCA and Leeds City Region Enterprise Partnership be matched by Government's commitment to devolve substantive powers and funding to local areas;
- the Government's position regarding the geographic area for devolution to the City Region; and

- the most appropriate model of Governance required in order to provide local accountability for powers and funding devolved from Whitehall and Westminster.

Resolved:

- (i) That the progress made to secure a devolution deal and the impact of recent events, including the changes to the Government ministerial line up following the EU referendum, be noted.
- (ii) That, ahead of the Autumn statement, WYCA should seek to progress discussions with officials and Ministers on the terms of any devolution deal.

48. One Organisation Programme

The Authority considered a report of WYCA's Managing Director providing an update on the One Organisation programme (the change programme for the WYCA officer body) and seeking approval to two director appointments.

The report provided a six monthly update on the One Organisation change programme and a detailed update on priority projects as set out in paragraph 2.4. Members discussed progress with the One Organisation programme and particularly welcomed the increased focus on delivery.

It was reported that, following a recruitment and selection exercise, the following appointments were recommend to WYCA for approval:

- Dave Pearson - Director of Transport Services
- Melanie Corcoran – Director of Delivery

It was further report that Sue Cooke had been appointed to the post of Executive Head of Economic Services and that external recruitment was underway for the post of Head of Communications.

Resolved:

- (i) That the progress made so far with the One Organisation Programme be noted.
- (ii) That the appointment of Dave Pearson to the post of Director of Transport Services with effect from 1 October 2016 and the appointment of Melanie Corcoran to the post of Director of Delivery, with a start date to be delegated to the Managing Director, be approved.
- (iii) That the appointment of the Executive Head of Economic Services be noted.

- (iv) That it be noted that external recruitment to the post of Head of Communications had commenced.

49. WYCA Appointments to Overview & Scrutiny Committee

The Authority considered a report of the Director of Resources seeking approval to a change in nomination by the City of York Council to the Overview & Scrutiny Committee

On 20 September, the City of York Council notified WYCA's Monitoring Officer of their wish to replace Councillor Helen Douglas with Councillor Jenny Brooks.

Resolved: That the Authority note the City of York Council's revised nomination to the Overview & Scrutiny Committee and co-opt Councillor Jenny Brooks onto the committee in place of Councillor Helen Douglas.

50. WYCA Overview & Scrutiny Flood Response

The Authority considered a report of the Director of Policy, Strategy and Communications seeking endorsement to the recommendations of WYCA's Overview & Scrutiny Committee regarding their investigation into the 2015 Boxing Day Floods.

Members discussed the progress made both nationally and regionally in response to the 2015 Boxing Day Flood events and the impact on businesses, residential properties, critical infrastructure and jobs. The economic and social impacts of the floods had been significant running into several hundred millions. Actual costs would need to be fully calculated in order to build a case for future investment and identify funding gaps for investment in flood defences and green infrastructure whilst taking account of whole catchment areas. Concern was expressed that some areas remained very exposed to the risk of flooding. Members considered the potential to make better use of infrastructure in readiness for future winters; for example, exploring how reservoirs could help mitigate the risk of flooding together with other Green Infrastructure measures such as land management in upper river catchments.

Members were keen to ensure that, despite a change in government Minister, the events of the Boxing Day floods on the Leeds City Region were not forgotten. A letter had been sent to the Rt Hon Andrea Leadson MP, Secretary of State for DEFRA, and responsible minister for planning and responding to flood risk and flood events, inviting her to visit the Leeds City Region and her response was awaited. Members considered that it was important that the Government funding commitments, made following the Boxing Day floods, to support flood alleviation and mitigation measures in the Leeds City Region continue to be honoured.

It was reported that, against the national and regional context, WYCA's Overview & Scrutiny Committee had, along with senior representatives from Yorkshire Water

and the Environment Agency, considered the broad range of issues relating to the Boxing Day Flood events. Arising out of their discussions, the Committee had formulated a list of recommendations which were set out in the Addendum to the report.

Members considered the recommendations of the Committee which, it was suggested, could be incorporated into the LCR Flood Review, commissioned by WYCA earlier in the year, and which was now nearing completion. The outcome of the LCR Flood Review would be reported to WYCA at their meeting on 1 December.

Resolved:

- (i) That the Overview and Scrutiny Committee's recommendations in response to the 2015 Boxing Day Flood events, as set out in the Addendum to the submitted report, be endorsed.
- (ii) That the recommendations of the Overview & Scrutiny Committee, and proposed associated actions, be considered within the LCR Flood Review.
- (iii) That WYCA considers with Yorkshire Water the potential contribution that upland land management and their reservoirs could make to reducing future flood risk in winter.

51. Response to consultation on 100% Business Rates Retention

The Authority considered a report of the Director of Policy, Strategy and Communications advising of the joint WYCA and Local Enterprise Partnership (LEP) submission to the Government consultation on 100% business rates retention.

The report provided information on the joint WYCA and LEP response to the Department for Communities and Local Government's (DCLG) consultation on retained business rates which had been developed over the summer and submitted by the deadline of 26 September. A copy of the response was attached to the submitted report.

Whilst the retention of business rates was welcomed, members were keen to ensure it was accompanied by a fair funding mechanism and national redistribution to match local need. Members expressed concern that there had been no detail of how the process would be implemented at a local level and how local councils would be able to manage the further responsibilities arising from it.

Resolved: That the joint WYCA/LEP response to the Government's consultation be noted.

52. Governance Update

The Authority considered a report of the Head of Legal & Democratic Services providing an update on the progress of an Order anticipated to affect WYCA governance arrangements in relation to overview and scrutiny, audit committee and access to information arrangements.

The Cities and Local Government and Devolution Act 2016 placed the overview and scrutiny arrangements, and audit committee arrangements of combined authorities on a statutory footing. For WYCA, the impact had principally been on the membership of the governance and audit committee, which may no longer include co-opted members. The Secretary of State had now indicated that a further Order may affect current arrangements further. Paragraph 2.4 of the submitted report set out the principles which the Department for Communities and Local Government (DCLG) have indicated will underpin any Order.

In terms of the impact on WYCA, it was noted that none of the proposals conflicted with current WYCA practices and arrangements, with the exception of the requirement to appoint an independent person to an audit committee.

The DCLG have not confirmed when any Order will be made, but it was understood that they were aiming to have it in place by spring 2017.

Resolved: That the approach of the Secretary of State in relation to the draft Order, as set out in the submitted report, be noted.

53. City of York Council Local Plan Consultation

The Authority considered a report of the Director of Policy, Strategy and Communications providing information of WYCA's response in support of the City of York Council's Local Plan under WYCA's Duty to Co-operate role.

The City of York Council had consulted WYCA in July 2016 on their Local Plan which had outlined the proposed housing and employment growth requirements for York and proposed preferred strategic site allocations to deliver that growth. The Plan set out a target for 841 net additional homes per annum and an employment land supply requirement of 33.3 hectares which supported the City Region's Strategic Economic Plan (SEP) aspirations to increase housing delivery and create additional jobs. The draft Plan also identified a series of 'Green Wedges' across York which would make an important contribution to the Green Infrastructure network across the City Region and support delivery of Priority 4 (Clean Energy and Environmental Resilience) of the SEP.

Members noted that the response which had been submitted by WYCA in accordance with the City of York Council's deadline and which was appended to the submitted report, had confirmed that York's 'Preferred Sites' consultation was

aligned with the SEP and provided support for the SEP's Spatial Priority Area at York Central and other major growth areas.

Resolved:

- (i) That the response to the City of York Local Plan consultation as set out in Appendix 1 of the submitted report be supported.

54. Draft minutes of the meeting of the Overview & Scrutiny Committee held on 13 July 2016

Resolved: That the draft minutes of the meeting of the Overview & Scrutiny Committee held on 13 July 2016 be noted.

55. Draft Minutes of the meeting of the Governance & Audit Committee held on 28 July 2016

Resolved: That the draft minutes of the meeting of the Governance & Audit Committee held on 28 July 2016 be noted.

56. Draft Minutes of the meeting of the West Yorkshire & York Investment Committee held on 7 September 2016

Resolved: That the draft minutes of the meeting of the West Yorkshire & York Investment Committee held on 28 July 2016 be noted.



**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY 1 DECEMBER 2016 AT WELLINGTON HOUSE, LEEDS**

Present:	Cllr Peter Box (Chair)	-	Wakefield MDC
	Cllr Tim Swift (Vice Chair)	-	Calderdale MBC
	Cllr Susan Hinchcliffe	-	City of Bradford MDC
	Cllr David Sheard	-	Kirklees Council
	Cllr Judith Blake	-	Leeds City Council
	Cllr Andrew Carter	-	Conservative Representative (Leeds City Council)
	Cllr Simon Cooke	-	Conservative Representative (City of Bradford MDC)
	Cllr Jeanette Sunderland	-	Liberal Democrat Representative (City of Bradford MDC)
	Roger Marsh	-	Leeds City Region LEP
	In attendance:	Cllr Keith Wakefield	-
Ben Still		-	WYCA
Caroline Allen		-	WYCA
Angie Shearon		-	WYCA

57. Apologies for Absence

Apologies for absence were received from Councillors Keith Aspden and David Carr.

58. Declarations of Disclosable Pecuniary Interests

Roger Marsh declared an interest (not comprising a Disclosable Pecuniary Interest) in Agenda Item 5 (Project Approvals and Inclusion of York in the West Yorkshire Plus Transport Fund), paragraph 4.3 (University of Leeds – Nexus (University Innovation and Enterprise Centre)) stating that he was a member of the University of Leeds Council.

Councillor Simon Cooke declared an interest (not comprising a Disclosable Pecuniary Interest) in Agenda Item 7 (Leeds City Region Flood Review) as a member of Elland Car Co.

59. Exempt Information – Possible Exclusion of the Press and Public

Resolved: That in accordance with paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting during consideration of Agenda Item 17 (Transport for the North Rail Priorities) on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information and for the reasons set out in the report that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

60. Agenda Item 18 – Better Homes Update

Resolved: That consideration of the report be deferred to a future meeting of WYCA to enable further work to be carried out on the detail of the report.

61. Minutes of the Meeting held on 29 September 2016

Resolved: That the minutes of the meeting of the WYCA held on 29 September 2016 be approved and signed by the Chair.

62. Project Approvals and Inclusion of York in the West Yorkshire Plus Transport Fund

The Authority considered a report of the Director of Delivery seeking the progression of, and approval of funding for, schemes from the West Yorkshire plus Transport Fund and the Local Growth Fund.

Project Approvals

The report provided details of the projects which had been considered by the Investment Committee on 9 November and were recommended to WYCA for progression and approval of funding. The report mapped each of the projects across to the new Project Management Office (PMO) process.

Inclusion of York in the West Yorkshire Plus Transport Fund

It was reported that given that York were not full members of the West Yorkshire Combined Authority and in order to progress two York schemes within the Fund, it would be necessary to enter into a funding agreement with them. The City of York Council's WYCA member, although unable to be present at the meeting, welcomed the recommendation of WYCA's Investment Committee that York be included in the Fund and would be seeking formal approval to the arrangements. It was proposed that final details of the agreement be delegated to WYCA's Managing Director.

Resolved:

- (i) That progression of, and funding for, schemes from the West Yorkshire plus Transport Fund and Local Growth Fund be approved as follows, with a decision on the final details on terms and conditions of the individual approvals to be delegated to the Managing Director:-
- progression of the West Yorkshire & York Broadband Coverage Phase 3 project to full business case for Growth Deal funding;
 - progression of the Leeds Enterprise Zone Power Solution scheme to full business case for Growth Deal funding;
 - the full business case and funding for the Leeds City College, Quarry Hill project with grant funding of up to £33.4m (with £10m to be spent in 2016/17) and a cash flow (loan) facility of up to £8.8m. The funding package would be subject to addressing the outstanding risks set out in the report and subsequent legal negotiations, including the requirement for the College to repay to the Authority any asset surplus realised from the three assets to be disposed of as part of the project.
- (ii) That approval be given to WYCA entering into a funding agreement with the City of York Council regarding their partnership in the West Yorkshire Plus Transport Fund, and that the detail of the funding agreement be approved through delegation to the Managing Director.
- (iii) That WYCA note the recommendation of the Investment Committee on 9 November 2016 to delegate progression and associated funding for the following projects to WYCA's Managing Director:
- Urban Traffic Management Control (UTMC) Centre
 - Wakefield City Centre Package
 - Tackling Fuel Poverty Phase 3
 - York Guildhall
 - University of Leeds – Nexus (University Innovation and Enterprise Centre)
 - LCR Flood Alleviation for Growth Programme
 - Bradford Forster Square
 - East Leeds Orbital Road

63. One Public Estate

The Authority considered a report of the Director of Policy, Strategy & Communications providing an update on the One Public Estate Programme.

The report set out details of the One Public Estate programme, an initiative designed to facilitate and enable local authorities to work successfully with central government and local agencies on public property and land issues through sharing and collaboration. It was noted that WYCA had already bid for, and successfully been awarded, £380,000 from the programme and had now submitted a bid for a further £712,000 under Phase 5 of the programme. A decision on bids for Phase 5 funding was expected in January 2017.

Members discussed the mechanism for approving individual allocations to projects and the approval of projects within any future phases of the One Public Estate programme.

Resolved:

- (i) That the WYCA One Public Estate Programme be approved, consisting of £330,000 confirmed for Phase 4 and that the £712,500 requested for Phase 5, and that any submissions to further phases, be supported.
- (ii) That WYCA's Managing Director use his existing delegated authority to approve individual allocations to projects within the Phase 4 WYCA One Public Estate programme.
- (iii) That WYCA's Managing Director use his existing delegated authority to approve projects within any future phases of the One Public Estate Programme, providing that the value of each phase was less than £1m.

64. Leeds City Region Flood Review

The Authority considered a report of the Director of Policy, Strategy and Communications on the findings of the Leeds City Region Flood Review which had been commissioned by WYCA's Leaders in response to the 2015 Boxing Day floods recognising that the greater frequency and severity of future floods was likely to be inevitable due to climate change.

The report set out details of the scope and remit of the Review to better understand the causes and impacts of the flooding and to develop actions which, when implemented, would reduce the likelihood and impacts of future flooding and enable more effective and joined up response and recovery phases to be put in place. The key findings of the Review were detailed in the report along with 19 strategic recommendations to address the issues identified. Members discussed in detail the key recommendations of the Review.

It was recognised that it was crucial that WYCA, the local authorities and the Environment Agency adopt better and more collaborative ways of working. A multi-partner officer group, reporting directly to WYCA, had been set up to oversee the work programme identified as a result of the Review and to implement the recommendations. Alongside this, work was also underway to develop a long-term

City Region Flood Resilience and Investment Delivery Plan. The final report of the Flood Review was still in production and would be circulated to members upon completion.

Resolved:

- (i) That the key findings of the Leeds City Region Flood Review be noted.
- (ii) That the feedback provided by members be noted.
- (iii) That, once finalised, the report of the Leeds City Region Flood Review be circulated to members and that thereafter the Chair be delegated authority to sign-off the final report in liaison with the Managing Director.
- (iv) That the need for additional funding of at least £5m per annum over the next 5 years to enable and bring forward flood mitigation schemes to protect more homes, businesses and communities earlier, be noted.
- (v) That WYCA be kept updated on progress by the City Region Flood Resilience Group with implementing the recommendations of the Leeds City Region Flood Review.

65. Creating Local Jobs through Major Capital Schemes

The Authority considered a report of the Executive Head of Economic Services seeking approval to a proactive and consistent approach to embedding employment and skills outcomes in the procurement of major infrastructure schemes including the West Yorkshire Transport Fund.

WYCA had been working with the Joseph Rowntree Foundation's "More Jobs, Better Jobs" project to support WYCA's coordinating role in the development of a Leeds City Region approach to maximising jobs, skills and poverty reduction through the procurement of major capital schemes and had developed a policy statement, appended to the report, which built on existing good practices in local authorities. It was noted that, following advice from the LEP Board, the proposed policy statement had been reviewed by WYCA's legal advisers who had confirmed its legal compliance.

Members discussed the importance of ensuring that discussions take place with Further Education colleges, Higher Education and other skills providers to identify possible skills gaps, the potential for re-training the workforce and the impact which a hard Brexit may have on skills and the migrant workforce. It was reported that the Leeds City Region Employment & Skills Plan had addressed some of those issues and work to identify potential Brexit implications would add further context to the latter.

Resolved:

- (i) That a consistent approach be taken to embedding employment and skills outcomes in the procurement of major schemes by the West Yorkshire Combined Authority and that the scoring criteria and contract clauses developed for the West Yorkshire Transport Fund be used for the procurement of all major schemes by WYCA.
- (ii) That the draft “policy statement” for embedding jobs and skills in the delivery of major capital schemes across Leeds City Region be approved subject to the following amendment:-

Page 3, penultimate paragraph – at the end of the second sentence starting with “This will include ...” insert the words “regardless of their geographical base or origin”.

66. Developing the LCR Strategic Economic Plan : Ensuring Good Growth Benefits All

The Authority considered a report of the Managing Director concerning inclusive growth in the context of the LCR Strategic Economic Plan (SEP).

In recognition of the importance of good/inclusive growth, the report summarised various strands of work underway across the city region on the work-stream proposed in the WYCA/LEP joint Brexit Action Plan to support a cohesive society by overcoming the disconnection between communities and national politics.

It was reported that the Royal Society of Arts (RSA’s) Commission on Inclusive Growth had carried out a ‘deep dive’ of issues and successes in Bradford, involving the West Yorkshire and York authorities, which focussed on how inclusive growth may be achieved and that it was proposed to hold an RSA/Leeds City Region event in Bradford in early 2017 to mark the launch of the final RSA report.

The report also set out plans for a collaborative project across public and private partners to better enable the city region to capitalise on new opportunities and achieve the SEP’s outcomes making good growth real for residents.

Members commented that in light of the government’s commitment to see inclusive growth, it was important for the Leeds City Region to demonstrate how it could support the government’s agenda and influence the outcome. Affordable housing, transport links and health were all vital to help people succeed.

Resolved:

- (i) That the outline project set out in the submitted report, which would be accountable to WYCA and the LEP Board, be endorsed.

- (ii) That, following on from the RSA's Inclusive Growth Commission and its deep-dive of the issues and successes in Bradford, WYCA confirm its support for an RSA/Leeds City Region-led national conference in Bradford on inclusive/good growth.

67. City Region Response to Brexit

The Authority considered a report of the Director of Policy, Strategy and Communications concerning implications for the city region economy following the vote to leave the European Union.

Members discussed the evolving implications of the UK's vote to leave the EU. It was acknowledged that, whilst the City Region economy continued to perform well, there was no room for complacency and the City Region should be ready to react to any changes either as a result of Brexit or other potential changes to global trade as a result of the US election. Key to this was maintaining close working relationships with businesses and further education establishments and focussing on maximising opportunities for businesses. Repatriation of European funding locally also remained a key concern.

The report highlighted several potential issues and explored the financial and policy changes which WYCA may wish to make in response and the potential for flexibility in the LEP's current programmes to address particular risks which may emerge as the UK prepares to exit Europe. Members asked that they be provided with clarification on the flexibilities referred to in paragraph 2.8 of the submitted report.

Resolved:

- (i) That the contents of the report be noted.
- (ii) That WYCA continue to monitor the evolving global situation and its impacts on the Leeds City Region economy.
- (iii) That a note be circulated to members clarifying the flexibilities to be sought and that authority be delegated to WYCA's Managing Director, with the agreement of the LEP Chair, to implement those flexibilities as necessary should circumstances demand urgent action to secure the health of the city region economy.

68. Implications of the Autumn Statement for the City Region

The Authority considered a report of the Director of Policy, Strategy and Communications regarding the 2016 Autumn Statement.

It was noted that WYCA had been active in seeking to shape the government's approach to the Autumn Statement by making a submission covering the city region's major investment priorities, a copy of which was appended to the report. In

addition, WYCA continued to seek devolved powers and was calling on government to provide assurances around European funding in light of Brexit.

Members were provided with a brief outline of the headline announcements in the Chancellor's Autumn Statement made on 23 November and discussed its effects on the city region economy.

Resolved: That the implications of the Autumn Statement, and the impact for the city region, be noted.

69. Post NGT Funding – Leeds Transport Strategy

The Authority considered a report of the Director of Policy, Strategy and Communications concerning devolution of funding which had previously been allocated to the NGT project.

Leeds City Council and WYCA had been working jointly on the development of a new Leeds Transport Strategy and on a Strategic Outline Case (SOC) for the £173.5m previously earmarked for the NGT project. The report provided an update on the development of the SOC which had been informed by a major transport consultation in the city, and a summary of initiatives which the £173.5m may be used to fund was set out in paragraph 2.4. Given the transport focus of the SOC, it was proposed to delegate consideration of the schemes to be incorporated within it to WYCA's Transport Committee who would be meeting on 9 December. Leeds City Council's Executive Board would also be considering the proposed SOC submission at its meeting on 14 December and, subject to approval at that meeting, it was proposed to submit the SOC to the DfT in mid-December.

WYCA would be the accountable body for the £173.5m funding and it was therefore proposed that the Leeds City Region Assurance Framework provide the governance model in the SOC submission and that, as with Growth Deal schemes, WYCA's Investment Committee be delegated the responsibility for assurance of the package following DfT approval to proceed.

Resolved:

- (i) That the development of the Strategic Outline Case submission to the Department for Transport for the £173.5m funding which had previously been allocated to the NGT project be noted.
- (ii) That consideration of the schemes to be incorporated within the Strategic Outline Case be delegated to WYCA's Transport Committee.
- (iii) That, subject to LCC approving the Leeds Transport Strategy report at its Executive Board on 14 December, the use of the Leeds City Region Assurance Framework as the proposed governance model in the Strategic Outline Case submission be noted.

- (iv) It was noted that, as with Growth Deal schemes, WYCA's Investment Committee would have responsibility for assurance of the package following DfT approval.

70. WYCA Consultation Response – Kirklees Draft Local Plan

The Authority considered a report of the Director of Policy, Strategy and Communications seeking endorsement of the proposed West Yorkshire Combined Authority (WYCA) response to support the Kirklees Draft Local Plan a part of the Combined Authority's role under the Duty to Cooperate.

WYCA had been consulted by Kirklees Council in November 2016 on their Draft Local Plan which outlined the housing and employment growth requirements for Kirklees up to 2031 and provided a portfolio of proposed site allocations to meet those needs. WYCA's proposed response to the Draft Kirklees Local Plan document, attached at Appendix 1 to the report, confirmed its alignment with the Strategic Economic Plan and emerging West Yorkshire Transport Strategy.

Resolved: That the response to the Kirklees Draft Local Plan consultation, as set out in Appendix 1 of the submitted report, be endorsed.

71. WYCA Medium Term Financial Strategy and Budget 2017/18

The Authority considered a report of the Director of Resources on WYCA's medium term financial strategy and budget for 2017/18.

It was reported that a business planning process had been underway during the autumn to ensure that the budget was aligned with the priorities identified through the Strategic Economic Plan. Appendix A of the submitted report set out the emerging priorities for 2017/18 identified through the business planning process.

Progress on the budget process was set out in the report and highlighted the challenges and pressures of setting a balanced budget taking account of the difficult funding climate in local government and the growing operational requirements of the organisation. A revised forecast budget for the current year and a proposed budget for 2017/18 was attached at Appendix B to the submitted report. Members noted the proposed £1m cut in the transport levy for 2017/18 which, given the non-discretionary nature of the English National Concessionary Scheme reimbursement, effectively represented a 2% cut of discretionary expenditure and would, taken in conjunction with other budget assumptions and pressures, require savings of £2m to be found in 2017/18. Members considered the various policy options available to achieve savings of such scale, including changes to tendered bus services and the provision of passenger information. Work was currently underway to understand the implications of changing policies in relation to tendered bus services.

The final budget would be agreed at WYCA's meeting scheduled for 2 February.

Resolved: That the draft budget for 2017/18 and the underlying assumptions and challenges be noted.

72. WYCA Corporate Plan

The Authority considered a report of the Managing Director on WYCA's Corporate Plan for 2016/17.

The report provided members with a mid-year update on performance and progress against the WYCA Corporate Plan focussing on the key measures which had been identified. It was reported that of the 35 measures included in the report, 17 were currently on target to achieve the annual targets, 5 were marginally off target and 3 were off target.

Members were also provided with a progress update on the One Organisation change programme.

Resolved:

- (i) That progress made to date on performance against the Corporate Plan be noted.
- (ii) That progress made on the One Organisation change programme be noted.

73. Appointment of External Auditors and Additional Governance and Audit Committee Members

The Authority considered a report of the Director of Resources on the appointment of external auditors and additional Governance and Audit Committee members.

Appointment of External Auditors

The report set out details of the new arrangements for the audit of authorities which had been established by the Local Audit and Accountability Act 2014 following abolition of the Audit Commission. Members considered the three options set out in the report for appointing an auditor for the 2018/19 accounts onwards noting that WYCA's Governance and Audit Committee had considered the matter at its meeting on 29 September and had recommended option 3.

Governance and Audit Committee

Members were asked to consider appointing an additional member or members to the Governance and Audit Committee in order to limit the risk of meetings being inquorate. The Committee currently comprised of 3 WYCA members.

Independent Chair of Governance and Audit Committee

It was reported that by May 2017 WYCA would, by Order, be required to appoint an independent Chair of the Governance and Audit Committee. The recruitment process for an independent chair would need to be progressed to enable the anticipated appointment to be made at WYCA's meeting in April 2017.

Resolved:

- (i) That the new options for appointing external auditors be noted.
- (ii) That WYCA opt into a 'sector led body' scheme for appointing its auditors for the 2018/2019 accounts and onwards for the compulsory period of 5 years further to the Local Audit and Accountability Act 2014 (as set out in option 3 of the submitted report).
- (iii) That WYCA's Director of Resources be authorised to sign and return the notice of acceptance of the invitation to become an "opted-in" authority, and to take any other steps to progress the new arrangements as required.
- (iv) That Councillor Tim Swift be appointed to the Governance & Audit Committee.
- (v) That WYCA's Head of Legal and Democratic Services progress appointment arrangements for an independent Chair for the Governance and Audit Committee, including convening an interview panel of 3 WYCA Members to make recommendations in relation to the appointment.
- (vi) That WYCA's Independent Remuneration Panel be asked to advise on appropriate remuneration for the independent Chair of the Governance & Audit Committee.

***74. Transport for the North Rail Priorities (Report exempt in accordance with paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972)**

The Authority considered a report of the Director of Policy, Strategy and Communications providing an update on Transport for the North's Northern Powerhouse Rail priorities emerging from the current phase of work.

Members were provided with an update outlining progress made by Transport for the North in developing Northern Powerhouse Rail. A summary of TfN's priorities emerging from the work done to date was set out in the report. Members noted that the proposed priorities would be discussed and agreed at the TfN Partnership Board on 19 December and discussed WYCA's input to that meeting.

Resolved: That the progress made in developing Northern Powerhouse Rail by Transport for the North and its partners be welcomed and endorsed.

75. Draft Minutes of the meeting of the Governance & Audit Committee held on 29 September 2016

Resolved: That the draft minutes of the meeting of the Governance & Audit Committee held on 29 September 2016 be noted.

76. Draft Minutes of the meeting of the Transport Committee held on 14 October 2016

Resolved: That the draft minutes of the meeting of the Transport Committee held on 14 October 2016 be noted.



Name of meeting: Council
Date: 22 March 2017
Title of report: Review of the Standards Regime/ Members Code of Conduct

Purpose of report

1.1 To make recommendations to Council regarding changes to the Members Code of Conduct, Standards regime and the process for monitoring and taking decisions on allegations of misconduct by Councillors, as well as the role of the Standards committee, the process for considering dispensations as well as other related matters.

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?	Not Applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Key Decision – No Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Director</u> & name Is it also signed off by the Assistant Director for Financial Management, IT, Risk and Performance? Is it also signed off by the Assistant Director (Legal Governance and Monitoring)?	Debbie Hogg – N/A Julie Muscroft – 13 March 2017
Cabinet member portfolio	Graham Turner

Electoral wards affected: All
Ward councillors consulted: All
Public or private: Public

1. Summary

1.1 Kirklees has reviewed the operation of its local Code of Conduct and its Standards process. It was introduced in 2012 and was reviewed a year into its operation in 2013 (see Back ground papers at paragraph 9). This review has considered the options for changes to the Members Code of Conduct, Standards regime and the process for monitoring and taking decisions on allegations of misconduct by Councillors as well as the role of the Standards committee, the process for considering dispensations and other related matters.

1.2 The proposals have been considered by Standards Committee on (17 Jan 2017) and by Corporate Governance and Audit Committee on (27 January 2017). It was agreed that changes are required so that we have the most appropriate practice in place that means complaints can be dealt with in a quick, fair, transparent and efficient manner. The reports referred to which were considered at those committees and are attached as Appendices to this report as well as the decisions taken by those committees.

1.3 During the review the following aspects of the Standards process have been considered:

- Code of Conduct (including declarations of interest)
- Process for handling complaints about members/ The outcome of those complaints in serious circumstances
- Role of the IP and Standards Committee
- Decision Making in the Standards Process
- Training requirements for members (as appropriate so that they are aware of the process and any changes)

1.4 This report sets out the **recommendations** considered by the Corporate, Governance and Audit Committee and the Standards Committee in relation to amending the Standards process in relation to the above items.

1.5 Members of Council are asked to consider the report having regard to the comments from Standards Committee and Corporate, Governance and Audit and **approve the recommendations** having regard to the comments from Standards Committee and additional recommendations from Corporate, Governance and Audit Committee.

1.6 Members of Council are asked to **delegate authority to the Monitoring Officer** to implement the changes required.

2. Information required to take a decision

2.1 The report to Standards Committee (17 Jan 2017) attached to this report should be considered and sets out the background and reasons in relation to the Standards Review

2.2 It was felt it was an appropriate time to review the Code and the Standards process generally alongside the review of the Member /Officer protocol/ introduction of new behaviours for employees and members in 2015. The Monitoring Officer first presented this review to the Chief Executives meeting with Leading Members in February 2015 and has since presented updates at the same meeting in January 2016, May 2016 and December 2016. During this period she has also consulted with Group Business Managers, Independent Persons, Overview and Scrutiny Committee, the Members Commission and informally with Standards Committee (before the formal meeting in January this year).

2.3 A detailed Standards Questionnaire was sent to relevant Directors, Independent Persons, Group Leaders, Deputy Leaders, Group Business Managers (GBMs), Members,

Commission, members of the Standards committee, Overview and Scrutiny committee and Corporate Governance and Audit Committee. A small number of responses were initially received but more detailed feedback was obtained from the Group Business Managers in August 2016.

- 2.4 A shorter online survey was circulated to all members to obtain their views and a copy of the results and their response is attached with the report to Standards Committee.
- 2.5 During the interim period the Councillor Complaints section of the website has been updated to incorporate a table providing customers with alternative avenues for resolution of their complaint prior to contacting the Monitoring Officer.
- 2.6 The purpose of the changes to the Standards regime in the Localism Act 2011 is to ensure Councils can deal with complaints simply, more efficiently and without malicious or petty complaints taking up time and resources of a number of officers and councillors.
- 2.7 If the recommendations are agreed there is likely to be a small increase in costs as the remuneration of the Independent Person (s) will need to increase due to the change of role and additional responsibility. The current Independent Persons were re-appointed to the role for a short period until the outcome of the review of the standards process was known. They receive a small allowance of £50 per annum for their time. It is proposed that if agreed the MO be delegated with authority, in consultation with Group Business Managers to make appropriate arrangements to review the role of the Independent Person (including remuneration), take appropriate steps to advertise the revised role and make appointments subject to final approval by Council.
- 2.8 The different option for each recommendation is set out in the appendix to the Standards Committee report attached and was considered by both the Standards Committee and CGA Committee. **Members approval is sought for the final recommendations** taking into account the comments of both, which are set out at section 6 below.
- 2.9 It is proposed (subject to the appointment of Independent Persons) that a revised Code and Standards process will begin in the Municipal year i.e. post Annual General Meeting in May 2017 or as soon as possible thereafter. The revisions will be included / referred to in the report which goes to Annual Council about amendment to the constitution.
- 2.9.1 The benefits of a revised Code of Conduct and changes to the process will mean there is clearer direction about what amounts to bad behaviour which can be sanctioned. Overall the process will be quicker, clearer, more efficient and fair. It is expected that there will be greater clarity about what complaints should process through the Standards process as well as a formal route to ensure that issues of a trivial or minor nature are removed. This will free up more officer and councillor time.

3. Implications for the Council

- 3.1 The Council is required to have a suitable Code of Conduct / standard process in place. It is important that whatever is in place is taken seriously by the Council and any decisions are properly implemented otherwise there will be a lack of confidence by complainants / the public as well as Members.

Early Intervention and Prevention (EIP)

N/A

Economic Resilience (ER)

N/A

Reducing demand of services

Although not directly linked to reducing the demand for frontline council services the amended process may lead to a reduction in the number of matters considered as complaints, either formally or informally and should therefore reduce time spent on these matters.

Improving Outcomes for Children

N/A

4. Consultees and their opinions

- 4.1 The views of Standards Committee on the current arrangements were sought on 17 January 2017 as referred to above.
- 4.2 The views of Corporate, Governance and Audit Committee on the current arrangements were sought on 27 January 2017 as referred to above.
- 4.3 The relevant reports and decisions are included in the appendices to this report

5. Next steps

- 5.1 If the recommendations are approved the following changes are required:-
 - i. Updating the Members Code of Conduct and the Constitution
 - ii. Update the Standards Complaints process and forms
 - iii. Review and amend the role of the Independent Person and undertake any relevant Human Resource procedures
 - iv. Develop and provide appropriate training
 - v. Update the website
 - vi. Update and amend the Terms of Reference for the Standards Committee

6. Officer recommendations and reasons

6.1. It is recommended that Council **approve the following recommendations** for the reasons set out in the attached reports to Standards Committee and Corporate Governance and Audit Committee. That:

6.1.1 Kirklees Code of Conduct is amended so that it is more directional about what would be poor behaviour (makes reference to the Principles of Public life but also makes specific examples of poor behaviour)

6.1.2 Code of Conduct is amended to include a lack of response to a complaint subject to relevant extenuating circumstances, as an example of poor behaviour.

6.1.3 Members are to sign the revised Code of Conduct when newly elected or re-elected from implementation of the new Code

6.1.4 Section 5.1 of the Code of Conduct is amended to simplify the definition of interests which are not disclosable interests (Other Interests) as described in the reports to Standards Committee and Corporate Governance and Audit Committee.

- 6.1.5 The Council continues the current practice to verbally declare DPI's and Other interests
- 6.1.6 The process of deciding whether a complaint merits consideration through the standards process is clarified to reflect that the Monitoring Officer and (one) of the Independent Persons will make that decision.
- 6.1.7 If a complaint proceeds, the process of making decisions on standards matters at the first stage of the process is amended to refer to the decision maker being the Monitoring Officer with the Chair of Standards and one of the Independent Persons following consultation with the Group Business Managers
- 6.1.8 Linked to recommendation 6.1.6, the standards process be amended to include a clearer process for early dismissal of complaints that are minor or political tit-for-tat
- 6.1.9 The terms of reference for the Standards Committee be amended to reflect the additional areas referred to in the Standards report and comments from Standards and Corporate, Governance and Audit committees
- 6.1.10 The process relating to the granting of dispensations be amended so that there is provision for the Monitoring Officer to consult with the GBM's prior to budget council and during the summer regarding dispensations
- 6.1.11 All of the sanctions attached at Appendix 8 of the Standards Report, attached at Appendix 1, be adopted
- 6.1.12 Cases referred to the police (for example where there has been a breach of pecuniary interest obligations) but where the criminal investigation ceases should automatically go through the standards process.
- 6.1.13 The standards process continue without a right of appeal
- 6.1.14 Members be required to attend appropriate training (workshop or online) following this review on the new code and standards process
- 6.1.15 The standards process be amended to include express provision for the expectations of behaviour of the public to be considered when a decision is made in relation to a complaint
- 6.1.16 In the event that the proposals above are agreed which change the role of the Independent Person(s) that the role and remuneration of the Independent Person(s) be reviewed to reflect that change and in consultation with Group Business Managers the Monitoring Officer be delegated with authority to make those changes, to advertise the roles and bring the Independent Persons appointment back to the Council for approval.
- 6.1.17 It be noted that the position of Group Business Manager and the Chair of Standards cannot be held by the same Councillor
- 6.1.18 Authority is delegated to Monitoring Officer to implement the changes required above (including but not limited to) make the appropriate changes to the Constitution as well as on-line information.

7. Cabinet portfolio holder's recommendations

N/A

8. Contact officer

Julie Muscroft – Assistant Director – Legal, Governance and Monitoring

9. Background Papers and History of Decisions

Previous reports -Localism Act 2011 – The Amended Standards Regime – 31 Jan 2012

Localism Act 2011 – The Amended Standards Regime – 3 February 2012

New Standards Regime – 25 Jun 2012

New Standards Regime – 4 Jul 2012

New Standards Regime – 24 Oct 2012

Review for the New arrangements for Member Conduct – 18 Jul 2013

Review of Complaints – 18 Jul 2013

Review of New Arrangements for Member Conduct – 27 Sep 13

Review of New Arrangements for Member Conduct – 23 Oct 13

10. Assistant Director responsible

Julie Muscroft – Legal, Governance and Monitoring

11. Appendices

Appendix 1 - Review of the Standards Regime/ Members Code of Conduct

Standards Committee – 17 Jan 2017

Appendix 2 - Review of the Standards Regime/ Members Code of Conduct

Corporate, Governance and Audit Committee – 27 Jan 2017

Appendix 3 – Decisions of Standards Committee – 17 Jan 2017 and Corporate,
Governance and Audit – 27 Jan 2017

Name of meeting: Standards Committee

Date: 17 January 2017

Title of report: Review of the Standards Regime/ Members Code of Conduct

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Is it in the Council's Forward Plan ?	No
Is it eligible for "call in" by Scrutiny ?	No
Date signed off by <u>Director</u> & name	
Is it signed off by the Director of Resources?	N/A
Is it signed off by the Assistant Director – Legal, Governance & Monitoring	Julie Muscroft
Cabinet member portfolio	Resources - Graham Turner

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

Public or private: Public

1. Purpose of report

- 1.1 To review the operation of the Standards process since its introduction in 2012.
- 1.2 To consider options for changes to the Members Code of Conduct and Standards regime and for monitoring and making decisions on allegations of misconduct by Members.
- 1.3 To make recommendations to Standards Committee, Corporate Governance & Audit and Council in relation to those options.

2. Key points

2.1 Background Information

- 2.1.1 The Localism Act 2011 (“the Act”) made a number of fundamental changes to the system of regulation of Standards of Conduct for Elected and Co-opted Members of Councils. The old National approach to Standards was replaced with the requirement for each Local Authority to adopt a local Code of Conduct and to agree the arrangements by which complaints will be dealt with.
- 2.1.2 This Council considered the implications of the new legislation and the approach that it wished to take in a series of reports during early 2012. This included looking at the Code of Conduct for members as well as the process by which complaints could be made by members of the public and others relating to the conduct of Members. A list of reports considered are set out in paragraph 8 of this report.
- 2.1.3 As part of this look at the approach it wished to take the Council also considered the process of granting Dispensations to members to allow them to take part in discussions and /or voting in circumstances where they might otherwise be stopped from doing that. For example if you were a Director (paid or not) of an external body which had a contract with Kirklees. It should also be noted that under the Localism Act councils were no longer required to have a Standards Committee. Kirklees kept a Standards Committee in place but with significantly reduced powers – so effectively an overview Committee to review activity / agree new protocols and receive reports from Sub Committees reporting on any investigations undertaken.
- 2.1.4 The operation of the new scheme was reviewed in July 2013 by the Standards Committee. A number of issues were raised relating to the Code of Conduct, dispensations, training and the decision making process. It was also recommended that the Principles of Public life be updated in the Code of Conduct. At the Council meeting in October 2013 the decision was taken to update the Code of Conduct to reflect the new Principles of Public Life but no other amendments were made to the process.
- 2.1.4 By way of a brief reminder the Standards process works as follows: The full process is attached at Appendix 1.
- a) When a complaint arrives it is shared with the Councillor or Councillors who are the subject of the complaint (14 days to respond)
 - b) The response is shared with the complainant who is able to make further comments (14 days to respond)

- c) A brief report is prepared. This may involve speaking to relevant people and can include checking other documents and the actions can vary.
- d) A summary report is written and circulated to members of the Assessment Panel with relevant papers. From 2014 the Assessment Panel has met 6 weekly and consists of the Group Business Managers, the Monitoring Officer (as well as a member of legal staff usually) and one or more of the Independent Persons. It is not an investigation at this stage and neither the complainant nor complaint subject attend.
- e) At the Assessment Panel the Monitoring Officer seeks the views of the Independent Person and Group Business Managers in relation to the complaint and then decides what action (if any) is taken. The Monitoring Officer may only decide to conduct an investigation after consultation with the Independent Person (see below).

There are various actions/decisions which the Monitoring Officer might make including:

- No further action is required
 - An apology
 - It might involve training
 - It might involve a conciliation meeting
 - The decision might also contain some advice/recommendations for future reference
 - In addition, if the matter is more serious, they may decide a further investigation is necessary in which case the Monitoring Officer would commission someone to carry out that investigation (internally or a third party) and the results of that would be considered at a Sub-Committee of the Standards Committee. In turn the Sub Committee might report any decision to the Standards Committee
- f) The complainant, complaint subject, party leader and the Business Manager is informed of the decision

2.1.5 The current Code of Conduct is attached at Appendix 2 to this report. The current Declaration of interest form is attached at Appendix 3.

2.1.6 It is an appropriate time to review the Code and the Standards process generally alongside the review of the Member /Officer protocol/ introduction of new behaviours for employees and members in 2015. The Monitoring Officer first presented this review to the Chief Executives meeting with Leading Members in February 2015 and has since presented updates at the same meeting in January 2016, May 2016 and December 2016. During this period she has also consulted with Group Business Managers, Overview and Scrutiny Committee, the Members Commission and informally with Standards.

A detailed Standards Questionnaire was sent to relevant Directors, Independent Persons, Group Leaders, Deputy Leaders, Group Business Managers (GBMs), Members Commission, members of the Standards committee, Overview and Scrutiny committee and Corporate Governance and Audit Committee. A small number of responses were initially received but more detailed feedback was obtained from the Group Business Managers in August 2016.

A shorter online survey was circulated to all members to obtain their views and a copy of the results and their response is attached at Appendix 4.

During the interim period the Councillor Complaints section of the website has been updated to incorporate a table providing customers with alternative avenues for resolution of their complaint prior to contacting the Monitoring Officer.

The purpose of the changes to the Standards regime in the Localism Act was to ensure Councils could deal with complaints simply, more efficiently and without malicious or petty complaints taking up time and resources of a number of officers and councillors.

2.2 Number of Complaints Received

2.2.1 The table below sets out a summary of the number of complaints that have been received under the Standards process since the new process was adopted for information. It includes a brief note of the decision (if any) reached. It should be noted that some complaints include more than one member where the decision reached was different. In some case more than one action was recommended e.g. apology and training. For this reason the figures don't add up to 42 which is the number of complaints which were received in total.

Decision	Number	Parish/Town Council
No further action	12	2
Apologies	6	1
Training	9	
Mediation/conciliation	2	3
Other action	5	
Complaints withdrawn	3	
Investigations	0	

Levels of Complaints

Since the review began and was made public in February 2015 there has been a significant reduction in the number of complaints received by the Monitoring Officer. Between February 2016 and December 2016 there have been 2 complaints that have proceeded through the formal standards process. The Monitoring Officer has increasingly dealt with these potential complaints by way of informal resolution and diverted them to the most appropriate avenue for complaint/resolution. One explanation for the reduction is the adoption of the new Councillor Complaints table which helps individuals find the right avenue to address their concerns.

Of the 42 complaints received 4 were by existing Council members.

Of the 42 complaints received 5 were from Parish/Town Councils. Julie is the Monitoring Officer for Parish and Town Councillors but these Councils can and do adopt their own Codes of Conduct. There has been a slight raise in the number of complaints received from Parish and Town Councils.

2.2.2 In the Standards Information Table at Appendix 5, the first column sets out by comparison the number of complaints received by neighbouring authorities. York are also part of the West Yorkshire Lawyers Collaboration and they're figures are 11 for 2014/2015 and 9 for 2015/2016. You will note from this that by comparison to the other authorities we received more complaints by per head of the population than West Yorkshire and York Councils.

2.3 Some Observations About the Current Process

2.3.1 Since the current Monitoring Officer arrived at the Council in September 2013 there have been 27 cases. There have been 4 in 2013 (from Sept 2013, 17 during 2014, 3 during 2015 and 3 during 2016. Again this highlights the reducing complaints over the last three calendar years. The Monitoring Officer has conducted a number of discussions with Members, Officers and Independent Persons as set out at paragraph 2, over the three year period. We have also looked at the operation of the Code of Conduct and the Standards regime at other Councils and have discussed with some of them their views about how well the local regime works. The following paragraphs contain some observations as well as suggestions about the current process and how these might be changed moving forwards.

Standards Questionnaire and Members Survey

The Standards Questionnaire invited Members to provide their comments and views about some of the issues where there are a range of options. The responses received include the detailed discussion with Group Business Managers and they informed the drafting of the proposals and recommendations.

We have also considered and taken into account the responses received from the Members survey during August and September 2016.

Facts / Observations	Comments / proposals or options moving forwards
<p>Since the new Standards regime came into force there have been no complaints which have been taken beyond the first stage of the process so they have been considered by the Monitoring Officer with the Group Business Managers and the Independent Person and any action has been taken following that. This has either been in the form of no further action, an apology, conciliation or training, recommendations or advice provided</p>	<p>This is good as it means that issues have been of a trivial or minor nature. The fact that no further action has been taken in around a quarter of cases means that perhaps we should consider other steps before a case reaches a formal process. This is supported by the comments of some complainants about the length of the process undertaken and the fact that once a complaint form is completed by a complainant the complaint automatically moves forward and is considered by the Assessment Panel.</p> <p>There needs to be greater clarity about what should go through to a formal process. This is also supported in the comments from the members survey. There should be a way of referring some complaints to Group Business Managers or to Corporate Complaints to resolve or dismissing / resolving through some other means.</p>
<p>No formal or informal investigations have taken place. One matter has been passed to the Police to investigate. The prosecution was unsuccessful.</p>	<p>As above</p>
<p>Following the introduction of the new Standards process approximately half of the Members who held seats at the time took the opportunity of taking training on the new process. It appears from various comments made by Members either in responses to complaints or otherwise that a number still either believe that the old and National Code of Conduct is still in place or believe that the new Standards process is the same.</p>	<p>Following this review Members be required to attend appropriate training – whether attending a workshop session or online training.</p>
<p>Some members don't respond, or</p>	<p>Suggest that in future the lack of a</p>

<p>don't respond quickly.</p>	<p>response is specifically referred to in the Code. So it could be considered as part of the complaint and shouldn't lead to a delay or hold up in considering any matter. This should be subject any relevant extenuating circumstances.</p>
<p>In some cases Members won't take appropriate action as recommended as the process contains no specific sanctions other than training or apology it lacks any teeth and it does not appear to always be taken seriously. A number of observations have been made by members of the public about the lack of teeth and the fact that there is no sanction if a member fails to carry out the recommendation made by the Monitoring Officer as a result of the first stage in the process.</p>	<p>We cannot do anything about it's lack of teeth except ensure that whatever Standards process is adopted by the Council is fully signed up to by Members and taken seriously by Groups who encourage members to comply. The comments from the survey indicate members believe upholding standards is very important and members should abide by sanctions.</p>
<p>Recently comments have been received by Members relating to the lack of a right of appeal. This was an issue considered at the time when the new Standards process was being considered and options being looked at. It was decided that there should be no specific right of appeal within the Authority but that instead any issues from Members and/or members of the public should be dealt with through the Ombudsman. This is only in relation to the process and does not relate to the decision. There is no right to appeal in other WYLA processes.</p>	<p>It seems generally no local codes have appeals. This would not support the process being dealt with quickly and more efficiently.</p>
<p>Issues have been raised around the extent to which private factors can be considered and/or revealed as a part of a response to a complaint.</p>	<p>This can be covered in any guidance.</p>
<p>Members of the public have also commented that the process of having to physically sign and return a complaint form is now out of date and that it should be sufficient to submit something by email only into</p>	<p>The Monitoring Officer Box should be reviewed and modernised with the ability file a complaint on line without the need to send a signed form.</p>

the Monitoring Officer box.	
There is a lack of clarity in the Monitoring Officer box about the process and any distinction between an informal complaint and a complaint which is to go through the Standards process.	As above.
There needs to be greater guidance on the website and/ or in the Code of conduct to members of the public about what will be considered or will be dealt with in some other way or dismissed.	Update guidance. The website has been amended to provide more information to members of the public so they can direct their complaint appropriately.
Need to keep under review trends and put steps in place to deal with issues which appear to be leading to complaints of a minor nature e.g. responding to email queries	Review regularly and make appropriate recommendations to GBMs.
Some complaints are politicised/ political or of a very trivial nature	Need to adopt a solution to short cut these / potentially deal with in a different way. Potentially early dismissal or through GBMs.
The reference to the 7 Principles of Public Life without more specific guidance leaves a lack of clarity sometimes about what's expected.	<p>We should have clearer direction about what amounts to bad behaviour which should be sanctioned. This was agreed by the majority of members who responded to both questionnaires. This approach is also supported by the Independent Person as it would help members of the public to focus directly on the conduct they believe breaches the code and reduces the potential for inappropriate interpretation of what the principles mean.</p> <p>Clear cross reference to new Member / Officer Protocol and behaviours.</p>

2.3.2 More recently the Monitoring Officer has been involving Group Business Managers more when considering complaints and attempting to informally resolve complaints. Generally this has been working well but still leaves the Monitoring Officer as the sole decision maker after assessing the complaint with the Group Business Managers in relation to an informal resolution. This is out of sync with what happens elsewhere.

2.3.3 The Monitoring Officer has devised a table to assist members of the Public in resolving their complaint. The table sets out the different types of complaints and directs their complaint to the appropriate service or person and this seems to have assisted in reducing the number of complaints received.

2.4 What Happens Elsewhere

2.4.1 Decision Making

A short summary of what other West Yorkshire and York Councils do in so far as the Standards process is concerned is set out in Appendix 5. You will see that no other Council has a process which relies on the Monitoring Officer only making the decision. The decision at the first stage of the complaints process is either the Monitoring Officer in consultation with Standards Committee / Standards Committee Chair or the Monitoring Officer in consultation with the Independent Person or Persons and/ or Standards Chair.

Role of the Standards Committee

In the cases where the Standards Committee or Chair is involved the role of Standards Committee is one of promoting and maintain high standards of conduct by members of the Council, advising the Council on the adoption or revision of the Members Code of Conduct, considering and determining breaches of Code of Conduct which have been referred from the Monitoring Officer and recommending appropriate penalties, advising and training of Members relating to the Members' Code of Conduct.

Most of the other West Yorkshire Local Authorities have retained a Standards Committee. The role is smaller than it once was but still serves an important purpose. The role is one of promoting and maintaining high standards of conduct by members of the Council, advising the Council on the adoption or revision of the Members Code of Conduct, considering and determining breaches of Code of Conduct which have been referred from the Monitoring Officer and recommending appropriate penalties, advising and training of Members relating to the Members' Code of Conduct.

Members' views were sought on whether the Standards Committee should still exist. The Standards Committee is not required as part of the current legislation and at the moment is only in place to consider changes to protocol and/or the process generally. If any decision was made as a result of an investigation it would be done through the Sub-Committee process. Members were asked whether they would like this to be reviewed.

Early Dismissal /Referral of Complaints

2.4.2 There is a clearer process for early dismissal or referral elsewhere. Other Councils have a clearly defined process for filtering complaints that should require early dismissal such as political tit-for-tat. Kirklees

does not have anything in place to deal with these types of complaint and they follow the normal standards process taking up time. This will reduce the time in dealing with these types of complaints and allow for them to be resolved quickly.

Code of Conduct

- 2.4.3 The Code of Conduct in a number of places is more directional and rather than refer just to the Principles of Public life has clear directions about behaviours as well as repeat behaviour. They are generally shorter particularly the parts relating to 'Other Interests'. Please see Sheffield's general obligations in their Code of Conduct at Appendix 6 and York at Appendix 7.

The Standards Review

- 2.4.4 During the Standards review the following areas have been closely reviewed and considered and members' views have been sought in those areas. The feedback provided is below and has helped in forming the recommendations in this report. The result from the Members' online survey is attached at Appendix 4.

2.5 The Current Code of Conduct

The current Code of Conduct is attached at Appendix 2.

The current code refers to the 7 Principles of Public life but gives little guidance about what this means in practice and is sometimes as a result difficult to interpret when Standards complaints are received. [see comments in table above].

The section dealing with Interests which are not Disclosable Pecuniary Interest (Other Interest) is quite complicated compared to others. It could result in more declarations of other interest than others.

The Sheffield Council Code of Conduct at Appendix 6 is an example of how most councils locally have drafted their sections on 'Other interests'.

Members are also required to consider whether it is necessary to stand up at Council meetings and verbally declare interests if the DPI and Other interests are up to date and recorded in writing. Requiring verbal declarations can be time consuming and repetitive but does provide transparency and can be seen as good practice. There may also be an expectation for the interest to be declared. Members considered whether the process should be different for DPI's which are different to interests that are not DPI's, which are referred to as 'Other interests'.

Under the Localism Act it's not necessary to declare at each meeting unless its included as a requirement in the Code of Conduct. However, as a Council we should consider whether this is a practice Kirklees should adopt and whether it reflects good practice and transparency.

From considering protocols at other Councils most still require the member to verbally declare. Others simply are in accordance with minimum requirements of the legislation and require only that the interest is recorded in writing.

2.7 Granting of Dispensations

2.7.1 Dispensation applications are considered and dispensations granted by the Assistant Director – Legal, Governance and Monitoring alone.

2.7.2 To date 131 dispensations have been granted. These were largely related to being able to vote to set Council tax in the first year of operation. Since then we have taken a different approach to Council tax following CLG guidance.

There are a number of circumstances in which it is possible to grant a dispensation under the legislation as follows:

Section 33(2) Localism Act 2011 states

A relevant authority may grant a dispensation under this section only if, after having had regard to all relevant circumstances, the authority—

- (a) considers that without the dispensation the number of persons prohibited by [section 31\(4\)](#) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,*
- (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,*
- (c) considers that granting the dispensation is in the interests of persons living in the authority's area,*
- (d) if it is an authority to which [Part 1A of the Local Government Act 2000](#) applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by [section 31\(4\)](#) from participating in any particular business to be transacted by the authority's executive, or*
- (e) considers that it is otherwise appropriate to grant a dispensation.*

Some of these are fairly straight forwards. So for example where there are so many members who have an interest that it would not be possible to conduct the meeting/ it would skew voting. Others are less straight forwards and potentially could involve others in a decision for example paragraph (c) and (e)

Some Councils use Standards Committee to consider/ grant dispensations in those circumstances. This would however require more pre planning than exists at the moment and wouldn't mean that quick decisions could be taken.

Members' views were sought on whether any revisions were required to this process and whether some requests should be referred to Standards or some other process.

3. Implications for the Council

- 3.1 The Council is required to have a suitable Code of Conduct / standards process in place. It is important that whatever is in place is taken seriously by the Council and any decisions are properly implemented otherwise there will be a lack of confidence by complainants / the public.

4. Consultees and their opinions

- 4.1 Group Business managers who are in favour of a quicker process, removing some of the trivial/political/ "tit for tat" type complaints.
- 4.2 Independent Persons who would like a quicker process and would also like to remove some of the more trivial complaints.
- 4.3 Leading members and other officers (Chief Executive) who would like a quicker process / fewer complaints being considered and the decision not resting just with the Monitoring officer following consultation.
- 4.4 All members. The result of the online survey is attached at Appendix 4. The majority of members are supportive of change to the complaints process.

5. Next steps

- 5.1 This needs to be considered firstly by Standards Committee, then following that any proposals to change would need to be considered by Corporate Governance and Audit Committee who will be given the opportunity to comment / make proposals relating to the changes required to the Constitution before it is considered by Council.
- 5.2 If changes are recommended the Constitution will need updating.
- 5.3 Appropriate training may be required.
- 5.4 Appropriate website updates will be needed

6. Options, Officer Recommendations and Reasons

The options in relation to each recommendation are attached at Appendix 9.

The Standards Committee are asked to consider the recommendations in relation to each of the issues set out below and recommend the adoption of the recommendations and / or make any comments or suggestions about them in order for them to be considered firstly by the Corporate Governance and Audit Committee and afterwards by Council (who will make the final decision).

6.1. Code of Conduct - Behaviour

Recommendations
<ol style="list-style-type: none"> 1. Revise Kirklees Code so it is more directional about what would be poor behaviour (makes reference to the Principles of Public life but also makes specific examples of poor behaviour 2. Amend code to include a lack of response, subject to relevant extenuating circumstances 3. Members are to sign the Code of Conduct <p>No. 2 is to address complaints where members don't respond, so it can be considered as part of the complaint – this would be subject to any relevant extenuating circumstances</p>
Reasons
<p>The feedback in this regard has been finely balanced and 10 Members (of the 17 who responded) to the more general online survey did not prefer a more specific and directional code of conduct that would include more specific examples of poor behaviour. However, taking into account the response overall from Members, the Independent Person including Leading Members meant that overall there was more support for the simple and clear Code with examples of poor behaviour.</p>

The Codes of Conduct of Sheffield and York Council are attached at Appendix 6 and 7 in particular the general obligations section.

6.2 Code of Conduct – Interests

As stated previously, Kirklees' Code of Conduct, Section 5, deals with Interests which are not Disclosable Pecuniary Interests (DPI) and section 5.1 is quite complicated compared to others.

The majority of Members would like this section to be short and to the point but also felt the exceptions set out at Section 5.4 should remain as these were helpful.

Recommendations
<ol style="list-style-type: none"> 4. Amend section 5.1 of the Code of Conduct to simplify the definition of Other interests – Please note section 5.4 of the current code will also be added
Reasons
<p>This simplifies the 'Other Interest' drafting and assists members in understanding whether they need to declare an interest or not</p>

6.3 Declaring Interests' at Meetings

Members are also required to consider whether it is necessary to stand up at Council meetings and verbally declare interests if the DPI and Other interests form is up to date and recorded in writing. Requiring verbal declarations can be time consuming and repetitive but does provide transparency and can be seen as good practice. This is the position in our current code. It is also necessary to consider whether the process should be different for DPI's which are different to interests that are not DPI's, which are referred to as 'Other interests'. Verbal declaration is required in the current code.

Members considered the approach to declaring interests at meetings and most believed that both DPI's and Other interests should be verbally declared. Most senior members requested that 'Other Interests' should remain recorded in writing on the Declaration of Interests form.

Recommendations
5. Continue current practice to verbally declare DPI's and Other interests
Reasons
This is good practice and shows openness and transparency and is supported by members.

6.4 A Revised Standards Complaints Process:

Complaints Process

Both prior to and during the review a number of members were concerned about the length of the complaint process, as well as the fact that once a complaint form has been submitted it automatically moves forward and is considered by the Assessment Panel. This was concerning to members especially when there were complaints that were perceived to be of little merit, extremely minor in nature or as a result of political tit-for-tat.

Recommendations
6. Amend the process so the Monitoring Officer and one other, or more can make a decision about whether the complaint should proceed.
Reasons
This would ensure there was greater clarity about which types of complaints could proceed through the process. One of the purposes of the new Code is to have a quicker way for dealing with trivial complaints and this would avoid delay and is supported by members. Groups have agreed to take appropriate action to change poor behaviour of a member of a group if necessary.

Decision making

The current position is for the Monitoring Officer (MO) to make the decision upon what action to take when assessing a complaint and to consult the Group Business Managers (GBM) and the Independent Person (IP) when doing so. Experience of operating the current system suggests the MO's combined roles of liaising with potential complainants, consulting subject

members and reporting back to complainants and making assessment decisions can conflict. There is benefit in expanding the decision gathering the information upon which the assessment is to be based.

The Localism Act 2011 created the role of the Independent Person (IP). The authority must seek the views of the IP and take them into account before making a decision on an allegation it has decided to investigate. Since 2012 there have been no complaints that have reached a stage where there has been a need for a formal investigation.

The authority may consult the IP in relation to an allegation received regarding a person's behaviour. Currently, it is a matter for the Monitoring Officer to decide whether the IP is consulted in relation to allegations received. Even if consulted they are not part of the decision making and it is only their views which need to be sought and taken account of.

It is common to involve the Chair of Standards or IP in the complaints process, although this doesn't happen in Kirklees

The majority of members did not believe the MO should be the sole decision maker. Most of members wanted another individual involved in the decision making at the Information Resolution stage of the complaints process.

Recommendations
<p>7. Amend the process so the decision maker is the MO with the Chair of Standards, they would still consult with the GBM at assessment panel if a complaint proceeded</p> <p>8. Amend the process to include a clearer process for early dismissal of complaints that are minor or political tit-for-tat</p>
Reasons
<p>This means that the decision is not solely the responsibility of the MO and allows others to contribute to the decision making process, making it fairer. This would bring Kirklees in line with its West Yorkshire counterparts.</p>

Standards Committee

The majority of members who responded believed the role of the Committee should be reviewed and should still exist.

Recommendations
<p>9. Only slight amendments to the role to include the following:-</p> <ul style="list-style-type: none"> -To receive 6 monthly reports regarding member behaviour and complaints received -To meet annually for a review meeting -Highlight training needs
Reasons
<p>It was clear from the feedback received from members that they supported the role of the Standards Committee and felt it still served a very important purpose. However, they felt it required a larger role than it had and the recommendation here would increase the role of the Standards Committee in the Standards process</p>

6.5 Dispensations

Members' views were sought on whether any revisions are required to this process. So whether to refer some requests to Standards or some other process.

Members were initially divided on whether the Standards Chair or standards committee should be involved in the granting of dispensations. After further discussion the GBM's felt it was appropriate for dispensations to be brought to the GBM group twice a year rather than Standards.

Recommendations
10. Amend the process so that there is provision for the MO to consult with the GBM's prior to budget council and during the summer
Reasons
This allows more flexibility for the process of dealing with dispensations. This could also encourage members to complete requests earlier and be dealt with more quickly

6.6 Sanctions

The Localism Act 2011 has made no provision for sanctions against members who are found to have breached the Codes of Conduct of their authorities. Under the new provisions there are no powers to disqualify or suspend a councillor for breach of an authority's code and it has been criticised for having a lack of teeth. Authorities are able to censure members, to publicise breaches of their codes of conduct, to report to their councils and to recommend that members are removed from positions on committees and outside bodies. Some authorities have decided to include provision in their arrangements for training to be offered to members who have breached their codes of conduct and other sanctions which are included in the Sanction Table attached. Members were asked what sanctions should be available at the Informal Resolution stage.

Most members requested the following sanctions attached at Appendix 8. should be available.

Recommendations
11. Adopt all of the sanctions attached at Appendix 8.
Reasons
Kirklees would have clear sanctions that could help improve the conduct of members. This would require the support of the groups to promote compliance with the sanctions and enforce them. The member survey results indicates the sanctions would receive support from groups

6.7 Additional Recommendations

12. It is recommended that any matters which are referred to the police but where the criminal investigation ceases should automatically go through the standards process.

This would enable any complaints which do not meet the criminal standard of proof to be addressed by the Council as there could still be a breach of the Code of Conduct

13. It is recommended that the current process continues and there continues to be no right of appeal, other than a recommendation that the Councillor can go to the Ombudsman if they are unhappy.

