

Kirklees Council



Council Chamber - Town Hall, Huddersfield

Tuesday 3 October 2017

Dear Member

The Council will meet on Wednesday 11 October 2017 at 5.30 pm at Council Chamber - Town Hall, Huddersfield.

This meeting will be webcast live and will be available to view via the Council's website.

At 7:00pm there will be a 30 minute break. Representatives from Kirklees Youth Council will be in attendance to provide information on the launch of the Councillor Toolkit.

The following matters will be debated:

Pages

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive

2: Apologies for absence

To receive any apologies for absence.

3: Minutes of Previous Meeting

To receive the Minutes of Council held on 13 September 2017.

1 - 8

4: Declaration of Interests

9 - 10

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

5: Petitions (from Members of the Council)

To receive any Petitions from Members of the Council in accordance with Council Procedure Rule 9.

6: Deputations/Petitions (from Members of the Public)

The Council 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.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

7: Public Question Time

The Council will hear any questions from the general public.

8: Council Budget Update Report 2018/2022 - Reference from Cabinet

11 - 40

To consider the report.

Contact: Eamonn Croston, Strategic Finance Manager

9: Overview and Scrutiny Management Committee - Huddersfield Town Centre Accessibility Scheme (Bus Gates) Findings Report

41 - 74

To receive the report.

Contact: Penny Bunker, Governance and Democratic Engagement Manager

10: Town Centre Working Party Report

75 - 88

To receive the report.

Contact: Andrea Woodside, Governance Officer

11: Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons

To receive written questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons in accordance with Council Procedure Rule 12/12(1)

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

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

12: Minutes of Cabinet

89 - 112

To receive for information; the minutes of the meetings of Cabinet held on 27 June, 11 July, 25 July and 31 July 2017.

13: Holding the Executive to Account

(a) To receive a Portfolio Update on Strategy and Strategic Resources, New Council and Regional Issues Portfolio (Councillors Sheard and Pandor)

(b) Oral Questions/Comments to Cabinet Members on their Portfolios and relevant Cabinet Minutes;

(i) Strategy and Strategic Resources, New Council and Regional issues Portfolio (Councillors Sheard and Pandor)

(ii) Adults and Public Health Portfolio (Councillors Kendrick and Scott)

(iii) Children's Portfolio (Councillors Hill and Ahmed)

(iv) Corporate Portfolio (Councillors G Turner and Khan)

(v) Economy Portfolio (Councillors McBride and Mather)

14: Minutes of Other Committees

113 -
170

- (a) Appeals Panel
 - (b) Corporate Governance and Audit Committee
 - (c) Corporate Parenting Panel
 - (d) Health and Wellbeing Board
 - (e) Overview and Scrutiny Management Committee
 - (f) Personnel Committee
 - (g) Strategic Planning Committee
-

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

- (a) Appeals Panel (Councillor Dad)
 - (b) Corporate Governance and Audit Committee (Councillor Richards)
 - (c) Corporate Parenting Panel (Councillor Hill)
 - (d) Employee Relations Sub Committee (Councillor Sheard)
 - (e) Health and Wellbeing Board (Councillor Sheard)
 - (f) Licensing and Safety Committee – including Licensing Panel and Regulatory Panel (Councillor Pattison)
 - (g) Overview and Scrutiny Management Committee (Councillor Stewart-Turner)
 - (h) Personnel Committee (Councillor Sheard)
 - (i) Planning Sub Committee - Heavy Woollen Area (Councillor Kane)
 - (j) Planning Sub Committee – Huddersfield Area (Councillor Lyons)
 - (k) Strategic Planning Committee (Councillor S Hall)
 - (l) Kirklees Neighbourhood Housing (Councillor Smaje)
 - (m) Kirklees Active Leisure (Councillor Sokhal)
 - (n) West Yorkshire Combined Authority (Councillor Sheard)
 - (o) West Yorkshire Combined Authority Transport Committee (Councillor Kaushik)
 - (p) West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
 - (q) West Yorkshire Joint Services Committee (Councillor Pandor)
 - (r) West Yorkshire Police and Crime Panel (Councillor Hussain)
-

16: Motion submitted in accordance with Council Procedure Rule 14 as to the the Government's review of the Electrification of the Transpennine Railway

To consider the following Motion in the names of Councillors Sheard, D Hall, McBride, N Turner, Greaves and Cooper.

“The Council calls on the Secretary of State for Transport to recommit to the electrification of Transpennine Railway. We note that on the day he confirmed support for the £30 billion Crossrail project he cancelled electrification of strategic significance to Yorkshire, the Midlands, North West and South West and deferred a decision on Transpennine.

As the Transpennine Railway is the main artery for rail freight and passenger movements in the North, we therefore seek the support of our Yorkshire MP's and particularly those in Kirklees, to join forces with the Mayors of Liverpool and Manchester and the Leader of Leeds Council, in stressing the urgency of this matter and its significance as a project which could in part redress the imbalance of regional investment in the UK and lend some meaning to the term Northern Powerhouse.”

17: Motion submitted in accordance with Council Procedure Rule 14 as to Clean Air for Kirklees

To consider the following Motion in the names of Councillors Khan and Kendrick;

“This Motion calls upon the Environment Secretary Michael Gove to urgently review the Government's updated clean air plan and produce a national Clean Air Act which demonstrates the Government taking responsibility as well as local authorities.

Clean air is considered to be a basic requirement of human health and well-being. However, air pollution continues to pose a serious threat to health of the public. Air pollution is contributing to approximately 40,000 early deaths a year in the UK. When dissected down to a Kirklees level that was the equivalent to 137 deaths per year associated with poor air quality in 2015.

This Council believes that air pollution in the UK is a public health crisis, with the World Health Organisation and Public Health England describing it as the largest environmental risk to public health.

Currently Kirklees Council are working on the following improvement projects;

- Kirklees Council led on the creation of the West Yorkshire ECO-Stars freight recognition scheme. The scheme encourages operators of commercial vehicles to clean up their fleets and at the same time saves operating costs. This scheme is a free initiative to West Yorkshire businesses. The success of this scheme is currently under review and an extension to the scheme is being explored for 2017/18 & 2018/19
- Over 100 school transport buses have been retrofitted with exhaust technology to remove harmful exhaust emissions.

- Kirklees Council have installed Smart traffic lights at the busier junctions across the district to improve vehicle flows and reduce congestion where possible, which in turn reduces emissions
- Further to this Kirklees Council are working with a 3rd party company to rationalise this traffic management system to improve air quality further by running a pilot which uses modelled air pollution emissions to dictate traffic light changes. The pilot for this scheme is along the A62 Leeds Road.
- West Yorkshire has been awarded funding from central government to encourage low emission taxis. Kirklees along with the other 4 West Yorkshire Authorities are looking to install a strategic electric vehicle (EV) taxi charging network across the district, along with funding for the private hire sector.
- Kirklees Council are considering releasing further Hackney License plates for E.V Taxis in order to encourage further EV uptake
- Air Quality Assessments were conducted on the Local Plan to assess the cumulative impact of development on air quality across the district.
- Kirklees are working with the West Yorkshire Authorities and the combined authority to create a public electric vehicle charging network.
- Kirklees Council has the Green Parking Season Ticket, which allows Ultra Low Emission Vehicles to Park within Council car parks for free
- Working with DEFRA to improve the understanding of West Yorkshire Air Quality issues by installing a National AQ monitor within Kirklees
- Continuing to integrate the West Yorkshire Low Emission Strategy into Kirklees Council policy & operations and also working with partnership agencies to include relevant elements of the WYLES into their operations

The Council urges the Government to act immediately to protect the health, wellbeing and economic sustainability for our generation and those of the future. The Government is urged to work with local authorities and industry to make long-term sustainable evidence based changes.”

18: Motion submitted in accordance with Council Procedure Rule 14 as to address Removal of the 1% Pay Cap for all Public Sector Workers

To consider the following Motion in the names of Councillors G Turner and Kendrick;

“This Motion calls on the Government to remove the 1% pay cap for

all public sector workers.

The current plan to remove the cap for certain sections of the public sector is divisive and unfair; why should nurses saving lives, be valued less than a prison warder?

The cap is unfair and is unjustified; why should vital parts of the public sector continue to see a decline in their living standards, whilst others see an increase?

The public sector needs a rise for all and this must be fully funded by government and not come from existing budgets, as this would continue the decline in the vital services provided by the public sector.

With inflation currently above 2% a rise of only 1% since 2013 and a total pay freeze for the two years before that means that the public sectors living standards will fall at well over 1% this year and have fallen significantly since 2010.

This policy has created staff shortages in large parts of the public sector and has added to the costs of parts of the public sector as agency staff have to be employed, to make up these short falls, only adding to the costs of the sector at a time when its struggling to deliver services due to the general underfunding of public services.

A low wage public sector does nothing to attract the talent and much needed workers of the future in to the sector, it also unfairly discriminates against woman who make up 2 thirds of the public sector. “

19: Motion submitted in accordance with Council Procedure Rule 14 as to Care Leavers Council Tax Exemption

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

“This Council notes that:

- 1) Last year, a number of young people (aged 16 or over) left the care of Kirklees Local Authority and began the difficult transition into adulthood;
- 2) The recent Ofsted report on the authority's Children's Services identified the experiences and progress of care leavers as requiring improvement and recommended proactive support;
- 3) A 2016 report by The Children's Society found that when care leavers move into independent accommodation, they begin to manage their own budget fully for the first time. The report

showed that care leavers can find this extremely challenging and with no family to support them and insufficient financial education, are falling into debt and financial difficulty;

- 4) Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and avoiding debt when leaving care;
- 5) The local authority has a duty of care to care leavers.

This Council believes that:

- 1) Care leavers need support to make their transition from care to adult life as smooth as possible and to reduce the chance of falling into debt as they begin to manage their own finances;
- 2) Care leavers are a particularly vulnerable group for council tax debt.

This Council, therefore, resolves:

- 1) To investigate options to exempt care leavers from Council Tax until they are 25;
 - 2) To report back to Council in time for budget setting for 2018/19."
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20: Motion submitted in accordance with Council Procedure Rule 14 as to Votes at 16

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

"This Council notes:

- 1) That currently 1.5 million 16 and 17 year olds are denied the vote in public elections in the UK;
- 2) That 16 and 17 year olds are able to vote in local elections in Scotland, and in elections to the Scottish Parliament;
- 3) That the campaign to lower the voting age is supported by thousands of young people across the UK and that the Votes at 16 Coalition consists of a wide range of youth and democracy organisations;
- 4) The recent report by the Democracy Commission, which recommends that "National government should amend legislation to introduce the compulsory registration of young people at the age of 16."

This Council believes:

- 1) 16 and 17 year olds are knowledgeable and passionate about the world in which they live and are as capable of engaging in the democratic system as any other citizen;
- 2) Lowering the voting age to 16, combined with strong citizenship education, would empower young people to better engage in society and influence decisions that will define their future;
- 3) People who can consent to medical treatment, work full-time, pay taxes, get married and join the armed forces should also have the right to vote.

This Council resolves:

- 1) To join the Votes at 16 Coalition;
 - 2) To write to local MPs and the local media to inform them of this decision and ask them to support the campaign;
 - 3) To encourage our local MPs to attend and debate at the second reading of the Representation of the People (Young People's Enfranchisement and Education) Bill 2017-19, which is taking place on the 3rd November 2017;
 - 4) To promote this policy through its communications;
 - 5) To run activities to raise awareness of and support for Votes at 16 in the local area."
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21: Motion submitted in accordance with Council Procedure Rule 14 as to Call to Lift the Public Sector Pay Cap

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

"This Council notes:

- 1) In September 2017, the government agreed to lift the 1% public sector pay cap for police and prison officers, although the pay increase will be met through existing departmental budgets;
- 2) There has been no government announcement confirming pay rise increases for other public sector workers;
- 3) That the Consumer Prices Index was 2.9% in August 2017, and is rising.

This Council believes:

- 1) That the continuation of the public sector pay cap is having an unreasonable effect on the living standards of many public sector staff, and is also affecting recruitment and retention across the public sector. Holding down pay has become the default position for making efficiencies, while workforce issues are being neglected;
- 2) The existing pay cap is negatively impacting on the quantity and quality of public services;
- 3) Rising inflation shows how urgent it is to address the sense of unfairness around the pay cap, with public sector workers effectively receiving real-term pay cuts;
- 4) Retaining the 1% public pay cap is counter-productive, because:
 - it is not sustainable;
 - it is resulting in staff recruitment and retention issues;
 - resources are being used to alleviate the issues resulting from recruitment and retention challenges, which includes millions of pounds being spent by schools and NHS trusts every month to pay for job adverts. Declining staff numbers are driving increased use of agency staff to plug the gaps at a significant cost;
- 5) Higher wages among public sector workers would lead up increased spending and increased income tax collected by the Treasury;
- 6) While there are cost implications in funding public pay increases, there are also cost implications by not investing. The benefits of increasing public sector pay and the multiplier effect could be huge for the economy.

This Council, therefore, agrees that:

The Chief Executive should write to the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government to request that:

- the pay cap is lifted across the public sector, to allow the implementation of the recommendations of Pay Review Bodies and negotiations with employers; and
- subsequent pay increases be fully funded via the central government settlement, not through existing departmental budgets, which could result in further cuts to public services. “

22: Composite Motion submitted in accordance with Council Procedure Rule 14 to address removal of the 1% pay cap for all public sector workers (Agenda Items 18 and 21)

To consider the following Motion in the names of Councillors G Turner, Kendrick, N Turner and Lawson;

“This Motion calls on the Government to remove the 1% pay cap for all public sector workers.

The current plan to remove the cap for police and prison officers is divisive and unfair; why should nurses saving lives, be valued less than a prison officer?

The public sector needs a rise for all and this must be fully funded by government and not come from existing budgets, as this would continue the decline in the vital services provided by the public sector.

With inflation currently above 2% a rise of only 1% since 2013 and a total pay freeze for the two years before that means that the public sectors living standards will fall at well over 1% this year and have fallen significantly since 2010. Public sector workers are effectively receiving real time pay cuts.

This policy has created staff shortages in large parts of the public sector and has added to the costs of parts of the public sector as agency staff have to be employed, only adding to the costs of the sector at a time when it's struggling to deliver services due to the general underfunding of public services.

A low wage public sector does nothing to attract the talent and much needed workers of the future in to the sector, and largely discriminates against woman who make up 2 thirds of the public sector.

Higher wages among public sector workers would lead to increased spending and increased income tax collected by the Treasury.

This Council, therefore, agrees that:

The Chief Executive should write to the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government to request that:

- The pay cap is lifted across the public sector, to allow the implementation of the recommendations of Pay Review Bodies and negotiations with employers; and
- Subsequent pay increases be fully funded via the central government settlement, not through existing departmental budgets, which could result in further cuts to public services.

By Order of the Council



Chief Executive

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Contact Officer: Alaina McGlade

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
Council Chamber - Town Hall, Huddersfield on Wednesday 13 September 2017**

PRESENT

The Mayor (Councillor Christine Iredale) in the Chair

COUNCILLORS

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

42 Announcements by the Mayor and Chief Executive

The Mayor presented Councillor Jim Dodds with a year book in acknowledgement of his Mayoral Year, 2016-17.

Councillor Graham Turner acknowledged the success of the Council in relation to the Gold award received by Oakwell Hall at the Yorkshire in Bloom event.

43 Apologies for absence

Apologies for absence were received from Councillors Allison, Calvert, O'Donovan, Palfreeman, Pandor, K Pinnock, Watson and Wilson.

44 Minutes of Previous Meeting

RESOLVED - The Minutes of the Meeting held on 11 July 2017 were approved as a correct.

45 Declaration of Interests

Councillor Lawson declared an 'other' interest in Agenda Item 7, on the grounds that he is a School Governor at Whitcliffe Mount School.

46 Petitions (from Members of the Council)

No petitions were submitted.

47 Deputations/Question Time by Members of the Public

No deputations were received and no questions were asked.

48 Petitions Debate

Council debated the content of a petition which exceeded the 3,000 signatures petition threshold in relation to the proposed demolition of the Edwardian Foundation Building at Whitcliffe Mount School, Cleckheaton.

It was moved by Councillor Light, seconded by Councillor Bolt that Council consider the suspension of Council Procedure Rule 9a to enable all Members who wish to speak on this item the opportunity to do so.

RESOLVED - That Council Procedure Rule 9a be suspended in order to enable all Members who wish to speak on this item the opportunity to do so.

The debate continued and

It was moved by Councillor Iredale, seconded by Councillor Lowe and

RESOLVED – That the content of the petition debate be noted, with thanks to Mr Graves for attending and addressing Council.

49 West Yorkshire Combined Authority

Council received the Minutes of the Meeting of West Yorkshire Combined Authority held on 29 June 2017.

RESOLVED –

That the Minutes of the Meeting of West Yorkshire Combined Authority, held on 29 June 2017 be received and noted.

50 Declaration of Vacancy - Batley East Ward

It was moved by Councillor Iredale, seconded by Councillor Holroyd-Doveton and

RESOLVED –

That:

1 – it be noted that Ms Stubley has ceased to be a Member of the authority by reason of her absence;

2 – Council declared as vacant the office held by Ms Stubley as a councillor for the Batley East Ward;

3 – it be noted that a by-election will be held to fill the vacancy.

51 Council Financial Outturn and Rollover Report 2016-2017

It was moved by Councillor G Turner, seconded by Councillor Sheard and

RESOLVED – That

1 – that the recommendations within the considered reports be approved.

2 – the update on the report deferred at Council on 11 July be noted;

3 – the corrections as set out in Appendix 1 to the report, which relate to the original discrepancies highlighted at the 11 July Council meeting be noted, and;

4 – it be noted that the 2016-17 revenue and capital budget and outturn positions, and recommendations set out in the original report remain unaffected by the corrections noted at Appendix 1.

52 New Inclusion and Diversity Strategy

It was moved by Councillor Sheard, seconded by Councillor Kendrick and

RESOLVED – That Council endorsed the adoption of the new Inclusion and Diversity Strategy, with annual progress reports being presented to Council following the yearly updates to the strategy.

53 Mental Health Ad Hoc Scrutiny Panel

It was moved by Councillor Smaje, seconded by Councillor Lawson and

RESOLVED – That Council noted the findings of the Ad-Hoc Scrutiny Panel – Adult Mental Health Assessments and the response on the recommendations from health partner organisations.

54 Appointment of Independent Person

It was moved by Councillor Richards, seconded by Councillor Patrick and

RESOLVED – That Michael Stow be re-appointed as the Independent Person for a further period of 2 years.

55 Key Discussion - Adult Social Care Funding

Council received a presentation from Richard Parry, Director for Public Health, and held a Key Discussion, on Adult Social Care Funding and

RESOLVED – That officers be recommended to arrange breakout sessions at a future Council meeting to enable Members to further discuss Adult Social Care Funding.

56 Motion submitted in accordance with Council Procedure Rule 14 as to Count Them In - Armed Forces

It was moved by Councillor Sheard, seconded by Councillor Dodds

“This Council notes:

- a) The obligations its owes to the Armed Forces community within Kirklees as enshrined in the Armed Forces Covenant; that the Armed Forces community

should not face disadvantage in the provision of services and that special consideration is appropriate in some cases, especially for those who have given the most.

- b) The absence of definitive and comprehensive statistics on the size or demographics of the Armed Forces community within Kirklees. This includes serving Regular and Reserve personnel, veterans, and their families.
- c) That the availability of such data would greatly assist the council, local partner agencies, the voluntary sector, and national Government in the planning and provision of services to address the unique needs of the Armed Forces community within Kirklees.

In light of the above, this Council moves to support and promote The Royal British Legion's call to include a new topic in the 2021 census that concerns military service and membership of the Armed Forces community. We further call upon the UK Parliament, which will approve the final census questionnaire through legislation in 2019, to ensure that the 2021 census includes questions concerning our Armed Forces community."

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

RESOLVED - That

"This Council notes:

- a) The obligations its owes to the Armed Forces community within Kirklees as enshrined in the Armed Forces Covenant; that the Armed Forces community should not face disadvantage in the provision of services and that special consideration is appropriate in some cases, especially for those who have given the most.
- b) The absence of definitive and comprehensive statistics on the size or demographics of the Armed Forces community within Kirklees. This includes serving Regular and Reserve personnel, veterans, and their families.
- c) That the availability of such data would greatly assist the council, local partner agencies, the voluntary sector, and national Government in the planning and provision of services to address the unique needs of the Armed Forces community within Kirklees.

In light of the above, this Council moves to support and promote The Royal British Legion's call to include a new topic in the 2021 census that concerns military service and membership of the Armed Forces community. We further call upon the UK Parliament, which will approve the final census questionnaire through legislation in 2019, to ensure that the 2021 census includes questions concerning our Armed Forces community."

Written Questions to the Leader and Cabinet Members

- 1) Question by Councillor R Smith to the Cabinet Member – Economy Portfolio (Councillor Mather)

"Can you explain whether the new rules allow householders to use Kirklees

recycling facilities for disposing of their own personal DIY waste such as sinks and toilets that would fit into a normal car?"

The Cabinet Member responded thereto.

2) Question by Councillor A Cooper to the Cabinet Member – Corporate Portfolio
(Councillor Khan)

"Will you be supporting or opposing the introduction of a Permit Parking scheme for Lockwood when it is tabled at the next Cabinet meeting?"

The Cabinet Member responded thereto.

3) Question by Councillor A Cooper to the Cabinet Member – Corporate Portfolio
(Councillor Khan)

"Have you considered yet whether you will reverse the one way system at the back of Victoria Rd, Lockwood to allow bin collections from the rear?"

The Cabinet Member responded thereto.

4) Question by Councillor J Taylor to the Cabinet Members – Children Portfolio
(Councillors Ahmed and Hill)

"Can the Cllrs Hill & Ahmed clarify the policy on provision of school bus passes for me as I am dealing with a resident in Grange Moor who has opted to send his son to Shelley High School and has been turned down for a school bus pass despite the fact that a significant proportion of the children from that village attend Shelley & have bus passes. There are no schools within a 3 mile radius which he could send his son to so I am concerned that he is being unfairly penalised."

The Cabinet Member responded thereto.

5) Question by Councillor Cooper to the Cabinet Member – Strategy and Strategic Resources Portfolio (Councillors Sheard & Pandor)

Consultants have recently been identifying possible savings the Council might make. Are there any you found unpalatable?

The Cabinet Member responded thereto.

6) Question by Councillor Armer to the Cabinet Member – Corporate Portfolio
(Councillor Turner)

"I welcome the recent announcement that West Yorkshire will be a pilot area for the roll-out of Broadband services. Will the Cabinet Member please clarify the benefits to be brought to individual residents of the Borough by this initiative?"

The Cabinet Member responded thereto.

- 7) Question by Councillor Holmes to the Cabinet Member – Corporate Portfolio (Councillors Turner & Khan) & Adults and Public Health (Councillor Viv Kendrick)

"When will building of the new Spenborough Pool begin?"

Question not considered (due to time constraints).

- 8) Question by Councillor John Taylor to the Cabinet Member – Children (Councillors Hill & Ahmed)

"Can the Cabinet Member advise what processes the Council has in place to ensure that children who use school transport are kept safe?"

Question not considered (due to time constraints).

- 9) Question by Councillor Nicola Turner to the Cabinet Member – Economy Portfolio (Councillor Mather)

Would the Cabinet member please inform us the current amount and cost of clearing up of fly tipping and how this compares to previous years?

Question not considered (due to time constraints).

- 10) Question by Councillor Eastwood to the Cabinet Member – Corporate Portfolio (Councillors Khan & Turner)

"Since Councillor Enquires was introduced, has there been a record of the quickest, slowest and the average time it has taken for councillors to receive responses?"

Question not considered (due to time constraints).

58 Motion submitted in accordance with Council Procedure Rule 14 as to the Government's cancellation of the electrification of Transpennine Railway

Item not considered (due to time constraints)

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

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



Name of meeting: Council
Date: 11 October 2017

Title of report: Council budget update report 2018-22

Purpose of the report

To determine the Cabinet's approach to the annual update of the Council's Medium Term Financial Plan (MTFP). This is reported to full Council each year, and sets a framework for the development of draft spending plans for future years by officers and Cabinet.

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?	No
Date signed off by Strategic Director & name	Jacqui Gedman, 11 September 2017
Is it also signed off by the Service Director for Finance, IT & Transactional Services?	Debbie Hogg, 7 September 2017
Is it also signed off by the Service Director – Legal, Governance & Commissioning ?	Julie Muscroft, 8 September 2017
Cabinet member portfolio - Corporate	Give name of Portfolio Holders Cllr Graham Turner Cllr Musarrat Khan

Electoral [wards](#) affected: All

Ward Councillors consulted: All

Public or private: Public

RESTRICTIONS ON VOTING

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

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

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

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

1. Summary

- 1.1 The Cabinet is required under Financial Procedure Rules to submit to Council a provisional budget strategy for the following 3 years, no later than October, each year. The provisional budget strategy in this report is a four year strategy.
- 1.2 The Council's updated Medium Term Financial Plan (MTFP) rolls forward into 2018-19, existing 4 year budget plans approved at budget Council on 15 February 2017.
- 1.3 The overarching financial context for the updated General fund budget plans reflects the continuing scale of the financial challenges facing the Council; largely as a result of significant reductions in core Government funding allocations to the Council over the lifetime of successive recent Parliaments; 40% over the 2010-16 period and a further 34% over the 2016-20 period.
- 1.4 Last year, Government offered all Councils who published an Efficiency Plan, 'reasonable certainty' regarding future year funding allocations set out in the financial settlement 2017-18, at least for the next 3 years. The Council's published Efficiency Plan 2017-21 was included as an Appendix to the budget strategy update report 2017-21, approved at full Council on 12 October 2016. In reality, 'reasonable certainty' at best is Government re-affirmation of the continuing level of funding reductions already assumed in current Council multi-year budget plans rolled forward into 2018-19.
- 1.5 The Council is, at the same time, the eighth lowest funded Council in the country, as measured by the Government's own spending power benchmark calculation, expressed as spend per head of the population (and second lowest of the 36 metropolitan authorities).
- 1.6 The Council is also facing continuing and increasing service pressures; in particular in Children's and Adult Services, to the extent that the Council

approved budget plans for 2017-18 included additional, recurring revenue investment in core Children's and Adults base budgets, totalling £21m.

- 1.7 This report also sets out a number of current assumptions underpinning the updated MTFP, including acknowledgement of potentially significant unbudgeted risks. These include further volume pressures in Children and Adults activity (learning disabilities in particular), and current lack of national funding certainty from Government on a range of indicative future year Adults Social Care funding streams. There are also pressures on Council one-off reserves, which has a consequential impact on the overall financial resilience of the Council to effectively manage any significant unbudgeted risks over the medium term.
- 1.8 The Council's current 30 year Waste Contract ends in 2022-23, and while it does not feature in this budget round, work has already commenced to review options for 2023-24 onwards; the financial implications of which will need to be factored early into future year MTFP updates.
- 1.9 The updated general fund budget plans are summarised at Table 1 below, including the current 2017-18 budget :

Table 1 – General fund MTFP update Summary 2018-22

MTFP update	17-18 £m	18-19 £m	19-20 £m	20-21 £m	21-22 £m
Total Funding Available	(283.5)	(281.2)	(276.7)	(270.1)	(270.1)
Gross Spend	348.9	362.2	363.8	370.4	370.4
<i>Planned Savings</i>	(54.2)	(82.2)	(98.8)	(104.3)	(104.3)
Net spending plans	294.7	280.0	265.0	266.1	266.1
Budget Gap / (surplus)	11.2	(1.2)	(11.7)	(4.0)	(4.0)

- 1.10 The Planned savings summarised above are significant and challenging. Based on Quarter 1 financial monitoring 2017-18, reported to Cabinet on 22 August 2017, the Council is forecast to deliver, overall, about £49m of the planned £54m savings requirement in-year. This represents about 90% in total, and indicates good overall progress against existing plans.
- 1.11 The planned savings for 2018-19 onwards are 'cumulative' totals as per the summary Table 1 above, compared to the 2017-18 baseline saving. The specific savings requirement for 2018-19 is **£28m**, a further **£16.6m** in 2019-20 and a further **£5.5m** in 2020-21.
- 1.12 The new Year 4 of the updated MTFP (2021-22) is included in the summary Table 1 above. At this stage it is unchanged from year 3, but will be re-freshed as part of the ongoing review of funding and spending plan assumptions through the remainder of the budget round.
- 1.13 The bottom line Budget Gap/Surplus estimates set out at Table 1 above in part reflect the 'lumpy' profiling of a range of indicative Government funding streams; in particular relating to Adult Social care over the MTFP period, in part also a reflection of current quantification and timing of a range of planned savings over the MTFP period.

- 1.14 The updated budget plans also reflect the Council's statutory requirement to manage or 'right size' its overall spending plans within available resources for the foreseeable future, whilst at the same time this report acknowledges continuing volatility on some of the key costing and funding assumptions underpinning these updated budget plans.
- 1.15 The Council's Corporate Plan 2017-18 sets out a clear statement of intent to be an ambitious, innovative and resilient organisation. Alongside the 'right-sizing' in acknowledgement of the continuing financial challenges the Council faces, the Council is also investing internal and external capacity and expertise to help 're-shape' and transform services to more effectively align to be an outcome focused, commissioning organisation over the medium term. In assessing the viability of updated budget plans, ensuring that the Council's budget plans effectively deliver the right outcomes, is equally paramount.
- 1.16 The MTFP update also sets out a flexible capital receipts strategy framework in line with Government guidance, which allows the Council to consider a range of approaches to capitalise qualifying revenue expenditure, funded through in-year generated capital receipts. This covers the 2016-19 period (2016-17 being an effective retrospective approval), and in particular could enable the Council the opportunity to build up its financial resilience reserves in light of ongoing unbudgeted risk pressures over the MTFP period.
- 1.17 The overarching context for the updated HRA budget plans is the delivery of a high quality landlord service to 23,000 Council tenancies alongside supporting the Council's strategic HRA capital investment ambitions, within a self-financed 30 year HRA business plan. The Council works closely with Kirklees Neighbourhood Housing (KNH), its partner arms length management organisation, to regularly review and update the HRA business plan.
- 1.18 The HRA faces a number of funding challenges including current uncertainty on Government intent on some aspects of national housing policy, which could have significant funding implications for the HRA going forward ;the most prominent being a proposed 'higher value' annual levy or charge, based on higher value property void rates. The levy was to be re-directed to private registered providers to compensate them for the loss of housing stock through the voluntary take up of the right to buy scheme in this sector. There is current uncertainty if Government will go forward with the levy proposal, or the basis of any calculation. The MTFP update at this stage assumes deferred implementation to 2020-21.
- 1.19 The recent merger of building services with KNH also presents significant opportunities also reflected in the MTFP update, not just in terms of significant target efficiencies, but also in terms of a re-shaped and enhanced service delivery to tenants.
- 1.20 The updated MTFP in respect of the Council's overall capital investment plans is summarised at Table 2 below :

Table 2 - Overall Capital Expenditure Summary 2017-18 to 2021-22

	18-19 £m	19-20 £m	20-21 £m	21-22 £m	Total £m
Strategic Priorities	26.0	22.4	5.3	0.5	54.2
Baseline	28.4	26.1	25.4	22.1	102.0
Risks & Pressures	2.5	2.5	2.5	2.5	10.0
Total General Fund	56.9	51.0	33.2	25.1	166.2
HRA strategic priorities	8.8	5.0	4.4	13.8	32.0
HRA baseline	14.2	13.2	13.2	13.3	53.9
Total HRA	23.0	18.2	17.6	27.1	85.9
All Capital	79.9	69.2	50.8	52.2	252.1

- 1.21 The above plans are rolled forward from the existing 5 year capital plan (2017-22), and include a range of investment activity aimed at Council strategic priorities which over the 4 year period above account for about 34% of the total capital investment identified over the 2018-22 period. As with revenue, these plans will be reviewed further, including a new year 5 plan, through the remainder of the current budget round; including options around strategic priority activity with particular focus on stimulating wider business growth in the district through a property investment fund framework.
- 1.22 Key funding and cost assumptions factored into the MTFP update across the totality of general fund revenue, HRA and capital investment multi-year plans will be subject to further review, informed by most current local and national intelligence. Any further material changes to funding and cost assumptions will be considered for incorporation into the finalised annual budget report for Cabinet and Council approval in February 2018.

2. Information required to take a decision

- 2.1 This report includes a range of supporting information set out in the following appendices:

Appendices

A	Summary general fund funding and spend forecasts 2018-22
B	General Fund Reserves
C	Summary Housing Revenue Account (including reserves) 2018-22
D	Summary Updated Capital Investment Plan 2018-22
E	Council flexible use of capital receipts strategy
F	Corporate Risk Register
G	Corporate Budget Timetable

General Fund

- 2.2 Appendix A sets out overall summary funding and spending plans over the 2018-22 period. These reflect the continuation of existing multi-year budget plans, rolled forward from the 2017-21 Council approved medium Term Financial Plan, which was approved at Budget Council on 15 February 2017. The link to this report is included below (Agenda Item 5) :

- 2.3 Key assumptions underpinning the updated MTFP general fund funding and spending plan totals are summarised in the following sections below:

FUNDING ASSUMPTIONS

Business Rates Retention Scheme

- 2.4 Government funding reductions to the Council are estimated to be in the region of 34% over the 2016-20 period, and current budget plans rolled forward reflect the complete phasing out of Revenue Support Grant by the start of 2020-21.
- 2.5 Government has also committed to the continuation of the small business rates relief scheme for the remainder of the current Parliament, including an increase in thresholds for relief for small businesses. Compensating grant adjustments are included within un-ringfenced grants.
- 2.6 Funding assumptions also reflect the impact of the new valuation list for non-domestic properties, which took effect from April 2017, with a corresponding adjustment to the Top Up grant in line with Government's stated aim of 'fiscal neutrality' for individual Councils as a result of the new valuation.
- 2.7 As part of the Spring budget 2017, Government also announced further measures, with matching funding compensation to Councils, to help businesses most affected by the revaluation that took effect from April 2017; includes additional support for small business, a local discretionary fund to be distributed to the hardest hit businesses under locally designed criteria, and relief for pubs.
- 2.8 Government had intended to implement 100% business rates retention scheme nationally from April 2019, to be enacted through a new Local Government Bill. This would have transferred about £12.5 billion current funding from central government to English Councils, with a view to enhancing local flexibility for Council funding of local services, and providing incentives for local economic growth.
- 2.9 Following the recent general election and subsequent Queen's speech, the Bill no longer features in the current Parliamentary timetable. The funding assumptions in the updated MTFP assume a continuation of the existing (49% Local share) business rates retention scheme. It is anticipated that Government will clarify its position on the future of 100% business rates retention, in due course.
- 2.10 Government had also committed previously to address concerns about the fairness of current funding distributions through the business rates retention scheme. This evidence-based review will continue. Pending the eventual outcome of this review, at this stage the MTFP update makes no assumptions regarding any potential future re-distribution of funding between Councils.
- 2.11 Business Rates projections over the MTFP period prudently allow for a significant annual bad debt provision estimate of £5.7m annually in relation to ongoing rates appeals (Council share £2.8m). This provision requirement relates both to continued volatility on outstanding backdated ratings appeals from the 2010

valuation, and any new appeals from the new valuation list which came into effect from April 2017.

