

Public Document Pack



**Service Director – Legal, Governance and
Commissioning**

Julie Muscroft

The Democracy Service
Civic Centre 3
High Street
Huddersfield
HD1 2TG

Tel: 01484 221000

Please ask for: Andrea Woodside

Email: andrea.woodside@kirklees.gov.uk

Monday 9 April 2018

Notice of Meeting

Dear Member

Cabinet

The **Cabinet** will meet in the **Council Chamber - Town Hall, Huddersfield** at **4.00 pm** on **Tuesday 17 April 2018**.

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

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

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

Julie Muscroft

Service Director – Legal, Governance and Commissioning

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

The Cabinet members are:-

Member

Councillor David Sheard

Councillor Shabir Pandor

Councillor Peter McBride

Councillor Naheed Mather

Councillor Musarrat Khan

Councillor Erin Hill (Currently on
Maternity Leave)

Councillor Viv Kendrick

Councillor Masood Ahmed

Councillor Graham Turner

Councillor Cathy Scott

Responsible For:

Leader of the Council with shared Portfolio for Strategy and Strategic Resources, New Council & Regional Issues (Cabinet Lead on Democracy Commission)

Deputy Leader of the Council with shared Portfolio for Strategy and Strategic Resources, New Council & Regional Issues

Cabinet Member - Economy (Strategic Planning, Regeneration and Transport)

Cabinet Member - Economy (Strategic Housing, Regeneration and Enforcement)

Cabinet Member - Corporate (Place, Environment and Customer Contact Services)

Cabinet Member - Currently on Maternity Leave

Cabinet Member - Children (Statutory responsibility for Children)

Cabinet Member - Children

Cabinet Member - Corporate (Place, Environment and Customer Contact Services)

Cabinet Member - Adults and Public Health (Statutory Responsibility for Adults & Public Health)

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

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

2: Minutes of previous meeting

1 - 8

To approve the Minutes of the meeting of the Committee held on 20 March 2018

3: Interests

9 - 10

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

4: Admission of the Public

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

5: Deputations/Petitions

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

6: Member Question Time

To consider questions from Councillors.

7: Special Educational Needs and Disability - Information Advice and Support Service (SENDIASS), known as Kirklees Independent Advice Service (KIAS) and its potential integration with Calderdale SENDIASS 11 - 26

A report asking Cabinet to consider the proposal to integrate Kirklees and Calderdale SENDIASS services from September 1st 2018 under a Delegation of Functions Agreement (Local Government Act 1972)

Contact: Mandy Cameron, Head of Service, Education, Safeguarding and Inclusion, Tel: 01484 221000

8: Memorandum of Understanding with the University of Huddersfield and Arts Council England 27 - 42

To present to Cabinet for approval a Memorandum of Understanding with Arts Council England and the University of Huddersfield.

Contact: Adele Poppleton, Head of Culture and Vibrancy, Tel: 01484 221000

9: Early closedown review 2017/18 43 - 50

A report to update Cabinet on the early close down of the Council's accounts for 2017/18 and to consider proposals to capitalise an estimated £8.2m revenue expenditure, within allowable Government and accounting rules, as part of 2017-18 final accounts process

Contact: Eamonn Croston, Head of Finance and Accountancy Tel: 01484 221000

10: 2017/18 and 2018/19 Council Capital Plan – Proposed allocation of 2018/19 capital funding from the Learning & Early Support baseline and proposed amendments to the 2017/18 approved programme. 51 - 70

A report to identify potential projects, for Member approval, to be funded from the 2018/19 Learning and Early Support Capital Maintenance section of the Capital Plan

Contact: David Martin, - Head of Capital Delivery and facilities management Tel: 01484 221000

- 11: 2017/18 and 2018/19 Corporate Landlord Asset Investment Capital Plan - Amendments to the detail of the approved 2017/18 Corporate Landlord programme and proposed allocation of 2018/19 capital funding.** 71 - 78

To present to Cabinet a report which will identify potential projects to be funded from the 2018/19 Corporate Landlord Asset Investment baseline section of the Capital Plan which was approved by Council on 14th February 2018.

Contact: Jonathan Quarmby - Corporate Facilities Manager, Tel: 01484 221000.

- 12: Exclusion of the Public**

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

- 13. 2017/18 and 2018/19 Council Capital Plan - Proposed allocation of 2018/19 capital funding from the Directorate for Children's Learning & Early Support baseline section of the Capital Plan along with details of proposed amendments to the 2017/18 approved programme of works** 79 - 82

Private appendix in relation to item 10

- 14. 2017/18 and 2018/19 Corporate Landlord Asset Investment Capital Plan - Amendments to the detail of the approved 2017/18 Corporate Landlord programme and proposed allocation of 2018/19 capital funding** 83 - 84

Private appendix in relation to item 11

This page is intentionally left blank

Contact Officer: Steve Copley

KIRKLEES COUNCIL

CABINET

Tuesday 20th March 2018

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

Observers: Councillor John Lawson
Councillor Nicola Turner

Apologies: Councillor Erin Hill (Currently on Maternity Leave)

442 Membership of the Committee

Apologies for absence noted on behalf of Cllr Hill who is currently granted leave of absence.

443 Minutes of previous meeting

The Minutes of the meeting held on 20 February 2018 were approved as a correct record.

444 Interests

Cllr Peter McBride declared an interest in item 14, as he is a member of the KSDL Board (see Minute No. 455 below).

445 Admission of the Public

Cabinet agreed to consider items 1-15 in public session. Items 17 and 18 were considered in private.

446 Deputations/Petitions

No deputations or petitions were received.

447 Public Question Time

No questions were submitted.

448 Member Question Time

No questions were submitted.

449 Recommendations from the Special Educational Needs and/or Disability (SEND) High Needs Strategic Review - Specialist Provision Capital Fund

Cabinet considered a report, an addendum to a previous report entitled "Summary of Findings from the Special Educational Needs and/or Disability (SEND) High Needs Strategic Review", which sought approval for a series of specific recommendations on how the Department for Education's (DfE) £1m Specialist Provision Capital Fund allocation to Kirklees should be used to develop local provision for children and young people with special educational needs and disability (SEND).

Cabinet noted that the purpose of today's report was to allocate a specific capital grant allocation, acknowledging that it is not intended to, nor would it be able to, address overall need in the area.

The specific projects and recommendations in today's reported focused on (i) Ravenshall School (Approx. £400k), (ii) Newsome High School (Approx. £300k) and Honley High School (Approx. £300k)

RESOLVED - That the recommendations within the report for the allocation of the £1million of capital funds to the projects involving Ravenshall School, Newsome High School and Honley High School, be approved.

450 2018/2019 Road Surfacing Programme (large schemes)

Cabinet considered a report which sought approval for a series of proposals to undertake road resurfacing works as part of the Highways Capital Plan for 2018/19.

Details on each of the proposed schemes were set out in the report and its appendices.

RESOLVED - That the recommendations within the report for the large scheme road surfacing programme, be approved.

451 Highways 2 Year Capital Plan 2018/19 and 2019/20

Cabinet considered a report which sought approval for a detailed programme of works to be undertaken as part of the Highways Capital Plan during the next two years.

Further details on the proposed schemes were set out in the report and its appendices.

Cabinet Members also answered questions from Cllr Nicola Turner about the strict directions and rules etc surrounding the use of the capital funding provided by central government to repair the major, minor and unclassified roads in Kirklees, pointing out that, without a change in the rules or significant additional funding, many of the unclassified roads, which were still important links in our local road network, were unlikely to be prioritised for significant improvement and/or repair.

All councillors in Kirklees should therefore continue to lobby government for change and further investment in our local roads.

RESOLVED - That the recommendations within the report and appendix 1 to use £13.679k of the funding in the Capital Plan 2018/19 for highway improvement works, be approved.

452 Risk Management Statement

Cabinet considered a report which sought approval of an updated Risk Management Statement (March 2018) for use as a working document by the Council and its services in 2018/19.

A draft copy of the statement was appended to the Cabinet report.

RESOLVED - That the risk management statement be approved.

453 Outline proposals to support social care in 2018/19

Cabinet considered a report which explained that the finalised financial settlement for 2018/19, announced by Government on 7 February 2018, included an extension of the Adult Social Care Support Grant for a further year with an additional national funding allocation of £150m in 2018/19. This equates to a Kirklees share of £1.16m based on the relative funding formula.

In addition, as a result of the successful bid in relation to Leeds City Region Business 100% retained business rates pilot, up to £1.6m of additional resources will also be available in 2018/19.

Therefore, Cabinet noted that the purpose of today's report was to set out indicative areas of investment in 2018/19 that reflect the one-off nature of the funding, subject to approval of Council in the next municipal year.

Cllr Sheard also asked that, as officers begin to consider proposals for the use of this funding, they should look to involve councillors too in order to help develop ideas. The outcome of this engagement and work to be shared with Cabinet in due course.

Cabinet Members also answered questions from Cllrs John Lawson and Nicola Turner about the work which members and officers are pursuing with developers to try to identify opportunities and sites which may be suitable for the development of more specialist and supported housing schemes in the towns and villages throughout Kirklees from 2018 onwards.

RESOLVED - That the following recommendations within the report be approved:-

- 1) That the broad areas for investment outlined within the report are noted and supported in order that more detailed work is undertaken as required. Further details on the development and outcome of this work to be shared with councillors in due course.
- 2) That the council continue to advocate for a national sustainable solution for adult social care, based on recurrent funding.

454 North Kirklees Growth Zone

Cabinet considered a report which explained that the North Kirklees Growth Zone strategy, delivery and financial plans are due for consideration by Cabinet in Summer 2018, post consideration of the Local Plan.

Therefore, Cabinet noted that the purpose of today's report was to set out a number of interim actions that relate specifically to Dewsbury town centre and early phases of development at Dewsbury Riverside which are required before Summer 2018. Plus, the report also sought authority to progress some of the opportunities that have arisen as a result of external funding announcements.

Cabinet Members, in welcoming news of these developments, also asked councillors and officers to continue to work with those landlords and business owners in Dewsbury who are, as yet, not aware or involved in the major improvement works which will be taking place in the town centre, and to help encourage them to develop their buildings and business premises from 2018 onwards.

RESOLVED - That the proposals set out in the report, plus the following specific recommendations, be approved:-

Dewsbury Riverside

- 1) That the Service Director Housing and the Service Director for Economy, Regeneration & Culture, be authorised to enter into negotiation with Miller Homes with a view to disposal of the Council land asset as detailed in appendix D. The final terms of that negotiation and any disposal of assets being subject of a further report.
- 2) That the Service Director Housing and the Service Director for Economy, Regeneration & Culture, be authorised to enter into negotiation with Miller Homes in respect of the Memorandum of Understanding as detailed in appendix A of this report. Final acceptance and amendments of a non-fundamental nature being delegated to the Service Director Housing and the Service Director for Economy, Regeneration & Culture Service in consultation with relevant portfolio holder(s) subject to them being to the satisfaction of the Service Director Legal, Governance and Commissioning.

Dewsbury Town Centre

- 1) That resources of £290k be approved to support the THI contribution to implement the Dewsbury Better Spaces Public Realm scheme at Pioneer House.
- 2) That the Service Director Housing and the Service Director for Economy, Regeneration & Culture be authorised to progress the Dewsbury Better Spaces Public Realm scheme for Pioneer House as detailed in section 5.17 of the report.

- 3) That Cabinet agree to support a Heritage Action Zone for Dewsbury and provide match funding of £2m as detailed in sections 5.20-5.27.
- 4) That the Service Director Housing and Service Director for Economy, Regeneration & Culture, be authorised to finalise the detail of the HAZ Delivery Plan with Heritage England and to negotiate a Memorandum of Understanding with Historic England for delivery of the HAZ Programme, that final acceptance of the Delivery plan and MoU be delegated to the Service Director Housing and the Service Director for Economy, Regeneration & Culture Service in consultation with relevant portfolio holder(s).

455 The HD One Snow Sports Centre Provision of Loan Facility

Cabinet considered a report which explained that, at the Cabinet meeting on September 20th 2016, Cabinet had agreed in principle to offer a secured debt facility to Kirklees Stadium Development Ltd (KSDL) to allow KSDL to invest to acquire a majority equity stake in the Special Purpose Vehicle (SPV) company that will be set up to develop and manage the operations of the Snow Sports Centre (SSC) which will form the main visitor attraction being created as part of the wider HD One development on land adjacent to the John Smith's Stadium site in Huddersfield.

Cabinet noted that as negotiations between the various parties involved in the setting up of the SPV have progressed over the period since late 2016, it has become apparent that a more advantageous structure for the SPV would be for the Council loan to be provided direct to the SSC SPV with the provision of appropriate security for the loan from KSDL during the construction and early operational phase of the SSC. Once the SSC is trading successfully, the assets of the SPV would be valued for security purposes with a view to transferring the security for the Council loan from KSDL to the SPV. If at the point the valuation advice is received, it is felt that there is not sufficient security value in the assets of the SSC SPV, then the Council security required would remain in whole or in part on the assets of KSDL.

Therefore, Cabinet noted that as this is a different structure from that which was reported to Cabinet in September 2016, Cabinet approval was being sought today (20 March) to amend the previously approved recommendations to reflect the revised structure.

In summary, the report explained that the reasons for the latest recommendations were that, subject to due diligence and subsequent advice and negotiation, these proposals were considered the safest and securest way of proceeding to make the proposed loan whilst minimising the risk to the Council in doing so. Facilitating the loan will ensure construction of the SSC which is the core attraction of the wider HD One. The HD One development, as a whole, would create substantial Business Rate income and employment opportunities but would not be viable without this core attraction.

Cabinet also noted that a private appendix to the report had been provided for them to consider (Minute No. 458 refers) and to help determine their decision.

RESOLVED - That the proposals set out in the report, plus the following specific recommendations, be approved:-

- 1) To support, in principle, an offer of secured loan funding to the Snow Sports Centre SPV that will develop the snow sports facility at the John Smith's Stadium site.
- 2) To agree to authorise the Strategic Director Economy & Infrastructure, supported by the Councils S151 Officer and the Service Director Legal, Governance and Commissioning, to enter into detailed due diligence on the loan proposal and progress negotiations on appropriate legal documentation to offer a secured loan.
- 3) To agree to delegate authority to the Chief Executive in consultation with the relevant Portfolio Holders to agree the final terms of the loan offer.
- 4) To agree to delegate to the Service Director Legal, Governance and Commissioning the authority to negotiate and enter into any documentation required in connection with the proposed loan.

456 Dewsbury Townscape Heritage Initiative DTHI-010 – '28-30 Northgate' Grant Application

Cabinet considered a report which sought approval for:-

- A Dewsbury Townscape Heritage Initiative (THI) grant towards improving 28-30 Northgate, Dewsbury.
- Delegated authority for the Strategic Director, Economy and Infrastructure to authorise payment of the grant upon receipt of a completed application and all necessary supporting information from the applicant.

The report explained that the Dewsbury Townscape Heritage Initiative (THI) is a five year, Heritage Lottery Fund (HLF) regeneration programme in partnership with Kirklees Council which aims to:

- preserve and enhance certain key buildings located within the Conservation Area, through grant assistance;
- stimulate economic activity through creating a quality environment;
- raise awareness of Dewsbury's heritage through training and education.

Kirklees Council was awarded £2m by the HLF, matched by a further £1.7m from Kirklees Council to make a total fund of £3.7m initially over five years. The Dewsbury THI was formally launched in June 2014 and was extended to run until end of December 2019.

It was noted that the owner of 28-30 Northgate has put forward a scheme of restoration and rehabilitation for the property, which is eligible for grant funding. This is subject to Cabinet approval of the grant.