There is no right of appeal under the standards process within the authority at the moment. There is no right of appeal in any other West Yorkshire Local Authority

14. Members be required to attend appropriate training (Workshop or online) following this review on the new code and standards process

7. Cabinet portfolio holder recommendation

n/a

8. Contact officer and relevant papers

Julie Muscroft

Previous reports -Localism Act 2011 – The Amended Standards Regime – 31 Jan 2012

Localism Act 2011 – The Amended Standards Regime – 3 February 2012

New Standards Regime – 25 Jun 2012

New Standards Regime – 4 Jul 2012

New Standards Regime – 24 Oct 2012

Review for the New arrangements for Member Conduct – 18 Jul 2013

Review of Complaints – 18 Jul 2013

Review of New Arrangements for Member Conduct – 27 Sep 13

Review of New Arrangements for Member Conduct – 23 Oct 13

9. Assistant director responsible

Julie Muscroft – Assistant Director - Legal Governance and Monitoring

10. Appendices

1. Standards process
2. Kirklees' Member Code of Conduct
3. Declaration of Interests form
4. Members Survey results
5. Standards Information Table
6. Sheffield Member Code of Conduct
7. York Member Code of Conduct
8. Sanctions
9. Options Available

STANDARDS PROCESS – BRIEF DESCRIPTION

The Assessment Panel considers the complaint and written response. It is not an investigation at this stage and therefore you are not required to attend. The Panel is made up of the Independent person and the Group Business Managers who I consult in coming to a decision. The process is briefly described below. It was adopted by the Council pursuant to the Localism Act 2011 and replaced the previous Standards regime. A link is also attached:

<http://www.kirklees.gov.uk/you-kmc/contact/councillorComplaints.aspx>

Under the new standards arrangements the process is briefly as follows:

1. When a complaint arrives it is shared with the Councillor or Councillors who are the subject of the complaint and they are given usually 14 days to respond to the complaint made.
2. When the response is received that is shared with the complainant who is able to make further comments within 14 days.
3. Once that has happened a brief report is prepared. Sometimes this involves speaking to relevant people who may have been involved. It may involve looking at other emails and checking other documents. The action (if any) may vary.
4. Once that has happened a summary report is written and the summary report is circulated to members of the Assessment Panel with relevant background papers (e.g the complaint and response/emails). Usually this is done when there are two or three complaints rather than considering any one complaint at a time. The Assessment Panel meets and consists of the Business Managers of each group, myself as Monitoring Officer (as well as a member of my staff usually) and one or more of the Independent Persons. At the Assessment Panel I seek the views of the Independent Person as well as the Business Managers in relation to the complaint/as well as any background papers. The Monitoring Officer takes into the account the views of those people, but ultimately the decision in relation to what action (if any) is taken is the decision of the Monitoring Officer.

There are various actions/decisions which the Monitoring Officer might make including:

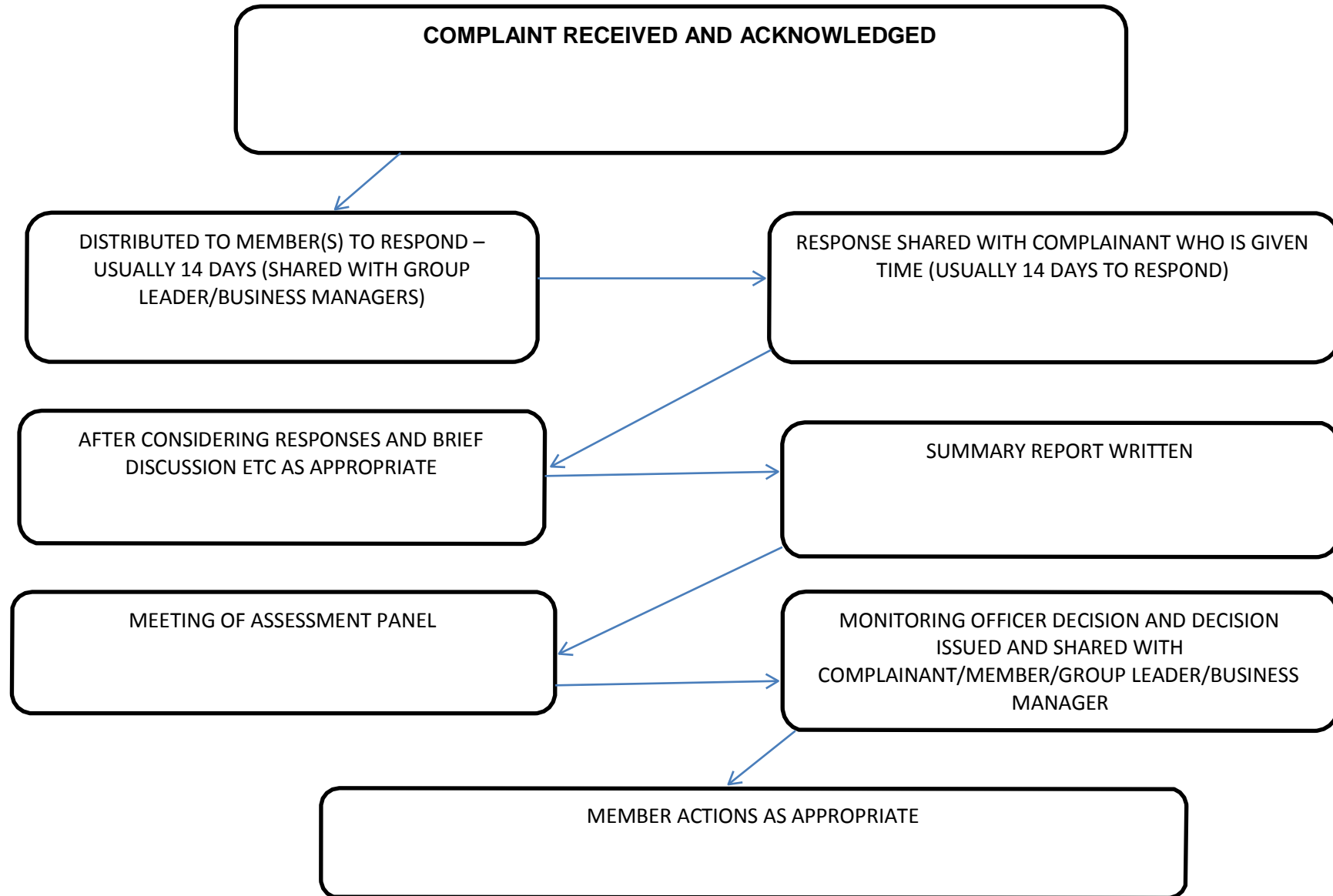
- No further action is required
- An apology
- It might involve training
- It might involve a conciliation meeting
- The decision might also contain some advice for future reference
- In addition, if the matter is more serious, I might decide that we need to have a further investigation in which case I would commission someone to carry out that investigation (internally or a third party) and the results of that would be considered at a Sub-

Committee of the Standards Committee. In turn the Sub-Committee might report any decision to the Standards Committee

5. As mentioned in paragraph 4 the Sub Committee may consider any investigations and make appropriate recommendations.
6. I will inform you, your party leader and the Business Manager of any decision as well as the Complainant.

If you have got any questions or queries about the process please ring myself or one of my Deputy Monitoring Officers (Margaret Miller or Samantha Lawton).

APPENDIX 1



Code of Conduct for Members

1 Application

1.1 This Code applies to you as a member of Kirklees Council (“the authority”) and it is your personal responsibility to comply with the requirements of this Code. This Code applies to you whenever you act in the capacity of an elected or co-opted member of the authority, including –

- 1.1.1 at meetings of the authority
- 1.1.2 when acting as a representative of the authority
- 1.1.3 in taking any decision as a Cabinet member or a Ward Councillor
- 1.1.4 in discharging your functions as a Ward Councillor
- 1.1.5 at briefing meetings with officers and
- 1.1.6 at site visits
- 1.1.7 when corresponding with the authority other than in a private capacity

1.2 Where you act as a representative of your authority on another local authority, you must, when acting for that other authority, comply with that other authority’s code of conduct.

1.3 Where you act as a representative of your authority on a body which is not another local authority you must, when acting for that other body, comply with this Code, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

2 Interpretation

For the purposes of this Code –

2.1 “member of the authority” includes:

- 2.1.1 elected members; and
- 2.1.2 co-opted members who are entitled to vote on any questions which fall to be determined by the committees, sub-committees, joint committee, joint subcommittees or area committees upon which they sit.

2.2 “meeting” means any meeting of:

- 2.2.1 the authority;
- 2.2.2 the executive of the authority; or
- 2.2.3 any of the authority’s or its executive’s committees, sub-committees, joint committees, joint sub-committees or area committees.

2.3 “body” means any body of which you are a member or in a position of general control or management and –

- 2.3.1 to which you are appointed or nominated by your authority; or
- 2.3.2 which is a body –

- (a) exercising functions of a public nature; or
- (b) directed to charitable purposes; or

(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union).

2.4 “relevant person” for the purposes of paragraph 5 of this Code means any person or body with whom you have a family, social or business relationship.

3 General Principles

Your conduct as a member should be consistent with the following principles –

3.1 Preamble

The principles of public life apply to anyone who works as a public office-holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the civil service, local government, the police, courts and probation services, Non-Departmental Public Bodies, and in the health, education, social and care services. All public office-holders are both servants of the public and stewards of public resources. The principles also have application to all those in other sectors delivering public services.

3.2 Selflessness

Holders of public office should act solely in terms of the public interest.

3.3 Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3.4 Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

3.5 Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

3.6 Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

3.7 Honesty

Holders of public office should be truthful.

3.8 Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

4 Disclosable Pecuniary Interests

4.1 Disclosable Pecuniary Interests (“DPIs”) are those interests defined as such in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (“the 2012 Regulations”) or in any subsequent regulations which amend, vary or revoke the 2012 Regulations. For the purposes of illustration only, a summary of the 2012 Regulations is set out in the Schedule to this Code of Conduct.

4.2 You must, within 28 days of:

- 4.2.1 adoption of this Code of Conduct by the authority; or
- 4.2.2 taking office as a member or co-opted member of the authority notify the authority’s Monitoring Officer of any DPI, where the pecuniary interest is yours, your spouse’s or civil partner’s, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

4.3 When you are present at a meeting of the authority and you have a DPI in any matter to be considered or being considered at the meeting, and where the matter does not relate to ‘sensitive information’ as defined below, you must disclose the existence and nature of the interest to the meeting.

4.4 Following any disclosure of a DPI not on the authority’s register or the subject of pending notification, you must notify the authority’s Monitoring Officer of that interest within 28 days beginning with the date of disclosure.

4.5 Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a DPI and must withdraw from the meeting while the matter is under consideration.

4.6 You must within 28 days of becoming aware of any new DPI or the need to change or update a current DPI registration, notify the authority’s Monitoring Officer of those new or revised register entries.

5 Interests which are not Disclosable Pecuniary Interests

5.1 You also have an interest in any business of your authority where a decision in relation to that business

- 5.1.1 relates to or is likely to affect any body of which you are a member or in a position of general control or management; or
- 5.1.2 which might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision.

5.2 Subject to paragraph 5.5, where you have an interest as defined in paragraph 5.1 in any business of your authority which is not a DPI and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and

nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

5.3 You do not have an interest for the purposes of paragraph 5.1 unless the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

5.4 You do not have an interest for the purposes of paragraph 5.1 if the interest relates to the functions of the authority in respect of –

5.4.1 housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;

5.4.2 school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;

5.4.3 statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;

5.4.4 an allowance, payment or indemnity given to members;

5.4.5 any ceremonial honour given to members; and

5.4.6 setting council tax or a precept under the Local Government Finance Act 1992.

5.5 Subject to paragraph 5.6 below, where your interest is one -

5.5.1 which relates to the determining of any approval, consent, licence, permission or registration in relation to you or a relevant person; or

5.5.2 affects your financial position or the financial position of a relevant person you must also withdraw from the meeting while the matter is under consideration.

5.6 Paragraph 5.2 and 5.5 only applies where you are aware or ought reasonably to be aware of the existence of the interest.

5.7 Where you have an interest which is not a DPI but, by virtue of paragraph 6, information relating to the interest is sensitive information you must indicate to the meeting that you have an interest, but need not to disclose the sensitive information to the meeting.

5.8 Where you have an interest which is not a DPI in any business of your authority and you are –

5.8.1 a member of a body making an executive decision;

5.8.2 an individual member making an executive decision: or

5.8.3 a member consulted by an officer making an executive decision in relation to that business you must ensure that any written statement of that decision records the existence and nature of that interest.

5.9 For the purposes of paragraph 5.8, “executive decision” is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000.

6 Sensitive information

6.1 Where you consider that the information relating to any of your interests is sensitive information, and your authority’s monitoring officer agrees, you need not include that information when registering that interest under paragraph 4.

6.2 You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph 6.1 is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.

6.3 In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person connected with you may be subjected to violence or intimidation.

7 Gifts and Hospitality

7.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £25 which you have accepted from or has been offered to you by any person or body other than the authority.

7.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.

7.3 This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

SCHEDULE

Regulation 1(2)

Disclosable Pecuniary Interests

Disclosable Pecuniary Interests are the interests specified in the second column of the following table and for the purposes of that table the following definitions apply:

"the Act" means the Localism Act 2011;

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

"director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

"M" means a member of a relevant authority;

"member" includes a co-opted member;

"relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) (Disclosure of pecuniary interests upon taking office) or section 31(7) (Interests not entered on the authority's register and not subject to a pending notification), as the case may be, of the Act;

"relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband and wife or a person with whom M is living as if they were civil partners;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table

Regulation 2

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.
Contracts	<p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(1).</p> <p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority –</p> <ul style="list-style-type: none"> (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (along or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to M's knowledge) –</p> <ul style="list-style-type: none"> (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	<p>Any beneficial interest in securities of a body where –</p> <ul style="list-style-type: none"> (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either – <ul style="list-style-type: none"> i. the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. 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 the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



NOTIFICATION OF (1) DISCLOSABLE PECUNIARY INTERESTS AND (2) OTHER PERSONAL INTERESTS WHICH ARE NOT DISCLOSABLE PECUNIARY INTERESTS BY ELECTED AND CO-OPTED MEMBERS

I, -----[Name]

Being an elected member of Kirklees Council do hereby give notice that I have set below in Part I of the form my disclosable pecuniary interests for the purposes of the Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 and in Part II of this form, my other personal interests which are not disclosable pecuniary interests.

Within 28 days of election to office, an elected member must register his/her disclosable pecuniary interests in a public register by providing written notification to the Kirklees Council's Monitoring Officer.

I understand that this notification will be placed upon a public register and published on the Kirklees Council website.

Signed-----Dated-----20[]

PLEASE COMPLETE THE FORMS IN PART I AND PART II BELOW FOR BOTH YOURSELF AND YOUR SPOUSE OR CIVIL PARTNER OR ANY PERSON WITH WHOM YOU ARE LIVING AS HUSBAND AND WIFE OR ANY PERSON WITH WHOM YOU ARE LIVING AS IF YOU WERE CIVIL PARTNERS.

Please use additional sheets if necessary. Any additional sheets should be marked with the number of the question to which they apply. If you have no interests relevant to a particular section please write "None" in that section. Attached to this form is an extract from the Explanatory Notes to the Localism Act 2011 dealing with the offences which may be committed in relation to disclosable pecuniary interests.

PART I – DISCLOSABLE PECUNIARY INTERESTS

Disclosable Pecuniary Interests	Disclosable Pecuniary Interests
<p>1. Employment, office, trade, profession or vocation</p> <p><i>Please give details of any employment, office, trade, profession or vocation carried on by you for profit or gain. In particular you should give a brief description of the activity and the name and address of any employer, partnership or other organisation from which you receive payments.</i></p>	
<p>2. Sponsorship</p> <p><i>Please give details of any payment or provision of any other financial benefit (other than from Kirklees Council) which has been made or provided within the last 12 months in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union or political party.</i></p>	

<p>3. Contracts</p> <p><i>Please give details of any contract which is made between you (or a body in which have a beneficial interest) and Kirklees Council -</i></p> <p><i>(a) under which goods or services are to be provided or works are to be executed; and</i></p> <p><i>(b) which has not been fully discharged</i></p> <p><i>[A body in which you have a beneficial interest means a firm in which you are a partner or a body corporate of which you are a director, or in the securities of which you have a beneficial interest]</i></p>	
<p>4. Land</p> <p><i>Please give details of any beneficial interest you have in land which is within the area of Kirklees Council. For these purposes the definition of land excludes an easement, servitude, interest or right in or over land which does not carry with it a right (alone or jointly with another) to occupy the land or to receive income. In particular you should provide details of any land which you own, lease, receive rent from or for which you are the mortgagee together with sufficient information to identify the location of such land.</i></p>	

<p>5. Licences</p> <p><i>Please provide details of any licence (alone or jointly with others) to occupy land in the area of Kirklees Council for a month or longer.</i></p>	
<p>6. Corporate Tenancies</p> <p><i>Please provide details of any tenancy where (to your knowledge)-</i></p> <p style="padding-left: 40px;"><i>(a) the landlord is Kirklees Council; and (b) the tenant is a body in which you have a beneficial interest</i></p> <p><i>[A body in which you or such a person has a beneficial interest means a firm in which you are a partner or a body corporate of which you are a director, or in the securities of which you have a beneficial interest]</i></p>	

<p>7. Securities</p> <p><i>Please provide details of any beneficial interest in securities of a body where-</i></p> <p><i>(a) that body (to your knowledge) has a place of business or land in the area of Kirklees Council; and</i></p> <p><i>(b) either-</i></p> <p><i>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</i></p> <p><i>(ii) 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 the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</i></p> <p><i>[For these purposes "securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.]</i></p>	

PART II – PERSONAL INTERESTS

Please list any personal interests which are NOT disclosable pecuniary interests and briefly describe your involvement. Personal interests may be interests for which you receive no remuneration or have no beneficial interest but which may still be seen as prejudicing your decision making.

The interests you list are a matter for your discretion but you should have regard to paragraph 5.1 – 5.9 of the Code of Conduct relating to interests which are not disclosable pecuniary interests and also your duty to act in accordance with the Seven Principles of Public Life which are contained in the Council's Code of Conduct for Members, namely:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

The following is a list of the type of personal interests you should consider including in this form but please note this is not a comprehensive list and is given only by way of example. Please ask the Monitoring Officer or her deputies if you require guidance.

(a) Membership of Trade Union

Note – if you are paid by a trade union, this is a disclosable pecuniary interest and should be disclosed in Part I of this form. Part II is for the disclosure of membership of a Trade Union only

(b) External bodies to which you are appointed or nominated by the Council but for which you receive no remuneration

(any organisation of which you are a member or in a position of general control or management and to which you are appointed or nominated by Kirklees Council as its representative but it is not a disclosable pecuniary interest. Note that being nominated as a director is a disclosable pecuniary interest

(c) Interests in charities, societies and other bodies

(any position of general control or management in any public authority or body exercising functions of a public nature; company, industrial and provident society, charity or body directed to charitable purposes; bodies whose principal purposes include the influence of public policy including professional association) but it is not a disclosable pecuniary interest

(d) Membership of a local organisation

(any local organisations of which you are a member, e.g., friends of "x")

(e) Involvement in any organisation for which you do not receive remuneration but the organisation may receive funding or support from the Council

(f) Receipt of benefits like for example, Council Tax Single Person's Allowance



Note- You are also reminded that if you have received gifts and hospitality with a value in excess of £25 you must notify the Monitoring Officer in writing within 28 days of receipt.

LOCALISM ACT 2011 - OFFENCES

[Extract from the Explanatory Notes to the Localism Act 2011]

Section 34 [of the Localism Act 2011] makes it a criminal offence if a member or co-opted member fails, without reasonable excuse, to comply with requirements under section 30 or 31 to register or declare disclosable pecuniary interests, or take part in council business at meetings or when acting alone when prevented from doing so. It

empowers the magistrates` court, upon conviction, to impose a fine of up to level 5 (currently £5,000), and an order disqualifying the person from being a member of a relevant authority for up to five years. It extends the time for bringing a prosecution for the offence by allowing a prosecution to be brought within 12 months of the prosecuting authorities having the evidence to warrant prosecution, but any prosecution must be brought within 3 years of the commission of the offence and only by or on behalf of the Director of Public Prosecutions.

Question 5 Responses:

- 3: Being rude and disrespectful in meetings
- 7: As Councillors the people expect us to conduct ourselves with courtesy to every one and not bring the council into disrepute
- 12: It needs more clarity and more defined definitions.

Question 7 responses

- 4: Depends on whether there was fault or it was a malicious complaint
- 9: This totally depends on the nature of the complaint and circumstances. Obviously only minor complaints will be informally resolved. Sanctions must be fitting, proportionate and reasonable. The fact that members are subject to a lot of unfounded complaints, especially right now when we are cutting services must be taken into account as well as any other circumstances. Councillors are often targeted by people with opposing political views. Managing public expectations is increasingly difficult. Any policy must take into account that the public can also complain by using their feet on polling day. Given the Council has reduced resources there is a danger that more resources will be taken up investigating and Councillors will waste more time in engaging in defensive practices ie recording every single conversation to cover our backs or recording every incident that a member of public is annoyed with our responses. By the very nature of our positions and our work all councillors get complaints and given the current financial environment I feel the number of complaints will increase. For example, recently I had a complaint that I didn't reply to an email within a week, when I had already given the resident an answer to their query previously. This was dealt with by my constituency officers. I've had a complaint that one of my campaign volunteers was racist when in fact the complainant was aggressive and racist. Luckily the volunteer recorded the incident and the complainant was a UKIP supporter. This was dealt with by the Police. I believe with rising islamophobia, Muslim councillors are particularly vulnerable. I also believe anyone like myself who has a history of working with the public is also particularly vulnerable due to actions taken in past roles, for example an unfounded complaint was made after my colleague and I knocked on the door of a resident who I in a previous role had reported as a sex offender. Due to the ethical code of practice I am assigned to with a professional body, I could not disclose my previous dealings with the person in question (of course if I recognise someone's name on the electoral register I avoid dealing with them in my role as a councillor), therefore could not defend myself, luckily the complaint was so ridiculous it was dismissed instantly. I have evicted people from hostels, reported many people to social services or the Police. I feel I was always protected in my previous roles through managerial and supervision procedures and recording processes. We don't have the same protective factors as Councillors and nor should we, however, the complaints procedures need to take this into account and support mechanisms should be in place for Councillors when an allegation is made against them. Some Councillors are members of professional bodies and have to abide by their code of ethics which are often much more stringent than the Councillors Code of Conduct and the consequences of a

wrongful allegation can have a huge detrimental effect on that person's career and reputation, which needs to be taken into account in the handling of complaints.

Question 9 Responses

2: It should not only be focussed on behaviour of Councillors. It's not unheard of for residents to deliberately push a situation through harassment, verbal abuse, social media bullying of a Councillor and to turn to the complaints procedure as a further way of attacking a Councillor. It should be made clear to residents that this is not the purpose of the complaints process and such reasons for its use will mean that the complaint will be immediately dismissed. Not clogging up the system and taking up everyone's time with such complaints means that legitimate complaints can have the necessary time dedicated to them.

3: Publicise the findings of standards investigations in local newspapers and online

4: Suspend Councillors who repeatedly show contempt for the office by refusing to pay their Council Tax. This would mean a change in procedure as it stands currently but would at least re-assure the public that we are attempting to get rid of the bad apples. Also be very careful not to assume that a complaint is justified. Just because a resident does not like a decision or action taken by a Councillor this does not mean that the Councillor behaved incorrectly. There should be sanctions both ways. If a malicious complaint is made and clearly proved the member of the public should be charged £50 per hour for officer and Councillor time in looking into the matter.

5: Groups and Group Leaders must agree to apply sanctions to their own members when a decision is made

7: No

8: I have insufficient experience to comment

9: We are not Council employees. It's contradictory on the one hand for the Council to say you do not have the same pension rights as Council employees or access to EAP and then to subject Councillors to Council led complaints procedures. Councillors should be given a choice as to whether they want their business manager to deal with the complaint or the Council. The choice element is to protect councillors who may not have a good relationship with their business manager and to ensure fairness and to protect officers time and resources in instances where the business manager can deal with the complaint more efficiently.

10: I object to the fact that when a complaint is not upheld, the Monitoring officer can still propose actions, this gives the false impression that the Councillor is in some way at fault and can be used against them in their locality. If a complaint is not upheld & the Councillor found innocent the Monitoring officer should just say this and that should be the end of the matter. I have personally had my reputation sullied by a complaint being rejected

as no fault yet the Monitoring officer was still suggesting I meet with the individuals and explain my actions, and worded the notice in a very poor way which could be read to insinuate fault. The complainant has been using this notice to point out that I am being required to meet with them (although I have declined to do this) and is suggesting that this is because I was in the wrong, when I was not and the notice said so. Short rejection notices would resolve this issue. It should be down to ward Councillors to decide how they react to an unsubstantiated complaint and whether they wish to reach out to the complainant. In my experience, this is rarely beneficial as the complainant is unhappy that their complaint was not upheld.

11: Clarity of process.

12: Deal with genuine complaints, not spurious and malicious complaints.

14: Spell outcomes out very clearly and in plain English

16: I don't feel that I know enough about the detailed mechanics of the procedure to answer fully on this - resolution of complaints "informally" seems to suggest effectively a process of mediation between the councillor and complainant. In my view the first step in any complaints process should be to convene a meeting between the complainant and the councillor. If that does not address the issue then a more formal process to evaluate the merits of the complaint should be applied and then if there is found to be a breach following what would effectively be a quasi judicial process at that point effective sanctions should bite

Question 10 Responses:

2: A front door policy whereby if it can be determined that a complaint is clearly without foundation, it is dismissed by the Monitoring Officer before the Councillor is forced to submit a written response and the complaint is taken through to GBM's and independent person.

3: No

4: Take a pragmatic view. If there is clearly a personal or political angle this should be fairly obvious straight away. Give those looking into this some "teeth" or more importantly ensure the right people look at the complaint

6: Many complaints will be of a spurious political nature for anonymous points scoring so we must be very aware of this as you work with and escalate complaints.

7: No

9: Unless the nature of the complaint is very serious for example, if the complaint is relating to serious fraud, embezzlement, bribery or related to safeguarding vulnerable groups, the Councillor should have the option to refer the complaint to their relevant

business managers and in circumstances where they feel an impartial view is needed they should have the option to have the complaint dealt with by the Council.

10: Yes, there should be a filtering process so that if a complaint is clearly not valid it can be rejected without going through the entire process. I had a spurious complaint against me hanging over me for nearly 3 months because of the process even though it was clear from the outset that it would be dismissed.

11: 1. agreeing standard timescales for the process 2. within standards policy definitions of types of complaints based on Nolan principles eg not disclosing a pecuniary interest / remarks made which have upset a resident. Some complaints are clearly more significant than others. 3. clarity of definition may enable a more clearly defined process within agreed timescales

14: Whatever you do this can be drawn out by people deliberately wasting time

16: I would be happy to have a discussion about this process in a meeting

Question 14 Responses

2: Councillors have a very difficult job. We are front facing and often blamed for things that are out of our control or which we simply 'have to do' because it's our role. Residents often have no idea of the scale and pressures of our role. When a complaint is received, the first thing that should happen is that the Monitoring Officer should speak (ideally face to face) with the complainant to explain any related points from the Councillors / KMC side and to determine if there is actually a valid complaint to process. This could also be used as an opportunity to build bridges and avoid an ongoing issues, as much as is possible, between Councillor and resident following the complaint. The system is totally one sided at the beginning and I cannot be the only Cllr who has felt completely let down by the council during a complaints process. I am sure I am easily identifiable by what I've written but just in case there is any doubt, Cllr Lisa Holmes

3: Sorry it takes up so much Council time

4: The Chief Exec needs powers to remove corrupt Councillors from making decisions. Just because the public elect someone on day X, should something transpire on day X+1 currently that Councillor is guaranteed to remain in office for 3 years 364 days. This is not acceptable. Serious breaches of the rules, where a member is de-selected or suspended (or in the case of an independent would be de-selected or suspended from either the main or opposition party) members should not be allowed to sit and should receive no allowance. Following investigation should this be found to be upheld, these members should be forced to resign and be barred from any future public office. The exact offences could be defined but would include being summonsed on more than one occasion whilst in office for non payment of Council Tax, any criminal offence (found guilty of).

11: not all complaints are of equal significance - currently they seem to be follow the same process. throughout the process there should be transparency and a requirement for substantiated evidence

12: I am in full support of standards but I find it very vexing when standards spill over into my personal life. I have a separate life from that of a Councillor.

14: What we say and do has to be transparent We put ourselves up for election and so we put ourselves in the firing line for complaints

This short survey will feed into a wider review of Standards. All answers are anonymous.

- Q1 Should members of the public be able to complain about Councillors?
 16 Yes
 1 No
- Q2 Are you aware that members of the public use the Standards Complaint Process to complain about Members?
 17 Yes
 0 No
- Q3 How important do you think it is for members to uphold standards?
 15 Very Important
 2 Important
 0 Neutral
 0 Not Important
 0 Not at all Important
- Q4 The Members Code of Conduct currently refers only to the 7 principles of Public Life (Nolan Principles). Should it also contain specific examples of poor behaviour?
 7 Yes
 10 No
- Q5 If yes what examples do you think should be given?
 3
- (see attached form)
- Q6 What sanctions should be available when a complaint is informally resolved?
 11 Explanation by member
 10 Apology by member
 10 Training or mentoring
 11 Mediation/ conciliation
 8 Issuing guidance
 7 Amending policy/ protocols (if necessary)
 8 Ask GBM's to address issue with member or party
 8 Member voluntarily giving up position on a particular body
 8 Any other action capable of resolving complaint
 4 Other
- Q7 Any other suggestions for sanctions?
 2

(see attached form)

- Q8 If a member has been found in breach of standards, how important is it to abide by agreed sanctions?
- | | |
|----|----------------------|
| 14 | Very Important |
| 2 | Important |
| 1 | Neutral |
| 0 | Not Important |
| 0 | Not at all Important |
- Q9 Do you have any suggestions for how we could make the current standards complaints process more effective?
- 12
(see attached form)
- Q10 Do you have any suggestions on how we can shorten decision making in relation to complaints about councillors?
- 10
(see attached form)
- Q11 Should members have to verbally declare Disclosable Pecuniary Interests (DPI's) at meetings?
- | | |
|----|-----|
| 12 | Yes |
| 5 | No |
- Q12 Should members have to verbally declare interests that are not DPI's, also known as 'Other Interests' at meetings?
- | | |
|---|-----|
| 9 | Yes |
| 8 | No |
- Q13 Would you prefer a more detailed explanation or a short and concise explanation of 'Other interests' in the Member's Code of Conduct?
- | | |
|----|-------------------------------|
| 3 | Detailed explanation |
| 13 | Short and concise explanation |
- Q14 Please highlight anything else you deem important in relation to standards?
- 6
(see attached form)

Standards Information Table

	Bradford	Calderdale	Leeds	Wakefield	Sheffield
Standards Complaints Received	(Held by Calendar years)				
2014/21015	2014 – 10	6	11	4	-
2015/2016	2015 – 19	9	4	1	-
	2016 - 15				
(Figures correct as of Nov 16)					
Code of Conduct	Yes (Nov 15)		Yes (2013)	Yes	Yes (revised 2013)
	Refers to principles and has a little more detail		Only refers to Nolan principles	More directional	<i>Good example – more directional</i>
	Has no general obligations		Not detailed or directional enough	Has extra detail	
Has Complaints Procedure for MO complaints	Yes		Yes	Yes	Yes
Complaints					
Assessment by MO	Initial assm and decision by MO		Initial assm and decision by MO		Initial assm and decision by MO

	as to whether valid complaint		as to whether valid complaint (can consult IP)		as to whether valid complaint (consult with IP)
Informal Assessment	Valid Complaint referred to GBM & Member for consideration		Valid Complaint referred to GBM & Member for consideration		Valid complaint informs GBM, and Ch of St/ctee
Decision With	By MO in consult with Chair of St/Cttee – has GBM addressed concerns		By MO in consult with Chair of St/Cttee – has GBM addressed concerns		By MO in consult with IP and Ch of St/Cttee
Investigation to who	St/Ctee		St/Ctee		IO writes report
Process	MO writes report		MO writes report		
Appeals	No right of appeal at any stage		No right of appeal at any stage		No right of appeal at any stage
Interests					
Any reference	Yes	Yes	No	Yes	Yes
Process (Declare or not)	Matter for Cllr -For them to decide whether to stay/leave	Same as Bradford but also lists when they have an interest but can participate	-	Same as Bradford	Simpler but more detailed than WYLAW - states must verbally declare
If so – how?			-		

- MEMBERS' CODE OF CONDUCT

Introduction

This Code applies to members of this authority when you act in your role as a Member and it is your responsibility to comply with the provisions of this Code. Members include all Elected Members and co-opted members.

The Code sets out the standards which are required of all members of the authority in carrying out their duties, and in their relationships with the Council and its officers.

Members are a representative of this authority and the public will view you as such, therefore your actions impact on how the authority as a whole is viewed and your actions can have both positive and negative impacts on the authority.

This Code is based upon the following principles of public life which each member should comply with:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

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Part 5- Members' Code of Conduct (Revised June 2013)

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

This Code does not cover matters under the Localism Act 2011 where criminal sanctions will apply.

1. General Obligations

1.1 When acting in your role as a member of the authority you:

- (a) Must treat others with respect.
 - (b) Must not conduct yourself in a manner which is contrary to the Council's duty to promote and maintain high standards of conduct of members.
 - (c) Must not bully or intimidate any person
 - (d) Must not disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where-
 - (i) You have the consent of a person authorised to give it;
 - (ii) You are required by law to do so;
 - (iii) The disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) The disclosure is-
 - (A) reasonable and in the public interest;
 - (B) made in good faith and in compliance with the reasonable requirements of the authority; and
 - (C) you have consulted the Monitoring Officer prior to its release.
 - (e) Must not prevent another person from gaining access to information to which that person is entitled by law.
 - (f) Must not conduct yourself in a manner which would reasonably be regarded as bringing your authority into disrepute.
-

- Constitution

Part 5- Members' Code of Conduct (Revised June 2013)

- (g) Must not use your position to improperly confer or secure an advantage or disadvantage to yourself or any other person.
- (h) Must be clear when communicating with the media or speaking in public that you do not give the impression you are acting in an official capacity when you are acting in a personal capacity.
- (i) Must comply with the Protocol for Member/Officer Relations and respect the impartiality and integrity of the authority's statutory officers and its other employees.

1.2 When using or authorising the use by others of the resources of the authority you:-

- (a) Must act in accordance with the authority's reasonable requirements including the requirements of the authority's ICT policy and the policies listed at appendix A, copies of which have been provided to you and which you are deemed to have read;
- (b) Must make sure that such resources are not used improperly for political purposes (including party political purposes); and
- (c) Must have regard to any applicable Code of Publicity and take into account the guidance issued to Members on the use of social media.

2. Interests

2.1. *Disc/osable Pecuniary Interests (DPI)*

You must-

- (a) comply with the statutory requirements to register, disclose and withdraw (to include leaving the room) from participating in respect of any matter in which you have a DPI.
- (b) ensure that your register of interests is kept up to date at least annually.
- (c) make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.

- Constitution

Part 5- Members' Code of Conduct (Revised June 2013)

2.2 *Other Interests*

2.2.1 In addition to the requirements relating to DPis, if you attend a meeting at which any item of business is to be considered and you are aware that you have a personal interest in the matter which does not amount to a DPI you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent.

2.2.2 You have a personal interest where-

- (a) a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or
- (b) it relates to or is likely to affect any of the interests that are defined as DPis but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

("Meeting" means any meeting organised by or on behalf of the authority, including-

- any meeting of the Council, or a Committee or Sub-Committee of Council;
- any meeting of the Cabinet and any Committee of the Cabinet;
- in taking a decision as a Ward Councillor or as a Member of the Cabinet.)

(Note: A request for a dispensation to participate in the business of the authority where a Member has a Disclosable Pecuniary Interest must be submitted in writing to the Monitoring Officer in accordance with the guidance issued to Members on Declarations of Interests.)

2.3. *Gifts and Hospitality*

2.3.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a member from any person or body other than the authority.

- Constitution

Part 5- Members' Code of Conduct (Revised June 2013)

2.3.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.

2.3.3 This duty to notify the Monitoring Officer does not apply where the gift is accepted on behalf of the Council and does not apply to the role of Lord Mayor.

3. Bias

3.1. Where you have been involved in campaigning in your political role on an issue which does not impact on your personal and/or professional life you are not prohibited from participating in a decision in your political role as member. However, you must not place yourself under any financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

3.2. When making a decision, you must consider the matter with an open mind and on the facts before the meeting at which the decision is to be taken.

4. Equalities

4.1 Members must ensure that they adhere to all related legal requirements, such as the Race Relations Act, Sex Discrimination Act, Disability Discrimination Act and the Human Rights Act.

4.2 Members must promote equality and inclusion by providing an environment free from harassment, discrimination, and victimisation and bullying and by treating people with respect, regardless of their age, disability, gender, race, religion/ belief, sexual orientation or marriage/ civil partnership status.

4.3 Members must act in accordance with the Council's Equality Policy and Single Equality Scheme and the Council's Harassment, Discrimination, Victimisation and Bullying Policy.

4.4 Members must have regard to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 to:

- Eliminate discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations.

1 - Constitution
Part 5- Members' Code of Conduct (Revised June 2013)

APPENDIX A

LIST OF POLICIES

- 1. Electronic Communications Policy
- 2. Members' ICT Usage Policy

Part 5 Codes and Protocols

PART SA- MEMBERS' CODE OF CONDUCT (VERSION 4)

Part 1: General Provisions

Introduction

1. (1) This Code sets out the standards of behaviour required of you whenever you are acting as a Councillor of the City of York Council. This Code also applies to any person appointed as a co-opted member of the City Council or any of its Committees when acting as such.
- (2) The Code has been adopted by the City Council and is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Definitions

2. (1) In this Code:

You are acting as a Councillor or acting as a co-opted Member only when conducting the business of the Council or acting, claiming to act or giving the impression that you are acting as a representative of the Council.
- (2) A "co-opted member", is a person who is not an elected member of the authority but who –
 - (a) is a member of any committee or sub-committee of the authority, or
 - (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority and is entitled to vote at any meeting of that committee or sub-committee
- (3) "meeting" means a meeting of the Council or of any committee, sub-committee, joint committee or joint sub-committee of the authority or of the Cabinet or any committee of the Cabinet.
- (4) A "sensitive interest" is one where you consider that disclosure of the details an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees.

Members' Code of Conduct

General Duties as to Conduct

3. (1) You must treat others with respect.
- (2) You must not do anything which may cause the Council to breach any equality enactment.
- (3) You must not bully or intimidate any person, or attempt to bully or intimidate them.
- (4) You must not do anything which compromises the impartiality of anyone who works for or on behalf of the Authority, or do anything that is likely to compromise their impartiality.
- (5) You must not disclose information which is confidential, unless:
 - (a) You have the permission of a person authorised to give it; or
 - (b) You are required by law to disclose the information; or
 - (c) You disclose it to a third party for the purpose of obtaining professional advice, provided that the third party agrees not to disclose the information to any other person; or
 - (d) The disclosure is reasonable; and is in the public interest; and is made in good faith.
- (6) You must not prevent another person gaining access to information which that person is entitled by law.
- (7) You must not conduct yourself in a manner which could reasonably be regarded as bringing the Council into disrepute, or your position as a Councillor into disrepute.
- (8) You must not use your position as a Councillor improperly to obtain any advantage or disadvantage for yourself or any other person, or attempt to do so.
- (9) When you use or authorise the use by others of the resources of the Council you must:
 - (a) abide by the Council's reasonable requirements; and
 - (b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - (c) have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

Members' Code of Conduct

- (10) You must have regard to relevant advice given by the Council's Chief Financial Officer or Monitoring Officer when making decisions and must give reasons for those decisions, in accordance with any requirements imposed by statute or the Council.

Part 2: Interests

Disclosable Pecuniary Interests

Registration of disclosable pecuniary interests

4. (1) Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'. These will be included in the register of interests which is published on the Council's website

Definition of disclosable pecuniary interests

- (2) A 'disclosable pecuniary interest' is an interest of a kind described in the first schedule to this Code. An interest is disclosable if the interest is of yours or of your partner. Your partner means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

Non participation at meetings in case of disc/osable pecuniary interest

- (3) If you are present at a meeting and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting,
- (a) You may not participate in any discussion of the matter at the meeting.
 - (b) You may not participate in any vote taken on the matter at the meeting.
 - (c) If the interest is not registered, you must disclose the interest to the meeting.
 - (d) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Note: In addition, Standing Orders require you to leave the room where the meeting is held while any discussion or voting takes place.

Non participation in individual executive decision making in case of disclosable pecuniary interest

- (4) Where a Cabinet member may discharge a function alone and becomes aware of a disclosable pecuniary interest in a matter being dealt with or to be dealt with by her/him, the Cabinet member must notify the Monitoring

Members' Code of Conduct

Officer of the interest and must not take any steps or further steps in the matter.

Notification of Interests

5. (1) In addition to the disclosable pecuniary interests you must, notify the Monitoring Officer of any interests you have of a kind described in the second schedule. You must make that notification within 28 days of this Code coming into effect or of you becoming a Member or co-opted Member if that is later.
- (2) You must notify the Monitoring Officer of any changes to these interests or of any new interests within 28 days of becoming aware of them.

Disclosure of Interests

6. (1) You have a personal interest in any business of your authority where it relates to or is likely to affect you, a body named in the second schedule or any person with whom you have a close association.
- (2) If you are present at a meeting and you have a personal interest in any matter to be considered or being considered at the meeting:
 - (a) If the interest is not registered, you must disclose the interest to the meeting.
 - (b) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.
- (3) If you have a personal interest and a member of the public with knowledge of the relevant facts would reasonably regard it as so significant that it would be likely to prejudice your judgement of the public interest then you have a prejudicial interest. This is subject to the exceptions set out in paragraph 6.4.
- (4) You do not have a prejudicial interest in any business of the authority where that business:
 - (a) does not affect your financial position or the financial position of a person or body named in the second schedule;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in the second schedule; or
 - (c) relates to the functions of your authority in respect of;

Members' Code of Conduct

- (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
- (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
- (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
- (iv) an allowance, payment or indemnity given to members;
- (v) any ceremonial honour given to members; and
- (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Sensitive Interests

7. (1) If you have a sensitive interest which is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.
- (2) If you are required to declare a sensitive interest at a meeting you need only declare the fact of the interest and not the details of the interest itself.

Compliance with Standing Orders

8. (1) Standing Orders may require you to leave the meeting room when you have a personal interest. You must comply with any such Standing Order.

Members' Code of Conduct

First Schedule - Interests which are Disclosable Pecuniary Interests

<i>Interest</i>	<i>Description</i>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant 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.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority-</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to your knowledge)-</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where-</p> <p>(a) that body (to your knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either-</p> <p>i. the total nominal value of the securities</p>

Members' Code of Conduct

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

- ii. 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 the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

These descriptions on interests are subject to the following definitions;

"the Act" means the Localism Act 2011;

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

"director" includes a member of the committee of management of an industrial and provident society;

"land" includes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

"relevant period" means the period of 12 months ending with the day on which you give a notification for the purposes of section 30(1) of the Act;

"relevant person" means you or any your partner as defined in paragraph 4.2

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000() and other securities of any description, other than money deposited with a building society.

Second Schedule - Other Interests

1. Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
2. Any body-
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
3. Any person from whom you have received the offer of a gift or hospitality with an estimated value of more than £50 (whether or not you accept the offer) which is attributable to your position as an elected or co-opted member of the Council.

Sanctions

	Kirklees Council
Informal Resolution	
Explanation by Member	✓
Apology by Member	✓
Training or Mentoring	✓
Mediation/conciliation	✓
Issuing guidance	✓
Amending policy/protocols (if necessary)	✓
Ask Whips to address issue with Member or party	✓
Member voluntarily giving up position on a particular body	✓
Any other action capable of resolving complaint	✓
Standards Committee/Sub Committee*	
Formal Letter to Member from Chair of Standards Committee	✓
Formal report its findings to City Council or Parish Council	
Formal censure by motion of full Council	✓
Removal by the authority of the Member from a relevant Committee or sub-committee or outside appointments (subject to statutory and constitutional requirements)	✓
Recommend to Leader of Council Member be removed from Cabinet/removed from Portfolio responsibilities	✓

** or recommend removal to Parish Council	
Instruct Monitoring Officer to arrange training for Member	✓
Withdraw facilities provided e.g. computer, website and/or email and Internet access Must ensure Cllr not prevented from undertaking his representative duties	✓
General recommendations to authority including : - -Changes to internal procedures/practices -Training for Members in general -Briefing/Information note be issued	✓ ✓ ✓

*- All the informal resolution sanctions are available

All findings and decisions of Sub Committee and Assessment Panel will be available on Council website

Additional Information

All findings and decisions of Sub Committee will be available on Council website and copies supplied to Complainant, Chief Executive, Leaders of all the political groups and Group Whips

OPTIONS AVAILABLE

6.1 - Code of Conduct – Behaviour

1. Make no amendments to the current code
2. Amend code so that it is more directional and describes what could constitute poor behaviour

6.2- Code of Conduct – Interests

1. Make no amendments to the current code
2. Amend code and simplify the section dealing with Other Interests
3. Amend code and simplify the section with alternative wording

6.3 - Declaring Interests' at Meetings

1. Make no amendments to the current code
2. Amend the code to match the legislation – this would mean no verbal declaration for any interest is required as long as the interest is recorded in writing
3. Amend code so that members declare DPI's but not Other interests as long as they are on the form

6.4 - A Revised Standards Complaints Process

Complaints process

1. Make no amendments to the current process
2. Amend the standards complaint process so it is more specific about what can be rejected early on

Decision making

1. Make no amendments to current position (MO is sole decision maker)
2. Amend so the decision maker is the MO and IP
3. Amend so the decision maker is the MO and Chair of Standards
4. Amend to a different combination

Standards Committee

1. Make no amendments to the current role
2. Abolish the standards committee
3. Amend the role of the standards committee

6.5 – Dispensations

1. Make no amendments to the current position (MO only)
2. Amend the process so the MO can consult the Chair of Standard
3. Amend the process so the MO consults with GBM's prior to budget at Assessment Panel

6.6 – Sanctions

1. Make no amendments
2. Adopt some of the sanctions
3. Adopt all of the sanctions

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Name of meeting: Corporate, Governance & Audit Committee

Date: 27 January 2017

Title of report: Review of the Standards Regime/ Members Code of Conduct

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Is it in the Council's Forward Plan ?	No
Is it eligible for "call in" by Scrutiny ?	No
Date signed off by <u>Director</u> & name	
Is it signed off by the Director of Resources?	N/A
Is it signed off by the Assistant Director – Legal, Governance & Monitoring	Julie Muscroft 19/1/17
Cabinet member portfolio	Resources - Graham Turner

Electoral [wards](#) affected: All

Ward councillors consulted: All

Public or private: Public

1. Purpose of report

- 1.1 To review the operation of the Standards process since its introduction in 2012.
- 1.2 To consider options for changes to the Members Code of Conduct and Standards regime and for monitoring and making decisions on allegations of misconduct by Members.
- 1.3 To make recommendations to Council in relation to those options.

2. Key points

- 2.1 Attached is a report which was considered by the Standards Committee on 17 January 2017. The committee discussed in detail the report and recommendations and a summary of the decision in relation to each recommendation is listed in the table below.

No	Recommendation	Decision
1.	Revise the Kirklees Member Code of Conduct so it is more directional about what would constitute poor behaviour (still to include Principles of Public Life)	Agreed
2.	Amend code to include the lack of response to a complaint, subject to relevant extenuating circumstances	Agreed
3.	Members are to sign the Code of Conduct Comments – there were different views about this and a detailed discussion. It was confirmed that any amended code would be applicable to members. Others thought it could be helpful to ask members to sign it following any training	Alternative Proposal -To sign a revised code following newly or re-elected members from 2018
4.	Amend section 5.1 of the Code of Conduct to simplify the definition of 'Other Interests'	Agreed
5.	Continue current practice to verbally declare DPI's and 'Other interests'	Agreed
6.	Amend the process so the Monitoring Officer and one other can make a decision about whether a complaint should proceed	Agreed
7.	Amend the process so the decision maker is the MO with the Chair of Standards (still in consultation with GBM's)	Alternative Proposal MO, IP and Chair of Standards as decision maker
8.	Amend the process to include a clearer process	Agreed

	for early dismissal of complaints that are minor or political tit-for-tat	
9.	Amend the Standards Committee terms of reference	Agreed -Two meetings per year to be added
10.	Amend the process so that there is provision for the MO to consult with GBM's prior to budget council and during the summer	Agreed
11.	Adopt all of the sanctions attached at Appendix 8	Agreed
12.	Cases referred to the police where a prosecution is not brought should be referred back to Standards	Agreed
13.	To continue without a right of Appeal	Agreed
14.	Members required to attend appropriate training following review of this code	Agreed

2.3 Following consideration of the report before Standards Committee the following comments were highlighted.

Additional Comments

- 2.4 It was recommended that during the Standards process it should be made clear to members of the public that the Council has expectations about the complainant's behaviour and that the conduct of the complainant will be considered and taken into account when a decision is made in relation to the complaint and about whether it should proceed. This would provide confidence to the Cllr who is the subject of the complaint that all the circumstances leading to the complaint would be considered, including any inappropriate or poor behaviour by the complainant and could affect the decision as to whether the complaint should proceed.
- 2.5 It was also highlighted that there is a potential conflict in the same Cllr holding the post of Group Business Manager and the Chair of Standards.
- 2.6 Should it be agreed in relation to recommendations 6 and 7 there will need to be a review of the role including the remuneration of the Independent Person.
- 2.7 Members of committee are asked to consider the report having regard to the comments from Standards Committee and make appropriate recommendations for Council's consideration.

3. Implications for the Council

- 3.1 The Council is required to have a suitable Code of Conduct / standard process in place. It is important that whatever is in place is taken seriously by the Council and any decisions are properly implemented otherwise there will be a lack of confidence by complainants / the public.

4. Consultees and their opinions

- 4.1 The views of Standards Committee on the current arrangements were sought on 17 January 2017 as referred to above.

5. Next steps

- 5.1 The recommendations to make the changes needs to be considered by Corporate Governance and Audit Committee who will be given the opportunity to comment / make proposals relating to the changes required to the Constitution before it is considered by Council.
- 5.2 If changes are recommended the Constitution will need updating.
- 5.3 Appropriate training may be required.
- 5.4 Appropriate website updates will be needed

6. Officer Recommendations

- 6.1 It is recommended that the Corporate Governance & Audit Committee:
- 6.2 Consider the 14 recommendations in the original report to the Standards Committee as well as the additional comments outlined in this report from Standards Committee and make comments and/or recommendations to Council about those Officer recommendations

7. Cabinet portfolio holder recommendation

n/a

8. Contact officer and Background papers

Julie Muscroft

Previous reports -Localism Act 2011 – The Amended Standards Regime – 31 Jan 2012

Localism Act 2011 – The Amended Standards Regime – 3 February 2012

New Standards Regime – 25 Jun 2012

New Standards Regime – 4 Jul 2012

New Standards Regime – 24 Oct 2012

Review for the new arrangements for Member Conduct – 18 Jul 2013

Review of Complaints – 18 Jul 2013

Review of New Arrangements for Member Conduct – 27 Sep 13

Review of New Arrangements for Member Conduct – 23 Oct 13

9. Assistant director responsible

Julie Muscroft – Assistant Director - Legal Governance and Monitoring

10. Appendices

1. Standards Review report dated 17 January 2017 with appendices

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Appendix 3

Standards Committee – 17 January 2017

Decision:

- 1) That the report be received and noted.
- 2) That the recommendations of the Committee be incorporated within the report to be considered by Corporate Governance and Audit Committee to be held on 27 January 2017.

The recommendations are as below; (the proposals are listed at Pages 103 to 104 of this agenda)

Proposal 1 – Agreed

Proposal 2 – Agreed

Proposal 3 – New or re-elected Members to sign revised Code from 2018

Proposal 4 – Agreed

Proposal 5 – Agreed

Proposal 6 – Agreed

Proposal 7 – Decision makers to be Monitoring Officer, Independent Person, Chair of Standards Committee

Proposal 8 – Agreed

Proposal 9 – Two meetings per municipal year to be scheduled in Annual Calendar of Meetings

Proposal 10 - Agreed

Proposal 11 - Agreed

Proposal 12 - Agreed

Proposal 13 - Agreed

Proposal 14 - Agreed

Corporate Governance and Audit Committee – 27 January 2017

Decision:

That the report be noted and submitted to Council on 22 March 2017 with a recommendation that the proposals as set out in the considered report, as amended by the meeting of Standards Committee on 17 January 2017, be approved.

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Name of meeting: Council
Date: Wednesday 22 March 2017
Title of report: Report of the Members Allowances Independent Review Panel

Purpose of report

To recommend that Council consider the outcomes of the Members Allowances Independent Review Panel for 2017/18, and the consequential Members Allowances Scheme, whilst having regard to the recommendations of Corporate Governance and Audit Committee.

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?	No
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	No
The Decision - Is it eligible for call in by Scrutiny?	No, this is a decision of Council
Date signed off by <u>Director</u> & name Is it also signed off by the Assistant Director for Financial Management, IT, Risk and Performance? Is it also signed off by the Assistant Director (Legal Governance and Monitoring)?	Debbie Hogg – 13 March 2017 Julie Muscroft – 13 March 2017
Cabinet member portfolio	Councillor Graham Turner

Electoral wards affected: All

Ward councillors consulted: No, although where councillors have provided evidence to the Panel it is detailed in the report.

Public or private: Public

1. Summary

This report sets out the recommendations of Corporate Governance and Audit Committee following their consideration of the report of the Members Allowances Independent Review Panel. If agreed by Council, this will determine the scheme and allowances payable to councillors for 2017/18. This will be effective from 1 April 2017.

2. Information required to take a decision

The Corporate Governance and Audit Committee, at its meeting on 10 March 2017, considered the attached report of the Members Allowances Independent Review Panel which had put forward recommendations that:

- (i) The current basic allowance be increased by 1% with effect from 1 April 2017;
- (ii) All special responsibility allowances (SRAs) be retained at their current rate and banding for 2017/18;
- (iii) Current arrangements for the allowances payable to Group Business Managers is retained
- (iv) Section 12 of the Scheme be amended as set out in Appendix B.

The draft Members Allowances Scheme for 2017/18, which takes account of the recommendations of the Panel, is attached at Appendix B.

At its meeting on 10 March Corporate Governance and Audit Committee agreed the following:

- (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 22 March 2017.**

3. Implications for the Council

This Members' Allowances Scheme is made under the Local Authorities (Members' Allowances) (England) Regulations 2003, and the Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003.

In making this scheme the Council has regard to the recommendations of its Members' Allowances Independent Review Panel which met on 18 November 2016.

The proposed increase to the rate of basic allowance, in line with the pay rise for officers, will cost an additional £8,901. This can be contained within budgeted resources for 2017/18.

3.1 Early Intervention and Prevention (EIP)

There will be no impact

3.2 Economic Resilience (ER)

There will be no impact

3.3 Improving outcomes for Children

There will be no impact

3.4 Reducing demand of services

There will be no impact

4. Consultees and their opinions

None applicable to this report as there have been no changes as a result of consideration by Corporate Governance and Audit Committee.

5. Next steps

Following approval by Council the revised scheme will be implemented with effect from 1 April 2017.

6. Officer recommendations and reasons

That Council considers the recommendations of both the Corporate Governance and Audit Committee and the members Allowances Independent Review Panel with a view to determining the Members Allowances Scheme for 2017/18, with effect from 1 April 2017

7. Cabinet portfolio holder's recommendations

Not applicable to this report.

8. Contact officer

Carl Whistlecraft
Head of Governance and Democratic Services
Carl.whistlecraft@kirklees.gov.uk
Tel: 01484 221000

9. Background Papers and History of Decisions

Report of Members of Allowances Independent Review Panel, 2017/18
Recommendation of Corporate Governance and Audit Committee on 10 March 2017

10. Assistant Director responsible

Julie Muscroft, Assistant Director of Legal, Governance and Monitoring

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Name of meeting: Corporate Governance and Audit Committee

Date: Friday 10 March 2017

Title of report: Report of the Members Allowances Independent Review Panel 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?	Not applicable
Is it in the Council's Forward Plan?	No
Is it eligible for "call in" by Scrutiny?	No
Date signed off by <u>Director</u> & name Is it also signed off by the Assistant Director for Financial Management, IT, Risk and Performance? Is it also signed off by the Assistant Director - Legal Governance and Monitoring?	Yes – 13 February 2017
Cabinet member portfolio	Cabinet Member responsible for the Resources Portfolio, namely Councillor Graham Turner

Electoral [wards](#) affected: All

Ward councillors consulted:

Public or private: Public

1. Purpose of report

To recommend Council to approve the Members' Allowances Scheme for 2017/18, that takes account of recommendations proposed by the Members' Allowances Independent Review Panel regarding certain allowances.

2. Key points

A meeting of the Members' Allowances Independent Review Panel has taken place to consider the Members' Allowances Scheme and make recommendations to the Council on certain allowances within the Scheme. The report of the Panel is attached at Appendix A and puts forward recommendations that:-

- (i) The current basic allowance be increased by 1% with effect from 1 April 2017
- (ii) All special responsibility allowances (SRAs) be retained at their current rate and banding for 2017/18 unless otherwise referred to below
- (iii) Current arrangements for the allowances payable to Group Business Managers is retained
- (iv) Section 12 of the Scheme be amended as set out in Appendix B.

The draft Members Allowances Scheme for 2017/18, which takes account of the recommendations of the Panel, is attached at Appendix B.

3. Implications for the Council

This Members' Allowances Scheme is made under the Local Authorities (Members' Allowances) (England) Regulations 2003, and the Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003.

In making this scheme the Council has regard to the recommendations of its Members' Allowances Independent Review Panel which met on 18 November 2016.

4. Consultees and their opinions

The Allowances Panel have been consulted on the contents of the attached report and agree it as a correct record of their deliberations and recommendations. The following have also been consulted with regards to the contents and proposals contained therein:

The Leaders of the political groups on the council

Adrian Lythgo, Chief Executive

Debbie Hogg, Assistant Director for Financial Management, IT, Risk and Performance

Julie Muscroft, Assistant Director of Legal, Governance and Monitoring

5. Next steps

Following consideration by the Corporate Governance and Audit Committee, this report will be referred for consideration by Full Council at its meeting on 22 March 2017

6. Officer recommendations and reasons

That Corporate Governance and Audit Committee:

- (i) Notes the recommendations of the Members' Allowances Independent Review Panel as set out in Appendix A;
- (ii) Recommends that Council approves and adopts the Members' Allowances Scheme for 2017/18 (Appendix B) with effect from 1 April 2017.

7. Cabinet portfolio holder recommendation

That Corporate Governance and Audit Committee recommends that Council approves and adopt the Members' Allowances Scheme for 2017/18 (Appendix B) with effect from 1 April 2017.

8. Contact officer and relevant papers

Contact Officer:

Carl Whistlecraft
Head of Governance and Democratic Services
Carl.whistlecraft@kirklees.gov.uk
Tel: 01484 221000

Background Papers:

Report of Members of Allowances Independent Review Panel

9. Assistant director responsible

Julie Muscroft, Assistant Director of Legal, Governance and Monitoring

Report of The

**Kirklees Council
Members' Allowances
Independent Review
Panel**

18 November 2016

Carl Whistlecraft
Head of Governance and Democratic Services
Civic Centre3,
Huddersfield, HD1 2TG
01484 221000

1 Panel Membership

The Members of the Independent Review Panel are as follows:

Andrew Taylor (Chair)
Ian Brown
Chris West
Lynn Knowles
Stephen Thornton
Fiona Weston

The meeting of the Independent Review Panel took place on 18 November 2016.

The following officer attended the Panel meeting:

Carl Whistlecraft, Head of Governance and Democratic Services

2 Terms of Reference

The Panel's Terms of Reference are:

- (a) To advise Council on what would be the appropriate level of remuneration for Councillors having regard to the:
 - Roles Councillors are expected to fulfil
 - Varying roles of different Councillors
 - Practice elsewhere and other Local Authorities.
- (b) To consider schemes of Members Allowances for Town and Parish Councils as and when required.
- (c) To make recommendations and provide advice to the Council on any other issues referred to the Panel by regulation or by the Council.
- (d) Council retains its power to remove a discredited Panel Member.
- (e) The Panel can appoint its Chair from amongst its Members.

3 Constitutional Issues

- (a) Term of Office

It was agreed that the current Panel membership be retained and that all relevant terms of office be renewed for a further one year term.

Andrew Taylor – November 2017
Ian Brown – March 2017
Lynn Knowles – September 2017
Stephen Thornton – November 2017
Chris West – September 2017

(b) **Election of Chair of Independent Review Panel**

Andrew Taylor was re-elected Chair of the Independent Review Panel.

4. Members Allowances Scheme 2017-18

The Panel considered any changes to the Members allowance scheme for 2017/18. In particular the Panel considered the following:

- (a) Special Responsibility allowance paid to the Group Business Manager of small groups;
- (b) Basic Allowance and Special Responsibility Allowances (SRAs)

(a) **Special Responsibility Allowance paid to the Group Business Manager of a small group**

The panel received a submission from Councillor Cooper (Leader, Green Group) requesting that the Allowances Panel consider the case for revisiting the arrangements in place for the remuneration of Group Business Managers of small Groups. Current arrangements mean that an allowance is payable in circumstances where a Group has seven members or more.

Councillor Cooper made reference to the following points in support of his proposal;

- The comparable amount of work and levels of responsibility involved for Group Business Managers of small groups;
- The important role played by small groups in a hung council and the responsibility that follows in such circumstances.

In consideration of the information the Panel recognised that there will be a need to reconsider the approach to Special Responsibility Allowances across the wider scheme. This should include the rationale and thinking behind the respective cut off points for group-based responsibilities. Such work should not take place until such a time as the Kirklees Democracy Commission has completed its work and reported its findings. To make specific changes now would have implications for the wider architecture of the scheme. **The Panel recommends that** the arrangements currently in place for the remuneration of Group Business Managers should continue. Any changes will be considered as part of a wider review of all SRAs following the completion of the work of the Kirklees Democracy Commission.

(b) **Basic Allowance and Special Responsibility Allowances (SRAs)**

The Panel noted that significant work had taken place twelve months ago to review the scheme. This included consideration of the rates payable for both the basic allowance and the suite of SRAs. In light of this the Panel was not minded to undertake any detailed reconsideration on the scheme and its component parts.

Furthermore, the Panel recognised that the Kirklees Democracy Commission is currently in the process of leading the work to redesign local democracy in Kirklees in the context of a new Council. The outcomes of this work will strongly inform the roles of councilors in the future and the consequent implications for the Allowances Scheme. In light of this **the Panel recommends:**

- (i) The current basic allowance be increased by 1% with effect from 1 April 2017;
- (ii) The maintenance of all special responsibility allowances (SRAs) at their Current level for 2017/18

5. Consequential Changes to the Scheme

The Panel considered advice in respect of the wording of Section 12 of the Scheme relating to Suspension of Allowances. **The Panel recommends that** the wording is amended to bring it into line with legislative changes.

Report produced on behalf of the Members Allowances Independent Review Panel
by:

Carl Whistlecraft, Head of Governance and Democratic Services, November 2016

Appendix B

Kirklees Council Members' Allowances Scheme 2017-2018

This Members' Allowances Scheme is made under the Local Authorities (Members' Allowances) (England) Regulations 2003, and the Local Government Pension Scheme and Discretionary Compensation (Local Authority Members in England) Regulations 2003. In making this scheme the Council had regard to the recommendations of its Members' Allowances Independent Review Panel, which met on 18 November 2016.

1. The Members' Allowances Scheme will apply from 1 April 2017 to 31 March 2018.

2. Basic allowances for ward duties

2.1 The amount allocated per annum to each elected councillor for ward duties is £13,099.

2.2 The role of councillor is dynamic and the expectations and responsibilities associated with the role are constantly changing. This is an ongoing consideration in determining the basic allowance which recognises the level of responsibility, time devoted and expenses incurred in dealing with their constituents, political group and cross party discussions on a ward basis.