- 2.12 Quarter 1 revenue monitoring 2017-18 suggests scope for reducing the ongoing appeal provision requirement, with a corresponding increase in business rates income base. This will continue to be reviewed in-year and any funding changes factored into overall budget proposals through the remainder of the current budget round, alongside any potential for future business rates growth; subject to a review of forecast trends in the local economy over the medium term.

Council Tax

- 2.13 Council tax funding projections in the MTFP assume annual uplifts of 1.99%, which falls within the referendum limit of 2% or above for English Councils (excludes Parish Councils), over the next 4 years. In addition, there is a further 3% uplift in 2018-19 in respect of the Adult Social Care precept, which Government made available to Councils. As with the precept in the preceding 2 years, the 2018-19 amount will continue to be hypothecated fully to Adult Social Care spend in line with Government precept conditions.
- 2.14 Existing budget plans rolled forward into the MTFP update also include a proposed reduction in the Council Tax Reduction Scheme from April 2018, with an estimated annual saving to the Council of upto £810k per annum. This proposal is subject to a current service consultation exercise which sets out six options in total. The outcome of the service consultation will be considered by members later in the year as part of the overall formulation of budget proposals to be considered at Budget Council in February 2018.
- 2.15 Council tax funding projections also assume Council Tax Base growth over the MTFP period; an average increase (Band D equivalent) of 460 in the current year, with further annual increases of 580 in 2018-19, 700 in 2019-21, and 700 in 2020-21.
- 2.16 Quarter 1 revenue monitoring 2017-18 suggests scope for potential further increase in the Council Tax base based on current financial performance. As with business rates, this will continue to be reviewed in-year and any proposals factored into overall budget proposals through the remainder of the current budget round. Equally at this stage, there are no service growth assumptions built into the MTFP relating to an overall increase in the District's infrastructure.

Un-ringfenced Grants

- 2.17 While these grants are separately identifiable, the Council can apply this funding flexibly to meet overall Council spend priorities. The MTFP update reflects annual allocations previously set out in the Government 2017-18 financial settlement.
- 2.18 Education Services Grant (ESG) was intended to help fund a range of statutory and regulatory duties that Councils are required to undertake to the maintained sector, and academies. The settlement reflects an overall reduction of £3.3m in ESG from 2018-19 onwards, compared to 2016-17. This reduction is net of £986k continuation of existing funding transferred to Dedicated Schools Grant, and also

net of £400k funding as part of a specific national schools improvement grant to Councils.

- 2.19 The most significant other funding change is the reduction in New Homes Bonus Grant across years. This reflects Government's intention to re-direct pre-existing New Homes Bonus grant over time, (£800m nationally), to help fund additional social care (Better Care) funding made available as part of Government's 2015 Autumn spending review (£1.5 billion nationally by 2019-20).

Better Care Fund

- 2.20 As noted at para 2.19 above, the 2015 Autumn spending review and subsequent financial settlements for both 2016-17 and 2017-18 confirmed additional Better Care Funding allocations to English Councils with social care responsibilities. The additional funding allocation nationally was £90m in 2017-18, increasing to £900m in 2018-19 and £1.5 billion by 2019-20.
- 2.21 Current budget plans rolled forward into the MTFP update include a base budget income provision for the Council's share of this additional BCF funding allocation, within Adult Social Care budgets; £800k in 2017-18, increasing to £7.1m in 2018-19, and £12.8m by 2019-20. The MTFP update assumes the continuation of this funding annually, thereafter.
- 2.22 After the Council had set its budget for 2017-18, the Government announced a new grant allocation for adult social care (Improved BCF) over the next 3 years, in the Spring 2017 Budget. This followed growing recognition nationally of the funding pressures facing adult social care and national lobbying for a sustainable long term solution. This additional grant has a set of conditions attached to it, including the requirement to build on the existing Better Care Fund Plan and to provide stability and extra capacity in the local adult social care system.
- 2.23 The Council's share of this 3 year only, further BCF funding is £8.3m in 2017-18, reducing to £5.3m in 2018-19 and £3.6m in 2019-20. Both the 2015 Autumn Statement 2015 and subsequent Spring Budget 2017 BCF funding allocations are summarised below :

Table 3- Improved Better Care Fund (BCF) allocations

Improved BCF	17-18	18-19	19-20	20-21	21-22
Autumn Statement 2015	£0.8m	7.1m	£12.8m	£12.8m	£12.8m
Spring Budget 2017	£8.3m	£5.3m	£2.6m	-	-
Total	£9.1m	£12.4m	£15.4m	£12.8m	£12.8m

- 2.24 Draft guidance has been issued in stages and the guidance and confirmation of the local government funding allocation for 2017-18 only was published by Department of Communities & Local Government (DCLG) on 26 May 2017. The full guidance and minimum funding requirement for Clinical Commissioning Groups (CCG's) was expected to be published by NHS England after the May 2017 General Election.
- 2.25 Proposals for the use of the new monies for adult social care announced in the Spring budget 2017 were presented to Council on 11 July 2017. The link to this report is set out below (Agenda item 11) :

Proposals for use of new monies for adult social care announced by the Chancellor in the Spring Budget 2017

- 2.26 The report's recommendations set out a financial strategy for the use of £2.6m from the additional funding (Spring 2017 budget) in 2017-18, for targeted, pump prime investment to respond to local adult social care service and market pressures. This approach was considered prudent in view of the Council not having received any further funding confirmation and guidance in respect of the following 2 years, and given as well that the funding allocation had been confirmed for 2017-18 only.
- 2.27 The report required officers to develop further proposals taking into account finalised Government guidance, to be brought back to Cabinet and Council for consideration as part of this MTFP Update.
- 2.28 The Improved BCF allocations set out at Table 3 in para 2.23 above, remain indicative at this stage, along with still emerging grant conditions and governance arrangements. This lack of future certainty of funding represents a significant budget risk to the Council.
- 2.29 Government has committed to a future national review of social care funding post-general election, and there will also be a full Council (public) discussion on September 13 2017, to debate the national position.
- 2.30 In light of the above, it is recommended that officers continue to work through budget proposals for both elements of BCF funding, to be incorporated into finalised budget proposals, acknowledging that the intended approach and financial strategy will be significantly influenced by emerging Government clarification that is unlikely to be confirmed before the 2018-19 provisional financial settlement announcement in mid-December 2017.

SCHOOLS FUNDING

- 2.31 The Government remains committed to the introduction of a National Funding Formula (NFF) to calculate the amount of core revenue funding that will go directly to mainstream schools in future. There is much commonality between the range of factors used in the current school funding arrangements and those to be used within the National Funding Formula.
- 2.32 However, because the current funding arrangements for each local authority are the result of a complex combination of historical national and local funding decisions, the move to a National Funding Formula will produce significantly different outcomes for local schools and academies. Indications are that the NFF for Kirklees schools will be less generous than the current system but the NFF will contain protections to mitigate most of the reductions delivered by the pure application of the new formula.
- 2.33 It is intended that the NFF for schools funding will be introduced in a 'soft' format across funding years 2018-19 and 2019-20. The NFF will be used to calculate the bottom-line Schools Block allocation to local authorities with local discretion over its distribution then to be agreed following consultation via the local Schools Forum, and a 'hard' format from funding year 2020-21. Schools block funding

allocations from that point will be calculated directly by the Education & Skills Funding Agency. The other three funding blocks within the Dedicated Schools Grant (High Needs, Central School Services and Early Years) would continue to be the responsibility of the Council to manage and allocate as appropriate.

- 2.34 The Council's baseline Schools Block funding in 2017-18 is £282m, the High Needs block is £34m, the Early Years block £27m and the Central School Services block £2.4m. Government has stated that in cash terms, no school will lose out from the implementation of the NFF, with an anticipated minimum cash increase per pupil of 0.5% for schools from 2018-19,
- 2.35 However, one key issue for Councils is the likely removal of previous flexibilities to transfer resources between the component funding blocks from 2019-20 onwards. This will mean that if overspends arise within the three non-Schools funding blocks it becomes the Council's responsibility alone to address that problem – funds can no longer be moved from the Schools Block, as has been permissible until now, to deal with identified imbalances.
- 2.36 For 2018-19 it is still theoretically possible to move funds from the Schools Block to the High Needs block, for example, to address financial pressure in the High Needs account – up to 0.5% of the total Schools Block can be moved with the agreement of the Schools Forum; equivalent to about £1.4m. If agreement was not reached, the Council would need the approval of the Secretary of State. Any proposed movements above 0.5%, even with Schools Forum consent, would still require secretary of state approval. The provisional schools funding allocations for 2018-19 will also be released at the same time as the 2018-19 financial settlement announcement.

SPENDING PLAN ASSUMPTIONS

- 2.37 The updated MTFP rolls forward a range of cost increases built into base budgets from 2017-18. These largely reflect recognition of ongoing service pressures in both Children's and Adult Services. It also includes provision for demographic pressures in the over 65 population and consequential demand on adult social care services. In total, cost increases built into 2017-18 base budgets totalled £21.7m, with further annual increases of about £1m per annum each year over the following 3 years, for demographic pressures (over 65's).
- 2.38 Adult Social Care activity is part of a wider national debate regarding ongoing and future service pressures and the sustainability of Council funding over the longer term. In addition to demographic pressures on the number vulnerable adults over 65's, there are also potentially significant service future year pressures on vulnerable adults with learning disabilities. This is acknowledged to be a known budget risk, not explicitly factored into the MTFP update at this stage.
- 2.39 Cost increases were also factored into base budgets in 2017-18 for pressures on Waste contract volumes, at £1m. There was also revenue investment in 'Agile and Mobile working', using technology to drive improvements in more efficient ways of working ,as part of the Council's Transformation agenda; £0.5m in 2017-18 increasing to £1m per annum from 2018-19 onwards.
- 2.40 The Council's current 30 year Waste Contract ends in 2022-23, and work has already commenced to review options for 2023-24 onwards. It is anticipated that

there will be an overall increase in costs from current, the extent of which will be estimated in due course.

- 2.41 Central Budgets includes provision for an assumed national pay award of 1% per annum over the MTFP period. Price inflation will not be uplifted across the next 4 years, which means that Strategic Director portfolios will effectively be operating within cash limit budgets over the medium term. The only exceptions relate to energy (7.1%), waste contract (2.5%) and third party contracts relating to adult and children social care providers (1.0%), set aside as contingency inflation.
- 2.42 A 1% increase in the national pay award from current assumptions, to 2% , would add about £1.5m annual cost to the Council's bottom line. The Council's local living wage entry point is £8.19 per hour from April 2017, compared to the equivalent National Living Wage of £7.50 per hour. Accelerated uplifts in the national living wage in future years beyond the equivalent local living wage hourly rate, could increase pressure on direct staffing costs, including pressure on current pay differentials.
- 2.43 The 3 yearly (tri-ennial) actuarial review of employer contributions to the West Yorkshire Pension Fund (WYPF) resulted in a 1% increase in employer contributions from 2017-18, to 16.1%, and this has been incorporated into current approved budget plans. The West Yorkshire Pension Fund's actuaries indicated that in light of perceived current volatility in the wider economic environment, there will be further mid-year reviews in 2017-18 and 2018-19. The outcome of these reviews will be subject to further discussion between WYPF and the 5 West Yorkshire Council lead finance officers.
- 2.44 Income inflation is assumed at 2% per annum, other than acknowledgement of ongoing pressures on car parking and markets income, which have zero inflation over the MTFP period.
- 2.45 Treasury management budgets assume that new borrowing over the next 4 years will be a combination of relatively short-dated fixed rate loans and temporary borrowing. Treasury management budgets also reflect changes to the Council's treasury management policy relating to minimum revenue provision (annual revenue resources set aside for repayment of debt), implemented from 2016-17 onwards.

Current year financial performance

- 2.46 Current organisational and national intelligence informing the MTFP update also takes account of the most current financial monitoring, Quarter 1, 2017-18, presented to Cabinet 22 August 2017 (see report link below – Agenda Item 8) :

[Quarter 1 financial monitoring report, 2017-18](#)

- 2.47 Quarter 1 financial monitoring 2017-18, overall, indicates significant progress towards the delivery of £54m net savings requirement in-year. Forecast savings are projected to be £48.4m, with a resultant overspend forecast of £5.8m; equivalent to 1.9% against a revised budget of £302.9m.
- 2.48 The forecast £5.8m overspend at Quarter 1 reflects in part a number of planned savings targets whose deliverability is currently under review. It is expected that a

review of current savings deliverability and alternative options will be incorporated into the forthcoming budget proposals through the remainder of the current budget round.

- 2.49 There is also acknowledged to be some volatility with current forecasts in particular with regard to Children's Services, which includes a current net overspend on agency costs at £2.5m, and pressures on external placements at £652k. Again, this is acknowledged to be a potential budget risk from next year.
- 2.50 Overall, Quarter 1 monitoring suggests good progress and overall relatively strong confidence levels to deliver the totality of net planned savings over the updated MTFP period, with further planned savings of £28m 2018-19, £16.6m in 2019-20 and £5.5m in 2020-21.

General Fund Reserves

- 2.51 Current and forecast reserves are set out at Appendix B, and are based on current Quarter 1 financial monitoring forecasts, 2017-18.
- 2.52 The financial outturn and rollover report 2016-17 included a recommendation for the Chief Financial Officer to review earmarked reserves requirements in-year during 2017-18, including the potential re-direct of £644k within existing reserves to fund deferred district committee expenditure commitments from 2016-17. As per Appendix B attached, grant and rollover reserves requirements have been reviewed and reserves re-directed accordingly.
- 2.53 Earmarked reserves totalling £9.1m in total includes one-off resources set aside for organisational transformation, including workforce restructure (workforce severance costs).
- 2.54 The flexible capital receipts strategy proposals set out further below at paras 2.57 to 2.61, allow for the capitalisation of transformation related revenue costs over the next 2 years, funded from available in-year capital receipts. This would enable existing revenue reserves of up to £9.1m, to roll forward into future years to fund anticipated future year transformation activity, including future workforce severance costs.
- 2.55 The financial resilience reserves forecast at £24.5m at year end (£29.5m less an assumed £5m minimum balances requirement), is directly impacted on by the Council's in-year forecast overspend position. The purpose of this reserve is to mitigate against unbudgeted risks such as those highlighted in the corporate risk register (Appendix F attached). Because reserves are "one-off" in nature, it is short-term funding only and is not a sustainable resource available to offset ongoing budget pressures over the medium term.
- 2.56 The scale of continuing financial challenges facing the Council over the next 4 years, alongside the Council's transformation agenda, means that financial resilience reserves will also be a key element of the Council's budget strategy in terms of organisational resilience to manage unbudgeted risks and pressures through the 2018-22 MTFP period. The flexible capital receipts strategy framework also allows consideration to build up financial resilience reserves over the next 2 years.

Flexible Capital Receipts Strategy

- 2.57 The flexible capital receipts strategy guidance set out by the Department of Communities and Local Government (DCLG), applies over the 2016-19 period. The web link to the guidance is included below : DCLG Guidance March 2016; flexible use of capital receipts :

[Final guidance on flexible capital receipts strategy March 2016](#)

- 2.58 DCLG guidance states that the flexible use of capital receipts must be approved by full Council, but that it can be 'retrospectively' applied provided the Council's flexible use of capital receipts strategy is presented to Council at the earliest opportunity. The Council's flexible capital receipts strategy, incorporating the 2016-17 retrospective approval, is incorporated into this report.
- 2.59 The early closedown review 2016-17 report to Cabinet on 2 May 2017 included the use of £5.4m in-year generated capital receipts in 2016-17 to fund capitalised revenue expenditure relating to organisational transformation (voluntary severance costs). The report also noted that as per DCLG guidance, it could be retrospectively approved, effectively through this report. The link to the early closedown review report is included below (Agenda Item 8):

[Early review of 2016-17 closedown](#)

- 2.60 The proposed flexible capital receipts strategy included at Appendix E, incorporates the following qualifying 'capitalisable' revenue expenditure:
- i) cost of service reconfiguration, restructuring or rationalisation (staff or non-staff), where this leads to ongoing efficiency savings or service transformation; and
 - ii) driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible;
- 2.61 Appendix E effectively sets out the Council's flexible capital receipts strategy framework. Consideration of specific options for flexible use of capital receipts within this framework will be considered by Cabinet as part of the annual early closedown reviews in both 2017-18 and 2018-19. The timing is important as actual capital receipts generated in-year, quantification of qualifying revenue expenditure, and actual capital plan funding requirements in-year will not be properly firmed until each financial year end.

Housing Revenue Account (HRA)

- 2.62 The overarching context for the existing multi-year HRA budget plans rolled forward into the MTFP update is a sustainable, self-financed 30 year HRA business plan, which delivers the following key objectives :
- i) annual servicing of HRA debt up to the £247m borrowing cap limit set by Government,
 - ii) capital improvements and maintenance of all Council housing stock to a minimum decency standard ,

- iii) delivery of a high quality and cost effective housing management and repair service, and
 - iv) support for a number of HRA strategic capital priorities and scope to consider further investment opportunities
- 2.63 Updated multi-year HRA budget plans as summarised at Appendix C reflect the impact of Government's annual 1% social housing rent reduction each year, over the 2016-20 period, now enacted through the Welfare Reform and Work Act 2016. This compares to pre-existing national rent policy which was based on Consumer Price Index (CPI) +1% per annum.
- 2.64 Current key assumptions included in updated HRA budget plans include annual rent uplifts of 2% per annum (assumed CPI) from 2020-21 onwards, and annual Right to Buys over the MTFP period of 173 per annum based on current trends.
- 2.65 The updated HRA budget plans also assume the deferred Government implementation of a proposed 'higher value' annual levy or charge, based on higher value property void rates, to 2020-21 at the earliest. The levy is to be re-directed to private registered providers to compensate them for the loss of housing stock through the voluntary take up of the right to buy scheme in this sector.
- 2.66 The working assumption is that from the date of implementation, the HRA would have to sell about 170 properties per annum at an assumed £65k average market value per property, to generate sufficient capital receipts to pay an annual levy charge of about £11m. While it is currently unclear whether or not Government intends to go forward with this proposal, and on what scale, it represents a significant potential pressure to the HRA business plan and prudently remains in view at this stage.
- 2.67 HRA budget proposals also includes future year KNH fee efficiency savings targets totalling just over £4m over the 2018-20 period; a key driver being expected efficiencies from the merger of building services and KNH. From 2017-18, KNH business will operate with an annual turnover of upto £58m, and this includes £39m fee payment from HRA for revenue repair and maintenance and housing management. The balance of KNH turnover is largely in respect of work to be undertaken by KNH on council housing improvements (funded from HRA capital plan) and on non-housing facilities management work on the Council's behalf (both revenue and capital).
- 2.68 Current HRA reserves commitments include a set aside of £4m for business risks; in particular, with regard to proposed welfare reform changes. The balance of commitments includes £1.5m working balance. The forecast balance of reserves is assumed to roll forward to support future year capital investment, in line with longer term HRA business plan requirements.
- 2.69 The annual HRA depreciation charge, which is around £16.5m, funds the major repairs reserve. This reserve can only be used to support capital investment or service HRA debt charges. It is fully committed each year, with no remaining balances to roll forward year on year.
- 2.70 The Council, working in partnership KNH, jointly and regularly review and update the HRA 30 year business plan with the aim to produce a self-financed and

balanced budget position over the 30 year plan that delivers the key objectives set out in para 2.56 above. The HRA business plan re-fresh will continue to help inform forthcoming HRA budget proposals (both revenue and capital).

Capital

- 2.71 The MTFP update also rolls forward into 2018-19, current approved (2017-22) 5 year capital plans. The amounts included at Appendix D reflects the updated figures included as part of the financial outturn and rollover report presented to full Council on 13 September 2017.
- 2.72 The Council's multi-year capital investment plan includes a range of strategic priorities over the next 4 years totalling £54.2m on general fund and £31.9m on HRA activity, and includes significant investment in town centre vibrancy, and wider investment that supports key business growth in the District. HRA strategic priorities includes a range of new build developments including provision for extra care facilities.
- 2.73 Baseline capital provision supports continuing capital investment requirements across the Council's existing asset base, including Schools, Highways, transport infrastructure and Housing Council housing stock.
- 2.74 As with revenue, the updated capital plan will be reviewed and any amendments and associated funding implications, factored into updated capital budget proposals for member consideration in accordance with the budget timetable. This will include consideration of a new year 5 (2022-23) indicative plan. This includes consideration of strategic priority proposals in relation to the Council's aspiration to work with key business partners through potential short term loan facilitation, through a Council property investment fund. The framework for this was set out in a report to Cabinet on 31 July 2017.

3. Implications for the Council

- 3.1 The Council's budget plans support the overall delivery of the following Council objectives and Priorities within available resources:
 - i) Early Intervention and Prevention (EIP)
 - ii) Economic Resilience (ER)
 - iii) Improving Outcomes for Children
 - iv) Reducing demand of services

Financial, Legal & Other Implications

- 3.2 A robust Medium Term Financial Plan and budget strategy is a key element of financial and service planning. This will be updated in detail by full Council in February 2018. This report sets a framework for development of draft plans by officers and Cabinet, for consideration by all Members in due course.
- 3.3 Key funding and cost assumptions factored into the MTFP update will be subject to further review, informed by most current local and national intelligence, including the outcome of the Autumn Statement and the provisional government funding settlement for Councils for 2018-19 (which includes indicative totals for the following 2 years).

- 3.4 Any further material changes to funding and cost assumptions will be considered for incorporation into the finalised annual budget report for Cabinet and Council approval in February 2018.

RISK ASSESSMENT

- 3.5 The MTFP update is based on a range of local and national intelligence, and risk assessments underpinning current and future funding and cost assumptions, acknowledging that the extent of these are all potential risk factors to the delivery of balanced budget plans over the medium term. This is summarised at Appendix F, alongside identified management actions to mitigate the risks. These include the following:

- Current work on the delivery of planned savings (value and timing) does not deliver a balanced MTFP
- Concerns about growth in volumes of children and adult care beyond those provided in financial plans and budgets
- National pay award and living wage pressures on direct staffing costs, contracts and services, in particular in the care sector, beyond current MTFP provision
- Council supplier and market failure which leads to loss of service, poor quality or inability to attract new suppliers
- Safeguarding risks associated with the care of children and vulnerable adults
- Welfare reform impacts on clients and Council service provision
- Improved better care funding is less than the sums factored into the Medium Term Financial Plan update
- Income forecasts are not realised and funding position deteriorates further
- Government clarification on the detail and timing of key social housing policy changes enacted through the Welfare & Reform and Housing & Planning Acts 2016

Budget Planning Framework

- 3.6 The updated budget plans set out in this report provide the budget planning framework for officers to bring forward proposals to Cabinet and members through the remainder of the current budget round, in order to deliver a sustainable and balanced overall multi-year budget over the 2018-22 period.

Budget Consultation

- 3.7 The Council's overall budget planning framework includes consideration of wider engagement and timetabling on stakeholder views on high level priorities in resource allocation. It is anticipated that this will take place primarily as an online exercise, during a 6 week period between October and November 2017. Stakeholder views on emerging HRA budget proposals will be considered through the relevant Council Tenant stakeholder forums, including Tenants and Residents Committees.
- 3.8 In addition, there may be a requirement for more detailed service consultations, led by the relevant services, on specific service budget proposals. These will

engage service users as early as possible, and target the groups most likely to be affected.

- 3.9 There is also on-going engagement with the business and voluntary and community sectors.
- 3.10 Key budget proposals include accompanying evidence available to members; namely officer led equalities impact assessments, which are undertaken annually and reviewed and updated as appropriate, on a range of budget proposals. These are also made available on the Council's website, in a timely way. This purpose of the assessments is to ensure that decision makers have due regard to the Council's equalities duties on key decisions.

4. Consultees and their opinions

- 4.1 This report is based on consultation with the Council's Executive Team and Cabinet Members in assessing the current issues, risks and factors to be addressed.

5. Next Steps

- 5.1 Resultant budget proposals will be submitted to Cabinet and full Council. The Council's Chief Financial Officer (& Service Director, Finance, IT & Transactional Services) will co-ordinate the development of draft budget proposals and options, and supporting budget documentation within the budget framework and corporate budget timetable (Appendix G).
- 5.2 Cabinet will bring forward detailed budget proposals in the new year, for consideration at full Council on 17 February 2018.

6. Cabinet portfolio-holders recommendations

This report sets out the baseline financial position following Council decisions taken in February 2017. It also provides contextual information to develop the budget for 2018-19 and will be updated following the Governments funding later in the year.

7. Officer recommendations and reasons

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

- 7.1 note the updated general fund revenue, HRA and capital budget plans rolled forward into the MTFP update over the 2018-22 period,
- 7.2 note the underlying cost and funding assumptions underpinning the updated plans at this stage,
- 7.3 approve the budget planning framework set out in this report,
- 7.4 approve the flexible capital receipts strategy set out in this report,
- 7.5 approve the corporate budget timetable and approach set out in this report,

- 7.6 approve the budget consultation approach and timetable set out in this report.

This above approach allows the updated budget plans to be adjusted subsequently for major factors identified and sets the basis for officers to update draft service plans within a clear Council budget framework.

8. Contact Officer

Eamonn Croston, Head of Finance & Accountancy
eamonn.croston@kirklees.gov.uk

9. Background papers and History of Decisions

Annual budget report 2017-21
Government Financial Settlement 2017-18
Early Closedown review report 2016-17
Annual financial outturn and rollover report 2016-17
Revenue & Capital monitoring report 2017-18; Quarter 1
Better Care Fund Report to full Council 11 July 2017
DCLG Guidance; flexible capital receipts strategy

11. Service Director responsible

Debbie Hogg, Chief Financial Officer (& Service Director, Finance, IT & Transactional Services) debbie.hogg@kirklees.gov.uk

General Fund summary MTFP – funding and spending plans 2018-22

	17-18	18-19	19-20	20-21	21-22
Funding Available	£000	£000	£000	£000	£000
Business Rates (Local Share)	(47,644)	(48,484)	(49,285)	(50,265)	(50,265)
Top Up Grant	(26,676)	(27,535)	(28,514)	(29,369)	(29,369)
Revenue Support Grant	(32,763)	(22,825)	(12,824)	0	0
<i>Business Rates Retention</i>	<i>(107,083)</i>	<i>(98,844)</i>	<i>(90,623)</i>	<i>(79,634)</i>	<i>(79,634)</i>
New Homes Bonus					
	(7,160)	(4,891)	(4,351)	(4,200)	(4,200)
Business Rates Reliefs	(2,114)	(2,114)	(2,114)	(2,114)	(2,114)
Housing & Council Tax Admin	(4,967)	(4,967)	(4,967)	(4,967)	(4,967)
Education Services Grant	(1,297)	0	0	0	0
Independent Living Fund	(862)	(835)	(810)	(810)	(810)
Other	(368)	(370)	(372)	(372)	(372)
<i>Un-ringfenced Grants</i>	<i>(16,768)</i>	<i>(13,177)</i>	<i>(12,614)</i>	<i>(12,463)</i>	<i>(12,463)</i>
Council Tax					
	(152,118)	(156,097)	(160,466)	(164,941)	(164,941)
Council Tax reduction scheme	0	(810)	(810)	(810)	(810)
Adult Social Care Precept	(7,433)	(12,243)	(12,243)	(12,243)	(12,243)
Collection Fund Transfer	(100)	0	0	0	0
Total Funding Available	(283,502)	(281,171)	(276,756)	(270,091)	(270,091)
Spending Plans					
Strategic Director Portfolios	276,833	287,520	291,977	295,199	295,199
Central Budgets	48,704	48,251	48,034	50,187	50,187
<i>Growth included in 17-21 MTFP</i>					
16-17 pressures - Children	11,100	11,100	11,100	11,100	11,100
16-17 pressures - Adults	9,000	9,000	9,000	9,000	9,000
Demographic uplift (over 65's)	150	1,049	1,999	3,002	3,002
Adult Social Care precept	1,600	3,300	(300)	(100)	(100)
Waste Contract volumes	1,000	1,000	1,000	1,000	1,000
Agile & Mobile working	500	1,000	1,000	1,000	1,000
PLANNED SAVINGS					
Better Care Fund	(800)	(7,100)	(12,800)	(12,800)	(12,800)
Council wide	(53,400)	(75,100)	(86,000)	(91,500)	(91,500)
<i>Total savings</i>	<i>(54,200)</i>	<i>(82,200)</i>	<i>(98,800)</i>	<i>(104,300)</i>	<i>(104,300)</i>
Net Spending Plans	294,687	280,020	265,010	266,088	266,088
Budget Gap / (Surplus)	*11,185	(1,151)	(11,746)	(4,003)	(4,003)

*before use of reserves

GENERAL FUND RESERVES

GENERAL FUND RESERVES	Actual Reserves as at April 1 2017	Planned use to support MTFP	Other Planned use In-year	Earmarked Reserves review	Forecast Over-spend*	Forecast Reserves As at 31 March 2018
	£000	£000	£000	£000	£000	£000
STATUTORY						
SCHOOL RESERVES	(11,852)	-	2,090	-	-	(9,762)
EARMARKED						
Workforce Restructure	(5,091)	-	-	-	-	(5,091)
Transformation	(4,944)	-	815	-	-	(4,129)
Rollover	(4,006)	-	2,394	320	-	(1,292)
Joint Adults/Health	(7,703)	7,700	-	-	-	(3)
Revenue Grants (various)	(8,215)	-	2,194	324	-	(5,697)
Stronger Families Grant	(1,902)	-	-	-	-	(1,902)
Prepayment reserve (PFI)	(3,314)	-	-	-	-	(3,314)
Insurance (MMI)	(1,900)	-	-	-	-	(1,900)
Other***	(2,419)		760	-	-	(1,659)
District Committees	-	-	-	(644)	-	(644)
Total - Other	(39,494)	7,700	6,163	-	-	(25,631)
Organisational Risk	(28,046)	-	-	-	*5,778	(22,268)
General Balances	(10,718)	3,485	-	-	-	* (7,233)
Total Financial Resilience	(38,764)	3,485	-	-	5,778	(29,501)
Total – All General Fund	(90,110)	11,185	8,253	-	5,778	(64,894)

*Forecast overspend as at Quarter 1 revenue monitoring, 17-18

**includes £5m minimum reserves provision

*** reserves of less than £1m each

Housing Revenue Account (HRA) summary MTFP 2018-22

	17-18	18-19	19-20	20-21	21-22
	£000	£000	£000	£000	£000
<u>Repair & Maintenance</u>					
KNH Fee	22,438	21,392	20,588	20,588	20,588
<u>Housing Management</u>					
Policy & Management	13,688	13,553	13,413	13,273	13,273
Council services bought in	2,458	2,458	2,458	2,458	2,458
KNH Fee	17,174	15,608	14,739	14,739	14,739
Special Services (Communal)	1,537	1,537	1,537	1,537	1,537
Sub-total	34,857	33,156	32,147	32,007	32,007
<u>Other Expenditure</u>					
Depreciation charge	16,500	16,500	16,500	16,500	16,500
Interest on capital debt	8,653	8,653	8,653	8,653	8,653
Bad Debt Provision	1,633	2,652	2,752	2,852	2,852
Levy (High value voids)	-	-	-	11,341	11,341
Other	684	1,338	1,893	2,549	2,549
Sub-total	27,470	29,143	29,798	41,895	41,895
Total Expenditure	84,765	83,691	82,533	94,490	94,490
Dwelling rent income	(81,538)	(80,531)	(79,631)	(80,400)	(80,400)
Government Grant*	(7,912)	(7,912)	(7,912)	(7,912)	(7,912)
Tenant & Leaseholder charges	(3,054)	(3,250)	(3,650)	(3,650)	(3,650)
Other	(743)	(808)	(808)	(808)	(808)
Total Income	(93,247)	(92,501)	(92,001)	(92,770)	(92,770)
Net Operating Expenditure	(8,482)	(8,810)	(9,468)	1,720	1,720
Contribution to capital	5,394	7,863	4,070	-	-
Transfer to / (from) reserves	3,088	947	5,398	(1,720)	(1,720)
Net Bottom Line	0	0	0	0	0

Current & forecast HRA Reserves

	17-18
	£000
As at April 1	(52,013)
Transfers to/from HRA	(3,088)
In-year capital funding	
Earmarked - business risk	4,000
Earmarked – working balance	1,500
In-year forecast (HRA)	(160)
As at 31 March 2018	(49,761)