Cabinet - 20 March 2018

It was also noted that the proposed scheme is consistent with work undertaken to other properties in Northgate, delivering a uniformity of high quality traditional frontages, which considerably enhances the streetscape, improves perceptions therefore adding to the economic confidence in the town.

Cabinet also noted that a private appendix to the report, containing details of the tenders received, had been provided for them to consider (Minute No. 459 refers) and to help determine their decision.

RESOLVED - That the proposals set out in the report, plus the following specific recommendations, be approved:-

- 1) That Cabinet approve the award of a THI grant in accordance with the amounts specified in Appendix 2; and that delegated authority is given to the Strategic Director - Economy and Infrastructure, to authorise actual payment of the grant, upon receipt of a completed application form and all necessary supporting information and in accordance with the terms of the grant agreement.
- 2) That delegated authority is given to the Service Director - Legal Governance & Commissioning, to enter into and seal all grant agreements legal charges and ancillary documents relating to the grant.

457 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 during consideration of 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.

458 The HD One Snow Sports Centre Provision of Loan Facility

(This report was considered in private session because the information contained in it is considered to be exempt information under Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006. The report is recommended for consideration in private because it contained commercially sensitive information about third parties. The public interest in maintaining confidentiality of the information outweighs the public benefit of disclosing the information for reasons of open governance).

Cabinet gave consideration to this exempt information.

RESOLVED – Cabinet gave consideration to this exempt information prior to the determination of the decision (Minute No. 455 refers).

459 Dewsbury Townscape Heritage Initiative DTHI-010 – '28-30 Northgate' Grant Application

(This report was considered in private session because the information contained in it is considered to be exempt information under Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006. The report is recommended for consideration in

Cabinet - 20 March 2018

private because the information relates to the financial or business affairs of persons (or the authority holding that information) and specifically information relating to the applicants financial status and contractors tender prices. It is considered that the disclosure of the information would adversely affect the companies concerned. The public interest in maintain the exemption, which would protect the interests of the council and the company, outweighs the public interest in disclosing the information and providing greater openness in the council's decision making).

Cabinet gave consideration to this exempt information.

RESOLVED – Cabinet gave consideration to this exempt information prior to the determination of the decision (Minute No. 456 refers).

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

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

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

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

Name of meeting: Cabinet
Date: 17 April 2018

Title of report: Special Educational Needs and Disability - Information Advice and Support Service (SENDIASS), known as Kirklees Independent Advice Service (KIAS) and its potential integration with Calderdale SENDIASS.

Purpose of report: Cabinet are asked to consider the proposal to integrate Kirklees and Calderdale SENDIASS services from September 1st 2018 under a Delegation of Functions Agreement (Local Government Act 1972)

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 If yes give date it was registered
The Decision - Is it eligible for "call in" by Scrutiny?	Yes
Date signed off by Strategic Director & name	Saleem Tariq - 6.4.18
Is it also signed off by the Acting Service Director for Finance IT and Transactional Services?	Eamonn Croston - 6.4.18
Is it also signed off by the Service Director - Legal Governance and Commissioning?	Julie Muscroft - 9.4.18
Cabinet member portfolio	Cllr Masood Ahmed Cllr Viv Kendrick

Electoral wards affected: all
Ward councillors consulted: Cllr Ahmed, Cllr Kendrick

Public or private: Public

1. Summary

The Council of the Borough of Kirklees (the “Council”) has a statutory duty to deliver impartial information, advice and support as defined in the Special Educational Needs and Disability (“SEND”) Code of Practice: 0 – 25 years (January 2015)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf;

relating to Part 3 of the Children and Families Act 2014 (S1 2014/16) and associated regulations, including (but not limited to) the following:

- a. The Special Educational Needs and Disability (SEND) Regulations 2014 (S1 2014/1652)
- b. The Special Educational Needs (Personal Budgets) Regulations 2014 (SI 2015/16)
- c. The Special Educational Needs and Disability (Detained Persons) Regulations 2015 (SI 2015/62)
- d. The Children and Families Act 2014 (Transitional and Saving Provisions) (No2) Order 2015 (SI 2014/2270)
- e. The Children and Families Act 2014 (Transitional and Saving Provisions) (Amendment) (No2) Order 2015 (SI 2015/1619).

Kirklees Independent Advice Service (KIAS) is an independent service that offers free, confidential and impartial information, advice and support to parents and carers of children and young people aged 0 – 25 years with SEND, as well as the young people themselves.

Specific qualifications are required in order to carry out the roll including, but not limited to:

Information Advice and Support Services Network (IASSN) Legal Training – Levels 1, 2 and 3. These are accredited by the Bar Standards Board.

A recent vacancy in the team presents us with the opportunity to integrate the service with Calderdale, thereby reducing the need to recruit and train new staff, and to therefore maintain a high quality provision. The team has seen an increased demand since the implementation of the Children and Families Act in 2014, and historically recruitment of appropriately qualified and experienced staff has proved challenging.

2. Information required to take a decision

An analysis of the KIAS and Calderdale SENDIASS workflows shows that demand and provision in Kirklees is twice as great as that in Calderdale. An analysis of data demonstrates that the population KIAS serves is twice as big as its Calderdale counterpart.

Due to recent budget savings in Calderdale, their SENDIASS budget is now approximately half of that of Kirklees, thereby ensuring a clear delineation of provision across the two Local Authorities.

The Kirklees Team comprises:

2 x FTE Grade 8 Case Work Officers
1 x 0.8 FTE Grade 6 Business Support Officer

The Calderdale Team comprises:

1 X FTE Coordinator - PO 5-8
1 X Case Work Officer - SO1/2

The Calderdale grading system does not tally with our own, however based on the information to date we would reasonably expect these grades to be slightly higher than our own.

The vacancy currently held by KIAS would be filled by the qualified members of the Calderdale SENDIASS team. The Coordinator of the Calderdale service would coordinate both services.

Proposed Delegation of Functions

The Delegation of Functions would be for an agreed period for five (5) years with an annual review, and a notice period of six (6) months, and would regulate the duties and responsibilities of the two (2) local authorities.

Under this option, and for the duration of the Delegation of the Functions, Calderdale Council would assume and retain the legal responsibilities for the delivery of SENDIASS on behalf of the Council, including liability for legal claims in respect of the Delegated Functions.

Data Protection/Information Implications

Under this report it is proposed that we delegate the function of SENDIASS to Calderdale Council. There would be an initial transfer of data in respect of any live ongoing cases but then afterwards Calderdale will be the sole data controller in respect of these services until such time that the delegation agreement is brought to an end and the service is brought back in-house to Kirklees.

Monitoring Arrangements

Monitoring and liaison arrangements will be addressed within the Delegation of Functions Agreement in order to achieve and maintain a quality service. Appropriate systems would be developed in order to address how service user complaints are handled and who will be responsible for dealing with such complaints.

The Council would have opportunities via the arrangements in the Delegation of Functions Agreement to feedback and make proposals. However final decisions regarding the SENDIASS in Kirklees would remain with Calderdale Council as the party with legal accountability.

Property Implications

There would be a comprehensive Licence to Occupy in place covering Health and Safety implications of Calderdale Council's employees working within Kirklees. There will be no co-location of staff: the Council's current staff will physically remain delivering SENDIASS provision from premises in Dewsbury.

Public Sector Equality Duty (PSED)

Section 149 of the Equality Act (SI 2010/15) places the Council under a duty in carrying out its functions to have regard to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct which is prohibited by or under this Act; and
- advance equality of opportunity between people with a protected characteristic and those who do not share it; and
- foster good relations between people who share a protected characteristic and those who do not share it.

These are termed 'equality objectives'

Protected characteristics include age, disability, gender re-assignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

An Equality Impact Assessment (EIA) has been carried out. Appendix 1 of this report contains the full EIA, which sets out the full impact of the proposed Delegation of Functions to Calderdale Council. The EIA explores the impact of the proposed steps on the equality objectives, which can be summarised as follows:

- A positive impact on children and young people with SEND
- A neutral impact on all other protected characteristics.

Future EIAs may be required at a later stage.

The Public Sector Equality Duty will need to be weaved into the new Delegations of Functions Agreement with Calderdale Council.

Workforce Implications – Employment Costs

As at the date of this report, estimated costs including on-costs are:

GR8	SCP 27	£30,871
GR8	SCP 26	£29,880
GR8	SCP 26	£29,880
Total		£90,631

Under the proposal staff will TUPE to Calderdale Council, but payments will be made to Calderdale to cover the staff costs, so the overall effect to the Council is nil.

Workforce Implications – TUPE

It is proposed that Calderdale Council would be the host authority and therefore the two (2) members of staff from the Council would be subject to a 'relevant transfer' to Calderdale Council under the Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246) (TUPE).

TUPE was introduced to meet the obligations under a European Directive to ensure the protection of employee rights when there is a 'transfer of an undertaking'.

A 'relevant transfer' can be either a transfer of an undertaking, business or part of an undertaking or a 'service provision change' under Regulation 3 (1) (b) (i) involving the outsourcing, retender or insourcing of a service where immediately before the transfer there is an 'organised grouping of employees' whose principal purpose is to carry out activities on behalf of the Council and the activity is fundamentally the same and not a single specific event or task of short term duration. The proposed merger would constitute a 'service provision change'.

In circumstances where TUPE applies, the Council's KIAS employees transferred will become employees of the transferee (Calderdale Council in this case) by virtue of the statutory novation of their employment contracts under TUPE.

All existing rights and liabilities in relation to transferring Council KIAS employees will transfer to Calderdale Council. The position of Council support staff (e.g. Finance, HR, IT) will be subject to further discussion during the implementation phase.

Where TUPE applies, it does so by operation of law and the parties cannot contract out of it.

The intention is that all affected staff will transfer to Calderdale Council on or before September 1st 2018. A proposed timeline is attached (Appendix 2).

TUPE includes a duty to inform and potentially consult with Trade Unions in relation to any of their members, who may be affected by the transferor by 'measures' taken in relation to it. If an employer recognises a trade union, they

must consult with that union. Both the Council and Calderdale Council will have to ensure that they comply with these duties. It is proposed that the HR service in the Council and Calderdale Council will work together on a timescale for TUPE and the provision of information and consultation with staff/trade unions.

Workforce Implications – Terms and Conditions of Employment

Employees transferring from the Council to the new merged organisation will TUPE transfer on their existing terms and conditions of employment including continuity of service. The Council and Calderdale Council may have similar, but not the same terms and conditions of employment. Further work to identify the differences around for example single status and any pay differentials will be required as will consideration of the merged organisations human resource policies and procedures.

Workforce Implications – Pensions

As Calderdale Council is also a Local Authority there are no implications in relation to pension provision.

Workforce Implications – Trade Unions

The basis upon which Trade Unions are recognised by both organisations will be in line with the principles and agreements adopted by the Council.

Equality

The Council will also need to take account of the Public Sector Equality Duty and consider the need for an equalities impact assessment for the service in relation to the staffing implications of the proposal (for more on the PSED see above).

Contractual/Procurement Implications

The proposed Delegation of Functions Agreement will not be a supply of services contract, and should therefore fall outside the scope of the Public Regulations 2015 (SI 2015/102) (the 'Procurement Regs').

Notwithstanding the above paragraph, as this proposed arrangement would be deemed to be a collaboration between the two (2) local authorities in accordance with Regulation 12 (7) of the Procurement Regs, the proposed Delegation of Functions Agreement should still be exempt from the Procurement Regs.

Notwithstanding the above paragraphs, any delegation of the Council's functions is subject to Calderdale Council accepting the terms of the delegation and the restrictions referred to in the proposed Delegation of Functions Agreement.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

KIAS is a key service in the delivery of Early Intervention and Prevention. The team works with families who have a child with SEND and offer advice and support in order to ensure that they are able to access the support they need. This can take a variety of forms from offer impartial advice about school placements to advising parents about the statutory assessment process, and working with a wide range of agencies.

3.2 Economic Resilience (ER)

Parents tell us about the number of meetings that can take place when you have a child with SEND. Access to the right support at the right time is key in ensuring that parents of children with SEND are able to maintain their own employment. KIAS officers also work with young people and their families and can offer impartial advice and guidance about preparing for adulthood and options for employment.

3.3 Improving Outcomes for Children

KIAS support parents who have concerns about their child's progress but are unsure what to do. They will link families to relevant services and also support them in finding a school place which will meet their child's needs. They are able to offer expert but impartial advice and guidance about schools and the SEND system.

3.4 Reducing demand of services

KIAS focuses on early identification of need followed by early intervention and direction to the appropriate level of service or provision, thereby ensuring that a child or young person's needs are met at the earliest time.

3.5 Other (e.g. Legal/Financial or Human Resources)

Under the proposal staff will TUPE to Calderdale Council, but payments will be made to Calderdale Council to cover the staff costs, so the overall effect to the Council is nil.

4. Consultees and their opinions

An informal consultation has been carried out with the KIAS Stakeholder Steering Group (comprised of parents, alongside colleagues from KIAS, Health and schools) on 6th December 2017. No questions were raised at the meeting and they were in favour of the proposal.

A formal consultation will be needed with the KIAS officers subject to TUPE.

Due diligence will be conducted to ascertain any pending or likely claims with Kirklees employees subject to TUPE.

5 Next steps

Carry out a formal consultation with KIAS staff
Develop the Delegation of Functions Agreement

6. Officer recommendations and reasons

In order for the Local Authority to deliver an efficient SENDIASS service and meet its statutory duties it is recommended that:

- 6.1 Cabinet approve the integration of Kirklees and Calderdale SENDIASS services under a Delegation of Functions agreement from September 1st 2018, or a date to be agreed with Calderdale Council in due course.
- 6.2 Cabinet approve to delegate the Council's executive functions under the legislation referred to in Section 1 of this report to the executive of Calderdale Council under Section 9EA of the Local Government Act 2000 (SI 2000/22), together with Regulation 5 of the Local Authorities (Arrangements for the Discharge of Functions) Regulations 2012 (SI 2012/1019).
- 6.3 Cabinet authorise the Service Director of Legal, Governance and Commissioning to negotiate with Calderdale Council the terms and conditions of Delegated Functions Agreement, and to sign and seal the final Delegated Functions Agreement with Calderdale Council and to update the Council's constitution.

The integration would allow for efficiencies and sustainability through the sharing of the coordination and business support roles. It would increase the flexibility of our offer through the addition of the highly qualified Calderdale staff members.

7. Cabinet portfolio holder recommendation

Portfolio Holders welcome any provision that enables additional skilled staff to work with our families and their children.

8. Contact officer

Mandy Cameron - Head of Service - Education Safeguarding and Inclusion
01484 221000 (Ext 724 93)
mandy.cameron@kirklees.gov.uk

9. Background Papers and History of Decisions

Appendix 1: Equality Impact Assessment
Appendix 2: TUPE timeline.

10. Service Director responsible

Jo-Anne Sanders - Acting Service Director - Learning and Early Support

jo-anne.sanders@kirklees.gov.uk

(01484) 221000

A guide to equality Impact Assessments (EIAs)

What are Equality Impact Assessments (EIAs)?

- EIAs are a **tool to help you analyse and make more considered decisions** about changes to service delivery, policy and practice. An EIA will help you to identify how specific communities of interest may be affected by decisions and to consider any potential discriminatory impact on people with **protected characteristics**.
- EIAs can also help to improve or promote equality by encouraging you to **identify ways to remove barriers and improve participation** for people with a protected characteristic.

Why do we need to do Equality Impact Assessments (EIAs)?