No additional payment will therefore be made for travel and subsistence costs for duties within the Kirklees district.

2.3 Basic allowances will be paid calendar monthly in arrears to each elected councillor in equal monthly instalments.

2.4 Where the term of office of a councillor begins or ends otherwise than on the 1 April 2017 or 31 March 2018 his/her entitlement to the allowance will be pro-rata.

3. Special responsibility allowances

3.1 The amounts allocated per annum to councillors of specific duties, which are additional to the basic allowance are:-

	£ per year
Leader	25,155
Deputy leader	18,866
Band A	
Cabinet member	12,274
Band A1	
Chair of Overview and Scrutiny	11,047
Group Leader (30+ councillors)	11,047

Band B	
Group Leader (7-29 councillors)	9,820
Business Manager (30+ councillors)	9,820
Band B1	8,592
Band C	
Business Manager (20-29 councillors)	7,365
Band C1	
Chairs of Planning Committees	6,138
Lead members of Overview and Scrutiny Panels	6,138
Overview and Scrutiny Management Group Member	6,138
Chair of District Committee	6,138
Band C2	
Police and Crime Panel Members	6,000
Band D	
Business Manager (7-19 councillors)	4,911
Chair of Licensing and Safety Committee	4,911
Band D1	
Group Leader (2-6 councillors)	3,684
Deputy Group Leader (12+ councillors)	3,684
Chair of Appeals panel	3,684
Band E	
Chair of Corporate Governance and Audit committee	2,454
Band E1	
Adoption Panel member	1,227
Fostering Panel member	1,227

Chairs of Overview and Scrutiny Ad-Hoc Panels will receive £38.37 day split into half day sessions (2 x 4 hours) to commence at the start of formal meetings to their conclusion. The Overview and Scrutiny Management Committee will place a time allocation on the work of the ad-hoc panel.

- 3.2 The special responsibility allowance recognises the additional time and expenses incurred by those councillors effectively performing additional special responsibilities.
- 3.3 Special responsibility allowances will be paid calendar monthly in arrears to the appropriate councillor in equal monthly instalments.
- 3.4 Where the term of office entitling a councillor to a special responsibility allowance begins or ends otherwise than on the 1 April 2017 or 31 March 2018 his/her entitlement to the allowance will be pro-rata.
- 3.5 No councillor shall receive more than one special responsibility allowance.

4. Renunciation of allowances

- 4.1 A councillor may, by giving notice in writing to the Assistant Director – Legal, Governance and Monitoring, elect to forego any part of his/her entitlement to an allowance payable under this scheme.

5. Travel and subsistence outside the district

- 5.1 Travel and subsistence allowances for approved duties outside the district can be paid only:

- * approved duty are those as described in paragraph 8 of the Local Authorities (Members' Allowances) (England) Regulations 2003.
- * any other duty approved by the body, or any duty of a class so approved, for the purpose of, or in connection with, the discharge of the functions of the body, or of any of its committees or sub-committees
- * for approved duties previously authorised by the appropriate body (Cabinet or Overview and Scrutiny Management Committee) and Assistant Director – Legal, Governance and Monitoring. The approval must precede the performance of the duty and not be given retrospectively.

Claims for expenses must be made and received by the Assistant Director – Legal, Governance and Monitoring within two months of the expense being incurred.

- 5.2 Attendance at conferences: The Head of Governance and Democratic Services has delegated powers to determine councillor attendance at conferences etc.
- 5.3 Attendance at training and development events: The council will reimburse a councillor for travel and subsistence costs, at the approved rates, for training and development events. The appropriate Business Manager will approve councillor attendance.
- 5.4 The council will book accommodation on behalf of councillors to a maximum of the rates given in Appendix 1, subject to availability. Councillors requiring overnight accommodation may claim daytime meal allowance(s) in the usual way.
- 5.5 The authority will pay car mileage at HMRC rates and daytime subsistence allowances at the same rates determined for officers by the National Joint Council for Local Government Officers. The allowance rates are given at Appendix 1.
- 5.6 The rate of travel by public transport shall not exceed the amount of an ordinary fare or any available cheap fare and wherever possible should be arranged through Councillor Support to maximise available discounts and concessions.

Tickets or receipts must always accompany travel and subsistence claims for over £8.

- 5.7 Councillors' use of private motor vehicles should demonstrate either a substantial saving of the councillors' time, or being in the best interests of the council.
- 5.8 The rate of travel by taxicab will not normally exceed the fare for travel by appropriate public transport. In cases of urgency or where no public transport is reasonably available, the council will reimburse the amount of the actual fare and any reasonable gratuity. Taxi receipts more than £8 must support the claim.
- 5.9 Travel by any other hired vehicle is limited to the rate applicable had the vehicle belonged to the member who hired it unless prior approval to the actual cost of hiring.
- 5.10 The rate for travel by air should not exceed the rate applicable to travel by any appropriate alternative means of transport together with the equivalent saving in subsistence allowance.

Where the saving in time is so substantial as to justify payment of the fare for air travel the amount paid will not exceed:-

- (i) the ordinary fare or any cheap fare, or
- (ii) where no such service is available or in case of urgency the fare actually paid by the councillor.

6. Pensions

With effect from 1 April 2014, any Councillor who is not an active member of the Councillors pension scheme will no longer have access to the pension scheme. Councillors who are currently contributing to the pension scheme will only be allowed to remain in it, until the end of their current term in office. Councillors elected after April 2014 will not be entitled to access the pension scheme.

7. Dependants' carers' allowance

Councillors who need to engage carers to look after dependants whilst undertaking duties specified in regulation 7 of the Local Authorities (Members Allowances) (England) Regulations 2003 may receive a carers' allowance. The criteria are given at Appendix 2.

8. Support for a councillor with a disability

Even though local councillors are not explicitly covered by the Disability Discrimination Act Part II (employment provisions), it is an expectation on councils that they will make every reasonable effort to meet the individual needs of disabled councillors. The council will provide support for disabled councillors, where appropriate, by actively discussing an individual's needs and putting in place the necessary support mechanisms wherever practicable.

9. Information technology

Each councillor is offered a PC or laptop to be used in their homes through a broadband link and/or a smart device to assist them in the discharge of their functions as a councillor. Use of a smart device abroad is restricted to Council business only and councillors are encouraged to connect to wifi wherever possible.

10. Publicity

- 10.1 The regulations place certain duties on local authorities in connection with publicising the recommendations made by their independent remuneration panel, their scheme of allowances and the actual allowances paid to councillors in any given year:

The regulations require, as soon as reasonably practicable after the end of a year to which the scheme relates, that local authorities must make arrangements for the publication in their area of the total sum paid by it to each recipient, in respect of each of the following:

- Basic allowance
- Special responsibility allowance
- Dependants' carers' allowance
- Travelling and subsistence allowance

11. Sickness and holiday

The scheme recognises the right of councillors to holiday and entitlement to sickness absence.

An entitlement is made for 28 days of holiday. During periods of sickness a councillor is not expected to make up any hours lost as a result of that illness.

12. Suspension of Allowance

Where a Member, since election has been convicted of any offence and has had passed on them a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine, the Council shall suspend any part of any allowance payable from the date of sentence. Such suspension shall remain in force until such time as section 80

of the Local Government Act 1972 (disqualification for election and holding office as member of a local authority) takes effect.

13. Education appeals panel members

Members of Education Appeals Panels (who are not elected councillors of Kirklees Council), will receive an allowance of £114 for a full day meeting and £65 for meetings less than four hours. Periods of adjournment will not be included in the allowance payment.

APPENDIX 1

Travel and subsistence rates from 1 April 2017 (for approved duties performed outside Kirklees only)

1. Motor mileage rates

Car

First 10,000 business miles in the tax year: 45p per mile
Each business mile over 10,000 in the tax year: 25p per mile

Bicycle or other non-motorised forms of transport: 20p per mile

Motor cycle (for journeys less than 10,000 miles per year): 24p per mile

Passenger supplements: The supplement remains unchanged; an increase in the above rates by 5p per person per mile not exceeding four passengers.

(Subject to change by HMRC)

Members of the council shall be entitled to an official parking permit for use when undertaking official council duties and otherwise used in accordance with the rules relating to their use, and specifically to take account of the contribution to parking permits in line with any residents charge as agreed by Council on 19 February 2014.

2. Day subsistence

Breakfast allowance £6.06
(more than 3 hours away from normal place of residence before 11.00 a.m.)

Lunch allowance £8.37
(more than 3 hours away from normal place of residence to include the period 12.00 noon - 2.00 p.m.)

Tea allowance £3.29
(more than 3 hours away from normal place of residence to include the period 3.00 p.m. - 6.00 p.m.)

Evening meal allowance £10.35
(more than 3 hours away from normal place of residence ending after 7.00 p.m.)

3. Overnight accommodation costs up to:

London/LGA annual conference £105.00
Outside London £90.00
(maximum room/bed-breakfast rates per person per night, but subject to availability)

4. Meals on trains

Where **main meals (i.e. breakfast, lunch or dinner) are taken on trains** during a period for which there is an entitlement for a day subsistence allowance, the reasonable cost of meals (including VAT) may be reimbursed in full. This reimbursement would replace the entitlement to the day subsistence allowance for the appropriate meal period. Councillors are asked to submit receipts for meals when claiming.

Kirklees Council

COUNCILLORS' ALLOWANCES

Criteria for dependants' carers' allowance

1. Councillors who care for children or dependants can claim a carer's allowance paid at the rate of the national minimum wage for age 21 and above (currently £6.70 per hour), subject to paragraph 3 below.
2. Payment is claimable in respect of children aged 14 years or under. In respect of dependant relatives, payment is claimable subject to written medical or social work evidence.
3. The Corporate Governance and Audit Committee will determine any application by a councillor on the grounds of special circumstances for payment of dependants' carers' allowance at a higher rate than that of the national minimum wage for age 21 and above.
4. The carer must not be a member of the same household.
5. Councillors should submit their claims, using a claim form and supported by receipts and, if applicable, declare any other care payment received from another agency, to the Councillors' Allowances section each calendar month in arrears.
6. Councillors can only claim for the carers' allowance in respect of expenses of arranging for care of their children or dependants necessarily incurred for attendance at meetings and performance of duties specified in the regulations, and any other duties approved by the Council including training sessions held within the induction period following an election. **Approved duties do not include meetings with officers and constituents and attendance at political group meetings.**
7. The council's Standards Committee will consider any allegations of abuse of the scheme.
8. The dependants' carers' allowance is subject to annual review.

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Name of Meeting: Council

Date: 22nd March 2017

Title of report: Review of Planning Committees

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 ?	No
Is it eligible for "call in" by Scrutiny ?	No
Date signed off by <u>Director</u> & name	Naz Parkar – 13 th March 2017
Is it signed off by the Director of Resources?	N/A
Is it signed off by the Assistant Director - Legal & Governance?	Yes – 9 th March 2017
Cabinet member portfolio	Cllr Peter McBride

Electoral [wards](#) affected: All

Ward councillors consulted: N/A

Public or private: Public

1. Purpose of report

- 1.1 This report sets out some proposed changes to the way that Planning Committees in Kirklees are organised and structured. The report considers the numbers of members that make up the Area Planning Committees and the public speaking arrangements for pre-application position statements.

2. Key points

- 2.1 On the 1st October 2014 Full Council resolved to set up a Strategic Planning Committee (SPC) to deal with larger planning applications of district wide significance. These applications are the key drivers of economic regeneration for the Kirklees area.
- 2.2 It was agreed by Council that the operation of the SPC should be reviewed after a 12 month period. The initial report to Council in (September/October 2014) also highlighted the need to keep under review the numbers of members on the Committees. The first meeting of the SPC was held in November 2014.

- 2.3 The SPC has operated alongside the two area based Planning Sub – Committees since that time and is now established practice. The table below sets out the number of applications dealt with by each of the Committees between January 2015 and December 2016.

Committee	No. Committees	No. Items Considered
Strategic Planning Committee	24	102
Huddersfield Sub Committee	16	100
Heavy Woollen Sub Committee	17	100

- 2.4 Since the introduction of the SPC officers have kept under review the operation of all the Committees. In March 2015, officers reported to Council with a series of small adjustments to the overall process which were agreed. In March 2016 officers updated Corporate Governance and Audit Committee on progress and issues. This included feedback from members of the Committees serving at that time as well as all the Chairs.
- 2.5 Since that time a further report has been considered in the Chief Executive’s regular meetings with Leading Members which enabled officers to receive initial feedback from groups. The report presented at the Chief Executive’s meeting highlighted the performance of the three Committees in terms of quantity of applications decided and consistency of decision making. A full table of engagement is set out at 4.1 below.

3. Implications for the Council

- 3.1 As a result of this ongoing review process two key issues have been highlighted which merit consideration of a change in the way in which Planning Committees operate. These are:
- The number of members who make up the Area Planning Sub-Committees (Huddersfield and Heavy Woollen).
 - An adjustment to public speaking arrangements for pre-application position statements presented to any of the three Planning Committees.

- 3.2 Both of these issues are discussed below.

Membership of the Area Planning Sub-Committees

- 3.3 In March 2016 officers reported to this Committee the outcome of informal discussions with members of the Planning Committees and the Chairs. The comments that were reported from that group were as follows:
- a. Lower numbers of members on SPC seen as positive.
 - b. It is noted however that several members are now attending more than one Committee.
 - c. 13/15 members on Sub-Committee’s appears too large.

This issue has also been the subject of discussion at the Chief Executive’s regular meetings with Leading Members and with the current Chairs of the three Planning Committees.

- 3.4 As the number of applications are now evenly distributed across three Committees rather than two the number of applications now being decided at the two Sub-Committees has reduced. In addition the most complex applications are now decided by the SPC. This combination of factors provides the basis on which to consider whether the current number of members who serve on the Sub- Committees should continue or be changed. In addition, experience of SPC shows that, even with fewer members, debate is still full and comprehensive and members are able to influence decisions in a positive way.
- 3.5 In terms of number of members on the Sub-Committees these are presently set at 13 and 15. Now that the SPC has been set up the majority of applications are small or non-complex (although some are locally sensitive). However, it is difficult for all members to contribute to the debate on fewer and less complex applications.
- 3.6 At present 31 of our 69 ward Councillors sit on one of the three Planning Committees. Currently we have 3 members that serve on two Planning Committees and in the past some Group Business Managers have reported difficulty in servicing all three Committees with members who are experienced enough in planning matters. This is despite having a pool of nominated substitutes.
- 3.7 Drawing on the experience of the SPC officers consider that, like the SPC, fewer members can make the committees more efficient without losing the ability for members to influence decisions. On that basis it would seem a natural next step to recommend membership of 6 to be consistent the SPC. The three current chairs of the Planning Committees have Identified a membership of 9 as a potential way forward. As such a slight increase to 8 to reflect the comments by Planning Committee chairs would also be an effective change.
- 3.8 Currently, the make-up of the Sub-Committees would be as set out in the table below:

Sub-Committee Members	Distributed as			
	Lab	Cons	Lib	Gr/Ind
6	3	2	1	0
8	4	2	1	1

Additional Training

- 3.9 To support this new arrangement a programme of training for Chairs of Planning Committees will be developed between the Governance and Planning teams. This is seen as an essential element of continual improvement of the Planning Committees in Kirklees. This will be in addition to the annual training provided to members of Planning Committees and their substitutes.

Public Speaking - Pre-Application Position Statements

- 3.10 Cabinet recently agreed to introduce a new pre-application process (see report dated 20th September 2016). There were a number of key drivers for the process. This included: enabling officers to better manage the increasing number of major applications coming into the Council; to facilitate early engagement with technical advisors, and to keep ward members informed in the early and formative stages of development.
- 3.11 Part of the process was to allow officers to report to members of Planning Committee an update on key applications. The report or position statement is not for decision but merely

for information and to answer any Member queries on the application itself. These reports are public ones and the debate is held in the public part of agenda. Officers use any feedback to take back to the applicant as part of the overall negotiation process.

- 3.12 To date this has been used occasionally. Recent examples are the Kingsgate development in Huddersfield and a housing development in Birkenshaw. One area that needs to be clarified is the public speaking arrangements for such reports. It is officers view that as these reports are for information only and not for determination that the usual public speaking rights should not extend to these reports. This will avoid repeating what is said at the later decision making session and will help members to focus their attention on any technical issues that they may wish to raise. The applicant may be present to answer any questions from the members.
- 3.13 There will, of course, be occasions when hearing contributions from those parties with an interest in applications will assist members at this stage. Whilst it is expected that this should not be normal practice the Chair should be allowed to use their discretion to allow this to happen and can dictate numbers of speakers and their time allowance if they so wish.

4. Consultees and their Opinions

- 4.1 As set out in Section 2 above officers have undertaken a number of discussions with interested parties as follows:

Action	Date and Outcome
Initial officer paper to Chief Executive's meeting with Leading Members	November 2015
One to one discussions with three Chairs – conducted by Head of Development Management (HoDM)	December 2015 – all three Chairs participated
One to One discussions with SPC members – conducted by HoDM	December 2015 – January 2016 – 5 out of 7 members participated in face to face discussions.
Small developer discussions	November and December 2015
Major house builders	December 2015 and January 2016
Discussions via one to ones/ emails with all Area Sub-Committee members – conducted by Planning Area Team Leaders	January/February 2016
Position paper to Corporate Governance and Audit Committee	March 2016
Planning Committee performance paper to Chief Executive's meeting with Leading Members	December 2016
Discussion with Chairs of Planning Committees -	January 2017

- 4.2 Members of Council should also be aware that these proposals were fully debated at a meeting of the Corporate Governance and audit Committee on 27th January 2017. The

formal noted decision was as follows:

‘That the comments of the Committee be incorporated within a report to be submitted to the meeting of Council on 22 March 2017, and that consultation take place with political groups regarding the constitution of Planning Sub Committees’

4.3 For Members information the minutes of the Committee are set out below:

‘The Committee gave consideration to a report which set out proposed changes to the way in which Planning Sub Committees are structured. The recommendations within the report requested that the Committee make a recommendation to Council to:

- a. reduce the membership of Planning Sub Committees to 8 Councillors
- b. support the provision of additional training to Chairs of all Planning Committees, and;
- c. support that permitting public speaking in relation to pre-application statements is not usual practice, but may be allowed at the discretion of the Chair.

In discussing the report, the Committee raised the following key points:

- a. The Committee supported a reduction in the number of members, and it was agreed that an uneven number of members would be most appropriate in order to reduce the probability of applications being determined by a casting vote of the Chair. It was considered that a number between 6 and 11 would be optimal .
- b. The Committee recognised that the chairing of a planning committee required a level of technical understanding and chairing skills, and welcomed training that could be provided in order to assist members in effectively performing the role. Within this discussion, the Committee more generally supported the potential for improving the training available for all Committee Chairs and asked that the provision of effective and relevant training be progressed.
- c. The Committee expressed concerns regarding the perception of restricting the speaking rights of the public in relation to pre-application position statements. It was considered that allowing the Chair to determine whether public input would be permitted was not practical, nor a reasonable expectation of the Chair. There was a consensus that public speaking on such matters should not be restricted and should be permitted in line with a protocol for speaking on pre-applications.

Further to the content of the report, a request was made that consideration be given to the ward boundaries of the Planning Sub Committees due to a concern that was raised with regards to access to meetings via the use of public transport. It was noted that a Motion had been submitted to request that a meeting of Council considers this matter.

It was agreed that the views of political groups be sought on the issue of Planning Sub Committee membership, prior to the submission of the report to Council on 22nd March 2017’

Consultation Responses Since 27th January 2017 Corporate Governance and Audit Meeting

4.4 Since the meeting on 27th January 2017 consultation has been undertaken through Group Business Managers on these issues. Officers have received the following comment from the Labour Group .

- We agreed that there should be 10 members on each of the 2 committees – Heavy Woollen Planning Sub Committee and Huddersfield Planning Sub Committee
- We agreed there should be 6 members on the Strategic Planning Committee (no change)
- We agreed that we would not support the move of the Kirkburton and Denby Dale to the Huddersfield sub-committee area.
- We did not agree that the public should be able to take part in the informal discussion concerning pre application position statement. The discussion should take place in public but they are for applicants, members and officers to share ideas and are not part of the decision making process.
- We also agreed the site visit should not be compulsory in order that a member should be able to vote, as there may be genuine circumstance a member cannot make the organised visit. Non - attendance of a member on visits should be dealt with at the discretion of each political group.

4.5 Further comments has been from the Conservative Group who have expressed a preference for 9 Members. This reflects feedback from Cllr. John Taylor who had indicated that he had taken the opportunity to discuss matters within his own group prior to this exercise being undertaken.

5. Additional information and Comments

- 5.1 It is essential that the Local Planning Authority's decision making processes are fit for purpose i.e. to ensure that planning applications can be determined lawfully having regard to the principles of natural justice whilst recognising the demands of developers/investors for a responsive service that can deliver timely decisions. The issues outlined above represent some further steps to improving our present arrangements.
- 5.2 Should the proposed changes be accepted then the new membership arrangements would be effective from the beginning of the new Municipal Year. Any agreed changes to public speaking arrangements for pre-application items will made effective from the date of the Council meeting which agrees them.
- 5.3 Officers note the comments received since the Corporate Governance and Audit Committee. Issues relating to the size of the Strategic Planning Committee; boundaries and site visits are not part of this report and its recommendations. In terms of committee size, comments do vary between 7 and 10 members. In officers view the optimal size would be 8 members as set out in section 3.3 to 3.7 of this report. It should be noted that the numbers may vary slightly from year to year (plus or minus 1) in any event for committee proportionality purposes.

6. Officer recommendations and reasons

- 6.1 Members are respectfully asked to consider the report and agree that:
1. the two Area Planning Sub - Committees are reduced to 8 members as from the beginning of the next municipal year;
 2. additional training be provided to Chairs of all Planning Committees; and,
 3. for pre-application position statements public speaking is not usual practice but that it can be a helpful addition at the discretion of the Chair.

- 6.2 Should Members agree the recommendations set out at points 1 and 3 above then the Assistant Director (Legal ,Governance and Monitoring) be delegated to make the necessary changes to the constitution.
- 6.3 The reason for these recommendations is to ensure the continuous improvement of the decision making process in relation to planning applications in Kirklees.

7. Cabinet portfolio holder recommendation

Cllr. McBride is supportive of changes which make the planning committees more effective and efficient.

8. Contact officer and relevant papers

Simon Taylor – Head of Development Management - 221000
email: simon.taylor@kirklees.gov.uk

Julie Muscroft – Assistant Director Legal and Governance – 221000
email: julie.muscroft@kirklees.gov.uk

Link to Corporate Governance and Audit Report 27th January 2017

<http://democracy.kirklees.gov.uk/documents/g5090/Public%20reports%20pack%2027th-Jan2017%2011.00%20Corporate%20Governance%20and%20Audit%20Committee.pdf?T=10>

9. Assistant Director Responsible

Paul Kemp – Assistant Director Place - 221000
email: paul.kemp@kirklees.gov.uk

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Monday 3rd October 2016

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

Apologies: Councillor Erin Hill
Councillor Viv Kendrick

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

61 Membership of the Committee

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

62 Minutes of previous meeting

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

63 Interests

No interests were declared.

64 Admission of the Public

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

65 Deputations/Petitions

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

66 Public Question Time

No questions were asked.

67 Member Question Time

No questions were asked.

68 The Future of Museums and Galleries

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

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

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

RESOLVED -

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

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

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

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

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

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

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

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

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

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

RESOLVED -

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

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

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

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

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

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

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

RESOLVED -

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

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

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

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

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

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

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

RESOLVED -

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

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

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

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

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

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

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

RESOLVED -

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

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

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Wednesday 12th October 2016

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

73 Membership of the Committee

All Members were present.

74 Minutes of previous meeting

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

75 Interests

No interest were declared.

76 Admission of the Public

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

77 Deputations/Petitions

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

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

78 Public Question Time

No questions were asked.

79 Member Question Time

No questions were asked.

80 Publication and Submission of the Local Plan

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

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

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

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

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

RESOLVED –

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

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

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

81 Consultation on the Community Infrastructure Levy - Draft Charging Schedule

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

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

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

RESOLVED -

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

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

Cabinet - 12 October 2016

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

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 15th November 2016

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

Apologies: Councillor Masood Ahmed

Observers: Councillor Cathy Scott

97 Membership of the Committee

Apologies for absence were received on behalf of Councillor Ahmed.

98 Minutes of previous meeting

RESOLVED - That the Minutes of the meetings held on 3 October, 12 October and 18 October 2016 be approved as a correct record.

99 Interests

No interests were declared.

100 Admission of the Public

It was noted that Agenda Item 15 would be considered in private session. (Minute No. 111 refers)

101 Deputations/Petitions

No deputations or petitions were received.

102 Public Question Time

No questions were asked.

103 Member Question Time

No questions were asked.

104 Interim Affordable Housing Policy

Cabinet gave consideration to a report which set out proposed guidelines and an interim policy for dealing with affordable housing contributions in respect of new housing developments. The proposed draft interim affordable housing policy was attached as an appendix to the report.

The report outlined the benefits to the revised policy which provided an up to date and evidenced basis upon which to calculate affordable housing contributions and also was intended to encourage developers to consider a wide range of housing, including extra care housing and a range of housing solutions for older people.

RESOLVED –

1. That the report be noted and that the introduction of an Interim Affordable Housing Policy be endorsed, subject to minor wording amendments at paragraphs 2.7 a and 3.3 of the report.
2. That a report be submitted to a meeting of Council to seek approval of the Policy.

105 Revision of the Local Flood Risk Management Strategy

Cabinet received an updated version of the flood risk management strategy, which had been reviewed following a resolution of Council on 23 March 2016. The strategy, which was previously published in February 2013, had been updated to take account of new evidence and information, particularly in regards to incidents of flooding during December 2015.

The strategy outlined the Council's duties under the Flood and Water Management Act 2010 and detailed a series of actions to understand local flood risk and identify measures to manage the risk. Paragraph 2(i) of the considered report provided a summary of revisions to the strategy, which included referencing the incident of flooding in Mirfield during December 2015, and strengthening actions to explore natural flood management opportunities. The

strategy set out the general approach on the initiatives and tools that the Council would use to manage flood risk, and specific actions that would contribute to an ongoing mitigation and resilience programme. It was noted that the programme had been developed in partnership with the Environment Agency to maximise opportunities for funding through their grant aid programme.

The report advised that the Council had a legal duty to publish, implement and review a Local Flood Risk Management Strategy, and that the strategy would be implemented within existing revenue and capital budgets, in line with the level of flood risk and external funding opportunities.

RESOLVED –

1. That the report and updated Flood Risk Management Strategy be received and noted.
2. That a report be submitted to the meeting of Council on 14 December 2016 to seek approval of the updated strategy.

106 Christmas Parking Concessions 2016

Cabinet gave consideration to a report which sought approval for parking concessions in the towns of Huddersfield, Dewsbury and Holmfirth during the 2016 Christmas period. The report set out details of the current Christmas concessions, which had been in place for over 10 years, and requested that consideration be given to offering additional concessions within Huddersfield and Dewsbury in order to encourage greater visitor numbers, promote local shopping and increase trade.

Cabinet noted that suspending parking tariffs should assist in increasing footfall into town centres, although it would result in lost revenue to the Council of £53,000 which included £30,000 from the proposed additional concessions.

RESOLVED –

1. That the 2016 christmas parking concessions as detailed at paragraphs 2.2 and 2.3 of the considered report be approved.
2. That businesses within the town centres be asked to encourage employees not to utilise the provision and negate the aim and purpose of the concession.

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

Cabinet received a report which set out the Council's 2016-2017 forecast financial outturn position for the General Fund Revenue, Housing Revenue Account and Capital Plan as at Quarter 2. The report also incorporated the mid-

year summary of treasury management operational activity covering the period 1 April to 30 September 2016.

The report advised that the General Fund Revenue for 2016-2017 was set at £310.8m and that the Council's forecast net revenue spend was £315.9m in 2016-2017 resulting in an overspend of £5.1m, equating to 1.7%, against budget. Cabinet noted that, overall general fund corporate reserves were forecast to reduce from approximately £93m (April 2016) to approximately £53m (March 2017), equating to a 43% reduction. The projected £5.1m projected overspend, if not corrected, would be a further call on available reserves.

Cabinet noted that the Housing Revenue Account forecast revenue outturn was a surplus of £490k, against an annual budgeted turnover of £94.5m in 2016/2017, equating to 0.5%. In terms of the Capital Budget, the report advised that that the forecast capital outturn position was £78.7m, resulting in a relatively small underspend of £3.6m, which equated to 4.4% variance to budget.

Appendix A to the considered report set out the detail of the forecast financial outturn position at Quarter 2 in relation to the Council's General Fund Revenue, Housing Revenue Account and Capital Budgets.

RESOLVED –

1. That, in relation to the General Revenue Fund, (i) the proposals to increase earmarked (risk) reserves drawdown by a further £1.9m to £4.8m to resources additional children's service development costs be approved (para 2.2 refers) (ii) the forecast £5.1m forecast revenue overspend position for 2016-2017, net of the proposed reserves drawdown in (i) above (para 2.1 refers) be noted (iii) it be noted that a report will be submitted to a future Cabinet meeting following clarification of liability for site clearance costs relating to the environmental incident at a commercial site in Lockwood (iv) the forecast outturn position on collection fund (paras 3.9 and 3.10 refer) and forecast movements in reserves and balances in-year (paras 3.6 to 3.8 refer) be noted (v) the proposals to bring the forecast £5.1m overspend in line with budgets by current year end, and other actions to build up available reserves to support the Medium Term Financial Plan from 2017 onwards (para 3.4 refers) be noted (vi) a report be submitted to Cabinet on 15 December 2016 regarding management actions being taken to mitigate the increasing overspend in Learning Disabilities (para 3.5 refers) and (vii) a report be submitted to a future Cabinet meeting to consider how the Mount Pleasant £3.3m potential release from the rollover reserve could be used (para 3.8 refers).
2. That, in relation to the Housing Revenue Account, the forecast revenue outturn position for 2016-2017 (para 2.10 and Appendix A refer) and the forecast HRA reserves position at year end (Appendix B refers) be noted.
3. That, in relation to Capital, (i) the forecast capital outturn position for 2016-2017 (para 2.10 and Appendix A) be noted and (ii) approval be given to the transfer of £500k from the IT Revenue budget into the 'Corporate Facilities IT' Capital

Programme budget.

4. That, in relation to Treasury Management, the mid-year summary on Treasury Management activity for 2016-2017 (Appendix A refers) be noted.

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

Cabinet gave consideration to a report which set out the outcomes of the non-statutory consultation process that had taken place between 16 May and 17 June 2016 regarding proposals to change specialist provisions at Ashbrow School, Moldgreen Community Primary School and Thornhill Junior and Infant School. The proposals were (i) for the provision of twelve transitional places and outreach for children with speech, language and communication needs at Ashbrow School to be discontinued (ii) for the provision of twelve transitional places for children with speech, language and communication needs and outreach at Thornhill Junior and Infant School to be discontinued (iii) for the provision of ten transitional places for children with autism at Moldgreen Community Primary School to be discontinued (iv) to increase resources to a centralised primary outreach provision 'hub' to serve the whole of Kirklees for children with speech, language and communication needs, and autism. Cabinet noted that the rationale for the proposals was a result of the positive outcomes from outreach support in mainstream schools which enabled children to be supported within their local school.

The report advised that the consultation had been carried out with key stakeholders in order to gather views on proposals, and that 39 responses had been received. The key themes arising from the consultation were detailed at paragraph 2.1 of the considered report and Appendix C set out the detail of the responses. The officer recommendations to Cabinet, following the conclusion of the consultation process, were set out at paragraph 2.2.

RESOLVED –

1. That the feedback to the non-statutory consultation process, as detailed within the considered report, be noted.
2. That, with regard to Moldgreen Community Primary School, officers be authorised to publish statutory proposals and notices to discontinue the 10 transitional places for children with autism, and that a report be brought back to a future meeting of Cabinet for final decision, with a view to implementing the proposals from 1 April 2017, if approved.
3. That, with regard to Thornhill Junior and Infant School, it be noted that as part of the conversion to become an Academy, the matter of discontinuance of specialist provision was considered and the agreement does not include any

specialist provision.

4. That a proposal to discontinue the 12 transitional places for children with speech, language and communication needs at Ashbrow School in order to commission outreach provision as referred to in (5) below be noted.
5. That, with regard to primary outreach provision for Speech, Language and Communication Needs and Autism across Kirklees, a proposal to increase resources to a centralised primary outreach provision 'hub' to serve Kirklees be noted and that approval be given to seeking expressions of interest for a school to host a specialist provision with 12 transitional places, following which a further report will be submitted to Cabinet.
6. That the next steps and timescales for the subsequent stage of the statutory process be noted, and that a further report be submitted to Cabinet for decision following the representation period.
7. That officers be requested to carry out preliminary and preparatory work with parents, governing bodies and staff to enable a successful implementation, subject to agreement of the proposals, by engagement with relevant parties in the planning stages of the future specialist resource provision in mainstream schools.

109 Dewsbury Education Village - Pioneer House and land at Bradford Road, Dewsbury

(Under the provisions of Council Procedure Rule 36 (1) Cabinet received a representation from Councillor Scott).

Cabinet received a report which sought approval for the Council to support Kirklees College in the creation of a new education facility in Dewsbury, through the disposal of the Council owned property at Bradford Road, Dewsbury (formerly Safeway) site. The report also provided an update on progress regarding the refurbishment of Pioneer House as part of the wider Dewsbury Learning Quarter Project.

The report explained that the new education base would be undertaken in three distinct stages, initially the acquisition and development of the Bradford Road site, followed by the landlord's programme for Pioneer House and finally the College undertaking an occupation fir-out programme at Pioneer House.

Cabinet noted that the disposal of the land at Bradford Road was an essential element of the overall project and would enable the works to commence. The disposal would secure a large capital receipt for the Council and allow the wider project to progress and subsequently for the Local Enterprise Partnership grant to be spent. It was also noted that the West Yorkshire Combined Authority approved a capital envelope of £11.1m grant and £4 capital loan towards the redevelopment of Pioneer House and the creation of Dewsbury Learning Quarter.

(Exempt information as detailed at agenda item 15 (Minute No. 111 refers) was considered prior to the determination of this agenda item.)

RESOLVED –

1. That approval be given to the disposal of Land at Bradford Road, Dewsbury, as illustrated in Appendix 1 of the considered report, to Kirklees College, for the provision of the Dewsbury Learning Quarter.
2. That authority be delegated to the Assistant Director (Legal, Governance and Monitoring) in consultation with the Assistant Director (Place) to enter into all appropriate contracts, deeds and documents in relation to the sale of the land at Bradford Road, Dewsbury, with Kirklees College.
3. That authority be delegated to the Assistant Director (Place) in consultation with the Assistant Director (Legal, Governance and Monitoring) to agree any reasonable adjustments in relation to abnormal site costs associated with the specific college development.

110 Exclusion of the Public

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.

111 Dewsbury Education Village - Pioneer House and land at Bradford Road, Dewsbury

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, namely because the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and third party organisations concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 13 (Minute No. 109 refers).

RESOLVED –

The exempt information was noted prior to the determination of Agenda Item 13.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Monday 28th November 2016

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

Observers: Councillor Donna Bellamy
Councillor David Hall, Conservative - Leader
Councillor Judith Hughes
Councillor Robert Light
Councillor Andrew Marchington, Liberal Democrat -
Group Business Manager
Councillor Bernard McGuin
Councillor Cathy Scott
Councillor Julie Stewart-Turner
Councillor Linda Wilkinson

112 Membership of the Committee

All Cabinet Members were present.

113 Interests

No interests were declared.

114 Admission of the Public

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

115 Deputations/Petitions

Cabinet received a petition, submitted by Alexia Place, in support of the proposal to change the age range of All Hallows' CE (VA) Infant and Nursery School (in relation to Agenda Item 7 Minute No 118 refers).

116 Public Question Time

No questions were asked.

117 Member Question Time

No questions were asked.

118 Statutory proposal made by the Governing Body of All Hallows CE(VA) Infant and Nursery School to change the upper age range from 3-7 years to 3-11 years and become an all through primary school.

(Under the provisions of Council Procedure Rule 37, Cabinet received representations from Alexia Place, Jane Sargent, Muhammed Naveed and Valerie Coles. Under the provisions of Council Procedure Rule 36 (1), Cabinet received representations from Councillors McGuin, Hughes and Wilkinson)

Cabinet gave consideration to a report which sought a decision regarding the published statutory proposal by the Governing Body of All Hallows' CE (VA) Infant and Nursery School to change the age range of the school from 3 to 7 years to 3 to 11 years, thereby becoming an all-through primary school, with effect from 1 September 2017.

Cabinet noted that a four week period of statutory consultation on the proposal had commenced on 4 September 2016. A meeting of the School Organisation Advisory Group (SOAG) took place on 14 October to review the process undertaken by the proposer and the representations received.

The report explained that the school had set out its rationale for change by stating that it wished to build on its existing strengths and improve educational outcomes by providing consistency and continuity, sustaining the provision of a rich and balanced curriculum, supporting sustained pupil progress by removing the transition point, enhancing parental choice and meeting the needs of the local community.

The Officer commentary advised that the proposal had been well thought through, and was supported by stakeholders in the local area. However, it explained that the introduction of additional places where there is no evidence of need would potentially have a much wider and significant impact upon the Almondbury area, and in particular a serious adverse impact upon Almondbury Community School, which could result in destabilisation and the school becoming financially unsustainable. On balance, it was recommended that the proposal of the Governing Body be rejected.

Cabinet noted the written and verbal representations which were presented to the meeting, including the receipt of a 228 signature petition in support of the proposal to change the age range of the school.

Appendices to the considered report included the minutes of the meeting of the School Organisation Advisory Group held on 14 October 2016, the consultation proposal, a summary of written responses received during the consultation, and statutory guidance for decision makers regarding prescribed alteration, establishment and discontinuation proposals.

In reaching their decision Cabinet reviewed all of the information in the All Hallows' CE(VA) Infant and Nursery School Governing Body's published proposal, the 203 responses received as part of the representation period, submissions received by the LA examined as part of the SOAG meeting and the further submissions received following the SOAG meeting.

Consideration was also given to additional factual information which included; admissions data over the past 4 years, pupil demographic data and the pattern of pupil distribution as published by the Council in the document 'Rounded, Resilient and Ready - Securing Sufficient High Quality Learning and Childcare Places - School Organisation - Planning and Development for 2015-2018 (Kirklees Council, November 2015)', relevant financial information that models the likely impact of approving the proposal for both All Hallows' CE(VA) Infant and Nursery School and Almondbury Community School, and relevant financial information that illustrates the likely consequence of the introduction of 120 additional Key Stage 2 places that could ensue now and in the future for the children and their families in the area, staff employed in local schools, the wider community and the council.

Whilst financial implications for both of the schools concerned were material, Cabinet considered all of the information to objectively determine the outcome, and had due regard to the relevant statutory guidance which explains; 'The purpose of this guidance is to ensure that additional good quality school places can be provided quickly where they are needed; that local authorities and governing bodies do not take decisions that will have a negative impact on other schools in the area, and that changes can be implemented quickly and effectively where there is a strong case for doing so'.

The relevant factors for Cabinet to consider within this proposal were; Related Proposals, Conditional Approval, Publishing Decisions, Consideration of Consultation and Representation Period, Education Standards and Diversity of Provision, A school-led system with every school an academy, Demand versus Need, School size, Proposed Admission Arrangements, National Curriculum, Equal Opportunity Issues, Community Cohesion, Travel and Accessibility, Funding and School Premises and Playing Fields.

On balance, Cabinet determined that approving the proposal would have a damaging impact upon the local area, taking into account the school places available and the impact that the proposal could have upon the neighbouring school. Cabinet noted that the potential destabilising effect upon the neighbouring school could result in an overall loss to the community of sufficient Key Stage 1, 2, 3 and 4 places.

Cabinet recognised that the Governing Body and leaders of All Hallows' CE (VA) Infant and Nursery School had put considerable time and effort into bringing forward the proposals, and fulfilling the requirements of the statutory process.

It was noted that, as the Decision Maker, Cabinet needed to take into account the DfE's published guidance in reaching their decision, and that they have a duty to consider the impact of any decision for all of the families in the Almondbury area.

RESOLVED –

That the proposal made by the Governing Body of All Hallows' CE (VA) Infant and Nursery School to change the upper age limit from September 2017 be rejected.

119 Putting Children First - Post Ofsted Inspection - Next Steps

(Under the provisions of Council Procedure Rule 36 (1), Cabinet received representations from Councillors D Hall, Light and Marchington)

Following an Ofsted inspection of 'Support to Children and Young People in Need' during September and October 2016, and the consequential publication of the judgements, Cabinet gave consideration to a report which set out the proposed actions in relation to the inspection outcome. It was noted that the provisional overall judgement was inadequate, which would result in intervention from Ofsted and the department for Education to assist the Council with the improvements required. A timeline in respect of the improvement process was set out at Appendix A of the considered report.

The report explained that a Commissioner would be appointed to undertake a three month review regarding the capacity for improvement within the Council and would (i) make recommendations for immediate improvement of Children's Social Care, including additional support required (ii) review the Council's leadership and management capability and capacity to drive the necessary changes and (iii) make a recommendation to the Secretary of State as to whether alternative delivery arrangements are the most effective way of securing and sustaining improvement. Following the review, a report would be produced by the Independent Commissioner which would make a judgement as to whether Children's Services would remain within the Council or sourced to a Children's Trust arrangement. Details of the Improvement Framework were set out at Paragraph 3 of the considered report.

Cabinet noted that there was an immediate workforce capacity issue, caused by a high number of agency workers leaving at short notice. In order to alleviate the current pressures and stabilise the workforce, it was proposed that an experienced social work team be commissioned from the independent sector, for a period of six months. The commission would help to reduce the level of unallocated cases, reduce high and unsafe workloads, and provide capacity for cover which create additional pressures on staff. The report advised that the cost of the commission would be £448,707 and that this would be funded from the earmarked risk reserve in line with the Cabinet decisions of 23 August 2016 and 15 November 2016.

RESOLVED –

- 1) That the proposed approach in response to the outcome of the OfSted Inspection, as set out within the considered report, be noted and endorsed.
- 2) That the proposed governance arrangements as set out in Appendix B of the considered report, be endorsed.
- 3) That the key dates as prescribed by OfSted be noted, and that the proposed approach to enable partnership ownership of the improvement process, as outlined in Appendix A of the considered report, be supported.
- 4) That the actions as set out in paragraph 4.1 of the considered report, and the resource implications upon the New Council Development Reserve, be noted.
- 5) That approval be given to a sum of £448,707 to commission an independent agency to provide social work capacity, as detailed in paragraph 4.2 of the considered report.

120 Christmas Parking Concessions 2016 - Amendment to previous Cabinet Report

(Cabinet agreed to the consideration of this item as a late and urgent matter due to the need for the decision to be implemented as quickly as possible in advance of the Christmas period)

Pursuant to the decision of Cabinet on 15 November 2016, it was requested that urgent consideration be given to a further report in order to correct an anomaly relating to the 2016 parking concessions in Dewsbury. Cabinet noted that the previous report should have identified that the concessions for Dewsbury would apply for all Saturdays in December, and would commence at 1.00pm in order to be consistent with the provision in Huddersfield.

RESOLVED -

That, pursuant to the decision of Cabinet on 15 November 2016, the amendments to the concessions as detailed in paragraph 2.2 of the considered report be approved.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 13th December 2016

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

121 Membership of the Committee

All Cabinet Members were present

122 Minutes of previous meeting

RESOLVED

That the minutes of the meetings held on 15 November and 28 November be approved as a correct record.

123 Interests

No interests were declared.

124 Admission of the Public

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

125 Deputations/Petitions

No deputations or petitions were received.

126 Public Question Time

No questions were asked.

127 Member Question Time

No questions were asked.

128 Corporate Performance Report - 2016-17, Quarter 2

Cabinet received a report which set out an overview of the Council's corporate performance at the end of Quarter 2 2016/2017. The Quarter 2 Corporate Performance Report was attached as an appendix to the report and provided information on core business indicators, corporate health, service volumes and a stronger focus on outcomes in the Joint Health and Wellbeing Strategy.

Paragraph 2 of the considered report listed the key points to note which included the Council having been successful in accessing government grants for pothole repairs and flood defences, and £220k per annum for five years for culvert repair, and the progress of the North Kirklees Growth Zone and Dewsbury Learning Centre.

RESOLVED

That the Quarter 2 Corporate Performance Report 2016/2017 be received and noted.

129 Regionalisation of Adoption Services

Cabinet considered a report which provided an update on the regionalisation of adoption services and sought agreement in regard to the arrangements for the delegation of adoption services to a Regional Adoption Agency. Cabinet noted that the Government's adoption proposals contained within the Education and Adoption Act 2016 set out that all local authorities would play a part of a Regional Adoption Agency, or would have delegated their adoption functions to a RAA by 2020.

The report explained that adoption services were being reorganised under regional arrangements whereby local authorities would collaborate to provide services in a newly created Regional Adoption Agency. The changes aimed to achieve outcomes for children by facilitating more timely placements of children for adoption, greater recruitment of adopters and speedier identification for matches.

Pursuant to the decision of Cabinet on 26 July 2016 to support and endorse the progress of arrangements to establish a Regional Adoption Agency (ONE Adoption) and the creation of a sub-regional Yorkshire Adoption Agency, hosted by Leeds City Council, further work had been progressed and Cabinet was now asked to formally

delegate the functions of the adoption service to a Joint Committee, comprised of Elected Members from the five West Yorkshire authorities. The Joint Committee would have formal oversight of the regional agency, and would be invited to sub-delegate the function to the Director of Children's Services (Leeds City Council) to enable the day to day running of services via the host agency. The Director would be accountable to the Joint Committee for the discharge of the adoption functions, though agency decisions on whether adoption would be in the best interest of the child would remain with Kirklees Council.

Cabinet noted that the Sub-Regional Agency would be operated under the terms of a Partnership Agreement, which would confirm the legal and governance arrangements, the budget, and funding contributions for the five local authorities. The report advised that ONE Adoption West Yorkshire was scheduled to come into effect on 1 April 2017.

RESOLVED

That the arrangements for the new Regional Adoption Agency be endorsed and, subject to the agreement of partner authorities agreeing to the recommendations, approve;

- (i) that with effect from 10 January 2017, all adoption functions be delegated to the Joint Committee as detailed in appendix a of the considered report
- (ii) that the Cabinet Member – Family Support and Child Protection shall represent Kirklees on the Joint Committee (or a substitute member, if appropriate)
- (iii) that the principles of the partnership agreement, as detailed in appendix b of the considered report, and the process for budget setting, be noted, and that the Director of Children and Young People be authorised to agree the Agency funding formula and terms of the partnership agreement
- (iv) that the Assistant Director – Legal, Governance and Monitoring, be authorised to sign and seal and enter on behalf of the Council into documentation, including but not limited to, the partnership agreement, including documents arising out of support for special guardians and to update the Council's Constitution as appropriate
- (v) that it be noted that the proposed transfer of staff via TUPE from 1 April 2017 into the employment of Leeds City Council to work within ONE Adoption
- (vi) that the Director of Children and Young People's Services be authorised to extend the breadth of delegation relating to support for special guardians, following agreement by the Joint Committee as the project develops and
- (vii) that the Director of Children and Young People's Services be authorised to progress with other local authorities in order to implement ONE Adoption.

130 Place Directorate - Introduction of New Fees and Charges

Cabinet considered a report which sought approval for revisions of existing fees, and the introduction of new fees and charges, for services provided by the Place Directorate, specifically Building Control, Bereavement Services and Driver Training.

Appendix 1 to the considered report set out a breakdown of the revisions and new fees, which would come into effect on 1 January 2017. The charges and fee increases were required to fully recover the increased costs of providing existing services and the cost of the new services which are offered, and enable the continual sustainability of services at competitive rates.

RESOLVED

That the increased fees and charges, as detailed in Appendix 1 of the considered report, be approved with immediate effect, with the exception of the charges relating to Building Control which shall be implemented with effect from 1 January 2017.

131 Carriageway Asset Management

Cabinet received a report which requested that consideration be given to the Highways Network priorities in the context of reducing funding and adhering to an asset management methodology.

The report advised that investment at the current levels was likely to lead to an increased backlog of works. Therefore, the Council needed to target Department for Transport funding capital at A, B and C roads in order to mitigate against deterioration and support economic resilience and transportation in the district.

Cabinet noted the proposal as set out in the report that (i) the current investment strategy would continue to target Department for Transport funding grants predominately at A, B and C roads, and borrowing at U road maintenance (ii) reactive maintenance revenue funding and the pothole grant would be targeted at localised repairs, to mitigate deterioration which must increase reducing capital roads funding (iii) the pothole test will be evaluated following winter to identify the most effective reactive repair techniques (iv) a report will be submitted to Cabinet each year of the works programme (v) a sum of £250,000 will be set aside within the Unclassified Roads budget for spending on pavements where the condition presents a risk to the Council and (vi) the unclassified roads budget will only be used for adopted highway roads and footways.

RESOLVED

That approval be given to the preparation of a programme of works to reflect Asset Management principles and maximise grant funding to contribute to and compliment the Council's Corporate Plan, and the Council priorities of early intervention and economic resilience.

132 West Yorkshire Low Emission Strategy 2016 to 2021

Cabinet received a report which outlined the proposed content and purpose of the West Yorkshire Emission Strategy 2016-2021, and sought approval of the strategy. The report advised that the West Yorkshire Low Emissions Strategy 2016-2021 set out how the Council, together with partners, would improve air quality in Kirklees, and across West Yorkshire, over the next five years, and beyond. It explained that the five West Yorkshire authorities, the Combined Authority, and Public Health England, had worked together using DEFRA funding to produce an overarching strategy which covered a range of initiatives to tackle transport emissions in the short to medium term, and set out how air quality improvements would be maintained over the long term, balanced against the ambitions for economic and housing growth for the region and the consequent risk of worsening air quality from increased traffic.

The report set out ten objectives of the strategy which included the introduction of Clean Air Zones, the introduction of an Eco-Stars fleet recognition scheme, supporting the taxi industry in the transition to low emission vehicles and raising awareness of the impact of poor air quality.

The report presented two options to Cabinet; Option 1 – to adopt the 2016 to 2021 strategy, as detailed within the considered report, or Option 2 – to not adopt the strategy and consider an alternative strategic approach. It advised that the adoption of the strategy would demonstrate the Council's commitment to improving air quality improvements in the long term.

RESOLVED

That Option 1 as detailed in the considered report be approved, thereby adopting the West Yorkshire Low Emissions Strategy 2016 to 2021 as the Council's strategic approach to improving air quality in Kirklees and across West Yorkshire.

133 Flood Response Policy and Flooding Operational Plan

Cabinet received a report that presented a new Flood Response Policy and associated Flooding Operational Plan. It advised that the Policy and Plan had been developed jointly between Flood Management, Emergency Planning and Highways Operational teams and outlined the Council's responsibilities during flood events and how it intends to manage the risk of flooding to communities with drainage asset management, flood risk management initiatives and community awareness. The policy also promoted targeted and proportionate support to communities affected by flooding, informed by the best possible evidence and information. The policy also revised the Council's approach to providing sandbags and gave clarification on prioritisation for the supply of sandbags.

The operational plan set out details on the actions to be taken before, during and following severe flooding. Cabinet noted that whilst the policy set out the Council's

responsibilities and intentions, the plan provided a detailed action plan which would be adjusted to reflect upon new evidence of flood risks, and associated revised priorities.

RESOLVED

That the Flood Response Policy and Flooding Operational Plan be approved.

Cabinet received a report that presented a new Flood Response Policy and associated Flooding Operational Plan. It advised that the Policy and Plan had been developed jointly between Flood Management, Emergency Planning and Highways Operational teams and outlined the Council's responsibilities during flood events and how it intends to manage the risk of flooding to communities with drainage asset management, flood risk management initiatives and community awareness. The policy also promoted targeted and proportionate support to communities affected by flooding, informed by the best possible evidence and information. The policy also revised the Council's approach to providing sandbags and gave clarification on prioritisation for the supply of sandbags.

The operational plan set out details on the actions to be taken before, during and following severe flooding. Cabinet noted that whilst the policy set out the Council's responsibilities and intentions, the plan provided a detailed action plan which would be adjusted to reflect upon new evidence of flood risks, and associated revised priorities.

134 Transition to Kirklees Wellbeing Integrated Model and Redesign of Smoking Cessation services

Cabinet received a report which provided information on the transition towards the Integrated Wellbeing Model, including redesigning the approach to smoking cessation. The report advised that smoking cessation services were currently delivered by South West Yorkshire Foundation Trust (Smoke Free Service) and GPs, and that the contract with the Smoke Free Service was due to end on 31 March 2017. Cabinet were asked to consider issuing a notice to the current provider and commencing a new approach on this date, rather than extending the contract to 1 April 2018 which is the date that all other contracts (eg, weight management) were due to end.

Paragraph 3.2 of the considered report set out details of the integration of health improvement services and outlined the reasons as to why the Health and Wellbeing Board and Clinical Commissioning Groups were intending to commission an integrated Wellness Service as part of a wider wellbeing model that would be better aligned with New Council and the Target Operating Model, Early Intervention and Prevention, and the NHS Five Year Forward View/Sustainability and Transformation Plans.

Cabinet noted that the Wellness Model would support the aims of New Council to empower people to live their lives to the fullest potential by enabling people to increase control over their health.

RESOLVED

That the transition towards a Kirklees Wellbeing Integrated Model, including not renewing the current contract for the Kirklees Smoke-free service, and designing a primary care based approach to commence on 1 April 2017, be approved.

135 Quarter 2, 2016-17, Corporate Monitoring - Learning Disabilities

Cabinet received a report which provided an overview of the action being taken to mitigate the increasing overspend within Learning and Disability Services. The report outlined the background to the current financial position, information relating to the demands on Learning Disability Services, needs assessment data, and the current range of service actions and projections relating to future demand for and cost of services.

Cabinet noted that the key pressures on the Learning Disability Budget included a demographic volume change, care and community package cost changes, including the impact of the national minimum wage, and the impact of Continuing Health Care reviews. It was also noted that the key areas of projected overspend were placement budgets and community package and direct payment budgets. The report explained the mitigating actions being planned included (i) overseeing and matching costs with prevailing market rates to meet identified care needs (ii) promoting choice and control within affordable costs (iii) purchasing with partners to secure value for money and (iv) securing more accommodation in communities to promote choice and control and secure value for money.

RESOLVED

1. That the Quarter 2 2016-2017 Corporate Monitoring (Learning Disability Services) report be received and noted.
2. That the action as set out within the considered report be endorsed and
 - i. it be noted that a report will be submitted to a future meeting providing further detail on mitigating actions and their impacts and
 - ii. the risk to the Medium Term Financial Plan arising from volume growth that cannot be met through the managements actions be noted.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 17th January 2017

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

Observers: Councillor Mahmood Akhtar
Councillor Martyn Bolt, Conservative - Deputy Leader
Councillor Fazila Fadia
Councillor Judith Hughes
Councillor Andrew Marchington, Liberal Democrat -
Group Business Manager
Councillor Hilary Richards
Councillor Elizabeth Smaje, Lead Member for the Health
and Social Care Scrutiny Panel
Councillor Mohan Sokhal, Labour - Group Business
Manager
Councillor Julie Stewart-Turner
Councillor John Taylor
Councillor Rob Walker

136 Membership of the Committee

All Cabinet Members were present.

137 Minutes of previous meetings

RESOLVED

That the Minutes of the Meetings held on 28 November and 13 December 2016 be approved as a correct record.

138 Interests

No interests were declared.

139 Admission of the Public

It was noted that Agenda Items 25 and 26 would be considered in private session (minute no's 160 and 161 refer).

140 Deputations/Petitions

No deputations or petitions were received.

141 Public Question Time

No questions were asked.

142 Member Question Time

Councillor Bolt asked a question regarding the recent Ofsted report on Castle Hall Academy, Mirfield.

The Cabinet Member replied thereto.

143 Transformation of Daycare Services phase 5 (Little Jacks)

Cabinet gave consideration to a report which provided a final update on proposals for delivering the requirements of the Medium Term Financial Plan within the Council's agreed Childcare Commissioning and Market Management Framework, and which sought approval to proceed with the transfer of Little Jacks Daycare, Chickenley, to Moor End Academy Trust following the decision of Cabinet in February 2016 to explore options for the delivery of this service.

The report advised that the proposals would generate required Medium Term Financial Plan savings and that short term transitional support which was likely to be required would be identified within existing resources. The proposed date of implementation was on or before 31 March 2017. Subject to approval of the report, the following stage of the process would be to finalise the agreement with Moor End Academy prior to the managed transfer of the Nursery to the Trust.

Cabinet noted that the proposal offered the best opportunity for the community of Chickenley to ensure that the needs of some of the most disadvantaged families have access to high quality learning and childcare opportunities.

RESOLVED -

That approval be given to the transfer of Little Jack's Nursery to Moor End Academy Trust.

144 Scrutiny Panel - Children's Services Findings Report

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Stewart-Turner and Marchington).

Cabinet received a report which set out the findings of the Ad Hoc Scrutiny Panel – Children’s Services. The report advised that the purpose of the Panel had been to (i) consider the work programme of the Children’s Development Board (ii) challenge the prioritisation of the work of the Board and contribute ideas on the achievement of the programme (iii) comment upon the performance framework developed to provide oversight for the work of the Board (iv) assist the Cabinet Member for Children’s Services in providing Councillor input to the development programme and (v) consider the fit of identified development work with the developing Early Intervention and Prevention approach.

It was noted that the Panel had met between May and October 2016, and the findings and recommendations of the Panel were appended to the considered report. Cabinet noted that the report would be submitted to the meeting of Council on 18 January 2016.

RESOLVED –

That the findings of the Ad Hoc Scrutiny Panel – Children’s Services be noted.

145 Schools Forum - Schools funding Formula 2017-18

Cabinet gave consideration to a report which provided an update on (i) the continued implementation of the Kirklees Schools funding formula during 2016/2017 in line with DfE Guidance 2013 (ii) the implications of changes to the Education Services Grant for the Council and schools from 2017/2018 and (iii) the impact upon schools’ funding formula from 2018/2019 following the introduction of the proposed National Funding Formula. The report also recommended the outline of the Kirklees school funding formula for 2017/2018 in terms of (a) specific funding factors to be used and the estimated relative weightings and values of the funding factors (b) exceptions applications to the Education Funding Agency (c) centrally retained Dedicated Schools Grant provision and (d) de-delegation arrangements. Cabinet were asked to approve the outline details of the Kirklees school funding formula for 2017/2018 for submission to the Education Funding Agency, as required by the deadline of 20 January 2017.

RESOLVED -

1) That the changes required by, and the impact of, DfE funding rules relating to Kirklees Schools funding formula and funding levels be noted.

2) That the consultation process undertaken in collaboration with Head Teachers to oversee the ongoing impact of the agreed Kirklees funding formula be noted.

3) That the detail of the exceptions applications as detailed in paragraph 9 of the considered report be noted.

4) That approval be given to the continued use of the current Kirklees School funding formula for 2017/2018 for submission to the Education Funding Agency.

146 Proposals for the future of the Young People's Activity Team (YPAT) in the context of the medium term financial plan

(Under the provision of Council Procedure Rule 36(1), Cabinet received a representation from Councillor Bolt).

Cabinet received a report which provided an update on the engagement exercise that had taken place with users of the Young People's Activity Team (YPAT) and proposed options for consideration. It was noted that, as part of the Medium Term Financial Plan, a total of £584,000 savings were expected to be made from the YPAT budget for 2017/2018, and that the meeting of Cabinet on 23 August 2016 had given approval for an engagement exercise to take place with the users (and families) of the YPAT service, and with those who access the wider short breaks and respite offers in Kirklees.

Paragraphs 2.18 to 2.21 of the considered report set out the key findings of the engagement exercise and the resulting proposals. The proposals included the development of a more robust policy framework incorporating the development of a charging policy and implementation of a Children's Resource Allocation System, the cessation of YPAT service to those aged over 18 years, a review of the short breaks and respite delivery arrangements within Council buildings and a review of the current YPAT staffing structure and rota arrangements in order to ensure the cost effective deployment of staff based upon the needs of the service.

Cabinet noted that an extensive engagement exercise had taken place and that significant concerns had been raised regarding the cessation of the service. The Council's Early Intervention and Prevention and Redesign Boards had also been consulted on the proposals and were in support of the recommendations.

RESOLVED -

1) That the proposal to continue to provide the short breaks service offered by the Young People's Activity Team for disabled children and young people up to the age of 18 years, with the greatest level of need, in the medium to long term, be approved.

2) That the service offer of the Young People's Activity Team to those over the age of 18 years be ceased and that it be ensured that each adult accessing this service receives an individual review to assess their eligibility and needs.

3) That it be ensured that Carers of persons in (1) and (2) above are offered an assessment of the person's needs.

4) That a review of the current Young People's Activity Team staffing structure and rota arrangements be undertaken.

5) That a review of job descriptions, roles and responsibilities for the delivery arrangements of short breaks and respite which are based in Council buildings be undertaken.

6) That a robust policy framework be developed, including the development of a charging policy, and the implementation of the Children's Resource Allocation System.

7) That the market be shaped further so that it can sufficiently meet future demand, including working with the Childcare Sufficiency Team, in order to ensure that there is sufficient childcare available for all disabled children and young people up to the age of 18 years.

8) That the direct payment process continue to be reviewed with a view to developing a clearer process for individuals and families.

147 Proposal for Early Help for Children, Young People & Families

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Smaje, J Taylor and Marchington).

Cabinet gave consideration to a report which sought approval on the proposed future model for early help services, including the proposed closure of designated Children's Centres and Youth Centre Buildings. It advised that, subject to approval, the model would be implemented following a service redesign process. The report provided a contextual overview of the position in relation to the current and proposed future Early Help offer delivered by the Council. It advised that feedback from a consultation process was broadly supportive of the proposed model, particularly the need to focus the Council's resources on those with the greatest level of need.

RESOLVED -

1) That approval be given to the establishment of four central hub sites across the district, with one based in each Early Help area.

2) That four designated Children's Centres be established, with one based in each Early Help area.

3) That the delivery of the Council's new targeted Early Help offer be shifted towards a model that increases the use of space in community buildings to enable more flexible, needs led approach to service delivery, and one that is not focussed on buildings.

4) That it be recognised that a phased approach will be required and that a small portfolio of council buildings will continue to be used in the short term to support the transition to the new model.

5) That reports relating to assets and asset strategy be submitted to future meetings of Cabinet as appropriate.

148 Outcomes of the statutory consultation affecting Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School.

Cabinet received a report which set out the outcomes of the statutory consultation on proposals to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School to form a single Church of England voluntary controlled primary school for pupils aged 3 to 11 years from 1 May 2017. The report advise that the consultation had taken place between 31 October and 9 December 2016, and had sought the views of parents/carers, school staff, professionals, governors, pupils, the local community, and other stakeholders. A document detailing the responses of the consultation was appended at Appendix D of the considered report, and the key themes were summarised at Paragraph 4.

The report advised that, subject to approval, the publication of notices would take place during January and February 2017, and a report would be brought back to Cabinet during April 2017 to request a final decision.

RESOLVED -

1) That the responses to the statutory consultation regarding proposals to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School by working in collaboration with the Diocesan Board of Education within the Church of England Diocese of Leeds to establish a new Church of England Voluntary Controlled Primary School be noted.

2) That, pursuant to (1) above, it be noted that the school would (i) cater for pupils aged 4 to 11, with a PAN of 66 for Key Stage 1 and a PAN of 68 for Key Stage 2 and (ii) retain 48 part time early learning places for nursery children aged 3 to 4 years, and that opportunities to further develop early learning and childcare services to meet future demand , including that presented by the introduction of 30 hours free childcare, and two year olds eligible to free early education, are not precluded by these proposals.