GENERAL FUND BASELINE CAPITAL PLAN	Funding	2018/19 Budget £'000	2019/20 Budget £'000	2020/21 Budget £'000	2021/22 Budget £'000
Learning & Early Support					
Basic Need	G	500	500	500	500
Capital Maintenance	G	3,600	3,400	3,200	3,000
Devolved Formula Capital	G	950	900	850	800
One-Off Initiatives	S106	352	352	352	0
Learning & Early Support Total		5,402	5,152	4,902	4,300
Economy Regeneration & Culture					
Housing Private Sector					
Disabled Facilities Grants	B/G/R	2,600	2,600	2,600	2,600
Discretionary Assistance	R	100	100	100	100
Minor Adaptations	R	290	290	290	290
Other	G/R	0	0	428	0
		2,990	2,990	3,418	2,990
Economic Resilience	B	900	900	900	900
KAL - Self Funded	B*	1,059	617	617	617
Asset Utilisation/Rationalisation	B	300	0	0	0
Economy Regeneration & Culture Total		5,249	4,507	4,935	4,507
Commercial Regulatory & Operational Services					
Highways					
<i>Maintenance :</i>					
Principal Roads	G	2,600	2,600	2,600	2,600
Roads Connecting Communities	G	1,574	1,369	1,164	856
Local Community Roads	B/G	2,247	2,247	2,247	2,247
Structures	G	1,200	1,200	1,200	1,200
Street Lighting Replacement Strategy	B*	3,000	3,000	3,000	1,000
Unadopted Roads	B	50	50	50	50
<i>Integrated Transport :</i>					
Integrated Public Transport	G	450	0	0	0
Network Management	B/G	400	100	100	100
Cycling & Walking	B/G	20	20	20	20
Safer Roads	B/G	750	650	650	650
Town Centre Car Parking	B	100	100	100	100
Flood Management and Drainage Improvements	B/G	680	680	680	680
		13,071	12,016	11,811	9,503
Corporate Landlord Asset Investment	B	2,000	2,000	1,300	1,300
Transport	B	1,500	1,250	1,250	1,250
Environment & Strategic Waste	B	100	100	100	100
School Catering	B	200	200	200	200
Commercial Reg & Operational Total		16,871	15,566	14,661	12,353
Finance & Transactional Services					
Information Technology	B*	900	900	900	900
Finance & Transactional Services Total		900	900	900	900
TOTAL BASELINE		28,422	26,125	25,398	22,060

KEY :

B = Borrowing

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

G = Grant

R = Capital receipts

GENERAL FUND CAPITAL PLAN - STRATEGIC PRIORITIES	Funding	2018/19 Budget £'000	2019/20 Budget £'000	2020/21 Budget £'000	2021/22 Budget £'000
Dewsbury Learning Quarter	B	0	2,000	0	0
Huddersfield Town Centre Action Plan	B	3,172	5,672	1,637	0
Dewsbury Town Centre Action Plan	B	1,850	2,000	1,000	0
European Grant Funding Opportunities	B	1,250	0	0	0
Sports Facility (Spenborough area)	B	4,000	8,000	2,000	0
New Pupil Places in Primary Schools	G/B	11,251	4,737	706	545
Reprovision of Lydgate Special School	B	214	0	0	0
HD-One (KSDL)	B	4,250	0	0	0
STRATEGIC PRIORITIES TOTAL		25,987	22,409	5,343	545

RISKS & PRESSURES TOTAL	B	2,500	2,500	2,500	2,500
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HRA CAPITAL PLAN - STRATEGIC PRIORITIES & BASELINE	Funding	2018/19 Budget £'000	2019/20 Budget £'000	2020/21 Budget £'000	2021/22 Budget £'000
HRA STRATEGIC PRIORITIES					
Miscellaneous Properties-Conversions/Back into Stock	H / R	703	680	694	708
New Build Phase 1 - Ashbrow Extra Care	H / R	6,000	694	0	0
New Build Phase 2 - Soothill Extra Care	H / R	0	3,631	3,703	0
New Build Phase 3	H / R	0	0	0	7,555
New Build Phase 4 - Environmentally Friendly Housing	H / R	2,075	0	0	0
Strategic Priorities	H / R	0	0	0	5,504
		8,778	5,005	4,397	13,767
HRA BASELINE					
Heating Programmes(Boilers)	H	1,555	1,477	1,481	1,480
Maintaining Decency	H	8,248	7,216	7,205	7,204
Batched works	H	265	255	260	265
Fire Safety Works	H	47	47	48	50
Tenant Allowances	H	259	265	270	275
Fuel poverty	H / G	662	638	650	663
Major Adaptations	H	2,490	2,539	2,590	2,642
Minor Adaptations	H	249	254	259	264
Estate & Environmental Works	H	467	476	486	495
		14,242	13,167	13,249	13,338
TOTAL		23,020	18,172	17,646	27,105

Key :

B = Borrowing

G = Grant

R = Capital Receipts

H = HRA revenue contribution/major repairs reserve

KIRKLEES COUNCIL - FLEXIBLE USE OF CAPITAL RECEIPTS STRATEGY

1. 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 2016-17, 2017-18 and 2018-19.
2. 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.
3. It is proposed that consideration be given to applying 'in-year' capital receipts generated, to fund the following qualifying capitalisable revenue expenditure, in line with final DCLG guidance issued in March 2016, as follows :
 - i) *funding the cost of service reconfiguration, restructuring or rationalisation (staff or non-staff), where this leads to ongoing efficiency savings or service transformation;*
 - ii) *driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible;*
4. The time period relating to the above qualifying expenditure covers 2017-18 and 2018-19. It retrospectively applies to 2016-17 as well.
5. The extent to which capital receipts will actually be applied in-year will take into account the following factors :
 - i) the amount of capital receipts actually generated in-year;
 - ii) the amount of qualifying capitalisable revenue expenditure in-year;
 - iii) 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
6. 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.
7. It is intended that officers will update members as part of the annual budget report to full Council each February, and finalised proposals for the flexible use of capital receipts to be incorporated into an annual early closedown review report for Cabinet consideration early April.

Risk No	Risk – Description of the risk	Management actions already in place to mitigate the risk
1	The current work on New Council and further work to find Directorate savings does not deliver a balanced MTFP e.g. Increase in demand for social care. Increased volume of waste.	<ul style="list-style-type: none"> • Governance structure for New Council established and reporting to Executive Team. • There is a planned approach during the MTFP for general fund activities and Housing Revenue Account functions • Tracker developed which allows all change plans to be in view and monitored on a monthly basis • Programme management office established and resourced • Monthly financial reporting to Executive Team, Portfolio Holders Briefing, and quarterly reports to Cabinet and Council.
2	Overspending on particular budget heads due to increase in volumes, rising prices, or a failure to properly control projects. Concerns about growth in volumes of children and adult care beyond those provided in financial plans and budgets.	<ul style="list-style-type: none"> • Control expenditure where possible. • Amend policy if possible to mitigate growth. • Examine alternative strategies to mitigate costs e.g. increase extra care provision, adaptations, recruitment of additional foster parents • Utilise supplementary resources to cushion impact of cuts and invest to save.
3	<p>The national living wage creates a substantial risk for the Council at the point that it materially outstrips our current local living wage, if it is not fully funded in the context of;</p> <ul style="list-style-type: none"> • Direct employees, earning less than the “national living wage” (such as cleaning, catering and other activities) • Contracts for services, particularly in the care sector where many employees are currently paid at or close to the current statutory living wage and will thus increase by up to 40%;(labour constitutes almost 100% of home care and about 75% of residential care costs) • Inflation in costs of goods (e.g. foods) as a consequence of increased operating costs 	<ul style="list-style-type: none"> • Liaison with service providers and suppliers about likely impact on prices • Ensure that budgets anticipate likely cost impacts • Seek additional funding as a consequence of government imposed costs.

4	Council supplier and market failure leads to loss of service, poor quality service or inability to attract new suppliers - to create competition in existing supply chains, or to create new supply routes as an alternative to existing arrangements	<ul style="list-style-type: none"> • Avoid, where possible, over dependence on single suppliers; more thorough financial assessment when a potential supplier failure could have a wide impact on the council's operations but take a more open approach where risks are few or have only limited impact. • Recognise that supplier failure is always a potential risk; those firms that derive large proportions of their business from the public sector are a particular risk. • Need to balance between only using suppliers who are financially sound but may be expensive and enabling lower cost or new entrants to the supplier market. • Be realistic about expectation about what the market can deliver, taking into account matter such as national living wage, recruitment and retention issues etc. • Develop and publish in place market position statement and undertake regular dialogue with market.
5	The Safeguarding risks associated with the care of children and vulnerable adults. Includes direct care provision, care at public access activity, and in community care of the vulnerable (e.g. through antisocial behaviour).Impacts on the client directly, and also those consequent to Serious Case Reviews investigation and implementation of specific recommendations. Risks include costs of reviews, media and reputational damage from the event, even if the subsequent findings suggest that practices were satisfactory.	<ul style="list-style-type: none"> • CRB checking, staff training, supervision, protection policies kept up to date and communicated. • Effective management of social work (and related services); rapid response to any issues identified and from any serious case review work. • Active management of cases reaching serious case review stage, and any media interest • Review of current practices following the child sexual exploitation in Rotherham and the emerging requirements. • Ensure that workloads are balanced to resources. • Staff and skill development to minimise dependence on key individuals. • Use of agency staff and or contractors when necessary • Ideal manager training • Considered as part of New Council changes and Transformation agenda.
6	Welfare Reforms impacts adversely on clients and the councils service provision .This may impact particularly on vulnerable people with a further impact on costs and demands for existing and	<ul style="list-style-type: none"> • Monitor government intentions; early steer on policy and impacts to be obtained. • Develop strategies to control/minimise losses.

	alternative services. Includes the costs of council tax benefit, income collection difficulties for rents with further potential risks in relation to homelessness if individuals fail to balance their incomes to rents, and prioritise tenancy payments.	<ul style="list-style-type: none"> Multi agency discussions taking place to ensure a more comprehensive approach & examine the resourcing required preventing homelessness and supporting vulnerable individuals.
7	Workforce management issues including loss of experienced staff, need for different skill sets and inability to identify and / or reach all staff to deliver appropriate staff training and skills development, industrial tribunals and settlements and industrial action. Difficulties in recruiting and/or retaining staff in specific areas and our overall ability to appoint staff with the appropriate skills and behaviours. Particular risks associated with changes to senior managers in activity areas with current challenging agenda.	<ul style="list-style-type: none"> Workforce Planning is incorporated into change plans and the New Council Programme and Transformation Boards oversee and support services to deliver these. Modernising and increasing accessibility of policies and processes to equip managers with the tools to manage robustly and increased accessibility to online training tools for managers and employees. Continue to embed the behaviours within our culture and practice, including within recruitment processes. Progress plans re recruitment and retention issues Selective use of interim managers and others to ensure continuity of progress regarding complex issues Ensure robust change processes including Equality Impact Assessments (EIA's) and consultation. Recognition that actions in the past still drive some costs elements like equal pay. Monitor position with regard to legislation.
8	Funding shortfall in partner agencies e.g. NHS which leads to increased pressure on community services and unforeseen costs	<ul style="list-style-type: none"> Engagement in winter resilience discussions Secure funding as appropriate Consider extension of pooled funds & integration conversations taking place Accept that this will lead to delay in waiting times
9	Failure to address matters of violent extremism and related safer stronger community factors that could create significant community tension.	<ul style="list-style-type: none"> Prevent partnership action plan. Community cohesion work programme Local intelligence sharing and networks. New status as a Prevent Priority Area provides funding for a Prevent Coordinator Post and enables the development of bids for additional funding. Counter terrorism local profile. Home Office funded Counter Extremism Community Co-ordinator role

10	Unforeseen legislative changes	<ul style="list-style-type: none"> • Reprioritise activities • Deploy additional resources • Use of agency staff or contractors where necessary • Development of horizon scanning service
11	Unforeseen significant environmental events such as severe weather impact on the Council's ability to continue to deliver business as usual services.	<ul style="list-style-type: none"> • Effective business continuity and emergency planning (including mutual aid) investment in flood management, gritting deployment plans. • Winter maintenance budgets are supported by a bad weather contingency. • Targeting gully cleansing for those areas which are prone to flooding. • The government continues to offer a revised Bellwin scheme in the event of major incidents. • Identify supplementary funding
12	Management of information from loss or inappropriate destruction or retention and the risk of failure to comply with the Council's obligations in relation to Data Protection, Freedom of Information legislation and the General Data Protection Regulations (GDPR)	<ul style="list-style-type: none"> • Thorough, understandable information security policies and practices that are clearly communicated to workforce. • Effective management of data, retention and recording. • Raised awareness and staff training • Compliance with IT security policy. • Compliance with retention schedules. • Compliance with information governance policy. • Business continuity procedures. • Comply with new legislation around staff access to sensitive data. • KMC has a Senior Information Risk Owner ("SIRO") officer who is supported by dedicated Information Governance Board • Development of action plan to respond to GDPR requirements & resourcing requirements as appropriate
13	Communities doing more for themselves and each other and increased reliance on contributions from the third sector are fundamental to our MTFP assumptions of reduced demand for statutory services and to the successful operation of new service models. If these changes do not occur at the scale needed then our assumptions are not sustainable.	<ul style="list-style-type: none"> • Reduced demand for statutory services • If the reduction is not realised at the pace set out, (in change plans) then those services that are directly impacted will need to identify this early, and to help in doing so, ensure that appropriate demand management and monitoring is put in place to record the levels of service take up. Remedial action should also be identified by those services. • Successful operation of new service models • Impact assessments for those services directly affected should be carried out to reflect the impact on citizens of losing a service as a

		consequence of the pace and scale of new service models not meeting demand.
14	Heightened national attention to Child Sexual Exploitation and historical abuse cases leading to increased demand, higher professional expectations and greater public scrutiny, with the consequent need for additional resource and reputational risk for the Council.	<ul style="list-style-type: none"> • Council position in relation to historical institutional abuse to be established and preparations for any requests from the Lowell Goddard Review to be made. • Additional resources and expertise allocated to new and historical CSE work. • Risk matrix and risk management approach implemented with the police and partners. • Oversight of Council risks through the CSE Member Panel.
15	Health & Safety measures are inadequate leading to harm to employees or customers and possible litigious action from them personally and/or the Health and Safety Executive. In particular issues arising from Grenfell & emerging issues such as compliance with building regulations	<ul style="list-style-type: none"> • New procedures introduced to ensure compliance with Regulatory Reform (Fire Safety) Order 2005; • Improved monitoring of fire risk in high and medium rise residential blocks; • Programme of Fire Risk Assessments (FRAs) in place targeted initially at high risk buildings; • Prioritised programme of remedial works to buildings to tackle issues raised by FRAs. • Review work practices to address H&S risks • Monitor safety equipment • Staff recruitment, training & retention measures
16	Exposure to increased liabilities arising from property ownership and management.	<ul style="list-style-type: none"> • Routine servicing and cleansing regimes • Work practices to address risks from noxious substances • Disposal strategy linked to service and budget strategy • Prioritisation of funding to support reduction of backlog maintenance

Corporate Budget Timetable

Year	Date	Forum*	Milestone activity
2017	Through Aug - Sept	ET	Budget update – overview/current intelligence/budget timetable
	Through Aug - Sept	ET/BIG	Baseline Intelligence/trends shared across the three strategic Director portfolios (Children's, Adults, Economy & Infrastructure)
	19 Sept / 11 Oct	Cabinet & Council	MTFP Update report
	Oct to Dec	General budget consultation	online (web) based tool ; 6 weeks consultation period
	Late Nov	Central Gov't	Autumn Budget statement by the Chancellor
	Mid-Dec	Central Gov't	Provisional Financial Settlement 2018-19
2018	23 Jan	Cabinet	Update to members on the outcome of the provisional 2018-19 financial settlement Council Tax Base report 2018-19 HRA rent & service charge setting report
	Mid to late Jan	Central Gov't	Finalised financial settlement 2018-19
	30 Jan / 14 Feb	Cabinet & Council	Council annual budget report 2018-22

*ET = Council's most Senior Management Team

BIG=Budget Implementation Group - informal group; cross-party lead member representation plus ET members

Note also that any service specific consultation requirements arising from Council budget proposals will run alongside the above



Name of meeting: Council

Date: 11 October 2017

Title of report: Overview and Scrutiny Management Committee – Huddersfield Town Centre Accessibility Scheme (Bus Gates) Findings Report

Purpose of report:

To inform the Council on the findings of the Overview and Scrutiny Management Committee's investigation into the decision making process and consultation that underpinned the introduction of bus gates in Huddersfield Town Centre.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by Director & name	Julie Muscroft, Service Director – Legal, Governance and Commissioning
Is it also signed off by the Service Director - Finance, IT and Transactional Services?	Not applicable
Is it also signed off by the Service Director - Legal, Governance & Commissioning?	Yes
Cabinet member portfolio	Councillor McBride

Electoral wards affected: Newsome

Ward councillors consulted: None

Public or private: Public

1. Summary

As part of a petition to Council in November 2016, a request was made for Scrutiny to look at the consultation process for the Bus Gate project proposals. In January 2017 the Overview and Scrutiny Management Committee (OSMC) considered the request and agreed to do a focussed piece of work to look at the rationale for the scheme and the decision making process, including how the proposals were promoted and consulted on.

The terms of reference for the work are set out below:

1. To understand the rationale for the bus gate proposals

2. To consider how the proposals were developed including any engagement activity
3. To consider the consultation process, including the statutory requirements, promotion of the proposals and responses received
4. To examine how responses to the consultation were considered
5. To consider the proposals for the evaluation of the project against the anticipated outcomes, feedback and impacts.
6. To identify any lessons learned

2. Information required to take a decision

2.1 The findings report of the Scrutiny investigation is attached at appendix one. The timeline tracing the development of the project can be found from page 6 of the report. It indicates that initial strategy work commenced in 2004. The bus gates proposal was one part of a range of measures to support the Council's vision for an accessible town centre that could be safely navigated and people could enjoy.

2.2 In considering the evidence presented, the OSMC recognised that the project had evolved over a number of years. The majority of restrictions that were enforced by the bus gates scheme had been in place as part of access arrangements approved in 1983.

The Scrutiny Committee concluded that it was satisfied that the decision making process, including the consultation, for the bus gate elements of the Huddersfield Town Centre Accessibility Scheme, was comprehensive and robust and met all the statutory requirements.

2.3 The Committee felt there were some learning points and has made the following recommendations:

1. That for similar projects developed in the future, a comprehensive baseline of information should be gathered in order to provide an accurate position against which to measure the impact of the implementation of a scheme as part of any future evaluation. Depending on the length of the project, there may be a need to refresh and re-evaluate the data to ensure any interim changes are taken into consideration prior to implementation.

2(a) That participants at information giving events, informal or formal consultation should have a clear understanding of what will, or will not happen to their comments, both written and verbal.

(b) That for future engagement and consultation exercises, the Council considers the use of new and innovative ways of using technology to remove barriers to capturing and recording feedback received during consultation.

3. That the Overview and Scrutiny Management Committee have the opportunity to comment on the Bus Gates Impact Assessment Report, before it is considered by Cabinet.

3. Implications for the Council

This report is presented for information. The recommendations identify learning points which will be considered by Cabinet.

4. Consultees and their opinions

Not applicable.

5. Next steps

The Overview and Scrutiny Management Committee will monitor the implementation of any agreed recommendations.

6. Officer recommendations and reasons

That the Council note the findings of the Overview and Scrutiny Management Committee in respect of the decision making process, including the consultation, for the bus gates scheme.

7. Cabinet portfolio holder's recommendations

Not applicable.

8. Contact officer

Penny Bunker, Governance and Democratic Engagement Officer

9. Background Papers

As part of the scrutiny investigation the Scrutiny Committee considered comprehensive background information on Cabinet reports and the consultation process. A full list of documents is available on request.

10. Service Director responsible

Julie Muscroft, Service Director – Legal, Governance and Commissioning

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Report of Overview and Scrutiny Management Committee

Huddersfield Town Centre Accessibility Scheme (Bus Gates)



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Scrutiny Investigation into the Decision Making Process for the Huddersfield Town Centre Accessibility Project

1. Rationale for the Investigation:

Following a petition to Council, which included a specific request for Scrutiny to look at the consultation process for the bus gate project proposals, the Overview and Scrutiny Management Committee (OSMC) agreed to do a focussed piece of work to look at the decision making process for the bus gates element of the Huddersfield Town Centre Accessibility Project. This would include the rationale for the scheme and how the proposals were promoted and consulted on.

In December 2016, Council also agreed to establish a Huddersfield Town Centre Working Party to explore all facets of town centre development in Huddersfield. The Huddersfield Working Party will also consider an evaluation report on the bus gates project, which will be available once statistical information has been gathered and analysed. It is intended that the findings of the scrutiny work will feed into the work of the Huddersfield Town Centre Working Party. It was noted that the impact assessment would be considered by this group and as such, was not included within the focus for Scrutiny.

2. How the work was carried out:

The work was carried out by the Overview and Scrutiny Management Committee who appointed a co-optee for the review work. The members were:

Cllr Julie Stewart Turner
Cllr Ken Sims
Cllr Cahal Burke
Cllr Gulfam Asif

Peter Bradshaw – Voluntary Scrutiny Co-optee

The Committee was supported by Penny Bunker and Alaina McGlade from the Governance & Democratic Engagement Team.

Terms of Reference:

1. To understand the rationale for the bus gate proposals;
2. To consider how the proposals were developed including any engagement activity;
3. To consider the consultation process, including the statutory requirements, promotion of the proposals and responses received;
4. To examine how responses to the consultation were considered;
5. To consider the proposals for the evaluation of the project against the anticipated outcomes, feedback and impacts;
6. To identify any lessons learned.

Set out below is the approach taken for the review:

Meeting 1 - Explore the background to the project, including traffic measures plans, the consultation process and the decision making process / identify any further information required.

Meeting 2 - Meet with stakeholders, including the lead petitioner and bus companies, to gather views on the process

Meeting 3 - Consider the evidence, agree findings, lessons learned, conclusions and recommendations

Those people who were unable to attend were invited to submit written views. In addition other written submissions were received from interest groups.

3. Witnesses

Paul Kemp, Acting Assistant Director for Investment and Regeneration
Richard Hadfield, Head of Strategy and Design
Alisa Devlin – La Fleur & member of Huddersfield Town Centre Action group
Gina Hanselman – Merrie England
Paul Keighley – Bramleys & member of Huddersfield Town Centre Action Group
Neale Wallace, West Yorkshire Combined Authority
Oliver Howarth, First West Yorkshire

Written comments:

Mr A - member of Highways Disability Group
Mr G - British Parking Association
Mr P - Older People's Network
Mr W- West and North Yorkshire Campaign for Better Transport

4. Background Context

- 4.1 By way of introduction, the Scrutiny Committee received an overview of the background and rationale for initiating the Huddersfield Town Centre Accessibility Project.

It is widely recognised and documented, in national and international technical publications, that reducing car dominance, providing improved public transport and walking and cycling facilities within towns and cities, generates benefits in terms of health and economic investment potential. Reducing the dominance of the car and providing higher quality spaces for people to enjoy and walk around, can have an effect on the amount of time people spend in those spaces. A report published in 2004 by CABA (Commission for Architecture and Built Environment) demonstrates that a high-quality public environment can have a significant impact on the economic life of urban centres big or small, and is therefore an essential part of any successful regeneration strategy. ¹

In relation to general health benefits, National Government has also become increasingly focussed on encouraging the population to become more active and carbon efficient, particularly by encouraging walking and cycling, but also by becoming less reliant on the car. Sources publications include:

- The Stern Review on the Economics of Climate Change and the Eddington Transport Study (DfT, 2006a; HM Treasury, 2006),
- The Department for Transport's response, Delivering a Sustainable Transport System (DfT, 2008c)
- The Low Carbon Transport Strategy (DfT, 2009c).
- Government White Paper "Creating Growth, Cutting Carbon" ²

- 4.2 To facilitate the increased level of walking and cycling, in 2010 the Government introduced a Local Sustainable Transport Fund. Local authorities outside London were able to bid for funding for transport interventions that support economic growth and reduce carbon emissions in communities as well as delivering cleaner environments, enhanced safety and reduced congestion.

- 4.3 However, the Council was aware that a balanced approach was required to satisfy the multiple requirements of users of the town centre, by maintaining not only access to the town for all modes of transport, but also levels of both on and off street parking.

- 4.4 The Committee also considered a timeline setting out the development of the town centre approach and associated projects. It was suggested that the evidence presented illustrated that the vision for an easily accessible Town Centre that can be safely navigated and people can enjoy, had been central to the Council's thinking for some time.

DEVELOPMENT TIMELINE

Date	Activity
2004	<p>Kirklees Council commissioned an “Urban Renaissance Strategic Development Framework: A public Real Strategy for Huddersfield”.</p> <p>Working closely and engaging with local political, business and community interests, a number of objectives and principles were established:</p> <ul style="list-style-type: none"> • Creation and maintenance of high quality buildings and public spaces is a key to the renaissance of the town centre; • Everyone must be able to move conveniently and comfortably around the town on foot; • The town centre must be a unified whole; and • Movement, activity and appearance provide the essential ingredients around which a public realm strategy can be composed. <p>It was proposed that overall these objectives and principles should all complement each other and connect up a town centre that works for everyone.</p>
2006	<p>In 2006 a draft Development Plan for Huddersfield Town Centre was shared with the public. The proposals included the areas currently occupied by Queensgate Market Hall, Alfred Street Multi-storey car park, the former Co-operative store and buildings on New Street. The proposed development scheme included a new library, a three storey department store, a 100-bed hotel, 100 homes, a new market hall, bars, restaurants and up to 900 parking spaces.</p> <p>The proposed £200m development plan would require £50m of private sector investment. The Plan was later placed on hold due to the financial impact of the recession.</p>
2009	<p>The first project - the scheme to create public space in front of the Railway Station in St George’s Square. The 2009 scheme sought to lessen the dominance of vehicles travelling through the Square by restricting through traffic, but allowing loading, access and taxis.</p> <p>This complemented existing bus only restrictions on Westgate between Railway Street and John William Street in one direction, which had been in place since 1983, and on Kirkgate between John William Street and Lord Street/Venn Street in both directions, which had also been in place since 1983. These and the 2009 restrictions are shown on the plans attached at Appendix 1.</p>
2010	<p>Development of the Huddersfield Area Action Plan (AAP) to provide a framework to identify, coordinate and prioritise further opportunities (leisure, retail and culture developments, public realm and highway schemes) within the town centre.</p> <p>During the development of the AAP, there were two stages of public consultation;</p> <ol style="list-style-type: none"> 1. November/December 2009- Issues and options covering reasonable alternatives 2. Autumn 2010- Consultation on one preferred option, based on

responses to stage 1

The two stages of consultation covered 6 broad themes:

- The Area Action Plan boundary and character areas
- Shopping and Services
- Working
- Living
- Movement
- Environment

For the movement theme, the following elements were advised as having been consistently raised:

- Increased frequency, quality, cost and reliability of public transport
- An easier centre to walk and cycle around
- More pedestrianised streets in the centre
- Making alterations to existing roads
- Improved parking options for the town centre

The aims and objectives of the consultation on the Huddersfield Town Centre Area Action Plan were to:

- Find out people's current likes and dislikes about Huddersfield town centre in terms of access, shopping, services, built environment, transport, culture and recreational activities
- Find out what people think is important in making the town centre a good place to live, work and visit in the future
- Assess the views of people on the issues and options presented to them
- Ask people to suggest alternative options to those proposed.

Officers advised that a number of supplementary technical documents were prepared as a response to issues raised in the consultation one of which was the Huddersfield Town Centre Public Transport Accessibility Study. This was developed to:

- inform the council of options to increase the reliability of public transport;
- to lessen the dominance of private vehicles in the town and to use the outcomes to:
 - improve the urban realm and to link disparate sections of the town together, which hitherto had been split by busy, vehicular traffic-dominated roads.

Observations undertaken during the study showed that buses experienced significant delay accessing and getting through Huddersfield Town Centre, particularly from Southgate along Kirkgate and Westgate.

In considering options to reduce vehicle dominance; the study looked at enforcing the **existing** traffic management measures on Westgate, Kirkgate and Railway Street. The existing measures were not being enforced and the Council did not have the legal powers to enforce, except by using cameras.

	<p>In addition it was proposed to introduce one new bus only section of road on High Street/Ramsden Street between Market Street and Corporation Street. The new section was to address the delay suffered by buses around Peel Street and to better link pedestrian access to the two sides of New Street.</p> <p>It was suggested that enforcing the existing bus priority traffic management restrictions would result in both improved bus reliability and an improved pedestrian environment.</p> <p>To ensure a balanced approach to the needs of all users of the town centre, the scheme was designed such that:</p> <ul style="list-style-type: none"> • only one extra bus gate would be provided, ensuring that levels of access to the town centre would be similar to what they were before the enforcement commenced. (See restriction plans at Appendix 1). • The number of on-street car parking spaces provided across the town centre - in the 2015 scheme, pay on street car parking was reduced by 11 spaces, but to offset this loss, the scheme provided 7 additional blue badge bays and 18 new spaces in loading bays.
21st June 2011	Report to Kirklees Council Cabinet meeting on the West Yorkshire Local Transport Plan and Highways Capital Plan 2011/12 to 2015/16. Funding for Huddersfield Town Centre scheme was identified in the 5 year Highways plan.
July 2011	Meeting with Highways Disability Liaison Group to brief the group on proposals for the town centre, including enforcement. The group asked to be kept informed as the scheme progressed.
2012	In 2012, funding became available from Central Government's Department for Transport Highways grant to provide for small transport improvement projects such as road safety schemes, bus priority schemes, walking and cycling schemes and transport information schemes.
9th May 2013	<p>Pre consultation meeting with Huddersfield Town Centre Partnership Ltd (membership organisation for businesses/retailers in the town centre, approximately 150 business members, including large and small businesses).The council presented the scheme proposals to the meeting, with the main concerns raised by the group being;</p> <ul style="list-style-type: none"> - potential car parking space reduction; - a request for a review of Traffic Regulation Orders across the town centre to simplify matters.
21st and 24th January 2014	Councillor pre-consultation briefings, with all councillors from Almondbury, Ashbrow, Crosland Moor and Netherton, Dalton, Greenhead, Lindley and Newsome wards invited to a meeting prior to consultation materials being published .
3rd to 15th February 2014	<p>Public consultation on the scheme which included:</p> <ul style="list-style-type: none"> - Information booklet circulated to every business and residential premise within the curtilage of the town centre (circa 3000 addresses).

	<ul style="list-style-type: none"> - Covering letter with booklet setting out dates for exhibitions. - Exhibitions held in Packhorse Centre between 11am and 2pm on Monday 10th, Tuesday 11th, Thursday 13th and Saturday 15th February 2014 - Email address set up to receive consultation comments. - Booklet and scheme plans put on Council website including on the main advertising banner, Involve and Facebook. <p>Feedback could be made via email, online comments, in writing and via forms at the exhibition events.</p>
4th February 2014	Letter and Consultation booklet sent to all members of the Disability and Older persons group informing them of the consultations, exhibition dates and asking for comments.
13th March 2014	Consultation meeting and e-mails to taxi representatives with regard to scheme proposals -- no comments were raised.
6th June 2014 -	<p>Report to Kirklees Council Cabinet meeting requesting Cabinet to consider the proposals for pedestrian and public transport accessibility and connectivity improvements and traffic restrictions in Huddersfield Town Centre, including the bus gate proposals.</p> <p>The report highlighted --- “that high quality, safe, easy access and connectivity are amongst the most important building blocks of a sustainable and thriving economy” and that the proposals - “were concerned with improving public transport reliability and the pedestrian experience of the town.”</p> <p>The report explained the format and process of the public consultation process. The majority of the enquiries received during the consultation centred on the public’s understanding of how businesses, shoppers and visitors to the town centre could continue to get to the areas that they wished to access. Cabinet approved the proposals.</p>
	<u>Statutory Consultations on Traffic Regulation Order. (TRO)</u>
19th January 2015	<p>– Legal Traffic Regulation Order Advertised (TRO).</p> <p>It was explained that this is the statutory process that has to be undertaken to allow alteration of parking and waiting restrictions in the town centre as well as moving traffic restrictions and new bus gate access restrictions. It requires public notices to be published on street and in the press and allows anyone 21 days to object to the proposals.</p> <p>One objection was received regarding access to a premise impacted by the proposals.</p>
15th April 2015	Cabinet Committee Local Issues Meeting - The objection to the TRO was considered and overruled.
	There were three main reasons why the Council chose to consider enforcing a series of bus only traffic management restrictions within the town centre:

	<p>1 It had been a desire to seek to reduce pedestrian/vehicle conflict and to improve the environment for pedestrians in the town centre that started in 1983 and had been confirmed by later development work;</p> <p>2 A funding opportunity for transport improvement schemes was available in 2012 and a decision was taken to bring forward and implement a highway scheme that would further facilitate the development of Huddersfield in line with the emerging Area Action Plan; and</p> <p>3. The issue of poor air quality was starting to develop as a major national health concern, with town centres and other residential areas, where mixing of slow moving traffic with people being seen as areas of particular concern.</p>
	<u>Construction Works Consultation</u>
May 2015 to Dec 2015 Onwards	Rolling programme of “Start of works letters” issued to the properties in the areas of work affected as the works in advance of works commencing throughout the town centre.
Jan - Feb 2016	In advance of Bus Gate enforcement camera switch on, map based leaflet made available on council website to advise drivers of new bus gates and routes to avoid them.
1st February 2016	Bus Gate cameras switched on and warning notices sent out to non-compliant drivers for several weeks before legal enforcement commenced. Variable Message Sign trailers also located at four different locations on Ring Road to warn drivers of new Bus Gates installations.
21st March 2016	Bus Gates went live and enforcement commenced. This is when the council actually started issuing PCN notices to drivers who contravened the restrictions.

5. Views of witnesses

- 5.1 To supplement the factual information and process documentation provided by council officers, the Scrutiny Committee invited a number of stakeholders to attend the meeting to give their views on the process.

In addition the Committee received some written comments which are summarised in section 5.6.

5.2 Oliver Howarth, First West Yorkshire

Oliver Howarth, Operations Director at First West Yorkshire told the Committee that as part of developing their business offer, First buses always considered the customer impact and congestion has always been an important issue.

First had historically attended regular liaison meetings with the Kirklees Council Highways Service in order to discuss and be kept informed on current plans and priorities. The company could provide advice where necessary and comment on proposals.