- Although not a mandatory requirement, EIAs provide important **evidence** of how we have considered the implications of service and policy changes and demonstrate how we have met our legal Public Sector Equality Duty (Equality Act 2010).
 - The three main elements of the **Public Sector Equality Duty** are:
 - ✓ Eliminating discrimination
 - ✓ Promoting equality of opportunity
 - ✓ Fostering good relations
 - In fulfilling our Public Sector Equality Duty we must ensure that we demonstrate that we have followed a number of key **principles** (based on previous case law):
 - ✓ Knowledge
 - ✓ Timeliness
 - ✓ Real consideration
 - ✓ Sufficient information
 - ✓ No delegation
 - ✓ Review
 - ✓ Proper record keeping
 - We need to provide evidence that we have given **due regard to any potential discriminatory impact on people with protected characteristics** in shaping policy, in delivering and making changes to services, and in relation to our own employees.
 - We must always consider whether a service change, decision or policy could have a discriminatory impact on people with protected characteristics, not just any impact that is the same as it would be for everyone else.
 - The EIA tool allows us to **capture, demonstrate and publish our rationale** of how we have considered our communities and legal responsibilities under the Public Sector Equality Duty and is our main way of providing the evidence needed.
- **But above all, EIAs are about understanding and meeting the needs of local people and supporting us to deliver our vision for Kirklees.**

When do we need to do Equality Impact Assessments (EIAs)?

- Whenever you plan to **change, introduce or remove** a service, activity or policy.
- At the **VERY BEGINNING** of any process of:
 - ✓ Budget setting
 - ✓ Service review (including changes to employment practice)
 - ✓ Planning new projects and work programmes
 - ✓ Policy development and review
 - ✓ Procurement or commissioning activity

Who should do it?

- Overall responsibility for EIAs lies at a **service** level. A lead officer should be appointed from the service area that is making a proposal and all decisions should be approved by the senior management team in that service.
- Those directly affected (partners, stakeholders, voluntary groups, communities, equality groups etc) should be engaged with as part of the process.

How should we do it?

- Our EIA process has two stages:
Stage 1 - initial screening assessment
Stage 2 - further assessment and evidence

Move to next
section

EIA STAGE 1 – SCREENING TOOL (initial assessment)

The purpose of this screening tool is to help you consider the potential impact of your proposal at an early stage.

Please give details of your service/lead officer then complete sections 1-3:

- 1) What is your proposal?
- 2) What level of impact do you think your proposal will have?
- 3) How are you using advice and evidence/intelligence to help you?

You will then receive your stage 1 assessment score and advice on what to do what next.

Directorate:	Senior Officer responsible for policy/service:
Learning and Early Help	Mandy Cameron
Service:	Lead Officer responsible for EIA:
SENDIASS	Mandy Cameron
Specific Service Area/Policy:	Date of EIA (Stage 1):
SEND	29.12.17

Go back

Move to next
section

1) WHAT IS YOUR PROPOSAL?	Please select YES or NO
To introduce a service, activity or policy (i.e. start doing something)	NO
To remove a service, activity or policy (i.e. stop doing something)	NO
To reduce a service or activity (i.e. do less of something)	NO
To increase a service or activity (i.e. do more of something)	NO
To change a service, activity or policy (i.e. redesign it)	YES
To start charging for (or increase the charge for) a service or activity (i.e. ask people to pay for or to pay more for something)	NO
Please briefly outline your proposal and the overall aims/purpose of making this change:	
<p>ve to a shared SENDIASS service with Calderdale to enable greater flexibility and economies of sc</p>	

Go back

Move to next section

2) WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...		Level of Impact
		Please select from drop down
Kirklees employees within this service/directorate? (overall)		Neutral
Kirklees residents living in a specific ward/local area?		Neutral
Please tell us which area/ward will be affected:		all
Residents across Kirklees? (i.e. most/all local people)		Neutral
Existing service users ?		Neutral
Each of the following protected characteristic groups ?		Please select from drop down
<i>(Think about how your proposal might affect, either positively or negatively, any individuals/communities. Please consider the impact for both employees and residents - within these protected characteristic groups).</i>		
...age	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Positive
...disability	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Positive
...gender reassignment	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...marriage/ civil partnership	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...pregnancy & maternity	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...race	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...religion & belief	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...sex	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral
...sexual orientation	What impact is there on Kirklees employees /internal working practices?	Neutral
	What impact is there on Kirklees residents /external service delivery?	Neutral

3) HOW ARE YOU USING ADVICE AND EVIDENCE/INTELLIGENCE TO HELP YOU?		Please select YES or NO
Have you taken any specialist advice linked to your proposal? (Legal, HR etc)?		YES
Do you have any evidence/intelligence to support your assessment (in section 2) of the impact of your proposal on...	...employees?	YES
	...Kirklees residents?	NO
	...service users?	YES
	...any protected characteristic groups?	YES
Record of demand for services across a full year - level of service required, complexity of case work - to ascertain what will be needed to maintain existing levels of service moving forward.		
		Please select from drop down
To what extent do you feel you are able to mitigate any potential negative impact of your proposal on the different groups of people outlined in section 2?		FULLY
To what extent do you feel you have considered your Public Sector Equality Duty?		FULLY

Go back

Move to next section

STAGE 1 ASSESSMENT

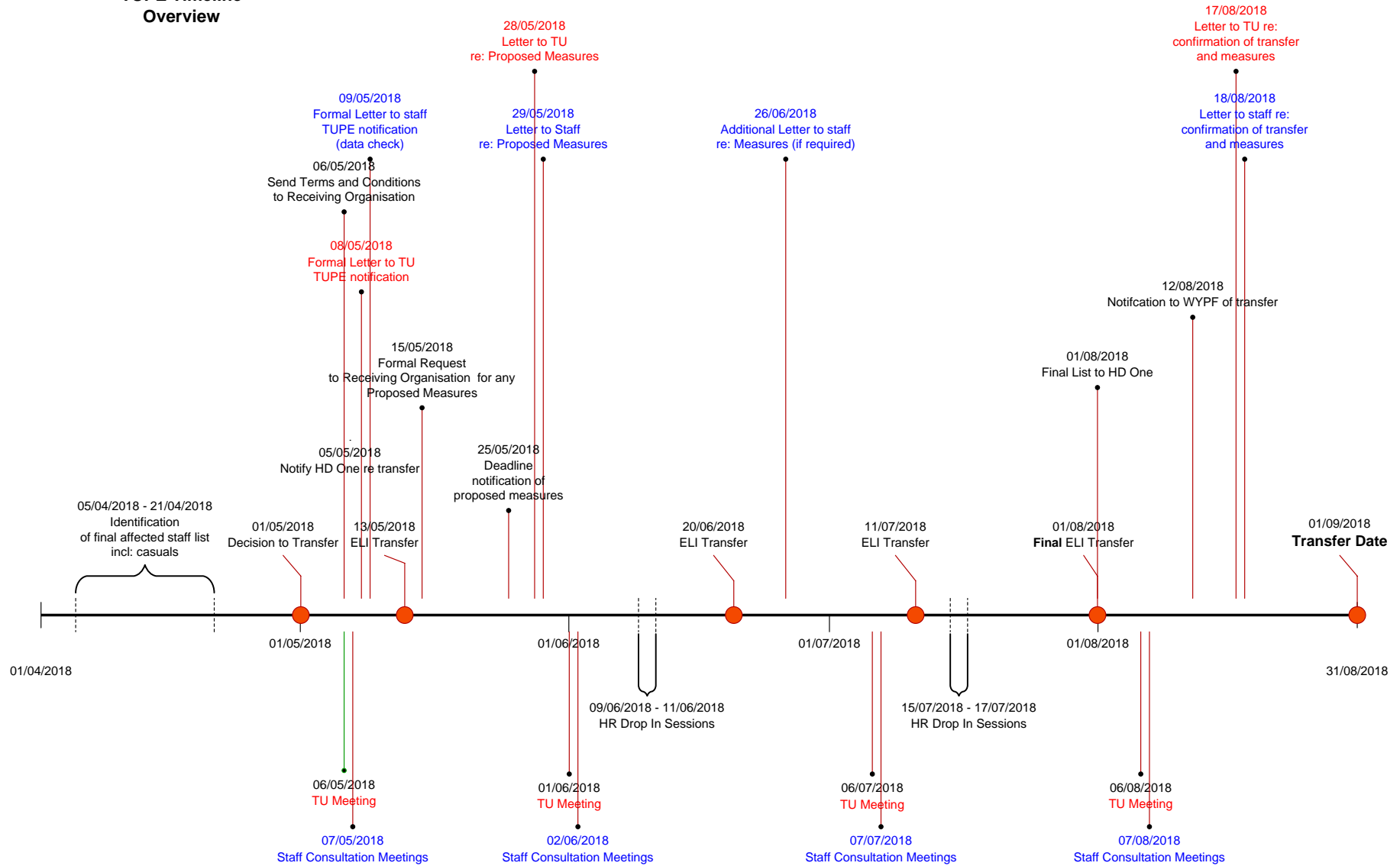
IMPACT	RISK
Based on scoring of 1) and 2)	Based on scoring of 2) and 3)
0	12
SCORE (calculated) Max = - / + 32	SCORE (calculated) Max risk = - / + 40

You need to move on to complete a Stage 2 assessment if:

The final Impact score is negative and or the Risk score is negative.

Go back

TUPE Timeline Overview



Name of meeting: Cabinet
Date: 17 April 2018
Title of report: Memorandum of Understanding for Cultural Development

Purpose of report: To approve a Memorandum of Understanding with Arts Council England and the University of Huddersfield which makes a commitment to working in partnership to develop the cultural offer and sector in Kirklees

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?)	Not applicable
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Acting Service Director for Finance IT and Transactional Services? Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Karl Battersby - 29.03.18 Eamonn Croston - 02.03.18 Julie Muscroft - 05.04.18
Cabinet member portfolio	Corporate Portfolio - Cllr G Turner and Cllr M Khan

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

1. Summary

This report requests that the Cabinet approves the signing of a Memorandum of Understanding with Arts Council England and the University of Huddersfield. This is a non-legal document. It is a public declaration of each partner's commitment to working with the other partners to develop the cultural offer in Kirklees. By sharing expertise and resources, the partners can better support the development of artists, creative practitioners and creative businesses in the district.

By working together, the partners aim to: develop the role of culture in placemaking and develop cultural leadership; collaborate with Kirklees Cultural Education Partnership to promote and support the engagement of young people in arts and culture; promote opportunities to retain cultural graduates in the district; develop programmes to support emerging talent and support the development of skills and knowledge in the cultural sector in Kirklees; support the process of developing creative works for digital platforms and improve the engagement of the public with culture through digital means.

2. Information required to take a decision

- 2.1 Over the last twelve months, Arts Council England (ACE) has been signing Memorandums of Understanding (MoU) with a number of universities in England. The purpose of the MoUs is to plan joint initiatives. In September 2017, ACE and Durham University launched a commission into education and creativity. This will research how children's development is affected by engaging with the arts and creativity. The results are due in Spring 2019 with an expectation that they will influence national education policy and the Industrial Strategy. ACE also signed a MoU with De Montfort University, Leicester which agreed to develop a pilot project exploring the development of a 25 year Creative Talent plan. The MoUs are public statements about the commitment of ACE and the universities to work together on local and national cultural issues.
- 2.2 During discussions between ACE and the University of Huddersfield, it was suggested that a three way MoU with Kirklees Council should be signed. It was agreed to explore this. The resulting MoU is attached at Appendix 1.
- 2.3 The MoU provides the Council with an opportunity to strategically plan with ACE and the University to strengthen the cultural offer and sector within Kirklees. By sharing expertise and resources, more will be achieved together than if the partners work separately.
- 2.4 A strong cultural offer is important to Kirklees as it helps to create a sense of place and identity. Research has demonstrated that a successful, resilient economy is synonymous with a strong creative economy. In October 2015, the think tank, Centre for Cities, published a report demonstrating that the UK cities with the highest numbers of small firms in creative and digital sectors are also the most successful places in terms of overall jobs growth, productivity and average wages. Nationally the Creative Sector is the fastest growing economic sector which has continued growing and creating jobs during the recession. There are also proven benefits to those who engage with culture as it impacts on their well-being.

- 2.5 The partners are committed to ensuring that the cultural offer contributes to health and well-being and economic outcomes in the district particularly in relation to placemaking. They are also committed to embedding diversity considerations throughout any collaborative activity.
- 2.6 The key objectives within the MoU are:
- **Place making and cultural leadership:** to promote and develop opportunities in arts and culture in the town of Huddersfield and provide opportunities for engagement with world-leading research and creative practice by the public. This may include initiating a cultural quarter, the heritage offer and the promotion of Huddersfield and surrounding area as a global cultural, creative and heritage destination with a world class music offer.
 - **Cultural education:** to work together in collaboration with the Local Cultural Education Partnership group to promote and support the engagement of Kirklees' young people in the arts and culture, highlighting progression routes through arts and cultural education and their interrelationship to the cultural and creative industries.
 - **Graduate retention:** to work together to support and promote opportunities for graduate and alumni retention. This may take the form of establishing partnerships with Kirklees cultural and creative industries, creating inspiring opportunities to participate and co-produce excellent research and creative practice and to foster career opportunities in the arts, culture and heritage sectors.
 - **Skills development, knowledge exchange and talent development:** to explore opportunities for University accredited modules for ACE and KMC staff, lecturing opportunities and knowledge exchange. To develop programmes to support emerging talent in Kirklees.
 - **The digital agenda:** to work together supporting the creation of artistic and cultural works and content for digital platforms and/or distributed digitally to engage the public.
- 2.7 The MoU is a three year commitment starting in April 2018. Discussions to produce the MoU have already improved relationships between the university and the council's cultural services leading to the development of Temporary Contemporary, temporary gallery space in Queensgate Market which provides opportunities for university staff and students to exhibit their work in a public space and thus engage with new audiences whilst bringing new customers to the market.
- 2.8 Cabinet is asked to consider two options:
- Option 1 - sign the MoU and commit to working with ACE and the University over the next three years to develop the cultural offer and sector in Kirklees
- Option 2 - reject the signing of the MoU.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

There will be no impact.

3.2 Economic Resilience (ER)

The key objectives in the MoU will contribute to Economic Resilience as they are about:

- Skills and talent development
- Placemaking to increase vibrancy in Huddersfield town centre
- Developing career pathways in the Cultural Sector for young people and adults
- Retaining graduate skills within Kirklees
- Developing digital skills and opportunities to showcase creative work produced in Kirklees to a global audience.

3.3 Improving Outcomes for Children

By collaborating with Kirklees Cultural Education Partnership, the partners will develop opportunities for children to engage with culture which impacts on their well-being, learning and helps to create a sense of identity and belonging to a place and/or community.

3.4 Reducing demand of services

There will be no impact.

3.5 Other (e.g. Legal/Financial or Human Resources)

There are presently no resources assigned to the partnership except for staffing resources to develop initiatives. Any financial requests will be considered on a case by case basis and in most cases, external investment sought.

The MoU is not a legally binding document. It is a public statement of the partners' commitment to working together.

4. Consultees and their opinions

The MoU is as a result of discussions within partner organisations and with each other. These have involved senior managers and legal teams.

The council's Legal Services have commented on the MoU and made a number of changes to ensure that the interests of the Council are protected.

5. Next steps

- 5.1 Once the MoU has been approved by all three partners, a signing ceremony will be organised for late Spring 2018. This will involve the Chief Executives of each partner organisation signing the MoU as part of a ceremony and celebration at the University.

- 5.2 A number of task forces involving the partners, cultural organisations, creative practitioners and other relevant agencies will be set up to plan, secure resources and commission in relation to each key objective. Their work will be overseen by a steering group comprising the MoU partners.

6. Officer recommendations and reasons

It is recommended that the MoU is signed and a commitment made to work with ACE and the University of Huddersfield over the next three years to strengthen the cultural offer in Kirklees and support the development of the cultural sector. This will enable the Council to access expertise and resources that it no longer has, due to reductions in cultural budgets and staffing capacity. It will also improve engagement between the university, Council, cultural sector and Huddersfield town centre.