3) That officers be requested to take steps to carry out the next stage of the legal process to establish an all through primary school for pupils aged 4 to 11, with a PAN of 66 in KS1 and 68 in KS2, retaining the 48 part time early learning places for nursery children aged 3 to 4 to (i) establish a new Church of England Voluntary Controlled Primary School (ii) discontinue Honley CE (VC) Infant and Nursery School and (iii) discontinue Honley CE (VC) Junior School.

4) That it be noted that the Diocesan Board of Education within the Church of England Diocese of Leeds is working in partnership with the Local Authority and that the Church of England Diocese of Leeds would act as the proposer of the new school, and that officers of the Diocesan Board of Education would work closely with the officers of the Local Authority, governors and staff of the three schools to bring about the successful implementation of the proposal.

5) That officers be requested to report the outcomes of representations received during the statutory publication period to Cabinet for consideration.

149 Provisional Financial Settlement 2017-18; incorporating future year indicative amounts (multi-year settlement)

(Under the provision of Council Procedure Rule 36(1), Cabinet received a representation from Councillor J Taylor).

Cabinet received a report which set out information on the key parts of the National Government provisional settlement 2017-2018, including the national funding allocations to each Local Authority for the forthcoming financial year and indicative allocations for the following two years. The report provided a breakdown of information relating to the multi-year settlement grant, new homes bonus, adult social care grant, schools funding including education services grant, council tax business rates retention scheme and council spending power.

Cabinet noted that the funding allocations for the Council as set out in the provisional financial settlement would be incorporated into the forthcoming annual budget submitted to Cabinet and Budget Council. The report included options of 0%, 2% and 3% adult social care precepts and advised that the 3% precept option would enable the Council to raise an additional £4.6m over a three year period to help fund adult social care pressures.

RESOLVED -

1) That the report be noted, and options for adult social care precept flexibility be considered.

2) That it be noted that the funding changes highlighted in the provisional settlement 2017-2018 will be included in the budget papers scheduled for submission to Cabinet on 31 January 2017.

150 Calculation of the Council Tax Base 2017/18

Cabinet gave consideration to a report which sought approval of the various taxbases which would apply to the Kirklees area during the 2017/2018 financial year in connection with the council tax. It was noted that the Council was required to confirm the continuation of the current local Council Tax Reduction Scheme, as agreed at Council on 14 January 2015.

Cabinet noted that, as there were Parish and Town precepts, it was necessary to calculate a taxbase for both the whole Kirklees area, and each parish and town council area. The report set out details of the factors that were taken into account when calculating a taxbase.

RESOLVED -

Cabinet - 17 January 2017

That the following recommendations be submitted to the meeting of Council on 15 February 2017;

(a) That the 2017/2018 tax base for the whole of the Kirklees area, and the tax base for the five parish council areas be approved as below;

- Whole of Kirklees	£115,371.39
- Denby Dale	£5,630.20
- Holme Valley	£9,787.38
- Kirkburton	£8,761.33
- Meltham	£2,707.33
- Mirfield	£6,515.37

(b) That the full Government CTR Grant be passed to Town and Parish Councils at the same level as previous years.

(c) That delegated power be given to the Assistant Director (Financial Management, Risk, IT and Performance) to adjust the component parts of the tax base should there be any alterations to the assumptions made at the meeting of Council on 18 January 2017.

151 Trade Waste Policy Review

(Under the provision of Council Procedure Rule 36(1), Cabinet received a representation from Councillor J Taylor).

Cabinet received a report which sought to amend the Council's Trade Waste Policy following a recent review of organisations currently receiving free waste collection services. The report provided an overview of the current trade waste collection service operation and associated statutory requirements. It advised that a free waste collection and disposal service was currently being provided to various third sector organisations at a cost of approximately £285,000 per annum, and that the level of continued support to third sector organisations proposed in the review of trade waste policy would result in an overall approximate income of £170,000 per annum to offset these costs.

Cabinet noted that some of the organisations affected would be serving a key role in both economic resilience and early intervention and prevention priorities and may face significant financial challenges if they were asked to pay collection costs. The report identified such organisations as 'vulnerable' and set out that they be offered free waste collection and disposal, and must participate in educational workshops to minimise waste arising. It proposed that the free service provision would be capped per organisation and that the overall budget would be capped at £30,000.

RESOLVED -

1) That standard trade waste rates be charged to all Third Sector organisations, excluding disposal costs (as per statutory requirements).

2) That a budget of £30,000 be allocated to meet the costs for vulnerable organisations, and that authority be delegated to the Head of Environment and

Greenspace to amend the mechanism for identifying vulnerable organisations and delivering the budget to match any future strategy or policy for supporting the third sector as decided by the Cabinet.

3) That third sector organisations no longer be allowed to deliver waste to Waste Transfer Station sites under the Council's waste disposal contract and that any waste delivered to these sites be through a private arrangement between the organisation and the Council's contractor.

152 Private Sector Housing Assistance Policy

Cabinet gave consideration to a report which sought approval for an updated Private Sector Housing Policy, in accordance with the requirements of the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002. The updated policy reflected the current strategic priorities of the Council, enabling the continuation of offering and administering assistance, primarily in relation to grants and loans for the purposes of adaptations to the homes of disabled persons living in the private sector, and to vulnerable households where there is a demonstrable severe financial hardship.

Cabinet noted that the existing policy was approved by Cabinet in 2003, with further detail considered and approved by Cabinet in 2004, though it had not since been updated and was now out of date and no longer compliant. The considered report explained the main aspects of the revised policy, which included the removal of references to specific private sector grants. It reflected the Council's shift away from the provision of financial assistance for homeowners to renovate properties, to a focus on improving the living conditions of properties through a range of advice, assistance, signposting and support. The report also outlined the current operational arrangements within the Council's Housing Service for the provision of private sector housing advice, assistance and support for disabled persons seeking support with adaptations or a move to a more suitable home.

RESOLVED -

1) That approval be given to the adoption of the updated Private Sector Housing Assistance Policy to ensure that the Council has an accurate and up to date policy supporting strategic intentions for the provision of housing assistance in the private sector.

2) That authority be delegated to the Assistant Director (Place) in consultation with the appropriate Cabinet Member to make future minor amendments to the Private Sector Housing Assistance Policy.

3) That approval be given to revoke the existing 2004 policy and replace it with the 2016 policy, with effect from 18 January 2017.

153 Rent Setting for Housing Revenue Account properties for 2017-18

Cabinet - 17 January 2017

(Under the provision of Council Procedure Rule 36(1), Cabinet received a representation from Councillor Smaje).

Cabinet received a report which sought approval for a 1% reduction in dwelling rents in 2017/2018 and an uplift of 2% in garage rents and similar for service and other charges, except extra care services, which propose and uplift of 2.58%. Appendix 1 to the considered report set out the full schedule of proposed weekly dwelling rent, service and other charge increases to Council tenants for 2017/2018, and noted that these would be calculated on a basis that matches the billing periods to the number of weeks in the year. The report provided the financial context and basis for the annual setting of rents and service charges as well as for the HRA budget which would be considered by Council in February 2017.

Cabinet noted that the new average weekly HRA dwelling rent for 2017/2018 was £69.89, including the compulsory 1% rent reduction, would be effective from 3 April 2017. The impact of the 1% reduction on the 30 year business plan represented a significant business risk to the Council, with the amount of loss over the next four years equalling £23.4m.

RESOLVED -

1) That the proposed dwelling rent, garage rent and service and other charges as set out in the considered report be approved and effective from 3 April 2017.

2) That the national and local financial challenges as outlined within the report be noted in advance of the Housing Revenue Account budget discussions during February 2017.

154 Commissioned Enforcement Partnership

This agenda item was withdrawn.

155 Investment in Transformation

Cabinet gave consideration to a report which provided an overview of two transformation projects requiring investment on an 'invest to save' basis as part of the New Council programme. Specifically, the report sought approval for the investment and ongoing costs required to make the Council 'mobile and agile', which would be achieved through the creation of a technology enabled workforce, and by transforming the Council's organisational culture and ways of enabling Kirklees to be a mobile, agile and paperlite organisation. The report also provided an update to Cabinet on the appointment of Deloitte as the Council's Transformation Business Partner.

RESOLVED -

1) That approval be given to proposals to invest existing capital and revenue, plus additional revenue provision in essential updates to the Council's IT infrastructure and Mobile and Agile technologies.

2) That the selection of Deloitte as the Council's Transformation Business Partner be noted.

3) That it be noted that the future costs of working with Deloitte as the Transformation Business Partner will be funded from the New Council Development Reserve.

156 Proposals for the implementation of a revised Adult Social Care Charging Policy and Deferred Payment Arrangement Policy

Cabinet received a report which (i) provided an evaluation of the feedback from consultation on the proposed revised Adult Social Care Charging Policy and (ii) sought approval for the implementation of the proposed revised Adult Social Care Charging Policy including the charging schedule.

The report advised that the revised policy comprised of three separate policy documents (the Adult Charging policy document, the Deferred Payment Scheme policy document, and the Client Financial Affairs Debt Recovery policy document) and a charging schedule. Cabinet noted that there had been 550 responses to the consultation questionnaire, and the detailed feedback was set out within an analysis report at Appendix A of the considered report.

RESOLVED -

1) That the results of the consultation process, as set out in the considered report, be noted.

2) That approval be given to the implementation of the proposed revised Adult Social Care Charging Policy, the charging schedule and the policy documents that are comprised in the Adult Social Care Charging Policy including the Adult Charging Policy document, the Deferred Payment Scheme Policy, and the Client Financial Affairs Debt Recovery Policy.

3) That authority be delegated to the Assistant Director (Finance, Risk and IT), in consultation with the Strategic Director for Adults and Health, and the relevant Cabinet Portfolio Holder/s to amend the policies in light of any legislative or procedural changes and to make changes to the charges in the charges schedule to take into account increases in the costs of supplying the Adult Social Care services.

157 Pioneer House, and Land Bradford Road Dewsbury

Cabinet gave consideration to a report which sought (i) approval for the release of £2.9m from the Capital Plan to support the implementation of the landlord's programme of works for Pioneer House, (ii) approval for the grant of an occupational lease for Pioneer House to Kirklees College as detailed within the considered report, (iii) agreement to underwrite the Heritage Lottery Fund until the grant to part fund the landlord's programme of works is approved, and to advise upon the risks and seek authority to proceed at risk before the negotiations have been concluded with

Cabinet - 17 January 2017

regard to the grant and (iv) agreement for the Council to underwrite 50% of the risk of repayment of loan from West Yorkshire Combined Authority.

The report provided a breakdown of information relating to the landlord's programme of works, Kirklees College works programme, asset disposal and occupation, and the financial implications of the redevelopment of Pioneer House by Kirklees College.

Cabinet noted the significance of the redevelopment of Pioneer House to Dewsbury Town Centre as part of the North Kirklees Growth Zone, which was expected to begin a fifteen year economic regeneration programme that would generate new homes and business growth within the town.

(Cabinet gave consideration to exempt information at Agenda Item 25 (Minute No. 160 refers) prior to the determination of this item).

RESOLVED -

- 1) That approval be given to the redevelopment of Pioneer House to facilitate the delivery of a new Dewsbury campus for Kirklees College.
- 2) That approval be given to the terms of occupation of Pioneer House by Kirklees College, as detailed in the considered report, and Appendix 2 to the report, and that authority be delegated to the Assistant Director (Place) to finalise and agree terms with the Heritage Lottery Fund.
- 3) That authority be delegated to the Assistant Director (Legal, Governance and Monitoring), to enter into all appropriate contracts, deeds and documents in relation to facilitating the occupation of Pioneer House by Kirklees College.
- 4) That approval be given to the release of £2.9m from the Capital Plan to support the implementation of the landlord's programme, comprising £1.09m, plus £1.7m of Townscape Heritage Initiative Grant (£848k Council funding and the under-write of £848k grant from the Heritage Lottery Fund until the application is approved and the grant awarded) and £124k from economic delivery capital baseline budget.
- 5) That authority be delegated to the Assistant Director (Place) to submit the application to Heritage Lottery Fund and to authorise payment of the Townscape Heritage Initiative Grant upon receipt of a completed application form and all necessary supporting information.
- 6) That the position regarding possible clawback by the Heritage Lottery Fund upon the grant of the Lease to Kirklees College as detailed in Appendix 2 of the considered report be noted.
- 7) That authority be delegated to the Assistant Director (Place) and the Assistant Director (Legal, Governance and Monitoring) to agree any documentation in respect of the Agreement to Lease with the College.

8) That approval be given to the proposal to fund the loan re-payment from the capital receipts realised from the sale of land off Halifax Road and the property at Bradford Road, commonly known as the 'former Safeway site'.

158 Disposal of Land and Property Assets

Cabinet gave consideration to a report which sought approval for the disposal of a number of land and property assets, and to adopt a decision making process as illustrated in Appendix D of the considered report. The report also provided an update on the completed asset disposals in 2015/2016.

Cabinet noted that the recommended assets listed for disposal included buildings that were vacant, surplus commercial properties, land sites with potential for development and grazing land with no alternative use potential.

(Cabinet gave consideration to exempt information at Agenda Item 26 (Minute No. 161 refers) prior to the determination of this item).

RESOLVED -

1) That the disposal of assets as listed in Appendices A and B of the considered report be approved.

2) That approval be given to the adoption, formalisation and use of decision flow charts for (i) Officer Strategic Asset Review and (ii) Member Strategic Asset Process, as attached at Appendix D of the considered report.

3) That authority be delegated to the Assistant Director (Place) to negotiate and agree the terms and the most appropriate process in which to proceed with the disposal of each asset listed in Appendices A and B of the considered report, including sale price (except when an auction is the preference in compliance with Contract Procedure Rules).

4) That authority be delegated to the Assistant Director (Legal, Governance and Monitoring), to enter into and execute any agreements or instruments relating to the disposal of any assets listed in Appendices A and B of the considered report.

159 Exclusion of the Public

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 undermentioned Minutes.

160 Pioneer House

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation)

Cabinet - 17 January 2017

Order 2006. It is considered that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and third party organisations concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 22 (Minute No. 157 refers).

RESOLVED -

The exempt information was noted prior to the determination of Agenda Item 22.

161 Disposal of Land and Property Assets

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006. It is considered that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that it would not be in the public interest to disclose the information as disclosure could potentially adversely affect overall value for money and could compromise the commercial confidentiality of the bidding organisations and may disclose the contractual terms, which is considered to outweigh the public interest in disclosing the information.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 23 (Minute No. 158 refers).

RESOLVED –

The exempt information was noted prior to the determination of Agenda Item 23.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 31st January 2017

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

162 Membership of the Committee

No apologies for absence were received.

163 Interests

No interests were declared

164 Admission of the Public

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

165 Deputations/Petitions

Cabinet received deputations from Ken Crowther and Charles Woodbridge in respect of the budget proposal for 'Grants to Communities Who Can' at Agenda Item 7. (Minute No. 168 refers).

166 Public Question Time

No questions were asked.

167 Member Question Time

No questions were asked.

168 Council Budget Report 2017-21 incorporating Capital, Treasury Management, General Fund Revenue & Housing Revenue Account

(Under the provision of Council Procedure Rule 36 (1) Cabinet received representations from Councillors D Hall, Greaves and Smaje)

Cabinet received a report which set out its recommendation to the meeting of Budget Council on 15 February 2017, and provided the basis upon which other political groups could consider their budget proposals for Capital, General Fund Revenue and Housing Revenue Account. The report also sought approval of the Council Treasury Management Strategy.

Cabinet noted that the report;

(i) Reviewed the multi-year Plan for Capital Investment (Cabinet is required under Financial Procedure Rules to recommend to the Council a multi-year Plan for Capital Investment).

(ii) Reviewed the Treasury Management Strategy 2017-18 (which the Council must consider before the start of the financial year to comply both with the Chartered Institute of Public Finance & Accountancy (CIPFA) Code of Practice on Treasury Management, and with Department for Communities and Local Government (DCLG) guidance on local authority investments issued in March 2010, requiring the Council to approve an Investment Strategy before the start of each financial year).

(iii) Review the General Fund Revenue Budget Strategies over the Medium Term Financial Plan (MTFP), and budget proposals to achieve a balanced General Fund Revenue Budget in 2017-18, and Revenue Budget Plans for the following 3 years.

(iv) Incorporated the Government's announcement on the Local Government Finance Settlement for 2017-18 and indicative government funding forecasts for the following 3 years, and considered the level of General Fund Revenue Budget needed for Treasury Management and Central Contingencies.

(v) Made recommendations on the Council tax requirement for 2017-18.

(vi) Reviewed the current levels of General Fund Revenue Reserves and Balances and made recommendations on the level of reserves.

(vii) Review Housing Revenue Account (HRA) budget proposals to achieve a balanced HRA in 2017-18, and indicative Revenue Budget Plans for the following 3 years.

(viii) Reviewed the current levels of Housing revenue Account Reserves, and made recommendations on the level of reserves.

(ix) Incorporated the Council's Pay Policy Statement for 2017-18.

(x) Incorporated a statement of assurance from the Council's statutory s151 officer in relation to the adequacy of General fund and HRA reserves and the robustness of budget estimates.

RESOLVED - That the report be submitted to the meeting of Council on 15 February 2016 with the following recommendations;

(1) Capital

(i) That the Capital Investment Plan be recommended to Council with an intention that the Plan is reviewed as an integral element of the Council's Budget Strategy to support Council priorities (on both capital and revenue budget proposals) and is contained within foreseeable resources (Appendix A, Section 1 and Appendix E refer).

(ii) That Council be advised to determine the Prudential Indicators as referred to in Appendix A (Section 1, para 1.3.19) and Appendix F.

(2) Treasury Management

(i) That the borrowing strategy as outlined in Appendix A (Section 2, para 2.3) be approved.

(iii) That the investment strategy be outlined in Appendix A (Section 2, para 2.4) and Appendix G be approved.

(iv) That the policy for provision of repayment of debt (minimum revenue provision) as outlined in Appendix A (Section 2, para 2.5) and Appendix I be approved.

(3) General Revenue Fund

(i) That the draft Revenue Budget for 2017-2020 and indicative high level funding and cost estimates for 2020-21 be approved (Appendix B refers).

(ii) That the proposed re-direct of £3.3m from rollover reserves to general balances, the proposed 2016-2017 year end transfer of £7.7m to organisational risk reserves (in-year further treasury management saving from the proposed amendment to the Council's minimum revenue provision strategy) , and the proposed re-alignment of £1.4m currently uncommitted resources earmarked for transformation projects totalling £1.4m to the New Council Transformation reserve be approved (Appendix A, Section 3, para 3.16.5 refers).

(iii) That, subject to approval of (3)(ii) above, the forecast levels of general and earmarked reserves as set out at Appendix A (Section 3, para 3.16.6) be noted.

(iv) That the strategy for the use of balances and reserves, as set out in Appendix A (section 3, paras 3.16.7 and 3.16.8 refer) be approved.

(v) That it be acknowledged that for 2017-2018 the minimum level of General Fund balances should be £5.0m (Appendix A, Section 3, para 3.16.6 refers).

(vi) That a further reassessment of reserves requirements be undertaken at year end and reported as part of the 2016-2017 revenue rollover and outturn report.

(vii) That it be noted that the Council's continued participation on the Leeds City Region business rates pool for 2017-2018 (Appendix A, Section 3, para 3.13.6 refers).

(viii) That approval be given to the Council Tax requirement for 2017-2018 (Appendix A, Section 3, para 3.14, and Appendix C; budget motion refer)

(ix) That approval be given to the Council's Pay Policy Statement for 2017-2018 as set out in Appendix D (i-v).

(x) That the Council's Statutory s151 Officer's positive assurance statement, as referred to in para. 4 of the considered report, be noted.

(xi) That the Council's Statutory s151 Officer be given delegated authority to amend how the finally approved precepts are recorded in the Council's revenue budget in line with the final notifications received following decisions by the Office of Police and Crime Commissioner, the Fire and Rescue Authority and Parish Councils should these be received after 15 February 2017.

(4) Housing Revenue Account (HRA)

(i) That the draft HRA Budget for 2017-2020 (as detailed in Appendix B) be approved.

(ii) That the strategy for the use of HRA reserves (as detailed in Appendix A, Section 4, para 4.3.1) be approved.

169 Integrated Community Safety- Economic Resilience / Quality of Life

Cabinet gave consideration to a report which set out proposals for creating an integrated approach between the Council and its partners to enhance the quality of life for residents across the Kirklees area. The report advised that the new model essentially aimed to mould together services and functions to ensure a seamless offer which would include low level enforcement work, and clean, green and safe neighbourhoods. Cabinet noted that there would be a renewed focus upon prevention and early intervention that would be underpinned by technology and the use of shared intelligence.

The report sought approval for the development of the new model using reduced but combined resources across the partnership, and would also deliver savings and efficiencies. The considered report set out detailed information on the new approach to integrated community safety and the integrated working approach.

RESOLVED -

- 1) That approval be given to proposals to develop a new approach to integrated community safety that contributes to the economic strategy.
- 2) That the budget saving in line with the Medium Term Financial Plan be endorsed and that approval be given to £559k of Economic Resilience add back.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 7th February 2017

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

170 Membership of the Committee

No apologies for absence were received.

171 Interests

No interests were declared.

172 Admission of the Public

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

173 Deputations/Petitions

No deputations were received.

174 Public Question Time

No questions were asked.

175 Member Question Time

No questions were asked.

176 Quarter 3, 2016-17 - Corporate Monitoring Report incorporating General Fund Revenue, Housing Revenue Account, Capital and Treasury Management

Cabinet gave consideration to a report which set out information on the Council's 2016-2017 forecast financial outturn position for General Revenue Fund Revenue, Housing Revenue Account and Capital Plan as at Quarter 3.

The report advised that the Council's General Fund (net) revenue budget for 2016-2017 was set at £310.8m and that the forecast net revenue spend was £317.3m in 2016-2017, resulting in an overspend of £6.5m, equivalent to 2.1% against budget. Overall, general fund corporate reserves were forecast to reduce from approximately £93m in April 2016 to approximately £50m in March 2017, equivalent to 46% over the year.

In regards to the Housing Revenue Account, forecast revenue outturn is a surplus of £1.9m against an annual budgeted turnover of £94.5m in 2016-2017, equivalent to 2%. The HRA reserves at 31 March 2016 were £42.8m.

The report advised that the capital budget for 2016-2017 was £82.9m, net of £20.3m assumed slippage. The forecast capital outturn position was £74.3m, resulting in an underspend of £8.6m which equated to a 10.3% variance from budget.

Cabinet noted that the 2016-2017 capital plan assumed that £5.5m of non-earmarked capital receipts would be generated through asset disposal, and the year-end capital receipts projection was maintained at £4.5m.

RESOLVED -

- 1) That in relation to the General Fund Revenue (i) the forecast revenue overspend position for 2016-2017, and the approved drawdown of reserves at £5.8m to an adjusted overall £712k overspend (paras 2.1/2.2 and Appendix 1, Section 1 refer) be noted (ii) officers be requested to submit a report to a future meeting of Cabinet pending clarification of liability for site clearance costs relating to the environmental incident at a commercial site in Lockwood (para 2.3 refers) (iii) the forecast outturn position on collection fund (paras 3.9 /3.10 refer) and forecast remaining reserves at year end (para 3.8 and Appendix B refer) be noted (iv) it be noted that the current forecast monitoring and reserves assumptions reflected as Quarter 3 monitoring do not reflect a number of budget proposals contained in the annual budget report 2017-2021 that would impact on the 2016-2017 position, but will be incorporated within the revenue outturn position (para. 2.7 refers) and (v) it be noted that a number of key issues highlighted within the report regarding service developments and pressures in Children's and Adults Services have been factored into the 2017-2021 budget proposals (paras 3.3 to 3.7 refer).
- 2) That in relation to the Housing Revenue Account , (i) the forecast £1.9m surplus outturn position 2016-2017 (para 2.8 and Appendix 1, Section 1 refers) and (ii) the forecast HRA reserves position at year end (Appendix B refers), be noted.
- 3) That, in relation to Capital, (i) the Council forecast capital outturn position 2016-2017 (para 2.9 and Appendix A, Section 2 refer) be noted and (ii) approval be given to a net increase in grant £91k (£40k grant in 2A Integrated Public

Transport; £51k Defra Air Quality grant in 2B Network Management) and a re-profile of £367k City Cycle Ambition Grant (CCAG2) from 2016-2017 Walking and Cycling programme into 2017-2018.

177 Economic Resilience - Community Learning Works Business Plan

Cabinet received a report which set out plans to implement a community learning approach to support vulnerable residents in participating in learning programmes. The approach aimed to enable individuals and groups to acquire skills, confidence and knowledge to make progression towards employment, improving individual and family circumstances and benefitting their communities. The programme would particularly seek to help those affected by low skills, social isolation, unemployment, mental health or long term illness/disability. The programme was also designed to build the capacity of organisations in the third sector to enable them to take on a greater strategic planning and quality assurance role in the future. A summary of the business plan was appended at Appendix A of the considered report.

Cabinet noted that the total funding request to support the Community Learning Works project over three years would be £500,000, commencing 1 April 2017. However, the funding would be allocated on an annual basis and would be subject to an annual review of delivery and outcomes and would be based on performance and ongoing affordability and value for money. The report advised that the amount requested in 2017/2018 was £190,000.

RESOLVED -

- 1) That, subject to Third Sector Leaders providing responses to the matters identified within para 6.2 to the satisfaction of the Assistant Director (Place) in consultation with the relevant Cabinet Member/s, the Assistant Director (Place) be given delegated power to approve the Community Learning Works Business Plan.
- 2) That approval be given to the total funding request for £500k over three years commencing from 1 April 2017.
- 3) That authority be delegated to the Assistant Director (Place), in consultation with the relevant Cabinet Member/s (i) to sign off the matters arising and funding documentation and (ii) to undertake an annual review process and the cessation of activity arising from affordability/value for money considerations.

178 Determination of school admission arrangements for 2018/19

Cabinet received a report which sought approval of the Kirklees schemes for the co-ordination of the admission of rising five year olds and admission to the first year of junior, middle and secondary schools in 2018/2019 (including in-year admissions). Cabinet noted that the Council was required by law to produce admission schemes to co-ordinate the admission of children to the first year of all schools in Kirklees. The schemes cover the admission of rising 5 year olds, and admissions to the first year of junior, middle and secondary schools. Appendix 2A to the considered report

set out the co-ordinated schemes for normal year of entry admissions for rising 5 year olds, junior schools, middle schools and secondary schools. Appendix 2B set out the Kirklees scheme for in year admissions.

Cabinet noted that the proposed arrangements and schemes were subject to the statutory six week consultation process, between 1 November and 12 December 2016.

RESOLVED -

That approval be given to (i) the Kirklees co-ordinated admission schemes for 2018/2019, including in-year admissions, as detailed in Appendix 2 of the considered report and (ii) the admission arrangements for Kirklees community and voluntary controlled schools as detailed in Appendix 1, including the recommended Published Admission Numbers proposed by the Local Authority.

179 Compactor Relocation at Huddersfield Open Market

Cabinet gave consideration to a report which sought approval for spend from the Economic Delivery Capital Budget for the current 2016/2017 financial year for a project to relocate and improve the compactor facilities at Huddersfield Open Market, which was estimated to cost approximately £97,000, excluding the purchase of a new compactor.

Cabinet noted that the current facility did not allow for the separation of waste at the market and there was therefore no recycling of waste at from this site. The provision of a larger purpose built compactor enclosure would allow for the addition of a further compactor for cardboard waste in order to support recycling, and reduce disposal costs by approximately £15k per year.

The report set out two options, (i) for a non-covered option, costing approximately £97k, and (ii) a non-covered option at approximately £141.5k. The preferred option was option (i), though there was structural provision for a roof to be added in the future.

RESOLVED -

That approval be given to capital expenditure of £97k from the Economic Delivery Capital budget to fund the compactor relocation.

180 Commissioned Enforcement Partnership

Cabinet received a report which sought permission for a 12 month trial to be commissioned of working with a private enforcement company for the issuing and management of Fixed Penalty Notices in relation to litter, dog and related environmental matters. It advised that the trial would commission a company who supply services to local authorities of patrolling and issuing fixed penalties for

littering and similar offences, and managing case files for the payment of fines or prosecution. The report advised that the significant change to protocol would be that the early repayment discount would be removed, as would the restorative justice option of attending a good citizen course.

The report sought permission to undertake a 12 month trial of a suitable service provider to determine whether it has a positive effect on the actual and perceptual issues around littering and dog fouling and related issues. It stated that, in terms of financial implications, there would be a saving of capacity to support other enforcement activity, and that the contract would be cost positive, with any surplus being used to support activities.

RESOLVED -

- 1) That approval be given to proceeding with a Commissioned Enforcement Service supporting the other in-house environmental work.
- 2) That, pursuant to (1) above, the Assistant Director (Place) and the Assistant Director (Legal and Governance) be authorised to make consequential changes to the Fixed Penalty Notices Protocol.

181 Ashbrow Housing site

Cabinet received a report which provided an update on the Ashbrow housing site and made recommendations regarding the appointment of a development partner. It advise that, during February 2016, tender documents had been issued seeking a development partner to construct a Council Extra Care scheme and open market housing site for sale on the site. The report sought approval for the appointment of the preferred bidder, following an evaluation against pre-determined award criteria.

The report provided information on the vision for the site, the procurement and evaluation process, timescales, and the expected impact, outcomes, benefits and risks.

(Cabinet gave consideration to exempt information at Agenda Item 15 (Minute No. 184 refers), prior to the determination of this item).

RESOLVED -

- 1) That approval be given for the Ashbrow Housing Scheme to be progresses.
- 2) That approval be given to the preferred bidder, as detailed within the exempt appendix at Agenda Item 15.
- 3) That, pursuant to (2) above, it be noted that a report will be submitted to a future Cabinet meeting setting out the finalised terms of the contract with the preferred bidder before signature.
- 4) That, pursuant to (2) and (3) above, authority be delegated to the Assistant Director (Legal and Governance) to finalise and enter in to all appropriate contracts, deeds, and documents in relation to the appointment of the preferred bidder in consultation with the Assistant Director (Place).

- 5) That it be noted that the Extra Care Scheme would be funded through the Housing Revenue Account Strategic Capital Plan and that the expenditure was previously approved by Cabinet (2 February 2016) and Council (17 February 2016).
- 6) That it be noted that the site would contribute to delivery of the Council's housing strategy and provide a range of products to support housing growth, a long term supply of affordable housing, and meet the housing needs of the most vulnerable groups.

182 Southgate Huddersfield

Cabinet received a report which sought approval for a Draft Development Brief, noted the assessment of potential Council usage, and sought agreement to market the site for disposal. The report advised that the Development Brief had been drawn up for the Council as landowner, in consultation with the Local Planning Authority, and was in three parts; land use planning policy and property market appraisal, an urban design study, and technical appendices. Cabinet noted the information contained within the report regarding the development brief, the assessment of potential council uses, and marketing the site for disposal. Subject to approval, it was noted that the next stage of the process would be for officers to prepare an information pack prior to the marketing of the land.

(Cabinet gave consideration to exempt information at Agenda Item 16 (Minute No. 185 refers), prior to the determination of this item).

RESOLVED -

- 1) That approval be given to the draft Development Brief, as detailed in Appendices 1,2 and 3 of the considered report.
- 2) That the Assistant Director (Place) be authorised to market the land for disposal for redevelopment.
- 3) That it be noted that two further reports will be submitted, (i) for a decision to be taken on the preferred purchaser of the site and (ii) to comment upon the preferred developer's draft masterplan for redevelopment.

183 Exclusion of the Public

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 undermentioned Minute.

184 Ashbrow Housing Site

(Exempt information under Paragraph 3 of Part 1 to Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Variation Order 2006 as the information relates to the financial or business affairs of any particular person (including the authority holding that information). It is not in the public interest to disclose the information as disclosure could adversely affect the overall value for money and compromise the confidentiality of the bidders and the Council. The public interest in maintaining the exemption outweighs the public interest in disclosure of the information in terms of accountability, transparency in spending public money and openness in Council decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 12 (Minute No. 181 refers).

185 Southgate Huddersfield

(Exempt information under Paragraph 3 of Part 1 to Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Variation Order 2006 as the information relates to the financial or business affairs of any particular person (including the authority holding that information), or in respect of which a claim to legal professional privilege could be maintained in legal proceedings. It is considered that disclosure of the information would be contrary to the confidential terms on which it has been provided to the Council, and could also prejudice negotiations regarding the disposal of the land and the Council obtaining best consideration. The public interest in maintaining the exemption which protects the interests of the Council, outweighs the public interest in disclosure of the information and providing greater openness in Council decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 13 (Minute No. 182 refers).

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Contact Officer: Tish Barker

KIRKLEES COUNCIL

CABINET COMMITTEE - LOCAL ISSUES

Wednesday 19th October 2016

Present: Councillor Peter McBride (Chair)
Councillor Musarrat Khan
Councillor David Sheard

Apologies: Councillor Naheed Mather

In attendance: Councillor Jean Calvert
Councillor James Homewood

1 Membership of the Committee

The Committee noted the following substitution. Cllr David Sheard substituted for Cllr Naheed Mather.

2 Minutes of Previous Meeting

The Minutes of the meeting of Cabinet Committee Local Issues held on 14 September 2016 be agreed as a correct record.

3 Interests

No interests were declared at the meeting.

4 Admission of the Public

All items were considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No Public questions were asked at the meeting.

7 Member Question Time

No Member questions were asked at the meeting.

8 Objections to the relocation of bus stop 450 16720 on the A62 Leeds Road, Deighton

The committee gave consideration to local ward councillors' objections to the proposed relocation of bus stop 450 16720 on the A62 Leeds Road, Deighton.

The report explained, in order to reduce congestion and help improve journey time reliability on the A62 Leeds Road, it was proposed to relocate bus stop no – 450 16720 into the adjacent layby, 30 metres to the south. It went on to explain that the flow of traffic towards Huddersfield was temporarily blocked each time a bus pulled up at stop no – 450 16720 and due to the positioning of a pedestrian refuge, motorists were unable to safely overtake stationary buses at the bus stop. Relocation of the bus stop to the layby would resolve this issue by enabling general traffic to safely pass a stopping bus.

Objections to the relocation of the bus stop were received from four local retailers stating that the layby to be used for the bus stop was currently used for parking by customers.

Ashbrow ward councillors objected to the proposals as set out in the report, including objections on the grounds of the new stop being further from the residential area, the new location would be near a sharp bend and further away from the pedestrian refuge facility and potential loss of trade for local retailers.

Cllrs Jean Calvert and James Homewood attended the meeting to voice their concerns regarding the proposed relocation of the bus stop on the grounds that the relocation would adversely impact local businesses. They were also concerned that the relocation would result in pedestrians being put at risk by crossing the road to the newly relocated bus stop which was nearer to a sharp turn in the road.

The committee recognised that the A62 Leeds Road corridor was a key strategic route and the highway congestion caused by buses stopping at the bus stop created delay and unreliability for bus services.

RESOLVED: That the objections to the proposed scheme be over-ruled and the bus stop relocated in order to:

- a) reduce congestion and delay on the busy A62 Leeds Road corridor; and
- b) create a safer highway layout

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

CABINET COMMITTEE - LOCAL ISSUES

Wednesday 22nd February 2017

Present:

Councillor Peter McBride
Councillor Naheed Mather
Councillor Musarrat Khan

Apologies:

In attendance:

Observers: Councillor Martyn Bolt

9 Membership of the Committee

All members were present.

10 Minutes of Previous Meeting

The Minutes of the meeting held on 19 October 2016 were approved as a correct record.

11 Interests

No interests were declared at the meeting.

12 Admission of the Public

All items were considered in public session.

13 Deputations/Petitions

No deputations or petitions were received.

14 Public Question Time

No questions were asked.

15 Member Question Time

No questions were asked.

16 Objection to Kirklees (TR) (No 16) Order 2016, proposed waiting restrictions - Hopton New Road and Back Station Road, Mirfield

The committee gave consideration to two objections to the proposed waiting restrictions on Hopton New Road and Back Station Road, Mirfield.

The report explained that complaints had been received from local residents, local businesses and Councillors regarding parking that occurred on both sides of the local roads in the area which is associated with commuters using Mirfield Train Station. The parking reduced the road width available to one lane and there was regular conflict between opposing traffic. It went on to explain that Network Rail were aware of the issues and were looking at the potential of providing a larger car park to facilitate commuter demand, this would be a medium/long term proposal. A short term solution was needed to reduce the on-street parking problems due to concerns around congestion and safety.

Objections to the scheme were received from two local residents and two members of the public attended the meeting. The objections raised gave concern that any parking restrictions would create further parking difficulties in Mirfield, the proposals would not improve road safety and drivers would not be able to see the passing points on Hopton New Road.

Local Ward Councillors and the Police were consulted on the scheme and supported the measures. The Ward Councillors requested that Kirklees Council and Cabinet would revisit the issue to find a permanent parking solution.

Councillor Martyn Bolt attended the meeting and informed the committee that local Councillors and partnership organisations were working together to find a long term solution to the parking problems.

RESOLVED –

- 1) That the objections to the proposed TRO be over-ruled and the scheme be implemented as advertised.
- 2) That the Council and Cabinet would continue to work with partners towards a permanent solution for parking in the area.

Contact Officer: Alaina McGlade

KIRKLEES COUNCIL

APPEALS PANEL - EDUCATION SCHOOL TRANSPORT

Friday 16th September 2016

Present: Councillor Bill Armer (Chair)
Councillor Christine Iredale
Councillor Gemma Wilson

1 Minutes of Previous Meeting

That the Minutes of the meeting held on 24 May 2016 be approved as a correct record.

2 Interests

No interests were declared.

3 Exclusion of the Public

The Panel noted that Agenda Item 4 would be considered in private session.

4 School Transport appeal (LM)

(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:

RESOLVED – That the appeal be dismissed.

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KIRKLEES COUNCIL

APPEALS PANEL – EDUCATION SCHOOL TRANSPORT

Tuesday 31 January 2017

Present: Councillor Armer (in the Chair)
Councillors Lowe and Richards

1 Minutes of the Previous Meeting

That consideration of the minutes of the Panel held on 8 December 2016 be deferred to the next meeting of the Panel.

2 Interests

Cllr Lowe declared an “other” interest in item 5 of the agenda as she worked alongside the appellant.

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 (CL)

(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:

RESOLVED – That the appeal be dismissed.

5 School Transport Appeal (EB)

(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:

RESOLVED – That the appeal be dismissed.

6

School Transport Appeal (MA)

(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:

RESOLVED – That the appeal be upheld.

7

School Transport Appeal (IB)

(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:

RESOLVED – That the appeal be dismissed.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 23rd September 2016

Present: Councillor Hilary Richards (Chair)
Councillor Julie Stewart-Turner
Councillor Kath Pinnock
Councillor Linda Wilkinson
Councillor Bill Armer
Councillor Sheikh Ullah

Apologies: Councillor Gulfam Asif
Councillor John Taylor

In attendance:

Observers:

1 Membership of the Committee

Councillor Sheikh Ullah substituted for Councillor Gulfam Asif
Councillor Bill Armer substituted for Councillor John Taylor

2 Minutes of Previous Meeting

The minutes of the meeting held on 29 July 2016 were agreed as a correct record.

3 Interests

No interests were declared at the meeting.

4 Admission of the Public

All items were considered in Public Session at the Meeting

5 Deputations/Petitions

There were no deputations or petitions received.

6 Annual Corporate Emergency Planning and Continuity Report

The Committee considered a report providing an update on emergency planning and business continuity issues and developments that had occurred during the financial year 2015/16. The Committee noted that the annual report had been submitted as a consequence of work by the Council's Internal Audit Team, who had recommended that the publication of an annual report would assist with corporate understanding and create more awareness of the key issues relating to emergency planning and a wider understanding of the requirements that were placed on the Council in this area of activity.

The considered report went on to set out the headline developments in relation to emergency planning during the year, including, as well as work with the Council and the training of officers within the Council in aspects of emergency planning, an emergency planning checklist for householders. The report also provided information in relation to business continuity developments within the Council and the importance of ensuring that plans were in place to maintain critical activities in the event of a building loss or other significant event that impacted on the Council's ability to deliver its key services.

The Committee discussed the role Councillors could play in providing information to members of the public and acting as a conduit between the community and the Council in instances of short notice events and felt it would be useful if information could be provided to all Councillors on the procedure in dealing with such events so that they were able to provide advice when required.

RESOLVED -

1. The content of the Report be noted.
2. That the officers be requested to provide information to all Councillors on the procedure for dealing with short notice events.

7 Annual Corporate Customer Standards Report

The Committee considered a report providing information on complaints considered by the Local Government Ombudsman relating to Kirklees Council during the year 2015/16. The report indicated that the number of complaints received by the Council at the third stage of the process at which point the ombudsman became involved, were broadly consistent with numbers that had been received over the previous 5 year period and that, during 2015/16, the Council had received no formal ombudsman reports as a result of their investigations into complaints made against the Council.

The report also provided information on a revision to the complaints procedure that had been made as a result of a customer survey that had identified that some residents had found the complaints system difficult to understand.

Some discussion took place on the numbers of complaints that ultimately were referred to the Local Government Ombudsman and the Committee were of the view

that a reason for this could be that residents were unaware of the need to refer complaints to the ombudsman within a 12 month period after the original complaint had been made. The Committee agreed that officers should take steps to ensure the complainants were aware of the need to refer issues to the Local Government Ombudsman within the statutory timescales should they feel that this was necessary.

RESOLVED -

1. That the content of the report be noted.
2. That officers be requested to ensure complainants are aware of the need to refer issues to the Local Government Ombudsman within a 12 month period.

8 External Audit Report 2015/2016

Alistair Newell of KPMG attended the meeting to present the external audit report for 2015/16. The report presented to the committee set out the scope of the audit which had been undertaken by KPMG, the Council's external auditors, and went on to provide information on financial statements associated with the audit and the auditors value for money conclusion. Information was also provided on the headlines messages received from the audit on which it was anticipated that KPMG will be issuing an unqualified audit opinion of the Council's financial statements by 30th September 2016 and reporting that the council's annual governance statement complied with guidance issued in June 2007.

RESOLVED –

1. The content of the report be noted.
2. That KPMG be thanked for the External Audit Report for 2015-16 together with staff in the Internal Audit Team for their assistance in the undertaking of the audit.

9 Approval of Council's Final Accounts 2015/2016

The Committee considered a report updating on the final accounts and audit processes for 2015/16 asking for approval of the Council's statement of accounts for 2015/16 together with a final version of the annual governance statement. The report indicated that the process of producing the accounts for 2015/16 had run smoothly, with the draft accounts signed off on 6th June 2016. It was noted that there were no queries or objections raised in this 6 week public inspection period for the accounts and that the audit of the statement of accounts was substantially complete with the Council's auditors, KPMG, having issued their annual governance report (see previous item).

The Committee were provided with an updated copy of Appendix A that had taken account of comments made by the Chief Executive.

As a result of discussions at an earlier meeting of The Council Officer's reports to the committee on work that had been undertaken on the auditing of Fresh Horizons. It was agreed that information be incorporated within a future quarterly report on internal audit to the Corporate Governance and Audit Committee on the situation regarding Fresh Horizons.

RESOLVED -

1. That the statement of accounts for 2015-16 incorporated in the annual Governance Statement at appendix A and as updated at the meeting in relation to the comments of the Chief Executive, with the Chair certifying the statement of responsibilities as set out on page 17 be approved.
2. That the letter of representation set out at appendix B to the considered report together with the Chair signing it on behalf of the Committee be approved.
3. That information on the situation regarding Fresh Horizons be reported to a future meeting of the Committee within the quarterly report on internal audit.

10 Appointment of Independent Persons

The Committee considered a report seeking the reappointment of the independent person and deputy independent person who are currently appointed to assist the Monitoring Officer in the Code of Conduct for Standards Regime for Kirklees. Report recommended the reappointment of the 2 people concerned for a period of up to one year. The report indicated that the reappointment had been requested for a period of up to one year because a Standards review had been underway and was due to conclude shortly. It was noted that the role of the independent person had been considered during the review and there was an option for the role of the independent person to be developed and extended. The outcome of the review would have not been concluded until December or early new year so the current extension was sourced until the final decision was made by Council.

RESOLVED -

1. That approval given to the appointment of Richard Michael Stow and Angela Doreen Vine as independent persons to assist the monitoring officer in the Code of Conduct for Standard Regime for Kirklees, for a period of up to 1 year, as set out in the considered report.
2. That the Council be recommended to approve the appointment for a period of up to 1 year.

11 Update in Relation to Senior Management Changes and Transitional Constitution Changes

The Committee considered a report updating on senior management changes and consequential constitutional changes that were required until full implementation of

new arrangements were in place, which was likely to be by 1 April 2017. The considered report set out the constitutional changes that had been agreed by the Chief Executive as a result of changes at senior management level as part of the implementation of the work of the Chief Executive in reviewing the role of Directors and Assistant Directors.

The Committee was specifically requested to note the designation of the Assistant Director for Finance Management, Risk IT and Performance as the section 151 statutory officer and proposed changes to the responsibility for non-executive functions set out in the considered report.

RESOLVED -

1. That the designation of the Assistant Director of Finance Management, Risk, IT and Performance as the section 151 statutory officer and proposed change to the responsibility for non-executive functions as set out in considered report be noted.
2. The report be referred to Council for information purposes.

12 David Smith

The Committee paid tribute to the work of David Smith, who was retiring from the Council and agreed that David be thanked for all his help and support in pursuing work of the Corporate Governance and Audit Committee.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 18th November 2016

Present: Councillor Hilary Richards (Chair)
Councillor Julie Stewart-Turner
Councillor Carole Pattison
Councillor Kath Pinnock
Councillor John Taylor
Councillor Linda Wilkinson

Apologies: Councillor Andrew Palfreeman

13 Membership of the Committee

Apologies for absence were received on behalf of Councillor Palfreeman.

14 Minutes of Previous Meeting

RESOLVED

That the minutes of the meeting held on 23 September 2016 be approved as a correct record.

15 Interests

Councillor K Pinnock declared an 'other' interest in Agenda Item 11 on the grounds that she is a Member of the Council of Huddersfield University.

16 Admission of the Public

It was noted that Agenda Item 13 (minute number 25 refers) would be considered in private session.

17 Deputations/Petitions

No deputations or petitions were received.

18 Public Question Time

No questions were asked.

19 Treasury Management - Half Yearly Monitoring 2016/2017

The Committee received a report which provided an update on treasury management activity for the period 1 April to 30 September 2016, in line with the CIPFA Code of Practice on Treasury Management.

In summary, the report provided assurance that the Council's treasury management function was being managed on a prudent and pro-active basis, with external investments averaging £44.8million at an average rate of 0.46%. The report explained that balances were invested in line with the approved strategy, where possible, in instant access accounts or short-term deposits. It advised that external borrowing had fallen to £414.7million but was expected to rise by up to £30million short term borrowing by the end of the year. The treasury management revenue budget was expected to underspend by £1.8million in 2016/2017.

The Committee noted the content of the report, which provided information on economic context and interest rates, investment performance, borrowing performance, revenue budget monitoring, prudential indicators and risk and compliance issues.

RESOLVED

That the report be received and noted, and submitted to the meeting of Council on 14 December 2016 for information.

20 Annual Audit Letter 2015/2016

The Committee received the KPMG Annual Audit Letter 2015/2016, which summarised the outcome of audit work at the Council during the 2015/2016 audit year. The Committee noted that KPMG had issued an unqualified conclusion on the Council's arrangements to secure value for money for 2015/2016 on 23 September 2016, which meant that the Council had appropriate arrangements for securing economy, efficiency and effectiveness in the use of its resources.

The Committee noted that the audit had not identified any significant or material audit adjustments and that any adjustments had been minor or presentational, and not impacting upon the general fund or HRA balances, the surplus/deficit on provision of services, or the net assets of the Council.

RESOLVED

That the Annual Audit letter 2015/2016 be received and noted.

21 Annual Audit Technical Update Report

The Committee received the KPMG Technical Update report which provided an overview on progress in delivering the external audit function. The report set out the 2015/2016 audit deliverables alongside a commentary including reports and opinions, and a summary of progress. The report also set out details on KPMG resources which included details of publications, and technical developments including an update to the 2015/2016 code of practice.

RESOLVED

That the External Audit Technical Update, dated November 2016, be received and noted.

22 Outside Bodies Representation - Update report

The Committee received a report which set out the changes to outside bodies representation that had occurred since the previous update on 22 April 2016. Paragraph 2.2 of the considered report listed the organisations where changes had taken place and the names of the Elected Members now appointed, along with the term of appointment.

RESOLVED

That the updated outside bodies representation information, as set out within the considered report, be noted.

23 Industrial Advisory Panel (University of Huddersfield) - Formalisation of Representatives

The Committee received a report which requested the formalisation of representatives to the University of Huddersfield's Industrial Advisory Panel. The report explained that Councillors Cooper and Stewart-Turner had attended the Panel in an informal capacity, and that the Panel's terms of reference had now been amended to enable the formalisation of the appointment of external members. The Committee were therefore asked, in the absence of any other nominations, to support the appointment of Councillors Cooper and Stewart-Turner for a minimum term of three years.

RESOLVED

1) That the arrangements for the formalisation of representatives to the University of Huddersfield Industrial Advisory Panel (Engineering and Technology) as detailed within the report be approved.

2) That Councillors Cooper and Stewart-Turner be appointed as the Council's representatives to the Panel for a minimum of three years.

24 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.

25 Quarterly Report of Internal Audit 2016/2017 - Quarter 2 (July to September 2016)

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making)

The Committee received the Quarterly Report of Internal Audit 2016/2017 Quarter 2, covering the period July to September 2016.

In considering the information provided regarding the vehicle theft, the Committee requested that a further report be submitted to the next meeting to enable further discussions on the matter.

RESOLVED

- 1) That the Quarter 2 update report be received and noted.
- 2) That the Head of Audit and Risk be authorised to make amendments to the Audit Plan, as detailed within the considered report.
- 3) That, in regard to the report relating to a vehicle theft from Housing and Building Services, a further report be submitted to the next meeting of the Committee to provide information on the Council's policies on use of vehicles by employees, including feedback on what action has been taken and any changes in practice following the incident, and that an appropriate officer be asked to attend the meeting.
- 4) That, in regard to the report relating to purchasing cards, a further report be submitted to a future meeting to provide a progress update following the implementation of the review recommendations.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 20th January 2017

Present: Councillor Hilary Richards (Chair)
Councillor Carole Pattison
Councillor Kath Pinnock
Councillor John Taylor
Councillor Andrew Marchington

Apologies: Councillor Julie Stewart-Turner

1 Membership of the Committee

Councillor Marchington substituted for Councillor Wilkinson.
Apologies for absence were received on behalf of Councillor Stewart-Turner.

2 Minutes of Previous Meeting

RESOLVED –

That the minutes of the meeting held on 18 November 2016 be approved as a correct record.

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 Treasury Management Policy

The Committee gave consideration to the Treasury Management Strategy 2017/2018, which overviewed the economy and interest rates over the next twelve months. The report was submitted in line with the CIPFA Code of Practice on Treasury Management, which required a Treasury Management Strategy to be considered before the start of the financial year.

In summary, the report (i) outlined the outlook for interest rates and credit risk and recommended an investment strategy for 2017/2018 (ii) outlined the current and estimated future levels of Council borrowing (internal and external) and recommended a borrow strategy for 2017/2018 (iii) reviewed the methodologies adopted for providing for the repayment of debt and recommend a revised policy for calculating the Minimum Revenue Provision and (iv) reviewed other treasury management matters including policy on the use of financial derivatives, prudential indicators, the use of consultants, and policy on charging interest to the Housing Revenue Account.

Paragraphs 3.17 to 3.25 of the considered report set out details of the Borrowing Strategy. The report advised that the Council was forecast to hold around £576.8m of external borrowing and other long term liabilities as at 31 March 2017. It was anticipated that the Council's total external borrowing levels over the next three years would grow by £80.5 million, and that most of this borrowing would be needed to replace internal borrowing. It was proposed to keep new borrowing to short periods and take advantage of very low interest rates forecast for the next few years which would help mitigate budgetary pressures, whilst acknowledging there may be increased interest rate risk in the longer term.

The Committee noted that work had been undertaken to review the Council's policy on Minimum Revenue Provision charged to General Fund in order to ensure that the methodologies adopted were the most appropriate. Paragraph 3.28 of the considered report set out the recommended changes. The report advised of the estimated savings that the proposed policy changes would achieve over the next four years, with ongoing savings to 2030/2031. The proposed revised version of Council's Minimum Revenue Provision Policy Statement was attached at Appendix C of the considered report.

RESOLVED -

That the report be noted and submitted to the meetings of Cabinet (31 January 2017) and Council (15 February 2017) with the recommendations that approval be given to;

- (i) the borrowing strategy (paragraphs 3.10 to 3.16 refer).
- (ii) the investment strategy (paragraphs 3.17 to 3.25 and appendix A refer).
- (iii) the policy for provision of repayment of debt (appendix C refers) which reflects the changes in policy outlined in paragraph 3.28 and is to apply to 2016/2017 and 2017/2018.
- (iv) the treasury management indicators, as detailed in appendix D.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 27th January 2017

Present: Councillor Hilary Richards (Chair)
Councillor Julie Stewart-Turner
Councillor Carole Pattison
Councillor Kath Pinnock
Councillor John Taylor
Councillor Linda Wilkinson

Observer: Councillor Andrew Marchington

1 Membership of the Committee

No apologies for absence were received.

2 Interests

No interests were declared.

3 Admission of the Public

It was noted that Agenda Item 14 would be considered in private session.

4 Deputations/Petitions

No deputations or petitions were received.

5 Public Question Time

No questions were asked.

6 Review of Planning Committees

The Committee gave consideration to a report which set out proposed changes to the way in which Planning sub Committees are structured. The recommendations within the report requested that the Committee make a recommendation to Council to (i) reduce the membership of Planning Sub Committees to 8 Councillors (ii)

support the provision of additional training to Chairs of all Planning Committees and (iii) support that permitting public speaking in relation to pre-application statements is not usual practice, but may be allowed at the discretion of the Chair.

In discussing the report, the Committee raised the following key points; (i) the Committee supported a reduction in the number of members, and it was agreed that an uneven number of members would be most appropriate in order to reduce the probability of applications being determined by a casting vote of the Chair. It was considered that a number between 6 and 11 would be optimal (ii) the Committee recognised that the chairing of a planning committee required a level of technical understanding and chairing skills, and welcomed training that could be provided in order to assist members in effectively performing the role. Within this discussion, the Committee more generally supported the potential for improving the training available for all Committee Chairs and asked that the provision of effective and relevant training be progressed (iii) the Committee expressed concerns regarding the perception of restricting the speaking rights of the public in relation to pre-application position statements. It was considered that allowing the Chair to determine whether public input would be permitted was not practical, nor a reasonable expectation of the Chair. There was a consensus that public speaking on such matters should not be restricted and should be permitted in line with a protocol for speaking on pre-applications.

Further to the content of the report, a request was made that consideration be given to the ward boundaries of the Planning Sub Committees due to a concern that was raised with regards to access to meetings via the use of public transport. It was noted that a Motion had been submitted to request that a meeting of Council considers this matter.

It was agreed that the views of political groups be sought on the issue of Planning Sub Committee membership, prior to the submission of the report to Council on 22 March 2017.

RESOLVED - That the comments of the Committee be incorporated within a report to be submitted to the meeting of Council on 22 March 2017, and that consultation take place with political groups regarding the constitution of Planning Sub Committees.

7 Review of the Standards Regime/ Members Code of Conduct

The Committee gave consideration to a report which had been submitted to the meeting of Standards Committee on 17 January 2017. The purpose of the report was to review the operation of the Standards process since its introduction in 2012 and consider options for changes to the Member Code of Conduct and Standards Regime, and for monitoring and making decisions on allegations of misconduct. The Committee were provided with a summary of the decisions and comments made by Standards Committee in relation to the recommendations set out within the considered report.

The Committee noted the recommendations for proposed changes to the regime as set out within the report and endorsed the views and comments that had been made at the meeting of Standards Committee.

It was noted that the report would be submitted to the meeting of Council on 22 March 2017.

RESOLVED - That the report be noted and submitted to Council on 22 March 2017 with a recommendation that the recommendations as set out in the considered report, as amended by the meeting of Standards Committee on 17 January 2017, be approved.

8 Annual Report on Grants and Returns 2015/2016

The Committee received the KPMG Annual Report on grants and returns 2015/2016. The report summarised the work that had been carried out by the external auditor on the Council's 2015/2016 grant claims and returns. The work that had been completed in this period included the certification of one claim, which was the Council's 2015/2016 Housing benefit Subsidy Claim, at a value of £120m. In addition, assurance reports were provided for the following claims/returns; Teachers' Pensions return, Pooling of Housing Capital Receipts return, NCTL Initial Teacher Training return, Homes and Communities Agency compliance audit, and Skills Funding Agency sub-contracting arrangements. It was noted that KPMG had not made any recommendations to the Council from their work during 2014/2015, or 2015/2016. The report provided a summary of reporting outcomes and certification work outcomes for the works undertaken.

RESOLVED - That the Annual Report on Grants and Returns 2015/2016 be received and noted.

9 External Audit Plan 2016/2017

The Committee received the KPMG External Audit Plan 2016/2017, and noted that the audit had the two key objectives of reviewing the Council's Financial Statements, including the Annual Governance Statement, and reviewing the use of resources.

The report provided information on the Financial Statements Audit Planning, which had taken place during December 2016 and January 2017 involving the key aspects of Risk Assessment, determining materiality level and the issue of the Audit Plan to communicate the Audit Strategy. The Committee noted the significant audit risks identified and the work that had been undertaken in terms of Value for Money arrangements.

RESOLVED - That the External Audit Plan 2016/2017 be received and noted.

10 External Audit Progress Report and Technical Update

The Committee received the KPMG Technical Update and External Audit Progress Report which provided an overview of progress by KPMG on delivering its responsibilities as the Council's External Auditor. The report provided a summary on the areas of Financial Statements, Value for Money and Certification of claims and returns, in addition to an update on KPMG resources which cited reference to relevant publications.

The Committee also noted the updated information set out within the report on technical developments which provided an overview of (i) children in need of help or protection and (ii) consultation on 2017-2018 work programme and scale of fees.

RESOLVED - That the External Audit Report and Technical Update be received and noted.

11 Arrangements for the selection of an External Auditor - 2018/2019 and onwards

The Committee received a report which advised that, under the Local Audit and Accountability Act 2014, the Authority was required to appoint its own external auditors for the financial year 2018/19, and beyond, following a process of competition.

The report set out three possible options for the Auditor Panel, with the recommendation that the preferred option would be to use the LGA Sector Lead Body (Public Sector Audit Appointments Ltd), which would be the simplest method and would present the lowest overall risk.

The Committee were in support of the preferred option and noted that the decision was to be taken by a meeting of Council. The report advised that the Council was required to commit to Public Sector Audit Appointments Ltd by 9 March 2017.

RESOLVED - That the report be noted and submitted to Council on 22 March 2017 with a recommendation that Public Sector Audit Appointments Ltd be asked to carry out Auditor Panel duties on behalf of the Council and nominate a proposed external auditor.

12 Future Shape and Size of Internal Audit

The Committee received a report which set out proposals for the Council's internal audit function. The report explained that, in the climate of reducing resource levels, it was appropriate for consideration to be given to the type of internal audit provision that was needed. The combined finance function proposal to reduce the resources available for Council and Kirklees Neighbourhood Housing by approximately a third would reduce the level of assurance that internal audit was able to provide in the future.

The report advised that, if the proposed level of resource was accepted, there were some changes that would be needed to achieve an effective audit delivery function. In terms of overall resourcing, the Committee were advised that there was probably sufficient resource to provide between 1000 and 1150 days of work, enabling the delivery of approximately 110 assignments per annum. It was not proposed that any area of activity was overtly removed from the areas of potential audit activity but that the lower level activity was subject to five yearly reviews. The report advised that audit work would be delivered starting with the highest profile work, and ensuring that the most important assurance work was done each year.

RESOLVED -

- 1) That the report be received and noted.
- 2) That the Head of Internal Audit be requested to (i) prepare a single Audit Plan for the Council for 2017/2018 (ii) amend the Audit Charter to reflect changes as detailed within the report to take effect from April 2017 and (iii) agree to establish a single Audit Plan for Kirklees Neighbourhood Housing and the Housing revenue Account combined, and submit a further report to the meeting of the Committee on 10 March 2017.

13 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.

14 Internal Audit Quarter 3 2016/2017

(Exempt information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.)

The Committee received the Internal Audit Quarterly Monitoring Report, covering the period October to December 2016.

Further to discussions at the previous meeting, the Committee also met with Mark Freeth, Head of Building Services and Heidi Thompson, Kirklees Neighbourhood Housing Director of Property, to discuss policies and procedural matters in regards to vehicle use within Building Services. The Committee were informed that a review of vehicle use was currently in progress with the proposed new system being implemented with effect from 1 April 2017. It was agreed that a further report would be submitted to a future meeting once the changes had been embedded.

RESOLVED -

- 1) That the Internal Audit Quarter 3 Monitoring report be received and noted.
- 2) That a further report be submitted to the Committee in approximately 6 to 9 months to provide an update on the review of processes regarding the use of vehicles within Building Services.

Contact Officer: Alaina McGlade

KIRKLEES COUNCIL

CORPORATE PARENTING BOARD

Monday 28th November 2016

Present: Councillor Erin Hill (Chair)
Councillor Karen Allison
Councillor Andrew Marchington
Councillor Gemma Wilson
Linda Patterson
Sarah Callaghan
Steve Collins
Andrew Carden
Marion Gray
Martin Green
Janet Tolley
Matthew Holland – Head of Children’s Trust Management and Development

Apologies: Councillor Fazila Fadia
Rachel Spencer-Henshall
Carly Speechley
Gill Ellis – Assistant Director, Learning and Skills

In attendance: Michelle Rawlings, Adoption Team Manager
Alaina McGlade, Governance & Democratic Engagement Officer

1 Introductions and Apologies

Apologies for absence were received on behalf of Cllr Fazila Fadia, Jacqui Gedman, Deputy Chief Executive and Director of Economy, Skills and the Environment, Carly Speechley, Assistant Director – Family Support & Child Protection, Rachel Spencer-Henshall, Director of Public Health and Gill Ellis, Assistant Director for Learning & Skills.

2 Minutes of previous meeting

That the minutes of the meeting held on 15 September 2016 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

The Panel considered the exclusion of the public and determined that all agenda items be considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were received.

7 Youth Engagement Event

Linda Patterson, Interim Head of Corporate Parenting distributed a briefing note that provided an update to the Board on the feedback received from the young people in attendance at the recent engagement event.

Linda advised that the event had taken place on Tuesday 15th November and that the children in attendance had engaged in open and honest discussions with officers. She explained that a number of key themes had emerged, one of which being the need to consult with the young people. The team was currently researching practical arrangements for formal engagement with the young people as a way to assist the service in challenging the processes involved in meeting their ambitions. The Board was advised that the service was aware that a broader representation of young people's views would be required going forward and that work in this area would start immediately.

Another key message that was prevalent amongst the young people was the need to consider how to avoid Looked After Children standing out as different in comparison to other children, whilst still supporting their needs. They advised that the special treatment sometimes provided to them meant that, on occasions, they stood out amongst their peers.

Sarah Callaghan, Director of Young People advised that the "You Said, We Did" was a nationally established mechanism used to engage with young people and that there were a number of mechanisms that could be researched. She advised that this research would be brought back to the next meeting of the Board and that as part of the work, a way to incorporate the young people's views into a refreshed children's pledge would also be considered. She explained that it was vital that the young people were kept informed of the outcomes of their engagement in order for them to remain positive about their involvement.