In relation to the specific plans for the bus gates, First buses considered the scheme to be a positive way to reduce congestion in Huddersfield town centre and consequently reduce delays to bus services. First buses had been consulted on the bus gates scheme when the proposals were first being considered and expressed a view that the location of the bus gates was appropriate to deliver the anticipated outcomes.

The Committee noted that bus user figures had not dropped since the introduction of the bus gate measures. It was First's view, based on technical expertise, that the bus gates would have a positive impact on the Town Centre.

5.3 Neale Wallace, West Yorkshire Combined Authority

Neale Wallace of the West Yorkshire Combined Authority (WYCA) explained that the WYCA was the transport authority for West Yorkshire. It had been formed by combining the Economic Partnership and METRO Transport Authority.

WYCA were also attendees at the quarterly Kirklees Council Highways Liaison meetings. They had been part of discussions on the bus gates proposals at an early stage.

In 2016, WYCA published a single economic plan which includes information on the concept of good growth. The WYCA felt that sustainable modes of transport would contribute to growth in the economy and support people to live and work in wider areas.

WYCA advised that congestion levels in West Yorkshire had now exceeded the previous peak levels seen in 2007. Throughout West Yorkshire there were

monthly meetings held to consider the impact of congestion on air quality and bus services.

The OSMC was advised that the reaction of bus operators to congestion tended to fall within 3 categories:

- The removal of services on particular routes
- The reduction in the frequency of services on affected routes
- The reduction in journey speed, which impacted on customer numbers

5.4 Alisa Devlin, Local Business Owner, La Fleur, Huddersfield

Alisa Devlin from Huddersfield town centre florist, La Fleur, explained that her experience of the bus gate development process was that it felt to be biased towards buses (bus companies). As such she did not feel that businesses had been fully included in the consultation.

Ms Devlin's view was that the proposals that were consulted on were very ambiguous. Nobody could appreciate at the point of consultation what the potential impact on local business might be. She explained that initial concerns had been highlighted over the number of loading bays that would be available to support business.

Ms Devlin informed the Committee that following the initial introduction of the bus gates, immediate amendments had to be made due to the unforeseen impact of the reduction to single lane traffic on Westgate. She suggested that this illustrated that the impact of the proposals had not been sufficiently considered prior to implementation.

5.5 Paul Keighley, Partner, Bramleys

Paul Keighley of Bramleys Estate Agents told the Committee that the only communication that businesses in the Town Centre received was a letter inviting them to attend the information roadshows being held in the Packhorse Centre to comment on the proposals. Mr Keighley suggested that this was not consultation as he felt the decision had already been made to install the bus gates and local residents and businesses were being asked to comment on which of the three proposals was preferred. Mr Keighley advised that he had visited the Packhorse centre roadshow but his comments had not been reflected in the report to Cabinet.

Mr Keighley voiced his concern that a scheme had been developed to serve only 25% of all town centre users and outlined that these users (bus passengers) were also the ones with least ability to spend money in the town centre due to the difficulty in carrying goods on public transport. He advised that he did not understand the Council's rationale behind the decision but suggested that it was financially motivated as when in attendance at a meeting the revenue generated through the scheme (fines) had been described as a "good by-product".

5.6 Summary of written comments:

(i) Long term member of the Disability and Older People Liaison Group.

Mr A suggested that the bus gates had made it difficult for people with disabilities to be dropped near to where they wanted to go. Restricted access drop off points would go some way to mitigate these difficulties.

(ii) Chair of Older Persons Network (own views)

Mr P raised some issues concerning the Bus Gates with regard to people who have mobility issues. He felt that since the introduction of bus gates it was much harder to negotiate the town centre in Huddersfield and difficult to get close to places with limited designated disabled parking spaces. It was Mr Palmer's view that town centres can only survive if they are easily accessible and shops have a level of foot-fall to sustain their business, particularly in the current financial climate. Mr Palmer felt that "any restrictions or awkwardness is bound to have a detrimental affect"

(iii) President of British Parking Association

Mr G's submission focusses on approaches to parking and potential impacts on the use of cars, below is an extract.

"... Cars are being used for a purpose and will usually be the preferred mode choice for those that have access to them. We also need to recognise that the taxation system favours those who receive a company car compared with those who are offered assistance with public transport costs. Finally, simply stopping car use is a high-risk strategy which could put the social and economic activities that the car facilitates at risk."

(iv) Co-ordinator, West and North Yorkshire Campaign for Better Transport

The campaign was supportive of the introduction of bus gates. An extract from the submission is below:

"... We would like to see better bus provision throughout the county and we are very aware that congestion is doing huge damage to bus service reliability. Slowing down buses and making journey times unpredictable, reduces patronage and puts up bus costs. Bus companies have to put more buses into key routes to maintain reliability, and in order to balance the finances this can lead to reductions in marginal services. First now have 50% more buses on W Yorkshire roads than 10 years ago even though they have withdrawn from some areas."

Reducing congestion would help all the economy and would usefully help emergency vehicles. However it would enable bus companies to enhance and

expand the bus network, keep bus fares down and reduce reliance on public funding.

Most buses are environmentally friendly. Newer buses emit lower emissions than cars. Even older buses are OK as they emit about 7 times the emissions of cars, they will be carrying upwards of 12 passengers on average so the emissions per person are less. If all those bus users switched to cars or taxis it would be a disaster for air quality and congestion ...”

6. Committee Findings:

Set out below are the findings of the Overview and Scrutiny Management Committee in respect of each term of reference.

6.1 Term of Reference 1 - To understand the rationale for the bus gate proposals

Views presented to the Committee indicated that it was widely recognised and documented, that reducing car dominance, providing improved public transport and walking and cycling facilities within towns and cities, generates benefits in both health and economic investment potential.

It was also suggested that by reducing the dominance of the car and providing higher quality spaces for people to enjoy and walk around, there can be a positive effect on the amount of time people spend in those spaces.

In the context of the national and international evidence, the Council had a vision for an easily accessible town centre that can be safely navigated and people can enjoy. The Huddersfield Town Centre Accessibility Project, which included the bus gates proposal, was a plan which informed the delivery of the vision.

The initial proposal for the town centre was a large holistic scheme which included the bus gates. Some elements of the scheme have progressed whilst others have not. It was questioned whether the measures designed for a bigger scheme, such as the bus gates, were still appropriate for implementation as part of a reduced project.

The OSMC noted that the rationale for the bus gate proposals had developed over a number of years and an extended process had been undertaken to try and put forward proposals that were appropriate to the multiple users of the town centre, whilst still fulfilling the core aim of the Council’s vision.

In 2012 a funding stream became available that provided an opportunity to take forward aspects of the Huddersfield Town Centre Accessibility Project, including the bus gates proposals.

The OSMC noted that the access arrangements, including parking restrictions and traffic flow, that formed part of the bus gate scheme around Westgate and Kirkgate, had seen minimal change since the original access arrangements

were implemented in 1983. Since 1983 the power to enforce the restrictions rested with West Yorkshire Police. With the introduction of the bus gates there was an opportunity to implement traffic cameras by which the Council could enforce both the bus gates and the pre-existing regulations.

The cameras were installed to enforce restrictions that had been in place around Westgate and Kirkgate since 1983; however the restrictions on High Street/ Ramsden Street were new proposals.

The evidence submitted indicated that there were only a small number of formal complaints submitted regarding the new proposals on High Street/ Ramsden Street. Council officers advised that the new scheme had worked well to reduce delays for buses and had improved pedestrian access to the two sides of New Street.

It is the view of the OSMC that there was a clear rationale for including the bus gates as part of the accessibility project to deliver the Council's vision for the town centre. It was always likely that the enforcement of the existing waiting restrictions and traffic flows on Westgate would be a difficult adjustment for town centre users, given that for a number of years enforcement has not been a priority and inappropriate practice has become common.

The Committee hopes that given the improvements made to bus travel, a subsequent improvement in the overall quality of buses using Kirklees roads might also be made.

Prior to the introduction of bus gates, the two areas were very congested and difficult for pedestrians to navigate, with vehicles travelling through the town centre and conflicting with buses and delivery vehicles. It is the conclusion of the OSMC that the introduction of the bus gates appears to have met the objectives of the scheme.

6.2 Term of reference 2 - To consider how the proposals were developed including any engagement activity and;
Term of reference 3 - To consider the consultation process, including the statutory requirements, promotion of the proposals and responses received

The OSMC found that the proposals had been developed over a number of years and had taken account of government policy direction and guidance. The Committee noted that a number of strategies had been developed by the Council regarding the future of the town centre and the bus gates scheme was put forward as part of delivering the aims of the strategies.

The OSMC received comprehensive information on the actions taken in developing and progressing the bus gate proposals, as illustrated by the timeline information set out on pages 4-8 of this report.

The evidence put forward demonstrated there was an initial two stage public consultation undertaken as part of the development of the Huddersfield Area

Action Plan in 2010. To fully consider views raised in the consultation, a further study was undertaken to understand how to increase the reliability of public transport whilst decreasing the dominance of private vehicles in the town centre.

Evidence was presented that showed that between May 2013 and March 2014 a number of pre-consultation briefings were offered to a wide range of consultees including the Town Centre Partnership, Councillors, the public, taxi representatives and the Highways Disability and Older Person's Group.

The consultation also included direct mailing to 3000 addresses within the ring road, internet information, exhibitions and the council's Facebook page, with around 100 consultees having visited the exhibitions. The scheme was also publicised on the internet, including social media and feedback was able to be received through a number of online channels. Local media picked up the story and this generated discussion in the press and further promotion of the proposed scheme.

Following approval from Cabinet for the proposed scheme, the OSMC saw evidence that the necessary statutory consultations were carried out before a final decision was taken. Evidence was noted that the scheme had been amended to address some of the concerns raised, for example the amount of parking bays for businesses. It was noted that only one formal objection was received, which followed the appropriate decision making process in being considered by the Cabinet Committee Local Issues.

In order to further publicise the scheme and give road users the chance to understand the implications of it, the council activated the cameras on the bus gates scheme and issued warning letters to non-compliant drivers for an introductory period of six weeks, before formal legal enforcement commenced.

Overall, the evidence showed that there were a number of different opportunities and mechanisms for people to comment on the proposals, both through informal engagement events and formal consultation. The statutory consultation requirements were followed.

6.3 Term of Reference 4 - To examine how responses to the consultation were considered

The evidence presented indicated that the majority of the 180 enquiries received during the consultation centred on the public asking how businesses, shoppers and visitors to the town centre could continue to get to the areas that they wished to access. The OSMC noted that once it was explained how people would still be able to get to their desired location, albeit via a slightly different route, most respondents appeared satisfied with the proposals.

The OSMC learned that the key issues and concerns that came from the consultation focussed on:

- access to St Peters Church;

- disabled parking;
- loading facilities in St Georges square;
- further pedestrianisation requests;
- cycle connectivity.
-

The OSMC also considered the verbal and written opinions received from ward councillors, which broadly echoed the points raised through the wider consultation.

The OSMC considered a summary of how Council officers had sought to address a number of more complex issues and concerns that had come out of the consultation (see table below). There was evidence that as part of responding to the issues raised, amendments were made to the proposals to try to resolve the concerns where possible.

Issue	Concern	Changes made
Access to St Peter's Church	The alternative route for funeral corteges was considered to be undignified	The existing traffic direction on Byram Street was retained and vehicles forming part of a cortege would be classed as authorised vehicles. Authorised Vehicle status will also extend to other official cars that attend for church services e.g. wedding cars.
Disabled Parking	It was felt that there was a lack of disabled parking within the town centre and concerns were raised about the conversion of the disabled only parking on Corporation Street to Pay and Display spaces along with the loss of two disabled only parking spaces on Peel Street.	Permit Holder' parking on Corporation Street was converted to 'Disabled Only' instead of to Pay and Display. The two disabled only spaces on Peel Street were to be retained.
Loading Facilities in St Georges Square	Concerns were raised about a lack of loading facilities in St Georges Square.	The 'Rail Replacement Service Only' bus stop on Railway Street was converted to a loading bay.
Pedestrianisation	Requests were made to pedestrianise Cloth Hall Street, part of John William Street and the remaining part of New Street.	A feasibility study to investigate options for pedestrianising these areas was proposed.
Cycling Connectivity	Concerns were raised regarding poor cycling connectivity across the ring road and through the town centre.	Three pilot projects were proposed to be introduced to the town centre proposals and were described in more detail in another part of the report.

The OSMC is satisfied that a thorough process to provide information on the proposals, engage with the public and affected parties, and comply with statutory consultation requirements, has taken place. The Council publicised both the consultation processes for the proposals and the implementation of the proposals in a manner that conveyed the intentions clearly and aimed to reach as wide an audience as possible.

The OSMC found that a relatively small number of concerns were raised throughout the extensive consultation and engagement process and the Council gave due regard to these concerns and tried wherever possible to resolve the issues. The one formal objection to the proposal was treated according to statutory process and given due consideration by Cabinet.

The OSMC noted that at the pre consultation and engagement stage, only minor concerns were raised about the bus gates proposals by local businesses in the town centre. It is acknowledged, as expressed by one of the local business owners that it was difficult to anticipate the potential impacts that the measures might have once introduced.

Following the introduction of the scheme, concerns have been raised by local businesses about a negative impact on trade. However no definitive quantitative evidence has been provided to help the OSMC to make a finding on the extent to which the bus gates project has impacted, given the wider issues facing local high street shopping including the impact of the national economic downturn on spending patterns.

The absence of baseline information, including footfall in the Westgate / Kirkgate area prior to the introduction of the measures is disappointing, as it may have helped towards providing a picture of the area before and after the measures were introduced.

The OSMC was made aware by one witness that they did not feel the comments they had made at the exhibition were reflected in the Cabinet report. The OSMC noted that whilst notes were taken at the exhibition it was not always possible to capture everything. People were asked to complete comments forms but many chose not to. The Panel feels it is important at any information giving event or consultation exercise, that those attending are very clear about what will, or will not, happen with their verbal comments.

The OSMC suggests that the Council could be more innovative in how it captures informal consultation views, for example vox pops, or by using mobile recording devices, to ask people to say what they think and then compile those comments as part of the consultation response.

6.4 Term of Reference 5 - To consider the proposals for the evaluation of the project against the anticipated outcomes, feedback and impacts

The OSMC was made aware that it was always the intention to provide an evaluation report to Cabinet when the scheme had been in operation for 12 months, with enforcement taking place. Officers advised that the report would include figures relating to footfall, car parking, bus timings and air quality information. The report would also be presented to the Town Centre Working

Group. The OSMC requested an opportunity to comment on the evaluation report before any potential decision was made by Cabinet.

6.5 Term of Reference 6 - To identify any lessons learned

The OSMC acknowledges that consultation is a complex process, especially when proposals affect a wide and diverse group of users. The Committee is satisfied that officers carried out a thorough process to try and consult and make people aware of the proposals. The evidence showed that consultation views were given consideration and amendments to the proposals had been made before the final decision was taken to implement the scheme. Once implemented a further amendment was made to the lane arrangements. In part this was due to the impact of utilities work in the Westgate area.

It is not possible to say that 100% of comments made as part of discussions at public information sessions were captured. However, as stated in previous paragraphs, it is important that at any information giving exercise or consultation, those attending are very clear about what will, or will not, happen with their comments.

The Committee felt that going forward, the Council should consider new and innovative ways of capturing and recording comments received during consultation or informal feedback to ensure that a full overview of feedback is captured, such as vox pops or the use of mobile recording technology.

The Committee also noted that the process had been tested through appeals to the adjudicator and had been found to be legally sound.

The Huddersfield Town Centre Accessibility Project has been ongoing for a number of years. The timeline submitted to the Committee specifies that consultation on the bus gates proposals was part of the development of the Huddersfield Area Action Plan in 2010. The bus gates finally went live in 2016. The Committee feels that in all projects, baseline data should be captured as part of understanding the pre implementation environment. This information can then be used to facilitate any early high level impact analysis that is required. The panel saw no evidence of a range of baseline data in respect of the bus gates scheme.

In protracted projects that take a number of years from initial consultation to implementation, the Committee believes there should be a periodic refresh of baseline data. This will enable an up to date statistical picture and ensure that proposals are still relevant and cognisant of changing trends.

In the case of the Huddersfield bus gates, comprehensive baseline information would have enabled a more informed response to some concerns about the impact of the scheme prior to the undertaking of a full impact assessment and project evaluation.

The other challenge in protracted projects is keeping the proposals in the public consciousness, so that when they move to statutory consultation and implementation, the proposals are not perceived to be a new project being pushed through.

7. Conclusions

At the outset the OSMC recognised the fact that the majority of the restrictions enforced by the bus gates scheme had been in place since the original access arrangements were approved in 1983. The power of enforcement did not lie with the Council. The only alteration in relation to Westgate and Kirkgate was the introduction of traffic cameras as a means of enforcing the bus gates and existing regulations.

The OSMC observed that the alterations that were made did not prevent access to any part of the Town Centre; however in some cases, town centre users would have to use alternative routes. A high number of the initial concerns received by the council were in relation to this matter and the majority appeared satisfied once an explanation was provided.

The development of the bus gates proposal had included consultation with key technical partners and their expert advice had been considered within the development of the plans. The OSMC feels that in developing the bus gates proposals the requirements of the multiple users of the town centre were taken into consideration whilst also addressing the health and environmental needs of the town centre as reflected in the Council's strategy.

The OSMC considered the comments of town centre business representatives that the consultation process seemed biased towards bus companies and that local businesses were not fully consulted. The OSMC did not find any evidence of this. From the evidence presented the OSMC found that the council had undertaken an extensive consultation process which sought to inform and engage with residents, businesses and town centre users so that people had a range of opportunities to give their views. The process was thorough and went beyond the statutory minimum required for the introduction of new traffic measures.

It was noted that the full impact of the bus gates scheme was difficult to predict prior to implementation. Whilst local business representatives felt that the Council had not anticipated the full impact of the scheme prior to implementation, the OSMC feels the Council has been open and transparent with the information that was available up to the point of implementation. In any scheme it is unlikely that all impacts can be foreseen prior to implementation, however it is the OSMC's view that comprehensive baseline information could have been gathered as part of planning the scheme. If comprehensive baseline information had been available then it would have assisted the council in producing an impact assessment at the earliest opportunity once concerns had been raised.

The OSMC concludes that due consideration of the consultation feedback has been given and this was evidenced through amendments to the original proposals as summarised in the Cabinet reports. The Committee noted the feedback from one of the business witnesses who suggested that comments he made at the roadshow exhibition were not included in the report for Cabinet. In future the people who attend information giving or consultation events should be very clear about what will happen to any comments they make. It is also recommended that going forward, the Council should consider new and innovative ways of capturing and recording comments received during consultation to ensure a full overview of feedback is captured, such as vox pops or using mobile recording technology.

Overall the OSMC concludes that it is satisfied that the decision making process for the bus gates elements of the Huddersfield Town Centre Accessibility Project was comprehensive and robust and met all of the statutory requirements.

8. Recommendations

1. That for similar projects developed in the future, a comprehensive baseline of information should be gathered in order to provide an accurate position against which to measure the impact of the implementation of a scheme as part of any future evaluation. Depending on the length of the project, there may be a need to refresh and re-evaluate the data to ensure any interim changes are taken into consideration prior to implementation.

2(a) That participants at information giving events, informal or formal consultation should have a clear understanding of what will, or will not happen to their comments, both written and verbal.

(b) That for future engagement and consultation exercises, the Council considers the use of new and innovative ways of using technology to remove barriers to capturing and recording feedback received during consultation.

3. That the Overview and Scrutiny Management Committee have the opportunity to comment on the Bus Gates Impact Assessment Report, before it is considered by Cabinet.

References:

1 - Transport, Physical Activity and Health: Present knowledge and the way ahead, by Roger L. Mackett and Belinda Brown. 2011. Available from:

<https://www.ucl.ac.uk/news/pdf/transportactivityhealth.pdf>.

<http://thegreatbritishhighstreet.co.uk/pdf/Successful-Town-Centres.pdf?2>

2 - <https://www.gov.uk/government/publications/creating-growth-cutting-carbon-making-sustainable-local-transport-happen>

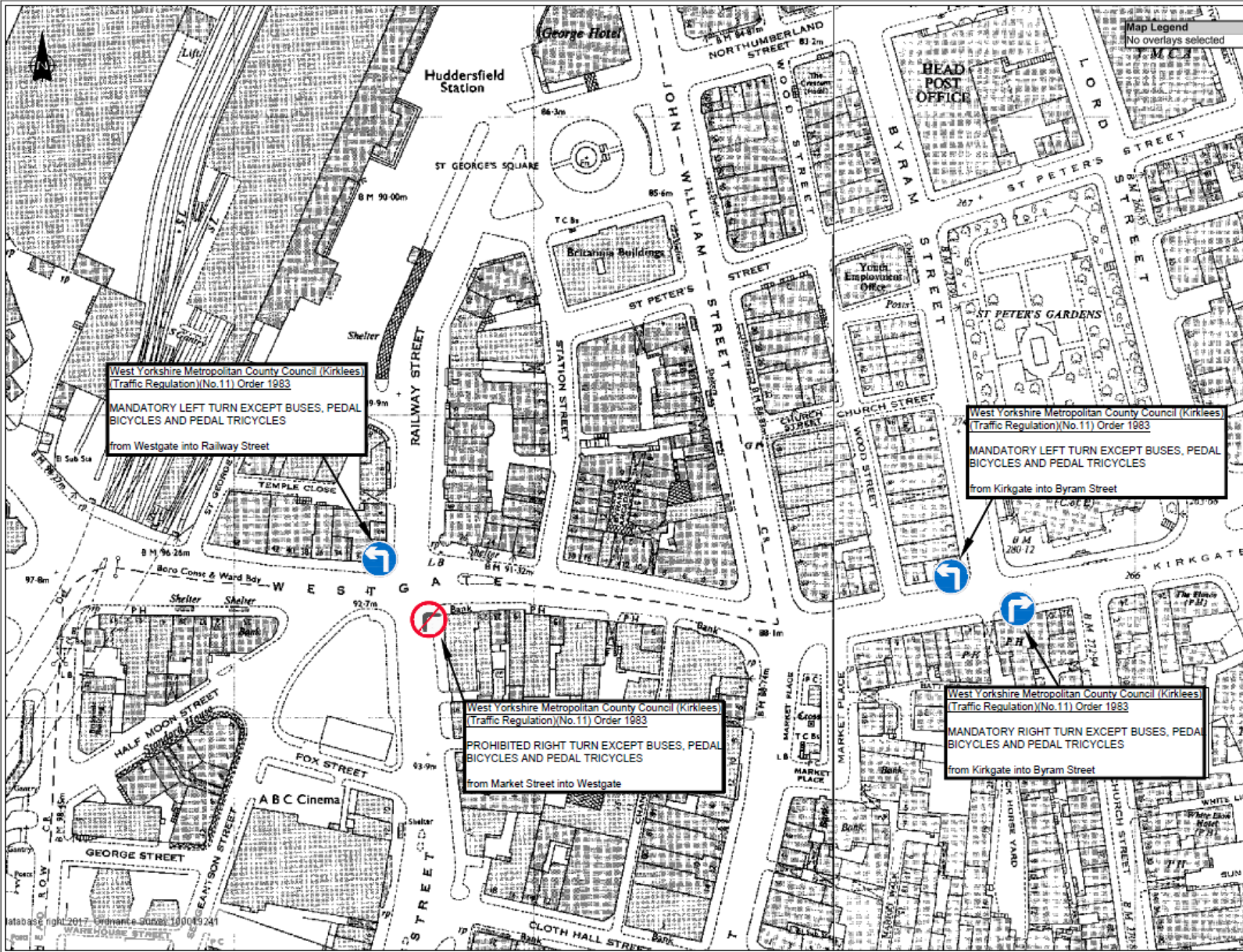
3 - KMC Traffic Regulation (no.11) Order 1983, Statement of Reasons)


Appendix:

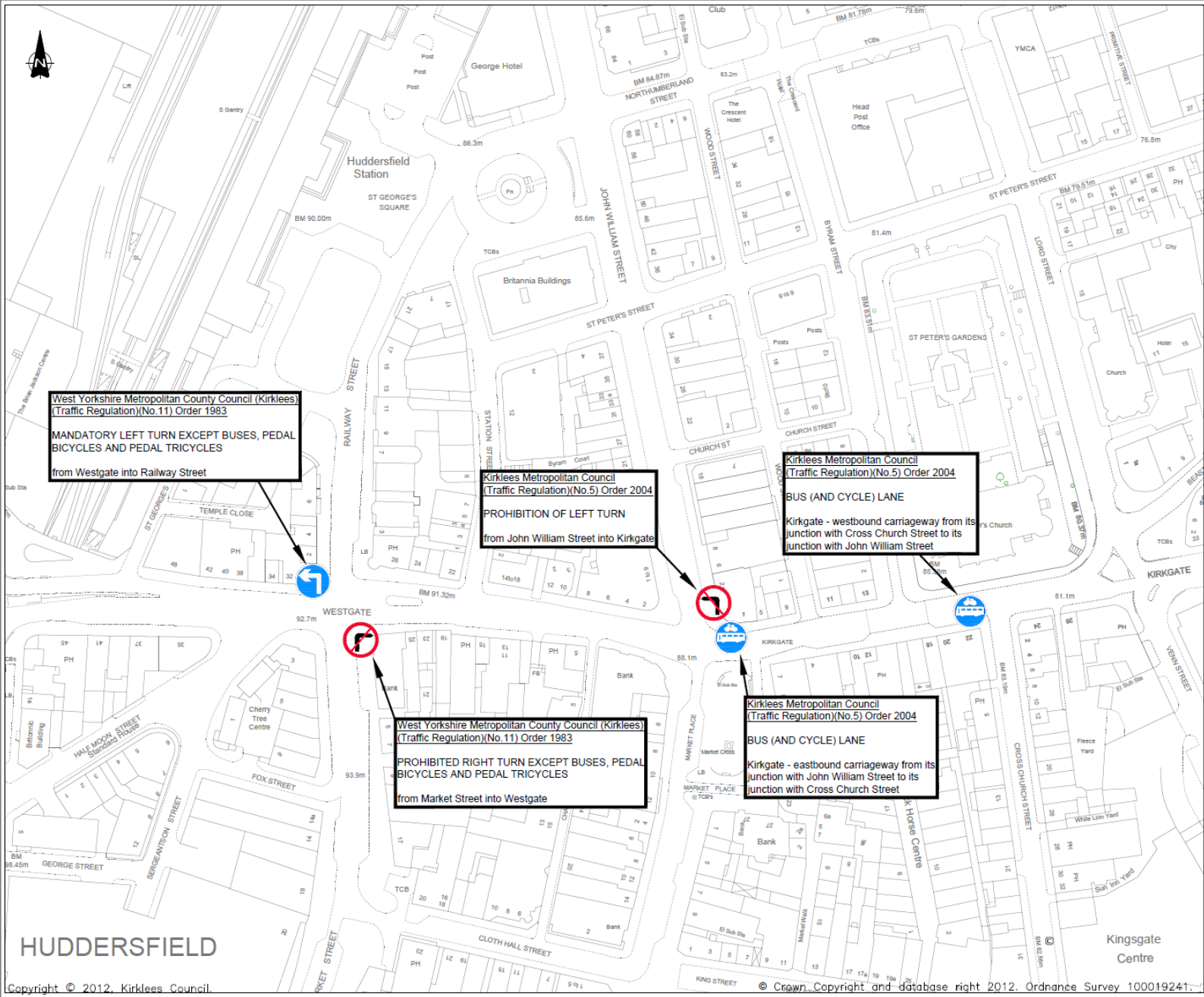
1 – Proposed traffic measures plans showing positions from 1983 to 2014


Contact Officers:

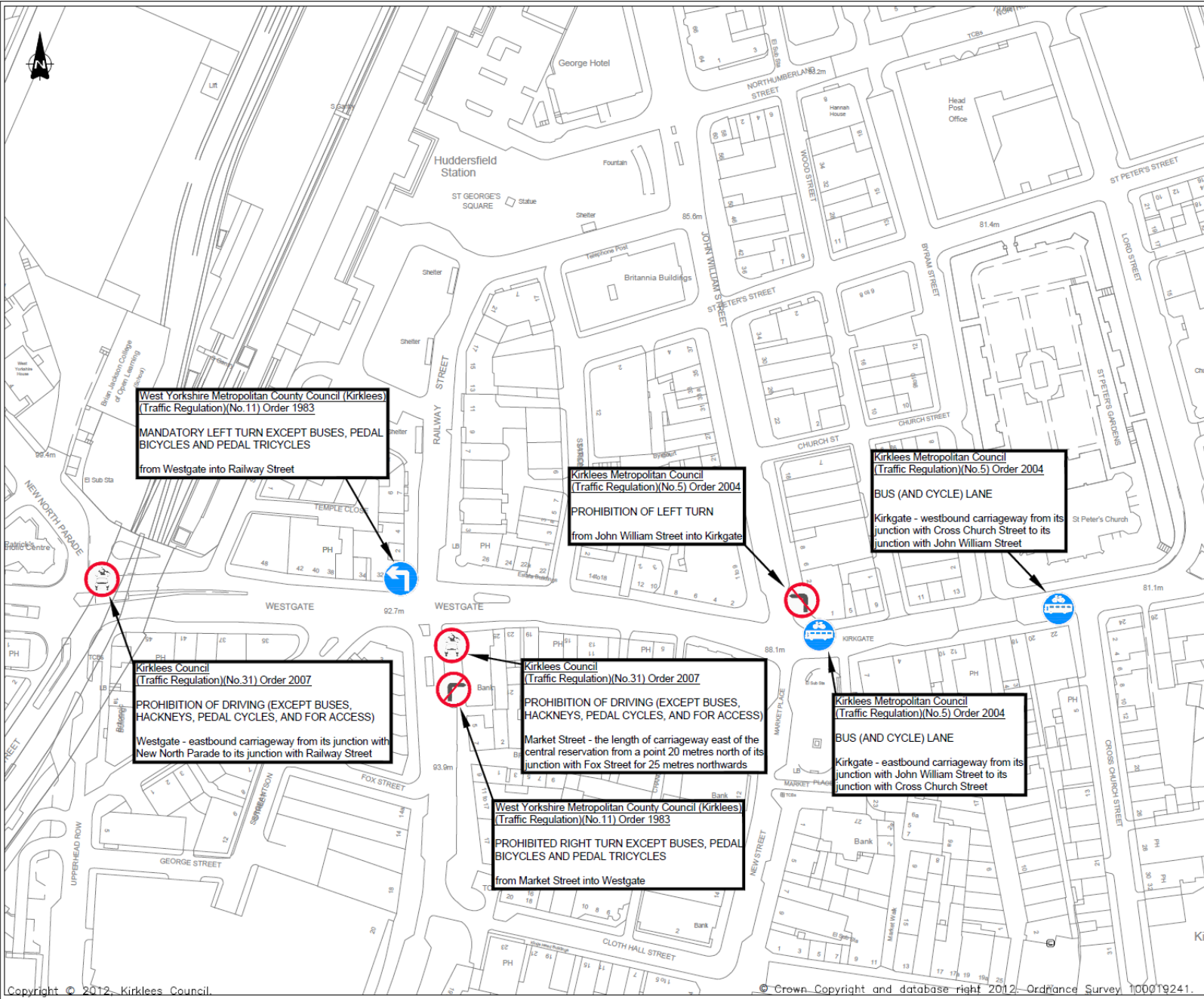
Alaina McGlade, Governance and Democratic Engagement Officer
Penny Bunker, Governance and Democratic Engagement Manager




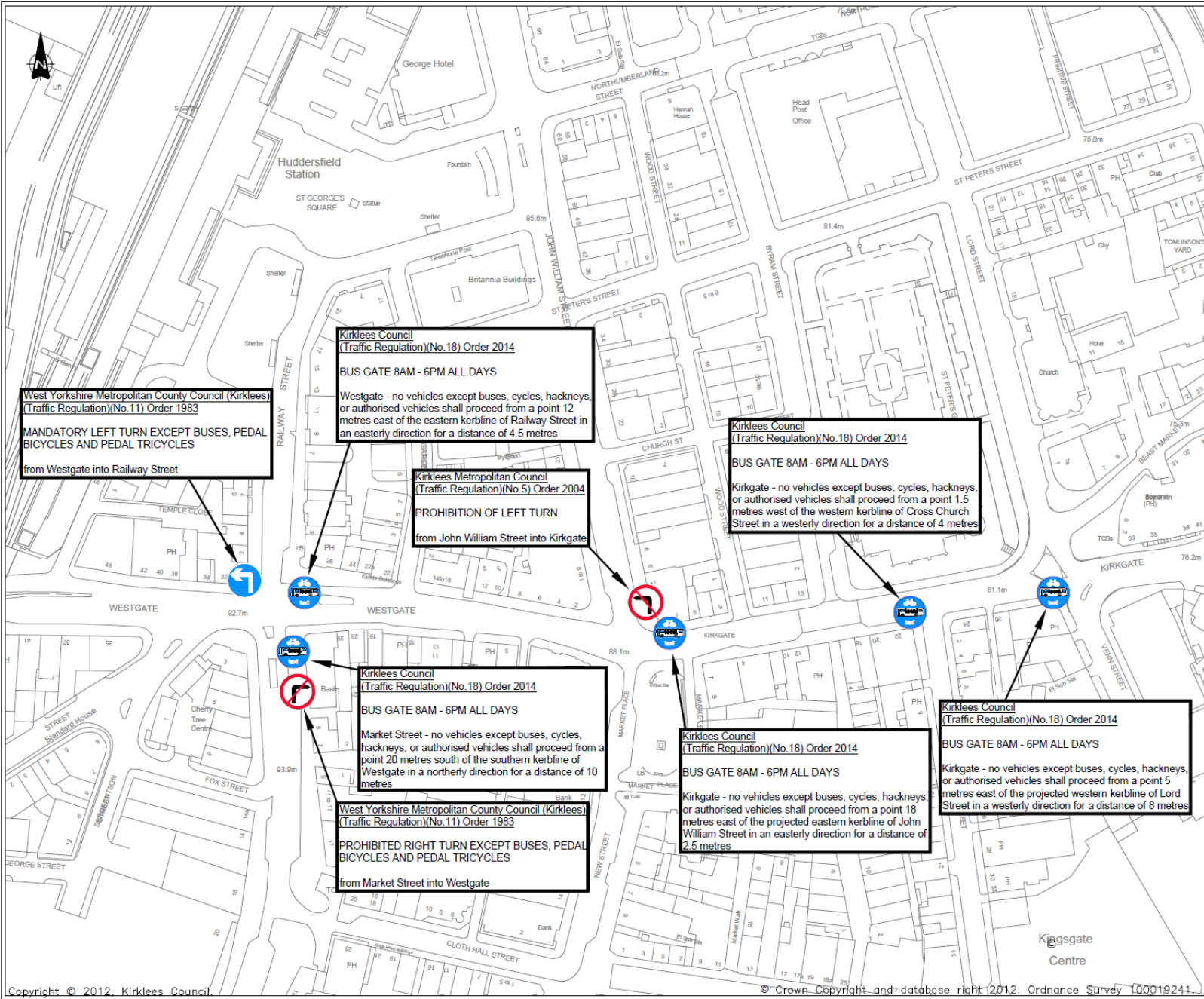
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SCALE 1:1250	PROJECT NO. 25/84208	DATE 17/01/17
PROJECT HUDDERSFIELD TOWN CENTRE ACCESSIBILITY PROJECT		
TITLE Westgate / Kirkgate Corridor Traffic Movement Restrictions 1983		
DRAWING No. HD/1317/Gen/01A		
CAD No.		