7. Cabinet portfolio holder's recommendations

Cllrs Musarrat Khan and Graham Turner recommend that the MoU is signed and a commitment made to work with ACE and the University of Huddersfield over the next three years to strengthen and widen the cultural offer in Kirklees and support the development of the cultural sector. They welcome the partnership with ACE and the University as it will enhance the district's cultural offer. It will also build on the Council's partnership with one of our key strategic partners, the University of Huddersfield.

The signing of this MoU confirms the long term commitment of the Council to work alongside partners to create a strong, vibrant and diverse cultural offer for the residents of Kirklees. We look forward to working with ACE and the University to achieve these aims and to deliver positive outcomes for our residents.

8 Contact officer

Adele Poppleton - Head of Culture and Vibrancy
adele.poppleton@kirklees.gov.uk
(01484) 221000

9 Background Papers and History of Decisions

Appendix 1 - Memorandum of Understanding

10 Service Director responsible

Paul Kemp - Service Director for Economy, Regeneration and Culture
paul.kemp@kirklees.gov.uk
(01484) 221000

Memorandum of Understanding

Between

**THE UNIVERSITY OF HUDDERSFIELD ("the University")
of Queensgate, Huddersfield, HD1 3DH**

And

**THE COUNCIL OF THE BOROUGH OF KIRKLEES ("KMC")
of Civic Centre 3, Market Street, Huddersfield, HD1 2TG**

And

**ARTS COUNCIL ENGLAND ("ACE")
a charity incorporated by Royal Charter (charity registration number 1036733)
of 2nd Floor, 21 Bloomsbury St, London WC1B 3HF**

1. Background

1.1 ACE, the University, and KMC are committed to championing, developing and investing in artistic and cultural experiences which build stronger communities and enrich people's lives. The policy context for each organisation is as follows:

- (a) ACE, the University and KMC recognise their developmental role in relation to the 'place making' agenda, the 'public good', and promoting and improving Huddersfield and the Yorkshire region; all are committed to supporting educational and civic outcomes around culture, graduate retention and the social and economic development of the region; all recognise the importance of Diversity and the Creative Case and the wellbeing of communities; all recognise the value to communities of

innovative and excellent creative practice and research and of opening up opportunities to encounter, participate in and co-produce inspiring work with world-leading researchers and creative practitioners. Much has already been done collaboratively including through hcmf//, Electric Spring, the Huddersfield Literature Festival, ROTOЯ, and the Lawrence Batley Theatre but there is scope for more. It is in this context that we seek to deliver stronger outcomes through collaboration.

- (b) The University, ACE and KMC recognise a unique opportunity for partnership working, which establishes collaboration between different sectors in the promotion of cultural citizenship in relation to wider civic agendas across Huddersfield and the Yorkshire region.
- (c) ACE, the University and KMC recognise the need to make a holistic case for establishing partnerships and forums across different sectors, to initiate social, cultural, health and well-being and economic vitality within the remit of place-making. This may take the shape of specifically targeted cross-sector colloquia, seminars and conferences on partnership working and opportunities for collaboration in the development and application of cross-disciplinary knowledge.
- (d) Given ACE's commitment to the Creative Case for Diversity, and the University and KMC's commitment to supporting Huddersfield's diverse communities, all Parties recognise the importance of diversity considerations being embedded throughout any collaborative activity.

2 Key Objectives

- 2.1 **Place making and cultural leadership:** to promote and develop opportunities in arts and culture in the town of Huddersfield and provide opportunities for engagement with world-leading research and creative practice by the public. This may include initiating a

Appendix 1

cultural quarter, the heritage offer and the promotion of Huddersfield as a global cultural, creative and heritage destination with a world class music offer.

- 2.2 **Cultural education:** to work together in collaboration with the Local Cultural Education Partnership group to promote and support the engagement of young people in the arts and culture, highlighting progression routes through arts and cultural education and their interrelationship to the cultural and creative industries.
- 2.3 **Graduate retention:** to work together to support and promote opportunities for graduate and alumni retention. This may take the form of establishing partnerships with local cultural and creative industries, creating inspiring opportunities to participate and co-produce excellent research and creative practice and to foster career opportunities in the arts, culture and heritage sectors.
- 2.4 **Skills development, knowledge exchange and talent development:** to explore the opportunities for University accredited modules for ACE and KMC staff, lecturing opportunities and knowledge exchange. To develop programmes to support emerging talent in Kirklees.
- 2.5 **The digital agenda:** to work together supporting the creation of artistic and cultural works and content for digital platforms and/or distributed digitally to engage the public.

3. Principles of Collaboration

- 3.1 The Parties agree to work together in accordance with the following principles:
 - (a) To collaborate, co-operate and co-produce, ensuring agreed activities are delivered and actions taken as required.
 - (b) To maintain an open approach to communicating about concerns, issues or opportunities relating to collaborative working, including issues arising from

the different policies or priorities of each party.

- (c) To take on, manage and account to each other for performance of respective roles and responsibilities as set out in this MOU.
- (d) To work collaboratively to identify solutions, eliminate duplication of effort, mitigate risk and reduce costs.
- (e) To adhere to statutory requirements and best practice; comply with applicable laws and standards including EU procurement rules, data protection and Freedom of Information legislation.
- (f) To act in a timely manner, recognising where activity is time critical and responding accordingly to requests for support.
- (g) To act in good faith to support the achievement of the key objectives and compliance with these principles.
- (h) To establish an action plan of key initiatives aligned with the principles of this Memorandum.

4. Quality and Costs

- 4.1 The Parties agree that all obligations under this Memorandum and any agreement resulting from this Memorandum shall be performed in a manner protective of and consistent with the University's reputation for excellence and integrity in education, research, creative practice and scholarship. This obligation extends to compliance by each Party with any statutory or other regulatory standards relating to the quality of education provided with which the other Parties must comply. All Parties agree to perform this Memorandum in such a manner which does not damage the other Parties' reputation.

Appendix 1

4.2 Certain costs will be incurred in relation to this Memorandum. Except as otherwise agreed in advance and in writing between the Parties, the Parties agree that they will be responsible for their own costs and expenses incurred in complying with their obligations under this Memorandum. Further, each of the Parties shall remain individually liable for any losses or liabilities incurred due to their own or their employees' actions and none of the Parties intend that the other Parties shall be liable for any loss it suffers as a result of this Memorandum. If any employees are seconded as part of projects related to this Memorandum, the secondment agreement will outline the liabilities for the seconded employee's actions.

4.3 The Parties agree to comply with each other's anti-corruption and bribery policy and procedures. **Failure to do so shall result in the immediate termination of this Memorandum.**

5. Contacts

5.1 The contacts for each Party will be as follows:

University of Huddersfield

Professor Tim Thornton, Deputy Vice-Chancellor

Queensgate, Huddersfield, HD1 3DH

t.j.thornton@hud.ac.uk 01484 472531

Arts Council England

Catherine Mitchell, Senior Relationship Manager, North

1st Floor South, Marshall's Mill, Marshall Street, Leeds, LS11 9YJ

Catherine.Mitchell@artscouncil.org.uk 07738 076214

KMC

Adele Poppleton, Head of Culture and Vibrancy

1st Floor, Kirkgate Buildings, Byram Street, Huddersfield, HD1 1BY

adele.poppleton@kirklees.gov.uk 07814 448594

Appendix 1

5.2 All notices which are required to be given under this Memorandum shall be in writing and shall be sent to the address of the relevant officer named above or such other address in England as the recipient may designate by notice given in accordance with the provisions of this Clause 5.

5.3 Any such notice may be delivered personally or by first class pre-paid letter and shall be deemed to have been served on the day of delivery if delivered by hand when delivered and if by first class post forty-eight (48) hours after posting.

6. Effective Date and Term

6.1 This Memorandum shall come into effect on the date of signing as specified below and shall continue for a period of three (3) years.

7. Confidentiality

7.1 Subject to Clause 9 below, each party shall keep confidential all information and materials produced, acquired for or otherwise used in connection with this Memorandum and shall not use it for any purpose other than in pursuance of this Memorandum or disclose it to any person without the prior written consent of the party who owns it.

7.2 Nothing in this Memorandum shall prohibit any disclosure which is required to be made under any law or regulation or the order of any Court of competent jurisdiction or any other regulatory authority.

8. Intellectual Property

8.1 Ownership of intellectual property shall vest in the party who creates it and shall be treated as confidential information, unless specifically agreed otherwise by the Parties in writing.

Appendix 1

8.2 Where any intellectual property right vests in one Party in accordance with the intention set out in Clause 8.1 above, that Party shall grant an irrevocable licence to the other party to use that intellectual property for the purposes of the Project.

9. Academic Publication

9.1 Any employee or student of the University (whether or not involved in any projects connected with this Memorandum) may discuss work undertaken as part of this Memorandum in University seminars, lectures, workshops and tutorials; performances and event curation; and academic conference papers.

9.2 The Parties may discuss the work undertaken as part of this Memorandum, in general terms, in any of the Parties' marketing materials including, for the avoidance of doubt, the Parties' websites.

10. Name and Logo

10.1 Neither party shall use the name or logo, or any variation thereof, of the other without first obtaining written consent (such consent not to be unreasonably withheld or delayed).

11. Legal Effect

11.1 The understanding recorded in this Memorandum between the Parties is **NOT** intended to be legally binding. Each Party agrees that this Memorandum contains **NO** promise or representation upon which any other person may rely. Each Party undertakes to every other Party not to (and not to attempt to) sue, commence, voluntarily aid in any way, prosecute or cause to be commenced or prosecuted against any other party or its Related Parties any action, suit or other proceeding concerning anything contained in this Memorandum (in this jurisdiction or any other). A "**Related Party**" for these purposes is a party's parent, subsidiaries, assigns, transferees, representatives, principals, agents, officers or directors.

12. Termination

12.1 This Memorandum may be terminated by:

- (a) mutual written agreement between the three (3) Parties at any time; or
- (b) by any Party giving not less than one (1) month's written notice to the others.

13 Non-agency

13.1 The Parties are independent and nothing in this Memorandum is intended to, or shall operate to, create a legal partnership and/or any employment relationship between the Parties, or to authorise any of the Parties to act as agent for the others, and none of the Parties shall have authority to act in the name or on behalf of or otherwise to bind the others in any way (including the making of any representation or warranty, the assumption of any obligation or liability and the exercise of any right or power).

14 Freedom of Information

14.1 The Parties acknowledge that they are and each other is subject to the requirements under the Freedom of Information Act 2000 (the "**FOIA**") and shall assist and cooperate with each other free of charge to enable them to comply with these information disclosure requirements.

14.2 The Parties acknowledge that they may, acting in accordance with the Secretary of State for Constitutional Affairs' Code of Practice on the discharge of public authorities' functions under Part 1 of the FOIA, be obliged to disclose information.

15 Complaints and Dispute Resolution

- 15.1 The Parties agree that it would be in their best interests for any disagreement to be resolved locally as soon as possible.
- 15.2 If any of the Parties has any issues, concerns or complaints about the work carried out in connection with this Memorandum, or any matter in this Memorandum, that Party shall notify the other Parties and the Parties shall then seek to resolve the issue by a process of consultation.
- 15.3 If the issue cannot be resolved within a reasonable period of time, the matter shall be escalated to the Chief Executive of KMC, the Director North, Yorkshire of ACE and Deputy Vice-Chancellor of the University, who shall decide on the appropriate course of action to take.
- 15.4 If any of the Parties receive any formal inquiry, complaint, claim or threat of action from a third party (including, but not limited to, claims made by a supplier or requests for information made under the FOIA) in relation to this Memorandum, the matter shall be notified immediately to the nominated officers listed in Clause 5 above, who shall agree an appropriate course of action to ensure that all such complaints are dealt with appropriately. No action shall be taken in response to any such inquiry, complaint, claim or action, to the extent that such response would adversely affect the working arrangements set out within this Memorandum, without the prior approval of the nominated officers.

16 Law and Jurisdiction

- 16.1 This Memorandum and any dispute or claim arising out of or in connection with it or its subject matter or formation shall be governed by and construed in accordance with the law of England and Wales and the Parties irrevocably agree that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim that arises out of or in connection with this Memorandum or its subject matter or formation.

Appendix 1

IN WITNESS whereof the undersigned being the duly authorised representatives of the respective Parties, hereby sign and approve this Memorandum.

For The University of Huddersfield

For Arts Council England

.....

Deputy Vice-Chancellor

.....

Chief Executive

Date:.....

Date:.....

**For the Council of the Borough of
Kirklees**

.....

Chief Executive

Date:.....

This page is intentionally left blank



Name of meeting: Cabinet
Date: 17 April 2018
Title of report: Early Closedown review 2017-18

Purpose of the Report

To update progress on the early close down of the Council's accounts for 2017/18 and to consider proposals to capitalise an estimated £8.2m revenue expenditure, within allowable Government and accounting rules, as part of 2017-18 final accounts process

Key decision – is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Key decision - is it in the Council's Forward Plan (key decisions and private reports)?	Key decision - Yes
The Decision - Is it eligible for “call in” by Scrutiny?	Yes
Date signed off by Strategic Director & name	Rachel Spencer Henshall 06 April 2108
Is it also signed off by the Acting Service Director for Finance, IT & Transactional Services?	Eamonn Croston – 04 April 2018
Is it also signed off by the Service Director – Legal, Governance & Commissioning?	Julie Muscroft – 09 April 2018
Cabinet member portfolio - Corporate	Give name of Portfolio Holders Cllr Graham Turner Cllr Musarrat Khan

Electoral wards affected: None
Ward Councillors consulted: None

Public or private: Public

1. Summary

- 1.1 The annual budget report presented at Council on 14 February 2018 set out a number of key actions the Council is taking, given the scale of the continuing financial challenges and operational and delivery risks facing the organisation over the 2018-20 period. The report also made reference to current uncertainty regarding the national funding position for local government from 2020 onwards.
- 1.2 The key actions set out in the report include the potential application of the Council's flexible capital receipts strategy, which as per Government guidelines, allows the Council to 'capitalise' certain types of qualifying revenue expenditure that can be funded from 'in-year' generated capital receipts.
- 1.3 It is proposed that up to £6m of qualifying revenue expenditure in 2017-18, that was to be funded from planned drawdown of earmarked reserves, be capitalised and funded from in-year capital receipts. This will enable the equivalent amount of earmarked reserves not now required in 2017-18, to roll forward into future years, to support future earmarked reserves requirements; in particular around transformation activity and workforce restructure reserves requirements over the 2018-20 period.
- 1.4 This report also sets out proposals where capital expenditure is due to be funded from revenue in 2017-18, totalling approximately £2.2m, to substitute fund this instead with borrowing. This will release equivalent revenue resources to the general fund 'bottom line' in 2017-18.

2. Information required to take a decision

- 2.1 To support Council transformation requirements, there are a number of planned staff reductions over the medium term financial plan. These are ongoing, and are intended to generate sustainable long term savings. A number of these planned staff reductions are being met through voluntary severance, and the estimated cost of voluntary severance Council wide in 2017-18 is £3.5m and was to be funded from planned drawdown from earmarked reserves.
- 2.2 A further £2.5m in-year spend relating to a range of other Council Transformation activity was also to be met from planned drawdown from earmarked reserves in-year.
- 2.3 It is proposed to apply the Council's flexible capital receipts strategy in relation to the above spend. The strategy is based on current Government guidance which allows the capitalisation of certain types of qualifying revenue expenditure in-year, funded from the flexible use of 'in-year' generated capital receipts. The estimated revenue costs set out at paragraphs 2.1 and 2.2 above, totalling £6m, meet DCLG qualifying revenue expenditure.

The Council's capital flexible receipts strategy, which was approved at Budget Council on 14 February 2018, is included at Appendix A for information.