Cllr Hill, Chair of the Board advised that, in her opinion, engagement events were required to be taken to the young people in their own environments, as well as the young people being invited to the council. Sarah explained that the Board also needed to consider how corporate parents within Kirklees were championing the voice of the child and that this would feed into the improvement plan for Children's Services.

RESOLVED - That;

- (1) The update be received, with thanks to Linda.
- (2) A briefing note detailing options for capturing the voice of young people in Kirklees be considered by the Board at their next meeting in January 2017.
- (3) A refresh of the children's pledge be considered at the next Children in Care Council meeting.

8 OFSTED Feedback

Sarah Callaghan, Director for Children and Young People provided the Board with an overview of the feedback received from OFSTED during their visit in September and highlighted the main issues arising from the inadequate rating received.

Sarah advised that the result of the inspection of services for children in need of help and protection, children looked after and care leavers and the review of the effectiveness of the Local Safeguarding Children Board was an inadequate rating. She explained that Eleanor Brazil had been assigned as the Children's Services Commissioner that will work alongside the council for three months in order to determine whether the council has the capacity to improve its services for children and young people. Sarah explained that Eleanor Brazil would consider the political and corporate support available to children's services and also the leadership within the service.

Sarah explained that the report had identified that the council were already undertaking an improvement programme and the council would continue to focus on improving;

- * Work force
 - valuing staff and encouraging them to remain at Kirklees
- * Performance culture
 - quality assurance framework
- * Multi Agency Safeguarding Hub and front door access to support
 - early intervention and prevention
- * Sufficiency
 - 44% of Looked After Children are placed outside of Kirklees and significant numbers are placed more than 20 miles away from their communities

Sarah went on to advise the Board that a "Putting Children First" event had been arranged to take place at the John Smith's Stadium in order to establish corporate and private support for our children. The priorities established at the event would feed into the corporate improvement plan and would provide clear accountability areas for partners. She also advised that Clare Burgess had been brought in as an independent chair for the Improvement Board.

Linda Patterson explained the key findings of the report in relation to Looked After Children;

- * Untimely decision to put children in care
- * Placement stability
- * Young people being unhappy away from their communities
- * Children at home on care orders
- * Length of time waiting to be adopted
- * Care leaver pathway plans
- * Number of Looked After Children not in employment, education or training

Sarah advised that one of the main considerations in addressing the concerns highlighted in the report was how to intervene earlier and provide edge of care services to families that are struggling in order to identify problems before care interventions are required.

She also explained that a big challenge was down to the workforce and the dependency on agency staff being higher than is appropriate. She advised that the courts had issues in trusting what was presented in reports due to the high turnaround of staff involved in a case. She explained that the turnaround of staff impacted the stability of placements and this was something that required improvement. Sarah explained that exit interviews were held with staff and that going forward, work would take place around supporting staff in their professional development better whilst also ensuring workforce standards and accountability were clearly defined.

The Board held a discussion about the use of partners and the interventions they can provide and influence for young people. The Board agreed that the membership of the Board should be reviewed to consider the benefit of relevant partner organisations being invited to take up membership on the Board.

RESOLVED - That;

- (1) The update be received, with thanks to Sarah and Linda.
- (2) A comprehensive report be considered by the Board at their January meeting, highlighting suggestions for the Next Steps following publication of the OFSTED report.

9 Regional Adoption

Michelle Rawlings, Adoption Team Manager updated the Board on the progress being made with the regionalisation of adoption. She explained that the government is committed to adoption services being reorganised under regional arrangements whereby a group of local authorities collaborate to provide services. The driver for this proposed change is to enhance the outcomes for children in achieving the more timely placements of children for adoption; facilitate recruitment of the right adopters for children with an adoption plan and offer timely and expert adoption support.

Michelle advised that Cabinet will be asked to consider and endorse the arrangements for Kirklees to join with Leeds, Bradford, Calderdale and Wakefield to form One Adoption West Yorkshire; all five Local Authorities will have reached a decision by 20th December 2016.

Cllr Hill explained that leading members were now involved with this process and that one of the key considerations was how the authorities could work together on some of the other issues across the care system

RESOLVED - That the update be received, with thanks to Michelle.

10 Adoption Agency Report

The Corporate Parenting Board considered a report on Kirklees performance between 1.4.16 – 30.9.16, in relation to the National Adoption Scorecard. It was noted that the report covered three key indicators;

- * Children with a plan for adoption;
- * Recruitment of adopters
- * Matches and placements made

The data in respect of indicator 1 indicated the number of days waiting ranged from between 17 and 443 days and that this was an increase compared with the previous six months. The second indicator had slightly increased due to a successful recruitment campaign, and the third indicator demonstrated that 82% of the matches presented to panel were within 121 days of the Placement Order being made; this demonstrated a significant improvement on the previous six months when only 36% of matches were considered during this time.

The Board was advised that the indicators demonstrated an improving picture and that in-year performance was meeting the required timescales.

RESOLVED - That the content of the report be noted.

11 Performance Data/ Exception Report

The Board was presented with a report detailing performance data for the family support and child protection service for Quarter 2.

The report contained a number of graphs that demonstrated that there had been a gradual increase in the numbers of Looked After Children during the last 3 years and that the majority of Looked After Children were within the 10-15 age bracket.

Page 3 of the report demonstrated Kirklees figures in relation to Looked After Children and their placements and also showed how Kirklees compared with statistical neighbours and the average across the country.

Page 4 demonstrated Kirklees figures in relation to adoption and the adoption process and page 5 focussed upon care leavers.

Sarah Callaghan advised that the Council needed to have a proactive response to social care interventions so that the initial issue is identified early on. She explained this would assist to avoid social care issues later in the process. She explained that the Board could contribute to developing this area by considering the benefit of collaborative work with partners and the legal department.

RESOLVED -

(1) That the content of the report be noted.

(2) Consideration be given to extending the membership of the Board to include a legal representative and members from key partner organisations.

12 Corporate Parenting Board Agenda Plan

The Board was presented with an updated agenda plan outlining priority focus descriptions against each of the future meetings. The plan then outlined relevant agenda items against the priorities and the contact officer for each of the items.

The Board advised that key performance data was required to be considered by the Board at every meeting and that the data presented was to be outcome related data so that the Board could easily track and monitor the performance of the service.

RESOLVED - That;

(1) The content of the report be noted.

(2) A draft data performance report be presented for consideration at the next meeting of the Board, including OFSTED key indicators and outcome related performance.

13 Dates of Future Meetings

RESOLVED - That the future meeting dates of the Board be noted.

Contact Officer: Alaina McGlade

KIRKLEES COUNCIL

CORPORATE PARENTING BOARD

Monday 16th January 2017

- Present: Councillor Erin Hill (Chair)
Councillor Karen Allison
Councillor Andrew Marchington
Councillor Fazila Fadia
Jacqui Gedman
Steve Collins
Andrew Carden
Martin Green
Gill Ellis
Julie Mephram
Jo-Anne Sanders
- Apologies: Councillor Gemma Wilson
Rachel Spencer-Henshall
Carly Speechley
Marion Gray
Janet Tolley
Matthew Holland, Head of Children's Trust Management
and Development
- In attendance: Abi Ajayi, Service Team Manager
Belinda Cashman, Service Team Manager
Alaina McGlade, Governance & Democratic Engagement
Officer

1 Introductions and Apologies

Apologies for absence were received on behalf of Cllr Gemma Wilson, Carly Speechley, Assistant Director – Family Support & Child Protection, Rachel Spencer-Henshall, Director of Public Health, Marion Gray, Learning & Organisational Development Manager, Janet Tolley, Virtual School Headteacher and Matthew Holland, Head of Children's Trust Management & Development.

2 Minutes of previous meeting

That the minutes of the meeting held on 28 November 2016 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

The Panel considered the exclusion of the public and determined that all agenda items be considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were received.

7 Young People Engagement

Belinda Cashman, Service Team Manager attended the meeting and presented a report that detailed options for capturing the voice of young people in Kirklees.

It was advised that this matter was discussed at the last Corporate Parenting Board meeting held on the 28th November 2016 following discussions with the Children in Care Council and the Care Leavers Forum with corporate parents in early November. It was further advised that discussions had now also taken place with the Service Manager for Looked After Children (LAC) and Leaving Care Service, Team Managers from the Leaving Care Service and the Service Manager from the Children's Rights Service.

The report outlined a number of options for capturing the voice of young people in Kirklees:

- **The Pledge for Children in Care and Care Leavers**

It was advised that the current Kirklees Pledge was reviewed in 2014 and is required to be updated during 2017.

- **The Children in Care Council and Care Leavers Forum**

It was advised that Kirklees Council has a statutory duty to ensure there is an effective Children in Care Council that represents the views and wishes of children and young people in care and leaving care. It also has a responsibility for ensuring their recommendations and suggestions are taken seriously and that there is a direct link to the Corporate Parenting Board.

- **Ensuring greater sustained engagement and participation of Children and Young People**

It was advised that children and young people participate by different means and they have advised that they would like to communicate using social media. The use of face book and twitter is being explored with colleagues across Kirklees Council within the LAC 15+ and the Leaving Care Service and in liaison with other local authorities who are already successfully using this technology. The Board was also

advised that discussions have also taken place in regards to the potential development of an App.

- **Purpose of the Children in Care Council and Care Leavers Forum and its Impact**

It was advised that a review of the Care Leavers Forum will take place with a relaunch in January 2017. The purpose of the event is to look at the current structure and arrangements, the terms of reference and; to identify key themes and issues, firm up project work and tasks and to explore options to ensure more young people are able to participate.

- **Wider consultation and co-production with Looked after Children and Young People**

It was advised that there have been additional opportunities for young people to participate and be involved with Kirklees Cares project looking at their experiences of being looked after and leaving care. This has focused on what has worked well and what could be done better. Technology such as "View Point", an app or the hosting of Activity Events could be considered, which would allow younger children to attend an event with their carers, enjoy a range of activities such as sport and arts, as well as providing wider opportunities to feedback and consult.

- **Developing strong links between the Children in Care Council, Care Leavers Forum and the Corporate Parenting Board.**

It was advised that changes within the management and organisational arrangements have meant the links between the Council, Forum and Board have not developed as they should.

- **Influence of Individual Young People**

It was advised that wider services needed to improve the collation of children and young people's views, whether from direct work, reviews, complaints and compliments and exit interviews. Learning from compliments; complaints and concerns raised by children and young people are required to be understood and the service needs to be able to demonstrate the impact this has had on service delivery.

- **Wider considerations as part of One Council**

It was advised that in considering the engagement of looked after children and young people, consideration should be given as to whether the Children in Care Council and Care Leavers Forum are better supported by the Children's Rights Service or within the IYCE Service.

The Chair explained that there were two key considerations to this area:

- (1) the practical considerations around capturing the views and being assured its being done.
- (2) the cultural change required to ensure the voice of the young person is being captured, regardless of the service involved.

The Board was satisfied with the options put forward for improving future communication with young people but advised that young people's views regarding the development of this area should be sought and used to influence the changes required. It was felt important the contact with young people should be in environments familiar to the young people, rather than asking young people to attend formal board meetings.

The Board advised that the communication with young people was required to be two way and that honest and open feedback was required to be provided to the young people when they have participated in an engagement activity. They also identified the need for the development of this area to feed into the wider children's participation offer.

RESOLVED - That;

- (1) The update be received, with thanks to Belinda.
- (2) A report detailing the updates made to the Kirklees Pledge for Children in Care and Care Leavers be considered by the Board at the meeting in March.
- (3) The Board supports investigation into the development of an "app" and further updates on the timescales and progress be presented to the Board.
- (4) The Board supports the principles of the "You Said, We Did" framework for communication with young people and approve the adoption of this framework, subject to seeking the views of young people and further investigation into the different methods available for reporting back to young people.
- (5) The Board was satisfied with the suggestions put forward in relation to co-production with Looked After Children and Young People and developing links between the Children in Care Council, Care Leavers Forum and the Corporate Parenting Board, but that further work was required to enable to the Board to approve suggested routes.
- (6) The Board recommends the services to research what methods are being used elsewhere in relation to capturing and sharing the views of young people and incorporate this into the report being presented to the Board at its March meeting.

8 OFSTED

Gill Ellis, Interim Director for Children and Young People presented a briefing note detailing options for how the Board would monitor and review key issues relating to Looked After Children and care leavers, as highlighted within the recommendations of the Ofsted inspection report of November 2016.

The Board was made aware that an Improvement Plan had been drafted and would be presented at the January Improvement Board. It was advised that full recommendations would be made available to the Corporate Parenting Board for discussion and action following sign off from the Improvement Board.

The Board was made aware that the Department for Education (DfE) have appointed a Commissioner, Eleanor Brazil to work with the Council. It was also advised that the Improvement Board was in place, chaired by an Independent Chair and that there was a wide, cross partner membership group in place on the Board.

The Board was told that a Programme Manager, Kathryn Loftus, was now in place to oversee the progress of plans and actions and that she has a team of officers working with her to progress the Improvement Plan and hold services and officers to account.

Gill explained that a detailed plan, in draft format, to address the Ofsted Recommendations was being prepared and would be implemented by Heads of Service and members of the Senior Leadership Team. The plan linked to the 4 key priorities –

- Front door (MASH)
- Workforce,
- Sufficiency
- Performance

And would address actions under the following headings:

- Leadership,
- Governance and
- Management Accountability;
- Child and Family Experience;
- Working in Partnership
- Quality of Practice

The Chair explained that the Board would like to continue to monitor the actions in relation to the improvement journey and would use the information to develop the function of the Corporate Parenting Board and further contribute to the progress being made as part of the Improvement Plan.

The Board identified that they needed to reflect on specific actions within the Improvement Plan that related to LAC and identify the areas that required addressing immediately. It was felt that development of the membership of the Board to include strategic partners would assist the Board in identifying the roles of different organisations in relation to the priorities and improvements required. It would also assist the Board to take full ownership of the improvements to be made in relation to LAC.

RESOLVED - That;

- (1) The update be received, with thanks to Gill.
- (2) Further update reports be presented to the Board to enable the Board to monitor actions relevant to LAC and contribute to the Improvement Plan where appropriate.

9 Terms of Reference

The Board held a discussion regarding amendments required to be made to the Terms of Reference of the Corporate Parenting Board to ensure the Board is able to monitor whether the Council and its partners effectively discharge their role as Corporate Parents for all their Children in Care.

The Board outlined the below areas as some key outcome areas in relation to LAC:

- Education
- Housing
- Sufficiency

Julie Mepham, Head of Corporate Parenting advised that sufficiency of places was key to the success in this area. She explained that it is difficult to wrap Kirklees values around a child that is placed outside of the area. She advised that “quick wins” were required to help determine and impact upon long term solutions in this area.

The Board identified that they needed to be clear regarding what they aim to achieve and build the membership and Terms of Reference around those aims. It was also identified that the role of the Board needed to be considered alongside the purpose of the other children’s governance boards. The Board advised that the whole governance structure relating to children and young people should be included within the review of the Terms of Reference to ensure that the right conversations were happening at the right places. This would also enable smooth communication links between all of the decision making bodies.

RESOLVED - That;

- (1) The update be received, with thanks to Martin and Julie.
- (2) An updated Terms of Reference be presented to the Board at their next meeting;
 - a. To include an updated membership for the Board, identifying key partner agencies that are able to contribute to the development of practices relating to Looked After Children.
 - b. To include a governance structure that outlines the pathways of Children’s Decision Making and demonstrates opportunities for feedback between the associated Boards.

10 Preparation for Independence

Belinda Cashman provided an update to the Corporate Parenting Board with regard to the preparation for independence support that will be offered to 16 and 17 year old looked after children and care leavers, who may be at risk of losing their accommodation or are homeless.

The Board was advised that a meeting took place with Asdan in late November 2016, the Living Independently course provider, to look in more depth at the programme and to look at outcomes for young people with other Local Authorities who have used the programme. It was advised that the course covers key themes of time keeping, household tasks, budgeting and cooking. Belinda explained that a meeting took place on the 6th December, between colleagues in fostering, residential and housing, to look at the format of the programme and how this could be taken forward. This included devising a framework for services and young people’s to measure their progress and assist the service in measuring the impact of the programme.

The Board was advised that an order had been placed with Asdan to enable the Local Authority to become a registered centre. Initially, the programme will be delivered in two Local Authority homes to approximately 10 – 15 young people. This was envisaged to commence in late January 2017, with the task group reviewing learning and impact before rolling out to all 16 & 17 year olds.

RESOLVED - That;

- (1) The content of the report be noted with thanks to Belinda.
- (2) A further update report, providing an evaluation of the programme, be presented to the Board in March.

11 Performance Data/ Exception Report

Abi Ajayi, Service Team Manager provided the Board with a diagram outlining the different types of data that is monitored in relation to LAC, to enable the Board to identify which data they would like to be included in a standing data monitoring report. The key areas covered were:

- Placements
- Health
- Existing volumes
- Attainment
- Coming into care
- Care Leavers
- Attendance and wellbeing
- Voice of the child (it was advised that this area permits across the whole data set)

Gill Ellis explained that the key indicators to be considered were data sets relevant to the stability triangle:

- Stability of placement
- Stability of education
- Stability of significant adult

Gill advised that narrative behind how the service was working to maintain this stability would be a key monitoring point for the Board. She also advised that narrative should be provided behind any disruptions to the data, in order to assist the Board with their understanding and enable them to identify whether learning can be identified for the future.

The Board identified that they felt one of their roles in this area was to set targets and that these targets should contribute to the gap that is trying to be closed. They also explained that they needed explanations regarding data that may not have met targets to enable them to understand any problems faced and to effectively hold the service to account.

RESOLVED - That;

- (1) The content of the report be noted with thanks to Abi.
- (2) A draft standing report be developed and presented at the next meeting of the Board in February, including:
 - a. key performance indicators applicable to maintaining the “stability triangle”;
 - b. explanatory narrative to explain the story behind the indicators.

12 Corporate Parenting Board Agenda Plan

The Board was presented with an updated agenda plan outlining priority focus descriptions against each of the future meetings. The plan then outlined relevant agenda items against the priorities and the contact officer for each of the items.

RESOLVED - That the content of the report be noted.

13 Dates of Future Meetings

RESOLVED - That the future meeting dates of the Board be noted.

KIRKLEES COUNCIL

DISTRICT COMMITTEE - BATLEY AND SPEN

Tuesday 23rd August 2016

Present: Councillor Gwen Lowe (Chair)
Councillors M Akhtar, F Fadia, M Grainger-Mead, S Hall,
S Pandor, A Pinnock, K Pinnock and D Sheard

Apologies: D Hall, L Holmes, V Kendrick, J Lawson, R Light,
M O'Neill, A Palfreeman and E Smaje

In attendance: 28 members of the public were in attendance

1 Welcomes and Introductions

The Chair welcomed everyone to the meeting and Councillors introduced themselves.

2 Minutes of previous meeting

RESOLVED – That the Minutes of the meeting of the Committee held on Tuesday 19th July 2016 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the public

All items were considered in public.

5 Deputations / Petitions

No deputations or petitions were received.

6 Public Question Time

Councillors responded to questions relating to the seating arrangements for Councillors at the meeting, the move of Cleckheaton Customer Services to Dewsbury and the return of funding relating to an approved scheme, back into the District Committee budget.

Resolved:

That the relevant service be asked to provide the rationale for moving Cleckheaton Customer Services to Dewsbury.

7 Committee Budget Report

An overview of the budget balances was given.

District Committee - Batley and Spen - 23 August 2016

Dave Minich described the Cleckheaton Folk Festival and highlighted that the next year, for which funding was requested, was the 30th anniversary of the festival. Councillors highlighted the economic benefits to the Spen Valley and commended the volunteers involved.

Edward Phittness described how community volunteers had taken on the running of East Bierley playing fields and changing facilities following the asset transfer from the Council. The organisation had fundraised and secured £75,000 from Sport England and secured a loan from Kirklees Council towards the building costs of phase 1 of the project. Funding from the District Committee would cover the remaining costs as detailed in the report. The volunteers were commended for taking the facility into their control and thanked for their ongoing efforts.

Dave Minich described how a new management committee had taken on the organisation of the Cleckheaton Christmas lights event this year. The committee was fundraising but a small grant was required from the District Committee to cover the costs of erecting and dismantling lights and repairing and replacing lights where needed. Councillors commended the volunteers in delivering this significant local event.

Stuart Wider of Friends of Scholes recreation area described how the friends group had transformed the area into a well-used park, benefitting from perimeter pathways, seating and regular activities for all to enjoy. Volunteers had brought in external funding. The park suffered from poor drainage and was prone to flooding and the proposed scheme would improve the pathways and increase access to the park. Councillors acknowledged the transformation of the park through the work of the volunteers involved.

RESOLVED:

- (a) £14,000 revenue approved (Spen Valley) – Cleckheaton Folk Festival 2017
- (b) £40,300 New Homes Bonus approved – terms of the grant delegated to the Assistant Director, Communities and Leisure.
- (c) £3,746 revenue approved (Spen Valley) – Cleckheaton Christmas Lights
- (d) £10,000 New Homes Bonus approved – Scholes Recreation Footpath Improvements

8 Housing Revenue Account - Estate and Environmental Works Budget

Noreen Beck, Kirklees Neighbourhood Housing, Neighbourhood Operations Manager gave an update on the budget and the schemes completed. Photographs showed the completed sites before and after improvement work. Key issues and learning points from the first round of budget approvals were summarised. Learning points included: simplifying the voting process, offering increased flexibility via a drop in session and distribution of scheme details in advance of voting so more residents could be consulted. If need be schemes may be brought more frequently to the District Committee for approval. The overall approach, process and timeline for the next phase, was agreed.

9 Tackling Poverty

The District Committee received a presentation from Nicky Hoyle, Consultant in Public Health. The Kirklees Joint Health and Well-being Strategy and the Kirklees Economic Strategy work as one to tackle poverty in Kirklees. The overall picture of poverty in Kirklees was illustrated. Statistical information relating to poverty in the Batley and Spen area – household income, residents with money worries, fuel poverty and education and skills deprived areas was outlined. The assets in Batley and Spen were also highlighted – there were high levels of people motivated to look after their own health, residents engaged in community led activity and schools as community hubs were emerging as important community assets. There was a comprehensive approach to tackling poverty including: policies to boost household resources, improve long term life chances of individuals and their families, prevent people sliding into poverty, and provide a backdrop of services that allow people to enhance their job prospects. The achievements in tackling poverty so far included improved uptake of free childcare and free school meals, a reduction in entitled non claimants, a BRASS course and better access to council facilities for anti-poverty charities. Low pay was also tackled. The presentation was followed by group discussion relating to: what can the District Committee do/ commission to address poverty? What else can the community do? How can the District Committee support them? Feedback of key discussion points/ suggestions included:

- (a) Provide more consumer advice perhaps in Kirklees Together Magazine.
- (b) Design an APP specific to Kirklees and ways of dealing with debt for example, finding discounted products.
- (c) Teach cookery on a budget.
- (d) Facilitate financial institutions working in shelters or offering advice clinics.
- (e) Get quality information from communities on hidden poverty in their areas.
- (f) Through TRA's provide a booklet for new tenants including where to go for furniture and debt advice. Turnsteads TRA provided such a booklet.
- (g) Promote free computer use in Libraries.
- (h) Eating better courses for school leavers/food for life in schools.
- (i) Recipe cards for simple meals at foodbanks.
- (j) Money for life skills – teaching children at an early age.

Individual pledges were encouraged to assist in reducing poverty.

Residents were thanked for their contributions.

RESOLVED:

Notes from the discussions and suggestions were to be collated and explored further.

10 Avoiding Scams and Frauds

A presentation from Farah Hussain of West Yorkshire Joint Services highlighted the huge amount of money lost to scams and frauds each year. It included a range of examples of scams, the impact on victims which included embarrassment and fear of repercussions, and negative health impacts. A range of contact methods were used by scammers including:

District Committee - Batley and Spennings - 23 August 2016

- (a) doorstep – with rogue traders pressure selling and distraction burglaries.
- (b) telephone – computer virus scams, copycat Government scams, copycat telephone preference service scams.
- (c) Mail – including prize draw scams and missed parcel scams.
- (d) Online – free trial scams, holiday or ticket scams.

Victims may be included in lists circulated among scammers.

The West Yorkshire Joint Services SAFER project offers help to residents through:

- (a) Educational workshops for community groups.
- (b) Partner training.
- (c) Individual help for scam/ doorstep crime.
- (d) Provide benefit and debt advice.
- (e) Support at community events.
- (f) Cold Calling Control Zones.
- (g) SAFER Toolkits.

For an informal chat or to book a SAFER workshop email: safer@wyjs.org.uk or telephone 0113 939910.

11

Dates of Future Meetings

Date of the next meeting – Thursday 17th November 2016.

Contact Officer: Susan Ginty, Email: susan.ginty@kirklees.gov.uk, Tel: 01484 221000

KIRKLEES COUNCIL

DISTRICT COMMITTEE - BATLEY AND SPEN

Thursday 17 November 2016

Present: Councillor Gwen Lowe (Chair)

Councillors M Grainger-Mead, L Holmes, V Kendrick, R Light, S Pandor, K Pinnock, D Sheard, E Smaje and A Stubley

Apologies: M Akhtar, F Fadia, D Hall, S Hall, J Lawson, M O'Neill, A Palfreeman and A Pinnock

In attendance: Approximately 28 members of the public.

1 Welcomes and Introductions

The Chair welcomed everyone to the meeting and Councillors introduced themselves to the public.

2 Minutes of previous meeting

RESOLVED – That the Minutes of the meeting held on Tuesday 23 August 2016 be approved as a correct record.

3 Interests

Councillor Lowe declared a pecuniary interest in item 7 as an employee of Mid Yorkshire NHS Hospitals Trust.

Councillor Lowe declared an `other' interest in item 8 as a family member was employed by Kirklees Active Leisure.

Councillor Smaje declared a pecuniary interest in item 11 as a board member of Kirklees Neighbourhood Housing.

4 Admission of the public

All items were considered in public.

It was agreed that Dementia Friends training to be brought forward on the agenda.

5 Deputations / Petitions

There were no deputations or petitions.

6 Public Question Time

Members responded to questions relating to the closure of three museums and the justification for building a new one; timescale on repairs to Spennings pool and replacement of sports facilities; the rationale for withdrawing acceptance of plasterboard at Kirkstall tips and arrangements for disposal; and the rationale for withdrawing Freephones at Cleckheaton and Birstall Libraries.

RESOLVED: That the latter two questions be referred to services for a further response – what the rationale was for withdrawing acceptance of plasterboard at Kirkstall tips and what were the arrangements for people to dispose of plasterboard, and what the rationale was for withdrawing Freephones at Cleckheaton and Birstall Libraries.

7 Mid Yorkshire Hospitals NHS Trust Changes to Maternity and Children's Services

Councillor Lowe declared a pecuniary interest in item 7 as an employee of Mid Yorkshire NHS Hospitals Trust, vacated the chair and left the meeting.

The District Committee received an information update on the changes to Mid Yorkshire Hospitals NHS Trust Maternity and Children's Services, since implementation in September 2016.

Centralisation took place on 19 September affecting three hospital sites - Dewsbury, Pinderfields and Pontefract. There were now two new birth centres, plus the existing birth centre at Pinderfields. Choices of birth place were offered to women with dedicated midwifery support. It was made clear where women were to report to and so far the arrangements had worked well with women attending appropriately.

High risk births were at Pinderfields Hospital. Local care pre-birth was still offered at Dewsbury District Hospital and low risk births were at Dewsbury District Hospital. All women still had access to local community midwife services.

Representatives responded to questions confirming that the processes were good in relation to transfers and midwives were very good at identifying where transfers were needed. There was constant triage and midwives were fully trained to handle emergency situations.

There was a nineteen bed base for labouring mothers. There was also a dedicated area for recovering mothers following elective caesarean section, with specialist care, enhancing recovery to enable mothers to return home quickly and within 24 hours. This was new following the centralisation of services and beneficial to mothers who would have previously been dealt with alongside emergency work.

Since opening, communication had been effective. Mothers were advised where to attend on booking. There had been no incidents or inappropriate admissions whereby mothers turned up elsewhere to the planned site.

There had been around 445 admissions since the centralisation of services. Further updates would be through the usual channels but representatives were happy to return at a later date upon invitation.

RESOLVED: Mid Yorkshire Hospitals NHS Trust Representatives were thanked for their attendance and update.

8 Updates from Kirklees Sports and Physical Activity Team and Kirklees Active Leisure

Councillor Lowe declared an 'other' interest in item 8 as a family member was employed by Kirklees Active Leisure, and vacated the Chair.

The Committee received an overview from Alasdair Brown, Chief Executive of Kirklees Active Leisure. Kirklees Active Leisure formed in 2002 and had a twenty year agreement to provide services. There were between 1.5 and 3 million customer visits and customer satisfaction levels were high. There were 13 leisure sites across the district.

The range of opportunities relating to sports and physical activity, delivered through Kirklees Sports and Physical Development Activity Team, were outlined including training opportunities, funding guidance to organisations, and targeted interventions.

The Sports and Physical Development Team had a strategy and partnership role and offered support to voluntary and community clubs. The training offer included leader training in: walks, jogging, coaching, Shall We Dance, Circle Dance, and Moving More Often. There were targeted interventions to help reduce health inequalities for example, programmes such as PALS (proactive activity leisure scheme) to assist people with long term conditions such as pain, stroke, heart disease or depression and anxiety. Other adult referral schemes included Active for Life, and Steps for Life. In Batley and Spen there were 321 health walk routes, and junior and adult park runs at Oakwell Hall. Juliet gave statistical information relating to engagement and outcomes such as some participants having been enabled to reduce medication, feel more positive, and having reported reduced medical symptoms and better social skills.

RESOLVED: Alasdair Brown and Juliet Jackson were thanked for their attendance and update.

9 Committee Budget Report

An overview of the District Committee budgets was given and the Committee considered grant applications and proposals for expenditure.

RESOLVED:

Underspends to be returned to the Revenue Budget 2016–2017:

- (i) £16.94 Spen Valley – Spen Bottoms
(£2,317.00 revenue approved 29.01.2013)
- (ii) £30.75 Spen Valley – Cleckheaton Mapboard
(£818 revenue approved 19.03.2015)
- (iii) £50.00 Birstall and Birkenshaw – Remembrance Day Parade 2015
(£575 revenue approved 11.11.2014)

District Committee - Batley and Spen - 17 November 2016

- (iv) £590.17 Spen Valley – Cleckheaton Folk Festival (£12,000 revenue approved 08.09.2016)
- (v) £1,426.83 Spen Valley – Crown of Lights Free Music Festival (£14,390.00 revenue approved 15.03.2016)
- (vi) £150.00 Spen Valley – Return to Budget – Royal British Legion, Cleckheaton Remembrance Day Parade (£150 revenue approved 29.01.2013)
- (vii) £76.80 Spen Valley – Blanket Hall Street Stalls (£461 revenue approved 15.03.2016)

Revenue Approved:

- (i) £375.00 - Birkenshaw and East Bierley Remembrance Day Parades 2017
- (ii) £2,820.00 - Birstall, Birkenshaw, East Bierley Town and Village Hanging Baskets 2017
- (iii) £370.00 - Birstall and Birkenshaw Garden Competition 2017
- (iv) £9,078.00 – Batley Vintage Day 2017 (Batley East and Batley West)

New Homes Bonus Funding Approved:

- (i) £20,000.00 – Wilton Park Footpath Improvements

10 Dementia Friends Training

To support the development of dementia friendly communities, Dementia Friends training was delivered by Adrian Ellwood on behalf of Kirklees Dementia Action Alliance.

Dementia is now understood to be one of the biggest underlying causes of death. The training session, to support the creation of dementia friendly communities across the district, covered key messages in relation to dementia:

- (i) Dementia is not a natural part of ageing
- (ii) Dementia is caused by diseases of the brain
- (iii) Dementia is not just about losing your memory – it can affect thinking, communicating and doing everyday tasks
- (iv) It's possible to live well with dementia
- (v) There is more to the person than the disease

Adrian explained memory loss and loss of recognition retention of emotional memory where people cannot remember the details but remember how a person or activity made them feel.

District Committee - Batley and Spen - 17 November 2016

An exercise demonstrated how every person with dementia was affected in different ways and would have different abilities.

Attendees became Dementia Friends.

RESOLVED: Adrian Ellwood was thanked for his attendance and delivery of the training session. New Dementia Friends were asked to make a pledge, and to complete and return the cards left by Adrian.

- 11 Housing Revenue Account - Estate and Environmental Works Budget**
Councillor Smaje declared a pecuniary interest in item 11 as a board member of Kirklees Neighbourhood Housing.

Noreen Beck, Neighbourhood Operations Manager, Neighbourhood Housing presented estate and environmental works budget proposals for District Committee consideration.

RESOLVED:

£241,167 - approved for a range of schemes prioritised by the Tenant Forum. Schemes are described in Appendix 1 of the Committee Report (highlighted in green) and related to the following locations:

2-11 Brooklyn Court and 12-22 Brooklyn Court, 1-21 Brooklyn Drive, Brooklyn Estate, Chinewood Avenue (area outside number 71), Carr Street Flats, 38 and 56-64 Norristhorpe Avenue, 2-96 Chinewood Avenue, Church Grange, 2-16a Cardigan Close and 2-16a Howley Walk, 1-3 Laurel Grove, Old Popplewell Lane, Cardigan Close/West Street, Heathcliffe Close, Oxford Grange, Turnsteads Drive, The Square Fairview Avenue.

RESOLVED: Noreen Beck was thanked for her attendance.

- 12 Nominations to Outside Bodies**
RESOLVED – That Joanne Alvy be re-appointed to the Governing Body of Holly Bank Trust.

- 13 Dates of future meetings**
Future Meetings to be held on Tuesday 7 February 2017 and Thursday 16 March 2017.

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Contact Officer: Cheryl Reid, Email: cheryl.reid@kirklees.gov.uk, Tel: 01484 221000

KIRKLEES COUNCIL

DISTRICT COMMITTEE - HUDDERSFIELD

Tuesday 6th December 2016

Present: Councillor Sheikh Ullah (Chair)
Councillors N Mather, K Allison, C Burke, R Eastwood,
J Homewood, J Hughes, M Kaushik, M Khan, P McBride,
B McGuin, A U Pinnock, M Sokhal, J Stewart-Turner,
L Wilkinson and G Wilson

Apologies: J Calvert, E Hill, C Pattison and M Sarwar

In attendance: Approximately 15 members of the public were in attendance

1 Welcomes and Introductions

The Chair welcomed everyone to the meeting and Councillors introduced themselves.

2 Minutes of previous meeting

RESOLVED – That the minutes of the meeting of the Committee held on 27 September 2016 were approved as a correct record.

3 Interests

Councillor Sokhal declared a pecuniary interest in Agenda item 7, for the reason that he is a member of the Kirklees Active Leisure Board of Trustees.

4 Admission of the public

RESOLVED – That all items were considered in public session.

5 Deputations / Petitions

There were no deputations or petitions.

6 Estate and Environmental Works Budget - 2016-2017

A progress update was provided by Lisa White, Operational Manager from Kirklees Neighbourhood Housing on schemes funded from 2015/16 and went through the 2016/17 proposals for the Committee to consider funding from the Housing Revenue Account – Estate and Environmental Works Budget.

RESOLVED – Members considered the report and agreed that the HD4 project (Dalton Ward – Town Estate/Springbank Estate, Leeds Road) be removed from the prioritised list until further information about the Kirklees Green Corridor scheme is provided to the Committee. This project will be considered at a future meeting.

The Committee considered the remaining prioritised schemes in Appendix 1 and approved the funding and requested that more information on the breakdown of the costings for the HD17 project (Dalton Ward – Rawthorpe Lane) be provided to the Dalton Ward Councillors.

7 Kirklees Active Leisure and Kirklees Council's Sports and Physical Activity Team

The Committee received an informative update from Alastair Brown, Chief Executive on the opportunities Kirklees Active Leisure (KAL) is providing across the district. Martin Gonzalez, Sport and Physical Activity Team also provided an update including an overview on the Try it, Walk, Jog, Bike it initiative the Committee previously funded.

Kirklees Active Leisure was established in 2002:

- (1) There were three major factors for establishing Kirklees Active Leisure:
 - (i) Need for capital investment
 - (ii) Addressing declining revenue
 - (iii) Need to reduce the operating subsidy
- (a) Kirklees Active Leisure's overarching aim is to get more people across Kirklees active in order to improve the health and wellbeing of its citizens
- (b) A Partnership agreement was put in place in 2012 and extended for a further 20 years. However, Kirklees Active Leisure operates separately from the Council as an independent, charitable trust, established as a company limited by guarantee
- (c) Kirklees Active Leisure is governed by a Board of 12 Trustees, which includes two Councillors; Councillors Dodds and Sokhal
- (d) Kirklees Active Leisure has approximately £15.5m turnover (which has increased from £8.5m in 2007/08) and has 280 full time equivalent staff (750 staff) and is the largest local employer of young people under 25 years old, which makes up 55% of its work force
- (e) Kirklees Active Leisure has 13 sites across Kirklees, Huddersfield Leisure Centre being the most recent investment
- (f) Kirklees Active Leisure facilities have over 3.5m visitors every year and over 88% of its customers are either satisfied or very satisfied with its services
- (g) From 2017 the Council are having to reduce the funding by £750k but the Chief Executive confirmed there are no planned closures in the short-term as 8% of Kirklees Council's funding contributes to Kirklees Active Leisure's overall budget so external funding is continually being sought to ensure the universal offer of provision is maintained.

District Committee - Huddersfield - 6 December 2016

- (2) The Council's Sports and Physical Activity Team's (SPAT) key focus is on:
- (a) Strengthening the community and voluntary sector and providing support and training to volunteers, for example, walk leader's courses
 - (b) Providing targeted interventions, for example, weight management and mental health schemes and;
 - (c) Working with a wide range of partners to support citizens to become more active
 - (d) 407 residents recently took part in the Try it, walk, jog, bike it beginners programme. Approximately 120 of which took part in the zero to hero 5k 9 week programme which resulted in approximately 60 hero's doing the 5k park run on the last session. 20 have now gone on to join the new 5k beginners group established by the Acre Street Runners in Lindley

RESOLVED - The Chair thanked the officers for their presentations and agreed to have further discussions with the Committee on taking forward any joint working opportunities in the future.

8 Schools as Community Hubs

The Committee received an overview from Carol Lancaster, Head of Schools as Community Hubs Programme on the progress the hubs are making across Kirklees. She was joined by Head Teachers, Kathy McCauley from Almondbury Community School and Melanie Williams from Royds Hall Community School. Both Head Teachers gave an informative update on the Aspire and Shine Hubs and talked about how partners can get more involved and support these local partnerships to help bring the broadest offer for children and families into a school and community setting.

The Head Teachers emphasised that many children come to school not ready to learn because they or their families are facing difficult circumstances. Consequently, they already contribute significant resources to supporting children and families beyond the traditional role of teaching and learning. Changes across the public sector are too significant for any one organisation or sector to handle on their own, therefore, partnerships will be key to maximising and making the most of everyone's combined resources.

School leaders have been keen to develop a greater role for schools within the wider community and have been forming partnerships with a range of organisations with an offer for children and families.

In order for the vision for community hubs to be realised a number of schools are trialling and testing new ways of working with the Council and other partners. It's about doing things differently not about doing what the council can no longer do. It's about achieving the best outcomes for children and families in an environment of reduced public spending.

District Committee - Huddersfield - 6 December 2016

Typically, between 7 and 20 schools are coming together and identifying about 3 people to provide leadership (usually head teachers and staff with a pastoral lead). They also organise some co-ordination which is resourced through the partnership. It's not about 'more money' it's about better use of collective resources to create capacity.

Together schools and their partners are trialling and testing new ways of delivering and providing a rich community environment which delivers a wide range of services and activities, and is doing it differently. The role of the council is to support, facilitate and share good practice.

The way each 'Hub' is developing is as unique as the community it serves but there are some common features and stages that Hubs have tended to work through and this learning helps support other emergent community hubs.

For further information or advice please contact the Programme Team at:
schoolsascommunityhubs@kirklees.gov.uk

RESOLVED - The Chair thanked the officers for their presentations and agreed to have further discussions with the Committee on taking forward any joint working opportunities in the future.

9 **Devolved Budget Report**

The District Committee budget balances were noted and applications for funding were considered.

The Committee noted the following:

Discretionary Grants:

- (i) Lindley Community Group – Apple Day – Lindley Ward - £500 revenue
- (ii) Love Lindley and Lindley Community Group – Christmas Evening – Lindley Ward - £500 revenue
- (iii) Celebratory Heritage – Black History Month – All Wards - £500 revenue (£71.43 per ward)

Fast Tracks:

- (i) Feasibility Study for car park resurfacing and street lighting for YMCA Car Park – Lindley Ward - £500 revenue
- (ii) Community Drop In Banner at Salendine Nook Shopping Centre – Lindley Ward - £115 revenue
- (iii) Traffic Calming changes on Larch Road, Beech Street and Fir Road, Paddock – Greenhead Ward - £1,000 revenue
- (iv) Supply of two keys for Newsome Village Notice Board in Newsome – Newsome Ward - £29.66 revenue

Underspends to be returned to District Committee Revenue Budget 2016 -2017:

- (i) £1,416.00 underspend – Dalton Ward Community Newsletter – Dalton Ward (£1,500.00 approved 20.03.2012 revenue)

District Committee - Huddersfield - 6 December 2016

RESOLVED – That the following projects be funded:

- (i) £1,732.00 grant revenue - Greenhead Ward – Storage Facility – Friends of Norman Park
- (ii) £1,962.00 revenue – Newsome Ward – Purchase of mini fridges for Clare House
- (iii) £3,000.00 revenue – Ashbrow Ward – Ashwood Close, Sheepridge – footpath repairs
- (iv) £1,240.00 capital – Newsome Ward – Replacement seat
- (v) £7,500.00 capital – Lindley Ward – Steps – New Hey Road/Goldington Recreation
- (vi) £9,900.00 – grant revenue – Lindley Ward – Lindley Community Weekend 2017 (which includes £1,500 for Acre Street Runners to rent the Focal Building for 12 months)
- (vii) £53,000.00 New Homes Bonus – Programme of Huddersfield Town Centre Activities
- (viii) £20,000.00 New Homes Bonus – Temporary track way for use by community groups
- (ix) £5,000.00 New Homes Bonus – Try It, Walk It, Bike It, Jog It – Phase 2 – Jog Leaders Accredited Course and Starter Kits

10 Public Question Time

No public questions were received.

11 Dates of future meetings

The next public meetings will be held on 14 February 2017 and 21 March 2017 – 7pm at Huddersfield Town Hall.

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KIRKLEES COUNCIL

DISTRICT COMMITTEE - DEWSBURY AND MIRFIELD

Tuesday 29th November 2016

Present: Councillor Nosheen Dad (Chair)
Councillors M Ahmed, G Asif, M Bolt, P Kane,
D O'Donovan, M Pervaiz and C Scott

Apologies: Councillors E Firth, M Hussain, V Lees-Hamilton and
K Taylor

In attendance: Approximately 20 members of the public in attendance

1 Welcomes and Introductions

The Chair welcomed everyone to the meeting and the Councillors introduced themselves. Apologies had been received from Councillors E Firth, M Hussain, V Lees-Hamilton and K Taylor.

2 Minutes of previous meeting

RESOLVED – That the Minutes of the meeting of the Committee held on 6th October 2016 were approved as an accurate record.

3 Interests

No interests were declared.

4 Admission of the public

Agreed – That all items be considered in public session.

5 The Future of the Mansion House, Crow Nest Park and Heritage Services in Dewsbury and Mirfield

Adele Poppleton, Head of Active and Creative Communities, Joe Tingle, Head of Physical Resources and Procurement, and Rebecca Breen, Community Engagement and Development Officer, gave a presentation about why Dewsbury Museum has had to close and how local people can learn about their heritage in the future.

Adele advised she wanted to focus on the future of the Mansion House and that she knows the community feels passionate about the building and how the Council wants to work with local people on supporting the future for that building. She also wanted to let people know, with the closure of the museum, about how they would learn about their heritage in the future. Adele advised that heritage is very important to people; it gives a sense of belonging, helps us learn where we've come from, and lets us learn from the mistakes of the past. The Council needs to make sure that even with the museum closed, local people still have the opportunity to learn about their local history.

The Council has significant financial challenges due to the level of cuts. The money for museums sits within the £10 million spent on Communities and Leisure. That money is reducing all the time. From 2011 up until 2020 the Council will have lost about £173 million in government funding. The Council will still have to try and find next year another £50 million in savings. The whole funding model is changing. Now 17% of the Council's budget is Council Tax, and 19% from Business rates, 64% is coming from central government. Central government wants to take away the grants it gives to local government, but give local government much more control over the money it can raise from housing and business.

The Council has to look at working in different ways, and spending our money in different ways. Councillors have referred to 'New Council', and what that means is the type of Council in the future. There are three key areas for this, and one of them is about supporting communities to do more for themselves. Another is prioritising the most vulnerable people in communities, ensuring they are safe and helping them to stay in control of their lives. The third is only doing what the Council does. There are certain things only the Council does, and the Council needs to concentrate on that.

The Council has already made £106 million in savings through efficiencies. It has also been redesigning services and a number of things have decreased or stopped, for example the number of events across the District have reduced. The Council is moving more online. It is looking at how it can engage more volunteers in what it is doing.

Museums and Galleries is one of the services which have to redesign. The Council needs to survive and adapt to the environment around it. From 1st April 2017 Museums and Galleries will have half the budget it currently has.

Since 2011 Museums and Galleries already had to save £350,000.00. It has increased its income by 46%. It has introduced charges at places like Red House museum, and it has reduced staffing and opening hours. When it was advised it needed to make another £500,000.00 saving it realised it would have to close some of the museum sites.

Adele showed a map of the six existing Museums sites across Kirklees; Oakwell Hall, Red House, Bagshaw Museum, Dewsbury Museum, Huddersfield Art Gallery, and Tolson Museum. Having done all of the analysis, the Council knew it could only keep three sites open in the future.

Museums have been talking to organisations that may have been able to take things on board, and they have been testing new ideas; such as pop up museums and display cases in Dewsbury Town Hall. They analysed when people like to visit, and they will open at times the public has said they would like to see the sites open such as weekends, school holidays and bank holidays.

They asked property experts to look at the buildings to see what potential uses might be, and to assess how much capital investment each site would need. They

explored the impact of changes on communities, and they had to look closely at how what they do in the future could help the Council achieve its outcomes.

They clarified what a museum is. People feel very passionate about buildings, but a museum is not a building in most cases. A museum is a collection of objects and how people engage with those objects. The building is a site people can come to in order to engage. With the new model, Museums Service knew it had to have fewer sites, reduced opening hours, reduced staffing, and to work much better with volunteers and community groups and to find out ways of getting out to communities that do not have a museum on their doorstep. The Service is looking at something that has three sites and more outreach and community exhibitions. It also had to look at much more aggressive income generation policies, and has been developing products it can sell, and looking at weddings and room hire.

After analysis, the Cabinet decided to keep Oakwell Hall and Country Park. It is one of the signature tourism venues in Kirklees. It has most potential to generate its own income which hopefully then can be fed back into the service to protect what remains. The Cabinet also felt it was important to have one museum in North Kirklees, and one in South. It chose Bagshaw Museum for North and that unfortunately meant the Council were unable to keep Dewsbury museum open. Bagshaw will have a focus on the communities of North Kirklees. It will be a learning centre. There is a very good schools programme there already, and schools from all over the North of England visit the Egyptian collection there. It is felt that can become a very family focussed site with many activities for families and schools.

The Mansion House is recognised as an incredibly important building in Crow Nest Park. It helps Crow Nest to be this wonderful community asset and to get its green flag status. There has been investment in the building in the last ten years that has made it accessible especially those with mobility issues. It does however require capital investment to reopen the museum room on the ground floor. The museum room ceiling collapsed a couple of years ago and the Council has not had the resources to be able to put that ceiling back up. It did not have as many visitors as other sites. It did not have as many school visits as other sites, and the per capita subsidy per visit was higher than most of the other sites. It also does not have the same potential to generate as much income as some of the others. The Cabinet agreed to withdraw the museum service from the Mansion House, and to work with communities to find an alternative use for that building. It does not want to have to board up the building where it could become a focus for vandalism, and deteriorate very quickly. It is a listed building, and there is a responsibility to ensure it is a viable community asset.

With the closure of the museum, how will in future Dewsbury and Mirfield residents learn about their heritage? Bagshaw Museum will not be the museum for Batley only. It will be telling stories of communities all across North Kirklees. It is appreciated that for residents of Dewsbury and Mirfield it does mean having to travel further to reach the site. The Council wants to be able to support community groups to develop their own exhibitions in their own venues. It is hoping to attract external funding to be able to create community exhibitions in community and council premises. Adele showed some photographs of outreach exhibitions such as a recent one in Huddersfield train station. Museums will also be developing more

District Committee - Dewsbury and Mirfield - 29 November 2016

resources such as museums in a box, with items going out to residential homes. More will be going online, so people in their own homes can look objects up and learn about their history online.

Joe Tingle advised that the expressions of interest process had started on 28th November 2016, and is a three month process, and there is an offer of support to any group interested, from the Council's asset management and community engagement teams. There is also help available from an organisation called 'Locality' in support for developing the business case, and obtaining peer to peer support. The Council wants to see a successful and viable transfer. They want there to be ongoing dialogue throughout the three month process. A pack of information on the process and the building has been put together and will be provided.

Rebecca Breen advised there are three strands of support on offer; on the actual procurement itself; supporting the organisation to get in touch with other organisations that have gone through the process; and the link to the support from Locality, who are an independent organisation with wide experience of helping groups up and down the country to go through asset transfer.

Councillor Kane advised the Mansion House is a fantastic building and something cherished in Dewsbury. He was concerned that the funding had never been found to repair the ceiling collapse. He was concerned about the high level of estimated cost for necessary repairs to the building as this would potentially scare off potential interested groups. Joe advised the costs were an estimate, and actual costs would depend on the nature of works commissioned. Councillor Kane wondered why the schools had not been visiting and that should have been addressed. He asked again about the selection process, and Adele advised there had been advice that Bagshaw building itself works better as a museum space. There needed to be a business model chosen that would be most sustainable in the future.

Councillor Scott advised she thought digital could not replace the live experience. Adele agreed, but schools are finding it harder to take children out, and so museums in a box for schools would be further developed.

Councillor Scott had also been involved in an asset transfer of a building and the help from asset management, community engagement and Locality had been invaluable.

Councillor Bolt asked where in Kirklees would be the best place for Kirklees residents to get to a museum. How do the maintenance costs of a Huddersfield museum stack up against the Mansion House? He had been asked by a member of the public to ask if a heritage trust could be set up to run these buildings, and could it be supported by an endowment from the sale of other assets.

Adele advised that not all assets in the Council collection are owned by the Council. The one that always comes up is the Frances Bacon painting. The painting was given by the Contemporary Art Society and if the Council wanted to sell it, the money would have to go back to the Contemporary Art Society. If the Council starts to sell things off the Arts Council would take away their accreditation of museums

District Committee - Dewsbury and Mirfield - 29 November 2016

and they could not then access funding from the Arts Council and Heritage Lottery fund. She advised the possibility of a heritage trust would continue to be explored.

Councillor O'Donovan wondered if the Committee could support the development of the Friends of Group proposal through District Committee funding, for example for their planned community event. The Chair advised a proposal for funding would need considered at the Committee Planning meeting, and Councillor Kane advised that as a group can only receive one grant per annum from the Committee, it would be better for the group to wait until a later stage of their proposals. Joe Tingle advised after a successful Expression of Interest, the successful group could apply to Asset Management in the Council for a development grant of £5,000.

There followed a number of questions from members of the public which the Councillors and Adele answered.

Anyone wanting to ask anything further, or who might want to make an Expression of Interest should e-mail adele.poppleton@kirklees.gov.uk or joe.tingle@kirklees.gov.uk or rebecca.breen@kirklees.gov.uk. They can be phoned on 01484 221000.

RESOLVED – To thank Adele, Joe and Rebecca for their excellent and informative presentation.

6 Estates and Environmental Works Budget 2016/17

Noreen Beck from Kirklees Neighbourhood Housing gave an update on progress with the Estates and Environmental Works Budget 2016/17, following the Dewsbury and Mirfield Special Area Forum consultation and voting exercise held on 4th October 2016.

She set out the allocation of the budget in 2015/2016 and rollover and allocation for 2016/2017. She then focussed on Appendix One of the report, which set out the specific proposals for spend on schemes in 2016/1017.

It was pointed out that project W08 Lidgate Lane, Batley Carr is in Batley East, and needs to be removed. Noreen agreed.

The Dewsbury South Councillors asked that project S12 Valley Drive, Thornhill be brought forward as it would still be within budget and Noreen agreed this. Mr Maddox suggested that further consultation with residents would be needed. Noreen advised there would be, and if that consultation indicated local people did not want the scheme, then it would come back again to District Committee. The Dewsbury South councillors agreed S12 should not come forward until the outcome of consultation was known.

Mr Maddox also advised that local people did not want SO5 to go ahead (extensive clearance and security works to Ouzelwell and Blackers Court, Thornhill Lees). Local people would rather have additional parking. Noreen advised this had been an officer recommendation. Councillor Ahmed asked that councillors be provided with additional background information as to why officers were making the

District Committee - Dewsbury and Mirfield - 29 November 2016

recommendations they were. Councillor Asif asked that the background be explored before this action was implemented, and Noreen agreed.

Councillor Bolt asked if there had been any benchmarking of costs, especially against costs in a competitive market place. Noreen explained the process of the Council's Quick Quote system, used to get quotes for these works.

RESOLVED: - That members approve funding for the schemes as voted on and prioritised by members on 4th October 2016 as outlined in Appendix 1 to the report, subject to the points made by Dewsbury South members in relation to schemes S05 and S12.

That members note progress made on schemes approved for 2015/16 as set out in Appendix two of the report.

7 District Committee Devolved Budgets Report

The current balances on the District Committee devolved budgets were highlighted.

To note the following returns to budget as a result of underspends:

- (i) £917.20 underspend – Dewsbury East Ward – Shawcross Recreation and Sands lane – Safeguarding Open Spaces – (approved 13.10.2015 for £4,000 capital).
- (ii) £950.00 underspend – Dewsbury East Ward – Securing Car Parks, Wakefield Old Road – (approved 13.10.2015 for £3,000 capital).
- (iii) £3,750.00 underspend – £1,250.00 Dewsbury East; £1,250.00 Dewsbury West; £1,250.00 Dewsbury South- The Arcade (incorporating the Hive – (approved 13.10.2015 for £15,000 capital).
- (iv) £15,000.00 underspend – Potholing works at Princess Lane, Chickenley) (approved on 01.03.2016) for £15,000 New Homes Bonus.
- (v) £5,050.00 underspend of New Homes Bonus – Improved security at 21 Council owned sites across District (approved on 01.12.2015)

There was one funding request put forward to the Committee for £15,000 New Homes Bonus funding to the Try It, Like It initiative; to develop and deliver a series of activities in all wards in 2017 to include introductory sessions for exercise, to include walking, running, cycling and fitness classes for beginners and families, plus festivals to promote and celebrate being physically active.

Councillor Asif wanted to know how the NHS, KAL, and this initiative would work together to achieve intended outcomes. He would also like additional information on outcomes, such as likely numbers taking part. Councillor Bolt was concerned there had been a delay to the consultation on the Kirklees Walking and Cycling Strategy.

RESOLVED:- To note the returns to budget and to defer consideration of the Try It, Like It proposal until additional information requested by the councillors has been provided.

8 Winter Maintenance 2016/17

No one from Streetscene and Housing Service had been able to attend the meeting to give the presentation on the Kirklees Winter Maintenance programme. The slides had been included with the papers circulated.

The Chair asked the presentation be noted, and that any questions could be directed to the Chair, Councillor Nosheen Dad or to Jackie Ingham.

RESOLVED:- To note the content of the presentation on the Kirklees Winter Maintenance programme 2016/17.

9 Deputations / Petitions

No deputations or petitions were received.

10 Public Question Time

The following questions were asked and Councillors responded:

- (i) Mr Maddox asked when the zebra crossing on Hostingley Lane would be constructed, given the length of time since approval of the funding.

Councillor Ahmed advised that the advertising package in relation to the works was sent to the appropriate department in early September, but (presumably because of their own busy schedules) the formal advert didn't go out until 29th September. The final date for comments and objections to be sent was 20th October. It is a legal necessity to advertise all Traffic Regulation Orders (TROs) on-site and in the local press, therefore allowing everyone the opportunity to make their feelings known about the proposals.

If no objections are received, the detailed design and construction package can be prepared and sent to the depot by the end of November for them to add to their programme of works. It is expected to be complete by the end of January 2017.

- (ii) A member of the public asked about the old police box at the top of Pinfold Hill. It is a lovely little building built in 1938, and is bombproof. It is now looking dilapidated, and he had been provided with costs of £500 to £1,000 to get it done up and put a blue plaque on it. The box was compulsorily purchased by the Council in 1974. The Council has advised it has no funding to repair it. He has offered to pay for it himself, but he needs permission to go ahead.

Councillor Bolt suggested an approach the Police and Crime Commissioner to find out if they could fund the works, and an approach Asset Management to find out about permissions. Councillor O'Donovan, as the box is in his ward advised he would take the matter forward with the Council.

- (iii) There was a request for an answer to the question asked at the last meeting about whether there are planned cuts to the Ambulance Service in West Yorkshire.

District Committee - Dewsbury and Mirfield - 29 November 2016

Andrew Simpson, the Head of Emergency Operations, Calderdale, Kirklees and Wakefield had replied that Yorkshire Ambulance Service has invested approximately 10 million pounds in frontline services in its current transformation program. He is currently working closely with Kirklees council (HOSC) in regards to the YAS transformation programme and the minutes are available on their website

The Service has:

- * Taken on an additional 242 frontline staff, approximately half of these staff will work in West Yorkshire
- * Increased our flexible staffing from 25% to 35%
- * Introduced a career framework to introduce new clinical skills and development
- * Introduced band 6 pay and responsibility for our paramedics so we can provide additional care to patients.

11 Dates of future meetings

The dates and times are:

Thursday 23rd February 2017, Northorpe Hall 7-9pm

Tuesday 11th April, 2017, Dewsbury Town Hall 7-9pm

Contact Officer: Cheryl Reid, Email: cheryl.reid@kirklees.gov.uk, Tel: 01484 221000

KIRKLEES COUNCIL

DISTRICT COMMITTEE - HUDDERSFIELD

Tuesday 27th September 2016

Present: Councillor Sheikh Ullah (Chair)
Councillors N Mather, K Allison, C Burke, J Calvert,
R Eastwood, J Homewood, J Hughes, M Kaushik,
B McGuin, M Sokhal, L Wilkinson and G Wilson

Apologies: A Cooper, E Hill, M Khan, P McBride, C Pattison and
J Stewart-Turner

In attendance: Approximately 20 members of the public

1 Welcomes and Introductions

The Chair welcomed everyone to the meeting and Councillors introduced themselves.

2 Minutes of previous meeting

RESOLVED – That the minutes of the meeting of the Committee held on 12 July 2016 were approved as a correct record.

3 Interests

Councillor Jean Calvert from the Ashbrow Ward declared 'an other' interest in Agenda item 8 – report 2 for the reason that she is the Chair on the Boards of Local Services 2 You Ltd and DBI Ltd.

4 Admission of the public

RESOLVED – That all items were considered in public session.

5 Deputations / Petitions

There were no deputations or petitions.

6 Huddersfield Town Centre

The District Committee received an informative presentation from Andrew Jackson, Investment and Regeneration Service on some of the key developments taking place in the town centre. Andy outlined that a town centre is never made up of more than 35% of retail because lots more is now on offer from; food, coffee shops, leisure, offices, housing to education opportunities. He stated that over 40,000 students are now attending the University of Huddersfield (with over 120 nations attending), Kirklees and Greenhead Colleges and the town has seen a significant growth over the past few years in student accommodation for example, Standard House, Palace Theatre, Oldgate House.

District Committee - Huddersfield - 27 September 2016

Andy emphasised that the town needs to be seen as a 'one of' rather than a 'one off' and needs to be differentiated from anywhere else. A town centre experience needs to be personal to counteract the 'couch surfing' culture (on line shopping) to ensure its future success. On that note he asked the audience to write a postcard from the future; '*As a resident I love Huddersfield because*' A summary of feedback received included:

- Excellent transport links
- Friendliness (need to bottle what Huddersfield has)
- Exciting and energetic place
- Manageable size – easy to get around
- Has a sense of arrival
- Steeped in history
- Multi-cultural place – people integrate well
- Has a number of micro-breweries we should promote more

Andy fed back that he had a visioning workshop recently with Huddersfield Councillors and issues they would like to see prioritised in the short/medium term related to:

- More marketing/PR – create a strong brand
- Talk up the town – its unique selling point
- Advertise its cultural offer
- Maximise its open spaces
- Promote its markets

Discussions then followed with residents on creating a shared vision for the town and exploring any potential short-term priorities the District Committee could support and champion. Feedback received included:

- Work with the youth council and the Student Union at the University to explore how they can help develop and deliver a pledge with young people – who are significant spenders and visitors to the town.
- Develop an exhibition which can be rotated around the town which promotes the things that are manufactured in the town for example; suits, sports equipment – sell what we do and develop a town label – 'made in Huddersfield'....truly champion the brand of Huddersfield through a proactive marketing campaign. Potentially use the "Town" programme to celebrate Huddersfield.
- Identify opportunities to show what independent enterprises offer in the town – demonstrating we are a one off not one of! Hold 'independence days' so independents can showcase what our pound means to them – promotes the person and their products - potentially linked to Small Business Saturday.
- Invite local poets to write about the town – hold an event and showcase the positives.

District Committee - Huddersfield - 27 September 2016

- Have a rotating 'what's on board' in key town centre venues for example; the railway station – that promotes what's good about the town, what's on where and when.
- Investigate the 2 hour parking disc scheme administered by town centre retailers (for example; which has been successfully operating in places like Halifax and Harrogate) to encourage visitors to stay in the town and enter shops.
- Campaigns to promote our markets
- Work with partners such as Healthy High Street and Making Spaces to provide animation in Huddersfield Town Centre

RESOLVED - The Chair agreed to feedback the Committees comments to relevant Senior Officers and Partners and identify which priorities could potentially be taken forward and supported by the District Committee.

7 **Roebuck Memorial Homes**

The Committee considered two nominations to the Roebuck Memorial Homes Charity, two Managing Trustees were considered for a further four year term of office (no other nominations were received).

RESOLVED: The Committee agreed to appoint two Managing Trustees for a four year term of office (Cliff Preest and Ray Ram) to Roebuck Memorial Homes.

8 **Committee Budget Report**

The District Committee budget balances were noted and applications for funding were considered.

The Committee noted the following:

Fast Tracks:

- £335 Heaton Road, Paddock – Pedestrian Guard Rails – Greenhead Ward - Revenue
- £163 Abingdon Street, Fartown – Keep Clear Marketing – Greenhead Ward – Revenue

Underspends to be returned to the District Committee budget:

Following a financial monitoring exercise underspends to be returned to the District Committee budget include:

- £3,295 revenue
- £813 capital

RESOLVED: -

That the following projects be funded:

- (i) £4,400 revenue grant – Ashbrow CCTV – Ashbrow Ward – Local Services 2 You
- (ii) £1,975 capital grant – Branch Out Project – Greenhead Ward – Paddock Community Trust
- (iii) £10,648 revenue – Christmas Trees/Lights 2016 – six wards (excludes Dalton)
- (iv) £10,000 capital – Taylor Hill Footpath – Newsome Ward

9 Public Question Time

No public questions were received.

10 Dates of future meetings

The next public meeting will be held on the 6th December 2016 – 7pm at Huddersfield Town Hall.

Tuesday, 14th February 2017 – 7pm at Huddersfield Town Hall

Tuesday, 21st March 2017 – 7pm at Huddersfield Town Hall

Dates may be subject to change. Please check, the Kirklees Council website, Huddersfield District Committee on Facebook, or local press for updates.