REF.	DATE	REVISIONS
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CAD No.		

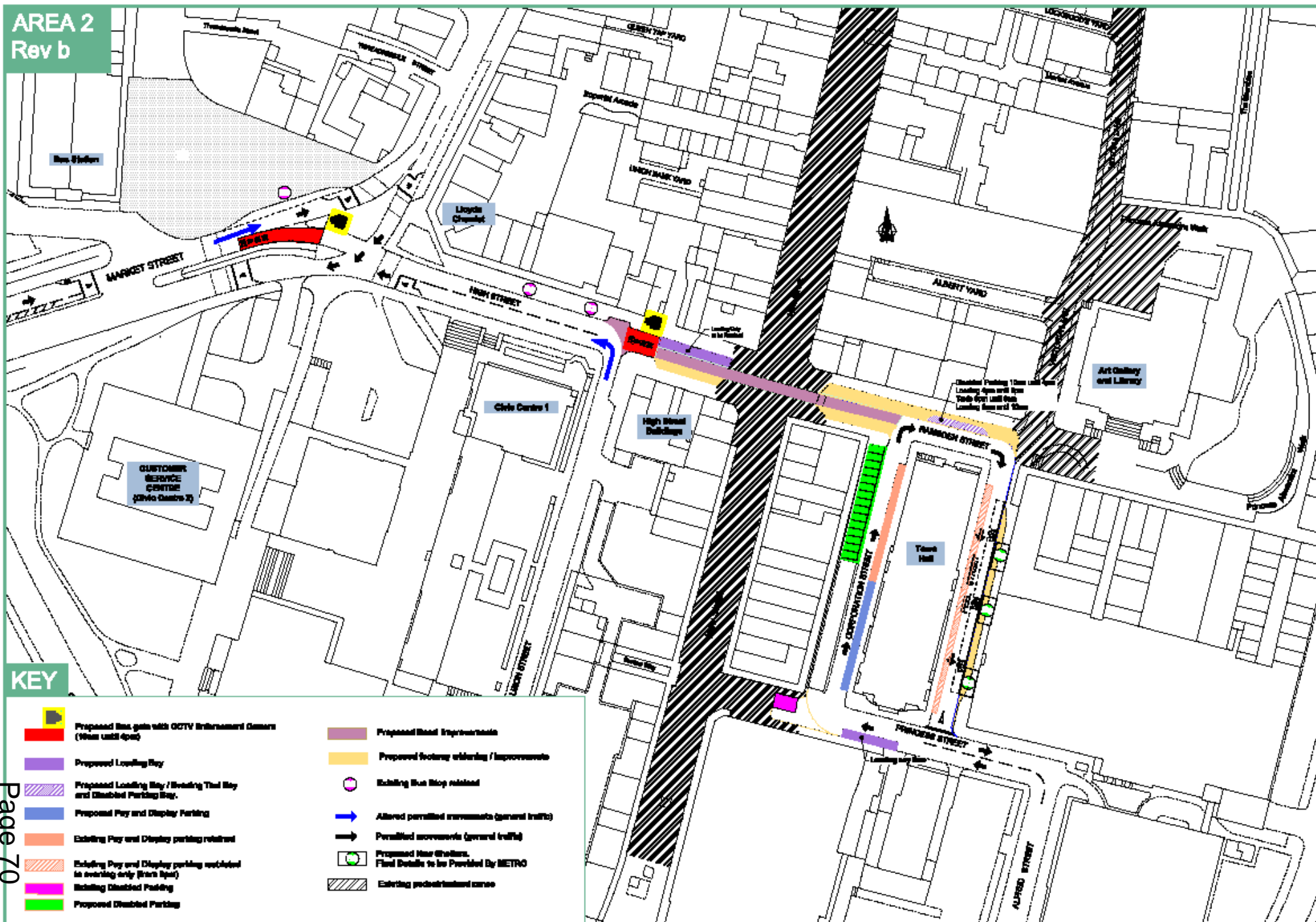


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TITLE	Westgate / Kirkgate Corridor Traffic Movement Restrictions 2007	
DRAWING No.	HD/1317/Gen/03A	
CAD No.		



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TITLE	Westgate / Kirkgate Corridor Traffic Movement Restrictions 2014	
DRAWING No.	HD/1317/Gen/04A	
CAD No.		

AREA 2 Rev b



Overview and Scrutiny Management Committee

Investigation into the Decision making process for Huddersfield Town Centre Accessibility Project (Bus Gates)

Cabinet Response Action Plan

Recommendation	Cabinet Lead / Officer Lead	Do you accept the recommendation? yes/no	If yes how will it be implemented?	Who will be responsible for implementation?	What is the estimated timescale for implementation?
<p>1. That for similar projects developed in the future, a comprehensive baseline of information should be gathered in order to provide an accurate position against which to measure the impact of the implementation of a scheme as part of any future evaluation. Depending on the length of the project, there may be a need to refresh and re-evaluate the data to ensure any interim changes are taken into consideration prior to implementation.</p>	Cllr Peter McBride / Paul Kemp	<p>Yes</p> <p>Recording critical baseline information is important for future town centre projects and will ensure that comparison of implementation outcomes is easily undertaken.</p> <p>The scale and detail of baseline data collected will be appropriate to the complexity of the project.</p> <p>The period for refresh of data will also be appropriate to individual projects.</p>	<p>As part of the initial evidence compiled in preparing option appraisals for projects.</p> <p>But also through sourcing data on additional critical issues that are raised during the consultation or delivery process, if previously overlooked.</p>	Project managers of individual projects, together with Heads of Service and Service Directors.	To be undertaken on future town centre from 2018 onwards.

<p>2a.</p> <p>That participants at information giving events, informal or formal consultation should have a clear understanding of what will, or will not happen to their comments, both written and verbal.</p>	<p>Cllr Peter McBride / Paul Kemp</p>	<p>Yes</p>	<p>Future consultation processes will provide details of how written and verbal comments will be treated on town centre projects</p>	<p>Project managers of individual projects, together with Heads of Service and Service Directors.</p>	<p>To be undertaken on future town centre projects from 2018 onwards.</p>
<p>2b.</p> <p>That for future engagement and consultation exercises, the Council considers the use of new and innovative ways of using technology to remove barriers to capturing and recording feedback received during consultation.</p>		<p>The use of innovative ways of capturing and recording feedback received during consultation needs further investigation , both in terms of availability of technology and the cost of such facilities</p>	<p>Further investigation required with council IT and media colleagues.</p>	<p>The ways used of recording feedback need to be appropriate to the complexity of the project and resources available.</p> <p>Decisions of this nature to be determined by Heads of Service and Service Directors</p>	<p>To be undertaken on future town centre projects from 2018 onwards – as appropriate.</p>

<p>3. That the Overview and Scrutiny Management Committee have the opportunity to comment on the Bus Gates Impact Assessment Report, before it is considered by Cabinet.</p>	<p>Cllr Peter McBride / Paul Kemp</p>	<p>Yes</p> <p>The report was shared with the OSMC on 18th September prior to consideration by Cabinet</p>	<p>n/a</p>	<p>n/a</p>	<p>n/a</p>
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Name of meeting: Council

Date: 11 October 2017

Title of report: Town Centre Working Party – Final Report

Purpose of report:

To submit to Council the report and recommendations of the Town Centre Working Party.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by Director & name	Naz Parkar, Strategic Director of Economy, Skills and the Environment
Is it also signed off by the Service Director - Finance, IT and Transactional Services?	Debbie Hogg, Service Director – Finance, IT and Transactional Services
Is it also signed off by the Service Director - Legal, Governance & Commissioning?	Julie Muscroft, Service Director – Legal, Governance and Commissioning
Cabinet member portfolio	Councillor McBride

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

1. Summary

The Town Centre Working Party was established by the resolution of Council on 14 December 2016, and was asked to consider the challenges to town centres of internet shopping, out of town shopping centres and the specific opportunities which Kingsgate 2 and HD1 and town centre living can afford to Huddersfield.

The Working Party held a series of meetings between February and May 2017 in order to receive information and evidence from a cross-section of key witnesses who were selected by the Working Party to represent a range of local businesses and town centre users.

The final report of the Working Party is appended and it's findings and conclusions are set out at Sections 8 and 9.

2. Information required to take a decision

Council is asked to consider the final report of the Working Party and endorse the Recommendations at Section 9.

3. Implications for the Council

None specific.

4. Consultees and their opinions

Councillor Richard Smith, Member of the Working Party, has requested that his comments as follows be incorporated within the submission to Council;

“I would like it formally recorded that I do not agree with any of these recommendations, findings, conclusions and do not want my name associated with any element of it.”

5. Next steps

Officers will determine appropriate next steps in accordance with the decision of Council.

6. Officer recommendations and reasons

Council to endorse the Working Party's recommendations that;

1. There needs to be a clear, communicated vision for the town, which should be business led, in order to drive the town forward and overcome the current lack of agreement and direction in how to achieve this. The town needs to establish itself as a brand and be visually appealing in order to attract investment.
2. The Car Parking areas within the town need to be smarter, with improved car parking experiences, for example, with ANPR facilities (within privately owned car parks), brighter, safer, colour coded, marked zones, which will provide customers with an 'easy parking' experience and attract more visitors to travel into the town by car.
3. There needs to be improved signage, both in and around the town, particularly it was considered that the town centre would benefit from increased and well positioned signage to car parks, and on the approach roads.
4. The town needs to adhere to standards of up-keep and there needs to be an enhanced awareness of retailers that shopping is a leisure activity. The town centre needs to be attractive and appealing, and develop an evening economy - the challenge is to create a town that is vibrant until 9pm and flexible in terms of delivering a evening/weekend shopping experience.
5. There is a need to reinvigorate cultural regeneration, support local talent development and take advantage of the existing large creative economy.

6. There are many opportunities for the town, and the Council, University and Football Club, as major beneficiaries of a vibrant and sustainable town centre, to work together, with businesses, to create and improved and thriving town centre location.
7. The Working Party supports further progress and improved measures to increase the appeal of the town centre, and encourages the partnership working of key stakeholders to continue to work together and create a safer and healthier community for residents to live and work in, and to enjoy the amenities of the town centre.

7. Cabinet portfolio holder's recommendations

Not applicable.

8. Contact officer

Andrea Woodside, Principal Governance Officer

9. Background Papers

Overview and Scrutiny Panel (Development and Environment) Town Centre Strategy Report, March 2015

Huddersfield Town Centre Access and Connectivity Project – Impact Assessment Report, July 2017

Report of Overview and Scrutiny Management Committee – Huddersfield Town Centre Accessibility Scheme (Bus Gates), September 2017

Huddersfield Town Centre Access and Connectivity Report, September 2017

10. Service Director responsible

Julie Muscroft, Service Director – Legal, Governance and Monitoring

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REPORT OF THE TOWN CENTRE WORKING PARTY

1. CONTEXT AND BACKGROUND

The Town Centre Working Party was established by the resolution of Council on 14 December 2016;

This Council resolves; to consider the challenges to town centres of internet shopping, out of town shopping centres and the specific opportunities which Kingsgate 2 and HD1 and town centre living can afford to Huddersfield.

To achieve this objective form an all-party group to work with the Cabinet Member for Economy, Skills, Transportation and Planning to explore all facets of town centre development in Huddersfield."

2. TERMS OF REFERENCE

The Terms of Reference of the Working Party were;

1. To explore the challenges and trends facing Huddersfield Town Centre, such as the significant changes in the way people carry out retail and business transactions and use their leisure time and the impact this has had on Town Centre usage.
2. To look at opportunities and challenges, for Huddersfield Town Centre presented by significant planned private sector investment such as Kingsgate Phase 2 and The HDONE and the increase in town centre residential.
3. To hear evidence on overall retail trends in respect of town centre activity and the impact of a range of factors, to include:
 - Trends from a customer and business perspective
 - Rental values/commercial yields/vacancy rates
 - The potential impact of major developments planned in and around the town centre
 - The impact of transport infrastructure changes and the balance between different modes of transport, including public transport on the town centre
 - Parking and enforcement issues
 - The increase in residential activity within the town centre
 - The impact of the evening economy, major sporting activity and Sunday trading
 - The economy as a whole, including consumer and business confidence and opportunities to attract investment
 - Competition from the internet and out of town retail centres
 - The impact of austerity on the town centre environment

- The impact of population changes and habits, including leisure activity, attitudes to shopping and town centres being promoted as leisure destinations.
 - Crime and safety issues
 - The quality of the town centre streetscape and environment
 - The impact of the University and Kirklees College
 - Bus gates
4. To report to the Cabinet and Council on the Working Party's findings with a view to informing future policy development, planning and decision making impacting on the town centre.

3. THE WORKING PARTY

The Working Party comprised of the following Elected Members;

Councillor Carole Pattison (Chair)
 Councillor Donald Firth
 Councillor Richard Smith
 Councillor Amanda Pinnock
 Councillor Julie Stewart-Turner
 Councillor Linda Wilkinson

Councillor Shabir Pandor (Deputy Leader) attended the meetings as the representative of Cabinet.

The Working Party held a series of meetings between February and May 2017 in order to receive information and evidence from a cross-section of key witnesses who were selected by the Working Party to represent a range of local businesses and town centre users.

4. CONTEXT

Prior to discussions taking place with witnesses, at its first meeting the Working Party received information that gave a context to the viability of Huddersfield Town Centre. Significant points of note were;

- Huddersfield was ranked as 70th (2015/2016) on Venuescore retail ratings (which demonstrated that it was the 70th most active retail centre in England in Wales). To be in the top 100 is deemed as good.
- There had been changes to footfall in the town centre, based on statistics dated 13/2/17
- There were currently 71 vacant units in the town centre, which is higher than the national average of 10%.
- Comparisons of footfall in neighbouring town centres
- There had been notable developments in in the town centre, which included retail churn, residential development and the expansion of Kingsgate.

- While there had been some decline in retail footfall (notably on Saturdays), leisure operators were indicating a level of growth.
- Across the town centre, the number of food establishments was increasing.
- With regard to the busgates, initial traffic restrictions were put in place in 1983, with subsequent reinforcements in 2002 and 2017 aimed at moving traffic away from Westgate. Several factors for the implementation of bus gates contributed to the decision; existing traffic regulations weren't enforced by police, the Area Committee Action Plan consultation exercise reflected public preference for increased pedestrianisation, air pollution levels needed improvement, and bus companies wanted to be able to run buses according to timetabling or would withdraw services.

5. WITNESSES

The Working Party considered a range of potential witnesses and agreed to invite the following persons whom they felt would be able to add a valuable contribution to the Working Party's information gathering, across a board range of professions and specialisms.

The following witnesses agreed to attend one of the sessions, where they were asked to provide evidence, answer questions, and contribute to discussions regarding the activity within the town centre.

David Price Baghurst – Queensgate Market
 Mark Smith – Queensgate Market
 Paul Wright – New River Retail
 Sarah Cooper – Boots/Lead – Huddersfield Healthy High Street
 Jonathan Hardy – Kingsgate
 Brent Wood – Media Centre
 Lydia Blundell – Huddersfield Students Union
 Vernon O'Reilly – Huddersfield Piazza/Chair of Huddersfield Partnership)
 Andrew Wilson – Making Spaces
 Karen O'Neill – Lawrence Batley Theatre
 Andy Croughan – Rail Station Manager, Huddersfield and Dewsbury
 Paul Keighley – Bramleys/Huddersfield Town Centre Action Group
 Alisa Devlin – La Fleur//Huddersfield Town Centre Action Group
 Gina Henselman – Merrie England//Huddersfield Town Centre Action Group
 Cllr Peter McBride – Cabinet Member – Economy, Skills, Transportation, Planning

6. OVERVIEW AND SCRUTINY PANEL – TOWN CENTRE STRATEGY

The Working Party gave consideration to the content of the Overview and Scrutiny Panel (Development and Environment) Town Centre Strategy Report, dated March 2015, which identified a number of issues which are being, or have now been, addressed. It was noted that the main recommendation arising from the report is that a concept of a 'shared vision' for the town needed further work, and that this should be led by businesses.

7. FINDINGS OF THE WORKING PARTY

The Working Party gave detailed consideration to the information that had been provided by the witnesses who had attended the sessions, and identified the main themes which they considered to be the greatest challenges to the town centre on the basis of the information that had been provided.

The key themes for focus were;

- (a) Vision and Identity
- (b) Location/Diversity/Safety
- (c) Footfall
- (d) Signage
- (e) Customer Experience
- (f) Residential Living
- (g) Huddersfield University
- (h) Cultural and Leisure Opportunities
- (i) Evening economy
- (j) Transport/Connectivity/Bus gates/Car Parking

8. CONSIDERATION OF EVIDENCE AND CONCLUSIONS

The Working Party considered each of the key themes as set out above and the information, comments and input that was provided by witnesses. In the basis of the evidence and information the Working Party were of the view that;

Vision and Identity

The town centre would benefit from a clearer vision, which should be business led, and the Council could provide a facilitation role in terms of helping to deliver a clear and strategic vision to provide the town with an identity and 'selling point.'

There is potential to create a brand for the town and improve its appeal – it needs to be bigger, and braver, demonstrated and achieved through strategic actions. The development of the brand with a Unique Selling Point would allow the town to sell its diversity, and a vibe that it is smaller and friendlier than a big city, as a key attraction.

Location/Diversity/Safety

The benefits of the town being conveniently located between Leeds and Manchester, with good connectivity links, need to be better promoted, along with connectivity to smaller, local towns. The town needs to promote its 'Independent Yorkshire' vibe and build upon it, particularly the number of independent traders and restaurants that the town can offer. The town cannot compete with Leeds or Manchester and it needs to

create its own identity and not be perceived by potential retailers as declining and fragmented.

Providing an improved streetscene was considered key in improving the general perception of the town, and would also promote an improved feeling of safety. It was recognised that the low crime rate within the town was a key reason as to why the University attracted so many international students.

Footfall

There was a national decline in footfall which was being reflected within the town centre. In order to address this decline, it was essential for the town to become less focussed on 9am to 5pm opening, provide more flexible shopping hours to suit the needs of customers, and promote an 'open for business' vibe, rather than as a town which offers minimal shopping and leisure opportunities after late afternoon.

The demise of the town has been well documented, and there is little confidence in some parts of the town, which struggles to compete with out of town shopping centres and city based shopping areas.

Signage

The signage both to and within the town centre required improving in order to enhance the experience of town centre users. In terms of car parking and access it was acknowledged that there was scope for greater directional signage, and that it could be particularly difficult for visitors not familiar with the ring road or car parking options to navigate the road network.

Within the town centre, there would also be benefits from improving pedestrian signage to key zones which may be of interest, including shopping and market areas, and providing information boards and cultural interest information, eg, the Huddersfield Trails.

Customer Experience

There is much scope for improving the customer experience of visiting the town, particularly in terms of improving the streetscene as well as cultural, leisure and shopping opportunities. There would be much advantage from the town developing the appeal of being a leisure choice rather than an essential shopping experience, and that in order to achieve this, the offer of a shopping/eating/drinking/theatre venue needed to be developed and effectively delivered. There are currently many empty retail units which creates a poor appearance of the town. First impressions of the town are important to visitors and much improvement to the streetscene is needed, including maintained planters and bins, to create a clean and tidy appearance. There is much impressive architecture within the town but currently the streetscene detracts from this and the benefits that could be derived from it.

Residential Living

The advantages of increasing the residential living options within the town were recognised as being key to developing an evening economy, by creating a 'feeling of ownership' of the town, and developing a residential and recreational hub of activity and play a significant role in achieving an evening economy and driving retail. The town has the potential to grow and re-brand as a residential and recreational hub. Residential living in the town centre would increase vibrancy, increase town centre

shopping and increase footfall and safety at night.

Huddersfield University

The importance of the University, and the benefits that it brings to the town, were acknowledged, particularly by retailers. However, it was felt that there was still greater potential for improved connectivity, and that the University should be encouraged to better promote links to the town amongst its students.

Cultural and Leisure Opportunities

There is a large creative economy currently in and around the town, and cultural regeneration needs to be reinvigorated.

Evening Economy

The current lack of an evening economy is a significant issue for the vibrancy of the town. Many of the businesses currently operate on restrictive/traditional hours which do not lend themselves to the shopping needs of customers. The town needs to encourage customers to come to the town in the evenings, and be perceived as 'open for business' beyond 6pm.

The lack of hotel accommodation choice within the town was noted, particularly the impact that this has upon the university. The benefits that would be brought to the town by increasing the numbers of hotel/evening visitors were recognised as also playing an important part in the development of an evening economy.

Transport/Connectivity/Busgates/Car Parking

There are a number of car parking areas within and outside of the ring road which are not well utilised, and for a number of cited reasons; poor directional signage, narrow spaces, unkempt, unsafe, and payment methods. Whilst there was no evidence that car parking charges appeared to be a concern, it was felt that parking needed to be much smarter and able to provide a good parking experience. It was felt that the provision of free parking would not offer a solution to town centre vibrancy as it would be occupied by commuters of town centre based workers.

Train link connectivity for Huddersfield is good, with 18000 commuters travelling to Leeds on a weekday. The town was considered to be the greatest beneficiary of the transpennine route and very much puts Huddersfield 'on the map', being the second busiest rail station in the West Yorkshire region.

The introduction of bus gates had created both positive and negative reactions. While evidence suggested that they were considered to have freed areas of the town from traffic congestion, allowed improved traffic, taxi, and bus replacement service movement around the railway station area, and encouraged pedestrianisation, it was noted also that there was a fear of accessibility that needed to be considered within the wider transport strategy, and that concerns regarding navigation around the town centre needed to be noted, alongside the concerns of traders that footfall around the Westgate area had fallen following the installation of the busgates.

Notwithstanding the concerns presented in terms of the impact of the busgates upon trade within the town, the Working Party noted the evidence as detailed in the Impact

Assessment which demonstrated that the scheme had had the desired effect in terms of improving journey time savings for public transport users, removing circulating and rat running traffic from the town centre, and improving the standards of air quality.

In addition to the key themes identified, the Working Party also considered;

- (a) There is a role for the Council in terms of increased support for traders, who alone cannot deliver a renewed vision and town centre strategy. Improvements would be delivered by establishing improved connections between assets, and visible links and communications into the Council need to be embedded. The Council needs to take on a facilitation role, aid the development of cultural hubs, and assist in providing a supportive environment for independent businesses.
- (b) There is a visible disconnect between the town and its large (circa 20,000) student population. Developing improved links with the University would encourage student spend, and bring cultural diversity, to the town centre. The town can benefit greatly from the close proximity of the University and a Premier League Football Club, which both need to invest in the town for their own gain.
- (c) The cost of premises within the town centre is a concern, with rateable values being high. It was noted that a unit on King Street at 123sq.m would cost £26,000 per annum, and that this created a barrier to attracting independent retail as it is not viable. On New Street, rents had halved in the past three years but units continued to be vacant, and rateable values had dropped due to the low demand. However, the indoor market provides an ideal opportunity for start-up businesses with cheaper rent options for business to become established.
- (d) There are various factors which have contributed to a decline in town centre retail including; competition from supermarkets, the increase in online shopping, the size and cost of vacant units, and a lack of identity to the town which is competing between two large and vibrant cities.

The inner ring road is large and hubs within it move and change. Traders in the town need to work together and not operate in isolation as closed outlets have a negative impact upon the town as a whole. Business may benefit from being located closer together, making the customer experience more pleasant without lengthy walks between different areas of the town.

There is a lack of student awareness in terms of local businesses and the retail that is available. Interaction could be improved through the better promotion of student discount schemes, particularly amongst independent shops, to develop local relationships between students and traders.

Users of the town centre are currently mostly residents within a five mile radius, and 95% of visitors to Kingsate have previously visited. The town needs to grow further than this, and current shoppers also need to be retained

through having 'positive experiences.'

(e) There are many positive opportunities for the town centre;

- Queensgate Market has space to develop and has a good range of businesses. It would benefit from 7 day opening as specific Sunday openings (eg, second Sunday of the month) do not draw enough trade. All traders need to embrace the benefits that this could bring rather than 'opt out', as currently happens with late night Thursday openings in the run up to Christmas by recognising the positive impact this could have for trade within the market. There needs to be a renewed confidence within the market. Currently outlets are busy, some particularly with students.
- The town centre needs many more places to socialise, opportunities to have coffee with friends and allow people to enjoy the experience of being in town, which could be enhanced through increased outdoor seating areas and pedestrianisation.
- The town needs to embrace the benefits of having a local, popular theatre located within the ring road. In the past five years, the theatre has brought in £4m of investment and the 2015 Economic Impact Study showed that audiences brought in £700k annually.
- The development of Kingsgate will have a major positive development on the town, and the benefits that it will bring to the town as a whole need to be recognised and embraced.
- There is great potential for Kirklees College to integrate into the town centre, particularly the support that local businesses could provide to students by offering work placement opportunities.
- There is a growing national demand for leisure activities, including food and drink, and the town centre needs to quickly respond to this, being able to have 'an offer' that is appealing to customers who want a shopping and/or leisure experience.
- The town has many high growth businesses, particularly technical and digital, which have an increasing number of employees. The town would benefit from being seen as 'having an edge' for such industries and encourage other businesses into the area.

(f) The content of (a) the report of Overview and Scrutiny Management Committee – Huddersfield Town Centre Accessibility Scheme (Bus Gates) and (b) the Huddersfield Town Centre Access and Connectivity Project Impact Assessment Report. In particular the Working Party noted (i) the positive impact of recent changes to town centre traffic management (ii) that the benefits brought to the town centre by introduction of the bus gates scheme, including improvements in air quality and reduced congestion, outweighed the concerns that had been presented (iii) the need to give consideration to supporting 'click and collect' shopping methods, particularly in the Westgate area of the town centre (iv) the need for new ways of town centre living and operating to be supported (v) the need to consider how further traffic management options can be used to improve the standard of town centre living and (iv) the need to work with local business to support them in adapting to operating within a safer and healthier town centre environment.

9. WORKING PARTY RECOMMENDATIONS

1. There needs to be a clear, communicated vision for the town, which should be business led, in order to drive the town forward and overcome the current lack of agreement and direction in how to achieve this. The town needs to establish itself as a brand and be visually appealing in order to attract investment.
2. The Car Parking areas within the town need to be smarter, with improved car parking experiences, for example, with ANPR facilities (within privately owned car parks), brighter, safer, colour coded, marked zones, which will provide customers with an 'easy parking' experience and attract more visitors to travel into the town by car.
3. There needs to be improved signage, both in and around the town, particularly it was considered that the town centre would benefit from increased and well positioned signage to car parks, and on the approach roads.
4. The town needs to adhere to standards of up-keep and there needs to be an enhanced awareness of retailers that shopping is a leisure activity. The town centre needs to be attractive and appealing, and develop an evening economy - the challenge is to create a town that is vibrant until 9pm and flexible in terms of delivering an evening/weekend shopping experience.
5. There is a need to reinvigorate cultural regeneration, support local talent development and take advantage of the existing large creative economy.
6. There are many opportunities for the town, and the Council, University and Football Club, as major beneficiaries of a vibrant and sustainable town centre, to work together, with businesses, to create an improved and thriving town centre location.
7. The Working Party supports further progress and improved measures to increase the appeal of the town centre, and encourages the partnership working of key stakeholders to continue to work together and create a safer and healthier community for residents to live and work in, and to enjoy the amenities of the town centre.

ATTENDEES/WITNESSES AND SOURCES OF EVIDENCE

The Working Party would like to convey thanks to all attendees/witnesses for the input that they have provided;

David Price Baghurst – Queensgate Market
Mark Smith – Queensgate Market
Paul Wright – New River Retail
Sarah Cooper – Boots/Lead – Huddersfield Healthy High Street
Jonathan Hardy – Kingsgate
Brent Wood – Media Centre
Lydia Blundell – Huddersfield Students Union
Vernon O'Reilly – Huddersfield Piazza/Chair of Huddersfield Partnership)
Andrew Wilson – Making Spaces
Karen O'Neill – Lawrence Batley Theatre
Andy Croughan – Rail Station Manager, Huddersfield and Dewsbury
Paul Keighley – Bramleys/Huddersfield Town Centre Action Group
Alisa Devlin – La Fleur//Huddersfield Town Centre Action Group
Gina Henselman – Merrie England//Huddersfield Town Centre Action Group
Cllr Peter McBride – Cabinet Member – Economy, Skills, Transportation, Planning

Documents;

Overview and Scrutiny Panel (Development and Environment) Town Centre Strategy Report, March 2015
Huddersfield Town Centre Access and Connectivity Project – Impact Assessment Report, July 2017
Report of Overview and Scrutiny Management Committee – Huddersfield Town Centre Accessibility Scheme (Bus Gates), September 2017
Huddersfield Town Centre Access and Connectivity Report, September 2017

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 27th June 2017

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

Apologies: Councillor Viv Kendrick

251 Membership of the Committee

Apologies for absence were received on behalf of Councillor Kendrick.

252 Interests

No interests were declared.

253 Admission of the Public

It was noted that Agenda Item 13 would be considered in private session (Minute No. 263 refers).

254 Deputations/Petitions

Cabinet received a petition submitted by Councillor Eric Firth, on behalf of residents of Fairfield Terrace, Dewsbury, requesting the introduction of a residential parking permit scheme for the street.

255 Public Question Time

No questions were asked.

256 Member Question Time

No questions were asked.

257 Cabinet Portfolios

Cabinet received notification of the Leader's revised Cabinet Portfolio arrangements, in accordance with Article 7.3.2 of the Constitution. The report advised that the portfolio arrangements as below, and had been submitted to, and accepted by, the Chief Executive on 14 June 2017;

Strategy, Strategic Resources, New Council and Regional Issues Portfolio –
Councillor Sheard (Leader) and Councillor Pandor (Deputy Leader)

Children's Portfolio – Councillor Ahmed and Councillor Hill (Statutory Responsibility for Children)

Adults and Public Health Portfolio – Councillor Scott and Councillor Kendrick

Economy Portfolio – Councillor Mather and Councillor McBride

Corporate Portfolio – Councillor Khan and Councillor McBride

RESOLVED –

That the revised Cabinet Portfolio Arrangements, in accordance with Article 7.3.2, be noted.

258 Revised Play Strategy and Delivery

(Under the provisions of Council Procedure Rule 36(1) Cabinet received representations from Councillors Lawson, N Turner, and J Taylor)

Cabinet gave consideration to a report which sought approval of a new play strategy and to undertake a public consultation on revising play provision. The report advised that the revised play strategy had been developed to be reflective of both budget pressures and the need to redefine the play offer in the district to promote a broader concept of promoting social and personal skills, and provide a forum for social cohesion and community engagement. Cabinet noted that the play strategy was last reviewed in 2006, and that it was now necessary to review play provision in order to (i) ensure that demographic provision is appropriate (ii) consider changes in play philosophy since the 2006 review and (iii) consider ongoing budgetary pressures and identify appropriate efficiencies.

The report advised that the proposed engagement process was intended to last five months, and that it was anticipated that, by the end of October all data to determine affected sites, a priority roll out list, and a costed model, should be available. A further report was to be submitted to Cabinet during spring 2018, which would detail a costed implementation plan and provide a schedule of works to deliver the strategy. Cabinet noted that the changes would range from the removal of play equipment and re-profiling of areas into play spaces, to the provision of equipped

play areas to give enhanced adventurous and multi-age play to cater for as many children, young people and adults as possible.

RESOLVED -

That authority be delegated to the Service Director (Commercial, Regulatory and Operational) to approve the detailed engagement process and subsequent delivery model on how play will be specifically delivered in the district, according to the principles held within the strategy document.

259 Proposals for use of the new monies for adult social care announced by the Chancellor in the Spring Budget 2017

Cabinet received a report which provided details of a recent announcement by national government in regards to new grant allocations for adult social care, and proposals for the approach to the use of monies in line with the Council's budget strategy. Cabinet noted that, following the Council setting its budget for 2017/2018, the Government had announced a new grant allocation for adult social care over the next three years in the spring budget. The additional grant came with a set of conditions, including the requirement to build upon the existing Better Care Fund Plan, and to provide stability and extra capacity in the local adult social care system.

The report advised that proposals were being developed for the use of the additional grant allocation that would deliver benefits to local people with care needs, the health and social care systems and local adult social care providers, and that the approach was built upon a set of principles which recognised the importance of sustaining the current market, innovation and transformation that would deliver a more sustainable and effective system. It explained that the proposed financial strategy for the new allocations sought to minimise the risk to the Council's budget strategy and focus upon pump prime key initiatives to respond to service and market pressures, supporting enabling activity to drive transformation and savings as set out in the 2017-2021 Medium Term Financial Plan.

Paragraph 2.4.3 of the considered report set out nine proposed areas of investment, totalling £2595,000. Cabinet noted that the report would be submitted to the meeting of Council on 11 July 2017 for decision, and that subject to approval, the funding would be incorporated into the Better Care Fund Section 75 pooled budget arrangements and would be subject to the same governance arrangements as the Better Care Fund.

RESOLVED -

- 1) That the proposed financial strategy, as detailed at paragraph 2.3 of the considered report be endorsed.
- 2) That the Improved Better Care Fund Principles, as detailed at paragraph 2.4.2 of the considered report, and the proposed areas for investment in 2017/2018, as detailed at paragraph 2.4.3, be endorsed.
- 3) That the report be submitted to the meeting of Council on 11 July 2017.

- 4) That further proposals be developed, taking into account the final guidance and allocations, and that a report be submitted to Cabinet and Council as part of the budget strategy update in September 2017.

260 Term Dates for the Academic Year September 2018 to July 2019

Cabinet received a report which sought approval of Term Dates for the Academic Year September 2018 to July 2019. The report indicated that statutory regulation required that 195 school days were to be identified in any academic year and that the Kirklees Policy (1993) for determining school term dates was set out at Appendix 1 of the considered report. Cabinet noted that, in the interests of pupils, families and staff, the majority of own admission authority schools also co-ordinated with those dates set by the Council.

The report recommended that the following dates be confirmed for the 2018/2019 academic year;

Autumn Term – 3 September 2018 to 21 December 2018 (half term 29 October to 2 November inclusive)

Spring Term – 7 January 2019 to 12 April 2019 (half term 18 February to 22 February inclusive)

Summer Term – 29 April 2019 to 22 July 2019 (half term 27 May to 31 May inclusive)

RESOLVED –

- 1) That it be noted that the term dates for the academic year 2018 to 2019 meet the required number of school days as set out within statutory regulation.
- 2) That it be noted that Kirklees Council's policy for school term dates generates 2018/2019 dates which reflect some variation from dates set by neighbouring authorities.
- 3) That it be noted that, following consultation, the Autumn half term holiday be adjusted as set out in Appendix 2 of the considered report.
- 4) That the term dates for the 2018/2019 academic year be agreed as detailed within the considered report (at Appendix 3).

261 Dewsbury Townscape Heritage Initiative Grant Application 7-9 Corporation Street

Cabinet gave consideration to a report which sought approval of a Dewsbury Townscape Heritage Initiative grant towards improving 7-9 Corporation Street. The report advised that the Council had been awarded £2m by the Heritage Lottery Fund, and that £1.7m had been matched by the Council, to provide a total fund of £3.7m over five years. The Dewsbury Town Heritage Initiative regeneration programme, launched in June 2018, will run until July 2018. Cabinet noted that the owner of 7-9 Corporation Street had put forward a scheme of repair, replacement

and refurbishment for the property, which was complimentary to previous Town Heritage Initiative works undertaken in Corporation Street, which were eligible for grant funding. The report advised that the proposed scheme was consistent with work carried out to other properties in Corporation Street, hence delivering uniformity of high quality traditional frontages to enhance the streetscape and contribute to the economic confidence of the town.

(Cabinet gave consideration to exempt information at Agenda Item 13 (Minute No. 263 refers) prior to the consideration of this item).

RESOLVED –

- 1) That approval be given to the award of a Town Heritage Initiative Grant in accordance with the amounts specified in Appendix 2 of the considered report.
- 2) That authority be delegated to the Service Director (Economy and Infrastructure) to authorise actual payment of the grant, upon receipt of a completed application form and all necessary supporting information.
- 3) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into and seal all grant arrangements, legal charges and ancillary documents relating to the grant.

262 Exclusion of the Public

RESOLVED –

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.

263 Dewsbury Townscape Heritage Initiative Grant Application 7-9 Corporation Street

(Exempt information under paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972 relating to the financial or business affairs of persons (or the Authority holding that information) and specifically, information relating to the applicant's financial status and contractor tender prices. It is considered that the disclosure of the information would adversely affect the companies concerned. The public interest in maintaining 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 received exempt information prior to the determination of Agenda Item 11 (Minute No. 261 refers).

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 11th July 2017

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

Apologies: Councillor Erin Hill
Councillor Graham Turner

264 Membership of the Committee

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

265 Minutes of previous meeting

RESOLVED –

That the Minutes of the Meeting held on 30 May 2017 be approved as a correct record.

266 Interests

No interests were declared.

267 Admission of the Public

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

268 Deputations/Petitions

No deputations or petitions were received.

269 Public Question Time

No questions were asked.

270 Member Question Time

No questions were asked.

271 Discretionary Business Rate Relief - 1st April 2017

Cabinet gave consideration to a report which set out a number of future options for the discretionary business rate relief scheme. The report made reference to the announcement of the Chancellor (March 2017) regarding funding of £300m over a four year period for discretionary relief, from 2017/18, to support businesses which faced the steepest increases in business rates as a result of the 2017 evaluation. Local Authorities would be provided with a share of the funding to support local businesses, which would be administered through discretionary relief powers of the Local Government Finance Act 1988. Cabinet noted that the grant was subject to the condition that the billing authorities consulted their major precept authorities before adopting a new scheme.

The report advised that the £300m funding had been distributed based upon two criteria relating to the size of the property and the increase in rates whereby (i) the rateable property has a rateable value for 2017/18 that is less than £220,000 and (ii) the increase in the rateable property's 2017/18 bill is more than 12.5%. Cabinet noted that a number of options had been considered and the report set out a narrative on the three options of (i) an area based approach (ii) a qualitative approach to target key sectors of the local economy and (iii) a West Yorkshire transitional scheme.

Cabinet noted that the option of a local West Yorkshire transitional relief scheme was identified as the preferred option, and should minimise risks associated with a legal challenge, as well as the possibility of sharing the costs of a legal challenge.

RESOLVED -

- 1) That approval be given to Option 3, as detailed at paragraph 2.11 of the considered report, and that a local West Yorkshire transitional relief scheme be the preferred option for discretionary business rate relief.
- 2) That the Service Director (Finance, IT and Transactional Services) be delegated responsibility to conclude the preceptor consultation exercise and, assuming a positive response from the Police consultation exercise, put in place the relevant steps to enable the Council to implement the new business rate relief scheme.

272 Corporate Plan 2017/18

Cabinet received a report, prior to its submission to Council on 11 July 2017, which sought endorsement for the approval of the Corporate Plan 2017/2018. The Plan summarised the strategic aspirations for the Council for the financial year and

provided the context within which corporate service planning and performance reporting takes place. It also set out details of key themes for the year, and seven shared outcomes for Kirklees which had been developed with partners in the public, private and voluntary sectors. The report explained that the Plan had been developed within the resource availability and budget approved at Council on 15 February 2017 and that the key themes included activities that would make a positive contribution to (i) early intervention and prevention (ii) economic resilience (iii) improving outcomes for children (iv) reducing demand of services and (v) other, e.g. legal, financial, human resources.

RESOLVED -

- 1) That the Corporate Plan 2017/2018 be endorsed and submitted to the meeting of Council on 11 July 2017 for approval.
- 2) That authority be delegated to the Chief Executive, in consultation with the Leader and Deputy Leader, to make any consequential amendments following the meeting of Council on 11 July 2017.

273

West Yorkshire Joint Services Trading Company

Cabinet received a report which set out the background to the proposed establishment of a trading company, and a business case to support the decision that had already been made in principle by the West Yorkshire Joint Services Committee and sought approval for the Council to participate in the company. The report advised that the trading company structure would allow certain activities to be sold to the private sector only where there was no power to trade through the Committee, and that work to the public sector would continue to be provided through the Joint Committee structure. The considered report provided an overview of matters relating to the detail of the proposal, future proofing the model, shareholding, reserved matters, procurement issues and finance.

Appendix 1 to the considered report detailed legal implications, and a summary of the business case, which was considered and approved by the West Yorkshire Joint Services Committee in December 2016, was attached at Appendix 2.

The report explained that once all five of the West Yorkshire Councils, who were the signatories to the West Yorkshire Services agreement have agreed to the establishment of the trading company, the Committee would make a final decision to create the company and the necessary legal processes would be completed.

RESOLVED -

- 1) That the legal position, as set out at Appendix 1 of the considered report be noted, specifically that the company will be a controlled company for the purposes of the Local Government and Housing Act 1989.
- 2) That it be noted that the Council provides an indemnity to its appointed representative under the terms of the Local Authorities (Indemnities for Members and Officers) Order 2004.

- 3) That approval be given to the Business Case as attached at Appendix 2 of the considered report which supports the proposal to trade through the establishment of a trading company.
- 4) That approval be given to the formation of a Holding Company to be limited by shares wholly owned by the founding members of the West Yorkshire Joint Services Committee, and to four subsidiary companies for Materials Testing, Calibration Services, Archaeological Services and Business Hive, to be owned by the Holding Company.
- 5) That approval be given to the Council being involved as shareholder in West Yorkshire Joint Services Trading Company and its subsidiaries, as detailed within the considered report.
- 6) That approval be given to participate as Directors of the company as detailed in the considered report.
- 7) That the proposed governance and funding arrangements for the company be as detailed in the considered report.
- 8) That approval be given to participation through a shareholders agreement on the terms drafted within the report, and that the Service Director (Legal, Governance and Commissioning) be authorised to agree final terms and execute the agreement on behalf of the Council which should be on the same basis as the contribution rates payable to West Yorkshire Joint Services.
- 9) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to agree terms and enter into an agreement with the other four constituent authorities to indemnify Wakefield Council against any loss incurred as a result of making a working capital loan to West Yorkshire Joint Services HoldCo, on the same basis as the contribution rates payable to West Yorkshire Joint Services.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 25th July 2017

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

Observers/Guests Councillor Elizabeth Smaje
Councillor Julie Stewart-Turne

Apologies: Councillor Erin Hill
Councillor Graham Turner

274 Membership of the Committee

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

275 Interests

Councillor McBride declared an 'other' interest in Agenda Item 11 on the grounds that he is a Board Member of KSDL and left the meeting during the consideration of this item.

276 Admission of the Public

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

277 Deputations/Petitions

No deputations or petitions were received.

278 Public Question Time

No questions were asked.

279 Member Question Time

No questions were asked.

280 Proposed remedial works for ground stabilisation at A635 Holmfirth Road, Shepley

Cabinet received a report which sought approval to undertake remedial works to mitigate ground movements and stabilise the highway at the A635, Holmfirth Road, Shepley. The report advised that the route was a major classified road linking the M1 to the south of Kirklees, and neighbouring towns. It explained that the road, near its junction with Rowgate had been subject to ongoing ground movement over the past 65 years which had caused the highway, and a substantial retaining wall, to fail on several occasions leading to the partial; closure of the road, pending the implementation of interim remedial measures.

Cabinet noted that the proposed remedial works, which would mitigate ground movements and stabilise the highway, including its retaining structures, were based upon the outcome of extensive site investigation that had been undertaken to identify the underlying cause/s of the movement so as to devise a remedial scheme which would resolve the subsidence problem. The report explained that the current proposals included the construction of large bored reinforced concrete piles over the affected section to mitigate the ground movements and stabilise the highway and substantial retaining wall, and that the works would largely be funded through additional funding secured through a successful Challenge Fund bid. Cabinet were informed that the proposed works could be constructed whilst maintaining a single lane shuttle working to minimise disruption, and that they were anticipated to commence in September 2017, lasting a period of approximately 12 weeks.

RESOLVED -

That approval be given for ground stabilisation remedial works to be undertaken on the A635, Holmfirth Road, Shepley.

281 New Inclusion and Diversity Strategy and Action Plan

Cabinet received a report which sought approval for the Council's new Inclusion and Diversity Strategy, and Action Plan, prior to its submission to the meeting of Council on 13 September 2017. The report explained that, since the adoption of the Inclusion and Diversity Policy statement at Council during March 2016, work had been undertaken to develop a long term strategy to put in place practical measures and embed key principles as outlined in the Statement and Action Plan. Cabinet were advised that, in the first year of the four year action plan, there would be an internal focus in respect of outcomes and measures, and that once progress against outcomes had been measured, there would be a more external focus on outward-facing community related issues, which would be incorporated into the plan in years 2, 3 and 4.

The 2017-2021 Inclusion and Diversity Strategy, and Action Plan, was attached at Appendix One of the considered report.

RESOLVED -

That the Inclusion and Diversity Strategy and Action Plan be endorsed and submitted to the meeting of Council on 13 September 2017.

282 Specialist Provision for Kirklees Children with Communication and Interaction Needs

Cabinet received a report which set out details of the outcomes of the non-statutory consultation on the proposed new communication and interaction provision to be hosted by Windmill Church of England Voluntary Controlled Primary School. The report advised that, following the meeting of Cabinet on 7 March 2017, a process began to identify a host school for the proposed provision, and sought expressions of interest over a four week period, following which four applications were received. A review of the applications determined that Windmill C of E (VC) Primary School was the preferred host. Following this, Cabinet gave authorisation on 4 April 2017 for officers to develop plans for a non-statutory consultation on the proposals, and to complete the legal process to decommission the specialist provision at Ashbrow School for children with speech, language and communication needs.

Cabinet were asked to note the responses to the non-statutory consultation, as detailed within the considered report, and authorise officers carry out the next stage of the legal process to establish twelve transitional places for children with communication and interaction needs at Windmill C of E (VC) Primary School and decommission the twelve transitional places at Ashbrow School. It was noted that the outcomes of representations received during the statutory publication period would be submitted to Cabinet in September 2017, following the four week period of publication of notices during August 2017, and that subject to approval, implementation was expected to take place during October 2017.

RESOLVED -

- 1) That the responses to the non-statutory consultation regarding establishing a new communication and interaction provision to be hosted by Windmill Church of England Voluntary Controlled Primary School, providing twelve transitional places, be noted.
- 2) That Officers be requested to take steps to carry out the next stage of the legal process to;
(i) establish twelve transitional places for children with communication and interaction needs at Windmill Church of England Voluntary Controlled Primary School, (ii) decommission twelve transitional places for speech, language and communication needs at Ashbrow School and (iii) report the outcomes of the representations received during the statutory publication period to Cabinet.

283 Ad Hoc - Adult Mental Health Assessments

(Under the provision of Council Procedure Rule 36(i) Cabinet received representations from Councillors Smaje and Stewart-Turner.)

Cabinet received a report which set out the findings of the Ad-Hoc Scrutiny Panel – Adult Mental Health Assessments. The report explained that the Panel had been established following expressions of concern in relation to waiting times between referral and assessment for mental health problems, difficulties in accessing mental health intervention prior to crisis, and prioritisation by voluntary and statutory services. The terms of reference of the Panel sought to understand the pathway for assessments in Kirklees, from the initial need for referral to assessment, and onto treatment.

The report advised that the Panel met between April 2016 and June 2017 to carry out its work, which included engaging with representatives of the South West Yorkshire Foundation Trust, Greater Huddersfield CCG, and voluntary support groups.

The findings and arising recommendations of the Panel were set out within an appendix to the considered report, alongside an action plan which detailed the completion targets of each recommendation. Cabinet were asked to note the findings, alongside the responses of health partner. It was agreed that it would be beneficial to support the report to the next meeting of Council for the information of all Members.

RESOLVED -

- 1) That the findings of the Ad-Hoc Scrutiny Panel (Adult Mental Health Assessments), and the response on the recommendations from partner organisations, be noted.
- 2) That the report be submitted to the meeting of Council on 13 September 2017 for information.

284 Kirklees Stadium Development Ltd - Request for Short Term Loan Facility

Cabinet gave consideration to a report which set out details of a request from Kirklees Stadium Development Limited (KSDL) to provide a loan facility of £200k for a period of twelve months, on commercial terms. The report explained that KSDL were requesting that the Council considered providing a loan, on full commercial terms, of £200k for a period of twelve months in order to give KSDL the ability to manage its cashflow until the next payment of funds in respect of HD One development is due to be received from the developer of the scheme. It was noted that the proposed loan would be secured as part of the Council's first ranked charge on the assets of KSDL.

Paragraph 2 of the considered report detailed the reasons for the request and the recent change in position from KSDL's bankers, explaining that offering to provide a £200k facility would provide the Council with the opportunity to earn interest on the loan at a fully commercial rate which would be substantially in excess of what the

Council could generate on a short term deposit, and that KSDL would not be disadvantaged by this as the terms would be equivalent to those by the bank. The report explained that, on balance, it was recommended that KSDL's request be approved, and that rather than providing a guarantee to the company's bank to underpin a facility of £200k, the loan should be provided direct by the Council.

RESOLVED -

- 1) That approval be given to the offer of a loan facility of £200 to KSDL, for the period up to 31 July 2018, at a commercial rate of interest.
- 2) That authority be delegated to the Service Director (Legal, Governance and Commissioning), in consultation with the Strategic Director (Economy and Infrastructure), to enter into a suitable loan agreement and amend existing security arrangements to incorporate the additional £200k advance, entering into all deeds and documents necessary to give effect to the amendments.

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KIRKLEES COUNCIL

CABINET

Monday 31st July 2017

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

Apologies: Councillor Erin Hill

Observers: Councillor Martyn Bolt

285 Membership of the Committee

Apologies for absence were received on behalf of Councillor Hill.

286 Minutes of previous meeting

Approved as a correct record.

287 Interests

Councillor McBride declared an 'other' interest in Agenda Item 14 and left the meeting during the consideration of that item.

288 Admission of the Public

It was noted that all Agenda Items 16, 17 and 18 would be considered in private session.

289 Deputations/Petitions

No deputations or petitions were received.

290 Public Question Time

Cabinet received a question from Derek Hardcastle regarding the progress of the asset transfer of Kirkburton Library to Kirkburton Parish Council.

A response was provided by Councillor G Turner.

291 Member Question Time

Cabinet received a question from Councillor Bolt regarding the progress of the asset transfer of Mirfield Library.

A response was provided by Councillor G Turner.

292 Property Investment Fund

(Under the provision of Council Procedure Rule 36 (1) Cabinet received a representation from Councillor Bolt).

Cabinet received a report which set out details of a proposal to create a property Investment Fund (PIF) which would allow the Council to support major development projects which produce wider economic benefits to the Council and the wider Kirklees economy. The report explained that the proposal, which would initially allocate £25m from the Capital Plan, would enable the Council to offer loans to development projects which offered significant economic benefits to the Council, and the wider Kirklees area. Cabinet were advised that any funding offers would be made on the basis that the loan repayments made by the recipient would cover the Council's financing costs and allow for an appropriate margin on cost of funds reflecting the level of risk involved and consistent with state aid principles. The report advised that all funding offers made would be subject to appropriate due diligence and security arrangements, and that each individual loan would be subject to a further submission to Cabinet. Cabinet noted that the £25m budget would be phased as; £5m in 2017/18, £15m in 2018/19 and £5m in 2019/20.

The report indicated that a significant number of local authorities' had created similar arrangements to enable returnable investments to be made in development projects, and that the key areas of focus had mainly been; stimulating the economic strategy, promoting development to sustain and develop a robust local economy, growth in the business rate base, and allowing land and property owned by the authority to be transferred to a different ownership model to reduce revenue budget exposure. It was noted that, within Kirklees, there were a number of potential schemes which would meet the broad objectives of a PIF and would allow the Council to intervene to stimulate the local economy and increase revenue flows or reduce liabilities.

RESOLVED -

That approval be given to the establishment of a Property Investment Fund (PIF) with £25m of provision being made in the Capital Plan, phased as detailed in paragraph 3.5 of the considered report.

293 Options for the future of Council operated older person Residential Care Facilities

(Under the provision of Council Procedure Rule 36 (1) Cabinet received a representation from Councillor Bolt).

Cabinet gave consideration to a report which set out options on the future of (i) dementia care residential facilities at Castle Grange, Newsome and Claremont House, Heckmondwike and (ii) intermediate care residential facilities at Ings Grove House, Mirfield and Moorlands Grange, Netherton, all of which were constructed in 2006 and are currently operated by the Council.

The report explained that, due to a reduction in the overall Council budget, it would be necessary to review how the Council delivers and pays for residential care, both immediate and long term residential. The report outlined the work that date been undertaken to date to examine potential alternative delivery models, including a consultation exercise with residents and their families. The report sought approval for authority to be delegated to officers to make the final decision as to the disposal of the care homes, in accordance with the preferred to option for each, ie, for Ings Grove House and Moorlands Grange (Intermediate Homes) to be transferred to a single provider, and for Claremont House and Castle Grange (Residential Homes) to be transferred to one or more private or third sector providers following a competitive procurement process.

A copy of the consultation questionnaire was attached at Appendix A of the report. Appendix B, which was considered in private prior to the determination of this item, set out more specific detail on the transfer of ownership of the homes to another body through a long lease arrangement.

(Cabinet gave consideration to exempt information at Agenda Item 16 (Minute No. 300 refers) prior to the determination of this item).

RESOLVED -

- 1) That, in relation to Immediate Homes, (i) approval be given to the alternative provision as set out in Appendix B of the considered report (ii) the terms and timing of any further consultation be delegated to the Chief Executive (or their nominee) in consultation with Cabinet Portfolio Holders for Corporate/ Adults and Public Health (iii) upon receipt and evaluation of the terms of the proposals as set out in Appendix B, powers to agree the preferred options be delegated to the Chief Executive (or their nominee) in consultation with Cabinet Portfolio Holders for Corporate /Adults and Public Health to inform a final decision (iv) following such a decision by the Chief Executive (or their nominee) authority be delegated to the Service Director (Legal, Governance and Commissioning), to enter into and execute any agreements or instruments relating to the transfer of a business and/or disposal of assets.
- 2) That, in relation to Residential Homes, (i) approval be given to market the residential homes for business transfer and delegate the terms and timing of any further consultation to the Strategic Director (Adults and Health) in consultation with Cabinet Portfolio Holders for Corporate/ Adults and Public Health (ii) upon receipt and evaluation of the terms of the sale of business proposals, authority be delegated to the Strategic Director (Adults and Health) in consultation with Cabinet Portfolio Holders for Corporate/ Adults and Public Health, to agree the preferred options (iii) following such a decision by the Strategic Director (Adults and Health) authority be delegated to the Service Director (Legal, Governance and Monitoring) to enter into and

execute any agreements or instruments relating to the transfer of a business and/or disposal of assets.

294 Freehold Asset Transfer of Birstall Community Centre and Library, Market Street, Birstall, WF17 9EN

Cabinet received a report which set out a proposal to transfer the land and buildings which currently make up Birstall Community Centre and Library to Birstall Community Holdings Ltd (BCH) (or Charitable Incorporated Organisation) on a freehold transfer. Paragraph 2 of the considered report set out the background to the transfer which included detail relating to the submission of the business case, and proposals for the lease back of part of the asset to enable the Council to continue to provide a library service from the building. The report advised that the building was in an acceptable state of repair, though a condition survey had identified required works totalling £48,835, and that the running costs for 2016/17 had been £33,029, hence making the transfer revenue saving. It also advised that BCH had requested 15% of the average of the previous two years running costs, in line with the 2017 Community Asset Transfer Policy, which would result in a one-off revenue implication of £5,003.

RESOLVED -

- 1) That authorisation be given, in principle, to the freehold transfer of Birstall Community Centre and Library to Birstall Community Holdings Ltd or Charitable Incorporated Organisation (CIO) if created in sufficient time for nil consideration, to include covenants for community use with the exception of up to 30% commercial use, subject to Birstall Community Holdings Ltd providing information relating to ongoing CIO governance, details of the Management Committee and its Members, and the outcome of the second round of consultation before the legal completion of transfer.
- 2) That authorisation be given to a requirement within the transfer to lease back part of the asset for use of the Library and Information Centre for a period of five years with a three month break clause at nil rent but with an agreed service charge.
- 3) That it be required that the asset transfer contains arrangements that enable the Council to continue to use the property as an Electoral Polling Station, as this is not outlined within the 2017 Community Asset Transfer Policy.
- 4) That authority be delegated to the Service Director (Economy, Regeneration and Culture) and Service Director (Legal, Governance and Commissioning) to negotiate and agree the terms and red line boundary of both the freehold transfer of the Centre and the leaseback for the library to Birstall Community Holdings Ltd or CIO, if created within sufficient time to complete the transfer.

295 125 Year Leasehold Asset Transfer of Honley Community Centre, Stoney Lane, Honley, HD9 6DY

Cabinet received a report which set out a proposal to transfer the land and buildings which currently make up Honley Community Centre to Netherton Community Centre CIC (NCC) on a 125 year leasehold transfer. Paragraph 2 of the considered report set out the background to the transfer which included detail relating to the submission of the business case, and the current operation of the Centre. The report advised that the building was in an acceptable state of repair, though a condition survey had identified required works totalling £67,855 and that the running costs for 2016/17 had been £6,723, hence making the transfer revenue saving. It also advised that NCC had requested 15% of the average of the previous two years running costs, in line with the 2017 Community Asset Transfer Policy, which would result in a one-off revenue implication of £874.52.

RESOLVED -

- 1) That authorisation be given, in principle, for the 125 year leasehold transfer of Honley Community Centre to Netherton Community Centre Community Interest Company (CIC) for nil consideration and to include covenants for community use with the exception of up to 30% commercial use, subject to Netherton Community Centre CIC providing information relating to the CIC governance, an increase in Directors on its Board, full details of the Management Committee and their accounts for 2016/2017.
- 2) That it be required that the lease contains arrangements that enable the Council to use the property as an Electoral Polling Station, as this is not outlined in the 2017 Community Asset Transfer Policy.
- 3) That authority be delegated to the Service Director (Economy, Regeneration and Culture) and the Service Director (Legal, Governance and Commissioning) to negotiate and agree the terms of the lease (including the red line boundary of the 125 year leasehold transfer) that relate to the transfer of Honley Community Centre to Netherton Community Centre CIC.

296 Update on the Council Financial Outturn and Rollover Report 2016-17; deferred at Council on 11 July 2017

Cabinet received a report which set out an update on the Council's financial outturn and rollover report, following its deferral at the meeting of Council on 11 July 2017. The report explained that the discrepancies with figures previously presented had been reviewed and had been identified as mainly typographical errors, with the overall revenue and capital budget outturn positions being unaffected by the corrections. The revised figures were summarised within an appendix to the considered report. It was noted that the revisions would be submitted to the next meeting of Council on 13 September 2017.

RESOLVED -

That the corrections as set out within the report be noted and that the report be submitted to the meeting of Council on 11 September 2017.

297 Investment in Transformation Update

Cabinet gave consideration to a report which provided an update on the Council's transformation programme, specifically on the scope of work that had been agreed with Deloitte for the 2017/2018 financial year, and sought approval for funding from the New Council Development Reserve to support it. The report advised that the Chief Executive, as Chair of the Transformation Portfolio Board, had given approval for funds to be drawn down to support the activity to date, in accordance with the delegation agreement and explained subsequent changes to the governance arrangements to the New Council Programme.

The report explained Deloitte's role in supporting the Council to identify savings and implement the changes needed, and advised that an agreement had been reached that priority support would be focussed upon Adult Social Care, All Age Disability, Children's Services Improvement and Transformation, Procurement and Sufficiency and Planning.

It was noted that Cabinet would receive regular reports, as part of the quarterly revenue monitoring report cycle, on the use of the New Council Developments Reserve and the overall programme of work for New Council.

(Cabinet gave consideration to exempt information at Agenda Item 17 (Minute No. 301 refers) prior to the determination of this item).

RESOLVED -

- 1) That it be noted that the Chief Executive, in her capacity as Chair of the Transformation Board, has given approval for funds to be drawn down from the New Council Development Reserve to support this activity to date, in accordance with the delegation agreed by Cabinet for this reserve in July and August 2015.
- 2) That the New Council Development Reserve be utilised to support the next phase of the Council's transformation programme in line with the proposals set out in the considered report.
- 3) That it be agreed that overall budget responsibility for the New Council Development Reserve be delegated to the Chair of the Redesign Board.

298 John Smith's Stadium Site, Huddersfield - request to restructure existing Lease Agreements

Cabinet received a report which set out a request from Kirklees Stadium Development Ltd to restructure existing lease arrangements in respect of John Smith's Stadium site to facilitate the HD One development. The report advised that, as part of the preparation work for the development, KSDL had requested that the Council restructures the existing leases in order to provide three new leases to cover the discrete areas of the site as planned as part of the development, and that the new leases be for a period of 250 years to meet funder expectations. The report advised that the progression of proposals for HD One were now at a stage whereby

potential funders required an extended term for the leases that KSDL was able to provide to them, and that a term of 250 years would allow optimal funding terms to be secured. An appendix to the considered report illustrated the three site areas requested for the 250 year lease arrangement.

(Cabinet gave consideration to exempt information at Agenda Item 17 (Minute No. 302 refers) prior to the determination of this item).

RESOLVED -

- 1) That the proposal from KSDL to restructure the existing property leases at the Stadium site and dispose of the additional Council land as set out at paragraph 2.5 of the considered report be accepted.
- 2) That the Strategic Director (Economy and Infrastructure) and Service Director (Legal, Governance and Monitoring) be authorised to negotiate and agree the terms of the new lease restructure.
- 3) That the Service Director (Legal, Governance and Commissioning) be authorised to enter into and complete all documentation necessary to implement the requested lease structure.

299 Exclusion of the Public

300 Options for the future of Council operated older person Residential Care Facilities

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It was considered that it would not be in the public interest to disclose the information contained in the report as disclosure could potentially adversely affect overall value for money and could compromise the commercial confidentiality of the bidding organisations and may disclose the contractual terms, which is considered to outweigh the public interest in disclosing information including greater accountability, transparency in spending public money and openness in Council decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 9 (Minute No. 293 refers).

RESOLVED -

Cabinet received exempt information prior to the determination of Agenda Item No. 9.

301 Investment in Transformation Update

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation)

Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It was considered that the public interest in maintaining the exemption, which would protect the interests of the Council and third party organisations concerned, outweighed the public interest in disclosing the information and providing greater openness in the Council's decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 13 (Minute No. 297 refers).

RESOLVED -

Cabinet received exempt information prior to the determination of Agenda Item No. 13.

302 John Smith's Stadium Site, Huddersfield Request to restructure existing lease arrangements

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It was considered that it would not be in the public interest to disclose the information as disclosure could adversely affect overall value for money and compromise the confidentiality of the bidders and the Council. The public interest in maintaining the exemption outweighed the public interest in disclosure of information in terms of accountability, transparency in spending public money and openness in Council decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 14 (Minute No. 298 refers).

RESOLVED -

Cabinet received exempt information prior to the determination of Agenda Item No. 14.

Contact Officer: Alaina McGlade

KIRKLEES COUNCIL

APPEALS PANEL

Friday 18th August 2017

Present: Councillor Nosheen Dad (Chair)
Councillor Andrew Cooper
Councillor Nicola Turner

1 Minutes of Previous Meeting

The minutes of the meeting held on 25 April 2017 were approved as a correct record.

2 Interests

No interests were declared.

3 Exclusion of the Public

RESOLVED –

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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

4 School Transport appeal (RB)

The Panel considered the information in the report and information received from the Service and the appellant and:

RESOLVED –

That the appeal be granted for a period of up to 6 months

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KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 12th May 2017

Present: Councillor Hilary Richards (Chair)
Councillor Julie Stewart-Turner
Councillor Carole Pattison
Councillor Kath Pinnock
Councillor John Taylor
Councillor Linda Wilkinson

1 Membership of the Committee

Councillor Patrick substituted for Councillor Palfreeman.

2 Interests

No interests were declared.

3 Admission of the Public

It was noted that all agenda items would be considered in public session.

4 Deputations/Petitions

No deputations or petitions were received.

5 Annual Report on Treasury Management 2016-17

The Committee received a report which provided details on the Council's treasury management activities for the previous year. In summary, the report explained that the Council's treasury management operation for the year had followed the strategy as approved by Council on 17 February 2016 whereby investments of approximately £41.8m had been largely deposited in instant access accounts and earned an average interest rate of 0.37%. It explained that total external borrowing had increased for the year by £13.3m, totalling £437.7m and that the increase had largely arisen due to the need to replace spent balances. The majority of borrowing had been on fixed term rates and the average borrowing rate for 2016/2017 was 4.78%. The report advised that the treasury management function had spent £10.9m on interest payments and £12.6m on providing for the repayment of debt. There was an £11.6m underspend against the budget, mainly arising from changes

to policy on Minimum Revenue Provision, as approved by Council on 15 February 2017.

The Committee noted the content of the report which provided an overview of the Borrowing and Investment Strategy 2016/2017, investment activity, borrowing requirement and debt management, trends in treasury management activity, revenue budget monitoring and risk and compliance issues.

RESOLVED -

That the review of treasury management activity for 2016/2017 be received and noted.

6 Proposed changes to the Council's Constitution

The Committee gave consideration to a report which set out proposed changes to the Council's constitution prior to its submission to Annual Council on 24 May 2017. The Committee were advised that the Constitution had been reviewed throughout the year and that minor changes had been made in line with authority delegated to the Monitoring Officer. The report provided a breakdown of the suggested amendments to the 2017/2018 Constitution by Article and sought the views of the Committee on changes proposed, as set out at Paragraphs 2.02 to 2.31 of the considered report.

In regards to Paragraph 2.15, which set out suggestions for changes to arrangements at meetings of Council, the Committee agreed that further discussions should take place regarding the proposals for start times and breaks during the meeting, and that work be undertaken during the year to consider the arrangements for the meetings, including scheduling and content. In regards to the proposed amendment at Paragraph 2.13, the Committee agreed with the proposal but requested that the amendment be reworded to read '...representation to be made to the meeting on the subject matter, within the five minute allocation that is permitted'.

RESOLVED -

- 1) (i) That the proposed changes to Articles of the Constitution and Council Procedure Rules be approved as detailed within the considered report, that further discussion take place regarding the proposals for start times and breaks as set out at paragraph 2.15 of the report, and that a piece of work take place during the year looking at the arrangements for Council meetings including content and scheduling.

(ii) That the explanation to the proposed amendment at 2.13 be amended to read '...representation to be made to the meeting on the subject matter, within the five minute allocation that is permitted.'
- 2) That Council be requested to delegate authority to the Service Director – Legal, Governance and Commissioning to make the appropriate amendments to the constitution (and any consequential changes) to reflect the recommendations as set out in (1) above.

7 Proposed changes to Financial Procedure Rules

The Committee gave consideration to a report which set out proposed changes to the Council's Financial Procedure Rules prior to its submission to Annual Council on 24 May 2017. The report advised that the proposed changes reflected changes to operating arrangements, requirements and needs. The proposed changes were illustrated by track change in the appendix to the considered report and an overview was provided at paragraph 2.3 of the report.

In regards to Paragraph 2 (3.10), the Committee agreed with the proposal but requested that the amendment be reworded to read '...subject to the approval of the Chief Finance Officer and notification being provided to the relevant Cabinet Member and appropriate Ward Members.'

RESOLVED -

- 1) That the report be submitted to the meeting of Annual Council on 24 May 2017 with the recommendations that;
 - (i) the proposed changes to Financial Procedure Rules be approved and be effective from 1 June 2017 subject to the amendment of 3.10 para. 2 to read '...subject to the approval of the Chief Finance Officer and notification being provided to the relevant Cabinet Member and appropriate Ward Members.'
 - (ii) That the Service Director – Finance, IT, Transactional Services and the Service Director – Legal, Governance and Commissioning be authorised to make any recommended or drafting changes that they consider necessary prior to the submission of the report to Annual Council.
 - (iii) That the Service Director – Legal, Governance and Commissioning be authorised to amend post titles to reflect those used in practice by Officers who are fulfilling stated functions.
- 2) That it be noted that the Service Director – Finance, IT, Transactional Services, the Service Director – Legal, Governance and Commissioning, and the Head of Audit and Risk, may prepare additional guidance as appropriate to supplement the Financial Procedure Rules.

8 Proposed changes to Contract Procedure Rules

The Committee gave consideration to a report which set out proposed changes to Contract Procedure Rules prior to its submission to Annual Council on 24 May 2017. The report advised that the proposed changes reflected changes to operating arrangements, requirements and needs. The proposed changes were illustrated by track change in the appendix to the considered report and an overview was provided at paragraph 2 of the report.

RESOLVED -

- 1) That the report be submitted to the meeting of Annual Council on 24 May 2017 with the recommendations;

- (i) That the proposed changes to Contract Procedure Rules be approved and effective from 1 June 2017.
 - (ii) That it be noted that the Service Director – Legal, Governance and Commissioning may prepare additional guidance to supplement the Contract Procedure Rules and aid compliance with appropriate European and national legislation.
 - (iii) That the Service Director – Legal, Governance and Commissioning be authorised to amend post titles to reflect those used in practice by Officers who are fulfilling stated functions.
- 2) That the Service Director – Legal, Governance and Commissioning be authorised to make any recommended or drafting changes considered necessary prior to the submission of the report to Annual Council.

9 Proposed amendments to Overview and Scrutiny

The Committee received a report which set out proposals for changes to the Overview and Scrutiny structure prior to its submission to Annual Council on 24 May 2017. The report gave an overview of the scrutiny process during the 2015/16 and 2016/17 municipal years and reflected upon the learning of this period, and the identified issues within Children's Services improvement work to set out the rationale for the changes to the structure going forward. The report proposed an increase in the number of scrutiny panels, which would increase the opportunity for the involvement of a greater number of non-executive councillors.

The report explained that it was proposed to (i) retain the Overview and Scrutiny Management Committee (ii) retain the Health and Social Care Scrutiny Panel under the new name of Health and Adult Social Care (iii) establish a Children's Scrutiny Panel (iv) establish an Economy and Neighbourhoods Scrutiny Panel and (v) establish a Corporate Scrutiny Panel, with the panels comprising 5 Councillors, a Lead Member, and a minimum of two co-optees.

The Committee also gave consideration to a report which provided feedback on the findings of research into approaches to the Call-In process and set out a number of proposals for revisions to the existing process, including a revised Call-In pro-forma and procedure, and the production of guidance notes for both members of the public and members appointed to the scrutiny panels.

RESOLVED -

- 1) That the report be submitted to the meeting of Annual Council on 24 May 2017 with the recommendation that the proposed changes to Overview and Scrutiny be approved.
- 2) That Council be requested to delegate authority to the Service Director – Legal, Governance and Commissioning to make the appropriate amendments to the constitution (and any consequential changes) to reflect the recommendations as set out in (1) above.

10 Dates of Council - 2017/2018 Municipal Year

The Committee gave consideration to a report which set out a schedule of proposed dates for meetings of Council in the 2017/2018 municipal year. The report proposed that meetings be held on 11 July 2017, 20 September 2017, 11 October 2017, 15 November 2017, 13 December 2017, 17 January 2018, 14 February 2018, 21 March 2017 and 23 May 2017. The Committee noted that the proposed dates would be submitted to the meeting of Annual Council for determination.

RESOLVED -

That the schedule of Council meetings for 2017-2018, as set out within the considered report, be endorsed and submitted to Council with a recommendation of approval subject to the following changes;

- 11th July 2017 to be moved to 5th July 2017
- 20th September 2017 to be moved to 13th September 2017

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 4th August 2017

Present: Councillor Hilary Richards (Chair)
Councillor Carole Pattison
Councillor Linda Wilkinson
Councillor Ken Sims
Councillor Nigel Patrick

Apologies: Councillor Julie Stewart-Turner
Councillor Kath Pinnock

1 Membership of the Committee

Apologies for absence were received on behalf of Councillors K Pinnock and Stewart-Turner.

2 Minutes of Previous Meetings

RESOLVED – That the Minutes of the Meetings held on 21 April and 12 May 2017 be approved as a correct record.

3 Interests

Councillor Pattison declared an 'other' interest in Agenda Item 12 on the grounds that she is a Governor at Royds Hall Community School.

Councillor Richards declared an 'other' interest in Agenda Item 12 on the grounds that she is a Governor at Crow Lane Primary School.

4 Admission of the Public

It was noted that Agenda Item 12 (Minute No. 12 refers) would be considered in private session.

5 Deputations/Petitions

None received.

6 Public Question Time

No questions were asked.

7 Appointment of Independent Person

The Committee gave consideration to a report which sought approval for the appointment of an Independent Person to assist the Monitoring Officer in the application of the Code of Conduct and Standards Regime, following a review of the role which had been endorsed by Council on 26 April 2017. The report advised that, following the review, the role had been developed and expanded and now included becoming a consultee as to whether an investigation should take place, in addition to taking decisions with the Monitoring Officer in regards to (i) whether a complaint should proceed for early dismissal and whether it is valid and (ii) whether there has been a breach of the Code of Conduct at the informal resolution stage.

The Committee were advised that due to the changes to the standards process, the position of Independent Person was advertised in June 2017, and following a recruitment exercise, Michael Stow was selected as the successful applicant by both the Monitoring Officer and the Chair of Standards Committee, subject to the approval of Council. The Committee were asked to endorse the recommendation of the appointment of Michael Stow to the meeting of Council on 13 September 2017.

In discussing the report, the Committee were advised that the advertisement of the role had indicated that there would be remuneration of a £500 annual allowance, plus expenses. It was requested that the submitted report be amended to provide some detail on the proposed Independent Person, providing a summary of his background experience.

RESOLVED – That that report be submitted to the meeting of Council on 13 September 2017, with the recommendation that Mr Michael Stow be appointed as the Independent Person for a period of two years.

8 External Assessment of Internal Audit, as required by Public sector Internal Audit Standards

The Committee gave consideration to a report which set out details of the process for the external assessment of internal audit. The report indicated that it was necessary for an assessment of the Council's compliance with Public Sector Internal Audit Standards to be carried out every five years, by an independent person or organisation. It advised that the West and South Yorkshire Audit Group had committed to providing the assessment, on a mutual basis, and that it was proposed that the Head of Internal Audit at Wakefield Council be asked to carry out the assessment, in accordance with the mutually agreed scheme. The Committee were informed that, whilst securing the assessment was the responsibility of the Head of Internal Audit, there was also a requirement to agree the scope with a sponsoring person, which it was noted would be the Chair of the Committee.

The Committee noted that the assessment needed to be undertaken by the end of the financial year in order to comply with the timeframe requirements. The report advised that, in anticipation of an agreement to join the mutual arrangement, Kirklees had already provided an assessment for Doncaster Council. It was also noted that Internal Assessor would attend a future meeting of the Committee to provide a report on the outcome of the assessment.

RESOLVED – That approval be given to the use of the South West Yorkshire Audit Group mutual scheme as provider of the 5 years audit assessment, on the grounds of known quality and cost.

9 Council- Final Accounts Update - 2016/17

The Committee received a report which provided an update on the final accounts and audit processes for 2016/2017. The report explained that the draft accounts had been signed on 26 May 2017 and that subsequently the financial statements audit work had been undertaken and was substantially complete. The six week public inspection period ran until mid July, during which time two objections were raised by local electors. The Committee were informed that the first objection, which was accepted by KPMG on 17 July 2017, related to the lawfulness of the Council's Lender Option Borrower Option loans on the Council's balance sheet. The second objection, which was yet to be formally accepted, related to the lawfulness of the three of the Council's Private Finance Initiative Schemes. The report advised that, due to the amount of time it was likely to take KPMG to investigate, conclude and report on the objections, it was not expected that they would be in a position to complete the 2016/2017 audit, and provide an audit opinion, before the statutory deadline of 30 September 2017.

A letter from KPMG Audit, which was appended to the considered report, set out the current position with regard to the anticipated timeline for completion, and highlighted key matters arising to date, including a position statement on (i) the objections to the accounts in accordance with the Local Audit and Accountability Act 2014 (ii) Financial Statements and audit work and (iii) Value for Money conclusion work.

The Committee discussed and noted the content of the report, particularly in regards to the implications of the objections and the impact upon the closure of the accounts. It was noted that once the matter had been concluded, a further report would be submitted to a future meeting of the Committee.

RESOLVED –

- 1) That it be noted that the audit work on the 2016/17 Financial Statements is substantively complete.
- 2) That it be noted that two objections were raised within the public inspection period, one of which still has to be formally accepted by KPMG, subject to completion of their initial review.

- 3) That, pursuant to (2) above, the information provided regarding KPMG's timeline for the likely completion of the audit and provision of audit opinion be noted.

10 Annual report on bad debt write-offs, 2016-17

The Committee received a report which set out details of debts that had been written off during the 2016-2017 financial year, in accordance with the requirement for the submission of an annual consolidated report of all written off debts. A summary schedule of the debts that had been written-off over the past twelve months was submitted at Appendix A of the considered report.

The Committee noted that, overall, debts written off in 2016-2017 totalled £5.8m which, as a percentage of debt raised in the year, equated to 1.4%, which compared to 1.7% in the previous year. It was noted that Council Tax arrears were falling and that collection was rising year on year, with arrears falling by 25.8% since 2014/15. The report explained that the Council would use all available powers to recover any outstanding amounts, and ensured that debts were pursued to maximise recovery.

The Committee welcomed the reduction in the debts, but asked that information be provided which would reflect the position over the past five years, and also a comparison with other similarly sized Local Authorities.

RESOLVED - That the report be received and noted.

11 Exclusion of Public

RESOLVED – That acting under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically stated in the undermentioned Minute.

12 Internal Audit - Quarterly Report (Quarter 1)

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making).

The Committee received a report which set out information on internal audit activity, including details of investigations that had been undertaken, in the first quarter of 2017/2018. The Committee noted the outcomes of the investigations, and discussed in detail the [report](#) relating to Children's Services. It was agreed that if progress in relation to this [matter](#) was not identified within the next quarterly report, which was

due for submission on 17 November 2017, an Officer representing the service should be asked to attend the meeting for further discussion.

RESOLVED –

- 1) That the Internal Audit Quarterly Report (Quarter 1) be received and noted.
- 2) That, in regards to the details of the investigation relating to Children's Services, it be requested that in the event that the Head of Audit and Risk is not satisfied with the changes and progress made, a relevant Officer be asked to attend the meeting of the Committee at the reporting of Quarter 2.

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Contact Officer: Tish Barker

KIRKLEES COUNCIL

CORPORATE PARENTING BOARD

Monday 15th May 2017

Present: Councillor Erin Hill (Chair)
Councillor Karen Allison
Councillor Andrew Marchington
Councillor Fazila Fadia
Councillor Gemma Wilson
Gill Ellis, Interim Strategic Director for Children & Young People
Jo-Anne Sanders, Acting Assistant Director for Learning & Skills
Anne Coyle, Service Director for Family Support & Child Protection
Martin Green, Deputy Assistant Director
Julie Mephram, Head of Corporate Parenting
Janet Tolley, Virtual School Headteacher

In attendance: Laura Caunce, Residential Team Manager
Alaina McGlade, Governance & Democratic Engagement Officer

Apologies: Naz Parkar, Strategic Director – Economy & Infrastructure
Andrew Carden, Integrated Children's Service Manager
Marion Gray, Learning & Organisational Development Manager
Steve Collins, Calderdale & Kirklees Careers
Rachel Spencer-Henshall, Director of Public Health

1 Membership of the Board/Apologies

Apologies for absence were received on behalf of Naz Parkar, Strategic Director – Economy & Infrastructure, Andrew Carden, Integrated Children's Service Manager, Steve Collins, Calderdale & Kirklees Careers, Rachel Spencer-Henshall, Director of Public Health and Marion Gray, Learning & Organisational Development Manager.

2 Minutes of previous meeting

That the minutes of the meeting held on 24 April 2017 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

The Panel considered the question of the admission of the public and determined that all items would be considered in public.

5 Deputations/Petitions

No deputations or petitions were received.

6 Revised Terms of Reference/ Annual Report

The Board considered a report which set out the proposed amended terms of reference and the re-constitution of the Board, prior to consideration at Annual Council.

RESOLVED –

That the revised Terms of Reference be submitted to Annual Council with a recommendation for approval.

7 Service Plan Update

The Board considered a report which updated the Board on the current developments in the Corporate Parenting Service and the plans for the future of the service.

The Board was advised that service plans are reviewed and updated monthly by the service managers who report directly to the Head of Service and that all updates are fed into the improvement plan.

Julie Mepham, Head of Corporate Parenting advised that an increased number of older children/ young people (13-16 year olds) were being placed into accommodation by the service. She explained that as part of the sufficiency strategy, an edge of care service was being developed, that along with a more robust “front door” will ensure that we have the right children accommodated at the right time. It was also advised that cross service working with the Director of Place and other partners across the Council was already taking place. A needs analysis of current and projected placements is to be undertaken to inform the sufficiency strategy and plan. This plan will be presented to the Improvement Board in June, and if agreed, will then be presented to the July Corporate Parenting Board.

She explained that the service have a current target to recruit an additional 21 carers each year for the next three years and that at that point in time, there were 20 new assessments underway. She explained that this was very positive but explained that it should be noted that not all 20 would become carers and that additionally, carers would be retiring within the financial year.

It was advised that the leaving care service had recently recruited to a number of permanent personal advisor posts and an experienced team manager post and that at the current time, 81% of plans are on the system were up to date; this was an improving figure.

Julie advised that Young Dewsbury, the drop in venue, had been going from strength to strength with 26 sessions having taken place between 27/01/2017 & 28/04/2017. It was explained that young people use the drop-in to use the public access computers, to collect food parcels, meet professionals from Housing Support Services and Careers, meet with their Personal Advisor / Social worker and to receive advice, guidance and emotional support from the team based at the provision. The refurbishment of the new drop in base under Civic 1 was envisaged to be open for business in August and it was advised that young people are involved in the project.

It was explained that the Personal Advisor service was required to be extended in 2017/18 to be legally compliant, to ensure looked after young people aged 16+ have a PA to the age of 25. Gill Ellis, Interim Strategic Director for Children & Young People advised that a summary of the change in legislation would be provided for the Board.

The report advised that performance in the Corporate Parenting Service in terms of children's plans was an improving picture with 79% of plans being in place at time of writing, however Julie advised that this has since increased to 89% and that the focus was now shifting to quality checks.

RESOLVED –

That the content of the report be noted.

8 Extension of Age Range of Virtual School

Janet Tolley, Virtual School Head Teacher advised the Board that the Virtual School currently operates from a Looked After Child's 3rd birthday through to their 16th birthday or the end of Year 11 education. She explained that this age range did not meet with all of the legal requirements placed on the service.

Janet explained that the links across the Looked After Children service and the Virtual School had been explored and it had been identified that an integrated approach across the services and age range was required.

The Board was made aware that most schools do not have their own sixth form and it had been identified that the point of transition from high school was where support was required. It was advised that recommendation 27 of the OFSTED report referred to this and to assist in meeting this recommendation, approval had been

given to appoint to a post-16 advisor which would assist in providing this support. A strategic lead and two achievement coordinators would also be recruited to.

Janet explained that the aim was to be involved in problems sooner to avoid acting in crisis once an issue becomes apparent. She explained that three key areas contributed to higher attainment levels in relation to a Looked After Child:

- Residential Stability
- Educational Stability
- Social Worker Stability

Janet distributed a diagram that demonstrated the link between these three areas in relation to providing stability and support to Looked After Children. Gill Ellis, Interim Director for Children & Young People advised that a health component required including within the structure.

She explained that currently, not only was there was a high percentage of Looked After Children moving schools during KS3 but there was a high number that were moving more than once in Years 10 and 11. It was advised that the sufficiency strategy had been developed to enable work to take place on matching placements to need rather than placing in crisis. She explained that this was a difficult area as there is a lack of placements available nationally.

Janet explained that the aim was to start providing this support in time for the forthcoming Year 11 cohort. She also advised that the summer holidays provided a lengthy period of time without contact from schools for the children. This is a time where things can go wrong and Janet explained that a menu for engagement activities needed to be available to continue contact.

Anne Coyle, Interim Service Director for Family Support & Child Protection advised that the Board needed to have an oversight on the attainment levels for Looked After Children. It was advised that this would be included within the standing report for the Board.

RESOLVED -

That the update be received, with thanks to Janet.

9 Performance Report

The Board considered a report providing an end of year summary with an overview of all the agreed indicators that monitor performance relevant to the Corporate Parenting Board.

RESOLVED -

That the content of the report be noted, with special thanks to Sue for the hard work that has gone into developing the performance report into a format beneficial for the Board.

KIRKLEES COUNCIL
CORPORATE PARENTING BOARD

Monday 17th July 2017

- Present:** Councillor Erin Hill (Chair)
Councillor Karen Allison
Councillor Andrew Marchington
Councillor Fazila Fadia
Councillor Gemma Wilson
Jo-Anne Sanders, Acting Assistant Director for Learning & Skills
Julie Mepham, Head of Corporate Parenting
Janet Tolley, Virtual School Headteacher
Kerrie Scraton, Interim Senior Manager – Safeguarding Assurance
Scott Deacon, Participation Officer
- In attendance:** Rob Finney, Fostering Team Manager
Alison Waters, Senior Performance Officer
Belinda Cashman, Team Manager – Family Support & Child Protection
Alaina McGlade, Governance & Democratic Engagement Officer
- Apologies:** Anne Coyle, Service Director – Child Protection & Family Support
Martin Green, Head of Localities Offer for Children & Families
Tom Brailsford, Head of Joint Commissioning

1 Introductions and Apologies

Apologies for absence were received on behalf of Anne Coyle, Service Director - Child Protection & Family Support, Martin Green, Head of Localities Offer for Children & Families and Tom Brailsford, Head of Joint Commissioning.

2 Minutes of previous meeting

That the minutes of the meeting held on 15 May 2017 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

The Panel considered the question of the admission of the public and determined that all items would be considered in public.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were received.

7 OFSTED Monitoring Visit

Julie Mepham advised the Board that OFSTED completed their first monitoring visit at the end of June and the outcome of that inspection had been received by letter.

Julie explained that the initial feedback from the visit was that OFSTED had definitely noticed improvements being made, recognising that although there was still some instability with the workforce in some areas, Kirklees in the main now had a dedicated and positive workforce and management oversight was apparent. There were no children found to be unsafe and although the changes being implemented had not yet impacted on outcomes, the changes were apparent and the improvement journey was recognised.

Julie advised that the next visit would be in September and at this visit, the Care Leavers Service and the Looked After Children's Service would be the focus.

RESOLVED -

That:

- (1) the update be received and noted and;
- (2) that a further update on the next visit be scheduled to be received at the November meeting of the Board.

8 Civic Centre Drop-In Centre

Belinda Cashman attended the meeting along with 3 young care leavers to update the Board on the development of the drop-in centre in Huddersfield Town Centre. Belinda provided the Board with an overview of the planned layout for the centre and advised of all of the facilities that will be in place.

The young people explained that they were really excited about their involvement in the development of the centre and appreciated the opportunity to influence the proposals. They explained that the centre was required to be much more than a drop in centre and that young people were committed to providing training and employment opportunities within the centre.

Julie explained that following recommendations from young people, officers were speaking with HR regarding the possibility of business/admin traineeships for care experienced young people to enable them to staff the reception of the centre. The

peer mentoring service would also be situated within one of the rooms within the centre. She explained that they hoped to coordinate a launch event in September and advised that the Board would receive further details of this closer to the time.

RESOLVED -

That the update be received and noted with thanks to the young people for attending and contributing to the meeting.

9 Service Plan Update

The Board considered a report which updated the Board on the current developments in the Corporate Parenting Service and the plans for the future of the service.

Julie clarified that the focus of the recent strike action had been in relation to workloads across the service. She explained that workloads in the Looked After Children, Fostering and Care Leavers teams were all low in comparison to national averages. However, she explained that workloads with the Assessment and Intervention team were high and improvements to the Multi Agency Safeguarding Hub were currently being piloted in the hope of helping to remedy the high workloads.

The Board was advised that the Corporate Parenting Service encompasses: looked after children, leaving care, residential homes, fostering, placement finding, connected person assessments & support and the contact service.

In relation to service plans for each of these teams, plans are in place and are reviewed and updated monthly by the service managers, with all updates being fed into the Improvement Plan.

Julie Mephram advised that assessments of 20 foster carers were currently underway and the service were hopeful of a net increase of approximately 15 new carers as a result of this. She explained that the service had a proposed recruitment target of 21 net carers each year so felt confident that the service would reach this target.

Pathway planning training had continued to be rolled out across the Looked After Children and Leaving Care service, with the focus of this training being on an improvement in the quality of plans. Julie advised that at the time of the update, 90% of plans were on the system, explaining that this was positive for young people as plans now reflected their involvement and voice. She also advised that the number of care plans had improved significantly as has the number of up to date assessments for every child. A compliance clinic had been arranged to maintain the standards now reached by the service.

RESOLVED -

That the content of the report be noted.

10 Performance Report

The Board considered a report providing an end of year summary with an overview of all the agreed indicators that monitor performance relevant to the Corporate Parenting Board.

The current issues were highlighted as being:

- a slight rise in residential placements since May 2016 (advised as relating to 2 children);
- lower number of children in care (currently 690, was 699 in March 2017);
- lower number of children subject to a Care Order placed at home than in April 2017 but still way above target;
- above target for placement stability within a year;
- a decrease in placement stability within two years;
- a rising number of social worker changes;
- IRO visits and reviews were under performing in a few different areas;
- a similar trend of a high number of Looked After Children going missing more than once in a month continues to occur;
- attainment, attendance and persistence absence continues to cause concerns;
- dental checks have reduced from figures provided in March 2017.

The improvements were highlighted as being:

- children entering care by placement – percentage in fostering has increased from 58% in May 2016 to 71% currently;
- children entering care by placement within and outside the LA Boundary – in April 2017, 78% were placed within Kirklees and 21.4% outside – slight drop from March 2017 but improvement from May 2016 when 69.2% were placed within Kirklees and 30.8% outside;
- children leaving care with a positive outcome improved to 100% in April 2017;
- a reduction in placement movements from 48 in March 2017 to 19 in April 2017;
- health assessments being up to date and initial assessment completed on time had both increased when compared to figures provided in March 2017;
- Looked After Children convictions had reduced.

RESOLVED -

That:

- (1) the content of the report be noted;
- (2) the comparison figures for the previous 12 months be included where relevant in future reports;
- (3) a report detailing recent “Missing” statistics and work ongoing within the service, as presented to a recent CSE Panel, be included on the next agenda of the Board.

11 Fostering Agency Report

The Board considered a report advising that the service had just reported the Fostering data set for 2017 to OFSTED. Rob Finney explained that he had since met with the performance team and the Liquid logic teams to ensure that the systems built for the future enable efficient reporting as the data gathering was labour intensive.

The data advised that as of 31st march 2017, there were:

- 198 fostering households and
- 262 fostered children.

The report advised that there were some very complex young people in the service and that whilst the vast majority of young people enjoyed very settled placements, a number of young people were considered to be at risk of CSE or had multiple missing episodes. Rob further advised that the numbers could be slightly misleading and explained that, for example, the same child went missing 24 times. However, no young people in placements were considered to have actually experienced CSE whilst in placement. For example, one young person was missing 24 times.

Rob further expanded on the increase in potential foster carers currently undergoing the assessment process and explained that the increase was due to the fact that the team were managing enquiries better by replicating some private sector ways of working. He advised that the service have previously been and are currently working to a deficit model in relation to fostering placements. Because of this, the number of independent sector placements was high however he hoped to half this number over the next three years through utilising internal placements effectively.

Rob also advised that a key focus for the team was the implementation of emergency foster carers and CSE super foster carers. He explained that there is a national shortage of foster carers for teenagers and that work around the voice of the young person and involving young people in pre-assessment training was being undertaken to try to combat this shortage. He also advised that the Placement Support Team had been in place for just under a year and this team was a key component in delivering successful outcomes for the team.

The report explained that the service was working on implementing a quality assurance framework within fostering including good quality data analysis around compliance; file audits, direct observations of practice and analysis of systems and processes.

RESOLVED -

That the content of the report be noted.

12 Complaints & Compliments Annual Report

The Board considered a report providing information on Compliments, Representations and Complaints received by Kirklees Directorate for Children and

Adults Service between 1st April 2016 and 31st March 2017. It was explained that it was a requirement in the Improvement Plan for the Corporate Parenting Board to have been presented with a copy of the Complaints & Compliments Annual Report.

Yasmin Mughal outlined the key points in the report, explaining that there had been a significant increase in the number of complaints received but that the majority of these complaints had been resolved at Stage One of the process.

Cllr Marchington questioned whether the nature of complaints had altered and also asked how the service incorporated the complaints process into training for the service. Yasmin explained that the nature of complaints had not changed. She also advised that if a number of complaints of a similar nature were received, this would be flagged up with the relevant service manager.

Yasmin also pointed out that the team had sometimes struggled with meeting response timescales but advised that this tended to be due to the complexity of the complaint.

RESOLVED -

That the Board considered the content of the report and acknowledged the information on Compliments, Representations and Complaints received by Kirklees Directorate for Children and Adults Service between 1st April 2016 and 31st March 2017.

13

Kirklees Independent Reviewing Officers' Annual Report

The Board considered a report providing information on the contribution of Independent Reviewing Officers (IRO) to quality assurance and improving services for children in care for the period from 1st April 2016 to 31st March 2017. It was explained that it was a requirement under the Care Planning, Placement and Care Review (England) Regulations 2010 that the IRO Manager produce an annual report for scrutiny by the Corporate Parenting Board.

Kerrie Scraton outlined the key points in the report, explaining that it had been a busy year, with the numbers of both Looked After Children and children at risk still high. She explained that there were currently 6 vacancies within the team that had added pressure to the team but this would hopefully be resolved in the near future.

Kerrie explained that the focus for this year was to drive the standards forward for the service. The Chair advised that the issue of decision making not being taken in a timely manner was a big concern for the Board. Kerrie advised that this area was a focus for the team and developments were underway to fix the system.

RESOLVED -

That the Board considered the content of the report and acknowledged the contribution of Independent Reviewing Officers (IRO) to quality assurance and improving services for children in care for the period from 1st April 2016 to 31st March 2017.

14 Corporate Parenting Board Agenda Plan

The Board considered its agenda plan for future meetings and noted the scheduled items for the next meeting.

RESOLVED -

That the agenda items for the next meeting of the Board be noted and agreed.

15 Dates of Future Meetings

The Board noted the dates of the future meetings of the Board for the 2017/18 municipal year.

RESOLVED –

That the next meeting of the Board be held on Monday 18 September 2017 at 10am.

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KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 29th June 2017

Present: Councillor David Sheard (Chair)
Councillor Donna Bellamy
Councillor Kath Pinnock
Councillor Viv Kendrick
Rory Deighton
Carol McKenna
Dr Steve Ollerton
Richard Parry
Fatima Khan-Shah
Priscilla McGuire
Gill Ellis
Jacqui Gedman
Kathryn Hilliam

Apologies: Councillor Erin Hill
Dr David Kelly
Rachel Spencer-Henshall

1 Membership of the Board/Apologies

Apologies from the following Board Members were received: Cllr Erin Hill and Dr David Kelly.

Rory O'Connor substituted for Rachel Spencer-Henshall.

2 Minutes of previous meeting

RESOLVED –

The minutes of the 30 March 2017 were approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

All agenda items were considered in the public session.

5 Deputations/Petitions

No deputations or petitions received.

6 Public Question Time

No questions were asked.

7 Appointment of Deputy Chair

RESOLVED –

That Dr Steve Ollerton be appointed Deputy Chair for the 2017/18 municipal year.

8 Kirklees Health & Wellbeing Plan

Carol McKenna, Chief Officer Greater Huddersfield CCG, advised that, the Board should be familiar with the Kirklees Health and Wellbeing Plan as it was last presented in February 2017; and had previously been discussed at a Board development session.

The Board was reminded that the mandate for developing Sustainability and Transformation Plans (STPs) was announced as part of the National Joint Planning Guidance in 2016/17. The West Yorkshire STP incorporates six place based plans, and the Kirklees Health and Wellbeing Plan is the proposed final version of the local place based plan, which has been seen by the Greater Huddersfield CCG Governing Bodies and is scheduled for North Kirklees Governing Bodies.

The Plan aims to articulate the vision for Kirklees health and social care system and draw out the local challenges. It is different from plans produced at an organisation level as it is about the system as a whole.

Board members commented that a major factor that does not appear to be in the plan is how it is going to be financed. The Board felt that finance would need to be addressed as this would impact on the implementation of the plan. The Board was advised that the financial challenge is significant and the Kirklees position looks particularly challenging when placed in the context of the acute trusts in Kirklees. It was explained that this is not about new financial investment it is looking at what is already within the system and using it differently and more efficiently. The plan identifies gaps in finance and aims to be part of the solution, ensuring that there is much better efficiency in the system to enable it to function much better.

The Board was informed that the plan is not intended to be the whole story and that further work needs to be done including looking at the targets and milestones. One of the challenges with the plan is trying to bring everything together in the one place, whilst recognising that each agency will have its own plan and priorities.

The Board discussed aspects of the plan and questioned whether the title of the document reflected the true nature of the contents and whether it should be called a 'plan'. Questions were also raised about the type of language used and whether members of the public would understand it.

Board members commented that they were not aware of what was in any of the other five local plans which covers West Yorkshire and Harrogate. The Board was informed that the STP arrangement was to bring some form of co-ordination and part of the West Yorkshire STP is trying to bring co-ordination across the West Yorkshire geography and it will become clearer over the next 12 months.

Board members raised questions on whether on a local level the right priorities were being considered for example issues such as air quality which in some areas is very poor and air pollution is a problem is not mentioned. Further questions were raised whether air quality in Kirklees was being studied. In response, the Board was advised that in the Council there is a team of professionals looking at air quality and there is an air quality action plan and they can be invited to a future meeting to update the Board.

It was felt that the effectiveness of the Board is not trying to deal with too many priorities but should focus on a few key priorities. The role of the Board is to hold people to account for the health and wellbeing of people in Kirklees.

RESOLVED –

That the plan be approved subject to the revisions agreed by the Board.

9 Kirklees Better Care Fund Plan 2017/19

Richard Parry, Strategic Director for Adults and Health and Chief Officer, North Kirklees CCG, advised the Board that the development of the Kirklees Better Care Fund (BCF) Narrative Plan 2017/19, is based on draft planning guidance issued by the Local Government Association in April 2017.

The Full guidance is still awaited, which means that the timetable for agreement of plans by Health and Wellbeing Boards, submission and subsequent NHS regional moderation, calibration and approval of plans is unknown. It is however, anticipated that the initial submission of plans will need to be six weeks after the publication of the final guidance.

The Board was informed that a significant sum of money sits with the BCF Plan with the total existing fund being £30million. Board members questioned the additional amount awarded following the spring budget allocation and was advised that it was £8 million for 17/18. The final minimum allocations that the CCGs are required to put into the Better Care Fund for 17/18 and 18/19 are yet to be confirmed by NHS England.

Board members commented that it would be useful to have a look at what the BCF has achieved and what the money has done.

RESOLVED -

That the Board:

- a) Notes the update on the development of Kirklees Better Care Fund Narrative Plan 2017/19

- b) Delegates authority to the Strategic Director for Adults and Health, in consultation with the Chair of the Board, and nominated CCG representative i.e. the Chief Financial Officer and either the CCG Chairs or Chief Officer to agree the final version of the Plan.

10 Health and Social Care Integration in Kirklees - Our Case for Change

Carol McKenna, Chief Officer, Greater Huddersfield CCG, informed the Board that a report on integration was presented in March 2017 and over the last 18 months the Board has considered many papers on integration. There are a wide range of issues for health and social care to work together on and this update will outline the next steps in developing the vision for integration, the case for change and the benefits expected.

The Board was informed that integrated commissioning aims to build on existing approaches and examples include, children services, mental health, hospital avoidance, Kirklees Health and Wellbeing Plan and Better Care Fund.

The triple challenges for the Kirklees system are the:-

- **Health and wellbeing gap** – especially prevention and inequalities
- **Care and quality gap** – especially reshaping health and social care delivery meeting changing needs and variations in the quality of care
- **Financial Gap** – getting more from the funding available

In addition, there is also managing the complexity of two acute systems.

The Kirklees Joint Strategic Assessment also headlines a number of challenges such as people living longer with long term conditions, inequality and deprivation, an aging population and increasing under 18 population.

The Board was informed that making changes will strengthening the infrastructure to enable the commissioning and delivery of services in a consistent way and reduce duplication. The future commissioning and delivery of health and social care in Kirklees will be one place based commissioning system for out of hospital care, one place based out of hospital delivery system, one mental health system and two acute care systems with increasing levels of collaboration across acute care providers.

One of the key messages from the peer review was this is not joint working, this is a single system working to enable things to be done once and better, with a single commissioning voice.

The Board was informed that the three challenges mean that staying the same is not an option and there needs to be a step change in ownership and prioritisation. The national move towards place based commissioning is reflected in the West Yorkshire and Harrogate STP creating one commissioning voice for the Kirklees

place. New ways of working are required to combine strength and experience, skills and knowledge and resources from each organisation. Doing things once to make best use of scarce clinical and managerial capacity and capability and increasingly, money is attached to joint arrangements across the NHS and Council

Board members commented that needs to be clear in this is an accountability route and a sentence about accountability should be included.

Discussions are underway about a range of commissioning activity currently undertaken by CCGs being jointly managed at a West Yorkshire level. It will be important that the right planning footprint is developed for each issue to ensure service delivery is planned effectively.

RESOLVED –

- a) That the Board endorses the direction of travel set out in the case for change.
- b) That the Board supports the development of a programme plan to further develop and implement the proposed approach.

11 Children's Services Update

RESOLVED –

That the update report on the Children's Improvement Programme be noted by the Board.

12 North Kirklees Clinical Commissioning Group - Annual Report & Account Narrative

RESOLVED –

That the North Kirklees Clinical Commissioning Group annual report and account narrative be noted by the Board.

13 Date of next meeting

RESOLVED –

That the date of the next meeting be noted by the Board.

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Contact Officer: Penny Bunker

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 3rd July 2017

Present: Councillor Julie Stewart-Turner (Chair)
Councillor Gulfam Asif
Councillor Cahal Burke
Councillor Rob Walker

Apologies: Councillor Elizabeth Smaje

3 Membership of Committee

Apologies for absence were received from Cllr Elizabeth Smaje.

4 Minutes of Previous Meetings

The minutes of the meeting of the Committee held on 24 April and 24 May 2017 were proved as correct records.

5 Interests

No interests were declared.

6 Admission of the Public

The Committee determined that all agenda items would be considered in public session.

7 Appointment of Co-optees for 2017/18

The Management Committee considered a report which set out the proposed allocation of Scrutiny Co-optees within the Scrutiny Panel structure for the 2017/18 municipal year.

The Management Committee noted that during the previous municipal year a number of Scrutiny Co-optees had stepped down for a range of personal reasons. The Management Committee formally thanked John Briggs, Christopher Horner and the Rev. Richard Burge for their significant contributions as Scrutiny Co-optees. It was noted that the Rev. Richard Burge had served as a statutory education co-

optee for the Diocese, for 10 years. The Diocese was currently considering a new nomination for the role.

The Committee noted the proposed allocation of places across the four standing Scrutiny Panels, as set out in section 2.1 of the report. The report highlighted that due to the retirement of some Co-optees there were insufficient Co-optees to allocate people with appropriate experience to the Corporate Scrutiny Panel. It was suggested that 2 former Co-optees, Linda Summers and Jeff Peers had indicated that they would be willing to serve for an additional year until such time as new Co-optees could be appointed and trained for the role.

RESOLVED -

- (1) That the Scrutiny Co-optees be reappointed for the 2017/18 municipal year and allocated to panels as set out in the report.
- (2) That a formal letter of thanks be sent by the OSMC to those Co-optees who had stepped down.
- (3) That consideration be given to a Co-optee recruitment exercise later in the municipal year.

8 Overview and Scrutiny 2017/18

The Management Committee considered information on the arrangements for Overview and Scrutiny in the 2017/18 municipal year, including the approach, developing the work programme and the role of panel lead members. Jacqui Gedman, Chief Executive attended for this item.

Councillor Stewart-Turner discussed a brief guide to overview and scrutiny with Committee Members to reiterate the approach to scrutiny and the underpinning principles of scrutiny in Kirklees. The guide referenced the outcomes of the work of the Kirklees Democracy Commission that had concluded that the scrutiny function needed changes to approach, culture, and profile within the Council. It was suggested there should be greater focus on the scrutiny of strategic priorities, early dialogue as part of the decision making process and much greater citizen involvement in the scrutiny process. It further acknowledged that there was a responsibility on decision makers to share information as early and openly as possible. The guide indicated that a more detailed note and checklist would be made available to standing scrutiny panels to help prioritise issues for the work programme.

In discussing the report it was noted that some members were concerned that information that had been requested was not always forthcoming to scrutiny members. Councillor Stewart-Turner encouraged members to bring issues back to the Management Committee for discussion where there were concerns about a lack of response.

Jacqui Gedman, Chief Executive emphasised that Cabinet Members were keen to engage with Scrutiny. The Leader of the Council was keen that scrutiny meetings should be webcast to try to ensure a more accessible scrutiny function and a transparent holding to account.

Ms Gedman circulated a draft list of policy reviews planned for 2017/18. These included early reviews on air quality, waste management and housing. There was an opportunity for scrutiny to play a more visible role in policy development work in providing challenge as policies were being formulated.

Ms Gedman also circulated to the Committee a suggested approach to Cabinet Portfolio Holders attendance at Scrutiny Panel meetings. It was suggested that sessions focus on a discussion about a particular subject area within the portfolio and an update on policy development work from portfolio holders. Officers would be in attendance with portfolio holders and where appropriate, contribute to the discussion. It was further suggested that written responses to questions put at meetings, including providing supplementary information could, where appropriate be provided through written responses.

The Management Committee was broadly in agreement with the proposals however it was felt that there needed to be flexibility. The comment regarding Cabinet and Scrutiny liaison sessions being webcast was not agreed as it was felt these liaison (briefing) sessions were better considered informally due to the nature of the developmental work under discussion.

Ms Gedman emphasised that each standing panel would have a Director lead who would help panels to filter information and help in identifying issues for scrutiny. It was also noted that a strategic agenda plan was being prepared and would be shared with Overview & Scrutiny.

It was suggested that briefing sessions could be used to help identify areas for scrutiny and planning appropriate areas of focus, which would provide a better webcast meeting.

The Committee continued to discuss scrutiny training available for members and it was agreed that chairing scrutiny training should be investigated. It was emphasised that the Local Government Association provided training including particular emphasis on children's services portfolios.

The Management Committee thanked Jacqui Gedman, Chief Executive for attending the meeting.

RESOLVED -

(1) That the guidance note on the principles of the approach to Overview and Scrutiny in 2017 be noted.

(2) That the paper on Cabinet Portfolio Holders attendance at Overview and Scrutiny, and the draft policy development work programme, be noted.

(3) That Jacqui Gedman be thanked for attending the Committee meeting and discussing how Scrutiny might work in the new municipal year, including LGA training and the important work of the Children's Scrutiny Panel.

9 Schedule of Meetings 2017/18

The Management Committee considered arrangements for meetings in the 2017/18 municipal year. It was agreed that the Management Committee would schedule a meeting every two months, with scrutiny panel meetings meeting every four to six weeks. It was agreed that OSMC meetings would take place on Monday mornings.

RESOLVED –

That meetings of the Overview & Scrutiny Management Committee be held every two months on a Monday, commencing in September 2017.

Contact Officer: Steve Copley

KIRKLEES COUNCIL
PERSONNEL COMMITTEE

Monday 10th July 2017

Present: Councillor David Sheard (Chair)
Councillor Bill Armer
Councillor John Lawson
Councillor Terry Lyons
Councillor Peter McBride
Councillor Andrew Palfreeman
Councillor Shabir Pandor
Councillor Cathy Scott

Apologies: Councillor David Hall
Councillor John Taylor
Councillor Graham Turner
Councillor Nicola Turner

1 Membership of the Committee

Apologies for absence were noted on behalf of Councillors David Hall, John Taylor, Graham Turner and Nicola Turner

Councillors Bill Armer, John Lawson and Cathy Scott substituted for Councillors David Hall, Graham Turner and Nicola Turner.

2 Minutes of Previous Meeting

The minutes of the Personnel Committee meetings held on 16 and 24 May 2017 were approved.

3 Interests

None declared.

4 Admission of the Public

Members resolved to consider items 9-11 in private session, as they contain exempt information. The details and reasons are set out at the start of each item.

5 Public Question Time

No questions were received.

6 Member Question Time

No questions were received.

7 Deputation/Petitions

No deputations or petitions were received.

8 Exclusion of the Public

RESOLVED – That acting under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically stated in the under mentioned minutes.

9 Update on Human Resources and Industrial Relations and Trade Union Relationships in the New Council

(Exempt information relating to consultations or negotiations, or contemplated consultations and negotiations, in connection with a labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. The need to maintain confidentiality around negotiations with the trade unions outweighs the public interest in disclosing the information)

Further to the Personnel Committee on 16 May 2017, the Committee received a verbal update from Jacqui Gedman and Debra Ladlow on the progress being made in the discussions with the trade unions to try to develop the working arrangements between the management and trade unions.

The report focused, in summary, on:-

- The background and events which had led UNISON to call for strike action in the children's social work teams on 5 and 6 July 2017
- The turnout for this industrial action
- The actions which management had taken to try to avert the strike action, and will continue to take to try to deal with the issues raised by UNISON,
- The progress made by the management side to capture and record details of the requests made by trade union representatives for formal time off for their trade union duties, plus the work being undertaken with managers to improve the recording of any "green time", and any other ad hoc and informal time off for other trade union duties. Progress will continue to be tracked in 2017/18 and 2018/19.

RESOLVED - Members of the Personnel Committee agreed to receive this progress report and ask for a further progress report at the next Personnel Committee.

10 Succession Planning and Managing Change

(Exempt information relating to particular employees. The public interest in maintaining the exemption, which would protect the rights of the individual under the Data Protection Act 1988, outweighs the public interest in disclosing the information and providing greater openness in the council's decision making)

Following a report at the Personnel Committee on 16 May 2017, Jacqui Gedman explained that, subject to the Council meeting on 11 July 2017 approving the recommendations made by this committee about the appointment of the Chief Executive, the council will look to initiate a recruitment process to fill the post of Strategic Director for Economy and Infrastructure on a permanent basis

Jacqui Gedman went on to seek the permission of the committee to extend the temporary contract of Naz Parkar, the acting Strategic Director for Economy and Infrastructure, for a further period of time to maintain capacity and leadership etc. in the organisation until the recruitment and selection process to fill the post on a permanent basis is complete.

RESOLVED – Members of the Personnel Committee agreed to the proposal put forward by Jacqui Gedman to extend the temporary contract of Naz Parkar, the acting Strategic Director for Economy and Infrastructure for a further period of time to maintain capacity and leadership etc. in the organisation until the recruitment and selection process to fill the post on a permanent basis is complete.

11 Director of Children's Services - Kirklees Council

(Exempt information relating to an individual or to information relating to the financial or business affairs of any particular person. The public interest in maintaining the exemption, which would protect the interest of the council and third party organisations concerned, outweighs the public interest in disclosing the information and providing greater openness in the council's decision making)

Jacqui Gedman introduced a report seeking approval from the committee to appoint a Director for Children's Services for Kirklees Council

The report explained the arrangements that had been put in place following the release of the report by Eleanor Brazil, on behalf of Ofsted, in to Children's Services in Kirklees

Jacqui Gedman also tabled further private and confidential information for members of the committee to consider how the Secretary of State for Education may reply to the response which the council had proposed to deal with the report and its recommendations. Jacqui Gedman explained that the response and the work will probably involve a formal partnership arrangement with Leeds City Council.

Personnel Committee - 10 July 2017

Jacqui Gedman also acknowledged that while the correspondence and discussions about the proposed response were ongoing, a final and formal letter from the Secretary of State was still awaited.

RESOLVED – That the committee agrees with the following recommendations within today's report.

- (1) That the decision taken by the Chief Executive to appoint the Director of Children's Services for Leeds City Council on a temporary basis to work with Kirklees council from the beginning of July 2017, be endorsed.
- (2) That, for the reasons set out in the report, the Director of Children's Services for Leeds City Council be appointed as the Joint Director of Children's Services with Kirklees for a period of up to six months *(Subject to the effect of any direction issued by the Secretary of State for Education).*

Contact Officer: Richard Dunne, Tel. richard.dunne@kirklees.gov.uk

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 15th June 2017

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Donald Firth
Councillor Paul Kane
Councillor Carole Pattison
Councillor John Lawson

1 Membership of the Committee

Councillor John Lawson substituted for Councillor Andrew Pinnock.

2 Minutes of the Previous Meeting

Approved as a correct record.

3 Interests and Lobbying

Councillor S Hall declared that he had been lobbied on application 2016/93746.

4 Admission of the Public

All items on the agenda were taken in public session.

5 Public Question Time

The Committee received a question from Peter Schofield on behalf of the Lindley Moor Action Group in regards to the Local Planning Authority's approach to Air Quality Management. The Development Management Group Leader responded to the question.

6 Deputations/Petitions

No deputations or petitions were received.

7 Site Visit - Application No: 2017/90340

Site visit undertaken.

8 Site Visit - Application No: 2016/90261

Site visit undertaken.

9 Site Visit - Application No: 2016/93746

Site visit undertaken.

10 Planning Application - Application No:2016/92055

The Committee gave consideration to Planning Application 2016/92055 Erection of 109 dwellings with associated works Land to the east of Crosland Road, Lindley, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Peter Schofield and Mike Chalker (Objectors) and Chris Darley (Agent).

Under the provisions of Council Procedure Rule 36 (1) the Committee received a representation from Cllr Gemma Wilson (Local Ward Member).

RESOLVED –

1) Delegate approval of the application and the issuing of the decision notice to the Head of Development Management in order to complete the list of conditions contained within the considered report including:

1. A 3 year Time limit for commencing the conditions.
2. Highways conditions to include: junction provision; provision of footpath; and internal parking secured.
3. Environmental Health Conditions to include: Noise attenuation (facing onto Crosland Road, and boundary treatments on northern boundary; Remediation; and Air Quality (provision of charging points).
4. Landscape and biodiversity management plan.
5. Samples of materials / boundary treatments.
6. Drainage conditions.
7. Development to be carried out in accordance with the approved plans.

2) That the Head of Development Management be authorised to secure a S106 agreement to cover the following matters as detailed in the considered report and following the expiry of the extended publicity period:

1. Affordable housing (15% of total number of units);
2. Education Contribution (£269,347)
3. Public Open Space contribution (On site POS and contribution of £112,750 for off site equipped play provision)
4. Sustainable Travel Fund £47,826
5. Travel Plan Monitoring £15,000
6. Bus Stop Improvements £10,000

3) That, pursuant to (2) above, In the circumstances where the S106 agreement has not been completed within 3 months of the date of the Committee's resolution then the Head of Development Management shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured and be authorised to determine the application and impose appropriate reasons for refusal under Delegated Powers.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors S Hall, Kane and Pattison (3 votes)

Against: Councillors Armer, D Firth and Lawson (3 votes)

The Chair used his casting vote to support the officer recommendation.

11 Planning Application - Application No: 2017/90340

The Committee gave consideration to Planning Application 2017/90340 Erection of builders merchants building, formation of access, car parking and associated external storage Neiley Wastewater Treatment Works, New Mill Road, Brockholes, Holmfirth.

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Development Management in order to complete the list of conditions contained within the considered report including:

1. A 3 Year time limit for commencement.
2. Development to be in accordance with the plans.
3. Surface Water from parking/hardstanding areas.
4. Foul and surface water drainage details.
5. Rate of Surface Water Discharge.
6. Vehicle charging points.
7. Land Contamination Phase 1.
8. Remediation Strategy for contaminated Land.
9. Implementation of remediation strategy.
10. Validation Report.

11. Hours of opening.
12. Delivery hours.
13. Hours of construction.
14. Security Measures.
15. Details of cladding.
16. Landscaping scheme.
17. Highways-visibility Splay.
18. Footway surfacing.
19. Access for construction traffic.
20. Gates set back from highway.
21. A 3 metre height restriction of goods stored within external storage areas.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors Armer, D Firth, S Hall, Kane, Lawson and Pattison. (6 votes).
Against: (0 votes)

12 Planning Application - Application No: 2016/90261

The Committee gave consideration to Planning Application 2016/90261 Erection of warehousing unit Brookfield Mill, Penistone Road, Kirkburton, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Matthew Robinson (Agent) and Charles Smith (applicant),

RESOLVED –

1) Delegate approval of the application and the issuing of the decision notice to the Head of Development in order to complete the list of conditions contained within the considered report including:

1. Development to be completed in three years.
2. Development to be completed in accordance with approved plans.
3. The approved access and turning facilities shall be provided in accordance with the approved details.
4. The car parking areas shall be laid out surfaced, marked out into bays and drained
5. A Scheme demonstrating an adequately designed soak away or alternative scheme.
6. Development to be carried out in accordance with the approved FRA, with finished floor levels to be set no lower than 98.8m above Ordnance Datum (AOD).
7. Samples of facing materials to be approved.

2) In addition the Committee agreed that there was no requirement to include the additional condition that related to the restriction of vehicle or stock movements as detailed in the update list.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors Armer, D Firth, S Hall, Kane, Lawson and Pattison (6 votes).
Against: (0 votes)

13 Planning Application - Application No 2016/93746

The Committee gave consideration to Planning Application 2016/93746 Outline application for erection of up to 200 dwellings and formation of public open space (within a Conservation Area) Fieldhead Farm, White Lee Road, White Lee, Batley.

RESOLVED –

To Inform the Planning Inspectorate (appeal APP/Z4718/W/17/3171852) that the Local Planning Authority would have been minded to refuse the application for the following reasons:

1. The application site is allocated as urban greenspace on the Kirklees Unitary Development Plan (UDP) proposals map and the Kirklees Draft Local Plan (KDLP) proposals map. The proposed development is contrary to Policy D3 of the UDP and Policy PLP61 of the KDLP which relates to development on such sites. The site forms part of a larger area of urban greenspace which has been assessed as having high value as open space and as such is not deemed surplus to requirements. The development is therefore contrary to Policy D3 of the UDP, and Policy PLP61 of the KDLP. The loss of the value of the urban greenspace is considered to outweigh all other material considerations, including the delivery of new housing.
2. The proposed development would lead to the loss of a large tract of open land within an otherwise built up area which plays an important strategic role as a green wedge separating the distinctive communities and settlements of Heckmondwike and Healey and provides valuable open land for local amenity and visual relief to the built up area. To develop this area for up to 200 dwellings would be harmful to the character and appearance of the local area, the wider local landscape and would erode the local sense of place by the coalescence of settlements. To permit such a development would be contrary to Policies BE1 and BE2 of the Kirklees Unitary Development Plan, Policies PLP24 (a) and PLP 32 (b) of the Kirklees Draft Local Plan and the Core Planning Principles and Policies in Chapter 7 of the National Planning Policy Framework.

A Recorded Vote was taken in accordance with Council Procedure Rule 42 (5) as follows:

For: Councillors Armer, D Firth, S Hall, Kane, Lawson and Pattison (6 votes).
Against: (0 votes)

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KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 13th July 2017

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Donald Firth
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Eric Firth

1 Membership of the Committee

Councillor E Firth substituted for Councillor Kane.

2 Minutes of the Previous Meetings

RESOLVED –

That the Minutes of the Meetings held on 24 May 2017 and 15 June 2017 be approved as a correct record.

3 Interests and Lobbying

Councillor E Firth advised that he had been lobbied on Application 2017/90772.

4 Admission of the Public

It was noted that all agenda items would be considered in public session.

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

None received.

7 Site Visit - Application No: 2016/94285

Site visit undertaken.

8 Planning Application - Application No: 2016/94285

The Committee gave consideration to Planning Application 2016/94285 – Outline Application for erection of primary school building and reconfiguration of existing playing pitches at the playing fields and allotments adjacent to Clare Hill Playing Fields, Clare Hill, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Debbie Fulgoni and Jonathan Adamson (local residents), Matthew Rhodes (applicant's agent) and Jo-anne Sanders (on behalf of the applicant).

RESOLVED –

That authority be delegated to the Head of Development Management to approve the application, issue the decision notice and complete the list of conditions including; approval of details of the appearance/landscaping/scale, plans and particulars of the reserved matters, application for approval of the reserved matters, timeframe for implementation of development, all conditions required in association with highway works/parking areas/access points, improvement works to existing public rights of way, ecological mitigation and enhancement measures, community use agreement on applicant owned pitch, details of works required to replacement pitch in accordance with Sport England's Design Guidance 'Natural Turf for Sport', air quality assessment, lighting scheme, details of extract ventilation systems, contaminated land/remediation/validation conditions, scheme for the suppression of dust emissions arising from development, phase 2 ground investigation (coal authority), foul and surface water on and off site, surface water drainage, rate of surface water discharge, details and timescales of upgrading replacing allotments for existing plot holders, secure by design (crime prevention measures) and travel plan requirements condition.

A Recorded Vote was taken in accordance with Council Procedure Rule 42(5) as follows;

For: Councillors Armer, D Firth, E Firth, S Hall, Pattison and A Pinnock (6 votes)

Against: (no votes)

9 Planning Application - Application No: 2017/91459

The Committee gave consideration to Planning Application 2017/91459 – Erection of 149 dwellings with associated car parking, access, landscaping, public open space and drainage works at land off Rumble Road, Dewsbury.

RESOLVED –

That the application be refused (contrary to the Officer Recommendation), on the grounds that it is not in compliance with the emerging Local Plan, or Policy D3 of National Planning Policy Guidance.

A Recorded Vote was taken in accordance with Council Procedure Rule 42(5) as follows;

For: Councillors Armer, D Firth, E Firth, S Hall, Pattison and A Pinnock (6 votes)

Against: (no votes)

10 Planning Application - Application No: 2017/90772

The Committee gave consideration to Planning Application 2017/90772 – Change of use of part of the rail head and depot to enable the importation of construction and demolition materials via the existing site access, recycling using mobile plant and equipment, and storage of processed materials for export off site at Bretton Street Rail Depot, Bretton Street, Savile Town, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Dan Walker (applicant's agent).

RESOLVED –

- 1) That authority be delegated to the Head of Development Management to approve the application, issue the decision notice and complete the list of conditions including; standard 3 years for implementation, development to be carried out in accordance with approved plans, HGV routing to be limited to via Bretton Street only in accordance with submission details, all areas used by vehicles shall be retained in good condition and kept free of obstruction, existing wheel washing facilities to be retained and used by all HGV vehicles, the development to be carried out in accordance with a dust suppression scheme to be approved in writing by the LPA, no activities to take place between the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays, no crushing or screening operations to take place on Saturday, Sunday, Bank Holidays or during school holidays as per application submission, and all aggregates produced shall be stored within the existing storage bays.
- 2) That, at the request of the Committee, an additional condition be included to require supplemental tree planting as part of a landscaping scheme to provide additional screening of the site.
- 3) That authority be delegated to the Head of Development Management to secure a Section 106 agreement from the applicant to confirm a financial contribution of £11, 812.63 towards traffic light upgrades at the junction with Savile Road and Mill Street East to improve air quality.
- 4) That, pursuant to (3) above, in circumstances where the S106 has not been completed within 3 months of this decision, the Head of Development Management shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, be authorised to determine the application and consider whether it should be refused, and in such cases, impose appropriate reasons for refusal under delegated powers.

A Recorded Vote was taken in accordance with Council Procedure Rule 42(5) as follows;

For: Councillors Armer, D Firth, E Firth, S Hall, Pattison and A Pinnock (6 votes)

Against: (no votes)

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KIRKLEES COUNCIL
STRATEGIC PLANNING COMMITTEE

Thursday 10th August 2017

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Donald Firth
Councillor Paul Kane
Councillor Carole Pattison
Councillor John Lawson

1 Membership of the Committee

Councillor Lawson substituted for Councillor A Pinnock.

2 Minutes of the Previous Meeting

Approved as a correct record.

3 Interests and Lobbying

There were no declarations of interests or lobbying.

4 Admission of the Public

It was noted that all agenda items would be considered in public session.

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

7 Site Visit - Application No: 2017/91623

Site Visit undertaken.

8 Site Visit - Application No: 2016/91967

Site Visit undertaken.

9 Site Visit - Application No: 2017/91111

Site Visit undertaken.

10 Site Visit - Application No: 2017/91502

Site Visit undertaken.

11 Local Authority Planning Appeals

The Committee received a report which set out decisions which had been taken by the Planning Inspectorate in respect of decisions submitted against the decisions of the Local Planning Authority.

RESOLVED -

That the report be noted.

12 Planning Application - Application No: 2017/91623

The Committee gave consideration to Planning Application 2017/91623 – Erection of 59 dwellings and associated means of access at land at Dunford Road, Hade Edge, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Penny Townsend, Martin Ingham, John Dalton, Julie McDonald and Steve Sykes (local residents) and Jonathan Ainley (applicant's agent).

Under the provisions of Council Procedure Rule 36 (1), the Committee received representations from Councillors Patrick and Sims (Ward Members).

RESOLVED –

That the application be deferred to allow further discussions to take place with the applicant regarding design and highways improvements, the details of section 106 agreement and consideration of the outstanding consultation response from the PEAK Park Authority.

A Recorded Vote was taken in accordance with Council Procedure rule 42(5) as follows;

For: Councillors S Hall, Lawson, Kane and Pattison (4 votes)

Against: Councillors Armer and D Firth (2 votes)

13 Planning Application - Application No: 2016/91967

The Committee gave consideration to Planning Application 2017/91967 – Outline application for residential development and convenience store, and provision of open space land at Dunford Road, Hade Edge, Holmfirth.

RESOLVED –

That the application be deferred to allow further discussions to take place with the applicant regarding design and highways improvements, the details of section 106 agreement and consideration of the outstanding consultation response from the PEAK Park Authority.

A Recorded Vote was taken in accordance with Council Procedure rule 42(5) as follows;

For: Councillors S Hall, Lawson, Kane and Pattison (4 votes)

Against: Councillors Armer and D Firth (2 votes)

14 Planning Application - Application No: 2016/92702

The Committee gave consideration to Planning Application 2016/92702 – Erection of training facility building with ancillary sports areas and demolition of existing pavilion at Woodfield Park Sports and Social Club, Meltham Road, Lockwood.

RESOLVED –

That authority be delegated to the Head of Development Management to approve the application, issue the decision notice and complete the list of conditions including; the development shall commence within three years of the date of the approval, the development shall be completed in accordance with the approved plans, samples of materials shall be inspected prior to the erection of the functional flood plain, submission of a survey of the location/size/depth/condition of the culverted ordinary watercourse, scheme detailing foul/surface water/land draining, a report specifying the measures to be taken to protect the occupants of nearby noise sensitive premises from noise, a lighting scheme, a low emissions travel plan, provision of charging plug in points, access improvements/surfacing/drainage/kerbing, layout and parking details including overflow parking, details of community use and access to facilities for local teams, and access and car park management plan.

A Recorded Vote was taken in accordance with Council Procedure rule 42(5) as follows;

For: Councillors D Firth, S Hall, Lawson, Kane and Pattison (5 votes)

Against: Councillor Armer (1 vote)

15 Planning Application - Application No: 2017/91111

The Committee gave consideration to Planning Application 2017/91111 – Outline application for erection of industrial development for B1 (business), B2 (general industry) and B8 (storage and distribution) uses at Station Road, Bradley, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Andrew Windress (on behalf of the applicant).

RESOLVED –

That authority be delegated to the Head of Development Management to approve the application, issue the decision notice and complete the list of conditions including; standard condition outlining all reserved matters to be submitted, reference to approved plans, reserved matters to be submitted within 3 years and development commenced within 2 years of final reserved matters, drainage conditions covering details of existing culverts within the site to be submitted with reserved matters (layout), foul and surface water drainage to be submitted with reserved matters (layout), contaminated land conditions including a Phase 1 report, noise report, crime prevention measures, ecological enhancement measures to be incorporated into landscaping, boundary treatments, cycle parking, demolition method statement, finished floor levels, full details of proposed access including sections, reserved matters (layout) to include a link to Calder Valley Greenway, landscaping scheme shall include trees to be retained, and the submission of a traffic signal scheme, phasing and monitoring plan.

A Recorded Vote was taken in accordance with Council Procedure rule 42(5) as follows;

For: Councillors Armer, D Firth, S Hall, Lawson, Kane and Pattison (6 votes)

Against: (No votes)

16 Planning Application - Application No: 2017/91502

The Committee gave consideration to Planning Application 2017/91502 – Demolition of existing store and erection of extension to manufacturing unit (part-retrospective) at Whiteford Felt and Filings Ltd, Clough Mill, Grove Street, Longwood, Huddersfield.

RESOLVED –

That authority be delegated to the Head of Development Management to approve the application, issue the decision notice and complete the list of conditions including matters relating to ; approved plans, approved flood risk assessment, details of materials, noise report, unexpected contamination, soft landscaping scheme, ecological enhancement, the provision of parking spaces and stability of rear bank.

A Recorded Vote was taken in accordance with Council Procedure rule 42(5) as follows;

For: Councillors Armer, D Firth, S Hall, Lawson, Kane and Pattison (6 votes)

Against: (No votes)

17 Planning Application - Application No: 2017/90096

The Committee gave consideration to Planning Application 2017/90096 – Change of use of land as scrambler bike track and formation of hard standing for parking and access at land adjacent to New Hey Road, Scammonden, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Susan Russell (local resident).

Under the provisions of Council Procedure Rule 36 (1), the Committee received a representation from Councillor Bellamy (Ward Member).

RESOLVED -

That application be refused on the grounds that;

- (i) the site lies within an area of designated Green Belt within which it is intended that new development be severely restricted. The proposals would constitute inappropriate development and it is considered that there are no very special circumstances which would clearly outweigh the harm to the Green Belt by reason of inappropriateness or any other harm. As such the proposals are considered contrary planning policy guidance in Section 9 of the National Planning Policy Framework.
- (ii) the applicant has failed to demonstrate that the proposed development would maintain the integrity of the nearby South Pennines Special Protection Area (SPA) which is a European Designated Site. In particular the impact upon bird breeding and foraging areas as a result of disturbance and displacement which would detrimentally impact upon the breeding bird assemblage of the South Pennines SPA. As there are no imperative overriding reasons to allow this development in this position, the proposal would therefore be contrary to Kirklees Publication Draft Local Plan policy PLP 30 and planning policy guidance contained in Section 11 of the National Planning Policy Framework.
- (iii) the applicant has failed to demonstrate that this development would not have a detrimental impact on the amenity of the area as a result of noise and dust resulting from the proposed activities. The proposal would therefore be contrary to Unitary Development Plan Policies EP4 and EP6, Kirklees Publication Draft Local Plan policies PLP51 and 52 and Section 11 of the National Planning Policy Framework.
- (iv) the applicant has failed to demonstrate that this development would not have a detrimental impact on Highway Safety in the vicinity of the site, including that of a public right of way which is contrary to Unitary Development Plan policies R13, T10 and Kirklees Publication Draft Local Plan policy PLP21.
- (v) it is considered that the proposed use in this prominent location would create discordant feature within the local landscape which would have a significant detrimental impact on the area's distinctive wild and remote landscape character and therefore adversely affect the visual amenity of the area. This would be contrary to Kirklees Publication Draft Local Plan policy PLP32 and planning policy guidance contained in Section 11 of the National Planning Policy Framework.

A Recorded Vote was taken in accordance with Council Procedure rule 42(5) as follows;

For: Councillors Armer, D Firth, S Hall, Lawson, Kane and Pattison (6 votes)

Against: (No votes)

18 Planning Application - Application No: 2016/92664

The Committee gave consideration to Planning Application 2016/92664 – Outline application for residential development at Oak Mill, Cliff Hollins Lane, East Bierley.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Andrew Windress (on behalf of the applicant).

RESOLVED -

- 1) That authority be delegated to the Head of Development Management to approve the application, issue the decision notice, secure a S106 agreement in regards to (i) an off-site contribution towards affordable housing, (ii) on site public open space and (iii) agreed maintenance and management for the drainage solution, and complete the list of conditions including; standard conditions to secure reserved matters, noise, contaminated land, sustainable transport, ecological design strategy, drainage details, watercourse enclosure/alterations, flood mitigation works, overland flood routing, temporary drainage provision, affordable housing, public open space, footway and road widening in addition to highway works, retaining walls and structures near or abutting the highway and construction traffic access.
- 2) That, pursuant to (1) above, in circumstances where the S106 has not been completed within 3 months of this decision, the Head of Development Management shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, be authorised to determine the application and consider whether it should be refused, and in such cases, impose appropriate reasons for refusal under delegated powers.

A Recorded Vote was taken in accordance with Council Procedure rule 42(5) as follows;

For: Councillors S Hall, Lawson and Pattison (3 votes)

Against: Councillors Armer, D Firth and Kane (3 votes)

The application was determined by virtue of the Chair's casting vote in accordance with Council Procedure Rule 42 (2).

19 Planning Application - Application No: 2017/92026

The Committee gave consideration to Planning Application 2017/92026 – Redevelopment of 3 dwellings and adjoining barn to create 2 dwellings with parking and gardens at 1-3 Sugden Street, Oakenshaw, Bradford.

RESOLVED –

That, in accordance with Section 101 (1) of the Local Government Act 1972, the application be delegated to Bradford Metropolitan Council for determination.

A Recorded Vote was taken in accordance with Council Procedure rule 42(5) as follows;

For: Councillors Armer, D Firth, S Hall, Lawson and Pattison (5 votes)

Against: (No votes)

20 Pre-application - Co-operative Building, New Street, Huddersfield

The Committee received a pre-application report and presentation in respect of a conversion of an existing mixed use building to 140 bedroom student accommodation with three storey rooftop extension and side extension at Co-operative Building New Street, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Colin Blair, Director of Estates and Facilities, Huddersfield University.

RESOLVED –

That the pre-application presentation be received and noted.

21 Position Statement - Application No: 2017/92235

The Committee received a position statement in respect of the erection of a new education building with associated landscaping at the University of Huddersfield at Queen Street South, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from David Storrie (applicant's agent).

RESOLVED –

That the position statement be received and noted.

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