- 2.3 It is anticipated that in-year capital receipts available in 2017-18 will at least total £6m, and applying these to fund eligible revenue expenditure will enable earmarked reserves set aside to support transformation activity, to be maintained at their current levels at year end (£10m in total). It is intended that these particular earmarked reserves will then roll forward into future years, and will be available to meet anticipated earmarked transformation spend commitments over the 2018-20 period.
- 2.4 The Council's 2017-18 capital plan is approximately £115m (General Fund £95m and Housing Revenue Account £20m), and is funded from a number of sources. These include external capital grants, capital receipts generated from the sale of Council assets, borrowing and to a lesser extent, direct revenue funding.
- 2.5 Re-directing in-year capital receipts totalling £6m to support eligible revenue expenditure, which would otherwise have been used to fund the capital plan, will result in an increase in future borrowing costs; approximately £60k in 2018-19. This can be managed within the existing Council treasury management budget, due to forecast slippage against the current year capital plan funded from borrowing, of about £14m.
- 2.6 Appendix B attached sets out total direct revenue funding to support capital spend in 2017-18 of £2.2m. Quarter 3 financial monitoring report to Cabinet on 14 February 2018 included approved direct revenue funding of £840k as at Quarter 3. Since Quarter 3, a further £1.395m direct revenue funding has been identified; which includes revenue funding approvals delegated to service directors under Financial procedure Rules 3.10 - 3.12 of £160k, plus a further £1.235m above Service Director thresholds, requiring Cabinet approval.
- 2.7 It is proposed that Cabinet approve the direct revenue funding proposals above Service Director thresholds, set out at Appendix B.
- 2.8 Subject to Cabinet approval, it is then proposed that the totality of £2.235m approved direct revenue funding in 2017-18 be replaced with borrowing. This will release equivalent revenue resources in-year. There will be an increase in future borrowing costs; about £22k in 2018-19. Again, this can be managed within the existing Council treasury management budget.

3. Implications for the Council

- 3.1 The proposals set out in this report are measures intended to support organisational flexibility and financial resilience, and in this context support the overall delivery of the following Council objectives and Priorities within available resources:

- Early Intervention and Prevention (EIP)
- Economic Resilience (ER)
- Improving Outcomes for Children
- Reducing demand of services

Financial, Legal & Other Implications

- 3.2 The annual budget report 2018-20 to full Council on 14 February 2018 commented on the continuing financial challenges facing the Council to 2020 and beyond.
- 3.3 The approved budget plans for the [2017/18 year and following 2 years, to 2020 included the delivery of General Fund revenue savings totalling £83m over a 3 year period. This included a planned savings requirement of £54m in 2017-18 and further planned savings of £29m over the 2018-20 period.
- 3.4 The annual budget report also approved the Council's reserves strategy. The strategy noted the potential scale of unbudgeted risks set out in the annual budget report at the same time as declining Council reserves over more recent years, and the Council's refreshed approach to budget risk and general fund revenue reserves; directed at strengthening organisational flexibility and financial resilience over the medium to longer term. The proposals set out in this report are intended to support the above objectives.

4. Consultees and their opinions

- 4.1 The proposals set out in this report have been discussed at Executive Team.

5. Next steps

- 5.1 Subject to member approval, the recommendations in this report will be incorporated into the 2017-18 final accounts process, and subsequently reported on as part of the 2017-18 Financial Outturn report to Cabinet in June 2018 and full Council in July 2018.

6. Officer recommendations and reasons

- 6.1 Cabinet are asked to support the following officer recommendations:
- i) to apply the Council's flexible capital receipts strategy to eligible revenue expenditure and associated proposals, as set out in this report ;
 - ii) to approve the direct revenue funding of capital proposals as set out at Appendix B, in accordance with Financial Procedure Rules 3.10 – 3.12; and

iii) subject to ii) above, to approve the replacement of £2.2m revenue funded capital expenditure in 2017-18 with borrowing and associated proposals

7. Cabinet portfolio holder recommendation

The Cabinet portfolio holder supports the recommendations in this report.

8. Contact Officer

Eamonn Croston, Acting Service Director - Financial, IT & Transactional Service

9. Background Papers and History of Decisions

Appendix A – Council flexible capital receipts strategy extract from annual budget report 2018-20

Quarter 3 financial monitoring report to Cabinet 20 February 2018;

Annual Budget Report to full Council 14 February 2018

10. Service Director responsible

Eamonn Croston, Acting Service Director - Financial, IT & Transactional Service

KIRKLEES COUNCIL - FLEXIBLE USE OF CAPITAL RECEIPTS STRATEGY

- Government guidance allows the capitalisation of certain types of qualifying revenue expenditure in-year, funded from the flexible use of 'in-year' generated capital receipts. It covers in-year capital receipts generated in-year, from 2016-17 to 2021-22 inclusive.
- In-year generated capital receipts includes general fund receipts from the sale of general fund land and buildings. It also includes 'right to buy' (RTB) receipts from the sale of Council houses. These are remaining receipts that are also available to the Council, after taking account of the Council's other obligations in relation to RTB receipts generated in-year.
- It is proposed that consideration be given to applying 'in-year' capital receipts generated, to fund the following qualifying capitalised revenue expenditure, in line with original DCLG guidance issued in March 2016, as follows :
 - *funding the cost of service reconfiguration, restructuring or rationalisation (staff or non-staff), where this leads to ongoing efficiency savings or service transformation;*
 - *driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible;*
- The time period relating to the above qualifying expenditure covers 2017-18 and the following 4 years. The original DCLG guidance covered the 2016-19 period, but this was subsequently extended by a further 3 years, to 2021-22, following the Autumn Statement announcement on November 17th, 2017.
- The extent to which capital receipts will actually be applied in-year will take into account the following factors :
 - the amount of capital receipts actually generated in-year;
 - the amount of qualifying capitalisable revenue expenditure in-year;
 - the affordability of borrowing to fund the capital plan in-year, where current funding assumptions include use of in-year capital receipts to part fund the Councils annual general fund capital plan
- The proposals set out in 3. above are 'in principle', and allow officers the 'flexibility' to consider a range of funding options in-year that meet the intended objectives set out in the Council's budget strategy update.

Revenue Contributions to Capital Since Quarter 3

Direct Revenue Funding of Approved Capital Plan	Service Director Responsible	£'000
Direct Revenue Funding as at Quarter 1&2:	Various	118
Direct Revenue Funding as at Quarter 3 Financial monitoring report to Cabinet 20 February 2018 :	Various	722
Sub-total		840
Service Directors Delegated Authority :		
Highways Baseline Plan - District Committees monies for Speed Indicator Devices	Approved at District Committee Meetings	40
Learning & Early Support Baseline – Woodley College various works including DDA	Learning & Early Support	51
Learning & Early Support Baseline – Children’s IT Social Care System	Learning & Early Support	69
Sub-total		160
Above Service Directors Delegated Authority limit :		
Corporate Landlord Asset Investment – Fire Safety Works	CROS*	250
Corporate Landlord Asset Investment – Old Post Office, 81 Northgate, Almondbury	CROS	25
Strategic Assets – Dewsbury Town Hall	CROS	200
Strategic Assets – Headlands Depot Scheme	CROS	360
Strategic Assets – George Street Depot Scheme	CROS	160
Strategic Assets – Dewsbury Town Hall EIP Hub	CROS	40
Highways – Upperhead Row Car Parking Improvements	CROS	200
Sub-total		1,235
TOTAL Direct Revenue Funding		2,235

*Commercial, Regulatory & Operational Services

This page is intentionally left blank



Name: Cabinet
Date: 17 April 2018

Title of Report 2017/18 and 2018/19 Council Capital Plan - Proposed allocation of 2018/19 capital funding from the Directorate for Children’s Learning & Early Support baseline section of the Capital Plan along with details of proposed amendments to the 2017/18 approved programme of works

Purpose of report:

This report will identify potential projects, for Member approval, to be funded from the 2018/19 Learning and Early Support Capital Maintenance section of the Capital Plan and present an update on the delivery of the 2017/18 Capital Maintenance programme approved by Cabinet on 7 March 2017.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Key Decision - Is it in the Council's Forward Plan (key decisions and private report)?	Yes
The Decision - Is it eligible for “call in” by Scrutiny?	Yes
Date signed off by Strategic <u>Director</u> & name	Karl Battersby – 29.03.2018
Date signed off by the Acting Service Director - Finance, IT and Transactional Services?	Eamonn Croston – 29.03.2018
Date signed off by the Service Director - Legal, Governance and Commissioning?	Julie Muscroft – 04.04.2018
Cabinet member portfolio	Corporate - Cllr Graham Turner Corporate - Cllr Musarrat Khan Children - Cllr Masood Ahmed Children – Cllr Viv Kendrick

Electoral wards affected: All
Ward councillors consulted: No
Public or private: Public Report with Private Appendix B

1. Summary

- 1.1 This report will identify potential projects to be funded from the Learning & Early Support Capital Maintenance baseline section of the Capital Plan which was approved by Council on 14 February 2018.
- 1.2 Members will be asked to consider and approve the Capital Maintenance programme along with named projects so that they can be delivered in 2018/19 and to authorise delegated powers for officers to manage the programme.
- 1.3 This report will also update Members regarding the delivery of the 2017/18 Learning & Early Support Capital Maintenance programme. It will report retrospectively on amendments and virements authorised by officers using delegated powers approved by Cabinet on 7 March 2017.

2. Information required to take a decision

(a) Background

- 2.1 In May 2017 the Department of Education (DfE) announced a fixed allocation for 2017/18 of £3.743M. This level of grant was also deemed to be indicative of the allocation for 2018/19. Members should note that this indicative allocation is reviewed annually and subject to a DfE announcement early in the financial year.
- 2.2 The methodology for calculating the allocations was changed in 2016 to take account of the following three components:

Core condition funding for all responsible bodies based on their pupil numbers;
High condition needs funding for those with disproportionately high needs; and
Floor protections to provide some stability in the transition to the new system.

The allocation methodology is to remain the same for the financial year 2018–19, with no changes. This is to provide stability for responsible bodies while the DfE review the methodology for 2019–20 onwards.

- 2.3 The five year Capital Plan 2018/19 to 2022/23 was approved by Council on 14 February 2018 and took into account an estimate of the expected reduction in grant in 2018/19 and hence, is set at £3.6M. Since then, on 15th March 2018, the DfE announced the School Condition Allocation (SCA) grant funding for 2018/19 at £3.798M and Officers have amended the programme to match the actual capital allocation.

(b) Capital Maintenance for schools - Condition based projects 2018/19

2.4 The budget allocations are summarised in the table below:

Allocation	2018/19 Capital Plan
Condition Projects	£3.531M -
Capital Plan preparation, advance surveys, feasibility studies, advance design, and condition surveys in relation to delivery of Learning & Early Support projects	£0.075M
Risk pot for emergency additions to the capital plan/balance for high tenders and asbestos	£0.1920M
TOTAL	£3.798M

2.5 The Capital Maintenance programme for Schools primarily aims to address the backlog of condition works in our schools' estate. Currently, the backlog of Priority 1 - 3 works (i.e. works required in the next 0-5 years) is around £40M (excluding PPP/Voluntary Aided/ Academy Schools).

Attached at **Appendix A** is a business case that outlines the process for identifying the condition needs of individual schools, explains how the backlog of repairs is prioritised across all schools and how the 2018/19 schools' condition programme, if approved, will be procured, project managed and implemented.

In order to maximise spend on works it is proposed to manage asbestos risk, via the main risk pot which will be carefully monitored throughout the year.

2.6 Following feasibility work undertaken by the Physical Resources and Procurement (PRP) Service, a prioritised list of urgent condition works required to be undertaken in schools during financial year 2018/19 has been identified. This is attached at **Appendix B**. All of the works proposed have scored 28-30 on the matrix scoring system (described in **Appendix A**), indicating that a failure of the element concerned would have a major impact on the individual school from a Health and Safety and/or building closure and/or building damage perspective.

2.7 The proposed programme of works primarily consists of the following categories of work:

- replacement of life expired flat and pitched roofs;
- whole school electrical re-wires;
- replacement of obsolete boilers and heating distribution systems;
- urgent health and safety works including structural repairs, eradication of dry rot and kitchen refurbishments.

In recent years replacement boiler and heating systems have had a beneficial impact on carbon reduction as well as greater insulation arising from re-roofing works. The total value of new condition works proposed is £3.531M.

2.8 In addition to the proposed new condition works the following capital allocations from the Capital Maintenance for Schools - Condition based projects programme are proposed:

- £75K to cover survey and preparation costs for the 2018/19 programme along with advance feasibility and design costs for the 2019/20 programme;
- £192K for a risk pot for items such as emergency in year additions to the programme; higher than anticipated tenders and levels of asbestos once works are under way.

It should be noted that the level of Devolved Formula Capital (DFC) contributions from schools in previous years has allowed for additional schemes to be added to the programme. The reserve projects listed on **Appendix B** are all schemes with matrix scores of 28 and have been designed at risk so that they can be added to the programme, in a timely manner, if the level of DFC received is great enough or there is a need to defer works on any of the other planned schemes.

(c) Revised allocations for the 2017/18 Condition Works Programme

2.9 The approved capital allocation of £3.743M was increased in year to £4.930M through the approved rollover from the 2016/17 budget for committed schemes and an RCCO.

2.10 The current 2017/18 Capital Maintenance programme is almost complete with approximately 83% of schemes successfully delivered and the remaining 17% on course to be delivered or contractually committed before the end of the financial year.

2.11 The programme of condition works included:

- 14 boiler and/or heating system replacement projects at an approximate value of £1.424M;
- 12 roof replacement projects at an approximate value of £1.111M;
- 11 electrical rewire & fire alarm replacement projects at a cost of approximately £1.102M;
- second phase of alterations to Woodley School & College (formerly Longley School) to continue the transition to an ASD specialist facility at a cost of approximately £155K;
- damp proofing and boundary wall repairs an approximate value of £106K.

In total, £2.442M of works were undertaken across 25 school sites during the six week the summer period - all schools reopened on time for the new academic year in September 2017.

2.12 Officers have used delegated powers provided by Cabinet on 7 March 2017 to ensure the smooth delivery of the 2017/18 Capital Maintenance for Schools programme during the course of the year to date. As projects have been designed, tendered and subsequently delivered over the course of the financial year there has been a requirement to:

- reduce capital allocations for some projects where the successful lowest tender has been below the allocated budget and/or a capital contribution has been secured from the school involved thereby freeing up funds for urgent works at other schools;
- provide additional capital for some projects, following receipt of higher than expected tenders;
- provide additional capital for some projects where extra urgent works have been identified on site whilst a project is being implemented and which have had to be dealt with in order to avoid delays to the programme e.g. additional discoveries of asbestos containing materials, dry rot outbreaks etc.;
- re-allocate funds from projects that have been unable to progress in 2017/18 for a variety of reasons to other projects in the programme that require more funding or to new urgent and/or emergency projects that have needed to be added to the programme during the course of the year due to their urgency.

2.13 **Appendix C** attached shows a list of amendments, deletions and additions to the original programme set within the overall Cabinet approved budget for 2017/18. Any savings made through lowest tenders, schools' capital contributions, reduced final accounts or deferred schemes have been reallocated, using delegated authority from Cabinet to Officers, to essential urgent works, all with matrix scores of 28 and above (maximum score is 30) and to planned rollover to support the 2018/19 condition programme in anticipation of further reductions to the DfE grant.

2.14 All changes to the programme are being reported retrospectively in accordance with the Council's Financial Procedure Rules.

(d) Financial Delegations

2.15 In order to aid the implementation of condition and physical adaptation works being funded from the Capital Maintenance programme, particularly during the summer months when the majority of work occurs, Members are again requested to delegate authority, in accordance with the Council's Financial Procedure Rules 3.12 dated June 2017, to the Service Director of Commercial, Regulatory & Operational Services to manage the implementation of the identified works within the respective agreed total programme budgets.