Contact Officer: Cheryl Reid, Email: cheryl.reid@kirklees.gov.uk, Tel: 01484 221000

KIRKLEES COUNCIL

DISTRICT COMMITTEE - HUDDERSFIELD

Tuesday 6th December 2016

Present: Councillor Sheikh Ullah (Chair)
Councillors N Mather, K Allison, C Burke, R Eastwood,
J Homewood, J Hughes, M Kaushik, M Khan, P McBride,
B McGuin, A U Pinnock, M Sokhal, J Stewart-Turner,
L Wilkinson and G Wilson

Apologies: J Calvert, E Hill, C Pattison and M Sarwar

In attendance: Approximately 15 members of the public were in attendance

1 Welcomes and Introductions

The Chair welcomed everyone to the meeting and Councillors introduced themselves.

2 Minutes of previous meeting

RESOLVED – That the minutes of the meeting of the Committee held on 27 September 2016 were approved as a correct record.

3 Interests

Councillor Sokhal declared a pecuniary interest in Agenda item 7, for the reason that he is a member of the Kirklees Active Leisure Board of Trustees.

4 Admission of the public

RESOLVED – That all items were considered in public session.

5 Deputations / Petitions

There were no deputations or petitions.

6 Estate and Environmental Works Budget - 2016-2017

A progress update was provided by Lisa White, Operational Manager from Kirklees Neighbourhood Housing on schemes funded from 2015/16 and went through the 2016/17 proposals for the Committee to consider funding from the Housing Revenue Account – Estate and Environmental Works Budget.

RESOLVED – Members considered the report and agreed that the HD4 project (Dalton Ward – Town Estate/Springbank Estate, Leeds Road) be removed from the prioritised list until further information about the Kirklees Green Corridor scheme is provided to the Committee. This project will be considered at a future meeting. The Committee considered the remaining prioritised schemes in Appendix 1 and approved the funding and requested that more information on the breakdown of the

costings for the HD17 project (Dalton Ward – Rawthorpe Lane) be provided to the Dalton Ward Councillors.

7 Kirklees Active Leisure and Kirklees Council's Sports and Physical Activity Team

The Committee received an informative update from Alastair Brown, Chief Executive on the opportunities Kirklees Active Leisure (KAL) is providing across the district. Martin Gonzalez, Sport and Physical Activity Team also provided an update including an overview on the Try it, Walk, Jog, Bike it initiative the Committee previously funded.

Kirklees Active Leisure was established in 2002:

- (1) There were three major factors for establishing Kirklees Active Leisure:
 - (i) Need for capital investment
 - (ii) Addressing declining revenue
 - (iii) Need to reduce the operating subsidy
- (a) Kirklees Active Leisure's overarching aim is to get more people across Kirklees active in order to improve the health and wellbeing of its citizens.
- (b) A Partnership agreement was put in place in 2012 and extended for a further 20 years. However, Kirklees Active Leisure operates separately from the Council as an independent, charitable trust, established as a company limited by guarantee
- (c) Kirklees Active Leisure is governed by a Board of 12 Trustees, which includes two Councillors; Councillors Dodds and Sokhal
- (d) Kirklees Active Leisure has approximately £15.5m turnover (which has increased from £8.5m in 2007/08) and has 280 full time equivalent staff (750 staff) and is the largest local employer of young people under 25 years old, which makes up 55% of its work force.
- (e) Kirklees Active Leisure has 13 sites across Kirklees, Huddersfield Leisure Centre being the most recent investment.
- (f) Kirklees Active Leisure facilities have over 3.5m visitors every year and over 88% of its customers are either satisfied or very satisfied with its services
- (g) From 2017 the Council are having to reduce the funding by £750k but the Chief Executive confirmed there are no planned closures in the short-term as 8% of Kirklees Council's funding contributes to Kirklees Active Leisure's overall budget so external funding is continually being sought to ensure the universal offer of provision is maintained.
- (2) The Council's Sports and Physical Activity Team's (SPAT) key focus is on:
 - (a) Strengthening the community and voluntary sector and providing support and training to volunteers, for example, walk leader's courses.
 - (b) Providing targeted interventions, for example, weight management and mental health schemes and;
 - (c) Working with a wide range of partners to support citizens to become more active.

- (d) 407 residents recently took part in the Try it, walk, jog, bike it beginners programme. Approximately 120 of which took part in the zero to hero 5k 9 week programme which resulted in approximately 60 hero's doing the 5k park run on the last session. 20 have now gone on to join the new 5k beginners group established by the Acre Street Runners in Lindley.

RESOLVED - The Chair thanked the officers for their presentations and agreed to have further discussions with the Committee on taking forward any joint working opportunities in the future.

8 Schools as Community Hubs

The Committee received an overview from Carol Lancaster, Head of Schools as Community Hubs Programme on the progress the hubs are making across Kirklees. She was joined by Head Teachers, Kathy McCauley from Almondbury Community School and Melanie Williams from Royds Hall Community School. Both Head Teachers gave an informative update on the Aspire and Shine Hubs and talked about how partners can get more involved and support these local partnerships to help bring the broadest offer for children and families into a school and community setting.

The Head Teachers emphasised that many children come to school not ready to learn because they or their families are facing difficult circumstances. Consequently, they already contribute significant resources to supporting children and families beyond the traditional role of teaching and learning. Changes across the public sector are too significant for any one organisation or sector to handle on their own, therefore, partnerships will be key to maximising and making the most of everyone's combined resources.

School leaders have been keen to develop a greater role for schools within the wider community and have been forming partnerships with a range of organisations with an offer for children and families.

In order for the vision for community hubs to be realised a number of schools are trialling and testing new ways of working with the Council and other partners. It is about doing things differently not about doing what the council can no longer do. It's about achieving the best outcomes for children and families in an environment of reduced public spending.

Typically, between 7 and 20 schools are coming together and identifying about 3 people to provide leadership (usually head teachers and staff with a pastoral lead). They also organise some co-ordination which is resourced through the partnership. It's not about 'more money' it's about better use of collective resources to create capacity.

Together schools and their partners are trialling and testing new ways of delivering and providing a rich community environment which delivers a wide range of services and activities, and is doing it differently. The role of the council is to support, facilitate and share good practice.

District Committee - Huddersfield - 6 December 2016

The way each 'Hub' is developing is as unique as the community it serves but there are some common features and stages that Hubs have tended to work through and this learning helps support other emergent community hubs.

For further information or advice please contact the Programme Team at:
schoolsascommunityhubs@kirklees.gov.uk

RESOLVED - The Chair thanked the officers for their presentations and agreed to have further discussions with the Committee on taking forward any joint working opportunities in the future.

9 Devolved Budget Report

The District Committee budget balances were noted and applications for funding were considered.

The Committee noted the following:

Discretionary Grants:

- (i) Lindley Community Group – Apple Day – Lindley Ward - £500 revenue
- (ii) Love Lindley and Lindley Community Group – Christmas Evening – Lindley Ward - £500 revenue
- (iii) Celebratory Heritage – Black History Month – All Wards - £500 revenue (£71.43 per ward)

Fast Tracks:

- (i) Feasibility Study for car park resurfacing and street lighting for YMCA Car Park – Lindley Ward - £500 revenue
- (ii) Community Drop In Banner at Salendine Nook Shopping Centre – Lindley Ward - £115 revenue
- (iii) Traffic Calming changes on Larch Road, Beech Street and Fir Road, Paddock – Greenhead Ward - £1,000 revenue
- (iv) Supply of two keys for Newsome Village Notice Board in Newsome – Newsome Ward - £29.66 revenue

Underspends to be returned to District Committee Revenue Budget 2016 -2017:

- (i) £1,416.00 underspend – Dalton Ward Community Newsletter – Dalton Ward (£1,500.00 approved 20.03.2012 revenue)

RESOLVED – That the following projects be funded:

- (i) £1,732.00 grant revenue - Greenhead Ward – Storage Facility – Friends of Norman Park
- (ii) £1,962.00 revenue – Newsome Ward – Purchase of mini fridges for Clare House
- (iii) £3,000.00 revenue – Ashbrow Ward – Ashwood Close, Sheepridge – footpath repairs
- (iv) £1,240.00 capital – Newsome Ward – Replacement seat
- (v) £7,500.00 capital – Lindley Ward – Steps – New Hey Road/Goldington Recreation

District Committee - Huddersfield - 6 December 2016

- (vi) £9,900.00 – grant revenue – Lindley Ward – Lindley Community Weekend 2017 (which includes £1,500 for Acre Street Runners to rent the Focal Building for 12 months)
- (vii) £53,000.00 New Homes Bonus – Programme of Huddersfield Town Centre Activities
- (viii) £20,000.00 New Homes Bonus – Temporary track way for use by community groups
- (ix) £5,000.00 New Homes Bonus – Try It, Walk It, Bike It, Jog It – Phase 2 – Jog Leaders Accredited Course and Starter Kits

10 Public Question Time

No public questions were received.

11 Dates of future meetings

The next public meetings will be held on 14 February 2017 and 21 March 2017 – 7pm at Huddersfield Town Hall.

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Contact Officer: Julie Mcdowell;, Email: Julie.mcdowell@kirklees.gov.uk, Tel: 01484 221000

KIRKLEES COUNCIL

DISTRICT COMMITTEE - KIRKLEES RURAL

Thursday 29th September 2016

Present: Councillor Michael Watson (Chair)
Councillors B Armer, D Bellamy, J Dodds, D Firth, C Greaves,
E Holroyd-Doveton, T Lyons, A Marchington, N Patrick, K Sims,
Smith, J Taylor, G Turner and R Walker

Parish Council Representatives and Co-opted Members: K Armitage, R Brook and
M Moores

Apologies: Councillor H Richards, Councillor N Turner and J Margetts

In attendance: Approximately 30 members of public

1 Welcomes and Introductions

The Chair welcomed everyone and members of the committee introduced themselves.

2 Minutes of previous meeting

RESOLVED – That the Minutes of the meeting of the Committee held on 21 July 2016 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the public

It was agreed that all items be considered in public session.

5 Deputations / Petitions

There were no deputations or petitions.

6 Kirklees Cycling and Walking Strategy

Alison Millbourn of Kirklees Public Health gave an update on work towards the cycling and walking strategic framework and delivery plan. The aim is for more people to be cycling and walking to work, for sport and leisure. People need to be more active to prevent obesity. Air pollution is also a major cause of death in Kirklees.

Stakeholders have come together to form a delivery plan. There will be public consultation on the strategy in October.

The five over-arching objectives are:

- (i) More coaches, leaders and volunteers, support for people to cycle and walk and to sustain activity.
- (ii) More and better places to cycle and walk, a high quality infrastructure providing safe and enjoyable opportunities to participate.
- (iii) Building skills and confidence to cycle and walk, access to appropriate training opportunities.
- (iv) More cycling and walking opportunities, provision of a broad range of opportunities and events.
- (v) Information, media and communications, provision of information and campaigns to encourage people to appreciate the benefits.

The committee discussed what local communities expect to see as part of the strategy and delivery plan and what the local opportunities and barriers are to achieving it.

RESOLVED – That Alison be thanked for the update.

7 Yorkshire Ambulance Service Plans in Kirklees Rural area

Andrew Simpson of Yorkshire Ambulance Service gave an update on proposed service changes to meet increased demand across the Yorkshire and Humber region.

The service is commissioned by the Clinical Commissioning Unit to provide a service for the whole of the Yorkshire and Humber region.

The average response time for emergency calls which are life threatening is 8 minutes and for other incidents it is 19 minutes. Patients are taken to more specialised centres. This means better outcomes for patients even though they travel further. Treatment starts in the ambulance.

The staffing situation was that in recent years many qualified staff had left for higher paid jobs for example in the DHSS or Police custody suite. Staff were expected to take more clinical decisions while out on operations. Staff did not receive a pay rise for 5 years. There has been a recent rise by one band to help recruit and retain the workforce. Clear career paths have also been put in place.

Sick patients were being managed for longer, they are more infirm and have more complex issues. In the last year there has been an additional 8% increase in demand for the service, the equivalent of an additional 900 call outs in comparison with the previous year. On a daily basis there is a 30% variation in workload. The highest workload is in the winter time.

In Greater Huddersfield there were 80-90 incidents each day, of which 8-10 are life threatening.

An independent assessment of demand across the whole region had resulted in a recommendation for an additional 242 staff, there are 60 vacancies to fill by April

District Committee - Kirklees Rural - 29 September 2016

2017. This would increase the core staff from 25% to 35%. Stations were being asked to work to new staffing rotas, which would increase efficiency from 75% to 90-95% working on a cluster basis across West Yorkshire.

At the same time the number of rapid response vehicles would decrease, in Honley from 4 to 2 vehicles. While the number of double crew ambulances would increase overall in West Yorkshire, they would reduce from 8 to 5 in Honley.

Also in the Greater Huddersfield area there were 13 community responder sites and defibrillator access. The Fire and Rescue Responder Service at Skelmanthorpe Fire Station was responding to urgent calls for a trial period. Community volunteers including school children were also being trained to respond to heart attacks.

Andrew indicated that the staffing figures were based on patient demand so took into account factors such as people living longer, housing developments etcetera.

A lot of work had been done with the Calderdale and Huddersfield Hospitals Trust to analyse transport and scenarios should either the Calderdale or the Huddersfield site close. Closure of either site would not increase the number of call outs but would increase the time taken for each job. An additional 10,000 staff hours would be needed to compensate for it. This would be accounted for in the commissioning arrangement negotiated for the service in 4- 5 years' time when the hospital changes would come into effect.

Where patients are transported to depends on patient preference and where the specialist centres (therefore better quality care) for health conditions are. Locally Honley ambulances tended to go more to Pinderfields instead of Dewsbury, strokes now go to Pinderfields instead of Barnsley, ambulances wait longer at hospital and then tend to stay further afield. Quality of care on arrival at hospital is key.

Staff based at Honley Ambulance Centre indicated that they could not put the new staffing rota together as this was the worst performing area. The station was a stand by service for other areas and was predominantly working in towns and cities, while staff from other areas covered the rural area.

Andrew indicated that it is key that people who need the service the most get it. The additional patient increase in demand by 8% means at present there is no time for the standby service. Discussions are taking place with staff and Overview and Scrutiny would be looking at the proposals.

RESOLVED – That Andrew be thanked for the update.

8 **Community Projects - Feedback**

The Committee received updates from community groups on the outcomes of projects it has funded.

RESOLVED – That updates be noted from the Friends of Churchfield regarding the rebuilt wall, Shepley Spring Festival and Denby Dale Parish Council regarding Skelmanthorpe Library building.

9 District Committee Budget Report

The Committee considered a number of proposals for funding.

RESOLVED –

(1) That the return to budget of £1,942 capital underspend be noted regarding PROW improvements CVBW 197, Colne Valley Ward.

(2) That funding be approved as follows-

£450 revenue for provision of additional litter bins Tintern Ave and Manor Road, Golcar

£1,000 revenue for community safety activity in response to local issues that may arise in Holme Valley North Ward

£663 revenue for a Christmas tree in the centre of Meltham

£1,000 revenue grant to Honley Business Association towards the Honley Christmas lights switch on

£1,000 revenue grant to Holmfirth Christmas Team towards the purchase of Christmas lights in Holmfirth

£3,000 revenue to resurface the snicket off Abbey Road South, Shepley

£3,500 revenue grant to Clayton West Cricket Club towards a new mower and roller

£8,197 revenue for various Christmas trees in Colne Valley, Golcar, Denby Dale and Kirkburton

£29,387 capital and £613 revenue for replacement fencing and tree work on the river corridor in the centre of Holmfirth

£16,000 New Homes Bonus match funding towards Crossing the Pennines bid to resurface Scout Lane, Cop Hill, Slaithwaite

£39,500 New Homes Bonus towards provision of an off street car park on Springwood Road, Holmfirth.

10 The Hall Education Charity

The Committee considered a nomination to fill the vacancy on the Hall Education Charity, which requires a special knowledge of the Holmbridge area.

RESOLVED – That Mr Beardsell be appointed to serve a further term and Mr Trevor Bellamy be appointed to serve on the charity for a 4 year term from 18 October 2016.

11 Public Question Time

There were no public questions.

12 Dates of future meetings

The dates of future meetings were noted as follows:

Tuesday 22nd November 2016 (change from 24th November), Holme Valley North

Saturday 25th February 2017, Golcar

Thursday 23rd March 2016, Holme Valley South

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Contact Officer: Julie Mcdowell; Email: Julie.mcdowell@kirklees.gov.uk, Tel: 01484 221000

KIRKLEES COUNCIL

DISTRICT COMMITTEE - KIRKLEES RURAL

Tuesday 22nd November 2016

Present: Councillor Michael Watson (Chair)
Councillors E Holroyd-Doveton, B Armer, D Bellamy, D Firth,
C Greaves, C Iredale, T Lyons, A Marchington, H Richards, Smith,
N Turner and R Walker

Co-optees:

Parish Council Representatives:

Apologies: J Dodds, N Patrick, J Taylor and G Turner. Co-opted member:
K Armitage and Parish Councillor R Brook

In attendance: Approximately 15 members of public

1 Welcomes and Introductions

The Chair welcomed everyone to the meeting and Councillors introduced themselves.

2 Minutes of previous meeting

RESOLVED – That the Minutes of the meeting of the Committee held on 29th September 2016 be approved as a correct record.

3 Interests

Councillor Bill Armer declared an other interest, as a member of the Kirkburton Parish Council in the grant application by the Parish Council for hanging baskets, 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 Natural Flood Management in Leeds City Region

Guy Thompson, Kirklees White Rose Forest Project Manager gave a presentation on the role of natural flood management and the work that is starting with Yorkshire Water through the West Yorkshire Nature Partnership to create natural barriers, and to work with all landowners.

Guy explained that tree coverage in West Yorkshire is low at 7.9% and the region's economic strategy is that it has to increase. Since the year 2000 1.2 million trees had been planted, an extra 6 million was required over the next 20 years. In the rural areas there was a lot of over grazing by sheep compacting the soil and preventing woodlands and rough grass from growing. This allowed water to flow quickly to water courses which contributed to the risk of flooding.

The approach was to slow up water and make space for it, which can reduce peak flows by 4 – 10%. Trees slow the time it takes water to run into the ground and can be used to create leaky dams. Interventions include planting woodlands and creating wetlands on the moors, taking care not to interfere with wildlife habitats.

A capital funding plan is in place with the Natural Trust and Yorkshire Water regarding water quality and retention and creating an area of conservation in the Holme Valley and Wessenden catchment areas. Funding would also be sought from the Local Enterprise Partnership.

There is an opportunity to work with small landowners if they are interested. This message needs to get out locally. Changes to farming subsidies in the next few years would mean more control over sheep grazing.

It was noted that the Local Authority has a role to play in managing drains and ensuring that natural springs are not damaged as part of the Planning process.

It was commented that the opportunity to pilot some innovations locally ought to be taken and trees should be regarded as having an economic value when determining flood prevention costs.

RESOLVED – That Guy Thompson be thanked for the presentation.

7 Winter Maintenance

The Committee received an update on the Council's approach to winter maintenance in 2016-2017, which was unchanged from the previous year.

A number of questions were raised and will be forwarded to Kirklees Highways for response:-

- (i) As we cannot provide any more grit bins, can we require applicants to include them in Planning applications for new estates particularly those on hill sides?
- (ii) We are told there is a night patrol, can gritters be sent out on a case by case basis targeting areas where there is snow, for example when there is snow on the tops only?
- (iii) We have a priority gritting route which has a bad junction, the Council makes provision for the grit. Every year vehicles get stuck because there is not a community group or farmer who can help. So how can we help to provide the grit?

District Committee - Kirklees Rural - 22 November 2016

- (iv) Regarding differential gritting of heights (the tops rather than the town centres in the valley bottoms). In the past we have been told it is too “problematic”, at the last meeting we were told it is now at the stage we can do it. So can we now do demand based gritting of the upper hills?

8 District Committee Budgets

The Committee considered a number of proposals for funding.

RESOLVED – That funding for projects be approved as follows:

- (i) £570 revenue grant to Milnsbridge Enhancement Group towards the repair of steps to the riverside walk.
- (ii) £950 revenue for traffic investigations at St Mary’s Mews, Honley and £180 revenue for a speed count on Mill Moor Road, Meltham, total £1,130
- (iii) £1,500 revenue grant to Kirkburton Parish Council towards the cost of hanging baskets in Summer 2017.
- (iv) £12,400 revenue to purchase a new Speed Indicator Device (SID), for 2 sockets and 24 moves in the Colne Valley Ward.
- (v) £7,101 revenue and £2,499 capital (total amount £9,600) for 24 moves for the Speed Indicator Devices (SID’s) in the Holme Valley North Ward.
- (vi) £1,100 revenue to install 5 sockets and for 24 moves of the Speed Indicator Devices (SID’s) in the Kirkburton Ward.

9 Community Projects - Feedback

The Committee received updates on the outcomes and benefits for local communities of projects funded.

These were Birdsedge bench, Honley Feast event, Harold Wilson Exhibition, Leymoor Cricket Club pavilion improvements and Kirkburton Hanging Baskets Summer 2016.

RESOLVED – That the updates be noted.

10 Housing Revenue Account - Estates and Environmental Works Budget

The Committee received an update on schemes approved in 2015-2016 and considered funding of schemes in 2016-2017.

RESOLVED – That the following schemes be funded in 2017-2018:

- (i) Coronation Street, Meltham improvements to pathways £13,464
- (ii) Cornmill Estate, Slaithwaite improvements to pathways £14,960
- (iii) Deacon Close, Meltham environmental works £6,000

District Committee - Kirklees Rural - 22 November 2016

- (iv) Stony Lane, Honley improvements to pathways £9,700
- (v) Wessen Court, Marsden replace flagged area with tarmac, bench, and artificial grass £7,800
- (vi) Deacon Close, Meltham plant trees and shrubs to design out dog walking area £9,000
- (vii) Various addresses retirement living schemes £68,000
- (viii) Barnsley Road, Flockton clear shrubbery £12,350

11 Public Question Time

A question was asked about concerns raised in the community about the Council's new approach to dealing with waste, how the new rules are being implemented at the local tips and concern that more restrictions will be introduced.

Councillors responded and updated on the questions they have asked at the full Council meeting and raised with the Cabinet Member for Housing and Enforcement Management. Members of public are asked to raise any particular issues direct with ward Councillors.

A question was asked about an increase in fly tipping. Councillors responded and asked that people report any incidents to the Council.

12 Dates of future meetings

Dates of future meetings were noted.

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 29th September 2016

- Present:**
- Cllr Viv Kendrick (Chair) – Kirklees Council
 - Councillor Shabir Pandor – Kirklees Council
 - Councillor Donna Bellamy – Kirklees Council
 - Councillor Kath Pinnock – Kirklees Council
 - Richard Parry – Kirklees Council/North Kirklees CCG
 - Dr Steve Ollerton – Greater Huddersfield CCG
 - Carol Mckenna - Greater Huddersfield CCG
 - Patricia McGuire – Greater Huddersfield CCG
 - Dr David Kelly – North Kirklees CCG
 - Fatima Khan-Shah – North Kirklees CCG
 - Rory Deighton – Healthwatch
 - Kathryn Hilliam – NHS England
- Apologies:**
- Cllr Erin Hill – Kirklees Council
 - Sarah Callaghan – Kirklees Council
 - Rachel Spencer-Henshall – Kirklees Council
 - Adrian Lythgo – Kirklees Council
- In attendance:**
- Phil Longworth, Health Policy Officer, Kirklees Council
 - Natalie Ackroyd – Business Performance Reporting and Planning Manager Greater Huddersfield CCG
 - Jenny Bryce-Chan, Governance Officer
- Observers:**
- Matt England – Mid-Yorkshire Hospital NHS Trust
 - Robert Flack - Locala
 - Catherine Riley – Calderdale & Huddersfield Foundation Hospital Trust
 - Karen Taylor – South West Yorkshire Partnership Foundation Trust

33 Membership of the Board/Apologies

The following Board member substitutions were noted:-

Tony Cooke for Rachel Spencer-Henshall.

34 Minutes of previous meeting

RESOLVED - That the Minutes of the meeting held on the 25 August 2016 be approved as a correct record subject to the following corrections: - that the

apologies from Cllr Kath Pinnock and Fatima Khan-Shah be noted, and that the minutes reflect that Karen Taylor was in attendance.

35 Interests

No interests were declared.

36 Admission of the Public

All items be considered in public session.

37 Deputations/Petitions

No deputations or petitions were received.

38 Public Question Time

No questions were asked.

39 Right Care, Right Time, Right Place - Next Steps

Carol McKenna, Chief Officer, Greater Huddersfield Clinical Commissioning Group updated the Board on the Right Care, Right Time, Right Place Programme.

Referring to the submitted cover report the Board was advised that the programme was now in the post consultation deliberation period and there were a number of pieces of work being undertaken with the Governing Bodies in readiness for the CCG's Governing Body meeting in parallel on the 20th October. The agenda papers for that meeting will be published on the 12th October 2016.

The Board was informed that a report from an independent company commissioned to analyse responses to the consultation had been shared and went into the public domain on the 25th August 2016. The Joint Health Overview and Scrutiny Committee will provide comments in response to the consultation by 3rd October.

Healthwatch had undertaken a separate consultation process and their report will be considered by the governing bodies and the Joint Health Overview and Scrutiny Committee. The Report from Healthwatch was about conversations with the public and it appears to mirror the findings of the independent research.

The governing body takes this very seriously and will meet every week for the next 3 weeks. Any equality and health inequality implications identified as a result of the consultation will be assessed for potential impact. Assurance will be given that the consultation has had sufficient reach.

The Board asked how this fits in with the STP and was informed that it is a very big part of it and partners who sit around the Health and Wellbeing Board table have been involved in the development of the STP. The STP is bringing together work that is already being undertaken.

RESOLVED - That the work required to undertake post-consultation together with other known key dates and events within the same timescale be noted.

40 Sustainability & Transformation Plan Development

Rachel Millson, Business Planning Manager presented information on developing the Sustainability and Transformation Plan (STP) advising that the Board has had received regular updates on both the Kirklees STP and West Yorkshire (Healthy Futures) STP. The Board was informed that the next submission date for the Healthy Future STP to NHS England is 21st October 2016 however this may not be the final submission and could be a stocktake to assess where things are at.

Work has been undertaken with providers and a working group which has representation from the Council, Clinical Commissioning Groups (CCG), three Health Trusts and Locala has been working on developing the local STP.

The Board was informed that there had been some suggestion that the development of the plans were not open and transparent however assurance were given that the plans would not be developed behind closed doors but would be subject to rigorous engagement processes. Regular updates would be provided to the Health and Wellbeing Board as well as at CCG public events, to governing bodies and patient reference groups the aim is to encourage people to be involved as the process develops.

The Board was informed that this is not a new plan but is building on work already done including engagement activities and public consultation on Meeting the Challenge, Right Care Right Time Right Place, Care Closer to Home and Integrated Community Model, which are all relevant to the development of STP.

The next step is for engagement to continue with Overview and Scrutiny, the Health and Wellbeing Board and CCG Governing Bodies. The working group will follow due process and will identify any gaps in the process. A communication officer has been employed and some information will be coming out shortly.

Local challenges:

Health & Wellbeing Gap – local challenges are linked to the Joint Strategic Needs Assessment priorities. More needs to be done to prevent illness and intervene earlier when people do become ill.

Care & Quality – there is data behind all of these and it highlights that people are waiting too long for diagnosis and treatment. It requires a system wide approach to address sending too many people to hospital and then staying too long when admitted. In addition, mortality rates in hospitals are high.

Finance & Efficiency – there is too much unwarranted variation which creates inefficiencies. The money available is decreasing while demand is increasing. The cost of providing out of hospital care is increasing as people are living longer however too many people are still being sent to hospital. The care home sector has 7% fewer beds and is struggling in terms of quality and there is also the challenge of maintaining the workforce.

The working group has come up with priorities to address the local challenges which include sharing resources and working more collaboratively. The Board was asked for its view on whether the right challenges were being focused on.

The Board was advised that the STP has attracted attention however every year without fail planning guidance is published. Last year's planning guidance advocated working together as a system and thinking about the scale of challenge in Kirklees as a system rather than as individual organisations. The difficulty now is having to undertake this when the scale of the challenge is as it has never been before. It is another planning exercise but in a different environment.

The Board commented that the challenge of financial cuts makes it feel like finance is really driving this, however it is important to make sure that quality is not lost whilst trying to balance the books. The Board questioned whether the right things were being done to tackle health inequality.

The Board discussed the issues presented by splitting into two groups

RESOLVED - That the process for developing the West Yorkshire STP and Kirklees STP be noted.

41 Greater Huddersfield Annual Report & Accounts

The Board received the Greater Huddersfield Clinical Commissioning Group's Annual Report and Accounts for 2015/16.

RESOLVED - That the Annual Report and Accounts be noted.

42 Minutes of CSE & Safeguarding Member Panel

The Board received for information the minutes of the Child Sexual Exploitation and Safeguarding Panel meeting held on 7 July 2016.

RESOLVED - That the Minutes of the CSE and Safeguarding Member Panel be noted.

43 Date of next meeting

It was noted that the next meeting of the Board would take place on Thursday 27 October 2016 as a STP development workshop.

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Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 24th November 2016

Present: Councillor Viv Kendrick (Chair)
Councillor Donna Bellamy
Councillor Shabir Pandor
Rory Deighton
Dr David Kelly
Carol McKenna
Dr Steve Ollerton
Richard Parry
Fatima Khan-Shah

Apologies: Councillor Kath Pinnock
Councillor Erin Hill
Rachel Spencer-Henshall
Sarah Callaghan
Priscilla McGuire
Kathryn Hilliam
Adrian Lythgo

In attendance: Phil Longworth, Health Policy Officer, Kirklees Council
Keith Smith – Kirklees Council
Mick Houghton-Evans – Independent Chair of Kirklees
Safeguarding Adults Board (KSAB)
Hazel Wigmore –KSAB Lay Member
Penny Renwick – KSAB Lay Member
Jenny Bryce-Chan, Governance Officer

Observers: Tilly Poole - Mid Yorkshire Hospital NHS Trust
Sue Burton – Calderdale & Huddersfield Foundation
Hospital Trust
Rob Webster – South West Yorkshire Partnership
Foundation Trust
DCI Mick Brown – West Yorkshire Police
Sharon Lowrie - Locala

44 Membership of the Board/Apologies

There were no substitutions.

The Board received apologies from Cllr Erin Hill, Cllr Kath Pinnock, Sarah Callaghan, Rachel Spender-Henshall, Priscilla McGuire, Adrian Lythgo and Kathryn Hilliam.

45 Minutes of previous meeting

RESOLVED - That the minutes of the meeting held on the 29 September 2016, be approved subject to the following correction:- that the name Patricia McGuire be replaced with Priscilla McGuire.

46 Interests

Cllr Viv Kendrick declared an 'other' interest as a patient of Slaithwaite Health Centre.

Fatima Khan-Shah placed on record a general interest in respect of her work with carers and as a carer's representative.

Rob Webster declared an 'other' interest in respect of agenda item 10, CAMHS.

47 Admission of the Public

All items to be considered in public session.

48 Deputations/Petitions

Pat Jones, Slaithwaite Health Centre SOS presented a deposition to the Board in respect of the STP.

49 Public Question Time

Christine Hyde asked the Board the following question in respect of the Sustainability and Transformation Plan "will the Health and Wellbeing Board press the Council and the STP Board to publish the appendices to the footprint STP". Rob Webster provided a response on behalf of the Board".

50 Kirklees Safeguarding Adult Board Annual Report 2015/16

Mike Houghton-Evans, Independent Chair of the Kirklees Safeguarding Adults Board (KSAB) attended the meeting to present the Board's Annual Report for

2015/16. Also in attendance were lay members, Hazel Wigmore and Penny Renwick. Mr Houghton-Evans explained that lay members bring a range of different experience to the table.

In summary, the Board was advised that in order to maintain its strategic purpose, KSAB is keen to make ensure it is a learning board that is more outward facing, delivering constructive helpful criticism and challenge and Making Safeguarding Personal. Making Safeguarding Personal is ensuring that people being safeguarded are better informed about what safeguarding is.

Much of KSAB's work during the last year has been developing a 3 – 5 year strategic plan and undertaking work on hoarding and self-neglect protocols and guidelines. KSAB had worked closely with Trading Standards with regard to the 'suckers list' aimed at tackling doorstep crime. There had also been collaboration on joint areas of work with Kirklees Children Safeguarding Board and Community Safety Partnership.

To undertake its work KSAB establishes 'task and finish' groups as required and during the year, groups have been set up to look at self-neglect and safeguarding as well as Making Safeguarding Personal and; in partnership with other boards, Female Genital Mutilation. The next event will be preventing financial abuse.

The Board was informed that while the law in respect of Deprivation of Liberty (DoLs) did not change it was clarified and this had caused a significant amount of work. In keeping with the national picture, there continues to be a huge increase in request for DoL authorisations received by the local authority and it poses a challenge meeting that demand.

KSAB has a performance framework which monitors progress across the partnership and the effectiveness of procedures. The framework demonstrates how the partnership is contributing to improvements in safeguarding and acts as a means of informing the KSAB work plan. Monitoring via highlight reports takes place three times per year.

RESOLVED - That the 2015/16 Kirklees Safeguarding Adults Board be received by the Health and Wellbeing Board.

51 West Yorkshire & Harrogate - Sustainability & Transformation Plan (STP)

Rob Webster, Chief Executive, SWYPFT and West Yorkshire STP Lead attended the meeting to present the West Yorkshire & Harrogate Draft Sustainability and Transformation Plan. In summary, the Board was advised that the STP is the local approach to delivering a national plan and is a different way of working. As a system the only way to get through these difficult times is by working together. The drive is to focus on place, with commissioners and providers working closer together as a partnership which is at the very core of the STP.

The West Yorkshire and Harrogate STP is built from six local area place-based plans. The aim is to attempt to tackle long standing issues, improve care, look at

prevention, better co-ordinate services, prevent unnecessary hospital admissions and support people to stay well.

The six local plans have identified cross cutting priorities for working together at West Yorkshire & Harrogate level. These priorities include: cancer services, urgent and emergency care, specialist services, stroke and mental health. With an ageing population, people are living longer with complex health and social care needs. Suicide is the biggest killer in young men. The plan proposes services join up to meet needs with all the decisions and money allocated to place.

The Board was informed that there is a lot of public and patient expertise, experience and local intelligence and it is important to draw on this. By working at a West Yorkshire and Harrogate level, value can be added by sharing best practice and innovation and agreeing shared principles and operating to these.

The Board was reminded that developing the plan had been a journey and people should not expect to be surprised because a lot of work in the plan has been things that have been worked on and built up over the past few years.

There are three gaps outlined in the five year forward view which relate to health and wellbeing, care and quality of services and finance and efficiency.

The Board questioned whether the STP goes far enough to close the gaps and in response was advised that it does as it sets out the case to close some of the gaps including financial by working together.

The focus is on implementation and making a difference to people, planning sustainable health care for the future. The proposals are about improvement and change and to do this it is important to create the right workforce with the right skills, engage communities in a meaningful way and use technology to drive change.

The Board stated that people need to feel engaged and questioned whether there was a better way of describing the West Yorkshire STP to local people. The Board also questioned what was being done with regard to communication and engagement.

The Board was informed that the challenge for the STP is having a different conversation as previously it used to a bed based conversation. The focus also shifts to building on conversations that have already taken place with communities to developing meaningful coproduction for turning high-level proposals into implementable plans. An easy read version of the plan had also been produced.

Health and Wellbeing Boards are the key mechanism for taking decisions on place based proposals at local level. Things will have to change in governance terms and over the next 12 months there will be a move to more formal joint decision making arrangements to support collective decision making.

With regard to the timeframe, there are no national milestones from NHS England. The next important milestone is the two-year operational NHS planning process.

The Board commented that there does need to be more political oversight in the process. The Board also raised a query in respect of the financial information in the plan and asked that this be looked into and clarified.

The Board was informed that the Health and Wellbeing Strategy comes next and if the plan is approved major improvements can be made.

RESOLVED - That the West Yorkshire Sustainability and Transformation draft plan be noted by the Board.

52 Developing the Kirklees Health & Wellbeing Plan 2017 - 2021

Phil Longworth, Health Policy Officer provided the Board with an update on progress in developing the Kirklees Health and Wellbeing Plan 2017-2021. Since January 2016, the Board had received regular updates on the development of both the West Yorkshire and Harrogate Sustainability & Transformation (STP) and the local Kirklees plan. The purpose of presenting the current update was to enable the Board to comment on the working draft and to agree on the name for the local Plan which to avoid confusion will be called the Kirklees Health and Wellbeing Plan 2017-2021.

The Board was advised that a set of work streams had been identified which would ensure that the Plan is delivered. The intention is that each work stream is led by a member of the Board. Over the next 12 months work stream leads will provide an update on progress to the Board. Representatives from South West Yorkshire NHS Foundation Trust and Locala expressed an interest in being involved in the various workstreams.

The Board was advised that proposals are being developed to establish a new 'joint committee' with representatives from the Council, North and Greater Huddersfield Clinical Commissioning Group's. The aim of establishing a joint committee is to simplify decision making when dealing with issues that require both CCG's and the Council to make a co-ordinated decision.

The Board was informed that the current thinking is to agree a work programme that sets out a range of issues/service areas that the joint committee will be responsible for on behalf of partners. The Healthy Child Programme, CAMHS Transformation Plan and the Better Care Fund could be used as a prototype to see how it could work.

RESOLVED –

a) That the progress with developing the Kirklees Health and Well Being Plan 2017-21 be noted and the new name endorsed by the Board

b) That the proposal to develop a Joint Committee and get formal sign-off to enable the Committee to be operational as early as possible in 2017-18 be supported by the board

c) That the proposed work-streams be endorsed by the Board

d) That a Board Member be nominated for each work-stream.

53 Adolescent Mental Health Service (CAMHS) Transformation Plan

The Board received for approval a report in respect of the Children and Adolescent Mental Health Service Transformation Plan refresh (2016).

RESOLVED - That the Kirklees CAMHS Local Transformation Plan refresh (2016) be approved by the Board.

54 Minutes of CSE & Safeguarding Member Panel

The Board received for information the minutes of the Child Sexual Exploitation and Safeguarding Panel meetings held on 2 September 2016 and 7 October 2016.

RESOLVED - That the minutes of the CSE and Safeguarding Members panels be noted.

55 Date of Next Meeting

That the next meeting of the Board would be on the Thursday 26 January 2017, Huddersfield Town Hall.

RESOLVED - That the date of the next meeting be noted.

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 26th January 2017

Present: Councillor Viv Kendrick (Chair)
Councillor Donna Bellamy
Councillor Kath Pinnock
Councillor Erin Hill
Rory Deighton
Dr Steve Ollerton
Fatima Khan-Shah
Priscilla McGuire

Apologies: Councillor Shabir Pandor
Dr David Kelly
Carol McKenna
Richard Parry
Rachel Spencer-Henshall
Kathryn Hilliam
Adrian Lythgo

In attendance:

Observers:

56 Membership of the Board/Apologies

The Board noted the following substitutions:-

- Sue Richards for Richard Parry
- Dr Rory O'Connor for Rachel Spencer-Henshall
- Penny Woodhead for Carol McKenna

The Board received apologies from Councillor Shabir Pandor, Richard Parry, Carol McKenna, Dr David Kelly, Rachel Spencer-Henshall, Adrian Lythgo and Kathryn Hilliam

57 Minutes of previous meeting

RESOLVED – that the minutes of the meeting held on the 24 November 2016 be approved as a correct record.

58 Interests

- Cllr Kath Pinnock declared an 'other' interest as she is the Vice President of LGA.
- Priscilla McGuire, Greater Huddersfield CCG declared an interest as she works for Ofsted as an Ofsted Inspector, on a contractual basis.
- Robert Flack, Chief Executive, Locala declared an interest in the Healthy Child Programme.

59 Admission of the Public

All items to be considered in public session.

60 Deputations/Petitions

No deputations/petitions received.

61 Public Question Time

No questions were asked.

62 Healthy Child Programme Contract Update

Tom Brailsford, Joint Commissioning Manager attended the meeting to update the Board on the Healthy Child Programme tender award. The Board was informed that over the past 18 months a lot of integration had taken place between Kirklees Council, North Kirklees CCG and Greater Huddersfield CCG. Partners had been working closely to better meet the needs of the children and young people in Kirklees. The collaborative ways of working across a range of complex service areas, to redesign and produce a service specification has allowed a transformational approach across a range of provisions.

The Board was advised that the contract for the Healthy Child Programme had been awarded to a local provider who will then sub-contract further to local providers. The contract will commence on the 1st April 2017, initially for a five year period with an option to extend for up to a further 5 years.

RESOLVED

- That the successful contract award and delivery partnership be noted by the Board.
- That the Board supports the transformation of the Healthy Child Programme 0-19 across Kirklees.

- That the Board endorses and supports the learning from the integrated approach taken in order to successfully commission and award the contract.

63 Children's Improvement Plan

Eleanor Brazil, Children's Social Care Commissioner was introduced to the Board and her role and purpose for being in Kirklees explained.

Matthew Holland and Mandy Cameron attended the meeting to update the Board on progress towards delivering the Children and Young People with Special Education Needs and Disabilities Vision and Strategy. Also in attendance to support this agenda item were Carol Thomas and Joanne Holland Trustees from Parent of Children with Additional Needs (PCAN).

In summary, the Board was informed that:-

- The vision is to create a 0 – 25 SEND system that enables children and young people to have the best possible start in life to achieve their full potential.
- Kirklees had worked well at delivering reforms from the Children and Families 2014 Act. Senior leaders had identified key actions and there had been a good collaborative approach between partners. Whilst there are still some challenges that need addressing and there is still some way to go there is a strong vision and ambition.
- In preparation for the inspection, self-evaluation had been completed and circulated to key managers, with regular reviews of the content timetabled in and briefing notes shared. The SEND self-evaluation process has been through the Clinical Commissioning Group's.
- A detailed SEND data pack which compares a wide range of data with national performance has been completed. This is updated three times per year and is shared across partners such as the Integrated Commissioning Groups and Strategic Schools.
- There has been engagement with children and young people and an engagement toolkit developed by Involving Young People Equally has been shared with key managers and is due to be presented at the SENCO network in February.
- There has also been engagement with parents/carers including PCAN members who are on the SEND Strategy Group and all work streams relate to SEND reforms. Working collaboratively is important and getting feedback from people who taken the time to give information is also vital. Outcomes on agreed actions are monitored quarterly at Strategy Group.

In response to a question from Eleanor Brazil, the PCAN representatives advised that PCAN involves 700 individuals with a mailing list of 50, and specifically aims to reach out to people from ethnic minority backgrounds. They explained that families

with disabled children felt that they had not heard a lot of negatives about children's services apart from in respect of emotional issues. The Board was informed that CAMHS has had major issues and the people coming in to fulfil the contract will have to deal with a backlog and it will be a challenge.

The Board agreed to include PCAN on the Health and Wellbeing Board agenda plan to present its work at a future Board meeting.

The Board was advised that some of the areas of progress include:

- Involvement & engagement of parents
- Range of provision to meet needs
- SENCO champion
- Rapid improvements in meeting statutory timescales for EHCP's
- Good co-ordinated EHCP assessment process and plan co-produced with parents.

Some areas requiring further development include:

- Post 16 to be developed
- Promote early intervention for 16 plus and support for transition
- Further engagement with children and young people
- Development of personalise packages
- Local offer-needs to expand
- Ongoing challenges to meet some demand.

The Board was informed that whilst it is recognised that there has been progress in the last 6 months the push is to maintain this progress.

The Board questioned the role of post 16 providers and was informed that there is still a great deal of work to do with the 3 main colleges.

Gill Ellis interim Director for Children and Young People Service updated the Board on the Children Service improvement journey. In summary, the Board was advised that following a rigorous internal review of Family Support and Child Protection in 2015, there had been a recognition that significant improvements needed to be made. In May 2016, a development board was established with a plan outlining the areas requiring improvement.

In September 2016, Ofsted carried out an unannounced inspection of the Council's Child Protection Service and the overall assessment was that it was inadequate. Ofsted made 27 recommendations which the improvement plan is based on. In response to the Ofsted inspection, the Secretary of State issued a direction notice and appointed a Commissioner to work with the Council until the end of March 2017. The first monitoring visit from Ofsted will be on the 13-14 March 2017.

The Board was informed that bringing about the required improvements will be a significant journey which will involve Children's Service getting to know and understand its children and putting them at the heart everything. There will be some marketing around this.

The Board questioned if the Council was not aware a year ago that children services was not up to the mark, how will it know now. In response the Board was advised there is a full plan with monitoring and performance measures in place. This plan will be sent out for feedback and amendments. The Board was informed that Eleanor Brazil had also shared practice from other places with Kirklees. It is important to make sure that all levels are covered on this improvement journey.

The Board also raised questions in respect what was being done with regard to staff morale and was advised that staff were being supported and there is a recruitment and retention strategy. There are however, cultural issues that will need to be worked through.

The Board was advised that as the action plan develops there is a need to think about the partnership response. There are plans in place in terms of communication.

RESOLVED –

That the Board will:-

- Look at the improvement plan once disseminated and give feedback and amendments to the Improvement Programme Manager.
- Cascade the children's improvement newsletter
- Identify and understand which actions relate to areas of work linked to the Health and Wellbeing Board
- Pay particular attention to the 27 Ofsted recommendations within their respective organisations.

64 Pharmaceutical Needs Assessment

The Board considered a report outlining a review of NHS England's determinations and notifications which identifies a change to pharmaceutical services requiring publication of a Supplementary Statement to the Pharmaceutical Needs Assessment (PNA).

The Board was advised that Supplementary Statements are a factual way of updating what the PNA says about which services and where these services are provided. It is a statutory responsibility of Health and Wellbeing Board to publish Supplementary Statements.

In accordance with the 2013 Regulations NHSE approved an application for a new pharmacy to be opened in the Denby Dale Ward. The Board received a Supplementary Statement advising of a new pharmacy contract issued in Denby Dale.

RESOLVED – that the publication of Supplementary Statement 1 which forms part of the Pharmaceutical Needs Assessment be noted and approved by the Board.

65 Health & Social Care Peer Challenge

Phil Longworth, Health Policy Officer informed the Board that last year the Local Government Association (LGA) was looking for volunteers for piloting a new system wide care and health peer challenge.

The aim of the peer challenge is to look robustly across the health and care landscape and provide a chance to show best practice, learn from others and help develop the programme for the future. Pilot sites have come forward to test the new peer challenge and help develop recommendations for the future.

The peer challenge in Kirklees will be held on the 8th, 9th and 10th March 2017 and the features will include working on site with partners including elected members and the Chief Executive and holding 1-2-1 interviews. Following the challenge, feedback will be provided by way of a presentation and a written report if required. The finding will also be published on the LGA website.

The Board raised questions regarding the timing of the peer challenge and suggested that this be looked at.

RESOLVED – that the Board support the proposal to pilot the new system wide care and health peer challenge being developed by the LGA.

66 Joint Working Protocol

Phil Longworth advised that the Board had previously endorsed the development of Joint Working Protocols which was building on some work from Centre of Public Scrutiny taken a while ago. The protocols aim to set out the roles and expectations of a range of key bodies to promote the effective collaboration to improve the health and wellbeing of the local population by meeting local needs and providing value for money.

The Chair advised that Cllr Smaje was unable to attend the meeting however had submitted some feedback with regard the joint protocols.

The Board endorsed the draft protocols and agreed that respective conversations should take place with each party to decide if the protocols are acceptable or if any amendments need to be made.

RESOLVED –

- a) that the joint working protocols between key partnerships be agreed by the Board.
- b) that the protocol be circulated to key partnerships for discussion, comment and amendments.

67 Minutes of CSE & Safeguarding Member Panel

Cllr Hill reported that there were only one set of minutes for consideration and there was nothing significant to report. The Board sought clarification on the information contained in the minutes with regard to the numbers at risk of CSE.

RESOLVED -

That the minutes of the CSE be approved subject to the clarification on numbers at risk of CSE.

68 Date of next meeting

That the next meeting of the Board will be on Thursday 2 March 2017 at Broad Lea House.

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Contact Officer: Alaina McGlade

KIRKLEES COUNCIL

LICENSING AND SAFETY COMMITTEE

Tuesday 13th December 2016

Present: Councillor Cathy Scott (Chair)
Councillor Mahmood Akhtar
Councillor James Homewood
Councillor Christine Iredale
Councillor Robert Light
Councillor Mohan Sokhal
Councillor Sheikh Ullah
Councillor Bill Armer
Councillor Donna Bellamy
Councillor Bernard McGuin

Apologies: Councillor Amanda Pinnock
Councillor Karen Allison
Councillor Gulfam Asif
Councillor Richard Eastwood

In attendance: A McGlade, Governance & Democratic Engagement Officer
Samantha Lawton, Senior Legal Officer
Victoria Thomson, Senior Licensing Officer
Russell Williams, Senior Licensing Officer

Observers: Councillor Nigel Patrick, Conservative - Group Business Manager
Councillor Donald Firth
Suhail Rashid, Hackney Carriage Trade Association
Sajjid Hussain, Hackney Carriage Trade Association

1 Membership of the Committee

Councillor Armer substituted for Councillor Grainger-Mead
Councillor Ullah substituted for Councillor Kaushik
Councillor Bellamy substituted for Councillor K Taylor
Councillor McGuin substituted for Councillor Watson

Apologies for absence were received on behalf of Councillors Allison, Asif, Eastwood and Amanda Pinnock.

2 Minutes of Previous Meeting

That the Minutes of the meeting of the committee held on 24 March 2016 be approved as a correct record.

3 Interests

Councillor Ullah declared an other interest in relation to Item 10, Revised Private Hire Operator Policy & Conditions due to the fact that he had family members that were licensed to drive taxis in Kirklees.

4 Admission of the Public

The committee considered the question of the admission of the public and determined that all items that would be held in public session.

5 Deputations/Petitions

A petition was received from representatives of the Hackney Carriage Trade Association in support of the Hackney Carriage ranks remaining on Victoria Street (in relation to Agenda item 7).

6 Public Question Time

No questions were received.

7 Provision of Taxi Ranks in Holmfirth

Russell Williams, Senior Licensing Officer outlined the key points of the report, advising that the Council may appoint taxi ranks on the public highway or private land and the stands can be either continual or part-time use. If the stand is to be on a public highway, the consent of Kirklees Council (as the highways authority) is required. Before a new stand is created or the maximum number of vehicles that can use the stand is varied, notice must be given to West Yorkshire Police. A public notice must also be provided in one local newspaper. Any objections that are received must be considered before a rank is appointed or varied. The relevant statutory Notices were published in the Huddersfield Examiner on 11th February 2013 for ranks to be implemented at the locations shown below.

Victoria Square, Holmfirth

A taxi stand for 2 hackney carriage vehicles in the first lay-by adjacent to 15 – 17 Victoria Square, Holmfirth. It is proposed this stand shall only operate 20.00 hours to 02.00 hours the next day.

Victoria Street, Holmfirth

A taxi stand for 4 hackney carriage vehicles adjacent to 24 – 30 Victoria Street, Holmfirth. It is proposed this stand shall only operate between the hours of 20.00 hours to 02.00 hours the next day.

At that time, consultation was carried out and observations were made by ward and parish councillors as well as the trade.

As a result of the observations the matter was determined at a meeting of the Licensing and Safety Committee on 26th March 2013. After hearing from Cllr Patrick and trade representatives the Committee made the following determination (decision in full was attached at Appendix 1 to the agenda):

(2) That approval be given for Temporary Hackney Carriage Taxi Ranks at Victoria Street (4 vehicles) and Victoria Square (2 vehicles), Holmfirth between 20:00 hours to 02:00 hours the next day.

(3) That discussions take place between the relevant parties and the Local Ward Councillors for the provision of appropriate Hackney Carriage Taxi Rank provision as part of the proposed new scheme for the Bus Station in Holmfirth.

The ranks were duly implemented and have operated until the present time. Discussions did take place between the licensing department and highways colleagues and space for a rank was identified within the bus station area. Ward councillors were pressing for the move to take place and trade representatives were opposed to the move taking place. The matter had therefore been brought back to the Committee for reconsideration of the matter.

Russell read out a submission received by Cllr Patrick that detailed a submission received from the police advising that they would support the move of the ranks to the bus station.

Cllr Patrick then addressed the Committee and advised that the position of the temporary ranks had caused issues to residents and that he had received numerous complaints regarding “over ranking”. He advised that the two ranks had only ever been approved on a temporary basis until the refurbishment of the bus station had been completed. Nigel advised that the refurbishment had been completed some time ago and that this area was a central area for taxis to queue and that it ceased to be used by buses after 11.30pm.

Cllr Patrick also read out objections from a number of residents who were unable to be in attendance, highlighting their view that the taxi ranks caused a nuisance to that area and mentioned complaints that had previously been raised regarding parking over driveways etc. He circulated a copy of a photo taken and emailed into the Council in 2013, showing a taxi parked outside of the ranks.

Cllr Patrick advised that there was currently no structure in place at the Victoria Street and Square ranks and that the organisation of the layout of the bus station was required. He referred to the response from Mark Trueman, Neighbourhood Policing Inspector that advised that the police fully supported the move to the bus station and also explained all three ward councillors were in agreement that the move to the bus station would be the best option.

Cllr Donald Firth explained that he fully agreed with the comments of Cllr Patrick and explained that he had received complaints from residents. He also advised that he had personally witnessed the chaos caused by additional taxis waiting to move into the ranks and had been at the site alongside police and officers attempting to move the taxis along.

Suhail Rashid advised that during the time of the ranks being active in Holmfirth, the taxi drivers had provided a good and safe service to customers and that it was the taxi services that escorted revelers away from the area in the early hours, resulting in a reduced number of confrontational situations being able to occur. He explained that at the time of the taxi ranks being in use, the area was not as busy as the day time and that the noise in the area was not as a result of the taxis, but from the revelers leaving the pubs and the concert venue. Mr Rashid advised that if the ranks were moved to the bus station, a number of problems would be encountered including arguments between customers not moving down to the front of the queue. He also advised that he felt the photo evidence submitted by Cllr Patrick was outdated, given that it was taken in 2013.

The committee requested officers to outline the enforcement history for the area and it was advised that one of the main issues in the area was private cars parking in the ranks, displacing the Hackney Carriages.

Russell also provided the committee with the response from Environmental Health, advising that they had no objections to the ranks remaining at Victoria Street and Victoria Square as they had not received any complaints in relation to the ranks.

Cllr Scott questioned whether barriers could be erected to help with the backwards queue issue that would be faced by customers at the bus station venue but Russell advised that this could not be done due to the area being used by buses for the majority of the time.

RESOLVED - That the Committee approved the retention of the Hackney Carriage stands in both Victoria Square and Victoria Street.

8 Code of Conduct for Buskers and Street Entertainers

The Committee received a report informing them of a proposed Code of Conduct for Buskers and Street Entertainers. The report advised that there is currently, outside of London, no specific legislation which governs buskers or the licensing of them. It was explained that, historically the Council has

operated a voluntary registration scheme for buskers who wish to perform in Kirklees, with Buskers being actively encouraged to apply for an identity card which would last for one year and was only granted after audition. The report advised that the process is time consuming and an erroneous bureaucratic burden on both buskers and council staff. It was also explained that, as there is no enabling legislation, no fee could be levied for this service.

The report advised that in order to ease the bureaucracy, it was proposed to stop imposing a "licensing regime" on buskers and street entertainers and instead ask them to abide by a new Code of Conduct. A draft Code of Conduct was attached at Appendix A. The few complaints associated with buskers in Kirklees would also be addressed within existing legislation or by-laws.

The Licensing Service advised that they would continue to investigate any complaints received about the activities of buskers and street performers and where non-compliance with the code was occurring or an individual or group were causing a noise nuisance or obstruction to the highway, enforcement action would be taken.

The Committee questioned what would define the 'same location' as quoted in paragraph five of the code of conduct. They felt that a measurable distance being specified would avoid any uncertainty when interpreting the code.

RESOLVED - That the Committee approved the Busking and Street Entertainment Code of Conduct as based on the consultation undertaken throughout the development of the code, subject to the inclusion of an appropriate distance being specified in bullet point five of the code.

9 Unmet Demand Survey

Victoria Thomson, Senior Licensing Officer presented a report advising Committee members of the Council's policy to review quantity control every three years where the Council potentially intend to continue to limit the number of available hackney carriage vehicle licences it issues. The report advised that the last survey was carried out in 2013 and these should be undertaken every three years to establish if there is any level of latent or patent demand if the number of Hackney Carriages is limited.

Section 16 of the Transport Act 1985 gives local authorities the power to limit the number of Hackney Carriage licences provided that the local authority is satisfied that there is no significant demand for Hackney Carriages which is unmet. The current number of Hackney Carriage licences is limited to 247 in Kirklees. The report explained that the last survey and review held in 2013 identified that there were enough Hackney Carriage licences in Kirklees to meet demand at that time and that there was no need for any additional Hackney Carriage licensed vehicles. This view satisfied the Committee and no additional Hackney Carriage licences were granted.

RESOLVED - That

- (1) the Committee noted the Licensing Manager's intention to undertake a scoping exercise, to identify and appoint an appropriate consultant to undertake an unmet demand survey, in accordance with the Council's Contract Procedure Rules;
- (2) the results of the survey be considered by a future meeting of the Licensing and Safety Committee.

10 Revised Private Hire Operator Policy & Conditions

A report was presented to the Committee requesting approval of the revision of the Policy in relation to Private Hire Operator Licences and Conditions.

The report explained that following the Jay & Casey reports at Rotherham, which estimated that more than 1,400 children were abused in Rotherham from 1997-2013, this document considers the measures that Kirklees Council have in place to ensure that Operators perform to the high standard expected from them in the interests of public safety and that they acknowledge their responsibilities when using drivers of hackney carriages licensed outside of Kirklees. This issue is of particular importance because the Casey & Jay Reports both stated that taxi drivers played a "prominent role" in the abuse which had "significant impact" on public confidence in the towns' drivers.

The report highlighted that Section 55 of the Local Government (Miscellaneous Provisions) Act 1976 ('the Act') creates a regime for the licensing of private hire operators. The Act recognises the position of trust held by a Private Hire Operator and dictates a local licensing authority shall not grant a private hire operator's licence unless they are satisfied the applicant is a 'fit and proper' person to hold such a licence. If a licence is granted, the Act permits a local licensing authority to attach, to that licence such conditions as it considers reasonably necessary.

The report explained that it is vitally important that the provision of a professional and respected hackney carriage and private hire trade is maintained and that this can only be achieved by continued partnership working with the trade and also by monitoring and implementing improvements of the required standards of service. It is under this banner that the current private hire operator conditions, which came into force in November 2008, was reviewed.

The review highlighted where improvements were needed and a revised policy, including revised conditions, was developed and consulted on. A copy of the revised Policy was attached at Appendix 1. Details of the consultation were included within Section 4 of the report.

The Committee questioned whether the amendments to the policy aligned Kirklees' policy to those of the other authorities in West Yorkshire. The

Licensing Service explained that this work was currently being undertaken but that Kirklees felt some amendments were required to be made immediately in order for Kirklees to be confident that their public safety duties were being met.

The Committee also noted that there was no reference to informing the police under the complaints system in paragraph eight of the policy and highlighted that they felt this should be included.

RESOLVED - That the Committee noted and approved the implementation of the revised Private Hire Operator conditions, subject to the inclusion of notification to the relevant enforcement authorities under paragraph eight.

11 Individual Vehicle Approval ('IVA')

The Committee received a To review the existing practice in respect of Individual Vehicle Approval ('IVA') and the options available, for existing private hire / hackney carriage vehicle licence holders, as an alternative to obtaining an IVA.

The report explained that members of the public undertaking journeys within licensed vehicles have no opportunity to assess the fitness or safety of a vehicle prior to entering those vehicles. As such, they are reliant on the Licensing Authority to have carried out all the relevant checks on a vehicle before a licence is granted or renewed.

Currently the Council require all vehicles to pass a compliance test, conducted by the Council's own testing stations, before a vehicle licence is granted or renewed. This 'compliance test' is a more stringent version of a normal 'M.o.T' but does not test the design and construction of the vehicle.

The report explained that the safety of the design and construction of a vehicle is tested when it is 'type approved'. As a result of working with partnering agencies on road side checks of licensed vehicles, in particular officers from VOSA, the safety of certain types of licensed vehicle is being called into question. The types of vehicles affected are, vehicles converted into mini-buses, vehicles that have had seating configuration changed and vehicles converted to carry wheelchairs; and it is the quality of the workmanship on these conversions that is being called into question. We recognised at this stage that whilst the vehicles were being tested for compliance this test did not check the safety of the conversion work.

The report advised that the Council currently licence 66 vehicles that have had some form of conversion carried out on them, whether that be a conversion from a van into a mini-bus or a mini-bus converted to carry wheelchairs. As a result of these concerns a practice was introduced that stipulated all vehicles subjected to some form of conversion, must obtain an IVA from VOSA. This practice applied to all 'New' vehicles being brought onto the fleet, and existing licensed vehicles.

It was advised that the policy works well, when applied to 'New' vehicles, however, the practice, when applied to existing licensed vehicles, was creating difficulties for the trade.

The report considered the issues experienced by the trade, and outlined the known alternatives to obtaining an IVA, that would still satisfy the Council's requirement that the vehicles it licenses are safe and suitable to carry the fare paying public.

Mr Rashid advised that the trade's preferred option would be the in house council testing. Mr Hussain questioned whether a grandfather's rights policy could be introduced to protect those vehicles that had already been tested but whose licences were due to expire over the next few years.

Russell advised that the cut off time for existing drivers would be a decision outlined by the Committee.

The Committee noted the detail presented under each of the options but did not feel that they had enough information regarding each of the viable options to make an informed decision.

RESOLVED - That consideration of the report be deferred to a future meeting of the Committee, to allow further research to be undertaken and further information to be provided, in relation to each of the proposals outlined.

12 CCTV in Licensed Vehicles

Russell Williams introduced a report informing the Committee of a decision by the West Yorkshire Combined Authority to consult on a 'unified policy' for all West Yorkshire Councils in relation to CCTV in licensed private hire and hackney carriage vehicles.

It was advised that, following a recent meeting of the West Yorkshire Combined Authority Licensing Chairs Group, a decision was taken to consult on a unified policy on the introduction of a policy that makes it mandatory that all private hire and hackney carriage vehicles be fitted with CCTV; currently none of the Combined Authorities have such a condition.

The Committee was advised that there were two main reasons for implementing such a policy:

- (a) public safety
- (b) Driver safety / protection

The report advised that consideration had been given to the type of CCTV system that would be acceptable and while the recording of images alone would assist in any investigations while offering some protection for drivers, it

is the general consensus that any CCTV system installed should also record audio. This will ensure the full extremities of any incident are recorded and can be used in evidence both for and against the driver.

Officers advised that they had looked at the specification of systems that have been introduced by other local authorities and felt that the correct balance between the safety of drivers and passengers, against privacy concerns, could be met by a specification that records video footage while the vehicle is being used for private hire / hackney carriage purposes, and not when in use as a private vehicle; and would only record audio when activated by the driver or passenger. Any footage and audio would be encrypted, and can only be downloaded in specific circumstances by authorised officers.

A copy of the proposed specification which will be the same across the Combined Authority was attached at Appendix 1.

Mr Rashid advised that the trade's view was that they supported the introduction of CCTV but did not feel it should be a mandatory requirement. Mr Hussain advised that the costs associated with the systems would be a huge implication for some drivers. They advised that over one hundred drivers had taken up CCTV within their vehicles as part of the voluntary scheme that was introduced a few years ago and the costs already incurred by these drivers would be required to be taking into consideration.

Russell explained that they would be investigating options for upgrading these systems already in place in order to keep costs down for these drivers.