2.16 Delegated powers would include the authority to:

- add new urgent projects to the programmes without prior Cabinet approval providing that the total cost of the programmes remain within the approved capital allocations set by Council;
- transfer resources between the Capital Maintenance and Basic Need funding streams/programmes without restrictions;
- slip or delete projects during the course of the financial year to enable the effective management of the programmes concerned.

All virements, additions and deletions would be reported retrospectively to Cabinet in accordance with Financial Procedure Rule 3.14.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

None.

3.2 Economic Resilience (ER)

None.

3.3 Improving outcomes for Children

Appendix A notes that the Schools Condition Programme has little or no negative impact on groups with protected characteristics. General improvements in the condition of school buildings will have a positive impact in that they will contribute to a safe, warm, dry and secure environment for all pupils and staff. This Capital budget is also used to improve accessibility to school buildings and deliver a positive impact on groups with protected characteristics.

3.4 Reducing demand of services

None.

3.5 The Council's capital investment outlined in this report of £3.798M is funded from the DfE grant allocation for 2018/19, and will be adjusted if the actual level of grant differs from this figure and not from prudential borrowing; therefore it has no revenue cost implications.

3.6 There is an extensive backlog of repairs in schools for which the Council has responsibility. Whilst condition works occur in schools throughout the academic year, the main focus of activity is during the six week summer holidays. In order to have sufficient time to design, tender and appoint contractors it is imperative that an agreed condition works programme to be funded from the Capital Maintenance funding stream is approved.

3.7 The detailed list of proposed schools' condition works for 2018/19 is listed in **Appendix B** and is all required to address urgent condition needs in schools. Failure to undertake the works could lead to significant damage to buildings, equipment and belongings e.g. significant water ingress through a failed roof or the partial or full closure of a school e.g. a boiler or heating system failure during the winter months could close a school due to temperatures falling below minimum requirements.

4. Consultees and their opinions

4.1 The condition programme has been subject to consultation with officers from Learning & Early Support and with Portfolio Holders for Children's Services and Resources on 3 April 2018.

- 4.2 Following approval by Cabinet, consultation will occur with the individual schools that are due to be part of the programme and this will continue throughout the year as the projects are developed, designed and implemented.
- 4.3 The Learning & Early Support SEN Assessment and Commissioning team works closely with the PRP Service to identify pupils with disabilities and ensure that their needs are being met where appropriate. This involves close consultation with the individual schools concerned to ascertain and agree the level of “reasonable adjustments” required to the school’s buildings and grounds, and also to its day to day operations and curriculum.
- 4.4 The Council’s Strategic Finance Department has been consulted about the proposals to delegate authority to manage the programmes concerned to officer level and has agreed that the proposals would comply with the Council’s Financial Procedure Rules.

5. Next Steps

Subject to approval of the proposed projects and final business case, officers from PRP will ensure the 2018/19 Capital Plan is updated and the projects concerned are developed, designed, procured and implemented.

6. Officer Recommendation and reasons

Members are requested to:

- (a) consider and approve the business case at **Appendix A** which outlines the rationale for the schools’ condition works programme, the availability of funding, the selection process and the main categories of work, thereby enabling the projects concerned to be designed, procured and implemented;
- (b) consider and approve the detailed list of proposed works in schools for 2018/19 attached at **Appendix B**.
- (c) consider and approve delegated powers in accordance with the Council’s Financial Procedure Rules 3.12 dated June 2017, to the Service Director - Commercial, Regulatory & Operational Services so that the programme can be managed and the implementation of the identified works contained within the respective agreed total programme budget.

Delegated powers would include the authority to:

- add new urgent projects to the programmes without prior Cabinet approval providing that the total cost of the programmes remain within the approved capital allocations set by Council;
- transfer resources between the Capital Maintenance and Basic Need funding streams/programmes without restrictions;
- slip or delete projects during the course of the financial year to enable the effective management of the programmes concerned.

All variations, additions and deletions would be reported retrospectively to Cabinet in accordance with Financial Procedure Rule 3.14.

- (d) note the revised amendments/allocations applied by Officers using delegated powers to the detail of the 2017/18 Schools Capital Maintenance programme, as stated in **Appendix C**.

7. Cabinet portfolio holder's recommendations

Portfolio Holders have considered this report and welcome the Capital investment in our schools to keep them safe, dry, warm and secure. We approve the detail business case provided with this report and the proposed 2018/19 programme and we note the revised amendments to the 2017/18 Capital Maintenance programme. We have considered and approved the delegated powers to the Service Director – Commercial, Regulatory & Operational Services as outlined in sections 2.15 and 2.16 of this report so that the programme can be managed within the overall budget envelope.

8. Contact officer

David Martin - Head of Capital Delivery & Facilities Management
Physical Resources and Procurement Service
Tel: 01484 221000
Email:david.martin@kirklees.gov.uk

9. Background papers and history of decisions

14 February 2018 Council: 5 Year Investment Plan 2018/19 to 2022/23

7 March 2017 Cabinet Report - 2016/17 and 2017/18 Council Capital Plan – Proposed allocation of 2017/18 capital funding from the Directorate for Children and Young People (DCYP) baseline sections of the Capital Plan along with details of proposed amendments to the 2016/17 approved programme of works

10. Service Director Responsible

Joanne Bartholomew - Service Director -
Commercial, Regulatory & Operational Services
Tel: 01484 221000
Email:joanne.bartholomew@kirklees.gov.uk

11. Attachments

Appendix A: Final Business Case for the Capital Maintenance Schools' condition programme.

Appendix B (Private): Detailed list of proposed 2018/19 Learning & Early Support Capital Maintenance Schools' condition programme.

Appendix C: Revised allocations for the 2017/18 Learning & Early Support Maintenance Schools' condition programme.

Project Title:	Capital Maintenance for Schools – Baseline Condition Programme
Project Manager:	David Martin
Client Service:	Directorate for Children & Families
Date of this OBC:	April 2018
KMC Capital total (Gross) (£000s):	£3.798M

DESCRIPTION

Description of the project and its purpose:

The Capital Maintenance for Schools grant is provided to all Local Authorities for expenditure on Schools to ensure that:

- buildings and equipment are properly maintained;
- health and safety issues are addressed and;
- a backlog of repairs does not build up over time.

In addition, Kirklees uses the funding to ensure that where required, schools are accessible for pupils with disabilities and that appropriate specialist equipment is provided to meet the needs of individual pupils. Since 2011/12 Councils have been expected to fund physical adaptations to schools from the Capital Maintenance grant provided to all LAs. Specialist equipment will, wherever possible, be funded from revenue and only be capitalised as a last resort.

On 14 February 2018 the Council approved a 5 Year Investment Plan, which included a proposed programme of works under Capital Maintenance for Schools totalling £3.6M. Since then, on 15th March 2018, the DfE announced the School Condition Allocation (SCA) grant funding for 2018/19 at £3.798M and Officers have amended the programme to match the actual capital allocation as below.

(a) A programme of urgent condition works in schools totalling £3.531M. The key categories of works proposed are:

- a programme of urgent and essential repairs to replace leaking and life-expired pitched and flat roofs. Incorporated in these works are enhancements or in some cases the introduction of insulating material, which greatly improves the thermal efficiency of the roof. This contributes to a reduction in the building's carbon footprint through lower energy usage. In the case of pitched roofs in Victorian schools it includes, where necessary, essential repairs to lath and plaster ceilings using a chicken wire and timber batten technique above the suspended ceiling. This greatly reduces the risk of old plasterwork falling through the suspended ceiling. These works also include replacing the existing suspended ceiling grid and luminaries with new energy efficient recessed lighting, which greatly enhances the teaching and learning environment for pupils and staff through an improved quality of lighting, whilst simultaneously contributing to lowering the building's carbon footprint and running costs;
- a programme of whole school electrical re-wiring projects to replace life expired existing systems and to comply with the latest legislative standards. As well as full replacement of the electrical wiring systems, these projects have the added benefit of providing new ceilings and modern, energy efficient lighting which provide the schools with a new look and greater energy efficiency. Where appropriate, these projects also incorporate improvements to ICT infrastructure e.g. enhancement or rationalisation of data point coverage and the replacement of the existing fire alarm and/or lightning protections systems and provides the opportunity to manage asbestos to support ongoing maintenance of building fabric and other service;
- replacement of inefficient and obsolete boilers with energy-efficient boiler plant and/or the replacement of inefficient heating distribution systems, with low surface temperature radiators providing better control. These works can also have a positive impact on the working environment for pupils and staff as they lead to the provision of heating that better matches an individual school's requirements, reducing energy wastage and utility costs and

contributing to meeting the Council's carbon reduction targets;

- a programme of fan convector removal and replacement, where appropriate, with wet system radiators. This will remove noisy, industrial and ineffective heating systems and replace them with modern, more energy efficient forms of heating;
- (b) An allocation for remodelling the kitchen at Reinwood Community Junior School with a funding contribution to be negotiated with Schools Catering. School kitchens to be refurbished are generally identified by reference to the annual assessment of each school kitchen's structure, internal fabric and equipment carried out by the PRP Service. Priority is given to projects designed to address known health and safety issues, including compliance with all relevant legislation (e.g. The Gas Act; Electricity at Work Act; Food Safety Provision Regulations).
- (c) An allocation of £75K for preparation costs for the 2018/19 and 2019/20 capital plan. These costs include feasibility studies / asbestos surveys / condition surveys / advance design in relation to the preparation and implementation of Learning & Early Support projects.
- (d) An allocation of £192K to act as a risk pot for emergency schemes that may emerge as the financial year progresses. As the backlog of repairs exceeded the availability of capital, it has only been possible to fund projects with a matrix score of 28-30. Many schemes categorised as a matrix of 26 had, for the first time, to be placed on hold until future years due to a lack of available funding. There is a risk that some of these elements could deteriorate during the course of 2018/19 prompting the need to bring some projects back into the programme in order to tackle serious H&S issues or potential school closures. The risk pot will also need to cover DDA allocation not yet identified and the risk of uncovering asbestos issues once work has commenced on site.
- In all schools the Head teacher and governing body are asked to consider if reasonable adjustments to how they deliver the curriculum can be made without the need to undertake physical adaptations. In addition, consideration is given as to whether specialist equipment can meet the needs of the individual. Where physical works are required, consideration is given to minimising the level of works required to that which would be considered to be "reasonable".
- In all cases, the works identified are either required to enable the admission of pupil(s) to the school chosen by their parents / carers from the start of the new academic year in September 2018 or are required to meet the needs of schools where pupils have already been admitted but where adaptation works have subsequently been identified. Works to schools will have wider benefits for staff, visitors and the local communities by increasing the accessibility of the buildings and grounds for all.
- (e) An allocation of £210K for a contribution to the condition works required to convert Birkby Fartown Community Centre into suitable accommodation to aid the expansion of the adjoining Birkby Junior School under the essential Basic Need (New Pupil Places) programme.
- (f) An allocation of £225K for essential fire safety works to support fire risk assessments to be carried out across the school estate.

There are no individual schemes in the proposed condition programme that currently exceed £250,000 – though it should be noted that the reserve schemes at Ashbrow Primary School rewire and Highbank JI&N School rewire will be undertaken if budget constraints allow. Further schemes may be added by officers, subject to approval, using authority delegated in the attached cabinet report providing that there are sufficient funds available.

Allocation methodology for condition funding

Every school receives a survey covering internal and external fabric, mechanical and electrical services and external areas. All surveys are undertaken by the Council's Physical Resources and Procurement (PRP) Service and are paid for through a combination of the Schools Traded Service for Repairs and Maintenance and the Learning & Early Support Capital Plan.

The information collected is stored on the Council's K2 Asset Management database and is used to set the Council's capital investment plan for schools, as well as being used by schools themselves to prioritise expenditure from their revenue Repair and Maintenance budgets and their Devolved Formula Capital allocations. All surveys are based on the DfE's condition surveying methodology, which has been in operation since 2000. The methodology allocates a condition and priority to each individual element using nationally agreed DfE stipulated grades as follows:

GRADE	MEANING
A	Good - Performing as intended and operating efficiently.
B	Satisfactory - Performing as intended but exhibiting minor deterioration
C	Poor - Exhibiting major defects and / or not operating as intended
D	Bad - Life expired and / or serious risk of imminent failure.
Priority 1	Urgent work that will prevent immediate closure of the premises and / or address an immediate risk to the health and safety of occupants and / or remedy a serious breach of legislation.
Priority 2	Essential work required within two years that will prevent serious deterioration of the fabric or services and / or address a medium risk to the health and safety of occupants and / or remedy a less serious breach of legislation.
Priority 3	Desirable work required within three to five years that will prevent deterioration of the fabric or services and / or address a low risk to the health and safety of occupants and / or remedy a less serious breach of legislation.
Priority 4	Long term work outside the five year planning period that will prevent deterioration of the fabric or services.

This results in each element of a school building and its grounds receiving a grade that indicates its current condition and life expectancy e.g. A 35 year old boiler might be rated D1 which indicates that the item is life expired and in urgent need of replacement whilst a five year old boiler might be rated A4, which means that it is in a good condition and needs no major investment in the next five years.

As the backlog of repairs exceeds the capital available, a matrix scoring system is used to prioritise the backlog of urgent priority 1-3 works, taking into account issues such as health and safety, the remaining life of the element and the impact of a failure on the building. Each of the three categories is allocated a maximum of 10 points, which produces a maximum score of 30 points. The elements with the highest scores are considered for the condition programme. Using the above system, it can be demonstrated that the programme of works identified represents the most urgent and highest priority repairs for the LA.

A weighting system is employed to give greater importance to some types of repairs than others. Elements that receive a weighting are mechanical services, electrical services, roofs and external walls. Where the number of schools with a matrix score of 26 – 30 exceed the financial resources available officers prioritise the programme according to the asbestos risk, continuation of previous phases, and links between mechanical & electrical works.

Weightings are not allocated to fixed furniture, external areas, redecoration, sanitary services and internal walls and doors.

What are the benefits / critical success factors?

The Capital Maintenance for Schools baseline condition programme will help reduce the backlog of priority maintenance in Kirklees community / voluntary controlled / foundation / trust schools, which currently totals around £40M for priority 1-3 works.

It will contribute to addressing a key priority for the Directorate for Children and Families and PRP

Service which is to ensure that all schools are warm, dry, safe and secure.

The programme will contribute towards the vision for a New Council which:

- Continues to provide a consistent level of basic services, but will target limited resources as appropriate to meet community needs and strive to maximise the impact of all our services by collaborating with others;
- Safeguards vulnerable citizens, but wherever possible, seeks to not just provide a safety net, but also a route to help people control their own lives and to stay safe and well.

Many of the projects being implemented will have a direct impact on reducing the Kirklees carbon footprint – all new roofs will incorporate significantly improved insulation; new boilers will be modern, energy efficient equipment with the latest TREND controls; re-wired buildings will contain energy efficient lighting with significantly improved controls including movement sensors and dimming switches.

The programme is designed and procured to ensure that all schools re open without loss of teaching days.

FINANCE

KMC **Gross** Total (including external/grant funding if applicable) (£000):

Profile:	Year	<input type="text" value="18/19"/>
	Sum	£3.798M

Funding for this section of the Capital Plan comes from the Capital Maintenance for Schools grant, which is an un-ring fenced capital grant provided by the DfE.

Devolved Formula Capital contributions from schools towards specific projects will be sought though it is acknowledged that DFC for schools has also been subject to significant reductions. By securing a capital contribution from DFC, where available, this enables more projects to be undertaken compared to a situation where the LA was funding all projects at a 100% level.

The total value of the condition works proposed in this business case is £3.531M plus a number of other budgets incl. for the preparation and delivery of the programme and management of risk.

Lifespan of assets

New boilers fitted should have a life of 15-20 years, whilst new heating distribution systems should last 40-50 years. New flat roofs will have a lifespan of 15-30 years depending on the materials used (e.g. felt, asphalt, EPDM) whilst pitched slate roofs can have a life expectancy of 50-100 years+. Rewired electrical systems are expected to have a life of 25-40 years. This will all depend on an appropriate regime of inspection/servicing/repair being funded and carried out by the schools and the Local Authority

Lifecycle Capital costs (during the lifetime of the asset):

It is recognised that there are life cycle capital costs associated with this programme of works. All the roofs, boilers, electrical systems etc. installed will require ongoing maintenance and eventual replacement. All elements of a school building and grounds are covered by condition surveys coordinated by the PRP Schools FM team in conjunction with PRP condition surveyors. All condition related data is stored on the Council's K2 Asset Management system and is used to prioritise works for future capital replacement projects.

Responsibility for the lifecycle costs of this programme rests with the schools and the Page 62

Schools undertake significant capital repairs / replacement works from their Devolved Formula Capital (DFC) and their own revenue budgets. The Council undertakes capital works in schools using the Capital Maintenance Grant provided by the DfE.

Revenue Implications

Increased levels of insulation in new roofs, the installation of energy efficient boilers, the introduction of energy saving lighting and other devices and the greater use of sustainable technologies should have a positive impact on school running costs by reducing energy usage and therefore bills. These works should also reduce school maintenance costs in the short term by providing new assets, though schools will need to ensure that appropriate revenue budgets are set in the medium and long term in order to maintain the new assets properly. Due to the way that the Kirklees LMS scheme operates any revenue savings will accrue to the individual schools rather than the overall Dedicated Schools Grant.

DELIVERY & MANAGEMENT

How will the project be delivered/managed?

Delivery & Management.

Design and delivery of the Capital Maintenance programme is the responsibility of the PRP Service. Within the Schools Facilities Management Team, the Asset Manager (Schools) and Asset Managers will act as a key link between schools and the allocated PRP surveyor / external framework consultant / external framework contractor / PRP Technical Advisor / PRP Project Manager (the actual combination will depend on the procurement route for each individual project) to ensure the delivery of each scheme at an operational level. Project Management of the programme will be provided through the Capital Delivery Service within PRP. The Head of Capital Delivery & Facilities Management will act as the overall Project Executive.

How will the Programme/Project impact on hard to reach groups?

All sections of the community will benefit from improvements to their local schools including hard to reach groups such as lone parents, traveller families and minority ethnic groups as well as pupils with physical disabilities. An Initial Equalities Impact Screening exercise has demonstrated that this programme will have little if any negative impact on any Protected Characteristic Group

Is this subject to OJEU Regs?

None of the projects are individually large enough to fall under OJEU Regulations. Most projects will be tendered but where projects are delivered via Framework Agreements, these agreements will have already been subject to the full OJEU process.

How will this be procured:

This programme of works will be delivered through the PRP Service. Works delivered externally by contractors will be tendered; or will be negotiated if delivered by KNH Building Services. We will also negotiate with private contractors on multi-phased schemes where contractors have performed well on the first phase of works – management of the procurement process will be through the Capital Delivery team within PRP.

Key risks in undertaking / not undertaking this programme/project:

This programme contains urgent condition items relating to school buildings (e.g. roof repairs; boiler replacements; whole school electrical re-wires; H&S works etc.) that could, if not tackled, lead to damage to the buildings, H&S risks to the building occupants and the potential partial or full closure of schools, which would impact on the educational attainment of young people.

In running this large and varied programme we encounter many risks including:

- There are some larger schemes (e.g. whole school re-wires or projects that combine different disciplines e.g. boiler replacement combined with a whole school re-wire) which will be complicated to deliver due to programming issues; availability of decant space etc.;
- Many schemes will need to be undertaken during the summer holidays due to the

the works e.g. the replacement of a slate roof on a Victorian School and therefore any potential slippages could have serious consequences.

OTHER INFORMATION

Key Contacts

David Martin – Head of Capital Delivery & Facilities Management – PRP

Tel: 01484 221000

Email: David.Martin@kirklees.gov.uk

This FBC approved by: Cabinet 17th April 2018

Project	July 2017 Capital Plan Figure £	New Figure £	Variance £	Reasons for Change/Variance
DCYP CAPITAL MAINTENANCE PROGRAMME 2017/18 - CONDITION PROJECTS				
2017/18 Capital Plan preparation costs - Advance surveys/feasibility studies/asbestos surveys/condition surveys costs in relation to the delivery of DCYP projects and advance design of projects for the 2018/19 programme.	162,972	100,000	-62,972	Budget reduced to show the expected level of feasibility and advanced design costs required.
Risk Pot for emergency additions to the Capital Plan/balance for high tenders.	466,713	202,944	-263,769	Budget has changed to reflect the balance of high tenders and the addition of urgent works to the programme.
2017/18 Rollover schemes - charges under £10,000.	63,000	86,317	23,317	Agreed final accounts increased in costs.
Kitchen Refurbishment Programme - Manorfield I&N School	65,000	77,673	12,673	Lowest competitive tender returned was higher than the pre-tender estimate due to market forces.
Kitchen Refurbishment Programme - Reinwood Community Junior School	65,000	0	-65,000	No longer going ahead this financial year, priority for 2018/19.
Kitchen Refurbishment Programme - Heckmondwike Primary School	16,000	-11,348	-27,348	Agreed final account was less than predicted.
Battysford CE (VC) Primary School - Reroof flat roofs 15, 16, 17 & 04	144,000	157,530	13,530	Estimated final account increased due to additional works to fascia's required after commencement on site.
Berry Brow I&N School - Replace main switchgear	15,000	20,531	5,531	Agreed final account increased due to the inclusion of additional wiring.
Birkenshaw CE (VC) Primary School(Sherburn) - Boiler plant replacement	104,000	104,000	0	No change to Capital Plan figure.
Birkenshaw CE (VC) Primary School - Rewire Southcroft building	185,500	188,684	3,184	Final cost of scheme reduced from the tender figure due to a reduction in scope of works.

Birkenshaw CE (VC) Primary School - Re-roof modular buildings	0	30,132	30,132	New addition - urgent work required.
Bywell CE C Junior School - Roof 01 pitched felt roof with replacement of central lantern light and dry rot treatment works	48,000	54,576	6,576	Lowest competitive tender returned was higher than the pre-tender estimate due to market forces.
Crow Lane Primary and Foundation Stage School - Boiler plant replacement	0	114,198	114,198	New addition - urgent work required.
Crowlees CE (VC) J&I School - Heating distribution replacement	0	172,418	172,418	New addition - urgent work required.
Crowlees CE (VC) J&I School - Re-roof 02 & 08	0	139,682	139,682	New addition - urgent work required.
Dalton School - Phase 1 rewire	223,000	156,150	-66,850	Scope of works decreased, some works to ceilings were no longer required.
Dalton School - Phase 1A rewire	0	43,846	43,846	New addition - urgent work required identified on commencement of Ph1 works.
Dalton School - Phase 2 rewire	0	210,000	£210,000	New addition - urgent work required identified on commencement of Ph1 works.
Diamond Wood Community Academy - DDA adaptations	28,000	28,000	0	No change to Capital Plan figure.
Earlsheaton Infants School - Boiler plant replacement	94,000	93,733	-267	School's DFC contribution reduced the capital requirement slightly.
East Bierley CE (VC) First School - Partial heating distribution replacement	55,500	20,200	-35,300	Scope of works reduced and no asbestos issues found on site resulting in cost reduction.
East Bierley CE (VC) First School - Re-roof flat roof 03a incl. chicken wire to ceilings 13a, 14a & 16a	30,000	28,160	-1,840	School's DFC contribution reduced the capital requirement slightly.
Field Lane JI&N School - Replacement fan convectors	133,600	144,438	10,838	Lowest competitive tender returned was higher than the pre-tender estimate due to market forces.
Fixby J&I School - Rewire	14,000	14,328	328	2016/17 Rollover scheme, final account higher than expected.

Flockton CE (VC) First School - Roof 10 flat roof and associated dry rot treatment works to roof, deck and structure	50,000	80,798	30,798	Final cost of scheme increased from the tender figure due to extensive dry rot found once work had commenced on site.
Golcar JI&N School - Boiler plant replacement	12,000	12,000	0	No change to Capital Plan figure.
Gomersal Primary School - Phase 2 flat roofs 01, 03 & 04	150,000	177,133	27,133	Lowest competitive tender returned was higher than the pre-tender estimate due to market forces.
Hanging Heaton CE(VC) J&I School - Fire alarm replacement & emergency lighting	0	30,684	30,684	New addition - urgent work required.
Holmfirth JI&N School - Re-roof flat roofs 06, 08, 10 & 11 including small extension	115,000	126,057	11,057	Final cost of scheme increased due to dry rot works and replacement floor finishes required.
Holmfirth JI&N School - Boundary wall repair	0	18,200	18,200	New addition - urgent work required.
Hopton Primary School - Replacement fire alarm	123,000	83,108	-39,892	Lowest competitive tender returned was lower than the pre-tender estimate.
Hopton Primary School - Boiler plant replacement	0	25,359	25,359	New addition - urgent work required.
Hyrstmount Junior School - Heating distribution replacement (old block)	146,900	126,790	-20,110	Lowest competitive tender returned was lower than the pre-tender estimate and the school's DFC contribution reduced the capital requirement.
Kirkheaton Primary School - Rewire	10,000	10,960	960	2016/17 Rollover scheme, final account higher than expected.
Kirkheaton Primary School - Early Years heating	17,000	17,000	0	No change to Capital Plan figure.
Kirkroyds Infant School - Boiler installation	90,000	69,678	-20,322	Lowest competitive tender returned was lower than the pre-tender estimate and the school's DFC contribution reduced the capital requirement.
Kirkroyds Infant School - DDA Suite	0	13,567	13,567	New addition - urgent work required.

Lydgate J&I School - Replace fire alarm	0	31,706	31,706	New addition - urgent work required.
Meltham CE (VC) Primary School - Replace fan convectors and heating distribution	145,000	155,395	10,395	Lowest competitive tender returned was higher than the pre-tender estimate due to market forces.
Meltham Moor Primary School - Damp proofing works	0	48,930	48,930	New addition - urgent work required.
Netherthong Primary School - Roofs 01, 02, 03, 08, 09, 11, 12 & 14	32,000	32,000	0	No change to Capital Plan figure.
Netherthong Primary School - Pitched roofs 09, 11, 12 & 14	60,000	63,100	3,100	Lowest competitive tender returned was higher than the pre-tender estimate due to market forces.
Newsome Junior School - Phase 2 roofs 01 and 01a	50,000	55,962	5,962	Lowest competitive tender returned was higher than the pre-tender estimate due to market forces.
Newsome Junior School - Rewire	186,500	176,580	-9,920	Lowest competitive tender returned was lower than the pre-tender estimate and the school's DFC contribution reduced the capital requirement.
Nields J&I School - Re-roof pitched roof 01	165,000	173	-164,827	Scheme deferred. Feasibility costs only.
Paddock JI&N School - Phase 2 rewire	80,000	85,305	5,305	Final cost of scheme increased due to fire compartmentation works & increased scope of works.
Park Road JI&N School - Boiler plant replacement	99,000	99,000	0	No change to Capital Plan figure.
Ravensthorpe CE (VC) Junior School - Boiler replacement	0	88,654	88,654	New addition - urgent work required.
Rowley Lane JI&N School - Phase 2 flat roof 02	130,000	151,014	21,014	Final cost of scheme increased from the tender figure due to additional scope of works.
Rowley Lane JI&N School - Boundary wall repair	0	23,986	23,986	New addition - urgent work required.
Scholes (Holmfirth) J&I School - Rebuild boundary wall		14,768	14,768	New addition - urgent work required.

Spenn Valley High School (Sports Block) - Boiler plant replacement	115,500	108,111	-7,389	Lowest competitive tender returned was lower than the pre-tender estimate and the school's DFC contribution reduced the capital requirement.
Spring Grove JI&N School - Re-roof 01, 03a and 03b	38,000	47,290	9,290	Lowest competitive tender returned was higher than the pre-tender estimate due to market forces.
Staincliffe CE (VC) Junior School - Heating distribution replacement	184,000	71,830	-112,170	Scope of works reduced because the heating in hall was addressed in 2016/17.
Staincliffe CE (VC) Junior School - Roofing works 05	11,000	3,019	-7,981	Final cost of scheme increased from the tender figure due to additional work required but the costs were successfully recouped from the contractor.
Upperthong J&I School - Rewire	236,500	263,785	27,285	Final cost of scheme increased due to fire compartmentation works & increased scope of works.
Upperthong J&I School - Re-roof flat roof 01, 02 & 13	52,000	7,395	-44,605	Scheme deferred. Feasibility costs only.
Woodley School & College (formerly Longley School) - ASD Provision Ph1 & Ph2	668,000	10,000	-658,000	Budget split out into individual schemes whilst the masterplan is being determined.
Woodley School & College (formerly Longley School) - Visioning and master plan works	0	50,000	50,000	See comment above.
Woodley School & College (formerly Longley School) - Air con and ventilation works	0	15,309	15,309	See comment above.
Woodley School & College (formerly Longley School) - Playground reconfiguration works	0	170,000	170,000	See comment above.
Woodley School & College (formerly Longley School) - Sensory pod	0	66,185	66,185	See comment above.
Woodley School & College (formerly Longley School) - Sensory gym	0	22,662	22,662	See comment above.
Woodley School & College (formerly Longley School) - Installation of staircase	0	50,000	50,000	See comment above.

Woodley School & College (formerly Longley School) - Various works including DDA	0	50,743	50,743	New addition - urgent work required, funded through an RCCO from Schools Asset Management.
TOTAL	4,879,685	4,930,428		



Name of meeting: Cabinet
Date: 17th April 2018

Title of report: 2017/18 and 2018/19 Corporate Landlord Asset Investment Capital Plan - Amendments to the detail of the approved 2017/18 Corporate Landlord programme and proposed allocation of 2018/19 capital funding

Purpose of report This report will identify potential projects, for Member approval, to be funded from the 2018/19 Corporate Landlord Asset Investment baseline section of the Capital Plan and present an update on the delivery of the 2017/18 Corporate Landlord Asset Investment programme approved by Cabinet Committee - Assets on 29th March 2017 and updated at Capital Plan Rollover on 11th July 2017

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Key Decision - Is it in the Council's Forward Plan (key decisions and private report)?	Yes
The Decision - Is it eligible for "call in" by Scrutiny?	Yes
Date signed off by Strategic Director & name	Karl Battersby - 29.03.18
Date signed off by the Acting Service Director - Finance, IT and Transactional Services?	Eamonn Croston - 29.03.18
Date signed off by the Service Director - Legal, Governance and Commissioning?	Julie Muscroft - 9.04.18
Cabinet member portfolio	Corporate - Cllr Graham Turner Cllr Musarrat Khan

Electoral wards affected: All
Ward councillors consulted: No
Public or private: Public with Private Appendix A

1. Summary

- 1.1 This report will identify potential projects to be funded from the 2018/19 Corporate Landlord Asset Investment baseline section of the Capital Plan which was approved by Council on 14th February 2018.
- 1.2 Members will be asked to consider and approve the Corporate Landlord programme along with named projects so that they can be delivered in 2018/19 and to authorise delegated powers for officers to manage the programme within the overall budget envelope.
- 1.3 This report will also update Members regarding the delivery of the 2017/18 Corporate Landlord Asset Investment programme. It will report retrospectively on amendments and virements authorised by officers using delegated powers approved by Cabinet Committee - Assets on 29th March 2017.