RESOLVED - That the Committee noted and approved the decision by the West Yorkshire Combined Authority to consult on a 'unified policy' for all West Yorkshire Councils in relation to CCTV in licensed private hire and hackney carriage vehicles and that the findings be considered by a future meeting of the Committee.

13 Out of Area Applicants - Geographical Knowledge Test

The Committee considered a report advising that the licensing authority has recently been experiencing a large demand for appointments for new drivers who live outside the Kirklees area. It was advised that conversations with applicants have highlighted that they are being directed to Kirklees to obtain a licence and being told that they can then work in other controlled districts outside of Kirklees once a licence from Kirklees is granted.

The report advised that it was believed they are being directed to Kirklees because they believe our process is perceived as relatively straightforward and cheap compared to other districts such as Sheffield which already has a geographical knowledge test.

The influx of applications from out of area applicants is causing problems for existing licence holders getting appointments and the service recently introduced an extra 24 hours of appointments but despite this, the trade were finding it difficult to get appointments in a timely manner due to the amount of new driver applications being received, mainly from people out of area. It was advised that this can result in existing drivers/vehicles being unlicensed for a period meaning they cannot work until they are able to get an appointment to renew their licence.

The report explained that to address the issue of people applying from outside the area, the licensing service would like to introduce a geographical knowledge test for out of area applicants to undertake and pass prior to applying to be a licensed driver with us. This would free up more appointment times for the existing licensed drivers and also make it more difficult for the operators who exploit the cross border sub-contracting regulations.

The report requested the Committee to approve a consultation to take place with the trade and other interested parties in Kirklees for a period of 8 weeks. This would include seeking the views of the trade and their representatives, customers, the public, West Yorkshire Police, school contract and others. It was advised that once the consultation with interested parties had taken place, a more detailed report will be produced, incorporating the responses and findings and presented to Members for them to consider and make a decision.

Mr Rashid advised that the trade supported the introduction of the test but questioned whether current drivers would also be required to sit the test.

Victoria Thomson, Senior Licensing Officer clarified that only new applicants would be required to undertake the test but that the test may be used as a sanction by the Licensing Service for existing drivers whose behaviour or abilities were being reviewed.

RESOLVED - That

- (1) the Committee delegated responsibility to the Licensing Service to develop a policy in relation to out of area applicants undertaking a geographical knowledge test
- (2) consultation with stakeholders and the trade be undertaken on the introduction of this policy
- (3) the results of the consultation be incorporated within the newly developed policy and brought back to Committee for a decision to be taken on implementation.

14 Licensed Drivers Driving Assessments

The Licensing and Safety Committee received a report requesting them to note the change in service provider to carry out an equivalent test to the Driver, Vehicle and Standards Agency (DVSA) Taxi Driver Assessment course which is to be ended by the DVSA on the 31 December 2016.

The Council's policy requirement that all new applicants for hackney carriage/private hire drivers licences in the Kirklees District must pass a DVSA Taxi Drivers Assessment was affirmed by Members of the Licensing and Safety Committee at their meeting on the 26th October 2009.

The report advised that the requirement for all new applicants for hackney carriage/private hire driver's licences to pass the DVSA Taxi Drivers Assessment before being granted a driver's licence was part of a number of prerequisites for the grant of such a licence in Kirklees. It was explained that all of the requirements, including the DVSA Taxi Drivers Assessment, were introduced by the Licensing and Safety Committee in consultation with the local taxi and private hire trades in order to maintain and improve the standards of driver and passenger safety in Kirklees.

The Committee was advised that the DVSA Taxi Driver Assessment course is to end by 31 December 2016, however, all slots available to that date have been fully booked for weeks and the knock on effect is that new applicants can no longer get a test with the DVSA and are being delayed in their applications for a badge. It was explained that most other councils in the country have the same requirement and find themselves in the same position as Kirklees.

The report advised that Kirklees are more fortunate than most in that it has an in-house driver training unit which delivers the Speed Awareness Course on behalf of West Yorkshire police. It was explained that, as such, they are members of the Association of National Driver Improvement Course Providers (ANDISP). The Unit has previously put in place a hackney carriage/private hire driving test for existing drivers who had accumulated 9 penalty points on their driving licence.

The Committee was advised that the Licensing Manager has been working with the Unit regarding extension of their current arrangements to new applicants also. It was explained that this would be the quickest, safest and most reasonable option for the Council when considering how to replace the DVSA test.

RESOLVED - That the Committee noted the change in service provider for the new hackney carriage/ private hire drivers assessment.

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Contact Officer: Penny Bunker, Tel. penny.bunker@kirklees.gov.uk

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 17th October 2016

Present: Councillor Julie Stewart-Turner (Chair)
Councillor Cahal Burke
Councillor Gulfam Asif
Councillor Ken Sims

Apologies:

In attendance: Councillor Graham Turner, Cabinet Member - Asset
Strategy, Resources & Creative Kirklees (Arts)

Observers:

35 Membership of Committee

All Members were present.

36 Minutes of Previous Meetings

The Committee considered the minutes of meetings held on 5 and 26 September 2016.

RESOLVED -

That the Minutes of the meetings of the Committee held on 5 and 26 September 2016 were approved as correct records.

37 Interests

There were no interests declared.

38 Admission of the Public

All items were considered in public session.

39 Flood Risk - Preparation for Flood Season

Paul Hawkins, Operational Manager and Tom Ghee, Group Engineer attended the Committee meeting to provide an update on preparations being made by the Council in anticipation of possible autumn flooding.

The report indicated that a Leeds City Region working group had been established following the 2015 floods to review the impact of the floods and consider actions to reduce the social and economic damage from future floods. The actions identified were high level and regionally based but many were relevant to issues faced in Kirklees.

Kirklees had taken the opportunity to consider whether its operational response to predicted flooding was appropriate. A new Flood Response Policy and supporting operational plan was being developed to manage a targeted and proportionate response to flood events.

Mr Ghee explained that the policy described the Council's policies during a flood event and also refreshed the Council's sandbag policy in line with the priorities. It sought to make best use of weather forecasts and river flooding warnings to mobilise appropriate resources for the rainfall event. The report continued to outline the operational plan approach and summarise Council preparations for autumn and winter flooding.

The Committee noted that preparations included trash grille inspection and clearance programme which now meant some higher priority grilles were cleared monthly. Gully emptying resources were targeted at higher priority transport routes to increase the frequency of emptying and operational support to communities before and during flooding had been improved with stand by resources available at all times. A community engagement programme was to continue over the next few years to all of those communities at higher risk of flooding to provide information, advice and encourage self-help.

In considering the report, Councillor Asif asked what information was routinely given to local ward members to understand the risks within their local areas. It was noted that currently there was no routine practice for providing that information other than responding to local member's enquiries. The Committee agreed it would be appropriate if all wards had a profile for members to enable them to discuss with local communities as opportunities arose.

Councillor Simms expressed concerns that there were still inadequate preventative measures within the flood risk approach in Kirklees. He identified a need to undertake work in upland areas to try to limit the excess water running down into populated valleys. Mr Ghee indicated that there was an emphasis on natural flood management including keeping water in moorlands but currently funding was not available to support that work. However there were projects adjacent council areas, such as Calderdale that Kirklees could learn from and adapt best practise within the Kirklees district.

The Committee continued to discuss national regulation regarding water supply in reservoirs and the limitations of local authorities to influence policy dictated by OFWAT. The current approach to the impact of developments on flood risk areas was also discussed and Mr Ghee confirmed that the service was providing robust comments as a technical consultee to try to manage risk within development areas. A policy was now in place that should stop some previous issues, for example the inclusion of mill ponds.

Mr Ghee indicated he would report back to the Committee in January 2017 on the pilot, working with local communities in the Cleckheaton area of Kirklees.

RESOLVED -

(1) That Tom Ghee and Paul Hawkins be thanked for attending the Committee meeting.

(2) That the update report on Preparations for the Flood Season be welcomed and noted, in particular proposals to revise operational practices to be more proactive in addressing flood risk management.

(3) That the Service investigate issues raised by the Committee concerning, Ward based information for Members; the funding opportunities through Ward budgets; contact information for residents.

40 Performance Management

Rachel Spencer-Henshall, Director for Public Health and Martin Dearnley, Head of Audit and Risk attended the Committee meeting to present information on work towards developing improved performance reporting within the Council. Information circulated with the agenda included the following:

- What is changing: Performance Improvement Proposals
- A List of the Seven Outcomes
- A chart of the Commissioning Cycle and how intelligence and performance interrelate.
- A calendar for the changed reporting arrangements.
- The schedule of monthly performance monitoring items.

The Committee noted that current performance reporting arrangements did not reach the needs of the Council moving forward. Performance indicators related to outcomes and linked to Kirklees Economic Strategy and the Joint Health and Wellbeing Strategy. However this did not enable the organisation to understand the day to day picture and identify significant operational issues. The objective was to introduce a business critical set of performance indicators that would enable Cabinet and the Leadership of the Council to more quickly identify critical issues as they arose. These would be produced in the middle of the month and analysis would be on an exception reporting basis.

Ms Spencer-Henshall continued to explain to the committee how the performance indicators would be developed following the reorganisation of the directorate management structures and using policy, intelligence and finance information to

inform a picture of Kirklees within those areas. It was emphasised that the list of indicators would not be comprehensive but that services would also monitor key areas within their own management processes.

In discussing the proposals, the Management Committee recognised they were at an early stage and there was further work to do. It was requested that the Management Committee also be provided with a list of those areas to be monitored on a quarterly basis to provide a fuller picture of the performance information to be captured.

Reference was made to the need to learn from the issues highlighted by the development work in Childrens Services which had included the use of performance clinics to focus on specific areas of practice.

RESOLVED -

(1) That Rachel Spencer-Henshall and Martin Dearnley be thanked for attending the meeting to set out the proposed revised approach to improving performance reporting within the Council.

(2) That the Management Committee be supplied with the monthly performance reporting areas in order to develop a full picture of information to be monitored.

(3) That the Management Committee is supportive of the performance clinic approach to managing transformation improvement.

(4) That a further progress report be presented to the Management Committee later in the municipal year.

41 Corporate Complaints Annual Report

The Management Committee considered a report which set out recent learning from complaints handling. Chris Read, Corporate Customer Standards Officer attended the Committee to present the report and answer Member's questions.

The report provided a summary of the Council's complaints process and the current Kirklees position which indicated that the customer standards function provided advice to services on over 500 complaint inquiries each year. In addition 93 complaints had been received by the Ombudsman which was 16% of the total number of complaints received by West Yorkshire local authorities.

The report indicated that the majority of complaints that progressed to second stage had one of the following factors to them:

- Poor communication.
- Speed of response.
- Misunderstanding of the process.

The Corporate Customer Standards Officer informed the Committee that he was working on eight short guides to offer staff advice on complaints handling. The guides were designed to highlight good practice and provide practical advice on the

steps to be taken when considering a complaint. In addition, templates of complaint letters were being prepared to support officers.

In considering the report the Management Committee welcomed the proposal to develop guides and templates to support officers in managing and responding to complaints. The Committee suggested that officers should, where possible, discuss concerns rather than take an over defensive stance when receiving a complaint.

RESOLVED -

(1) That Chris Read, Corporate Customer Standards Officer be thanked for attending the meeting to present information on the learning from complaints handling.

(2) That the report be welcomed, in particular the work to produce templated and guides to help raise consistency and standards in our response to enquiries.

42 Date of Next Meeting/OSMC Work Programme

The Management Committee considered its future work programme. It was noted that a potential item regarding Highways funding had been listed on the work programme, however as the Committee was unable to identify a specific focus for work it was agreed that the item would be removed. The Committee agreed that its next meeting would be held on 7 November 2016 and issues for discussion would include the Comoodle Project, in particular how it was working with communities.

RESOLVED -

(1) That the next meeting of the Committee be held on 7 November 2016 at 9.30am.

(2) That the potential item regarding Highways Funding be removed from the work programme as a focus for discussion could not be identified.

(3) That the agenda issues identified for 7 November 2016 meeting be confirmed and noted.

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Contact Officer: Penny Bunker, Tel. penny.bunker@kirklees.gov.uk

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 7th November 2016

Present: Councillor Julie Stewart-Turner (Chair)
Councillor Cahal Burke
Councillor Gulfam Asif
Councillor Ken Sims

In attendance: Debbie Hogg - Assistant Director, Financial Management
Paul Kemp - Assistant Director - Investment and regeneration
Councillor Graham Turner, Cabinet Member
Joe Tingel - Physical Resources and Procurement Officer
Duggs Carre – Comoodle Programme Leader

43 Membership of Committee

All members of the Committee were present.

44 Minutes of Previous Meeting

The Management Committee considered the Minutes of the meeting held on 17 October 2016.

RESOLVED -

The Minutes of the meeting of the Committee held on 17 October 2016 were agreed as a correct record.

45 Interests

No interests were declared.

46 Admission of the Public

All agenda items were considered in public session.

47 Overview of Progress in Delivering the Medium Term Finance Plan

The Assistant Director, Financial Management, Risk, IT and Performance attended the Committee meeting to provide an Overview of the progress made in delivering the Council's Medium Term Financial Plan. The presentation also highlighted future financial forecast issues.

In introduction Debbie Hogg set out Council funding and expenditure budgets for 2017 to 2021. The projections indicated a Medium Term Financial Plan (MTFP) budget gap by 2020-2021 of £65m. It was noted that there had been significant movement within the budget projections since February 2016.

Ms Hogg explained to the committee the different funding sources and current changes which included the core Revenue Support Grant reducing from £33m to £13m and the probability that it would disappear completely at the end of the reduction period. Within Kirklees the recovery rate for Council Tax was very good with initial projections of £157m now increasing to £172m.

Ms Hogg confirmed that cost pressures continued within adults, children and waste services. There were some areas of financial funding that could mitigate some of the funding pressures, for example the Better Care Fund.

The Management Committee explored how the impact of the Local Plan on the development of new housing had been factored into Council Tax projections. Ms Hogg acknowledged that the Local Plan was a consideration but had fallen outside of this budget planning window. It was anticipated that for approximately every 1000 properties built there would be an additional £1m of Council Tax levered into council budgets.

The Committee continued to discuss the New Homes Bonus and noted a current forecast of £43m reducing to £25m by 2017/18. This would require consideration by Councillors as part of the next budget round. The Committee continued to consider the reserves position for 2016/17 and noted that at 31 March 2016 the reserves total stood at £93.3m and by 31 March 2017 this was forecast to have reduced to £57.2m. When looking at the commitments rolled forward it was estimated that the remaining reserves available to support the MTFP from 2017-21 were £29.3m.

Ms Hogg continued to outline budget timetables and noted that Cabinet was receiving quarterly monitoring reports. An update had been presented to Full Council and the online budget engagement tool had been launched in preparation for budget discussions in February 2017. It was anticipated that following the Governments autumn statement on 23 November 2016 details of the financial settlement would be available in early December. An all-party presentation would be held week commencing 5 December, with final budget decisions being taken at Council on 15 February 2017.

There followed a discussion on the implication of 100% retention of business rates in Kirklees compared to more affluent areas elsewhere in the country. Debbie Hogg said consideration was being given to a mechanism that recognised the very uneven distribution of resources and sought to address the position. However, there was no final decision regarding this. Kirklees currently received approximately £50m in business rates.

There was a discussion regarding Parish Councils and whether they might move to a four year financial plan. It was recognised that whilst this maybe a beneficial approach, Parish Council's were independent of the Local Authority and as such made their own arrangements regarding budget management. Ms Hogg indicated that there was a proposal to relook at capping a Parish Council's income however none of the Parish Council's within Kirklees was large enough to be affected by this possible outcome.

The Committee discussed the opportunities for income generation to try to address some of the funding gaps. Ms Hogg said there was a piece of work being led by Joanne Bartholomew, Assistant Director of Place Directorate, to look at maximising funding and trading opportunities. However, there were likely to be limited opportunities and it was important that trading services were not an undue drain on Council Tax. The major focus for services going forward had to be about controlling costs.

There followed a brief discussion on the financial implications in respect of the Housing Revenue Account and anticipated reductions of £11m during the life of the MTFP. Kirklees Neighbourhood Housing was facing the challenge of also having to look closely at their costs in order to achieve savings. The transfer of Building Services to KNH was intended to improve efficiencies and achieve budget reductions.

RESOLVED -

1. That Debbie Hogg, Assistant Director of Financial Management be thanked for attending the Committee meeting
2. That the presentation on the Medium Term Financial Plan and future challenges be noted.

48 Asset Management Update

Cllr Graham Turner, Cabinet Portfolio holder, Paul Kemp, Assistant Director Investment and Regeneration and Joe Tingle Physical Resources and Procurement Officer attended the Management Committee meeting to provide an update on current asset management work.

It was noted that the last update to the Management Committee on 4 January 2016 and since that time the Cabinet Committee Assets had been established with delegation of some decision making functions. In addition, a Cabinet Liaison Group

Overview and Scrutiny Management Committee - 7 November 2016

– Assets, had been established to provide the opportunity for a wider group of Councillors to be informed on the development of policy and proposals regarding assets, prior to them being submitted to Cabinet or Cabinet Committee Assets.

The Committee discussed the work of the Assets Liaison Group including membership and what had been considered to date. It was noted that the group had met on the 17 November 2016 and had agreed the decision making flowchart. The liaison group was to give further consideration to the involvement of ward members and recognised the need for local knowledge to be included in decision making processes. It was agreed that a copy of the flowchart/decision making tree would be forwarded to the Management Committee members.

Joe Tingle continued to explain the report to members, including the progress made to achieve office accommodation savings in line with the move to new ways of working. The report outlined capital investment which included in 2016/17; Huddersfield Town Hall roofing works, Oakwell Hall boiler, dry rot and electrical works, Byram Arcade roofing works, Dewsbury Town Hall refurbishment, emergency lighting.

The Management Committee noted that the MTFP had a requirement to supply £29.5m of capital receipts over a five year period. To date the Council had disposed of 56 assets in 2015/16 generating a receipt of £5.9m.

In 2016/17, 2 disposals had taken place generating £945,000. A number of other disposals are at the negotiation stage or subject to other approvals before anticipated completion before the end of the financial year.

Cllr Stewart-Turner raised concerns about the potential for disposals to impact on other strategies, for example, current early intervention and prevention work within Children's Services. Cllr Turner confirmed that disposals were complex and there was the potential for conflict but officers and Cabinet were working through it to ensure that the best decisions were made. It was important that assets were not underutilised and represented value for money. Officers were progressing disposals that were straightforward and not contentious.

Mr Kemp advised the Committee that there were a second round of ward meetings planned to discuss with ward members the options for assets within their wards. There was a list of draft disposals for 27 sites over the next 18 months. The Cabinet member indicated that it would be helpful if ward Councillors came to officers where they were aware of opportunities within communities to transfer assets or where they had important information to inform decisions.

Committee members discussed the opportunities to use licences to enable community groups to develop arrangements to take responsibility for assets. Mr Kemp indicated this was a possibility however, for community groups to secure external funding sources they were likely to require security of tenure. However, licences were possible if they were part of moving proposals forward. The Council would always look for a longer term solution.

Mr Tingle indicated that there was a need to produce a Strategic Asset Management Plan to ensure the council made the most of its assets and that the approach was complementary to New Council, early intervention and prevention and economic resilience. A number of complementary policies would also be refreshed including the Estate Management Policy and the Asset Transfer Policy.

The Management Committee welcomed the update but expressed concerns about the continuing difficulties recruiting staff and progressing the volume of work. Mr Kemp indicated that they were working with chartered surveyors and some external providers. This left internal resources to be focussed on those projects which were of higher priority to the community and councillors and required more complex discussions. Councillors recognised that this was an area where there was potential to invest to save and welcomed the exploration of other options to inject pace. The Management Committee asked for the list of properties to be progressed over the next 18 months.

RESOLVED -

1. That Paul Kemp, Assistant Director Investment and Regeneration, Joe Tingle, Procurement Officer and Cllr Graham Turner, Portfolio Holder be thanked for attending the Committee meeting
2. That the update on Asset Management issues be noted.
3. That a copy of the asset decision making tree and the list of assets to be progressed over the next 18 months be circulated to the Committee.

49 Effectiveness of Comoodle (including community assets) and Feedback From Users and Their Experiences

The Management Committee received a presentation from Duggs Carre Comoodle Programme Leader on the progress of the Comoodle project to date.

In introduction, Mr Carre refreshed Management Committee's understanding of the background to the Comoodle project which had been a winner of the Bloomberg Philanthropies Mayor's Challenge 2014. A total of £1m had been awarded over the 3 years 2015-2017 to fund innovative ideas that could improve lives across the globe. The Kirklees idea was to build a platform and test new ways of working to ensure Local Government and the public sector could better support community projects by sharing resources that they control. This fitted with the Council's aim of enabling individuals and communities to do more for themselves and each other whilst focusing other resources on things that only the council can do.

The Comoodle project was overseen by a project board and an operational team which included a Project Leader, Project Manager and a Project Officer. Recent feedback to the Project Board had indicated that Comoodle was delivering in line with its delivery plan but recognised that it was entering a new phase of the project. In the first 8 months approximately 140 trades had taken place with a lot of equipment loaned for sports and events as well as council vehicles. As at

September 2016 894 people had signed up to the Camoodle.com blog. A platform was being developed by a provider called Youme and it was hoped that this would be completed by the end of the year.

The 2017 Delivery Plan focussed on marketing and engagement and the need to 'have a lot more on the shelves' so that when people accessed the Comoodle platform they could see what was available. The Management Committee recognised that it was important that Comoodle was not seen as another council service and required a limited amount of Council staffing resources once established.

There was a discussion on how the business community might become involved. Mr Carre indicated that there were still a limited number of members offering resources. There were some businesses, such as Cummings, who were supportive of helping local communities.

There followed a discussion on the risk of sharing resources and how this might be preventing some community groups from offering to loan things within their possession. Mr Carre indicated that liability insurance had been a concern of many community groups. The Council had been working with Eastwoods to develop a new product that would be available relatively cheaply to cover public liability issues. The intention was that the platform would also include guidance and advice to help community groups manage asset sharing. The officers were also looking at the options for community groups charging for people to borrow things, for example generators. Cllr Turner emphasised that this was a very new and innovative project and faced a lot of initial challenges however officers were working to try to tackle these and identify solutions. The Management Committee thanked Mr Carre for his presentation and welcomed the progress that had been made to date.

RESOLVED –

That Duggs Carre be thanked for his informative presentation on the progress of the Camoodle project and next steps.

50 Date of Next Meeting/ OSMC Work Programme

The Management Committee considered arrangements for its next meeting including the agenda issues to be discussed. It was agreed that the next meeting would be held on Monday 28 November 2016 at 9.30am at the Town Hall, Huddersfield. The Management Committee continued to discuss forward agenda plan. Cllr Stewart-Turner reported on recent discussions with John Heneghan Head of Policy and Strategy. There would be a number of Policy issues to be scheduled for the forward work programme.

RESOLVED -

1. That the next meeting of the Committee be held on the 28 November 2016 at 9.30am.

Overview and Scrutiny Management Committee - 7 November 2016

2. That the forward agenda plan be noted.
3. That following discussions with John Heneghan a number of policy issues be integrated into the forward work programme.

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KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 28th November 2016

- Present:** Councillor Julie Stewart-Turner (Chair)
Councillor Cahal Burke
Councillor Gulfam Asif
Councillor Ken Sims
Fatima Khan-Shah (Statutory Scrutiny Co-Optee)
- Apologies:** Councillor Elizabeth Smaje, Lead Member for the Health and Social Care Scrutiny Panel
- In attendance:** Councillor Erin Hill, Cabinet Member - Family Support & Child Protection
Carly Speechley, Assistant Director - Family Support & Child Protection
Helen Kilroy, Principal Government and Democratic Engagement Officer
Penny Bunker, Governance and Democratic Engagement Manager
Councillor Elizabeth Smaje, Lead Member for the Health and Social Care Scrutiny Panel

51 Membership of Committee

All Members of the Committee were present.

52 Minutes of Previous Meeting

The Minutes of the meeting of the Committee held on 7 November 2016 were agreed as a correct record.

53 Interests

Cllr Gulfam Asif declared an other interest as a member of the Locala Member Forum (Agenda Item 5)

Fatima Khan-Shah declared an other interest in Agenda Item 5, Health and Social Care Scrutiny Work Programme, as a member of the Governing Body for North Kirklees Clinical Commissioning Group.

54 Admission of the Public

RESOLVED - All items were considered in public session.

55 Health & Social Care Scrutiny Panel Work Programme

Helen Kilroy, Principal Governance & Democratic Engagement Officer attended the Committee Meeting to provide an update on the progress in delivering the work programme of the Health and Social Care Scrutiny Panel.

Ms Kilroy drew the Panel's attention to the following areas of work:

- Care Quality Commission – The Panel met with the Inspector to discuss the quality of provision of care homes in Kirklees and would continue to monitor progress.
- Kirklees Sustainability and Transformation Plan – Considered in October 2016, including presentations on a consultation called Talk Health Kirklees which outlined plans to reduce costs and provide better value for NHS spending. Further discussions to be held in December 2016.
- Podiatry Proposals – To consider proposals affecting the Huddersfield area which are subject to consultation. The Panel suggested amendments to the Consultation and would consider whether the proposed changes constituted a significant variation to service.
- Yorkshire Ambulance Service – The Panel has been looking at the Transformation Programme and implications for staffing and services. The issue will return to the Panel early in 2017.

The Committee thanked Helen Kilroy for the update on the work programme and acknowledged that there was a significant amount of change within Health and Social Care which had resulted in a very big work programme for the Scrutiny Panel. Cllr Ken Sims welcomed the work with Yorkshire Ambulance Service and identified the particular concerns within rural communities about reductions in service.

Cllr Asif identified work to be done by the Panel on the Healthy Child Programme and said it was difficult for ward members to identify all the funding streams that were available which might help with work in wards in promoting healthy lifestyles. Helen Kilroy undertook to try and find out further information or contact details and forward those to Cllr Asif. Cllr Stewart-Turner noted the work programme item on the procurement of the Whitehouse Centre and asked whether there were any implications for the work undertaken at Clare House.

The Committee continued to receive a brief update on the work of the Joint Health Overview and Scrutiny Committees. It was noted that the Calderdale and Huddersfield Committee had made its recommendations to the Clinical Commissioning Groups and in October 2016 the Joint Governing Bodies had agreed to proceed to full business case with the proposals. The Scrutiny Committee had met to consider the response and had concerns so would be moving into a

reconciliation phase of work to try to resolve the areas of concern. The Committee would be meeting again in February 2017.

The West Yorkshire Committee had received a presentation on the West Yorkshire and Harrogate Sustainability and Transformation Plan. One of the significant themes within the plan was the future for stroke services with a planned reduction in the current five units.

The Mid-Yorkshire Hospitals Trust was continuing to implement its change programme and the JOHSC had been considering the benefits an acceleration in implementation time scales.

Cllr Stewart-Turner mentioned the recent press articles concerning health checks on new mothers by phone rather than having a face-to-face appointment with a Health Practitioner. Cllr Stewart-Turner was concerned that the service continued to operate within NICE guidelines. Helen Kilroy undertook to commission a briefing note on the issue.

RESOLVED –

(1) That the progress made in delivering the Health and Social Care Scrutiny Panel Work Programme be noted

(2) That the Governance Officer progress the issues raised concerning the Healthy Child Programme and the 3 month Post-natal Check-up Policy.

56 Update on the Work of the CSE Panel and the Corporate Parenting Board

The Committee met with Cllr Erin Hill, Cabinet Portfolio Holder for Family Support and Child Protection and Carly Speechley, Assistant Director – Family Support and Child Protection to receive an update on the work of the Child Sexual Exploitation and Safeguarding Member Panel and the Corporate Parenting Board. The Management Committee had received copies of the Minutes of meetings of both Panels. Given the recent Ofsted Inspection Cllr Erin Hill also outlined the implications for the Panels as a result of the Ofsted findings.

Cllr Hill indicated that the CSE Panel had been having difficulties concerning access to appropriate data. Work had been ongoing to improve and target data and Cllr Hill reported that it was improving in a way that the Councillors, as non-professionals, could understand better the position within Kirklees. Information now included a written narrative as well as graphs and charts to show trends and current positions across a number of key performance areas. The improvements have led to a broader and more informed discussion, with Councillors being able to better identify implications and seek further details where appropriate.

The Panel had also been looking at partnership working with the Police including CSE and children who are missing. The Panel looked at the new matrix mapping work and received a comprehensive briefing on cyber-crime. It was recognised that

this was a global challenge. West Yorkshire Police were working with international agencies to support work in Kirklees.

The CSE Panel had also been focussing on missing children and at its next meeting would be looking at children in alternative education provision and how the Council works with them to make sure that they do not 'fall through a gap' because they are less visible than children in mainstream schools. The Council has no legal right to see home schooled children so developing effective relationships is very important.

The Management Committee quantified the number of Home Schooled Children which Cllr Hill said was within the 30s.

Councillor Hill advised the Management Committee that Ofsted had specifically praised the existence of the CSE and Safeguarding Member Panel and had not seen one in any other authority. It was identified as a positive way of improving the 'political line of sight' of key CSE issues. The commitment of the Panel members was noted and it was recognised as an important part of the improvement journey.

In considering the update on the CSE and Safeguarding Member Panel the Committee sought further clarification on how the mapping matrix worked. Councillor Hill advised that it was a mechanism that helped to map known risk and then triangulate the information to support work to stop contacts taking place. Ofsted had identified the risk of not spotting potential victims at an early opportunity as an area for improvement. The mapping looked at areas and groups at risk. Social Workers and the Police would then work on raising awareness around CSE including what to look for and reporting etc. The aim was to help get one step ahead of potential perpetrators.

The Committee reflected on why CSE was a significant issue at this time and Cllr Hill emphasised that CSE was not a new issue however the approach to identifying and dealing with Child Sexual Exploitation had changed. It was suggested that previously there was a culture of victim blaming. The CSE Panel had met with PACE, a voluntary sector organisation that worked with victims of CSE and had heard of cases that previously had not been investigated but with the change in approach were now being picked up. This had inevitably increased demand on Social Workers and Child Protection staff and increased the number of Looked After Children.

Cllr Sims commented on the difficulties that some Councillors had experienced in raising issues. He expressed concerns about morale within social work teams and asked how that would be addressed going forward. Cllr Hill responded by saying that there was a major concern about ensuring that staff were clear on expectations and provided with the support to do a good job. As Portfolio Holder she was committed to ensuring that those staff who wanted to work to good practice standards received the support to remain working within Kirklees. Carley Speechley supported this by saying that the service was investing heavily in work force development and practice support. It was important that Social Workers were made to feel valued and that there was a move away from a blame culture to a culture of corporate support to learn and move forward.

There followed a discussion on the cost of improvement and the impacts of a significant number of agency staff on development work. It was acknowledged that the workforce strategy meant that the Council wanted to move towards continuity of staff in order to develop consistent relationships.

The Committee explored the work going on within Schools to ensure that there was information for children but also for parents and carers. Cllr Hill indicated that initially the primary school sector had been reluctant and concerned that the age group of the children was too young for such advice. However, training was ongoing within primary schools about what is a safe relationship.

Fatima Khan-Shah asked how the local authority was working with madrassahs and mosques as part of the no child out of sight campaign. Cllr Hill indicated that there was a mixed picture across Kirklees with good engagement with some madrassahs and mosques but on going work to ensure that appropriate DBS checks were in place.

The Committee looked in more detail at what constituted a child going missing and learned that in respect of social care it could be something as simple as a child deciding to stay with a friend, or being late back from a shopping trip. However, there were clearly some cases where it was important to understand why a child had gone missing and having a return interview with an independent person was considered appropriate. However, it was a challenge to do such interviews in a meaningful way within the prescribed timescale of 48 hours.

The Committee continued to discuss out of area placements for Looked after Children and Cllr Hill recognised there were too many out of area placements and the Council needed to look to develop more places within Kirklees. However, in some cases it was important to ensure that the young person was outside of Kirklees for safeguarding reasons.

Cllr Hill continued to provide an update on the Corporate Parenting Board. Cllr Hill indicated that there were some areas of overlap regarding Looked After Children and safeguarding and that as Chair of both Panels she was trying to avoid duplication. The major area of focus was ensuring that the child's voice was heard by the Board. The Board was looking at its ambition and refreshing the strategy in order to better plan the areas of focus. It was considered important to ensure that young people are integrated into the work of the Board but in a more innovative and appropriate way than just having a young person attend Board meetings.

The Committee suggested that elected members wanted to know more about the work of the Board but also to better understand their role as corporate parents. Cllr Hill acknowledged there would need to be a new training programme to identify what members need to know and how to be a good corporate parent. Cllr Sims expressed concerns about liability and pointed to the Rotherham case where Councillors were held responsible.

Cllr Asif identified safeguarding training that had been part of induction which had lasted approximately 2 hours. It was suggested that perhaps a longer weekend session would be more appropriate.

Cllr Asif continued to suggest that at this time Councillors should be supporting the work of social care. It was important that such issues were not used for party political purposes and demoralising staff. It was appropriate to move forward and learn lessons.

RESOLVED -

(1) That Cllr Erin Hill and Carly Speechley be thanked for attending the Committee meeting to provide an update on the work of the Corporate Parenting Board and the Child Sexual Exploitation and Safeguarding Member Panel.

(2) The Panel welcomed the comments of Ofsted in relation to the Council's approach to establishing the CSE and Safeguarding Member Panel to ensure political oversight of the issues.

(3) That the Cabinet Portfolio Holder give consideration to the comments of Management Committee regarding Members understanding of Safeguarding issues and Safeguarding Training.

57 Date of Next Meeting/ OSMC Work Programme

The Management Committee noted that its next meeting would be held on Friday 6 January 2017 and would be followed at 12.30pm by a session with Co-optees, to which all members of the Committee were invited.

The Management Committee continued to consider its forward agenda plan and noted that there were items to be added in relation to policy work.

RESOLVED -

(1) That the next meeting of the Committee be held on 6 January 2017, to be followed by a Co-optee session to which all members of the Management Committee are invited.

(2) That the forward agenda plan be noted and the agreed policy issues be included as soon as possible.

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KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Friday 6th January 2017

Present: Councillor Julie Stewart-Turner (Chair)
Councillor Cahal Burke
Councillor Gulfam Asif
Councillor Ken Sims
Fatima Khan-Shah - Statutory Scrutiny Co-optee

In attendance: Councillor Masood Ahmed, Cabinet Member - Community Cohesion & Schools
Val Flintoff, Learning Partner (System Leadership)
Lee Hamilton – Prevent Co-ordinator

Observers: Councillor Richard Smith Councillor Masood Ahmed,
Cabinet Member - Community Cohesion & Schools
Val Flintoff, Learning Partner (System Leadership)
Lee Hamilton
Fatima Khan-Shah
Councillor Richard Smith

58 Membership of Committee

All Members of the Committee were present.

59 Minutes of Previous Meeting

The Minutes of the Meeting of the Committee held of 28 November 2016 were agreed as a correct record subject to the inclusion of the procurement of the White House Centre as a decision under Minute number 55.

60 Interests

No interests were declared.

61 Admission of the Public

It was agreed that all items be considered in public session.

62 PSHE curriculum in schools

The Management Committee received a report which provided an overview of the PSHE curriculum within schools, focussing on the PREVENT elements of this work. Val Flintoff (Learning Partner), Lee Hamilton, (Prevent Co-Ordinator) and Councillor Masood Ahmed, Cabinet Portfolio Holder attended the meeting for this item.

In introducing the item Val Flintoff explained the current position regarding Personal, Social, Health and Economic Education. It was noted that it was a non-statutory subject which could be included in both primary and secondary curriculums. It was noted there had been discussions at select committee level in Parliament about making some aspects of the curriculum statutory, in particular those focussing on safeguarding and sex and relationship education.

In addition to PSHE there is also a requirement at secondary level for citizenship education. Some schools choose to merge citizenship education with their PSHE teaching. PSHE relates to health and wellbeing and is about educating young people on living in the wider world.

Val Flintoff informed the committee that it was hoped by the end of April that a programme of study on PSHE would be available to all schools within Kirklees. The programme had been developed by Kirklees council officers and covered from key Stage 1 to Key Stage 5. The Management Committee was informed that there were a variety of approaches to PSHE education in schools. It was acknowledged that curriculum requirements squeezed the amount of time available for PSHE and whilst it was non-statutory, there was a risk that some schools would not include time within the curriculum. Some schools had an hour in the curriculum every week or in some cases perhaps a half day per term so that there could be more in depth teaching and learning on PSHE related issues.

There followed a discussion on how equipped schools were to deal with some of the challenging safeguarding conversations. An example was given of the post 'Brexit' fall out that had led to playground conversations that were inappropriate. There was discussion on the approach taken to PREVENT work in schools including at a primary level which was about respect, understanding difference and feeling ok to be yourself. Teachers wanted to address issues but needed to have the competence and confidence to handle difficult conversations in an appropriate way. It was noted that the volume of formal PREVENT referrals was minimised if the suggested local authority approach was effectively implemented within schools.

The Committee suggested that further opportunities could be made available to parents to understand the work going on in schools and their role in supporting that ethos at home. Councillor Ahmed referred to the SPICE programme which had looked at drugs and alcohol awareness and had included a session with parents to reinforce understanding and messages.

The Management Committee welcomed the support being provided to schools on appropriately including PSHE within curriculums. It was noted that the funding that subsidised the work was coming to an end in April 2017.

Overview and Scrutiny Management Committee - 6 January 2017

The Management Committee learnt of a 2 year programme to develop schools so that they could attain charter school status. Beacon schools could provide support to others in relation to PSHE education programmes, and act as hubs of good practice in Kirklees.

The Management Committee recognised that a broader discussion was required regarding the future of PSHE education within Kirklees including the role of the local authority and schools. It was suggested that current national discussions may lead to further guidance on statutory requirements. The Management Committee agreed to have a half day session on PSHE in the new municipal year.

RESOLVED -

(1) That Councillor Ahmed, Val Flintoff and Lee Hamilton be thanked for attending the Committee to discuss PSHE issues.

(2) That the work being undertaken within schools, particularly the primary sector concerning PSHE guidance and support be welcomed.

(3) That officers explore how information can be cascaded to School Governors to ensure they are also aware of the offers to school around PSHE curriculum.

(4) That a further half day session on broader PSHE issues be held in the new municipal year.

63 Scrutiny Referral Request - Bus Gates Petition

The Management Committee considered a request that had been submitted as part of a petition to Council raising concerns on the impact of bus gates within Huddersfield town centre. The petition, on behalf of Huddersfield Town Centre Action Group had expressed concerns about 'the falling levels of foot fall and trade in the town centre because of bus gates'. The petition had requested that a scrutiny investigation be carried out, as well as a strategic assessment, into the consultation process that led to the implementation of the scheme.

The report continued to outline the decision of Council on 14 December 2016 to establish an all party working group to undertake a broader strategic review to explore all facets of town centre development.

Councillor Richard Smith and Ailsa Devlin attended the meeting to put forward their views on the request. Ms Devlin asked if the committee would look at the effectiveness of the process and the spirit of the consultation exercise.

In considering the request the Management Committee acknowledged that the working group would be established however they did not feel that this should prevent scrutiny from carrying out a focussed piece of work to look specifically at the bus gates project.

It was proposed that a short, focussed piece of work be undertaken to look at the following areas;

Overview and Scrutiny Management Committee - 6 January 2017

- the rationale for the introduction of bus gates
- the promotion of proposals
- the consultation process
- feedback from the consultation process
- lessons learned.

The conclusions of any scrutiny piece of work would focus on the evidence provided to the committee.

The Management Committee agreed to consider a terms of reference for the work at its next meeting.

RESOLVED -

(1) That a focussed piece of Scrutiny work be undertaken to look at the bus gates project. The work to consider the rationale for the project, the development of proposals and consultation and identify any lessons to be learned.

(2) That a Terms of Reference for the work be presented to the next meeting of the Overview and Scrutiny Management Committee.

64 Date of Next Meeting/ OSMC Work Programme

The Management Committee considered arrangements for future meetings and its work programme. It was noted that the next meeting would be held on the 23 January 2017. In respect of the work programme Cllr Stewart-Turner identified 3 areas of implementation within the intervention and prevention programme, that the management committee would be scrutinising. These were;

- Approach to Communities (including Comoodle)
- Services for Young People
- Vulnerable People and Preventing Homelessness

It was agreed that the meeting of the Management Committee scheduled for the 27 March 2017 be extended to 2.00pm to include consideration of these 3 new areas of work.

The Management Committee confirmed its intention to have a half day discussion on PSHE in the new municipal year.

RESOLVED -

(1) That the work programme, including the agenda issues for consideration at the next meeting of the committee, be noted.

(2) That the next meeting of the committee be held on 23 January 2017 at 9.30am.

Overview and Scrutiny Management Committee - 6 January 2017

(3) That strands of the early intervention and prevention programme on communities, services for young people, vulnerable people and preventing homelessness, be scheduled for the March meeting of the Committee.

(4) That the meeting of the committee scheduled for 27 March 2017 be extended until 2.00pm to allow for additional agenda items.

(5) That a further half day discussion on PSHE be arranged in the new municipal year.

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KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 23rd January 2017

Present: Councillor Julie Stewart-Turner (Chair)
Councillor Cahal Burke
Councillor Gulfam Asif
Councillor Ken Sims

Apologies:

In attendance:

Sue Richards, Assistant Director for Early Intervention and Prevention
Carol Smith, Project Manager, EIP
Tom Ghee, Group Engineer - Flood Management and PROW
Penny Bunker, Governance and Democratic Engagement Manager

Observers:

65 Membership of Committee

All members of the Committee were present.

66 Minutes of Previous Meeting

The Minutes of the meeting held on 6 January 2017 were approved as a correct record.

67 Interests

There were no interests declared.

68 Admission of the Public

Agreed that all items be considered in public session.

69 Flood Risk - Annual Update

The Overview and Scrutiny Management Committee considered an annual update on the Kirklees Flood Risk Management Strategy. It was noted that this was a statutory requirement for Overview and Scrutiny. Mr Tom Ghee, Group Engineer, Flood Management attended the meeting to present the update and answer the Committee's questions.

Mr Ghee indicated that the strategy had originally been approved by Cabinet on 15th January 2013 and had been subject to a recent update in November 2016. The update took into consideration the flooding of December 2015 and new arrangements for the promotion of sustainable urban drainage systems (SuDS) to strengthen the Council's support for Natural Flood Management.

A total of 32 measures were identified in the strategy but it was emphasised that funding, both internally and externally was limited. The action plan supporting the strategy had been amended to reflect a previous request by Scrutiny to ensure that progress was clear and any reasons for delay in delivering actions would be transparent.

The Management Committee noted that officers had targeted funding for smaller community size projects and successfully levered in approximately £500,000 against match funding from Council budgets of £100,000. It was acknowledged that areas around Leeds, Bradford and Calderdale were seen as higher priorities for significant funding given recent severe flooding episodes.

The Committee continued to discuss community engagement work and how Officers were seeking to work with communities to support them to be proactive when flooding occurs. A pilot was under way in Cleckheaton and Liversedge but overall it was a difficult task to engage with people who had not actually been flooded. Evidence shows that where people had been subject to floods they were keen to work together with the Council and partners to put measures in place to mitigate further risk.

The Committee continued to discuss how ward members had been engaged in projects. Mr Ghee highlighted the limited officer resources to support multiple community meetings but suggested that officers could help ward members to enable them to lead and drive forward the flood education and prevention work.

The Management Committee suggested that an advice letter with contacts and details could be provided for ward members to distribute in affected areas within their wards. It was felt that this could result in savings in both Councillor and officer time when flooding occurred.

Mr Ghee also encouraged Councillors to report any flooding episodes so that the Council could have improved intelligence on local flooding episodes and risks. This would support further bids for funding.

The Management Committee explored further the work that was being developed to provide ward members with local flooding information in the form of a ward information pack. Mr Ghee indicated that a consultant was looking to pilot an approach and Holme Valley South was a trial area. The Management Committee agreed to receive an update on this work, together with examples of what the information would look like, at the next flood risk update in October 2017.

There was a discussion on the role of flood risk advice in the planning process and it was noted that advice did not have to be followed by planners, who had to balance it against other development requirements.

The Management Committee looked through the action plan progress document and it was suggested that the University might be considered as a possible partner for some of the areas of research. Mr Ghee agreed to give consideration to the suggestion and report back to the Management Committee. Mr Ghee also mentioned the work being undertaken in Calderdale with volunteers and the Management Committee asked for an update in October on the learning from that work.

The Management Committee noted that the Leeds City Region had undertaken a Flood Resilience Review. Mr Ghee provided an assessment of Kirklees's actions against the recommendations within the resilience review.

RESOLVED –

(1) The Management Committee noted and welcomed the progress made against the actions in the Local Flood Risk Management Strategy.

(2) That the Flood Risk Management Strategy be reconsidered at the October 2017 meeting of the Management Committee.

(3) That the October meeting consider proposals for information to be made available to ward members and the outcomes of any pilot work.

(4) That the Management Committee receives feedback on the Calderdale Volunteer Project and any progress in working with partners to potentially deliver some areas of the action plan.

70 Early Intervention and Prevention (EIP) - Final Proposals

The Management Committee considered a copy of the report presented to Cabinet on 17th January 2017 on the proposed early help offer for children, young people and families. Sue Richards, Assistant Director, Early Intervention and Prevention and Carol Smith, Project Manager attended the meeting to present the information and discuss issues arising with the Committee.

Ms Richards indicated that following consideration of the outcomes of the consultation it was still proposed that there be:

- Three tiers/levels of support
- Four local areas
- Four children's centres

Initially the intention had been to keep 17 delivery sites owned by the Council, however following consultation it was now proposed to move towards a position where the Council owned and ran fewer buildings but operated from more buildings that were not within Council ownership. It was suggested that this enabled the Council to better meet the needs of communities. This proposed change did not change the level of investment in Early Help.

Ms Richards continued to explain the move to outcomes that were informed by data and intelligence, this included health, schools and communities feeding in intelligence, not just intelligence possessed by Kirklees Council. The offer would see a move to much more integrated working and not a sole reliance on Council staff. It was felt that this would support better engagement with families who did not always want to engage with a member of Council staff. It enabled the development of a local approach to meet local need. It was emphasised that the change would take time and should be seen as a journey through which local approaches would emerge.

In considering the detail of the Cabinet report, the Management Committee suggested that wording needed further consideration in section 3.5 where there was reference to domestic abuse and reduction in severity and frequency. Ms Richards agreed to give this further consideration.

The Management Committee suggested there were concerns in some local communities about facilities being accessible and how they might be linked to other things, for example health & wellbeing. Ms Richards emphasised that the move away from having to use Council buildings provided greater freedom to develop a strategic direction for the whole community. It was acknowledged that in making some decisions it was important not to cut off potential future options and longer term strategic direction. If buildings were transferred to other agencies, including schools there would be clear expectations and outcomes as part of any agreement.

The Committee discussed the edge of care work which had been identified by the Ad-Hoc Scrutiny Panel into Children's Services and questioned how that linked to the early help work. Ms Richards indicated that the linkage had been made but there was work to be done to ensure a better joining up of the strands of work. A project manager was overseeing that work.

Cllr Stewart-Turner had attended a presentation to partner organisations on the proposals. It was suggested that there were concerns about data and information sharing and what was needed to effectively work together to deliver early help objectives. Mrs Richards agreed that there was further work to be done in this area however it had to be balanced by a need to know, rather than a view that all information should be shared. An example of the MASH was given, where a closed system approach is used which allows the effective sharing of information within a controlled environment.

The Management Committee was informed about how the complex level of support offer would work. It was suggested that the Council could move to a local authority co-ordination model however this would be a radical change and as yet the Council was not ready for such a move. It was agreed that the information on the local authority co-ordination model would be shared with members of the Committee.

RESOLVED -

(1) That the update report on early help services for Children, Young People and Families be noted.

(2) That the issues identified by the Management Committee concerning Edge of Care; domestic abuse (section 3.5) and information on the local authority coordination model be progressed by officers.

(3) That the Management Committee schedule discussions on the previously identified strands of the EIP work in the new municipal year.

71 Scrutiny Referral Request - Bus Gates

The Management Committee considered a draft terms of reference for the agreed review of the bus gates project. The terms of reference included the need to understand the rationale for the bus gate proposals: consideration of how the proposals were developed: consultation processes and how responses to the consultation were considered.

The Management Committee agreed that the review would initially explore the background to the project before speaking to stake holders and those who had been involved in the process.

The Management Committee agreed that it would undertake the review itself (rather than establishing a separate ad-hoc panel) however a co-optee would be invited to take part in the review work.

RESOLVED -

(1) That the proposed terms of reference for the review of the bus gates project be approved

(2) That the work be carried out by the Overview and Scrutiny Management Committee, with the appointment of a co-optee for the review.

(3) That the first background information meeting be held on 27 March 2017 at 1.00pm

(4) That the second meeting be held on 10 April 2017 at 9.30am, subject to confirmation nearer the time.

72 Date of Next Meeting and Forward Agenda Plan

The Management Committee considered arrangements for its next meeting to be held on Monday 13th February 2017 at 9.30am. The Management Committee noted that the agenda for that meeting included performance management and business intelligence.

The Management Committee agreed that the first meeting of the bus gates review would be held on 27th March 2017. It was also provisionally agreed that a second meeting would be held on 10th April 2017 at 9.30am.

RESOLVED -

- (1) That the forward agenda plan for meetings to the end of the municipal year be noted
- (2) That officers begin to draft an outline work programme for 2017/18.

Contact Officer: Penny Bunker, Tel. penny.bunker@kirklees.gov.uk

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 13th February 2017

Present: Councillor Julie Stewart-Turner (Chair)
Councillor Cahal Burke
Councillor Gulfam Asif

In attendance: Councillor Graham Turner, Cabinet Member for Resources
Martin Dearnley, Head of Audit & Risk
John Heneghan, Head of Policy
Councillor Erin Hill, Cabinet Member for Family Support & Child Protection
Bron Sanders, Chair of the Kirklees Safeguarding Children's Board
Sharon Hewitt, Interim Business Manager
Alaina McGlade, Governance and Democratic Engagement Officer

73 Membership of Committee

There were no apologies for absence received.

74 Minutes of Previous Meeting

RESOLVED - That the Minutes of the meeting held on 23 January 2017 be approved as a correct record.

75 Interests

There were no interests declared.

76 Admission of the Public

It was agreed that all items be considered in public session.

77 Performance Management

Martin Dearnley, Head of Audit and Risk and Councillor Graham Turner, Cabinet Member for Resources attended the Committee meeting to present an update on the progress that had been made towards developing improved performance reporting within the Council.

The Committee received a copy of the report that had been considered at the October meeting of Management Committee, along with the minutes of this meeting, a list of indicators currently monitored by the Performance Team and a list of the areas being monitored on a quarterly basis.

Mr Dearnley advised the Committee that at the last update, it had been noted that the Council's performance reporting arrangements did not reach the needs of the Council moving forward. He advised that reporting on a set of business critical performance indicators had commenced and that this was working well. He advised that the reports had not yet been shared with Cabinet and that this would further improve the process.

Mr Dearnley continued to explain that there were still 7 core objectives for the authority to measure against but that these were required to be amended to change them into longer term commissioning outcomes. He explained that service planning would feed into this process but that this could not start until the budgets had been set.

Mr Dearnley also explained that acquiring the correct reactivity levels in relation to risk management was an important improvement required to be made. He explained that some risks are unavoidable but that there are a number of risks where the authority should at least have a record of having been aware of their potential impact.

In discussing the proposals, the Management Committee recognised that there were a number of competing demands for service directors' time and also acknowledged that they were currently in a transitional period. It was highlighted by the Committee however that it was important for the improvements required to be undertaken in a timely fashion. Reference was made to the need to learn from the issues highlighted in the Improvement Plan in Children's Services and Mr Dearnley advised that this was an area being considered by the new Chief Executive.

Cllr Turner advised that, following approval of the budget for 2017/18, an implementation group was being developed to maintain an overview of spending. He also explained that there would be two parts to the improvements and explained that the first tasks would be:

- to undertake service planning linked to the objectives
- test the plans against milestones identified
 - o if there aren't any milestones specified, identify what these should be
- Compare the performance to the objectives and identify anomalies

He then explained that the second part of the improvement process would be to identify any partner contributions that are required. The Committee questioned whether a timeline for the actions was available but was advised that timings had not currently been identified.

RESOLVED -

(1) That Martin Dearnley and Councillor Graham Turner be thanked for attending the meeting to update on the proposed revised approach to improving performance reporting within the Council.

(2) That the Management Committee request relevant officers to produce timescales against the work required taking place to develop long term commissioning outcomes.

(3) That a further progress report be presented to the Management Committee in the new municipal year to enable scrutiny to contribute to the process, prior to its implementation.

78 Business Intelligence

John Heneghan, Head of Policy provided the Committee with a presentation on the ways in which the council is improving its business intelligence.

John highlighted that the New Council had highlighted four objectives that would assist to instil and support the right skills and processes to ensure that intelligence drives strategy, decision making, commissioning and service delivery, and is used proactively to improve outcomes for local communities;

- A Council which connects ideas, people and resources across boundaries of all kinds, supporting communities to harness and build on their strengths;
- A Council focussed on creating trust and connections between institutions, businesses and citizens in Kirklees;
- A Council which will be responsible for a consistent level of basic services, but will strive to maximise the impact of all services by collaborating with others; and
- A Council which safeguards vulnerable citizens, but wherever possible, seeks to develop a springboard, not simply a safety net, focussed on helping people to control their own lives and to stay safe and well.

John outlined that the council had developed a New Council Target Operating Model based on 5 P's – People, Platform, Policy, Products and Processes. Cllr Julie Stewart-Turner questioned how useful data was if there was an overload of data provided. John advised that data alone is not useful and advised that analysis of data is required to develop intelligence. He also advised that data needs to be considered on three different levels:

- Strategic
- Tactical
- Operational

John outlined Kirklees' Outcomes and explained that by using an Outcomes Based Accountability (OBA) framework helps to identify and understand the population outcomes, headline indicators, story behind the baseline and the data development agenda. He explained that this process would help the Council to be confident in its actions and enable the required outcomes to be achieved.

John explained that the Council had dedicated a lot of time into developing intelligence led culture and provided an overview of the hub and spoke model. He advised that the current Corporate Research and Intelligence team will combine with the Health Policy Unit to become the Intelligence Hub for the Council. This team will be responsible for data flow to ensure duplicate data is not being considered and will use the data to inform strategies and change processes.

John explained that the Council undertook a maturity assessment during September-October 2016 and that 2 major work streams were identified - BI Maturity Diagnostic and Information Architecture Model. He explained that from this, the Council gained a better understanding of their current capability and future ambition. He also advised that they had a richer understanding about how data is currently processed, stored and utilised, enabling them to create specific recommendations and actions required to be taken to become an intelligence-led Council. He explained that in relation to the maturity scale, the Council was currently at a level 2 but the aim was to be at a level 4 by the end of the project.

The Committee questioned John on the expected timescales for the project and was advised that it was anticipated that the project would be complete within the next 8-10 months.

RESOLVED -

(1) That John Heneghan and Councillor Graham Turner be thanked for attending the meeting to update on the development of business intelligence systems within the Council.

(2) That a further progress report be presented to the Management Committee in November 2017.

79 Safeguarding Children's Annual Report

Bron Sanders, Chair of the Kirklees Safeguarding Children's Board (KSCB) and Sharon Hewitt, Business Manager attended the meeting to present highlights from the Children's Safeguarding Board Annual Report. It was noted that the report covered the period April 2015 to April 2016.

Bron explained that the role of the Board was to drive improvement and to hold partners to account for safeguarding arrangements in Kirklees. She advised that it is a partnership board with approximately 30 members and advised that it meets 4 times a year, whilst performing other work through sub groups of the Board.

Overview and Scrutiny Management Committee - 13 February 2017

The Committee was advised that the Annual Report document is the first place OFSTED inspect when looking at the work of the Board and that with the breadth of responsibilities that the Board are responsible for having increased, the size of the Annual Report document had increased dramatically.

Bron advised that the Annual Report was broken down into 5 sections:

- Context of Kirklees
- Governance arrangements
- Priorities
- Performance Data
- Training

As a result of the recent OFSTED inspection, a number of recommendations were made relating to the Board and therefore publication of the annual report was postponed in order to address a number of these areas.

The Committee was advised that OFSTED were critical of the performance data considered by the Board and also did not feel the Board progressed with internal audits at a fast enough pace. Bron explained that improvements had been made in relation to both of these areas through improved communication of priorities with partners and improved oversight of vulnerable children.

Bron also advised that the voice of the child was another area that the Board were looking to improve. She outlined two projects that were currently ongoing to assist in this area;

- Children's reference group
- Vulnerable children's champion

Management Committee questioned how the Board communicated information from the Safeguarding Board and its Sub-Groups. Bron indicated that a newsletter was produced during the year and the website outlined all the areas of work that the Board had prioritised. The Committee advised that it would be useful to share the newsletters with Members at Full Council meetings as Members would not have the time to sift through a 117 page document and the summary of key information may assist them in their roles as Corporate Parents.

There was a discussion regarding placements of Looked After Children (LAC) outside of the authority and the Committee questioned whether this was an area that the KSCB could assist with. Sharon explained that there is a West Yorkshire regional meeting that is considering the issue but advised that it is challenging to support partners to work across different authorities.

The Committee moved on to consider the current position regarding the Children and Adults Mental Health Service (CAMHS) and Bron Sanders indicated that the Board had instigated an independent review of the CAMHS service. The results of the review had been considered by the Board at their December meeting and a sub-group had been established to work through the recommendations. The Committee explained that they had also established an Ad-Hoc Task Group looking into the

CAMHS service last year and questioned whether Cllr Burke, Chair of the CAMHS Ad-Hoc Panel could be invited along to the meetings of the KSCB Sub-Group to share the views of scrutiny. Bron advised that she would provide details of the meetings for Cllr Burke.

The Committee also questioned whether a governance review of Children's Services would help to improve the governance and accountability landscape. Bron advised that although work has taken place to look at all of the structures currently in place, no decisions had yet been made. She advised that a report had been written for Government regarding how safeguarding boards will work in the future and that local structures could not change until the legal framework is agreed and implemented.

Bron also advised that partner agencies played a key part in successful safeguarding arrangements and that a huge amount of training was delivered to partners to equip them to assist in this area. The Committee questioned whether enhanced training could be provided to Elected Members and Bron advised that she would welcome feedback from the Committee on the current e-learning packages available.

RESOLVED –

(1) That Bron Sanders and Sharon Hewitt be thanked for attending the meeting to provide an outline of the Kirklees Safeguarding Children Board's Annual Report.

(2) That the Annual Report on the work of the Children's Safeguarding Board be received and noted.

(3) That the Kirklees Safeguarding Children Board's newsletters be circulated at meetings of Full Council.

(4) That Councillor Burke, Scrutiny Portfolio Lead for Children and Young People and Chair of the Scrutiny Ad-Hoc Panel – Review of CAMHS be invited to attend the informal board established to work through the recommendations identified within the independent review of the CAMHS service.

(5) That the Management Committee be provided with a list of current e-learning packages available for Elected Members in order to identify topics where 1-2-1 training packages may be of more use.

80 Previous Scrutiny Recommendations

The Management Committee considered a report that set out recommendations that had been made to Cabinet, or partners, during the 2016/2017 municipal year.

The Management Committee noted that 2 Ad Hoc Scrutiny Panels were due to report shortly, namely the Ad-Hoc Panel on Adult Mental Health Assessment and the Ad-Hoc Panel on Bereavement Support within Schools and that the majority of recommendations within the report were recommendations from the Ad-Hoc Panel – Children's Services which was ongoing.

The Committee noted the status against each of the recommendations and identified that the status of the recommendation relating to Brexit required amending to ongoing, with feedback on this area being scheduled to be delivered at a meeting of the Committee in the new municipal year.

It was noted that the PSHE curriculum item was due for follow up in the new municipal year. Evidence was provided against each of the other recommendations to evidence how the recommendation had been met and these were all signed off as complete.

The Management Committee then considered the second report that set out recommendations that had been made to Cabinet, or partners, during the previous years.

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.

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 Jobs, Opportunities and Money, the Committee identified that feedback should be sought as to whether any of the recommendations were still applicable to current service provision.

RESOLVED –

(1) That the Committee noted progress against recommendations made during 2016/17 and noted that most recommendations were complete.

(2) That an update on the research undertaken in relation to Brexit and EU funding implications for the council be scheduled for an update in the new municipal year.

(3) That the position regarding the implementation of previous recommendations be noted.

(4) That feedback be sought in relation to the recommendations regarding Jobs, Opportunities and Money to advise whether any of the recommendations were still applicable to current service provision.

81 Future Focus of Ad-Hoc Scrutiny Panel - Children's Services

The committee considered a request to continue the work of Ad-Hoc Scrutiny Panel – Children's Services to enable the Panel to monitor the implementation of the improvement plan.

RESOLVED - That the work of the Ad-Hoc Scrutiny Panel – Children’s Services be continued, to enable the Panel to monitor the implementation of the improvement plan.

82 Date of Next Meeting and Forward Agenda Plan

The Management Committee considered arrangements for its next meeting to be held on Monday 6th March 2017 at 9.30am. The Management Committee noted that the agenda for that meeting had altered slightly and updates would now be received on the below areas:

- CSE/ Corporate Parenting/ Safeguarding of Children
- Crime & Disorder – Statutory Update
- Community Cohesion (moved forward from 27th March)
- Economic Resilience (Informal)

The Management Committee noted that the first meeting of the bus gates review would be held on 27th March 2017 and confirmed that a second meeting would be held on 10th April 2017 at 9.30am.

RESOLVED -

(1) That the forward agenda plan for meetings to the end of the municipal year be noted

(2) That the dates contained within the work programme for 2017/18 be included within the meeting schedule to be approved at Annual Council.

Contact Officer: Steve Copley

KIRKLEES COUNCIL
PERSONNEL COMMITTEE

Thursday 17th November 2016

Present: Councillor David Sheard (Chair)
Councillor Shabir Pandor
Councillor Terry Lyons
Councillor Nicola Turner
Councillor Peter McBride
Councillor Graham Turner
Councillor Bill Armer

Apologies: Councillor David Hall
Councillor Nigel Patrick

In attendance:

Observers: Councillor Julie Stewart-Turner
Councillor John Taylor

1 Membership of the Committee

Apologies for absence were noted on behalf of Councillors Martyn Bolt, David Hall and Nigel Patrick.

Councillors Bill Armer and John Taylor substituted for Councillors David Hall and Nigel Patrick.

Members of the Committee also agreed that Councillor Julie Stewart Turner should be involved in today's meeting because of her involvement in the interviews for the Strategic Directors and Service Directors (*See item 10 below*). The Chair of the Overview and Scrutiny has been invited to "observe" the interviews.

2 Minutes of Previous Meeting

The minutes of the Personnel Committee meeting on 19 September 2016 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 Public Question Time

No questions were received.

6 Member Question Time

No questions were received.

7 Deputation/Petitions

No deputations or petitions were received.

8 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 September 2016, the Committee received a verbal update from Jacqui Gedman and Rosemary Gibson 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.

The report highlighted:-

- The progress made in the discussions between the management and trade union sides to-date
- The trade unions and their agreement to adopt and use e-mail in their communications with the management side from 21 November 2016 onwards, following a recent pilot period, and subject to some guiding principles and parameters. Progress to be checked and shared with the Personnel Committee in due course.
- The progress made in the discussions to-date about the proposal to introduce some changes by 1 April 2017, as proposed and supported at the Personnel Committee (14 July), which will see the total number of trade union representatives for UNISON, GMB and UNITE, plus the formal time off that is allocated to them for their trade union duties, being based on some new ratios based on 1:1000 for the total number of members that they have working in Kirklees in 2016/17. Further details on the development and implementation of this proposal – or a slightly revised proposal – will be shared with the Personnel Committee in due course.

Personnel Committee - 17 November 2016

- Questions raised by the trade unions about the appeal process, and the removal of the former process which allowed appeals to be escalated to a member appeal panel for determination. It was noted that representatives from the management and trade union will review these issues in an attempt to find a way forward.

RESOLVED: - That the Committee agrees to receive this progress report, and ask for a further progress at the next meeting.

9 Succession Planning and Managing Change

(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 September 2016, Adrian Lythgo provided a report on progress with the process and timetable to complete the review of the senior management structure. The report focused on:-

- The appointment, following member interviews, of the following Strategic Directors from 1 April 2017

- Sarah Callaghan – Strategic Director for Children and Families
- Richard Parry – Strategic Director for Adults and Health
- Jacqui Gedman – Strategic Director for Economy and infrastructure
- Jacqui Gedman - Deputy Chief Executive – Effective from 9 November 2016 onwards

- The Strategic Director posts which will not come in to being until the planned and full implementation of the structure in April 2017. Cllr Sheard also asked the Committee to note that the member interview panel had highlighted differential and specific development needs in each case reflecting the change in nature of the Strategic Director roles from those required by the candidates for their existing roles.

- The feedback and questions raised in the consultation exercise with the Assistant Directors about the creation of the new Service Director posts

- The proposed process and timescales to fill the Service Director posts from December 2016 onwards

- The need in the future to consider the roles of senior managers in completing the design of the overall management structure of the council.

- The specific costs associated with the secondment for one Director, as agreed by the Chief Executive in accordance with the delegation from the Personnel Committee, to implement the senior management review.

Adrian Lythgo answered questions on the content of the report, along with its appendices. This provided more information on:-

- The proposed senior management structure of the council

Personnel Committee - 17 November 2016

- Information of the role profiles of the Service Director posts
- A summary of the feedback from the consultation with the current Assistant Directors about the proposed structure and the roles and responsibilities of the new Service Directors.

The Committee also received a deputation consisting of Paul Holmes, UNISON, and Lyle Singleton, UNITE, and also received a copy of a letter and report from Paul Holmes, which explained the reasons why, following the adoption of the collective agreement by the management and trade union sides, Paul Holmes believed that the trade unions should have been invited to nominate a "trade union observer" to observe the member panels for the interviews for the Strategic Directors and Service Directors. The question had arisen prior to the recent interviews for the posts of Strategic Director and had been determined by the member interview panel on 9 November 2016.

Adrian Lythgo explained that he had asked for the matter to be brought direct to the Personnel Committee for consideration, as an exception to using the process of the Central Negotiating Team and/or Employee Relations Sub Committee, because UNISON felt that those who would normally deal with these issues were involved in the decisions that had been taken to date. Adrian Lythgo also made it clear that the management side did not necessarily agree with this view.

Adrian Lythgo clarified that the Personnel Committee was being asked to consider the deputation due to the specific and unique circumstances of the points raised.

Jacqui Gedman, on behalf of the management side, responded to these issues raised in the deputation.

Members of the Committee discussed the issues with Paul Holmes, Jacqui Gedman and Adrian Lythgo, before asking everyone to leave the meeting in order that the committee could make a decision in private.

Following on from all of the above, Adrian Lythgo also reported on his plans to leave Kirklees Council in February 2017, and his recommendation on how the post and role of Chief Executive should be filled.

The Personnel Committee considered the information available from the recent interviews for the posts of Strategic Directors and Deputy Chief Executive as part of their decision in determining the Council's response.

RESOLVED – That the Personnel Committee unanimously agreed to approve and support the following recommendations:-

(1). That the appointment of the Strategic Directors from 1 April 2017 be noted, recognising the differential development needs for the roles, plus the appointment of Jacqui Gedman to the position of Deputy Chief Executive from 9 November 2016.

(2). That, having considered the feedback from the consultation process with the current Assistant Directors, the Service Director role descriptions be agreed as a basis for conducting interviews to those posts. Members of the Personnel Committee also acknowledged the feedback surrounding the posts of Service Director for Quality and Performance and Service Director for Customer Transformation and Public Affairs, but agreed that both of these posts should be advertised and filled as planned. The Committee agreed the need to maintain capacity at a Service Director level.

Personnel Committee - 17 November 2016

- (3). That the approach to recruiting to vacant Service Director posts is approved, namely, internal advertisements, followed by external advertisements for any posts that cannot be filled.
- (4). That the legal requirements under regulation 10 of the maternity legislation in relation to redundancy that are likely to be applicable to one of the candidates are noted.
- (5). That, in response to the deputation and representations made by UNISON at today's meeting, the Committee unanimously agreed that there should be no "trade union observers" at any member panel interviews for the posts of Chief Executive, Strategic Director or Service Director.
- (6). That, following on from (5) above, Jacqui Gedman and Rosemary Gibson be asked to provide a report for the next Personnel Committee on the procedures for dealing with disputes between representatives of the management and trade union sides in 2017/18.
- (7). That the plans of Adrian Lythgo, Chief Executive, to leave the service of Kirklees Council in February 2017, be noted
- (8). That the post of Chief Executive be offered to Jacqui Gedman, the current Deputy Chief Executive, on an acting up basis for a 12 month period following the departure of Adrian Lythgo.
- (9). That the Council be recommended to approve the appointment described in (8) above and this officer becoming the head of the paid service (including the roles of Electoral Registration Officer and Returning Officer)

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Contact Officer: Steve Copley

KIRKLEES COUNCIL

PERSONNEL COMMITTEE

Wednesday 25th January 2017

Present: Councillor David Sheard (Chair)
Councillor Martyn Bolt
Councillor David Hall
Councillor Nigel Patrick
Councillor Nicola Turner
Councillor Peter McBride
Councillor Graham Turner

Apologies: Councillor Shabir Pandor
Councillor Terry Lyons

1 Membership of the Committee

Apologies for absence were noted on behalf of Councillors Terry Lyons and Shabir Pandor.

2 Minutes of Previous Meeting

The minutes of the Personnel Committee meeting on 17 November 2016 were approved.

3 Interests

No interests were declared.

4 Admission of the Public

Members resolved to consider items 10, 11, 12 and 13 in private session, as they contain exempt information. The details and reasons are set out at the start of each item.

5 Public Question Time

No questions were received.

6 Member Question Time

No deputations or petitions were received.

7 Deputation/Petitions

No questions were received.

8 Returning Officer and Responsibilities for National Elections and Referenda

Adrian Lythgo introduced a report containing a recommendation to correct the existing contractual approach of consolidating the (Acting) (Local) Returning Officer fees relating to national elections and referenda into the Chief Executives salary, in order to treat them in future as separate payments.

Adrian Lythgo answered questions on the background and history to the current arrangements, and the reasons for the recommendations in the report.

RESOLVED: - That the Personnel committee approves the recommendations in this report, which are that:

(1). In future the Chief Executive/Acting Chief Executive will receive separate election fees to their Council salary for all national elections and/or referendums.

(2). A proportion (46.5%) of which will be paid back into the election staffing budget or as a direct payment to the Deputy Returning Officer (with full delegated powers) as detailed in 2.5 of the report.

9 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.

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)

Personnel Committee - 25 January 2017

Further to the Personnel Committee on 17 November 2016, the Committee received a verbal update from Jacqui Gedman and Rosemary Gibson 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.

The report focused, in summary, on the progress being made with:-

- The progress made in the discussions between the management and trade union sides to-date
- The progress made in the discussions to-date about the proposal to introduce changes by 1 April 2017 which will see the total number of trade union representatives for UNISON, GMB and UNITE, plus the formal time off that is allocated to them and recorded for their trade union duties, being based on some new ratios based on 1:1000 for the total number of members that they have working in Kirklees.
- Plans for subsequent work on the recording of any “green time”, and any other ad hoc and informal time off for other trade union duties in 2017/18.
- The recent ballot for industrial action in Children’s Services, which was scheduled to begin on 27 January 2017, and which has been averted *for the time being* following a request for the trade unions to clarify matters and their decision to refer these items to the joint secretaries for further consideration.
- Other service areas where the likelihood of further ballots and calls for industrial action are likely to occur in 2017/18

RESOLVED: - Members of the Committee agreed to:-

- (1). Receive this progress report
- (2). Unanimously commit to support the introduction of the changes by 1 April 2017 which will see the total number of trade union representatives for UNISON, GMB and UNITE, plus the formal time off that is allocated to them and recorded for their trade union duties, being based on some new ratios based on 1:1000 for the total number of members that they have working in Kirklees.
- (3). Ask officers to progress further work with managers, staff and the trade unions to manage and record any “green time” and any other ad hoc and informal time off for other trade union duties in 2017/18
- (4). Ask officers to review how time off for managers and staff to undertake any other official or voluntary duties and roles e.g. local magistrates, will also be managed and recorded in 2017/18.

(5). Ask officers to provide members of the committee with the current list of issues in Children's Services which the trade unions have raised for attention in January 2017, and following the discussions with CNT and the Employee Relations Sub Committee in April 2014.

(6). Ask management to issue some communications to councillors, managers and staff to help raise awareness of these issues and the actions that are being taken to address them.

11 Succession planning and managing change

(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 17 November 2016, Adrian Lythgo provided a report on progress with the process and timetable to complete the review of the senior management structure.

The report focused on:-

- A recommendation to seek formal approval for the remuneration for an interim Director for Children's Services,
- A recommendation to seek formal approval for the remuneration of the Acting Chief Executive, and
- Clarification of the approach to developing heads of service and senior managers roles and their recruitment

Adrian Lythgo and Jacqui Gedman answered members questions on the report and its recommendations focusing, in particular, on the:-

- Plans to cover the role of Director for Children's Services in the period up to 31 March 2017, and then the next steps from April 2017 onwards. This will be the subject of a report for the next Personnel Committee.
- The reasons to vary the recruitment process for the following Service Director posts, to encourage applications from internal and external candidates at the same time
 - Early help and learning
 - Quality, assurance, standards and safeguarding
 - Service solutions

Personnel Committee - 25 January 2017

Following on from the above, Adrian Lythgo went on to hold a private conversation with members of the committee regarding the recommendation on the grade of the Acting Chief Executive in 2017/18.

RESOLVED: - That the Committee approves the recommendations in this report, which are:-

- (1). To receive the progress report on the appointments to the roles of Strategic Directors and Service Director Directors to-date
- (2). To approve the variation proposed for recruitment to the vacant Service Director roles because of the particular nature of these roles, so as to bring in greater capacity and stability at the earliest point, and approve the internal and external advertising of the posts at the same time.
- (3). To note that Kim Brear, Assistant Director, will vary her personal arrangements to support the transition to new council
- (4). Formally approve the remuneration of Gill Ellis as interim Director of Children's Services, based on the figures set out in paragraph 3 of the report
- (5). To note the approach to the heads of service review in a number of stages
- (6). To formally approve the remuneration of Jacqui Gedman as Acting Chief Executive, based on the proposal as set in in Annexe B to the report, but on a revised starting point of SCP 79.

12 Arrangements for interim capacity in senior management

(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)

The Committee considered a joint report from Jacqui Gedman, Rosemary Gibson and Adrian Lythgo which sought members approval to make a temporary (interim) appointment to cover the post of Strategic Director – Economy and Infrastructure.

Jacqui Gedman agreed to provide members of the committee with further information on the curriculum vitae of the proposed candidate, and an opportunity for Councillors David Hall and Nicola Turner to meet with him ASAP.

RESOLVED: - Members of the Committee went on to:-

- (1). Approve, in principle, the recommendation in this report, to appoint Mr Naz Parkar, on an interim basis, to the role of Strategic Director for Economy and Infrastructure, to help ensure sufficient strategic capacity and support in the council
- (2). Ask Jacqui Gedman to provide members of the committee with further information about this candidate, plus an opportunity to meet with him in Jan 2017.

13. Health and social care arrangements – Options for the extension of current arrangement for the joint role of Strategic Director for Adults and Health at Kirklees Council and Chief Officer at 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)

The Committee considered a report by Adrian Lythgo which sought members approval for an extension of the current arrangement for the joint role of Strategic Director for Adults and Health at Kirklees Council and Chief Officer at North Kirklees CCG.

Members of the committee raised some concerns and reservations about the continuation of the arrangements for an indefinite period of time, and the affect which this could have on the capacity and management of the council and its services in 2017/18.

Jacqui Gedman went on to acknowledge the concerns and risks, which she will continue to manage and review in her role as Acting Chief Executive in 2017, which is reflected in the decision made by the Personnel Committee, as set out below.

RESOLVED: - Members of the committee approve the recommendation in this report, and support option 2, but subject to the conditions that:-

- The arrangements are to continue but are to be reviewed, by Jacqui Gedman, on a 3 month basis up until 31 December 2017, and the CCG asked to clarify its direction of travel, dates and plans by Summer 2017.
- The current arrangements continue for a fixed term extension of 3 months, with an additional 3 month (rolling) notice period.
- David Hamilton will be asked to provide interim capacity in adult social care to provide whole time cover on adult social care statutory functions for the remaining period of the secondment.

Personnel Committee - 25 January 2017

- Officers to issue communications to councillors, managers and staff to help clarify the roles and responsibilities of Richard Parry and David Hamilton in covering the duties and role of Strategic Director for Adults and Health in the period up to 31 December 2017.

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Contact Officer: Steve Copley

KIRKLEES COUNCIL

POLICY COMMITTEE

Monday 31st October 2016

Present: Councillor Rob Walker (Chair)
Councillor Fazila Fadia
Councillor David Hall
Councillor James Homewood
Councillor Robert Light
Councillor Hilary Richards
Councillor John Taylor
Councillor Judith Hughes

Apologies: Councillor Andrew Cooper

1 Membership of the Committee

Cllr Rob Walker welcomed Cllr Judith Hughes to the membership of the Policy Committee. Cllr Hughes has replaced Cllr Sheikh Ullah.

Apologies for absence were noted on behalf of Cllr Andrew Cooper.

2 Minutes of Previous Meeting

RESOLVED - The Minutes of the Policy Committee meeting on 12 September 2016 were approved as a correct record

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 Procurement and social value

John Heneghan and Chris Rowe, Policy Team, introduced a briefing note and presentation on the development and use of the Councils social value policy in the period from December 2013 to-date, plus the opportunities to re-assess the practical impact of the policy in terms of its stated priority social outcomes and look at ways in which these can be measured, refined and improved in line with the values and work on New Council.

The report also provided:-

- Some examples (case studies) of how our commissioning and procurement processes have changed since the introduction of the social value policy
- Opportunities to use social value to help inform decisions around service change and the use of budgets, and
- Evidence from research undertaken by the Centre for Local Economic Strategies (CLES) with the Federation of Small Businesses in 2013 about local authorities and their procurement processes, and the extent to which local authorities do spend their money with local companies and firms.

The report also stressed that the Policy Committee must be clear about the activity and product they would like to develop from looking at social value, what difference the committee would like the policy to make and how this work adds to New Council and fits with Council priorities for 2016/17. With this in mind, it explained that if the Policy Committee did decide to look at social value, there were several key areas which could benefit from members input. For example:

- How we make social value central to the transformation to the New Council?
- How to embed social value at the heart of the commissioning and procurement process?

Policy Committee - 31 October 2016

- Building a toolkit to help measure the social value element of our own commissioning and procurement processes?
- How best to use social value to inform decisions around service change and budget decisions?
- How best to use social value in order to build/maintain a strong voluntary and charitable sector?
- How do we work collaboratively to build the business and third sector environment conducive to the application of social value?

Member of the Committee went on to discuss these questions, and, in summary, agreed that it would be useful to:-

- Consider creating an informal task and finish group to review the policy and some aspects of the work on social value to date
- To check what other local authorities have done to try to resolve the same issues i.e. Is there any evidence or information on any best practice that already exists elsewhere?
- To check which other organisations could help us with these questions – CLES, the Local Government Association (LGA) and the Association for Public Service Excellence (APSE)
- To consider how and when the council considers questions on social value within its current commissioning and tendering processes for the procurement of goods and/or services i.e. how does it work? Is it a key question in the earliest stages of the process and subsequent chain of events?
- Explore the extent to which social value considerations inform decision making and the perceived trade-offs with income generation and budget savings.
- To consider if there are opportunities to review the process(es) that the local authority currently uses to construct and offer contracts and if this can be done in different ways to help more local businesses and people to bid for them i.e. could we do it differently? What are the barriers and risks involved?

In order to help progress matters, Cllrs Hughes, Light, Richards, Taylor and Walker agreed to hold an informal meeting with officers on 14 Nov 2016, to try to refine the scope for the work of the task and finish group, for consideration and approval at the next Policy Committee (28 Nov)

RESOLVED – Members of the Committee went on to resolve that:-

(1). John Heneghan and Chris Rowe be thanked for their briefing note and presentation on social value

Policy Committee - 31 October 2016

- (2). Officers to consider the comments and questions raised in today's meeting
- (3). Officers to convene a preliminary meeting with Cllrs Hughes, Light, Richards, Taylor and Walker to discuss the scope for the work of the proposed task and finish group on social value
- (4). The outcome of this work – including the questions on the proposed membership and terms of reference of the task and finish group – to be considered at the next Policy Committee meeting (28 Nov)

9 Policy Committee - Agenda plan for 2016/17

The Committee received a copy of an agenda plan containing details of the proposed dates and items for future meetings.

Members also noted that "Parking" had been added as a new item to the potential list of items for the Policy Committee meeting on 28 Nov 2016. However, the date and details have still to be confirmed.

RESOLVED – That the agenda plan be noted.

Contact Officer: Steve Copley

KIRKLEES COUNCIL

POLICY COMMITTEE

Monday 28th November 2016

Present: Councillor Rob Walker (Chair)
Councillor Andrew Cooper
Councillor John Lawson
Councillor Robert Light
Councillor Hilary Richards
Councillor Judith Hughes
Councillor Bill Armer

Apologies: Councillor Fazila Fadia
Councillor James Homewood
Councillor John Taylor

In attendance:

Observers: Councillor Gemma Wilson

1 Membership of the Committee

Apologies for absence were noted on behalf of Cllrs Fazila Fadia, James Homewood and John Taylor. Cllr Bill Armer substituted for Cllr John Taylor.

2 Minutes of Previous Meeting

RESOLVED - The minutes of the Policy Committee meeting on 31 October 2016 were approved as a correct record

3 Interests

No interests were declared.

4 Admission of the Public

The meeting was held in public session.

5 Public Question Time

No questions were submitted.

6 Deputations/Petitions

No deputations or petitions were received.

7 Member Question Time

No questions were submitted.

8 Social Value

Following on from the discussion at the Policy Committee on 31 October 2016, Cllr Rob Walker, plus David Bundy and Chris Rowe from the Policy Team, presented the committee with the draft terms of reference and action plan for the work of the proposed task and finish group.

Members noted that the terms of reference would cover three main areas, namely:-

- To examine best practice from other local authorities with favourable reputations for their social value programmes and to learn of the latest developments in the social value field from organisations such as the Centre for Local Economic Strategies (CLES), to understand how social value in Kirklees could be improved.

- To explore the extent to which all council functions consider social value in terms of their impact on the third sector, particularly local third sector organisations who are contributing to our Early Intervention and Prevention objectives; and how this could be improved – e.g. the impact of charging or cost recovery.

- To examine the Council commissioning and procurement process in light of information derived from the work described above; assess how changes to commissioning and procurement can stimulate local social value and contribute to good growth.

Members of the Committee went on to discuss the three areas for consideration and, in summary, agreed that it would be useful to change the final term of reference to include a reference to economic development and local economic growth.

Members may also look to consider the work undertaken to develop the use of the “Bristol pound” initiative, and if something similar could be developed in Kirklees.

David Bundy explained that the Centre for Local Economic Strategies (CLES) would be invited to help with the work as they have worked with a number of local authorities to help improve their work on social value.

Members agreed that a range of third sector groups should be consulted, and the focus should be on the local and smaller to medium size groups as some of the larger third sector organisations may already have the size and systems to successfully navigate the local authority's procurement process.

Members considered the different ways in which this theme could be explored and agreed that a business networking group may prove useful in exploring which areas of the procurement process may be proving difficult.

Members were asked to contact David Bundy and Yolande Myers with suggestions on the groups that could be approached or visited.

Members were asked to express their interest in participating in the task and finish group, and expressions of interest were received from Cllrs Judith Hughes, Hilary Richards and Robert Light. Cllr Light also confirmed that Cllr John Taylor had expressed an interest.

Members also noted that all members of the council would be sent an e-mail offering them the opportunity to participate in the work of the task and finish group.

RESOLVED – Members of the Committee went on to resolve that:-

(1) The draft terms of reference for a task and finish group be agreed, subject to a number of minor changes, and subject to the final objective being 'to examine the Council commissioning and procurement process in light of information derived from the work described above; assess how changes to commissioning and procurement can stimulate local social value and contribute to growth which enhances the delivery of the social and economic practices of the Council'.

(2) The chair of the Social Value task and finish group be Cllr Rob Walker, and the membership of the group include Cllrs John Taylor, Judith Hughes, Hilary Richards and Robert Light.

(3) Officers to notify all members of the council and to offer them the opportunity to participate in the work of the task and finish group.

(4) The proposed action plan be agreed, that officers will produce a programme of meetings and work and that details and progress be shared with the task and finish group and Policy Committee.

9 Update on Passivhaus

Following on from the discussion at the Policy Committee on 31 October 2016, Cllr Andrew Cooper provided a brief update on the meetings and visits that had been undertaken to help progress the work on a draft policy statement on passivhaus.

Policy Committee - 28 November 2016

Members agreed that further consideration of the item should take place at the next Policy Committee, to allow Cllr Cooper to address the questions and meetings with elected members which had been highlighted at the Policy Committee meeting on 12 September 2016.

RESOLVED - Members of the Policy Committee resolved that:

(1) Cllr Andrew Cooper be thanked for giving a brief verbal update at today's meeting.

(2) That Cllr Andrew Cooper organise a meeting with members to address the issues and questions raised at the Policy Committee meeting on 12 September 2016.

(3) That a full and updated briefing paper be brought to the next meeting of the Policy Committee on 9 January 2017.

10 Policy Committee - Agenda Plan for 2016/17

The Committee received a copy of an agenda plan containing details of the proposed dates and items for future meetings.

RESOLVED - Members of the Policy Committee resolved that:

(1) Progress reports on Passivhaus and Social Value to be considered on 9th January 2017.

(2) The proposed item on "Waste strategy" be sub divided in to two sub items (a) waste collection and dealing with waste, and (b) the contract and future relationship with SITA/SUEZ

Contact Officer: Steve Copley

KIRKLEES COUNCIL

POLICY COMMITTEE

Monday 9th January 2017

Present: Councillor Rob Walker (Chair)
Councillor Andrew Cooper
Councillor Fazila Fadia
Councillor David Hall
Councillor James Homewood
Councillor John Lawson
Councillor Hilary Richards
Councillor John Taylor
Councillor Judith Hughes
Councillor Bill Armer

Observers: Councillor Martyn Bolt
Councillor Naheed Mather

1 Membership of the Committee

Apologies for absence were noted on behalf of Cllr Robert Light for today's meeting. Cllr Bill Armer substituted for Cllr Light.

Cllrs Martyn Bolt and Naheed Mather attended the meeting as observers.

2 Minutes of Previous Meeting

The minutes of the Policy Committee meeting on 28 November 2016, were approved as a correct record.

Cllr Rob Walker also provided a brief progress report on the work being undertaken by the members of the task and finish group on social value, prior to the completion of a formal report and recommendations for the Policy Committee in February 2017.

3 Interests

No interests were declared.

4 Admission of the Public

Today's meeting was held in public session.

5 Public Question Time

No questions were submitted.

6 Deputations/Petitions

No deputations or petitions were received.

7 Member Question Time

No questions were submitted.

8 Dealing with refuse and waste in Kirklees

Will Acornley, Head of Environment and Greenspace, and Lory Hunter, Commercial and Technical Development Manager, introduced a presentation on the “Strategy for dealing with waste in Kirklees”

The presentation highlighted:-

- What the council and its services currently have to do and provide in 2016/17, within the SITA PFI contract up to 2022/23
- The financial costs of the services at present, and the predicted changes in those costs, demands and volumes in the period up to 2023
- Kirklees and its performance when compared to other local authorities and their figures on the recycling and disposal of waste
- What we may have to pay in the future because of the impact of the growth in waste on future disposal costs from 2017/18 through to 2027/28
- The changes described within the Government 2025 vision for dealing with recycling and waste.
- Areas where the Policy Committee may be able to help with the development of the changes and any policy issues. For example helping to set the ‘vision’:
 - Do we want to prepare for the different options?
 - What recycling rates do we want to aim for?
 - Do we want a ‘sort ourselves out’ treatment solution or a wider regional vision?
 - Do we want to send our waste to regional treatment facilities?
 - Is the current site the right location?
 - Do we want to move our operations?

Policy Committee - 9 January 2017

Members went on to discuss the concerns and issues raised by the presentation, which included:-

- The Government vision for 2025 and how we will deal with the new demands and targets for the collection and recycling of waste including the proposed collection of food waste
- An acknowledgement of the changes, demands and pressures which the council will have to address in the period from 2017-2023, to provide collection and recycling services
- Changes in the costs and markets for the collection and recycling of waste at a local, regional, national and international level
- The investment which the organisations in the public and private sector will have to make to deal with these challenges
- The location of any new homes and businesses in Kirklees, and how to deal with the extra demands which they will place on our collection and recycling facilities and services
- Selecting those areas of policy development e.g. awareness raising, promoting waste minimisation and new opportunities for the recycling of waste, where the Policy Committee may be able to help in 2017/18.

Resolved – Members of the Committee resolved that:-

- (1). Will Acornley and Lory Hunter be thanked for today's presentation
- (2). That further consideration of the issues raised by the presentation and today's discussion be picked up the Policy Committee, or through an informal task and finish group, from March 2017 onwards, to allow members to complete the current work on "Social value"
- (3). That Cllr Rob Walker, plus Steve Copley, Governance Team, share news of today's discussion and decisions with all members of the council, and to seek the names of any councillors that may want to participate in the proposed task and finish group from March 2017 onwards.

9 Passivhaus

Steve Copley, Governance Team, reminded members of the work undertaken by Cllr Andrew Cooper and a task and finish group on "Passivhaus" in 2015/16, news of which was shared with the Policy Committee on 12 September 2016.

It was noted that the work of the group, plus their work on a draft policy statement, had generated a number of requests for supplementary information and meetings, to try to help complete the document and work.

Policy Committee - 9 January 2017

Cllr Andrew Cooper agreed to share the information which he had obtained along with an invite for any members of the committee and the task and finish group to meet to consider this before the next meeting of the Policy Committee on 20 February 2017, in order to try to complete a formal report and final version of the policy statement.

Resolved – Members of the Committee resolved that:-

(1). Today's progress report be received and noted.

(2). Cllr Andrew Cooper to share the information which he has obtained and an invite for any members of the committee and the task and finish group to meet to consider this before the next meeting of the Policy Committee on 20 February 2017 in order to try to complete a formal report and final version of the policy statement.

Contact Officer: Richard Dunne, Tel. richard.dunne@kirklees.gov.uk

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 3rd November 2016

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Donna Bellamy
Councillor Mohan Sokhal

Apologies:

In attendance:

Observers:

1 Membership of the Committee

Councillor Bellamy substituted for Councillor D Firth.

Councillor Sokhal substituted for Councillor Kane.

2 Minutes of the Previous Meeting

Approved as a correct record.

3 Interests and Lobbying

No interests or lobbying were declared.

4 Admission of the Public

All items on the agenda were considered in public session.

5 Deputations/Petitions

The Committee received a deputation from Chris Marsden on behalf of the Huddersfield Civic Society.

6 Public Question Time

The Committee received questions from Chris Marsden on behalf of the Huddersfield Civic Society in regards to the process relating to the notification of Committee agendas following planning enforcement requests and a request to speak on an item that required prior registration.

The Chair and the Planning Development Management Group Leader responded to the questions.

7 Site Visit - Application 2016/92029 and 2016/92030

Site visit undertaken.

8 Planning Applications

The Committee considered the schedule of Planning Applications.

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.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 1st December 2016

Present: Councillor Paul Kane (Chair)
Councillor Bill Armer
Councillor Donald Firth
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Cathy Scott

1 Membership of the Committee

Councillor Scott substituted for Councillor S Hall.

In the absence of Councillor S Hall, the Committee considered the matter of the Appointment of Chair and agreed that Councillor Kane be appointed as Chair for this meeting of the Committee.

2 Minutes of Previous Meetings

RESOLVED –

That the minutes of the meeting held on 14 July and 3 November be approved as a correct record subject to the amendment of Minute Number 3 to reflect that Councillor Armer is a current, and not former, member of Kirkburton Parish Council, and is a former Kirkheaton Parish Councillor.

3 Interests and Lobbying

Councillor Pattison declared an 'other' interest in Agenda Items 13 and 14 on the grounds that she is a Director of a company that owns 6 Cross Church Street, Huddersfield (Minute numbers 13 and 14 refer).

4 Admission of the Public

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

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

7 Site Visit - Application 2014/92893

Site Visit Undertaken.

8 Site Visit - Application 2016/92321

Site Visit Undertaken.

9 Site Visit - Application 2016/92181

Site Visit Undertaken.

10 Site Visit - Application 2016/93411

Site Visit Undertaken.

11 Planning Application - Application No: 2014/92893

The Committee gave consideration to Application 2014/92893 – Erection of 34 dwellings and associated car parking at land off Croft Street, Birkenshaw.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Ian Stewart (on behalf of Birkenshaw Rugby Club), Susan Horrobin (on behalf of Birkenshaw Liberal Club), Amanda Mahoney (local resident) and Councillor Smaje.

RESOLVED –

1. That the Head of Development Management be delegated authority to approve the application subject to conditions including; standard conditions for the commencement of development and completion in accordance with approved plans, landscaping, landscaping maintenance, submission of materials, boundary treatments, removal of permitted development rights relating to plots 17 and 18, highways conditions relating to junction improvements at Old Lane/Croft Street, methods of storage and waste, parking provision secured and surfaced, internal adoptable road specifications and construction management plan, and drainage safety, environmental health, biodiversity enhancement, provision of electric charging points, the protection of existing retaining walls along the boundary with Allen Croft, and the securing of a Section 106 Agreement.

2. That pursuant to (1) above, circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Development Management shall be authorised to determine the application and consider whether it should be refused, and in such cases, impose appropriate reasons for refusal under delegated powers.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Kane, Pattison and Scott (3 votes).

Against: Councillors Armer, D Firth, and A Pinnock (3 votes).

(The application was determined upon the casting vote of the Chair)

12 Planning Application - Application No: 2016/93411

The Committee gave consideration to Application 2016/93411- Outline application for erection of a residential development at land to rear of 125 Helme Lane, Meltham, Holmfirth.

Under provisions of Council Procedure Rule 37, the Committee received a representation from David Storrie (applicant's agent).

RESOLVED –

That Conditional Outline Planning Permission be granted subject to the delegation of authority to the Head of Development Management to finalise conditions including;

- a) Standard conditions for the submission of Reserved Matters (excluding access).
- b) Standard conditions relating to the development being carried out in accordance with approved plans.
- c) The application for approval of any reserved matter being made to the Local Planning Authority before the expiration of three years from the date of this permission.
- d) The development hereby permitted shall begin either before the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- e) Provision of public open space.
- f) Provision of affordable housing.
- g) Provision of an education contribution.
- h) Highways conditions.
- i) Access to be constructed and made available prior to the first occupation of any dwelling.
- j) Drainage conditions.
- k) Bio diversity enhancement conditions.
- l) Submission of Phase 1 and 2 contaminated land surveys, remediation strategy, unexpected contamination, validation report.
- m) Provision of electric charging points.
- n) Construction management plan to be approved and implemented prior to commencement of development.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors D Firth, Kane, Pattison, A Pinnock and Scott (5 votes). Against: (no votes).

Abstained: Councillor Armer.

13 Planning Application - Application No: 2016/92029

The Committee gave consideration to Application 2016/92029 – Erection of extension to existing at Kingsgate Shopping Centre to form new leisure development including new cinema and restaurants, and demolition of existing buildings on the site including 20-22 Cross Church Street (partly within a conservation area), comprising 20-22 Cross Church Street, Fleece Yard, Sun Inn Yard and White Lion Yard.

Under provisions of Council Procedure Rule 37 the Committee received representations from Chris Marsden (on behalf of Huddersfield Civic Society) and Peter Everest (applicant).

RESOLVED –

- 1) That Conditional Full Planning Permission be granted subject to delegation of authority to the Head of Development Management to finalise conditions including;
 - a) The timeframe for implementation.
 - b) The development to be in accordance with approved plans.
 - c) A Phase II Contaminated Land report.
 - d) Remediation Strategy.
 - e) Validation Report.
 - f) Scheme of drainage measures to incorporate green or blue roof systems and/or grey water recycling.
 - g) Building works close to public combined sewers and live water mains to be carried out in accordance with approved method statements.
 - h) A scheme for the proposed means of disposal of foul and surface water drainage, including details of any redirection of flows linked to sewer diversion.
 - i) Scheme detailing intended crime prevention measures.
 - j) Noise report specifying measures to protect occupants of nearby noise sensitive premises at Kirkgate and Oldgate.
 - k) Air Quality Impact Report
 - l) Provision of swift nesting opportunities.
 - m) Details of how listed buildings will be supported.
- 2) That authority be delegated to the Head of Development Management to secure a S106 Agreement to (i) secure £185,000 towards highways improvement works on Cross Church Street and (ii) to secure £30,000 towards a public art work on Cross Church Street and £10,000 towards appropriate preparation of the area.
- 3) That pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Development Management shall be authorised to determine the application and consider

whether it should be refused, and in such cases, impose appropriate reasons for refusal under delegated powers.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, D Firth, Kane, Pattison, A Pinnock and Scott (6 votes).

Against: (no votes).

14 Planning Application - Application No: 2016/92030

The Committee gave consideration to Application 2016/92030 – listed building consent for erection of extension to existing Kingsgate Shopping Centre to form new leisure development including new cinema and restaurants and demolition of existing buildings on the site including 20-22 Cross Church Street (partly within a conservation area), comprising 20-22 Cross Church Street, Fleece Yard, Sun Inn Yard and White Lion Yard.

RESOLVED –

That Listed Building Consent be granted and authority be delegated to the Head of Development Management to finalise conditions including the time-frame for implementation, and for the development to be in accordance with approved plans.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, D Firth, Kane, Pattison, A Pinnock, and Scott (6 votes).

Against: (no votes).

15 Planning Application - Application No: 2016/92181

The Committee gave consideration to Application 2016/92181 – Outline application for erection of residential development (116 dwellings) and formation of new access to Woodhead Road and Land off Woodhead Road, Honley, Holmfirth.

Under provision of Council Procedure Rule 37, the Committee received a representation from Aimee Hanson (applicant's agent).

RESOLVED – That the application be refused on the grounds that (i) the proposed access arrangements for the development of the site, which is a signalled controlled layout, would harm highway safety and efficiency as such the development is contrary to Policies T10 and BE1 of the Kirklees Unitary Development Plan, and the harm to highways safety is not outweighed by any other material considerations and (ii) in the absence of a completed Section 106 Agreement the development fails to provide for educational requirements, affordable housing, public open space and travel planning requirements.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, D Firth, Kane, Pattison, A Pinnock and Scott (6 votes).
Against: (no votes).

16 Planning Application - Application No: 2016/92321

The Committee gave consideration to Application 2016/92321 – Deposit of inert waste on agricultural land to improve surface water drainage at Lands Farm, Cliff Lane, Gomersal.

RESOLVED –

That the application be refused.

(Contrary to the Officer's recommendation, the Committee resolved to refuse the application on the grounds that the proposals did not preserve the openness of Green Belt, constituted inappropriate development and would have a detrimental impact on the character of the local landscape. The Committee considered that very special circumstances had not been demonstrated in accordance with section 9 of the National Planning Policy Framework.)

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, D Firth, Kane, Pattison, A Pinnock and Scott (6 votes).
Against: (no votes).

Contact Officer: Richard Dunne, Tel. richard.dunne@kirklees.gov.uk

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 5th January 2017

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Donald Firth
Councillor Paul Kane
Councillor Carole Pattison
Councillor Andrew Pinnock

1 Membership of the Committee

There were no substitutions of membership.

2 Minutes of the Previous Meeting

RESOLVED -

That the minutes of the meeting held on 1 December 2016 be approved as a correct record.

3 Interests and Lobbying

Councillor Kane declared that he had been lobbied on application 2015/93238.

4 Admission of the Public

All items on the agenda were taken in public session.

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

7 Site Visit - Application 2015/93238

Site visit undertaken.

8 Site Visit - Application 2016/93230

Site visit undertaken.

9 Site Visit - Application 2016/92254

Site visit undertaken.

10 Planning Application - Application No: 2014/92893

The Sub-Committee gave consideration to Planning Application 2014/92893 - Erection of 34 dwellings and associated car parking at Land Off, Croft Street, Birkenshaw.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Susan Horrobin (on behalf of Birkenshaw Liberal Club), Ian Stuart, Jeff Turnbull, Esme Brooke, Andrew Mahoney and Stephen Powell (Objectors). Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Councillor Andrew Palfreeman (Local Ward Member).

RESOLVED –

- 1) That Conditional Full Permission be granted subject to the delegation of authority to the Head of Development Management to finalise conditions outlined in the submitted report and the update list (additional conditions detailed below) including matters relating to: the commencement of development; the development being completed in accordance with approved plans; landscape; landscape maintenance; submission of materials; approval of boundary treatment; the removal of Permitted Development rights for plots 17 and 18; Highways conditions including: Junction improvements at Old Lane/Croft Street, methods for storage and waste, parking provision being secured and surfaced, agreeing specifications for the internal adoptable roads and construction management; drainage Strategy including agreeing: surface water run off and flow routing and temporary drainage solutions ; environmental health conditions including : remediation strategy, unexpected contamination; validation report and noise attenuation measures (between Club and nearest dwellings); bio diversity enhancement measures and the provision of electric charging points.

Additional conditions to include:

1. That before the development commences details of the future provision/repair and maintenance of the retaining wall/structure to the southern boundary of Plots

17-19 shall be submitted for the written approval of the Local Planning Authority. That the agreed details shall be implemented prior to the occupation of the approved dwellings on Plots 17-19.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any Order revoking or re-enacting that Order) no development included within Schedule 2 Part 1 Class A1, B and E to that Order shall be carried out without the prior written consent of the Local Planning Authority.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, as amended (or any Order revoking or re-enacting that Order) no doors, windows or any other openings (apart from any expressly allowed by this permission) shall be created in the southern elevation of Plot 19.
- 2) That the Head of Development Management be delegated authority to secure a S106 agreement to cover the following matters:
 - a) Affordable Housing – 10 dwellings (with a 55% social rent and 45% submarket split).
 - b) £60,482 towards educational requirements
 - c) £90,850 towards public open space off site contribution
 - d) Residential Metro Card Scheme A – Bus Only (Based on the current scheme costs this would be $34 \times £475.75 = £16175.50$)
- 3) That, pursuant to (2) above, in the circumstances where the S106 agreement has not been completed within 3 months of the date of this decision, the Head of Development Management shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted to determine the application and impose appropriate reasons for refusal under Delegated Powers.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors S Hall, Kane and Pattison (3 votes)

Against: Councillors Armer and D Firth (2 votes)

Abstained: Councillor A Pinnock

11 Planning Application - Application No: 2015/93238

The Sub-Committee gave consideration to Planning Application 2015/93238 - Demolition of existing dwelling and erection of 5 detached dwellings with associated site works at Thornfield, 40 Prospect Lane, Birkenshaw.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Ian Stuart (Local Resident) and David Storrie (Planning Agent).

RESOLVED –

That Conditional permission be granted subject to the delegation of authority to the Head of Development Management to finalise conditions including:

1. The time frame for implementation.
2. Standard plans condition.
3. The submission of materials.
4. Conditions relating to contamination
5. Ensuring that the proposal is in accordance with Arboricultural Impact Assessment and Method Statement that is submitted with the application.
6. That there is evidence of arboriculture supervision as outlined in the Arboricultural Method Statement.
7. Securing biodiversity enhancement measures.
8. Boundary fence and walling materials.
9. Securing adequate surfacing and drainage of vehicle parking areas including the access to these areas.
10. The provision of turning facilities as detailed in the plan.
11. The provision of a bin storage area prior to the first use of the development.
12. The provision of an electric vehicle charging point.
13. Restricting permitted development rights on extensions.
14. The restriction of additional windows.
15. The requirement of obscure glazing for side facing windows.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors Armer, D Firth, S Hall, Kane and Pattison (5 votes)

Against: Councillor A Pinnock

12 Planning Application - Application No: 2016/93230

The Sub-Committee gave consideration to Planning Application 2016/93230 - Outline application for demolition of existing buildings and erection of residential developments at Fenay Bridge Nursery, Fenay Lane, Fenay Bridge, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Malcom Sizer (speaking on behalf of the applicant). Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Cllr Bernard McGuin (Local Ward Member).

RESOLVED –

That outline planning permission be refused in line with the following reasons that were included in the considered report:

The majority of the area of the site proposed for residential development is considered to be greenfield land and the construction of residential development would result in a form of inappropriate development. The redevelopment of the

remaining part of the site which is brownfield would result in a form of development which would have a greater impact on the openness of the Green Belt and to the purposes of including land with it and to the character of the local landscape. The applicant has not demonstrated that there are very special circumstances that would outweigh the harm identified, as such the development would be contrary to Section 9 of the National Planning Policy Framework.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors Armer, D Firth, S Hall, Kane, Pattison and A Pinnock (6 votes)
Against: (0 votes)

13 Planning Application - Application No: 2016/93268

The Sub-Committee gave consideration to Planning Application 2016/93268 - Landfill of former quarry site and restore to agricultural land and highway improvements to provide vehicle passing areas at former quarry, Hall Ing Quarry, Hall Ing Road, Brockholes, Holmfirth

RESOLVED –

- 1) That Conditional Permission be granted subject to the delegation of authority to the Head of Development Management to finalise conditions outlined in the submitted report including :
 1. A standard 3 year time period to implement permission.
 2. A 12 month time limit to complete the development from the date of commencement.
 3. A standard condition requiring the development to accord with approved plans.
 4. Restricting access in line with the details that will be shown on the approved plans.
 5. That no landfill will commence until sight lines across the site frontage have been formed.
 6. The submission of a detailed scheme that covers the creation and upgrading of passing places on the highway that approaches the site.
 7. The Implementation of an approved scheme that covers the creation and upgrading of passing places prior to development commencing.
 8. Gates at the site entrance to be set back.
 9. The satisfactory surfacing of areas on the site that will be used by vehicles.
 10. A requirement to clean vehicles prior to entering the public highway.
 11. The restriction of HGV movements (8 in 8 out per day).
 12. The adequate provision on site for the storage of any oils/fuels etc. for plant and equipment.
 13. A requirement that only inert waste is used in the development.
 14. Preclusion of crushing and screening of waste on site.
 15. A requirement to strip existing soils prior to deposit of waste.
 16. A requirement to provide a detailed restoration scheme within 3 months of commencement.

Strategic Planning Committee - 5 January 2017

17. A requirement to adequately prepare/cultivate the final surface prior to restoration.
 18. A requirement for the Local Planning Authority to be given the opportunity to inspect the final surface once prepared.
 19. A requirement to use a minimum depth of topsoil across the site.
 20. A requirement to remove the haul road and restore the land.
 21. A restriction on hours of operation to 09:00 to 15:00 hours Monday to Friday only.
 22. A requirement to submit a scheme which indicates how noise emissions from the site will be minimised.
 23. A requirement to submit a scheme which indicates how dust emissions from the site will be minimised.
 24. A requirement to submit details of the design of any gate, wall or fence to be used on site.
 25. That no waste skips or containers are stored on the site.
 26. A requirement to provide a method statement covering environmental protection and enhancement proposals.
 27. A requirement that no burning of any materials will take place on the site.
 28. A requirement to avoid bird nesting season during landfilling operations or to ensure no nests will be detrimentally affected.
 29. A requirement to provide details of a temporary protective fence adjacent to the active tipping area.
 30. A requirement to replace any planting, seeding or trees which dies during a 5 year period after site restoration has been completed.
- 2) That the Head of Development Management be delegated authority to secure a S106 agreement which:
- a) Requires the use of a specific route for HGVs travelling to and from the site;
 - b) Precludes the use of articulated HGVs travelling to and from the site;
 - c) Restricts the size of HGV vehicles travelling to and from the site to rigid three axle HGVs with a maximum gross weight of 26 tonnes; and
 - d) Subject to there being no substantive changes to alter the recommendation, to issue a decision notice.
- 3) That, pursuant to (2) above, in the circumstances where the S106 agreement has not been completed within 3 months of the date of this decision, the Head of Development Management shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted to determine the application and impose appropriate reasons for refusal under Delegated Powers.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors Armer, D Firth, S Hall, Pattison and A Pinnock (5 votes)

Against: Councillor Kane (1 vote)

14 Planning Application - Application No: 2016/92254

The Sub-Committee gave consideration to Planning Application 2016/92254 - Erection of 24 dwellings at Land off Colders Lane, Meltham, Holmfirth.

RESOLVED –

Deferred.

The Committee resolved to defer consideration of the application and requested that the application be considered at a future meeting of the Committee following the conclusion of the viability assessment with the District Valuer.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors Armer, D Firth, S Hall, Kane, Pattison and A Pinnock (6 votes)
Against: (0 votes)

15 Planning Application - Application No: 2016/92633

The Sub-Committee gave consideration to Planning Application 2016/92633 Position Statement - Erection of 128 dwellings (with two apartment blocks) including means of access and associated infrastructure at Heathfield Lane, Birkenshaw.

RESOLVED –

The Committee noted the contents of the report and provided comments to the questions outlined in the submitted report.

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Contact Officer: Andrea Woodside, Tel. andrea.woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 2nd February 2017

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Donald Firth
Councillor Paul Kane
Councillor Carole Pattison
Councillor Andrew Pinnock

1 Membership of the Committee

There were no substitutions of membership.

2 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 5 January 2017 be approved as a correct record.

3 Interests and Lobbying

Councillors Kane, Pattison and S Hall advised that they had been lobbied on Application 2016/93740.

4 Admission of the Public

It was noted that exempt information had been provided to the Committee in relation to Application 2016/93740. (Minute No 16 refers)

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

7 Site Visit - Application No: 2016/93797

Site visit undertaken.

8 Site Visit - Application No: 2016/92633

Site visit undertaken.

9 Site Visit - Application No: 2016/93740

Site visit undertaken.

10 Site Visit - Application No: 2016/93004

Site visit undertaken.

11 Planning Application - Application No: 2016/92633

The Committee gave consideration to Application 2016/92633 – Erection of 125 dwellings (with two apartment blocks) including, means of access and associated infrastructure at Heathfield Lane, Birkenshaw.

Under the provision of Council Procedure Rule 37, the Committee received a representation from Mark Jones (applicant's agent).

RESOLVED -

- 1) That the Head of Development Management be delegated authority to approve the application and issue the decision notice.
- 2) That the Head of Development Management be authorised to complete the list of conditions, which shall include; a two year time limit, the development to be in accordance with approved plans, approval of materials samples, scheme for a new footpath/bridle way link with construction and specification details , a landscape scheme introducing green infrastructure internally within the site and along the north western boundary, development to be completed in accordance with sections provided showing the relationship between Milford Grove and Bradford Road, boundary treatment details, ecology mitigation measure, lighting scheme for development, development to be carried out in accordance with the amended Arboricultural Method Statement, a package of sustainable travel incentives including improvements to bus shelters and residential metro cards through S106, notwithstanding the submitted details – vehicle swept path drawings to demonstrate refuse vehicle/emergency vehicles to access/egress and turn on site shall be submitted and approved in writing by the LPA, construction management plan with detail of how dust emissions during construction will be controlled/minimised, private parking spaces surfaced in permeable material, scheme for internal adoptable estate road (to include sections, drainage

Strategic Planning Committee - 2 February 2017

works, street lighting, sightlines safety audit and surface treatments), scheme detailing all new retaining walls/structures, scheme/constructional details for all new surface water attenuation/culvert tanks located in highways, no pumped discharge of surface water from development to local drainage networks, detailed drainage strategy limiting surface water discharge to 9.7l/s in accordance with submitted FRA dated November 2016 and maintenance and management plan to be approved, detailed flood routing strategy to include assessments and avoidance/mitigation of the effects of 1 in 100 year storm events of drainage infrastructure, surface water and run off pre and post development, temporary drainage provision for surface water drainage and flood risk mitigation during construction phase, no building or other obstruction including landscape features to be located over or within 3 meters either side of the centre of the line of the water main, implementation of remediation strategy, submission of validation report, noise mitigation measures for all properties to achieve acceptable internal target levels (higher acoustic glazing intermittent extract fans for extract ventilation and trickle ventilators for the dwellings adjacent to the motorway), details of an acoustic barrier along the boundary of site adjacent to the motorway and between properties, and provision of electric vehicle charging points.

- 3) That the Head of Development Management be authorised to secure a Section 106 agreement to cover the following matters; (i) Affordable Housing at 20% of the total number of units as starter homes, 25 units, in perpetuity, for sale at 20% off open market value, for first time buyers (aged 23-40) (ii) Public Open Space provisions on site together with commuted sum £6,900 for the shortfall of on-site and any other contribution in line with Policy H18 deemed necessary (iii) Education contribution at £477,319 based on 125 units and (iv) £101,393.75 towards two bus shelters at existing bus stops with Real Time Passenger Information displays and residential metro cards.
- 4) That, pursuant to (3) above, in circumstances where the S106 has not been completed within 3 months of this decision, the Head of Development Management shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and be authorised to determine the application and consider whether it should be refused, and in such cases, impose appropriate reasons for refusal under delegated powers.
- 5) That, pursuant to (2) above, an additional condition be added in relation to the retention, repair and reinstatement of the stone boundary wall.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors S Hall, Kane and A Pinnock (3 votes)

Against: Councillors Armer, D Firth and Pattison (3 votes)

In accordance with Council Procedure Rule 18(25), the application was determined by the casting vote of the Chair, who voted for the approval of the application.

12 Planning Application - Application No: 2016/93004

The Committee gave consideration to Application 2016/93004 – Erection of club house and re-instatement of football field at former Brook Motors Sports Field, New Mill Road, Brockholes.

RESOLVED -

- 1) That the Head of Development Management be delegated authority to approve the application and issue the decision notice.
- 2) That the Head of Development Management be authorised to complete the list of conditions, which shall include; commencement of development, development to be completed in accordance with plans, submission of materials for the clubhouse, approval of boundary treatments, submission of crime prevention measures, submission of details for construction traffic to and from site, secure sightlines for point of access, marking out and surfacing of car park with appropriate materials, setting back of gate for site access, submission of details for secure bicycle parking, provision of parking area for Forester's buildings prior to development being brought into use, environmental agency condition re finished floors, drainage strategy – surface water run off; flow routing and temporary drainage solutions, flood mitigation construction techniques, hours of use condition for pitch/floodlights/clubhouse, glare control of floodlighting, unexpected contamination, noise attenuation measures (between club and nearest dwellings), club house not to be used as an A4 public house and biodiversity enhancement measures/landscaping plan.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, D Firth, S Hall, Kane, Pattison and A Pinnock (6 votes)

Against: (No votes)

13 Planning Application - Application No: 2016/93797

The Committee gave consideration to Application 2016/93797 – Conversion and extension of existing building, including part demolition, to form wedding venue and restaurant with bedrooms and ancillary car park together with community use (Listed building)(modified proposal) at Fieldhead, 1 Lidget Street, Lindley.

Under the provision of Council Procedure Rule 37, the Committee received a representation from Malcolm Sizer (applicant's agent).

RESOLVED -

- 1) That the Head of Development Management be delegated authority to approve the application and issue the decision notice.
- 2) That the Head of Development Management be authorised to complete the list of conditions, which shall include; standard limit for implementation, development to be in accordance with the approved plans and other details,

Strategic Planning Committee - 2 February 2017

walling and roofing materials to match existing building, sectional plan of proposed roof terrace to be submitted showing the height of the proposed stone parapet, the hours of use of the roof terrace, sight lines cleared of obstructions to visibility before development is brought into use, access improvements to be implemented in accordance with approved details before development is brought into use, sound attenuation measures to be implemented and proof submitted that they have been installed, approval of ventilation scheme, external doors and windows to remain closed during regulated entertainment, restrictions on hours of use of the premises, bat mitigation measures and three starling nest boxes to be implemented and retained, amended details of landscaping scheme to be submitted and approved, amended arboricultural method statement to be submitted and approved, drainage scheme for the building – details to show how the parking spaces are to be drained, windows at the first floor in northern side elevation to be fitted with obscure glazing minimum grade 4, boundary treatments shown on the approved plans to be implemented and retained, cycle parking facilities as shown on drawing 0010/01 to be provided, travel plan recommendations to be implemented, details of site specific CCTV system and external lighting to be submitted and approved, and details of any permanent parasols or outdoor heaters to be submitted and approved prior to the first use of the terrace.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, D Firth, S Hall, Kane, Pattison and A Pinnock (6 votes)

Against: (No votes)

14 Planning Application - Application No: 2016/92181

The Committee gave consideration to Application 2016/92181 – Outline application for erection of residential development (116 dwellings) and formation of new access to Woodhead Road, land off Woodhead Road, Honley, Holmfirth.

RESOLVED –

- 1) That the application be refused on highways safety grounds as the proposed access arrangements for the development of the site would be detrimental to highway safety and efficiency in this location, and the harm to highway safety is not outweighed by any other material considerations.
- 2) In the absence of a completed Section 106 agreement, the development fails to provide for educational requirements, affordable housing provision, public open space and travel planning requirements.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, D Firth, S Hall, Kane, Pattison and A Pinnock (6 votes)

Against: (No votes)

15 Planning Application - Application No: 2015/93850

The Committee gave consideration to Application 2015/93850 – Demolition of intensive poultry farm buildings and redevelopment of site with 6 detached dwellings with associated landscaping including new paddocks at New Dunsley Poultry Farm, Brow Lane, Holmfirth.

RESOLVED -

- 1) That the Head of Development Management be delegated authority to approve the application and issue the decision notice.
- 2) That the Head of Development Management be authorised to complete the list of conditions, which shall include; development to begin within three years, development to be carried out in complete accordance with the plans and specifications schedule, samples of all facing and roofing materials, details of the siting/design/materials to be used in the construction of walls or fences for boundaries/screens/retaining walls, vehicle parking areas to be surfaced and drained, a scheme detailing the proposed internal adoptable estate roads including a turning head, no vehicular access to the development from Brow Lane, a scheme for cycle storage facilities, a scheme detailing foul/surface water/land drainage/ no building or other obstruction located over or within 3.0m either side of the centre line of the 110mm live public water main which crosses the site, phase II intrusive site investigation report, remediation strategy, revisions to the remediation strategy or contamination not previously considered, validation report, landscaping scheme, biodiversity mitigation and enhancement plan and details of the packaged sewage treatment.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, D Firth, S Hall, Kane, Pattison and A Pinnock (5 votes)

Against: Councillor Kane (1 vote)

16 Planning Application - Application No: 2016/93740

The Committee gave consideration to Application 2016/93740 – Conversion and alterations of former industrial/commercial buildings to form 104 apartments, leisure facilities and management offices (within a Conservation Area) at Blakeridge Mill, Blakeridge Lane, Batley.

Under the provision of Council Procedure Rule 37, the Committee received representations from Nick Wilock (applicant's agent), Helen Davies (applicant) and Tracy Brabin MP.

RESOLVED -

- 1) That the Head of Development Management be delegated authority to approve the application and issue the decision notice following the completion of the consultation period.
- 2) That the Head of Development Management be authorised to complete the list of conditions, which shall include; the commencement of development, development to be completed in accordance with approved plans, alteration and new building works to be undertaken with existing reclaimed stone from the site, landscape scheme and subsequent maintenance, agreed drainage strategy to be implemented, erect acoustic barrier prior to any occupancy with the pavilion, update lighting scheme, scheme for provision of electric charging points, scheme for crime prevention measures, leisure facility and the office suite use exclusively for the Blakeridge complex, implementation of the Japanese Knotweed Management Statement, provision and surfacing of parking and turning areas, extension of section of internal footway in front of Blakeridge Mills, details of any retaining structures adjacent to an adopted highway and provision/implementation of a full residential travel plan.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Armer, D Firth, S Hall, Kane, Pattison and A Pinnock (6 votes)

Against: (No votes)

17 Local Planning Authority Appeal

The Committee received a report which set out details of an appeal in regards to Application 2016/90146, which had been allowed by the Planning Inspectorate. The application, which sought outline permission for the erection of residential development at land at Lancaster Lane, Brockholes, had been made under Section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision. The Committee noted that the appeal had been allowed and that outline permission had been granted with all matters (other than access) reserved for residential development.

The report of the Planning Inspector was appended to the considered report.

RESOLVED –

That the report be noted.

18 Pre-application Enquiry: 2016/20220

The Committee received a report which set out information on a pre-application enquiry regarding a potential major planning application for a sandstone quarry by Johnson Wellfield Quarries. Details of the proposal and associated issues were summarised within the considered report.

Strategic Planning Committee - 2 February 2017

Under the provision of Council Procedure Rule 37, the Committee received representations from Mr Berry (applicant) and Mr Standen (applicant's agent).

The Committee provided comment upon the information that had been provided.

RESOLVED – That the information provided be noted.



Name of meeting:

Council Date: 22 March

2017

Title of report: Regional Issues Working Party

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 ?	No
Is it eligible for "call in" by Scrutiny ?	No
Date signed off by <u>Director</u> & name Is it signed off by the Assistant Director - Legal & Governance? Is it signed off by the Assistant Director – Financial Management, Risk, IT and Performance	
Cabinet member portfolio	Not Applicable

Electoral [wards](#) affected: All

Ward councillors consulted: Not applicable

Status of Report : Public

1. Purpose of report

To establish a Regional Issues Working Party.

2. Key points

At the meeting of Council on 9 November 2016, Councillor Peter McBride reported on the Transport for the North project as part of his responsibilities to report to Council under the Holding the Executive to Account constitutional requirement. During the ensuing discussion there was consensus that it would be useful to establish an all-party forum to provide the opportunity for discussion to take place with a wider cohort of Councillors on regional developments.

This would assist the Leader and other Councillors, appointed to represent the Council at the West Yorkshire Combined Authority and other regional bodies, in formulating a position that best represents the interests of Kirklees and its communities.

Purpose:

It is proposed that the Working party will act as a cross party forum for discussing and sharing information on regional infrastructure issues that have long term implication or opportunity for Kirklees.

The Working Party will be advisory and not have any decision making powers. It will help inform the Leader/Deputy Leader and other Councillors who are participating in Regional decision making.

Membership:

Leader and Deputy Leader
Cabinet Portfolio Holder - Economy, Skills, Transformation and Planning
Councillors who are not members of the Executive on a 2:2:2:1:1 ratio.

Terms of Reference:

1. To act as a forum for discussing and sharing information on regional infrastructure issues that have long term implications and/or opportunities for Kirklees.
2. To assist in informing the Leader, Deputy Leader and other Councillors who are participating in Regional decision making, on the best interests of Kirklees and its communities.
3. To provide a cross party opportunity for the raising of issues of concern on Regional issues with the Councils representatives at the West Yorkshire Combined Authority and other Regional Bodies.

Confidentiality:

Members of the Working Party will have to abide by the direction provided by Councillors representing the Council at a Regional level together with Officers and maintain confidentiality on issues discussed, due to their sensitivity, on matters such as commercial confidentiality, land acquisition, future development opportunities and bids for funding etc.

Frequency of Meetings

The Working Party will meet on a quarterly basis to receive updates on progress on regional activity and will also meet on an ad hoc basis, as and when necessary, to act as a sounding board on key regional issues so as to assist the Council's representatives who participate in regional decision making.

3. Implications for the Council

The Working Party will enhance the Councils ability to ensure that its best interests are pursued when decisions are taken that impact on the Council and its communities at a Regional level.

4. Consultees and their opinions

Not applicable.

5. Next steps

If approved, the Working Party will be established and will commence its work as soon as practicably possible.

6. Officer recommendations and reasons

- 1) That approval be given to the establishment of the Regional Issues Working Party in accordance with the Membership and Terms of Reference as set out in the report.

7. Contact officer and relevant papers

Richard Farnhill, Governance & Democratic Engagement Manager
Richard.farnhill@kirklees.gov.uk

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Name of meeting: Council

Date: 22 March 2017

Title of report: Allocation of Seats on Committees etc.

Purpose of report

To seek approval to a change in the composition of the Appeals Panel as a consequence of a change to the number of Councillors on the Council's Labour Group

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?	No
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports) ?	No
The Decision - Is it eligible for "call in" by Scrutiny?	No
Date signed off by Director & name	Julie Muscroft 14.03.2017
Is it also signed off by the Assistant Director for Financial Management, IT, Risk and Performance?	Yes/ No financial implications If yes give date
Is it also signed off by the Assistant Director - Legal Governance and Monitoring?	Yes/ No legal implications If yes give date
Cabinet member portfolio	Not Applicable

Electoral wards affected: Not applicable

Ward councillors consulted: Not applicable

Public or private: Public

1. Summary

As a consequence of the resignation of Cllr Stubleby from the Council's Labour Group the size of the Group has reduced from 34 to 33 Councillors. This changes the Labour Group's entitlement to seats on Committees/Panels etc. that are subject to the rules of political proportionality.

The Labour Group is required to reduce its allocation of seats by one place.

2. Information required to take a decision

The reduction in the size of the Labour Group means that there has to be a review of the number of places allocated to them on Committees that are subject to the rules of proportionality. The change from 34 to 33 members requires a reduction in overall entitlement to places by one seat.

Taking account of the calculations on entitlement to places in relation to the different sizes of Committees/Panels the Labour Group are required to give up the seat on a Committee/Panel of 14 seats. After consultation with the Labour Group Business Manager it has been agreed that the reduction be applied to the Appeals Panel.

A revised schedule setting out overall entitlement to seats on Committees/Panels that takes account of this is attached and Council are recommended to approve the revised composition of the Appeals Panel.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

There is no impact on this priority theme

3.2 Economic Resilience (ER)

There is no impact on this priority theme

3.3 Improving Outcomes for Children

There is no impact on this priority theme

3.4 Reducing demand of services

There is no impact on this priority theme

4. Consultees and their opinions

Group Business managers have been advised of the implications of the change in the size of the Labour Group and its impact on Committee places.

5. Next steps

The change will be implemented with immediate effect. The question of the composition of Committees/Panels will be considered again at the Annual Meeting of Council in May 2017.

6. Officer recommendations and reasons

That the attached schedule setting out details of the allocation of places to political groups be approved

7. Cabinet portfolio holder recommendation

Not applicable

8. Contact officer

Richard Farnhill, Governance & Democratic Engagement Manager

9. Background Papers and History of Decisions

Report to Annual Meeting of Council – 26 May 2016

10. Assistant Director responsible

Julie Muscroft, Assistant Director, Legal, Governance & Monitoring

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As at March 2017

Committees/Panels/Boards	Total No. of Members	Labour 33	Cons 20	Lib Dem 9	Green 3	Independent 2	
Appeals Panel	13	6	4	2	1	0	
Corporate Governance and Audit Committee	7	2	2	2	1	0	(Non-proportional)
Licensing and Safety Committee	14	7	4	2	1	0	
Overview and Scrutiny Management Committee	4	1	1	1	1	0	(Non-proportional)
Personnel Committee	9	4	3	1	0	1	
Employee Relations Sub-Committee	9	4	3	1	1	0	
Planning Sub-Committee (Heavy Woollen)	14	7	4	2	1	0	
Planning Sub-Committee (Huddersfield)	14	7	4	2	0	1	
Policy Committee	10	5	3	1	1	0	
Standards Committee	5	3	1	1	0	0	
Strategic Planning Committee	6	3	2	1	0	0	
Health and Wellbeing Board	5	3	1	1	0	0	(Non-proportional)

Note: In accordance with proportionality the Independent Members who are not members of the Independent Group do not have any entitlement to any places on Committees, Boards or Panels.

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