2. Information required to take a decision

(a) Background

- 2.1 On 29th March 2017 Cabinet Committee - Assets allocated funding from the approved Capital Plan to Corporate Landlord Asset Investment baseline programme of work for 2017/18 of £1.4M.
- 2.2 The July 2017 Rollover Capital Plan approved by Council on 11th July 2017 includes capital provision for the programme as indicated in the table below.

	2017/18 Feb Budget	Rollover	2017/18 Revised Budget
Corporate Landlord Asset Investment	£1.400M	£982K	£2.382M

In year virements and RCCO's have increased the 2017/18 total programme budget to £2.832M.

- 2.3 The Corporate Landlord portfolio of assets includes, for example, Service and Office Accommodation, Library & Information Centres, Children's Centres, Town Halls, Public Halls, KAL, Museums, Crematoriums, Cemeteries and Parks.
- 2.4 The programme of works undertaken in support of the Council's Asset Investment primarily consists of, but not limited to, the following categories of work:
 - Condition works e.g. replacement roofs and roof coverings, boilers, fabric repairs, decoration and electrical works;
 - Compliance works e.g. replacement fire alarms, emergency lighting, asbestos safety works, resurfacing and structural works.

Where appropriate, Corporate Landlord work together with Asset Utilisation/Rationalisation to create an overall investment package e.g. of condition works and strategic investment to ensure sustainability of the asset in the long term e.g:-

- At Batley Town Hall the boiler, heating controls, emergency lighting and security system were replaced from the asset investment programme, whilst strategic investment was allocated separately to create the Early Intervention and Prevention (EIP) Hub following Cabinets determination of the EIP Service 17th January 2017.

(b) Asset Investment - 2017/18 programme amendments

- 2.5 The delivery of 2017/18 work programme is nearing completion; however there have been a number of changes dealt with under delegated powers to reflect emerging priorities, market conditions and emergency additions to the plan, in order to keep the 2017/18 programme within the overall programme totals. **Appendix B** names projects which have either changed, been deleted from or added to the programme.

(c) Proposed allocations for 2018/19

- 2.6 The five year Capital Plan 2018/19 and 2022/23 was approved by Council on 14th February 2018 and allocated £2.3M to the Corporate Landlord Asset Investment baseline for 2018/19. £1M of the funding was approved to support the replacement cremators at Dewsbury and Huddersfield Crematoria, a separate report will be brought to Cabinet for approval of the delivery of these schemes. The 2018/19 Corporate Landlord Asset Investment programme is detailed at **Appendix A**.

- 2.7 The programme is summarised below:

Replacement of roofs & windows, structural repairs, footpath safety and general refurbishments	£0.557M
Boiler replacements & heating distributions	£0.430M
Replacement cremators	£1.000M
Health and Safety works	£0.070M
Risk Pot, advanced surveys and feasibility works	£0.243M
Total	£2.300M

- 2.8 Corporate Landlord Asset Investment funding is used to address urgent condition works across the Council's large physical estate. The current backlog of works required, significantly exceeds the amount of funding available and therefore works are considered on a priority basis. A rolling programme of condition surveys is used to determine a prioritised plan of schemes, alongside local intelligence and budget limitations. Potential projects are brought forward for pre-scheme feasibility studies to identify more detailed cost estimates. The proposed programme presented in appendix A is based on the most up to date cost and feasibility information and strategic input.

- 2.9 The total value of new condition works proposed for 2018/19 is £1.057M excluding the replacement cremators. In addition to this the following capital allocations have been put forward:

- £50K to cover survey and preparation cost for the 2018/19 programme along with advance feasibility and design costs for 2019/20 programme;
- £193K for a risk pot for items such as emergency in year additions to the programme and higher than anticipated tender returns.

2.10 It is anticipated that significant fire safety works will arise across the whole of the Corporate Landlords' buildings from the Fire Risk Assessment programme currently being undertaken. This will place pressure on Corporate Landlord's revenue repair and maintenance budget, therefore £250K has been allocated to fire safety as reserve funding to recognise this.

(c) Financial Delegations

2.11 In order to aid the implementation of the Corporate Landlord Capital programme, Members are requested to delegate authority in accordance with the Council's Financial Procedure Rules 3.12 dated June 2017, to the Service Director - Commercial, Regulatory and Operational Services, to manage the implementation of the identified works within the respective agreed total programme budget.

2.12 Delegated powers would include the authority to:

- add new urgent projects under £250k to the programme without prior Cabinet approval providing that the total cost of the programme remains within the approved capital allocation set by Council.
- slip or delete projects during the course of the financial year to enable the effective management of the programme concerned.

2.13 All virements, additions and deletions will be reported retrospectively to Cabinet in accordance with Financial Procedure Rules 3.14.

3. Implications for the Council

3.1 Early Intervention and Prevention (EIP)

Following the review of the proposals for the Early Help for Children, Young People and Families by Cabinet 17th Jan 2017, investment in the EIP Hubs is being planned at Dewsbury Town Hall and Slaithwaite Town Hall, while works have progressed this year at Batley Town Hall which will support service delivery and the implementation of the EIP strategy.

3.2 Economic Resilience (ER)

No impact.

3.3 Improving Outcomes for Children

See 3.1.

3.4 Reducing demand of services

No impact.

3.5 Financial implications

The capital investment outlined in this report of £2.3M for the 2018/19 programme is funded from prudential borrowing. The revenue cost of financing this level of borrowing is £145K per annum for 20 years.

3.6 As previously stated, there is an extensive backlog of repairs in corporate landlord assets, for which the Council has responsibility. Projects included in the programme of works are prioritised on urgent condition needs and health & safety issues. In addition, consideration is given to the future lifespan of each building, especially with the emphasis on reducing the Council's physical estate in order to generate revenue savings and capital receipts. Failure to undertake the works will lead to significant damage to buildings, equipment and belongings e.g. significant water ingress through a failed roof or the closure of a building due to a boiler or heating system failure during the winter months.

4. Consultees and their opinions

4.1 The Corporate Landlord Asset Investment programme has been subject to consultation with officers from affected services and the Economy Senior Leadership Team.

4.2 The PRP Service works with relevant services to ensure works carried out, are appropriate to meet the end user customer needs.

5. Next steps

5.1 Officers from Physical Resources and Procurement will ensure the 2017/18 Capital Plan is updated and all projects concerned are developed, designed, procured and implemented as per the amended programme.

5.2 Subject to approval of the proposed projects, officers from PRP will ensure the 2018/19 Capital Plan is updated and the projects concerned are developed, designed, procured and implemented.

6. Officer recommendations and reasons

6.1 Members are requested to:

- (a) note the amendments to the detail of the approved 2017/18 Corporate Landlord Asset Investment Capital Plan.
- (b) consider and approve the programme of work for 2018/19 as per the overall capital allocation approved at Council on 14th February 2018.
- (c) consider and approve the proposed delegated powers as outlined in paragraphs 2.11 to 2.13 of this report.

7. Cabinet portfolio holder recommendation

- 7.1 Portfolio Holders have considered the attached report and welcome the Capital investment in our Council assets to keep them safe, dry, warm and secure. We approve the proposed 2018/19 programme and we note the revised amendments to the 2017/18 Capital Maintenance programme. We have considered and approved the delegated powers to the Service Director - Commercial, Regulatory & Operational Services as outlined in sections 2.11 to 2.13 of this report so that the programme can be managed within the overall budget envelope.

8. Contact officer

Jonathan Quarmby - Corporate Facilities Manager - Physical Resources and Procurement Service Tel: 01484 221000
Email: jonathan.quarmby@kirklees.gov.uk

David Martin - Head of Capital Delivery and Facilities Management - Physical Resources and Procurement Service Tel: 01484 221000
Email: david.martin@kirklees.gov.uk

9. Background Papers and History of Decisions

Cabinet Report 29/03/2017:

“2016/17 and 2017/18 Council Capital Plan - Amendments to the detail of the approved 2016/17 Corporate Landlord managed sections of the capital plan and proposed allocation of 2017/18 capital funding.”

Council 11th July 2017: 5 Year Rollover Capital Plan

Council 14th February 2018: 5 Year Capital Plan

10. Service Director responsible

Joanne Bartholomew - Service Director - Commercial, Regulatory and Operational Services Tel: 01484 221000
Email: joanne.bartholomew@kirklees.gov.uk

11. Private Attachments

Appendix A - Detailed list of proposed works in corporate sites for 2018/19

Public Attachment

Appendix B - Details of amendments to 2017/18 programme of works

Project	July 2017 Capital Plan Figure £	New Figure £	Variance	Reasons for Change/Variance
CORPORATE LANDLORD ASSET INVESTMENT PROGRAMME 2017/18				
Capital Plan preparation costs - Advance surveys/feasibility studies/asbestos surveys/condition surveys/programme management.	10,000	5,000	5,000	Budget has reduced to reflect level of advanced feasibility work required for the 2018/19 programme of works.
Risk pot for emergency additions to the Capital Plan/Balance for high tenders.	251,000	15,342	235,658	Budget has reduced to reflect virements to Asset Strategy, the balance of high tenders and the addition of urgent works to the programme.
2016/17 Rollover schemes under £10k	34,000	46,212	-12,212	Final accounts charged at higher than forecast.
26 Westgate - Improvements for re-letting	66,000	2,849	63,151	Costs of improvements too high to make the work viable for capital investment.
Batley Baths and Recreation Facility - Roofing and external works, ventilation, trend controls and internal refurbishment	195,000	148,010	46,990	Scope of scheme reduced to omit the ventilation works.
Batley Baths and Recreation Facility - Sauna room floor/store ceiling	0	72,000	-72,000	New addition - urgent work required.
Batley Town Hall - Phase 2 replacement boiler	127,000	140,095	-13,095	Lowest competitive tender returned was higher than pre-tender estimates.
Batley Town Hall - Roofing works	50,000	0	50,000	Work no longer required as work was picked up after lead theft as part of replacement works.
Batley Town Hall - Upgrade emergency lighting, security system and intruder alarm	115,000	109,132	5,868	Fees expended in previous years reduced the capital requirement.
Birkby Fartown Community Centre - Condition works contribution to school expansion	345,000	0	345,000	Decision made to fund the contribution to the condition works from another area of the Capital Plan.
Byram Buildings and Arcade - Cracked glazed roof lantern and roof repairs	0	70,000	-70,000	Issues with listing and longevity of the building delayed planned 16/17 works. Scheme put back into 17/18 programme, expected to be contractually committed this financial year.
Castle Hall (Council asset leased to Mencap) - Renew flat roofs	20,000	15,974	4,026	Lowest competitive tender returned was lower than pre-tender estimates. Scheme was funded by an RCCO from Corporate Landlord revenue.
Civic Centre 1 - Toilet refurbishment phase 3	121,000	119,500	1,500	Estimated final cost of scheme slightly reduced from the tender figure.
Civic Centre 1 - Ground flr central entrance issues	18,000	18,000	0	No change from original budget, scheme delayed by Building Services.
Civic Centre 1 - Flat roof above Registrars	0	29,286	-29,286	New addition - urgent work required.
Cleakheaton Memorial Park Pavilion - Renew roof	11,000	0	11,000	Scheme funded from revenue, tender return under £10k de-minimus.
Data Centre - Supply and fit 2 new UPS systems	0	38,667	-38,667	New addition - urgent work required.
Dewsbury and Huddersfield Crematoria - Replacement cremators	100,000	575,000	-475,000	Budget increased to reflect higher pre-tender estimates, funded through the remaining budget on the Various Crematoria line and £450K RCCO's.
Dewsbury Cemetery - Land preparation works	0	78,000	-78,000	New addition - urgent work required to provide more burial space.
Dewsbury Sports Centre - Wet side changing rooms	20,000	0	20,000	Scheme no longer going ahead in 17/18 to enable higher priority works to be added to the programme.
Dewsbury Town Hall - Replace fire alarm	108,000	109,000	-1,000	Estimated final cost of scheme slightly increased from the tender figure.
Gatehouse Enterprise Centre - Re-roofing phase 2	10,000	10,000	0	No change from original budget.
Greenhead Depot - Training room modular demolition	0	14,053	-14,053	New addition - building closed in July 2017, required timely demolition, funded from the parks and greenspaces line.

Project	July 2017 Capital Plan Figure £	New Figure £	Variance	Reasons for Change/Variance
Greenhead Park Fountain - Refurbishment	0	15,000	-15,000	New addition - urgent work required.
Heckmondwike Library - Condition works	0	92,701	-92,701	New addition - urgent work required.
Huddersfield Crematorium - Replacement heating distribution	0	120,000	-120,000	New addition - urgent work required.
Huddersfield Town Hall - Phase 1 Lighting Rig, Roof Repairs, Rainwater Goods and Window Replacement	52,000	21,780	30,220	Estimated final cost of scheme reduced from the tender figure.
Huddersfield Town Hall - Replace lifts PM22 & PM23	52,000	50,295	1,705	Agreed final account reduced slightly from the tender figure.
Lawrence Batley Theatre - Cellar bar damp remediation-asphalt flooring	46,000	48,230	-2,230	Agreed final account increases slightly from the tender figure as additional floor plates were required once work had commenced.
Lawrence Batley Theatre - Roof works	80,000	75,654	4,346	Lowest competitive tender returned was lower than pre-tender estimates.
Media Centre - Bore hole	100,000	0	100,000	Scheme no longer going ahead in 17/18 to enable higher priority works to be added to the programme.
Mirfield Library - Replace boiler and flue	28,000	0	28,000	Scheme no longer going ahead in 17/18 to enable higher priority works to be added to the programme.
Mount Pleasant - Community Centre associated demolitions	0	30,000	-30,000	New addition - urgent work required to support ESFA Priority School Building Programme new build.
Oakwell Hall - Electrical works to offices	0	24,000	-24,000	New addition - urgent work required.
Queensgate Market - Renew lift EH3	18,000	14,600	3,400	Agreed final account reduced slightly from the tender figure.
Red Roles Lane- Toilets and internal refurbishment	0	50,000	-50,000	New addition - urgent work required to support Asset Utilisation/Rationalisation priority scheme.
Reins Depot - Emergency lighting and fire alarm installation	0	51,758	-51,758	New addition - urgent work required.
Slaithwaite Cemetery - Rebuild of retaining wall & resurfacing of access ramp	0	47,871	-47,871	New addition - urgent work required, funded from Various Crematoria line.
Slaithwaite Town Hall - Pitched slate roof	61,000	48,453	12,547	Agreed final account reduced from the tender figure.
Slaithwaite Town Hall - Heating distribution replacement	101,000	0	101,000	Scheme delayed due to need to link in with the overall strategy for the building, the work will not go ahead in 2017/18.
Slaithwaite Town Hall - Window replacement (various elevations)	100,000	400,000	-300,000	Budget increased to accommodate addition elevations, expected to be contractually committed this financial year.
Standiforth Playing Fields - Changing rooms re-roof	0	22,191	-22,191	New addition - urgent work required.
Various Crematoria - Windows and internal refurbishment	60,000	0	60,000	Projection reduced to reflect the Slaithwaite Cemetery pressure of £34,883, the rest of the budget will add to the funding of the larger Dewsbury & Huddersfield replacement cremators scheme.
Various parks and greenspaces - Health & Safety works and compliance to upgrade supporting walls, structure lighting and footpaths.	60,000	30,947	29,053	Projection reduced to reflect the Greenhead Park Fountain pressure of £15,000.
Woodlands Young Peoples Home - Provide new kitchen, light tubes, decoration and carpets	23,000	22,400	600	Agreed final account reduced slightly from the tender figure.
Young Batley - Relocation of YOT	0	50,000	-50,000	New addition - work required to support the office rationalisation strategy.
	2,382,000	2,832,000		

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank