

Public Document Pack

Kirklees Council



Council Chamber - Town Hall, Huddersfield

Tuesday 4 December 2018

Dear Member

The Council will meet on Wednesday 12 December 2018 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.

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

Group Business Managers to submit any apologies for absence.

3: Minutes of Previous Meeting

1 - 8

To agree and authorise the Mayor to sign the Minutes of Council held on 7 November 2018.

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

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 Committee will hear any questions from the general public.

8: Inclusion & Diversity Annual Report and revised Strategy Action Plan (Reference from Cabinet)

11 - 30

To consider the report.

Contact: David Bundy, Corporate Policy

- 9: Treasury Management - Half Yearly Monitoring (Reference from Cabinet/Corporate Governance and Audit Committee)** 31 - 52
- To consider the report.
- Contact: Eamonn Croston, Service Director – Finance
-
- 10: Gambling Policy (Reference from Licensing and Safety Committee)** 53 - 168
- To consider the report.
- Contact: Russell Williams, Public Protection – Licensing
-
- 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.
- The schedule of written questions will be tabled at the meeting.
-
- 12: Minutes of Cabinet** 169 - 186
- To receive for information; the minutes of Cabinet held on 18 September, 2 October and 16 October 2018, and Cabinet Committee Local Issues held on 2 August 2018.
-
- 13: Holding the Executive to Account** 187 - 194
- (a) To receive Portfolio Updates from Councillor Scott (Democracy) and Councillor Turner (Corporate)
- (b) Oral Questions/Comments to Cabinet Members on their Portfolios and relevant Cabinet Minutes;
- (i) Housing and Democracy Portfolio (Councillor Scott)
 - (ii) Corporate Portfolio (Councillor Turner)
 - (iii) Communities and Environment Portfolio (Councillor Mather)
 - (iv) Health and Social Care Portfolio (Councillor Khan)
 - (v) Learning and Aspiration Portfolio (Councillor Ahmed)
 - (vi) The Leader of the Council
 - (vii) The Deputy Leader of the Council

(viii) Economy Portfolio (Councillor McBride)

(ix) Children's Portfolio (Councillor Kendrick)

14: Minutes of Other Committees

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To receive for information the minutes of the following Committees;

- (i) Appeals Panel
 - (ii) Corporate Governance and Audit Committee
 - (iii) Corporate Parenting Board
 - (iv) Health and Wellbeing Board
 - (v) Licensing and Safety Committee
 - (vi) Overview and Scrutiny Management Committee
 - (vii) Strategic Planning Committee
-

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

- (a) Appeals Panel (Councillor Dad)
- (b) Corporate Governance and Audit Committee (Councillor Richards)
- (c) Corporate Parenting Board (Councillor Kendrick)
- (d) Employee Relations Sub Committee (Councillor Pandor)
- (e) Health and Wellbeing Board (Councillor Pandor)
- (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 Pandor)
- (i) Planning Sub Committee - Heavy Woollen Area (Councillor Kane)
- (j) Planning Sub Committee – Huddersfield Area (Councillor Lyons)
- (k) Scrutiny Panel – Children's (Councillor Burke)
- (l) Scrutiny Panel – Corporate (Councillor Asif)
- (m) Scrutiny Panel – Economy and Neighbourhoods (Councillor Walker)
- (n) Scrutiny Panel – Health and Adult Social Care (Councillor Smaje)
- (o) Standards Committee (Councillor E Firth)
- (p) Strategic Planning Committee (Councillor S Hall)
- (q) Kirklees Neighbourhood Housing (Councillor Smaje)
- (r) Kirklees Active Leisure (Councillor Sokhal)
- (s) West Yorkshire Combined Authority (Councillor Pandor)
- (t) West Yorkshire Combined Authority Transport Committee (Councillor Kaushik)
- (u) West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
- (v) West Yorkshire Joint Services Committee (to be confirmed)
- (w) West Yorkshire Police and Crime Panel (Councillor A U Pinnock)

16: Motion submitted in accordance with Council Procedure Rule 14 as to Universal Credit

To consider the following Motion in the names of Councillors Uppal, A U Pinnock, Homewood, Ullah, Murgatroyd, Griffiths, Kaushik, Richards, Walker, Loonat, Hill, McBride, Mather, Khan and Pandor;

“This Council notes the Universal Credit (UC) policy and its roll out is flawed, causing unnecessary hardship to local families and people across the country whilst failing to meet its original aims.

This Council further notes, that in Kirklees, following the roll out of UC Full Service in November 2017, over 12,730 people are now in receipt of UC support, which has led to problems with rent arrears, and general indebtedness particularly from the 5 week minimum wait for an initial payment; as a result, there has been an increased use of local welfare service provision and foodbanks. From 1/11/17 to 31/3/18 there was 2,177 referrals from the local welfare provision team to four Kirklees foodbanks, up 27% from the same period in the previous year. Recent figures from The Welcome Centre Foodbank in Huddersfield show that between May to July 2018 referrals due to Universal Credit stood at 611; in the first four months of 2018 the centre received 469 referrals.

Official figures show hundreds of thousands of UC payments made nationally are being subject to deductions used to pay back arrears in rent, council tax and utility bills, pushing families into a downward spiral of debt and poverty. Similarly, the local welfare provision team in Kirklees are taking more calls from residents who have not been able to make their UC payment last due to budgeting issues or deductions taken from their payments due to advances, arrears payments or tax credit overpayments. Between 1 April and 24 August 2018, 64% of referrals from the local welfare provision team to local foodbanks and/or fuel vouchers were due to UC claimants struggling with budgeting or low income. This compares to 33% for the period 1/11/17 to 31/3/18.

In addition, for people on UC who are in work, but are paid weekly or fortnightly, the monthly UC payment is causing additional budgeting problems; self-employed workers on UC are significantly worse off than under legacy benefits and compared with employees; and disabled people are being pushed into poverty with the abolition of disability premiums when transitioning on to UC. Furthermore UC payments currently go to one named member of a household. With the present policy there is a real danger that if the whole payment goes to one named individual there is no guarantee that the money will be distributed fairly within the household.

This Council therefore resolves to write to the Secretary of State for

Work and Pensions, making these points, demanding that the Government addresses these issues, and stops the roll out and transition of people on to Universal Credit.”

17: Motion submitted in accordance with Council Procedure Rule 14 as to Giving People a say on the Final Brexit Deal

To consider the following Motion in the names of Councillors Lawson, A Pinnock, K Pinnock, Iredale, Burke, Eastwood, Wilson, Munro, Cooper, Stewart-Turner and Allison;

“This Council notes:

- The growing concern at the prospect of the UK leaving the European Union (EU) with either a bad deal or no deal at all.
- The growing support for people to have a say on the final Brexit deal, including support from organisations such as the British Medical Association, the Royal College of Nursing, GMB, Prospect, TSSA, business leaders and student unions representing over 980,000 students at 60 universities and colleges.

This Council believes that:

- By voting to leave the EU in June 2016, the UK voted for departure but not the destination. There has never been a consensus about how to leave and about our future relationship with the EU post-Brexit, but the years since the referendum on the UK’s membership of the EU has shown the complexity of the task and how challenging Brexit is to deliver.
- Since the referendum, there has been meaningful debate about our EU membership; there is now greater public awareness about the nature and impact of Brexit on the UK and there is ongoing movement in public opinion.
- The future direction of the country post-Brexit should not be decided by a small number of parliamentarians in Westminster. This is too big an issue and will affect all of us for generations to come; sovereignty rests with the people.
- The decision to leave the EU and subsequent negotiations has created political, social and economic uncertainty in the UK. Brexit is likely to have a major impact on local authorities, including Kirklees Council, potentially reducing funding for local and regional investment and development projects, affecting governance and legal frameworks and impacting on the progress of devolution deals.

- There are implications for Kirklees as a result of Brexit and there is consternation from some of our residents, including non-UK EU nationals, about what Brexit may mean for them. For instance, leaving may have an impact on our local health services, with recent NHS data revealing that 31 nurses and health visitors from EU member states left Calderdale and Huddersfield NHS Foundation Trust between March 2017 and March 2018. Brexit is already having an impact on our local manufacturing industry, while some businesses in our region are reconsidering investment plans in new production and new jobs while they await the Brexit deal. Furthermore, Brexit may limit the educational opportunities for our young people. It may cause damage to our local economy and public services and result in a squeeze in living standards.
- As a country, we are not close to resolving the big issues about which people care about; parliament is deadlocked and the impasse will cause insurmountable damage to the UK. A public vote is the only way to move forward.
- The British people deserve the right to have a final say on what direction the country should take on Brexit and must have a vote on the UK's final deal with the European Union.

This Council, therefore, resolves to:

- Request that Cabinet updates and maintains the Council's Risk Register, ensuring that the Register includes an up-to-date and robust account of the risks associated with Brexit;
- Be proactive in planning, outlining the issues and risks associated with different Brexit scenarios, assessing the possible impact on the Council and local area and implementing recommend measures as soon as possible
- Support people to have a say on any final Brexit deal through a vote
- Ask the Leader of the Council to write to the Prime Minister expressing the Council's support for people to have a final say on the Brexit deal."

18: Motion submitted in accordance with Council Procedure Rule 14 as to Period Dignity

To consider the following Motion in the names of Councillors Zaman, Stewart-Turner, Dad, Griffiths, Hill, Hughes, Kaushik, Kendrick, Khan, Loonat, Lowe, Mather, O'Neill, Pattison, Pervaiz, A U Pinnock, Richards, Scott, Uppal, Greaves, Iredale, Munro, K Pinnock, Wilson, Allison, Pandor, Lawson, Cooper, Ahmed, Akhtar, Asif, E Firth, S Hall, Holroyd-Doveton, Homewood, Hussain, Kane, McBride, Murgatroyd, O'Donovan, Sarwar, Sheard, Simpson,

Sokhal, Turner, Ullah, Walker, Burke, Eastwood, A Pinnock, and Lyons;

“This Council:

Notes that women and girls find themselves in a position where they either can't access sanitary products or can't afford sanitary products.

Notes that, low wages and zero-hour contracts are just some of the reasons that women are forced to make difficult decisions about whether to purchase sanitary products.

Is concerned that women and girls are resorting to using items such as socks and tissues in place of sanitary products, putting their health at significant risk and more than one in ten girls have had to improvise sanitary wear due to affordability issues.

Is further concerned that women and girls are missing work or school each month because they can't afford sanitary products.

Believes that women and girls should be able to experience their periods with dignity.

The District of Kirklees is no exception to this national issue and its effects on women's health, who are more likely to suffer from anxiety, depression or in school bullying; the consequence of which can have a negative impact on the local economy and educational attainment.

This Council resolves:

To call on the Government to carry out research into the impact that inadequate sanitary protection can have on women and girls so that it has a better understanding of the true impact of period poverty.

To call on the Government and CBI to carry out research into the impact that inadequate sanitary protection has on the economy including factors such as lost working days compared to the cost of business providing sanitary products at no charge to employees.

To further call on the Government to make sanitary products available for women and girls from low income households who are struggling to afford these essential items, including making sanitary products available in schools and colleges at no charge.

To ask Cabinet to work with schools and colleges to seek to provide sanitary products at no charge in toilet facilities until a time when the Government changes policy.

To ask Cabinet to conduct a feasibility study to assess the financial impact on the Council should it resolve in the future to provide

sanitary products in its toilet facilities.”

By Order of the Council

A handwritten signature in black ink, appearing to read "J. Geelman". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Chief Executive

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Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
Council Chamber - Town Hall, Huddersfield on Wednesday 7 November 2018**

PRESENT

The Mayor (Councillor Gwen Lowe) in the Chair

COUNCILLORS

Councillor Masood Ahmed	Councillor Mahmood Akhtar
Councillor Karen Allison	Councillor Bill Armer
Councillor Gulfam Asif	Councillor Donna Bellamy
Councillor Martyn Bolt	Councillor Cahal Burke
Councillor Richard Eastwood	Councillor Eric 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 Christine Iredale	Councillor Paul Kane
Councillor Viv Kendrick	Councillor Musarrat Khan
Councillor John Lawson	Councillor Vivien Lees-Hamilton
Councillor Robert Light	Councillor Fazila Loonat
Councillor Terry Lyons	Councillor Naheed Mather
Councillor Peter McBride	Councillor Bernard McGuin
Councillor Darren O'Donovan	Councillor Marielle O'Neill
Councillor Shabir Pandor	Councillor Nigel Patrick
Councillor Carole Pattison	Councillor Mussarat Pervaiz
Councillor Amanda Pinnock	Councillor Andrew Pinnock
Councillor Kath Pinnock	Councillor Hilary Richards
Councillor Mohammad Sarwar	Councillor David Sheard
Councillor Will Simpson	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 Sheikh Ullah
Councillor Rob Walker	Councillor Habiban Zaman
Councillor Nell Griffiths	Councillor Alison Munro
Councillor Richard Murgatroyd	Councillor Mark Thompson
Councillor Harpreet Uppal	

77 **Announcements by the Mayor and Chief Executive**

The Mayor presented the former Mayor, Councillor Christine Iredale, with the 2017/2018 Mayoral Yearbook in recognition of her term of office.

The Mayor made the statement that the Chamber was unified in its condemnation of the criminals who had carried out sexual abuse of children within the Borough, and that its thoughts were with the survivors and their families. She advised that the Council and its partners would act to protect children, expose wrongdoing, and bring the abusers to justice.

The Mayor advised that, in accordance with Council Procedure Rule 33(3), the filming of the meeting from the public gallery had been permitted.

The Chief Executive gave notice of the election of Councillor Will Simpson to Denby Dale Ward, following the by-election held on 1 November 2018, and welcomed Councillor Simpson to the Council.

Councillor Light gave notice that he would be submitting his resignation as Councillor for Birstall and Birkenshaw ward with effect from 16 November 2018. Tributes were paid by Councillors D Hall, Smaje, Pandor and Lawson.

78 **Apologies for absence**

Apologies for absence were received on behalf of Councillors Cooper, Dad, D Firth, Kaushik, Scott and Watson.

79 **Minutes of Previous Meeting**

RESOLVED - That the Minutes of Council held on 10 October 2018 be approved as a correct record.

80 **Declaration of Interests**

Councillor Armer declared a personal interest in Agenda Item 17 on the grounds that he knew of some families who had been affected. (Minute No. 93 refers)

81 **Petitions (From Members of the Council)**

No petitions were received.

82 **Deputations & Petitions (From Members of the Public)**

Council received a deputation from Mr Chris Owen with regards to the development of integrated care systems and the impact local upon health care provision.

A response was provided by the Leader of the Council.

No petitions were received.

83 **Public Question Time**

Council received a question from Mr Chris Owen regarding the difference between sustainable transformation plans and integrated care plans.

A response was provided by the Leader of the Council.

Council - 7 November 2018

(At this stage of the meeting, it was agreed that, under the provision of Council Procedure Rule 15(3), the order of business be amended to consider Agenda Item 17 as the next item of business (Minute No. 93 refers)).

- 84 **West Yorkshire Combined Authority - Minutes**
RESOLVED - That the Minutes of the West Yorkshire Combined Authority, held on 2 August 2018 be received and noted.

(At this stage of the meeting, it was agreed that Council Procedure Rule 5(5) be suspended in order to allow Agenda Item 10 to be considered as the next item and prior to Agenda Item 11. (Minute No. 86 refers)).

- 85 **Scrutiny Update**
Item not considered (due to time constraints).

- 86 **Annual Report of Director of Public Health - Healthy Ageing**
Council received a presentation from the Director of Public Health, Rachel Spencer-Henshall, on Healthy Ageing. Following the presentation, Council were given the opportunity to comment and ask questions regarding the content of the presentation.

- 87 **Key Discussion - Health Inequalities**
Council held a Key Discussion on Health Inequalities, which was introduced by the Cabinet Member for Health and Social Care, Councillor Khan.

- 88 **Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons**
Item not considered (due to time constraints).

- 89 **Motion submitted in accordance with Council Procedure Rule 14 as to Flockton Traffic Issues**
It was moved by Councillor Smith, seconded by Councillor J Taylor and;

RESOLVED - That this Council notes that work is now underway to produce an Option Assessment Report in relation to the North Kirklees Orbital Route which will help to determine if this is a viable scheme to develop.

Additionally the £77 million Cooper Bridge by pass, linking the A644 near junction 25 M62 and the A62 near Bradley Bar is currently in the Design phase.

The Council recognises that both these schemes have the potential to significantly affect the volume and flow of traffic in and around the village of Flockton and on the B6118.

Given the existing severe traffic problems affecting the village of Flockton and the undoubted increase in the future with developments already in construction and the potential from the Local Plan, the Council recognises that even if it were to overlook the 2 major road schemes already mentioned, without intervention, this situation will only continue to deteriorate.

Council - 7 November 2018

Therefore the council calls on the Cabinet to undertake an assessment of any impact upon the village of Flockton & B6118 from the NKOR and A62 scheme and to ensure that due consideration is given to the issues in Flockton prior to any work starting on either of these road schemes.

90 Motion submitted in accordance with Council Procedure Rule 14 as to Universal Credit

Item not considered (due to time constraints).

91 Motion submitted in accordance with Council Procedure Rule 14 as to Giving People a say on the Final Brexit Deal

Item not considered (due to time constraints).

92 Motion submitted in accordance with Council Procedure Rule 14 as to Modern Slavery

It was moved by Councillor Hughes, seconded by Councillor Pandor, and

RESOLVED – That this Council notes;

Though slavery was abolished in the UK in 1833, there are more slaves today than ever before in human history. Figures from the International Labour Organisation (ILO) suggest that there are more than 40 million people in modern slavery across the world, with nearly 25 million held in forced labour.

There were 5145 potential victims were submitted to the National Referral Mechanism in 2017; a 35% increase on 2016. A rising number but still well below the 10,000 and 13,000 potential victims estimated by the Home Office.

Modern Slavery is happening nationwide, including the Kirklees district. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment. This can include sexual and criminal exploitation.

Additionally, Government plans to bring in temporary migrant workers to the UK from outside the EU to fill labour shortfalls after Brexit could leave thousands of people at risk of exploitation. Proposals for 5,000 non-EU workers to come on six-month visas to work on British farms over the next two years could create a hotbed for modern slavery unless key safeguards are adopted.

This Council believes:

- That action needs to be taken to raise awareness of modern slavery and the fact that it is happening all over the UK, including Kirklees.
- That the current support for victims is not sufficient and needs to go beyond the 45 days they are currently given by the government.
- That Councils have an important role to play in ensuring their contracts and supplies don't contribute to modern day slavery and exploitation.

Council - 7 November 2018

This Council resolves:

To adopt a policy against Modern Slavery to ensure our procurement practices don't support slavery; and to ask Cabinet to ensure that:

- Its corporate procurement team is trained to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply;
- its Contractors are required to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance;
- any abnormally low-cost tenders are challenged to ensure they do not rely upon the potential contractor practising modern slavery;
- it highlights to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one;
- it publicises its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery;
- its tendered contractors are encouraged to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery;
- it reviews its contractual spending regularly to identify any potential issues with modern slavery;
- it highlights for its suppliers any risks identified concerning modern slavery and refers them to the relevant agencies to be addressed;
- it refers for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery; and
- it reports publicly on the implementation of this policy annually.

And ask the Chief Executive to write to the Government to ask that they:

- Commit to improved standards of protecting all victims, regardless of their nationality, and put those standards into law.
- Ensure all victims are supported through their trauma, and protected from their traffickers. The government should work with civil society to build a comprehensive long-term system of protection for all victims of modern slavery practices.
- Develop a child advocates scheme to protect trafficked children should

be rolled out as soon as possible. We still see children going missing from the care of authorities at 'alarming' rate.

- Restore the full right for migrant domestic workers to change employers, to give them a route out of abuse. The ability to legally leave one's abusive employer without worrying about deportation is the most basic protection everyone should have.
- Invest: The police need resources to carry out complex trafficking investigations. In the current climate of cuts, these often complex investigations are too often bumped down in the priority order for more 'urgent' work, with results easier to show.
- Ensure that in its Brexit negotiations, the UK it retains full access to European intelligence and mechanisms making international investigations possible.
- Review the performance of the Transparency in Supply Chains Clause of the Modern Slavery Act, to identify where it can be strengthened to ensure that efforts against slavery in international business supply chains are optimised."

93 Motion submitted in accordance with Council Procedure Rule 14 as to Child Sexual Exploitation

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

"That this Council resolves that the Leader of the Council should write to the Home Secretary for the purposes of inviting the Minister to cause an inquiry to be held under the provisions of the Inquiries Act 2005 in relation to a case where it appears to him that particular events have caused, or are capable of causing, public concern, those events being the conviction of a number of individuals from the Kirklees area for offences of Child Sexual Exploitation and the ongoing prosecution of a number of other individuals from the same area for offences of Child Sexual Exploitation."

Whereupon, it was moved by Councillor Pandor, and seconded by Councillor Lawson, by way of AMENDMENT that;

"This Council resolves that, in light of the recent widely publicised cases relating to CSE in this area, the Leader of the Council should write to the Home Secretary for the purposes of inviting the Minister to cause an inquiry to be held under the provision of the Inquiries Act 2005 in relation to a case where it appears to him that particular events have caused, or are capable of causing, public concern, those events being the conviction of a large number of individuals, across England, for offences of child sexual exploitation; specifically to examine the role of public bodies and statutory agencies charged with protecting children and apprehending and convicting criminals.

Council - 7 November 2018

This Council notes that the Kirklees Safeguarding Children's Board has commissioned an independent review into child sexual exploitation, the outcomes of which will be made public."

The AMENDMENT, on being put to the vote, was CARRIED. The SUBSTANTIVE MOTION was put to the vote and it was;

RESOLVED –

(1) That, in light of the recent widely publicised cases relating to CSE in this area, the Leader of the Council should write to the Home Secretary for the purposes of inviting the Minister to cause an inquiry to be held under the provision of the Inquiries Act 2005 in relation to a case where it appears to him that particular events have caused, or are capable of causing, public concern, those events being the conviction of a large number of individuals, across England, for offences of child sexual exploitation; specifically to examine the role of public bodies and statutory agencies charged with protecting children and apprehending and convicting criminals.

(2) That this Council notes that the Kirklees Safeguarding Children's Board has commissioned an independent review into child sexual exploitation, the outcomes of which will be made public.

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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: 12 December 2018

Title of report: Annual Inclusion & Diversity Report & Year 2 Action Plan Priorities

Purpose of report:

To update Council on progress on Year 1 of the Council’s Inclusion & Diversity (I&D) Strategy and Action Plan 2017-21 and to outline the priorities and activities for 2018/19

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 <u>Director</u> & name	Rachel Spencer-Henshall, Strategic Director for Corporate Strategy and Public Health
Is it also signed off by the Assistant Director for Financial Management, IT, Risk and Performance?	N/A
Is it also signed off by the Assistant Director (Legal Governance and Monitoring)?	Julie Muscroft, Assistant Director - Legal, Governance and Monitoring
Cabinet member portfolio	Cllr Shabir Pandor

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

1. Summary

Our Inclusion and Diversity Strategy 2017-21 enters its second year and as a public authority under the Equality Act 2010 we are required to:

- report on progress against our existing objectives; and
- establish new ones for the coming year

Our Year 1 objectives were deliberately internally focused in order to get our “house in order” regarding some basic processes such as effective data collection. Some of these remain areas for improvement and are still being worked on; however, Year 2 is more outward-facing and ambitious, in-keeping with the organisation’s commitment to make I&D a key priority.

2. Information required to take a decision

The attached information:

- I&D Annual Report 2017/18
- Year 2 I&D Action Plan

provides Council with the necessary information to review progress and comment on outcomes and priorities for the coming year.

3. Implications for the Council

The Annual Report highlights progress made in the last 18 months and also highlights areas for improvement which will be either part of the year 2 action plan or will be picked up in complementary programmes of work which support the action plan.

The Year 2 Plan of the I&D strategy has been developed by the council's cross-service I&D Hub in an outcome based, intelligence-led manner.

The plan incorporates some high impact work with vulnerable communities, such as new migrants, as well as high profile partnership activities such as a Diversity Conference/Awards event. Activities such as these make the plan more outwards facing. Other priority areas include:

- Increase the number of Supported Internships for students with a learning disability; working with Kirklees College and REAL Employment and through the use of a process called "job carving", key tasks can be identified which together can form a substantial and permanent, paid role for the intern to progress into
- Specific effort will go into jobs at Grade 13 and above, where the evidence from our [Workforce Profile Data](#) shows us that the representation of BME, Disability and Younger People needs a greater focus moving forwards
- Introduce comprehensive Diversity Training for employees and councillors with a particular focus on managing unconscious bias
- Expand the Council commissioned migration welcome mentor programme - a volunteer will help new arrivals and longer-term migrants who are isolated/struggling to access key services

The above and the other activities outlined in the Year 2 plan will continue to raise the profile and importance of I&D across the organisation.

4. Consultees and their opinions

The council's cross service I&D Hub which includes representation from all Employee Networks.

5. Next steps

To take forward the areas for improvement outlined in the Annual Report and the priorities in the Year 2 Action Plan. This work will be coordinated through the Council's I&D Hub.

6. **Officer recommendations and reasons**

For Council to note the Annual Report and the progress made in Year 1 of the I&D Strategy 2017-21 and to support the priorities set out in the Year 2 Action Plan.

7. **Cabinet portfolio holder's recommendations**

- To note the progress made, impact achieved and areas for improvement last year
- To support the Year 2 priorities

8. **Contact officer**

David Bundy, Corporate Policy Officer, Strategy and Policy Team
Tel: 01484 221000
Email: david.bundy@kirklees.gov.uk

9. **Background Papers and History of Decisions**

Report to Cabinet, 13 November 2018 - Annual Inclusion & Diversity Report & Year 2 Action Plan

Report to Overview and Scrutiny Management Committee, 05 November 2018 - Inclusion & Diversity Update

Report to Overview and Scrutiny Management Committee, 27 March 2017 - update on Inclusion & Diversity

Report to Full Council, March 2016 - Inclusion and Diversity in Kirklees – work on a new policy statement for 2016/17

10. **Strategic Director responsible**

Rachel Spencer-Henshall, Strategic Director of Corporate Strategy and Public Health

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Introduction

This is Kirklees Council's second Inclusion and Diversity (I&D) Annual Report. Our [Inclusion and Diversity Strategy and Action Plan 2017 – 2021](#) now moves into its second year and this report highlights the progress made in the first year (which has had a primarily internal focus) against the seven core principles/areas set out in the Action Plan and the associated [I&D Policy Statement](#):

1. A committed and diverse workforce
2. Taking a positive and inclusive approach to everything we do
3. Zero tolerance on abuse, harassment, bullying and violence
4. Demonstrating our commitment through the way we do things in Kirklees
5. Inclusive policies
6. Spreading the word about inclusion and diversity
7. Listening and acting for ongoing improvement

Kirklees as a place has a diverse set of communities, each with different histories, capacities and needs. Some communities may live together within a shared neighbourhood, while other communities may be geographically dispersed but sharing a common interest.

This report highlights areas where improvements have been made and their impact. However equally it is candid and honest about where further development is required. The “**Looking Forwards**” section at the end of this report provides some indication of how we hope to progress in the future. A more detailed Year 2 action plan is also being prepared.

1. A committed and diverse workforce ...

1.1 Achievements

- ✓ We now have in place a process to collate and publish our workforce profile which is helping us to develop more proactive and creative recruitment practices.
- ✓ There has been an emphasis on attracting and retaining high quality employees and “growing our own”.
 - The council has supported over 70 apprentices in the last year.
 - Targeted apprentice adverts to match council’s needs and designed assessment centres that are specifically geared to young people.
 - Promoted apprenticeships in schools, offering support where needed.
 - Developed non-traditional apprenticeships such as marketing and digital.
- ✓ Developing our Workforce, we have:
 - Developed a good quality apprenticeship programme with a broad range of skills and behaviours, support and development.
 - Developed support packages for managers to help them manage their apprentices
 - Been recognised as “highly commended” in the [Apprenticeship Awards 2017](#).
- ✓ The Council’s first Gender pay gap [Report](#) has been published in March 2018 to ensure compliance with the latest requirements of the Public Sector Equality Duty. The figures reflect the fact that:
 - We have retained a number of services in house which employ high proportions of female workers in comparison to other local authorities.
 - The make-up of council staff differs where some organisations use in house services compared to contracting services.
 - A large proportion of our senior staff measured at grade 17 and above are female and this is a change from recent years.

1.2 Impact

- Improved data about our workforce profile means that we can understand where the gaps are and therefore target our recruitment more effectively and undertake it in a way which attracts people from different groups and backgrounds. The impact on our workforce profile will become more apparent over the next 1 – 2 years.
- In terms of the apprentices taken on, the equality profile data that we have is presented below.

Ethnic Grouping	Headcount	%
BME	11	14%
Unknown	20	26%
White	45	60%
Total	76	

Gender	Headcount	%
Female	39	51%
Male	37	49%
Total	76	

Age Range	Headcount	%
16-20	45	60%
21-25	24	32%
26-30	4	5%
31-35	1	1%
36-40	1	1%
41-45	1	1%
Total	76	

Disability	Headcount	%
No	45	59%
Unknown	31	41%
Total	76	

1.3 Areas for improvement

- We still need equality profile information on all nine protected characteristic groups, including improved data collection on gender reassignment, pregnancy and maternity, religion or belief, and sexual orientation.
- More work needs to be done to attract apprentices and improve the profile of the workforce especially at grade 12 and above from BME Communities and we need better data collection on other equality groups.
- We will better prepare care leavers for apprenticeships by piloting paid work experience one day a week (initially for 4-5 individuals) and provide targeted training for managers to help them offer effective support in the workplace
- On our gender pay gap we continue to ensure recruitment for all posts is open and inclusive and pay award proposals for 2018/19 will help to reduce gender pay gaps. We are committed to reducing the gender pay gap and will look into additional initiatives to address this further.

2. Positive and inclusive approach...

2.1 Achievements

- ✓ The Council has become a full member of [Inclusive Employers](#) who are the UK's first and leading membership organisation for employers looking to build inclusive workplaces and practices.
- ✓ Launched the [Diversity Calendar](#) encouraging/giving permission to staff to celebrate events in their teams as appropriate.
- ✓ Better use of Employee Networks, the I&D Hub, and partner organisations to publicise job opportunities to a more diverse audience.
- ✓ Have worked with our partners in particular the Third Sector to shape our approach.
- ✓ We made a commitment in May 2017 as a 'Disability Confident Committed' employer (part of a national scheme). This involved undertaking a self-assessment and identifying/working on additional actions throughout the year to support this commitment
- ✓ We have established a cross-service I&D Hub, chaired by a Service Director, as the primary forum to coordinate and lead the work programme across the organisation



2.2 Impact

- With Inclusive Employers our membership gives us access to a range of tools, training and support, including priority access to [events](#) and [resources](#), that will help us to learn and develop on our way to being a more inclusive organisation; it will also bring external challenge to our working practice and service delivery helping us to embody best practice.
- Becoming a Disability Confident employer means we are committed to doing all we can to encourage applications from disabled people. While we have some very good practice in place we also know we can always do more. We will continue to review our practices to improve things –we will monitor applications for jobs to see how these impacts on recruitment of disabled people.
- Having the I&D Hub has provided enhanced leadership and coordination, resulting in a stronger strategic focus and improved innovation and creativity in terms of ideas which will be outcome based and deliver more tangible impacts impact.

2.3 Areas for improvement

- The council needs to tap into the external support and challenge from organisations such as Inclusive Employers to enhance best practice and address under performance.
- The I&D Hub will continue to provide leadership and extra capacity; however, all services need to incorporate I&D as part of their service priorities and day to day activities.

3. Zero tolerance...

3.1 Achievements

- ✓ Revised guidance for employees and managers has been developed and published about procedures relating to bullying and harassment. Importantly, clarification has been given to how hate crime should be managed when affecting employees.

3.2 Impact

- The total of reported hate crime incidents in 2016/17 was three, in the last two months of 2018 there has been three reported incidents – all of these incidents have been of a racist nature.
- Since the clarification and reissuing of the guidance the trend would seem to be an upwards one.
- This is a positive move as it shows an increased confidence in people's ability to report hate crime.

3.3 Areas for improvement

- Greater awareness among all employees about the process of reporting incidents is required – under reporting is a national issue particularly on hate crimes.
- Consideration is now underway about how awareness is increased and how managers are equipped to support their staff experiencing such incidents.
- Understanding of people's perception of bullying and harassment also needs to be better understood.

4. The way we do things in Kirklees...

4.1 Achievements

- ✓ A Reasonable Adjustment Passport launched in June 2017 as part of a refreshed guidance pack for managers and a Working Carers Passport was launched in June 2018.
- ✓ Ongoing learning and development opportunities for our staff – including the addition of diversity calendar to the Council’s personal online development tool MiPod and new e-learning I&D modules on MiPod Xtra.
- ✓ Our National Inclusion Week (NIW) 2017 activities on the theme “Connect for Inclusion” included an internal intranet communication campaign around the daily challenges, a NIW-themed ‘From Equality to Inclusion’ workshop for staff, our Young Employees Network undertaking intergenerational work with communities.
- ✓ Greater support to the BME Network and organisation of Black History Month and other activities.
- ✓ NIW 2018 was all about “Everyday Inclusion” where the organisation was set daily challenges by the directors (provided by Inclusive Employers). Other activities included:
 - An inclusive volunteering event with the Third Sector
 - A drop in session in the Council for employees to find out more about I&D and related services, including Employee network
 - A Staff workshop on I&D run by Learning and Development
 - Attendance at a regional NIW event in Leeds, hosted by Inclusive Employers and Asda, which focused on sharing good practice on I&D

4.2 Impact

- Both passports will ensure that all adjustments and agreed arrangements are recorded into one document to minimise the need to re-negotiate existing adjustments and arrangements every time the employee changes jobs, is relocated or changes manager.
- The profile of I&D was raised across the council, including a blog post on NIW from Chief Executive and the organisation and promotion of activities such as the Young Employees Network’s visit to a local care home highlighted the positive benefits of connecting with people from different backgrounds and experiences.

4.3 Areas for improvement

- While it is positive the above passports are in place communication about them to managers and employees needs to be improved and their effectiveness needs to be monitored.
- Our involvement in NIW needs to be the basis of a more coordinated approach to celebrating and promoting good practice on I&D throughout the whole year. As stated earlier in this report we are now members of Inclusive Employers which will help in respect of external support and resources, plus in 2018 /19 we will be working alongside and highlighting the work of community groups, local businesses and charities to raise the profile of Diversity across the district.

5. Inclusive policies

5.1 Achievements

- Our Kirklees People Strategy was launched in November 2017 and is about achieving our vision and shared outcomes through a strong focus on great people. The strategy clearly states that inclusion & diversity is integral here, and since the launch we have been specifically looking at how we can support a positive and inclusive approach in Kirklees – for example:
 - Coaching is being promoted as an opportunity that is open to all employees, with work being undertaken with our employee networks to encourage participation.
 - We are making better use of workforce ‘data packs’ to encourage managers to think about and plan for the future to address any issues/gaps (including diversity).
 - Services have considered the ‘inclusivity’ gap in putting forward candidates for our new Level 3 team leader/supervisor apprenticeship (funded by the Apprenticeship Levy) and we are using equality monitoring to look at participation/gaps, provide challenge and agree next steps.
 - A specific workshop on inclusion and diversity is being included part of the Level 3 apprenticeship programme.
- ✓ Our ‘Flexible, mobile and agile ways of working policy statement’ outlines our organisational commitment to encourage and support a culture which is open to working in different ways. It was updated in 2017 to include the ‘mobile and agile’ element, which focuses on the inclusive principle of freedom to work at the right time, anyplace.
- ✓ As highlighted previously under ‘Zero Tolerance’, our guidance for managers on hate crime and bullying and harassment has been updated. We have also updated guidance for managers and employees (including a new Reasonable Adjustment Passport) as part of our Disability Confident commitment.

5.2 Impact

- This is all helping raise the profile of inclusion and diversity again and ensure it is increasingly being seen as part of ‘the way we do things in Kirklees’ rather than a separate area.

5.3 Areas for improvement

- While the People Strategy is explicit about the importance of inclusion and diversity and this being part of our cultural transformation, much more work is still needed to embed this and make it a reality. Our Inclusive Employers membership will help to support this.
- We will need to ensure a stronger I&D focus across a range of work areas – for example through looking at inclusive recruitment, inclusive communication, inclusive leadership and management, induction etc.

6. Spread the word...

6.1 Achievements

- ✓ Internal communications across the Council have regularly included I&D topics and issues including the Chief Executive's Blog.
- ✓ During National Inclusion Week there was a comms campaign around I&D as outlined in the "**The way we do things in Kirklees...**" section above.
- ✓ In March 2018 Team Kirklees Awards focused on the category "Valuing Diversity" across Kirklees and working together to be inclusive.



[Tick Tock...are you ready for the GDPR changes?](#)



[Winners! 'Team Kirklees Award' for valuing diversity](#)



[Jacqui's new blog - Going Large on Diversity](#)

6.2 Impact

- The blog post from our Chief Executive entitled "Going Large on Diversity" has made a significant commitment and statement of intent from senior management about I&D being a key organisation priority, with the expectation that all services and employees should actively contribute.
- The impact of our involvement in NIW is highlighted in the section "**The way we do things in Kirklees...**"

6.3 Areas for improvement

- We need to improve our internal and external communications on I&D to raise awareness of good practice, call people and services to action and engage our communities and partners to collaborate more effectively in the future.

7. Listen and act...

7.1 Achievements

- ✓ Increased support has been given to the Council's employee networks who have been in existence for varying numbers of years. All employee network chairs now sit on the Council's corporate I&D Hub where ideas to improve I&D are discussed contributions are made to Council strategic priorities
- ✓ All networks have been active in the past year in different ways; however, this particularly applies to the Young Employee Network work who in 2017/18:
 - Held a seminar for managers and young employees.
 - During Democracy Week organised a workshop for young people in the community.
 - As part of National Inclusion Week visited Care Home to treat the service users to some fun and pampering activities such as making cakes, hand painting and hair and make-up.
 - Raised money for local charities.
 - Organised out of work placements for network members in All Age Disability and Transformation Services.

And the BME Network who have had:

- a Talent Growth workshop attended by 60 members looking to develop their careers.
- a Pensions awareness workshop outlining options available.
- a Human Resources/review workshop.
- Black History Month event, focusing on a celebratory (open to all) session on 18 October 2018.

7.2 Impact

- As outlined below more work needs to be done with our employee networks, however a positive template has been set by the Young Employees Network on how the council as a whole can benefit from the active contribution of valued and motivated employees.

7.3 Areas for improvement

- Our commitment at the beginning of 2017 was to rejuvenate all employee networks. This commitment has been achieved with the Young Employees Network and the Black and Minority Ethnic Network is gaining momentum as well; however, a good deal of work still needs to take place to support all the other networks to enable them to thrive. All services and managers need to recognise the positive contribution being made by the networks to the council's core business and a particular emphasis needs to be placed on managers enabling staff to be actively involved in networks. There is concrete evidence of employees being prevented from attending and getting involved in networks despite being encouraged to do so by senior managers including a specific Blog on the networks and this issue by the Chief Executive.

Looking Forwards

Work is now underway to have a more externally focused and outward-facing approach to year 2 and beyond in the Strategy and Action Plan.

The council will continue to go beyond minimum legal compliance and actively promote diversity as an asset for the way we work. We will continue to explore new and innovative ways of working based on inclusion which will help improve services, employment practices, productivity and the overall quality of life for all our communities.

The outward-facing nature of our work on I&D in the future will also be far more partnership based to maximise the collective potential of for example: local businesses, community and voluntary organisations, the University and colleges to benefit the citizens of Kirklees.

Meanwhile we will continue to improve our data and monitoring to help inform improved practice on I&D moving forwards.

The areas for improvement highlighted in this report will be part of continuing work programmes and embedded in the relevant Service Delivery Plans across the Council which will complement the more outwards facing outcomes in the year 2 action plan.

Kirklees Council's Inclusion and Diversity Year 2 Action Plan 2018-19

“From Equality to Inclusion”

Context

This is the second year of the Council's Inclusion and Diversity (I&D) Strategy 2017-21. The progress made in the first year can be seen in the Annual Report 2018. The renewed focus given to this agenda by the Council's Leadership is evidenced by the commitment to build on last year and make this year's plan more ambitious and more outward-facing.

Our approach of moving from Equality to Inclusion remains true to the following:

“The council is modernising its approach to equality, inclusion and diversity. Our requirement and commitment remains to meet our obligations under the [Equality Act 2010](#) and [Public Sector Equality Duty](#); however, our Inclusion and [Diversity Statement](#) is the first step in placing a greater emphasis on moving from equality to inclusion. We will incorporate this positive approach more effectively and routinely in everything we do through respecting diversity, valuing different perspectives and supporting inclusion.”

This second-year plan highlights the principal I&D outcomes which have been developed by the cross-service Hub, including Employee Networks. All the areas in the plan will have delivery plans to support their implementation. Year 2 outcomes and activities have been developed with a greater community impact as their focus. The “Areas for Improvement” from Year 1, highlighted the Annual Report 2017/18, will be progressed through the relevant Service Development Plans.

Monitoring

The implementation of the activities in this plan will be overseen by the council's I&D cross-service Hub. Progress will be monitored by councillors and an Annual Report will be produced for the end of 2019 and published on the council's website.

KIRKLEES INCLUSION AND DIVERSITY STRATEGY ACTION PLAN 2017 – 2021: YEAR 2

Outcomes <i>(What are we looking to achieve?)</i>	Activity - <i>what are we going to do</i>	Performance Measures - <i>how we are going to assess progress</i>	Timescales
<p>We want a committed and diverse workforce</p>	<ul style="list-style-type: none"> • Introduce targeted and creative recruitment methods including recruitment fairs and outreach to proactively engage with and attract identified under-represented groups – different methods will be required for different types of jobs and communities <ul style="list-style-type: none"> ○ Specific effort will go into jobs at Grade 13 and above, where the evidence from our Workforce Profile Data shows us that the representation of BME, Disability and Younger People is particularly deficient 	<p>Degree to which our workforce represents all communities in Kirklees at all levels</p>	<p>To begin November 2019 and beyond</p>
	<ul style="list-style-type: none"> • Assess job profiles when recruiting 		

	<p>to remove barriers such as unnecessary qualifications and experience and introduce wider criteria for assessing a person's abilities</p>		To begin January 2019
	<ul style="list-style-type: none"> • Increase the number of Supported Internships for students with a learning disability; working with Kirklees College and REAL Employment and through the use of a process called "job carving", key tasks can be identified which together can form a substantial and permanent, paid role for the intern to progress into 		To begin January 2019
	<ul style="list-style-type: none"> • Provide a range of personal and career development support for identified under-represented groups and have active workforce planning programmes across the whole council supported by the People's Strategy 		Start date to be determined
Taking a positive and inclusive approach to everything we do	<ul style="list-style-type: none"> • Building on initiatives such as National Inclusion Week (NIW) and sharing good practice, celebrate diversity and promoting inclusion across the district on a partnership basis 	Kirklees staff, citizens and partners feel valued and included	Ongoing – building towards NIW September 2019
	<ul style="list-style-type: none"> • In collaboration with the Voluntary and Community Sector undertake a 		To begin January –

	<p>programme of Inclusive Volunteering to understand the barriers and then create more volunteering opportunities for people from different backgrounds</p>		reassess November 2019
	<ul style="list-style-type: none"> • Introduce Diversity Training and Development for: <ul style="list-style-type: none"> ○ the Executive and Cabinet to provide strategic leadership on I&D (phase 1) ○ employees and managers, including our subsidiaries, focusing on appropriate behaviour and language, and addressing issues of unconscious bias (phase 2) ○ a small team of inclusion and diversity Leaders to cascade good practice on I&D across all departments (phase 3) 		<p>Phase 1 January - March 2019, Phase 2 February – September 2019 Phase 3 February – May 2020</p>
	<ul style="list-style-type: none"> • Hold a partnership-based Diversity Conference and Awards Event 		Autumn 2019
	<ul style="list-style-type: none"> • A communications campaign centred on “We’re Kirklees” to raise the profile of I&D (e.g. showcase diversity and talent amongst employees and communities) 		To begin February 2019
	<ul style="list-style-type: none"> • Re-invigorate the Employee Networks, particularly the Disabled Employees Network, LGBT and 		

	<p>Working Carers Network ensuring their priorities and actions are supported by this plan and they are able to contribute to the Council's core business</p> <ul style="list-style-type: none"> Supporting all the networks to become safe spaces to talk more openly about people's experiences 		November 2019
An organisation intolerant of bullying, harassment and discrimination, where poor behaviour is challenged and tackled	<ul style="list-style-type: none"> Introduce two additional questions to the council staff survey to help assess this on an annual basis 	Staff confidence in how the Council addresses bullying harassment and discrimination	February 2019
	<ul style="list-style-type: none"> Carry out a baseline analysis of responses by protected characteristics and by service/grade 		March 2019
	<ul style="list-style-type: none"> Establish and communicate a collective understanding of what constitutes bullying and harassment 		April 2019
	<ul style="list-style-type: none"> Communicate what services and managers will do to support employees who feel they are being bullied and/or harassed Improve people's understanding and perceptions of bullying and harassment and the impact it has on different groups 		June 2019
A partnership approach to support resettlement and integration (complementary to the	<ul style="list-style-type: none"> Staff awareness raising and training online package - migration, how people arrive, experiences, cultural adaptation (understanding 	Increased Council and partners awareness about migration and refugee resettlement	To begin February

Migration and Refugee Resettlement Delivery Plan 2018-19)	<p>differences and similarities in cultures and social norms etc.) to help new arrivals to access the support needed in a timely way (a significant amount of support is provided by the voluntary and faith sector)</p> <ul style="list-style-type: none"> ○ Workshop based sessions for those who are working more intensively with migrants • Work to support the integration of new communities in to existing and settled communities 		2019
	<ul style="list-style-type: none"> • Support services and organisations to be as accessible as possible by those whose first language isn't English 		To begin February 2019 and beyond
	<ul style="list-style-type: none"> • Expand the Council commissioned welcome mentor programme - a volunteer will help new arrivals and longer-term migrants who are isolated/struggling to access key services • Gain a better understanding of all our communities across the generations, including new migrants and other groups 		To begin February 2019 and beyond
	<ul style="list-style-type: none"> • Creating volunteering and work experience opportunities for new migrants 		To begin March 2019



Name and date of meeting: Council
 12 December 2018
 (Cabinet 11 December 2018)

Title of report: Half Yearly Monitoring report on Treasury
 Management activities 2018/19

Purpose of report

The Council has adopted the CIPFA Code of Practice on Treasury Management. It is a requirement of the Code that regular reports be submitted to Members detailing treasury management operational activity. This report is the mid-year for 2018/19 covering the period 1 April to 30 September 2018.

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?)	Key Decision: Yes Private Report/Private Appendix: N/A
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by Strategic Director and name	N/A
Date signed off by Service Director	Eamonn Croston – 8 November 2018
Is it also signed off by the Service Director Legal Governance and Monitoring?	Julie Muscroft – 8 November 2018
Cabinet member portfolio	Corporate Graham Turner

Electoral wards affected: N/A

Ward councillors consulted: N/A

Public or Private: Public

1 Summary

- 1.1 The report gives assurance that the Council's treasury management function is being managed prudently and pro-actively. External investments averaged £43.1 million during the period at an average rate of 0.56%. Investments have ranged from a peak of £70.8m in August and a low of £15.8m in April.
- 1.2 Balances were invested in line with the approved treasury management strategy (see Appendix 1), in instant access accounts or short-term deposits.
- 1.3 The treasury management revenue budget is forecasted to underspend by £5.4m in 2018/19 against an annual budget provision of £22.9m due to the change in Minimum Revenue Provision (MRP) policy which generated an underspend against baseline of £9.1m. Of this underspend, it is intended that £4.1m transfers to financial resilience reserves at year end, with the balance of £5.0m released in-year to support additional investment into high needs service in-year.
- 1.4 In-year treasury management performance is in line with the treasury management prudential indicators set for the year (see appendix 4).
- 1.5 the Financial Outturn and Rollover Report 2017-18 presented to Council on 11 July 2018 included officer intentions to review current treasury management investment policy and consider options for future investment opportunities that could make additional returns for the Council. The report includes a recommendation to pursue a more diverse portfolio of investment in line with a significant amount of other Local Authorities through the Local Authorities Property Fund, subject to consideration of the potential risk and accounting treatment that is currently still being considered through a formal Government consultation.

2 Information required to take a decision

- 2.1 The treasury management strategy for 2018/19 was approved by Council on 14 February 2018. The over-riding policy continues to be one of ensuring the security of the Council's balances. The Council aims to invest externally balances of around £30 million, largely for the purpose of managing day-to-day cash flow requirements, with any remaining balances invested "internally", offsetting borrowing requirements.
- 2.2 The investment strategy is designed to minimise risk, with investments being made primarily in instant access accounts or short-term deposits, with the major British owned banks and building societies, or Money Market Funds. Diversification amongst counterparties is key.

Economic Context

- 2.3 The following economic update has been provided via our external advisors Arlingclose (paragraphs 2.6 to 2.9 below in italics):
- 2.4 *The most recent labour market data for July 2018 showed the unemployment rate at 4%, its lowest since 1975. The 3-month average annual growth rate for*

regular pay, i.e. excluding bonuses, was 2.9% providing some evidence that a shortage of workers is providing support to wages. However real wages (i.e. adjusted for inflation) grew only by 0.2%, a marginal increase unlikely to have had much effect on households.

- 2.5 *The Bank of England made no change to monetary policy at its meetings in May and June, however hawkish minutes and a 6-3 vote to maintain rates was followed by a unanimous decision for a rate rise of 0.25% in August, taking Bank Rate to 0.75%. Having raised rates in March, the US Federal Reserve again increased its target range of official interest rates in each of June and September by 0.25% to the current 2%-2.25%. Markets now expect one further rise in 2018.*
- 2.6 *The EU Withdrawal Bill, which repeals the European Communities Act 1972 that took the UK into the EU and enables EU law to be transferred into UK law, narrowly made it through Parliament. With just six months to go when Article 50 expires on 29th March 2019, neither the Withdrawal Agreement between the UK and the EU which will be legally binding on separation issues and the financial settlement, nor its annex which will outline the shape of their future relationship, have been finalised, extending the period of economic uncertainty.*
- 2.7 *The ring-fencing of the big four UK banks - Barclays, Bank of Scotland/Lloyds, HSBC and RBS/Natwest Bank plc – is complete, the transfer of their business lines into retail (ring-fenced) and investment banking (non-ringfenced) is progressing and will need to be completed by the end of 2018.*

Investment Performance

- 2.8 The Council invested an average balance of £43.1 million externally during the period (£41.3 million in the first six months of 2017/18), generating £120k in investment income over the period. Appendix 7 shows a comparative average net monthly balances invested over the last 3 years.
- 2.9 Balances were invested in instant access accounts or short term deposits. Appendix 1 shows where investments were held at the start of April, the end of June and September by counterparty, by sector and by country.
- 2.10 The Council's average investment rate for the period was 0.56%. This is higher than the average in the same period in 2017/18 of 0.20%. This is mainly due to both the base rate increase to 0.75% in August 2017.
- 2.11 As per Appendix 3, the Council performed well against other Local Authorities when comparing internal investments. In order to gain better rates of return, the majority of Local Authorities performing better have further external investments in specific commercial property portfolios or a more diverse portfolio such as the Local Authorities Property Fund.

Borrowing Performance

- 2.12 Long-term loans at the end September totalled £395.4 million (£400.4 million 31 March 2018) and short-term loans £2.0 million (£0.9 million 31 March 2018). There has been no new long term borrowing so far this year. There isn't an expectation of any new additional long term borrowing this year.

- 2.13 Fixed rate loans account for 81.0% of total long-term debt giving the Council stability in its interest costs. The maturity profile for fixed rate long-term loans is shown in Appendix 2 and shows that no more than 10% of fixed rate debt is due to be repaid in any one year. This is good practice as it reduces the Council's exposure to a substantial borrowing requirement in future years when interest rates might be at a relatively high level.
- 2.14 Appendix 5 sets out in year repayments on long term borrowing and also further re-payments for the next 6 months.

Revenue Budget Monitoring

- 2.15 The treasury management budget for 2018/19 currently stands at £22.9m. The latest budget monitoring shows an under-spend of £5.4m. The under-spend is mainly due to the revised Minimum Revenue Provision (MRP) policy to provide for MRP on the basis of the asset life to which external borrowing is incurred rather than the older version of a 4% reducing balance of the Capital Financing Requirement (CFR). The MRP calculation is used to determine the amount of revenue resources that need to be set aside annually by the Council to meet its debt obligations. The balance of £0.4m treasury management underspend is due to a reduction in the need for short term borrowing due to further slippage in the Capital Plan.

Prudential Indicators

- 2.16 The Council is able to undertake borrowing without central government approval under a code of practice called the Prudential Code. Under this Code, certain indicators have to be set at the beginning of the financial year as part of the treasury management strategy.
- 2.17 The purpose of the indicators is to contain the treasury function within certain limits, thereby reducing the risk or likelihood of an adverse movement in interest rates or borrowing decision impacting negatively on the Council's overall financial position. Appendix 4 provides a schedule of the indicators set for treasury management and the latest position.

Borrowing and Investment – General Strategy for 2018/19

- 2.18 The Capital Financing Requirement (CFR) represents the Council's underlying need to finance capital expenditure by borrowing or other long-term liability arrangements.
- 2.19 An authority can choose to finance its CFR through internal or external borrowing or a combination of the two.
- 2.20 Forecast changes in the Capital Financing Requirement (CFR) and how these will be financed are shown in the balance sheet analysis at Table 1 below:

Table 1: Balance Sheet Forecast

	Actual 2017/18 £m	Strategy Estimate 2018/19 £m	Revised Forecast 2018/19 £m
General Fund CFR - Non PFI	420.3	458.9	429.8
PFI	52.3	49.3	49.3
HRA CFR - Non PFI	182.8	175.3	183.2
PFI	54.9	52.9	52.9
Total CFR	710.3	736.4	715.2
Less: PFI debt liabilities (1)	107.2	102.2	102.2
Borrowing CFR	603.1	634.2	613.0
<u>Financed via;</u>			
Deferred Liabilities (Non-PFI) (2)	4.0	3.9	3.9
Internal Borrowing	185.9	136.6	208.7
External Borrowing	413.2	493.7	400.4
Total	603.1	634.2	613.0
Investments	36.1	30.0	30.0

(1) £107.2m PFI Liability (£5.0m falling due in 2018/19)

(2) Deferred Liabilities = £1.0m Finance Lease (Civic Centre 1) & £3.0m Transferred Debt (Probation - Bradford, Waste Management - Wakefield & Magistrates Debt Charges)

2.21 The revised forecast takes into account the following factors;

- a) General Fund CFR has reduced from £458.9m in the 2018/19 Strategy to £429.8m revised forecast due to further slippage and re-profiling within the Capital Plan.
- b) Internal borrowing in the 2018/19 Strategy was £136.6m, this has now been revised up to £208.7m due to lower than forecast use of reserves.

2.22 The Council currently looks to maximise internal borrowing due to the relatively low rates of investment income available within the scope of the Treasury Management Strategy.

Future Treasury Management Strategy

2.23 The Financial Outturn and Rollover Report 2017-18 reported to Council on 11 July 2018 included officer intentions to review current treasury management investment policy and consider options for future investment opportunities that could make additional returns for the Council.

2.24 One such opportunity would be to invest in the Local Authority Properties Fund. Any Local Authority in England, Wales, Scotland and Northern Ireland can invest and the asset allocation is distributed across a mixture of mainly property portfolios across the UK, but is supplemented with cash investments (Appendix 8).

- 2.25 The Local Authorities Property Fund currently generates a gross yield of 4.47% (based on most recent quarter estimate) which is a far greater return than the current Council short-term investments due to the nature of the latter being more liquid and having greater security. However due to the diversification of the Local Authorities Property Fund portfolio, this still offers relatively more security than if the Council were to invest within individual commercial properties.
- 2.26 Officers consider that an investment of between £5m and £10m could be considered, given current average monthly balances available for investment of £43.1m, as noted earlier in the report at para 2.8, and also noting recent year available average monthly balances for investment, as shown in Appendix 7. This highlights the increased investment level in 2018-19 compared with 2017-18 and the potential for consideration of a £5m to £10m investment, with the majority of available balances still directed at short-term (liquid) investments, and some balances used for longer term investment.
- 2.27 Based on current yields, the anticipated annual investment income from £5m – £10m investment could be in the range £225k - £450k ongoing,
- 2.28 The Fund has previously offered both stable yields and capital gains over the last 10 years. However, it must be noted that this is heavily dependent on property prices and if there were to be a property crash the Council would incur a capital loss on any investment.
- 2.29 The introduction of a new code of accounting practice for local government, from April 2018 relating to Financial Instruments, would ordinarily mean that any movement in the fair value of the overall capital asset portfolio from year to year (positive or negative) , would now have a real impact on the Council's annual Comprehensive Income and Expenditure Statement and therefore would impact on the Council Tax payer.
- 2.30 However, Government is currently consulting on a statutory override to this requirement specifically in relation to the Local Authorities Pooled Investment Funds, albeit the override would be for 3 years only (to 1 April 2021). Councils are lobbying for the override to be made permanent. Therefore the potential for this change and the impact this could potentially have on the Council needs to be considered as part of an investment within such a fund. The outcome of this consultation is expected to be announced by Government later in the year.
- 2.31 The recently updated Prudential Code and Treasury Management Guidance which the Council will be formally adopting from 2019-20 onwards, notes that any investment in such funds (or individual commercial activity) should be proportionate to the requirements of the Council and should not be considered as a means to generate income without considering the potential impact if those investments were to generate a lower than expected return. It can be seen that some public sector bodies have pushed the boundaries in this area which may lead to a further revision in the updated CIPFA Code/Government Guidance in the future.
- 2.32 An investment with the Local Authority Property Fund, which has a diversified commercial portfolio throughout the UK would be seen as “non-treasury

management activity” in that the purpose of holding such an investment is to generate a return rather than directly to service outcomes.

2.33 A further new requirement of the updated Treasury Management Code of Practice (2017) is to ensure management practice is in place for non-treasury management activity in addition to the existing 12 Treasury Management Practices (TMPs). This is outlined at the end of this report (Appendix 6).

2.34 The updated CIPFA Prudential and Treasury Management Codes also call for more robust management of commercial activity and capital borrowing, acknowledging the increasing trend over more recent years for Councils to investments in commercial properties, funded by borrowing, with the key driver of this activity appearing to be the generation of revenue. The prudential code takes the same position as the statutory guidance, and it is clear that authorities must not borrow more than or in advance of their needs purely to profit from the investment of the extra sums borrowed. An investment in the CCLA Property Fund would not fall in to this category as it will not be funded by new borrowing, it would be utilising current day to day cash balances.

Risk and Compliance issues

2.35 In line with the investment strategy, the Council has not placed any direct investments with companies as defined by the Carbon Underground 200.

3 Implications for the Council

3.1 The treasury management underspend has been incorporated into the overall Quarter 2 financial monitoring report presented to Cabinet on 13 November 2018.

3.2 The outcome of the statutory override consultation on the Local Authority Property Fund will be reported back to members in due course.

4 Consultees and their opinions

This report was considered and endorsed at Corporate Governance and Audit Committee on 16 November 2018 and will be submitted to Cabinet for consideration on 11 December 2018. Arlingclose, the treasury management advisors to the Council, have provided the economic context commentary contained in this report.

5 Next steps

For Council to approve the recommendations of this report.

6 Officer recommendations and reasons

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

- 6.1 Note the half-year treasury management performance in 2018-19 as set out in the report;
- 6.2 Approve officer proposals for an amendment in the Council's current investment strategy to include the Local Authority Property Fund as a potential investment source;
- 6.3 Consider proposals for officers to further explore an investment opportunity of between £5m and £10m in the Fund, and subject to further Government clarification on the statutory override, and other risk considerations, to formalise any such proposals into the forthcoming 2019/20 annual treasury management strategy and annual budget for further member consideration

7 Contact officer

James Anderson Senior Finance Manager 01484 221000

8 Background Papers and History of Decisions

CIPFA's Prudential Code for Capital Finance in Local Authorities.
CIPFA's Code of Practice on Treasury Management in the Public Services.
The treasury management strategy report for 2017/18 - Council 15 February 2017
CIPFA 2017 consultation - Prudential and Treasury Management Codes
Council Budget Strategy Update Report 2019-22 – Council 11 October 2018
Annual Report on Treasury Management 2017-18 - Annual Financial Outturn and Rollover Report 2018-19; Council 11 July 2018.

9 Service Director responsible

Eamon Croston 01484 221000

Kirklees Council Investments 2018-19												
Counterparty	Approved Strategy Limit £m	Approved Strategy Credit Rating	Credit Rating Sept 2018*	1 April 2018 (opening)			30 June 2018			30 September 2018		
				£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment
Specified Investments												
London Borough of Newham	10.0	-	-				8.0	0.55%	1 month			
Bank of Scotland Bank	10.0	F1	F1/A+							6.0	0.75%	32 Day Notice
Lloyds Bank	10.0											
Santander Bank	10.0						5.0	0.55%	35 Day Notice	7.0	0.85%	35 Day Notice
Handelsbanken Bank	10.0	F1	F1+/AA							6.7	0.77%	35 Day Notice
Std Life (Ignis) MMF**	10.0	AAA-A	AAA	9.9	0.46%	MMF	10.0	0.53%	MMF	9.9	0.67%	MMF
Aviva MMF**	10.0	Aaa-A2	Aaa	10.0	0.42%	MMF	9.8	0.51%	MMF	9.9	0.67%	MMF
Deutsche MMF**	10.0	AAA-A	AAA	9.0	0.37%	MMF	6.5	0.45%	MMF	1.7	0.64%	MMF
Goldman Sachs MMF**	10.0	AAA-A	AAA	7.2	0.37%	MMF	10.0	0.47%	MMF	9.9	0.64%	MMF
				36.1			49.3			51.1		
Sector analysis												
Bank	10.0 each						5.0	10%		19.7	39%	
Building Society	10.0 each											
MMF**	40.0			36.1	100%		36.3	74%		31.4	61%	
Local Authorities/Cent Govt	Unlimited						8.0	16%				
				36.1	100%		49.3	100%		51.1	100%	
Country analysis												
UK							13.0	26%		13.0	25%	
Sweden										6.7	13%	
MMF**				36.1	100%		36.3	74%		31.4	62%	
				36.1	100%		49.3	100%		51.1	100%	

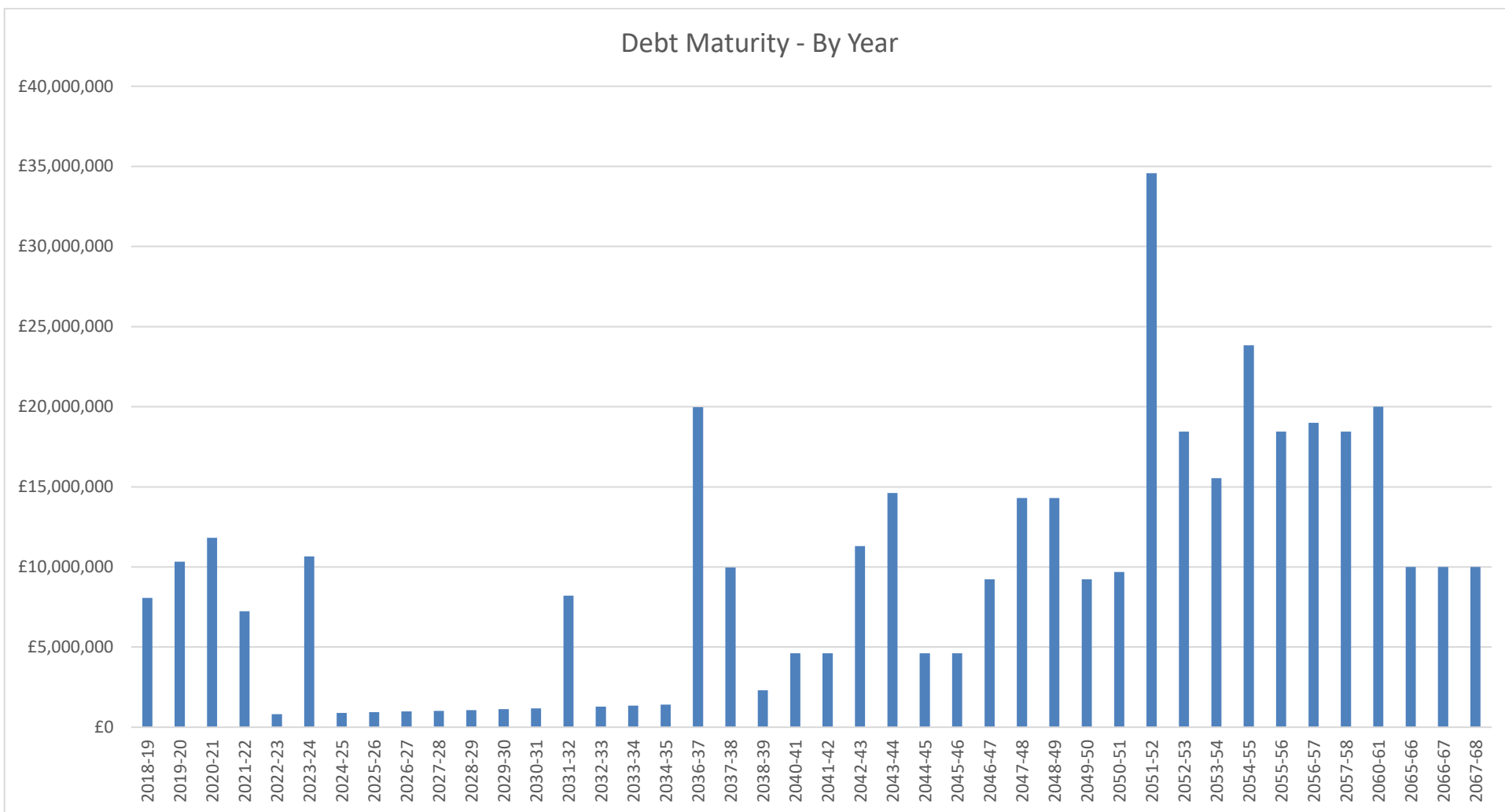
*Fitch short/long term ratings, except Aviva MMF (Moody rating). See next page for key. The use of Fitch ratings is illustrative – the Council assesses counterparty suitability using all 3 credit rating agencies, where applicable, and other information on credit quality.

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

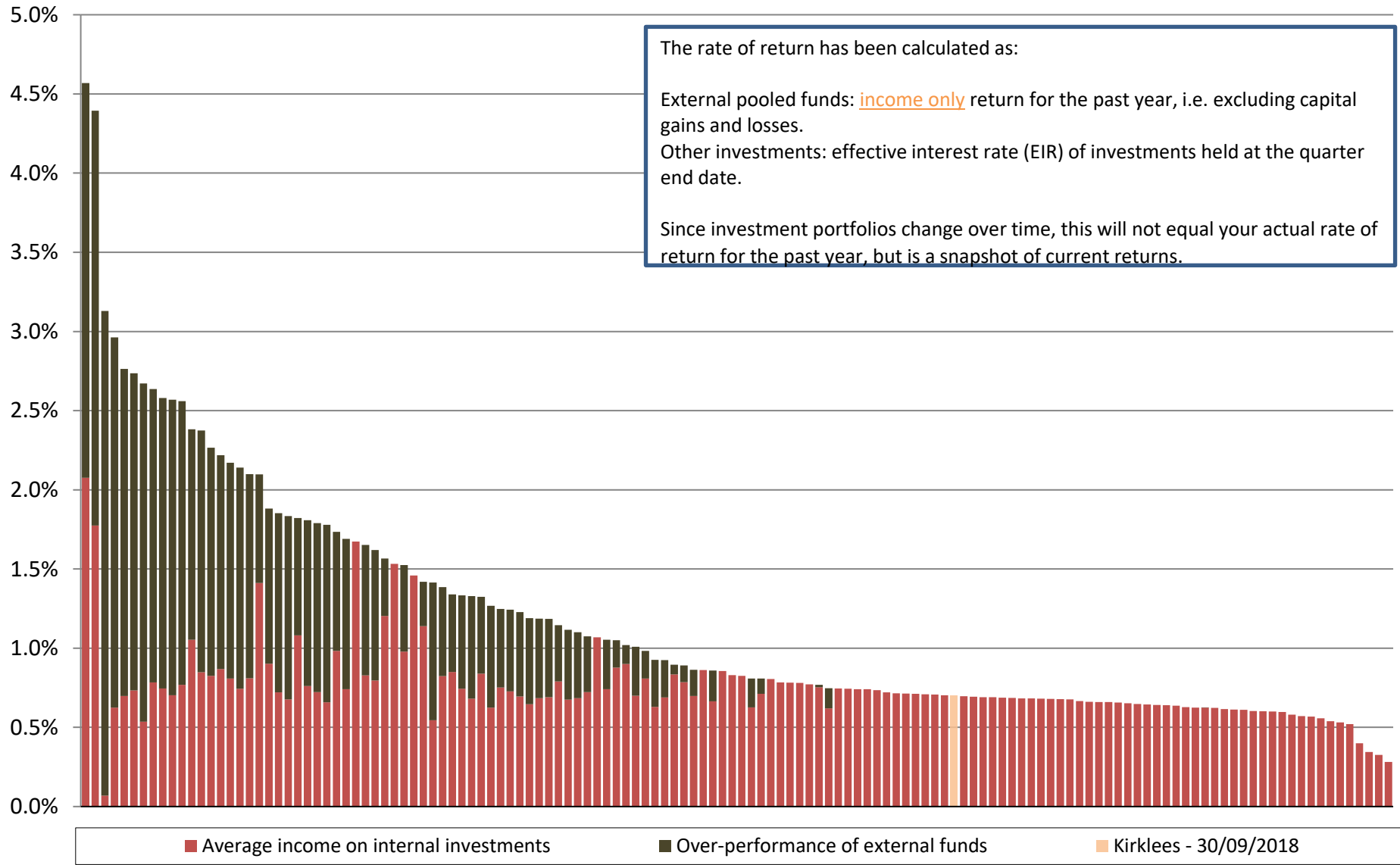
Key – Fitch’s credit ratings:

Appendix 1 Continued

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



Income Only Return on Total Investments (Internal plus External Funds)



Treasury Management Prudential Indicators

Interest Rate Exposures

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

	Limit Set 2018 - 19	Estimated Actual* 2018 - 19
Interest at fixed rates as a percentage of net interest payments	60% - 100%	81%
Interest at variable rates as a percentage of net interest payments	0% - 40%	19%

*The estimated actual is within the limits set.

Maturity Structure of Borrowing

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

Amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate	Limit Set 2018 - 19	Est'd Actual 2018 - 19
Under 12 months	0% - 20%	2%
12 months to 2 years	0% - 20%	2%
2 years to 5 years	0% - 60%	6%
5 years to 10 years	0% - 80%	4%
More than 10 years	20% - 100%	86%

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

Total principal sums invested for periods longer than 364 days

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

Long-term loans repaid during the period 01/04/18 to 30/09/18

	Amount £000s	Rate %	Date repaid
PWLB (498438) - Maturity	4,613	4.10	17 Sept 18
PWLB (496956) - Annuity	337	4.58	29 Sept 18
Total	4,950		

Long-term loans to be repaid during the period 01/10/18 to 31/03/2019

	Amount £000s	Rate %	Date to be repaid
PWLB (476734) – Maturity	2,768	4.24	23 Dec 18
PWLB (496956) - Annuity	344	4.58	29 Mar 19
Total	3,112		

TREASURY MANAGEMENT PRACTICES

The following Treasury Management Practices (TMPs) set out the manner in which the Council aims to achieve its treasury management policies and objectives, and how it will manage and control those activities.

1. TMP 1 Risk management

The Chief Finance Officer will design, implement and monitor all arrangements for the identification, management and control of treasury management risk, will report at least annually on the adequacy/suitability thereof, and will report, as a matter of urgency, the circumstances of any actual or likely difficulty in achieving the organisation's objectives in this respect, all in accordance with the procedures set out in TMP6 Reporting requirements and management information arrangements. In respect of each of the following risks, the arrangements which seek to ensure compliance with these objectives are set out in the schedule to this document.

(i) Credit and counterparty risk management

The Council regards a prime objective of its treasury management activities to be the security of the principal sums it invests. Accordingly, it will ensure that its counterparty lists and limits reflect a prudent attitude towards organisations with which funds may be deposited, and will limit its investment activities to the instruments, methods and techniques referred to in TMP4 Approved Instruments, methods and techniques and listed in the schedule to this document. It also recognises the need to have, and will therefore maintain, a formal counterparty policy in respect of those organisations from which it may borrow, or with whom it may enter into other financing arrangements.

(ii) Liquidity risk management

The Council will ensure it has adequate though not excessive cash resources, borrowing arrangements, overdraft or standby facilities to enable it at all times to have the level of funds available to which are necessary for the achievement of its business/service objectives. The Council will only borrow in advance of need where there is a clear business case for doing so and will only do so for the current capital programme or to finance future debt maturities.

(iii) Interest rate risk management

The Council will manage its exposure to fluctuations in interest rates with a view to containing its net interest costs, or securing its interest revenues, in accordance with the amounts provided in its budgetary arrangements.

It will achieve these objectives by the prudent use of its approved financing and investment instruments, methods and techniques, primarily to create stability and certainty of costs and revenues, but at the same time retaining a sufficient degree of flexibility to take advantage of unexpected, potentially advantageous changes in the level or structure of interest rates. The above are subject at all times to the consideration and, if required, approval of any policy or budgetary implications.

(iv) Exchange rate risk management

The Council will manage its exposure to fluctuations in exchange rates so as to minimise any detrimental impact on its budgeted income/expenditure levels.

(v) Refinancing risk management

The Council will ensure that its borrowing, private financing and partnership arrangements are negotiated, structured and documented, and the maturity profile of the monies so raised are managed, with a view to obtaining offer terms for renewal or refinancing, if required, which are competitive and as favourable to the organisation as can reasonably be achieved in the light of market conditions prevailing at the time.

It will actively manage its relationships with its counterparties in these transactions in such a manner as to secure this objective, and will avoid over-reliance on any one source of funding if this might jeopardise achievement of the above.

(vi) Legal and regulatory risk management

The Council will ensure that all of its treasury management activities comply with its statutory powers and regulatory requirements. It will demonstrate such compliance, if required to do so, to all parties with whom it deals in such activities. In framing its credit and counterparty policy under TMP1(i) Credit and counterparty risk management, it will ensure that there is evidence of counterparties' powers, authority and compliance in respect of the transactions they may effect with the Council.

The Council recognises that future legislative or regulatory changes may impact on its treasury management activities and, so far as it is reasonably able to do so, will seek to minimise the risk of these impacting adversely on the organisation.

(vii) Fraud, error and corruption, and contingency management

The Council will ensure that it has identified the circumstances which may expose it to the risk of loss through fraud, error, corruption or other eventualities in its treasury management dealings. Accordingly, it will employ suitable systems and procedures, and will maintain effective contingency management arrangements, to these ends.

(viii) Market risk management

The Council will seek to ensure that its stated treasury management policies and objectives will not be compromised by adverse market fluctuations in the value of the principal sums it invests, and will accordingly seek to protect itself from the effects of such fluctuations.

2. **TMP2 Performance measurement**

The Council is committed to the pursuit of value for money in its treasury management activities, and to the use of performance methodology in support of that aim, within the framework set out in its Treasury Management Policy Statement.

Accordingly, the treasury management function will be the subject of ongoing analysis of the value it adds in support of the Council's stated business or service objectives. It will be the subject of regular examination of alternative methods of service delivery and of other potential improvements. The performance of the treasury management function will be measured using the criteria set out in the schedule to this document.

3. **TMP3 Decision-making and analysis**

The Council will maintain full records of its treasury management decisions, and of the processes and practices applied in reaching those decisions, both for the purposes of learning from the past, and for demonstrating that reasonable steps were taken to ensure that all issues relevant to those decisions were taken into account at the time. The issues to be addressed and processes and practices to be pursued in reaching decisions are detailed in the schedule to this document.

4. **TMP4 Approved instruments, methods and techniques**

The Council will undertake its treasury management activities by employing only those instruments, methods and techniques detailed in the schedule to this document, and within the limits and parameters defined in TMP1 Risk management.

Where the Council intends to use derivative instruments for the management of risks, these will be limited to those set out in its annual treasury strategy. The Council will seek proper advice when entering into arrangements to use such products.

5. **TMP5 Organisation, clarity and segregation of responsibilities, and dealing arrangements**

The Council considers it essential, for the purposes of the effective control and monitoring of its treasury management activities, and for the reduction of the risk of fraud or error, and for the pursuit of optimum performance, that these activities are structured and managed in a fully integrated manner, and that there is at all times a clarity of treasury management responsibilities.

The principles on which this will be based is a clear distinction between those charged with setting treasury management policies and those charged with implementing and controlling these policies, particularly with regard to the execution and transmission of funds, the recording and administering of treasury management decisions, and the audit and review of the treasury management function.

If and when the Council intends, as a result of lack of resources or other circumstances, to depart from these principles, the Chief Finance Officer will ensure that the reasons are properly reported in accordance with TMP6 Reporting requirements and management information arrangements, and the implications properly considered and evaluated.

The Chief Finance Officer will ensure that there are clear written statements of the responsibilities for each post engaged in treasury management, and the arrangement for absence cover. The present arrangements are detailed in the schedule to this document.

The Chief Finance Officer will ensure there is proper documentation for all deals and transactions, and that procedures exist for the effective transmission of funds. The present arrangements are detailed in the schedule to this document.

The delegation to the Chief Finance Officer in respect of treasury management is set out in the schedule to this document. The Chief Finance Officer will fulfil all such responsibilities in accordance with the Council's policy statement and TMPs and, as a CIPFA member, the Standard of Professional Practice on Treasury Management.

6. **TMP6 Reporting requirements and management information arrangements**

The Council will ensure that regular reports are prepared and considered on the implementation of its treasury management policies; on the effects of decisions taken and the transactions executed in pursuit of those policies; on the implications of changes, particularly budgetary, resulting from regulatory, economic, market or other factors affecting its treasury management activities; and on the performance of the treasury management function.

As a minimum, the Council will receive:

- an annual report on the strategy and plan to be pursued in the coming year
- a mid-year review
- an annual report on the performance of the treasury management function, on the effects of the decisions taken and the transactions executed in the past year, and on any circumstances of non-compliance with the organisation's Treasury Management Policy Statement and TMPs.

The present arrangements and the form of these reports are detailed in the schedule to this document.

7. **TMP7 Budgeting, accounting and audit arrangements**

The Chief Finance Officer will prepare, and the Council will approve and, if necessary, from time to time amend, an annual budget for treasury management, which will bring together all of the costs involved in running the treasury management function, together with associated income. The matters to be included in the budget will at a minimum be those required by statute or regulation, together with such information as will demonstrate compliance with the TMPs. Budgeting procedures are set out in the schedule to this document. The Chief Finance Officer will exercise effective controls over this budget, and will report any major variations.

The Council will account for its treasury management activities, for decisions made and transactions executed, in accordance with appropriate accounting practices and standards, and with statutory and regulatory requirements in force for the time being. The present form of this function's accounts is set out in the schedule to this document.

The Council will ensure that its auditors, and those charged with regulatory review, have access to all information and papers supporting the activities of the treasury management function as are necessary for the proper fulfilment of their roles, and that such information and papers demonstrate compliance with external and internal policies and approved practices. The information made available under present arrangements is detailed in the schedule to this document.

8. **TMP8 Cash and cash flow management**

Unless statutory or regulatory requirements demand otherwise, all monies in the hands of the Council will be under the control of the Chief Finance Officer and, with the exception of Secondary Schools' bank accounts, will be aggregated for cash flow purposes. Cash flow projections will be prepared on a regular and timely basis, and the Chief Finance Officer will ensure that these are adequate for the purposes of monitoring compliance with TMP1(i) Liquidity risk management. The present arrangements for preparing cash flow projections are set out in the schedule to this document.

9. **TMP9 Money laundering**

The Council is alert to the possibility that it may become the subject of an attempt to involve it in a transaction involving the laundering of money. Accordingly, it will ensure that staff involved in treasury management activities are fully aware of their responsibilities with regards this. The present safeguards, including the name of the officer to whom any suspicions should be reported, are detailed in the schedule to this document.

10. **TMP10 Training and qualifications**

The Council recognises the importance of ensuring that all staff involved in the treasury management function are fully equipped to undertake the duties and responsibilities allocated to them. It will therefore seek to appoint individuals who are both capable and experienced and will provide training for staff to enable them to acquire and maintain an appropriate level of expertise, knowledge and skills. The present arrangements are detailed in the schedule to this document.

The Chief Finance Officer will ensure that Members of the committee providing a scrutiny function have access to regular training relevant to their responsibilities.

11. **TMP11 Use of external service providers**

The Council recognises that responsibility for treasury management decisions remains with the organization at all times. However, it also recognises the potential value of employing external providers of treasury management services, in order to acquire access to specialist skills and resources.

When it employs such service providers, it will ensure it does so for reasons which will have been submitted to full evaluation of the costs and benefits. It will also ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review. And it will ensure, where feasible and necessary, that a spread of service providers is used, to avoid over-reliance on one or a small number of companies.

Where services are subject to formal tender or re-tender arrangements, legislative requirements and the Council's Contract Procedure Rules will always be observed. The monitoring of such arrangements rests with the Chief Finance Officer, and details of the current arrangements are set out in the schedule to this document.

12. **TMP12 Corporate governance**

The Council is committed to the pursuit of proper corporate governance throughout its businesses and services, and to establishing the principles and practices by which this can be achieved. Accordingly, the treasury management function and its activities will be undertaken with openness and transparency, honesty, integrity and accountability.

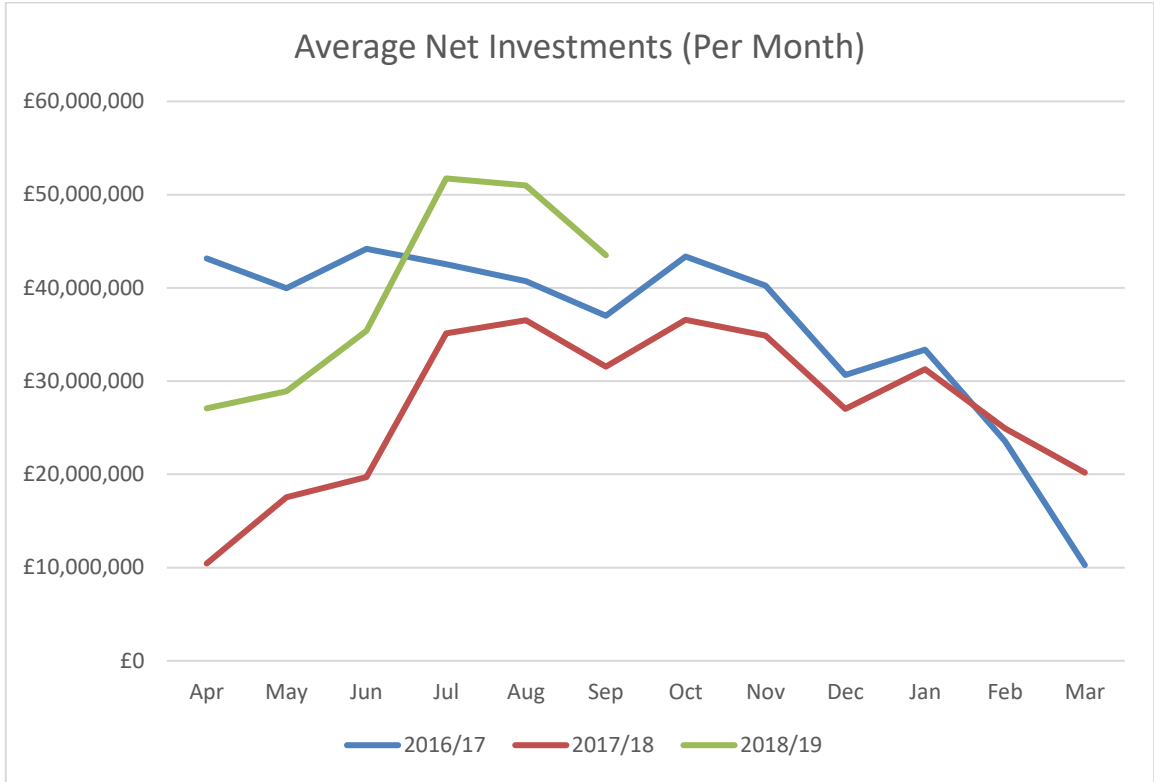
The Council has adopted and has implemented the key principles of the Code. This, together with the other arrangements detailed in the schedule to this document, are considered vital to the achievement of proper corporate governance in treasury management, and the Chief Finance Officer will monitor and, if necessary, report upon the effectiveness of these arrangements.

Management Practices for Non-Treasury Investments

The Council recognises that investment in other financial assets and property primarily for financial return, taken for non-treasury management purposes, requires careful investment management. Such activity includes loans supporting service outcomes, investments in subsidiaries, and investment property portfolios.

The Council will ensure that all investments are covered in the Capital and Investment Strategies, and will set out where appropriate, the Councils risk appetite and specific policies and arrangements for non-treasury investments. It will be recognised that the risk appetite for these activities may differ from that of treasury management.

The Council will maintain a schedule setting out a summary of existing material investments, subsidiaries, joint ventures and liabilities including financial guarantees and the organisations risk exposure.



Name of meeting: Council

Date: 12th December 2018

Title of report: Revised Gambling Policy – Statement of Principles

Purpose of report

This report details the outcome of the consultation process in respect of the review of Kirklees Council's Gambling Policy (Statement of Principles) and makes recommendations to Council for its adoption.

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?	Not Applicable
Date signed off by Strategic Director & name	Karl Battersby – Strategic Director (Economy and Infrastructure) – 04/12/2018
Is it also signed off by the Service Director for Finance IT and Transactional Services?	Eamonn Croston – Service Director (Finance) – 30/11/2018
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Julie Muscroft – Service Director (legal, Governance and Commissioning – 03/12/2018
Cabinet member portfolio	Councillor Naheed Mather

Electoral wards affected: All

Ward councillors consulted: All

Public or private: Public

1. Summary

- 1.1 This report details the outcome of the consultation process in respect of the review of the Council's Gambling Policy (Statement of Principles) and make recommendations to Council for its adoption.

2. Information required to take a decision

- 2.1 The Gambling Act 2005 licences and regulates commercial gambling and under that Act local authorities are responsible for licensing premises where gambling takes place.

The Gambling Act sets out three licensing objectives:

- (i) Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime
- (ii) Ensure that gambling is conducted in a fair and open way
- (iii) Protecting children and other vulnerable persons from being harmed or exploited in gambling

- 2.2 The Gambling Act 2005 currently requires Licensing Authorities to publish at least every three years a Gambling Policy – Statement of Principles. Applications for licences under the Gambling Act 2005 have to be made in accordance with this Statement of Principles, and the Regulations made under the 2005 Act.

- 2.3 The Council's previous policy came into force on the 31st January 2016 following a statutory consultation and review, and adoption by Full Council on the 9th December 2015.

- 2.4 The Council has now to review the existing policy with a view to having a new policy in place by 31st January 2019. The policy, which has to be approved by the full Council (as the Licensing Authority), has to be subject to public consultation, and any comments received taken into account before formally adopting the policy.

- 2.5 At the 10th September 2018 meeting of the Licensing Safety Committee, Members authorised officers to consult on a draft revised policy. This consultation commenced on the 16th September 2018 and ended on the 26th October 2018.

- 2.6 A list of those consulted is set out at page three of the revised policy, a copy of which is attached at appendix II. Three responses were received, which are as follows:-

- i) Gamcare

Appendix I contains the response from GamCare

- ii) Response from a member of the Kirklees Safeguarding Children's Board, who asked for the following to be considered.

Page 17, Sections 2 and 3, consider the addition of "*Occasional spot checks for children/young persons in adult-only areas*".

- iii) Public Health

Public Health asked the licensing service to expand on the links between the local area profile and local risk assessments.

Make the definition of a vulnerable person should be clear from the outset of the policy. Other minor changes which are highlighted in the revised draft policy

2.7 The comments received from consultation have been considered and officers respond as follows:

i) GamCare

Licensing have worked with Public Health to develop a Local Area Profile, which is attached at appendix III. A local area profile is an assessment of the key characteristics of Kirklees in the context of gambling-related harm. The information presented helps to provide a better understanding of the types of people that may be more vulnerable to gambling related harm and where they are located.

This addresses the first bullet point in the response from GamCare.

The issues raised in bullet point two will be addressed in the Local Area Profile.

The Local Area Profile, attached at appendix III, takes into account existing gambling establishments, education establishments, community centre, GP surgeries, places of worship and job centres. GamCare have suggested the accommodation / centres for vulnerable persons, including those with learning difficulties, and those with gambling / alcohol/ drug abuse problems as pertinent areas the profile should consider.

These are valid points raised by GamCare and licensing will work with colleagues in Public Health to include these key areas within the profile.

The remainder of the issues highlighted by GamCare will be taken into account when looking at applications for new gambling licences or indeed as part of the enforcement regime.

ii) Response from a member of the Kirklees Safeguarding Children's Board.

This comment has been taken in to account in the revised policy, and have been included under page 15, section 2, of the revised policy and page 16, section 3.

iii) Response from Public Health

Comments from Public Health have been taken into account in the revised draft policy.

These comments were –

- The definition of a vulnerable person should be made clearer under the Local Risk Assessment.

This has been taken into account and the definition made clearer, under the heading 'Local Risk Assessment', which is on page 10 of the revised policy.

- On page 10 of the policy, where it sets out what, at a minimum, an operator should take into account when undertaking their risk assessments, whether it should also link to the local area profile.

Officers have added a paragraph on page 11 of the policy that links back to the local area profile,

- On page 15 of the policy, under section 3 (licensed family entertainment centres), public health questioned how staff monitor the use of machines to ensure they are not being used by under 18's,

Officers have added an additional measure that may be considered by the licensing authority, relating to a documents procedure for how employees will monitor the licensed area.

- 2.6 As stated in 2.7 above, the Licensing Service worked closely with Public Health to develop a Local Area Profile. Public Health have been integral to providing the data and developing the mapping information which underpins the profile, and the licensing service is grateful for their assistance in this gambling policy review.
- 2.7 One of Kirklees' corporate outcomes is to have sustainable economic growth for communities and businesses and in reviewing the Council's statement of gambling policy it was important to consider the impact gambling licences have on the economy and vibrancy of the town centres. Therefore, the key objective with regards to producing a local area profile is to gain a better understanding of the gambling issues within our deprived areas of Kirklees and what measures operators can put in place, via the policy, to reduce the risk of problem gambling in these areas.
- 2.9 Following consultation, a revised policy, which included the amendments mentioned above, was placed before Members of the 23rd November 2018 Licensing and Safety Committee. This is set out in Appendix II of the report, which also shows the amendments made to the policy following the consultation.
- 2.10 Having considered the responses to the consultation and the revised policy, Members of the 23rd November 2018 Licensing and Safety committee, took the decision to recommend, to Full Council, that the revised policy, which includes the amendments made as a result of consultation, be adopted as the Council's Gambling Policy (Statement of Principles).

3. **Implications for the Council**

3.1 **Working with People**

The introduction of a local area profile, in a gambling context, will enable the Council, in its capacity as Licensing Authority, to work with local communities to create positive change and reduce the risk of gambling related harm.

3.2 **Working with Partners**

The revised policy and the accompanying local area profile, would not have been achievable without the assistance and input from partners in Public Health.

The licensing service will continue to work with colleagues in Public Health to ensure the local area profile is kept up-to-date and expanded where new gambling related harm risk factors are identified.

3.3 Place Based Working

The revised policy and the accompanying local area profile will enable the Licensing Service to prioritise inspections of gambling premises to areas identified as at risk of gambling related harm.

3.4 Improving outcomes for children

The local area profile will assist the Council, in its capacity as Licensing Authority, in ensuring gambling operators within areas identified as being at risk of gambling related harm, are taking steps to address gambling related harm.

The local area profile will also enable the Council, in its capacity as Licensing Authority, to examine in closer detail applications for gambling premises within areas that are at risk of gambling related harm.

Working with gambling operators, in light of the Local Area Profile, will support this key outcome.

3.5 Other (eg Legal/Financial or Human Resources)

Approval of the revised Statement of Principles will support the Kirklees corporate outcome of ensuring we keep people safe and protected from harm and making sure vulnerable adults are supported and safe. This will be achieved by ensuring the Council continues to contribute to the prevention of gambling being a source of crime or disorder, to ensure that gambling is conducted in a fair and open way, and by protecting children and other vulnerable persons from being harmed or exploited in gambling.

The costs of the preparation and publication of the revised statement of principles can be contained within existing budgets.

Legal Implications

Section 349(1) of the Gambling Act 2005 requires that a Licensing Authority shall prepare and publish a statement of the principles it proposes to apply in exercising its functions under the Act before each successive 3 year period.

The current statement of principles is for the period 2015-18. However, S349(2) provides that a Licensing Authority shall also review its statement from time to time and if necessary revise the statement and publish the revision before it takes effect.

Section 153 of the Act states that the Licensing Authority shall aim to permit the use of premises for gambling in so far as the Authority think fit and be in accordance with guidance issued by the Gambling Commission.

Finally, in preparing a revision, the Licensing Authority shall undertake consultation in accordance with S349(3).

Equality Implications

The Equality Act 2010 creates the Public Sector Equality Duty (PSED). Under section 149 of the Act :-

- 1) A public authority must, in the exercise of its functions, have due regard to the need to—
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are—

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race;
- religion or belief;
- sex;
- sexual orientation.

In order to fulfil the PSED the Council is required to assess the impact of any proposed action on the equality objectives set out above. In summary the assessment is that the level of impact is extremely low.

The aim of the Statement of Gambling Policy is to comply with the requirements of the Gambling Act 2005. It sets out how Kirklees as the Licensing Authority will approach licensing premises under the Gambling Act 2005. The updated policy identifies what the Licensing Authority expects from applicants and provides appendices of useful information including a new local area profile.

None of the groups set out under the Act are specifically affected. However the Gambling Act requires that a public consultation exercise is carried out which has taken place as detailed at paragraph 4. The consultation was primarily on line. The decision to award a licence will be guided by the main aims and principles of the legislation which ultimately seek to protect vulnerable persons

4. Consultees and their opinions

- 4.1 Consultation has taken place on the revised Statement of Principles and a full list of those contacted is contained at page 3 of the policy. A six week consultation has been carried out between 17th September 2018 and 26th October 2018, the results of which are contained within the main body of this report.

5. Next steps and timelines

- 5.1 Members are asked to consider the responses to the consultation and the amendments made to the policy as a result of those responses.

If approved the new Gambling Policy – Statement of Principles will be advertised and published as required by the regulations and will come into force from 31st January 2019

6. Officer recommendations and reasons

Council is recommended to:

- i) Consider the responses to the consultation and the revised policy set out in Appendix II, and
- ii) Approve the revised policy set out in Appendix II as the new Gambling Policy – Statement of Principles for the next three years from effect on 31st January 2019

7. Cabinet portfolio holder's recommendations

7.1 Cllr Naheed Mather supports the revised policy attached

8. Contact officer

Russell Williams
Group Leader – Licensing
russell.williams@kirklees.gov.uk
01484 221 000

9. Background Papers and History of Decisions

The following is a list of background papers to this report –

- a) Report and decision from meeting of 10 September 2018 Licensing and Safety Committee.
- b) Report and decision from meeting of 23 November 2018 Licensing and Safety Committee.

10. Service Director responsible

Joanne Bartholomew
Commercial, Regulatory and Operational Services
joanne.bartholomew@kirklees.gov.uk
01484 221 000

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From: Catherine Sweet [REDACTED]
Sent: 18 September 2018 12:22
To: Licensing <Licensing@kirklees.gov.uk>
Subject: Gambling Act 2005: Consultation of Revised Statement of Gambling Policy

Hello,

Thank you for your letter regarding the above consultation, we appreciate your interest in our work.

While we do not have the resources available to allow us to personally respond to each Local Authority which contacts us regarding their refreshed Statement of Principles, we have compiled a list of the issues or factors which we think it would be helpful to consider below, more information is available via the [Gambling Commission](#).

The function of the Statement is to reflect locally specific gambling concerns and to reflect the Council's wider strategic objectives. The active use of the Statement is one means by which you can make clear your expectations of gambling operators who have premises in your area. This allows operators to respond to locally specific requirements and adjust their own policies and procedures as required.

- A helpful first step is to develop a risk map of your local area so that you are aware of both potential and actual risks around gambling venues. A useful explanation of area-based risk-mapping has been developed with Westminster and Manchester City Councils, which gives some guidance on those who may be most vulnerable or at-risk of gambling-related harm. For more information please see www.geofutures.com/research-2/gambling-related-harm-how-local-space-shapes-our-understanding-of-risk/
- Consider that proposals for new gambling premises which are near hostels or other accommodation or centres catering for vulnerable people, including those with learning difficulties, and those with gambling / alcohol / drug abuse problems, as likely to adversely affect the licensing objectives set out by the Gambling Commission. This is also relevant regarding the proximity to schools, colleges and universities.
- A detailed local risk assessment at each gambling venue – pertinent to the environment immediately surrounding the premises as well as the wider local area – is a good way to gauge whether the operator and staff teams are fully aware of the challenges present in the local area and can help reassure the Local Licensing Authority that appropriate mitigations are in place.
- Does the operator have a specific training programme for staff to ensure that they are able to identify children and other vulnerable people, and take appropriate action to ensure they are not able to access the premises or are supported appropriately?
- Does the operator ensure that there is an adequate number of staff and managers are on the premises at key points throughout the day? This may be particularly relevant for premises situated nearby schools / colleges / universities, and/or pubs, bars and clubs.
- Consider whether the layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling.
- Consider whether any promotional material associated with the premises could encourage the use of the premises by children or young people if they are not legally allowed to do so.

We would suggest that the Local Licensing Authority primarily consider applications from [GamCare Certified operators](#). GamCare Certification is a voluntary process comprising an independent audit assessment of an operator's player protection measures and social responsibility standards, policy and practice. Standards are measured in accordance with the GamCare Player Protection Code of Practice. If you would like more information on how our audit can support Local Licensing Authorities, please contact [REDACTED]

For more information on GamCare training and other services available to local authorities, as well as recommended training for gambling operators, please see the attached brochures.

If there is anything else we can assist with please do let us know.

Kind regards,
Catherine

Catherine Sweet
Head of Marketing and Communications



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Gambling Act 2005
Statement of Principles
2019 – 2021

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PART A – The Gambling Act 2005

1. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

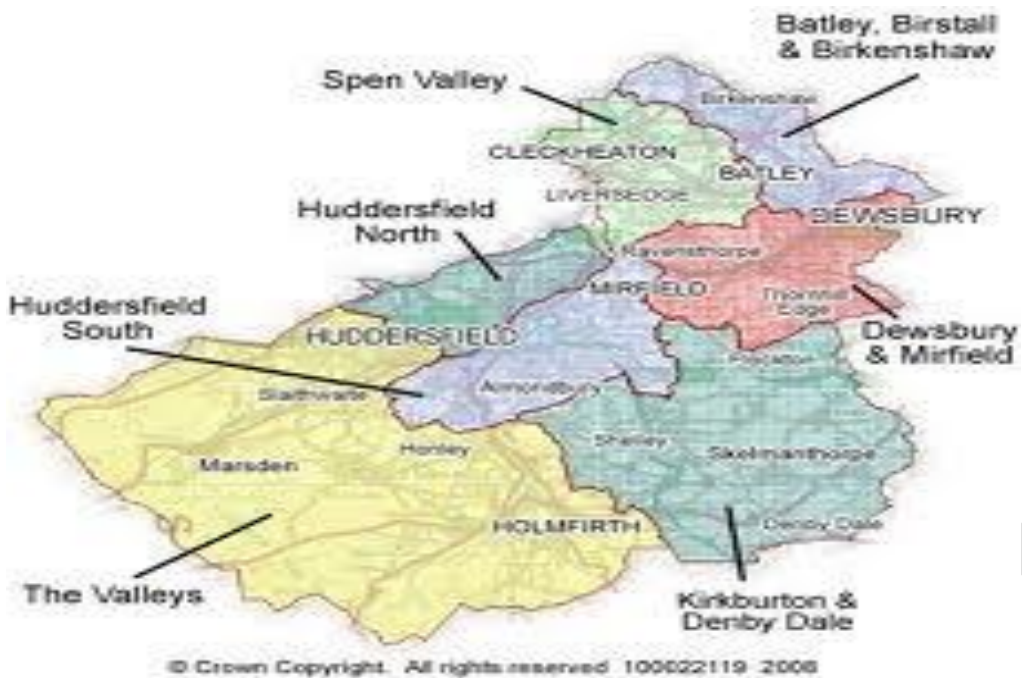
It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

The council is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

2. Introduction

Kirklees Council is situated in West Yorkshire, which contains 5 metropolitan councils in total. The council area has a population of approximately 440,000¹ making it the largest metropolitan district not based on a city in terms of population. In terms of area it is the third largest in West Yorkshire, covering 157 square miles. The council area is mainly rural in the south with a central urban area around large towns. The area also comprises of several smaller towns of varying sizes. These areas are shown on the map below.



Kirklees has a varied population – many ethnicities are represented, speaking a range of languages and bringing a cultural diversity to the region. A thriving student community based around the University of Huddersfield attracts students from around the world. Life expectancy and healthy life expectancy (the number of years lived in good health) are increasing across Kirklees.

Kirklees Council has issued a Corporate Plan which outlines the Council's vision for 'We're Kirklees'. The priorities throughout the transformation programme to 'We're Kirklees Will remain focused on achieving the best for Kirklees, its communities, businesses and residents.

Integration with other guidance, policies, objectives and strategies

The Gambling Policy aims to promote the licensing objectives within the overall context of the Corporate Plan 2018-2020.

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

The Corporate Plan sets out the council's outcomes, what it is trying to achieve, key actions underway and planned, and the measures it will use to check whether it has been successful. Supporting vulnerable people and promoting inclusion and diversity is woven throughout the plan and shared outcomes.

The key outcomes that underpin this policy are set out below:

- **Best Start** - Children have the best start in life
- **Well** – People in Kirklees area as well as possible for as long as possible

- **Independent** – People in Kirklees live independently and have control over their lives
- **Sustainable Economy** – Kirklees has sustainable economic growth and provides good employment for and with communities and businesses
- **Safe and Cohesive** – People in Kirklees live in cohesive communities, feel safe and are safe/protected from harm

Purpose of Statement of Licensing Policy

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must then be re-published.

Consultation

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

List of persons this authority consulted:

- West Yorkshire Police
- The Local Safeguarding Children Board
- Representatives of local businesses
- Local Chambers of Commerce
- Town Centre Associations
- Residents of Kirklees and their representatives
- Kirklees Federation of Tenants & Residents Association
- Town Councils in the district
- Parish Councils in the district
- Local Members of Parliament
- Ward Councilors
- Area Committees
- Sister Services
- National bodies representing the gambling trade
- National charities concerned with the social impact of gambling
- Representatives of existing license holders
- Yorkshire Forward
- Yorkshire Culture
- West Fire and Rescue
- Community Safety Partnership
- Huddersfield University

- Local financial/debt management agencies
- Holders of Club Premise Certificates
- Holders of Lottery Permits
- Holders of Permits for Amusement Arcades

Consultation for this proposed policy commenced on [17 September 2018](#) and ended on [26 October 2018](#).

Should you have any comments as regards this policy statement please send them via e-mail or letter to the address below:

Group Leader – Licensing
Licensing Service
Flint Street
Fartown
Huddersfield
HD1 6LG

Email: licensing@kirklees.gov.uk

3. Declaration

It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a license, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

In producing the final statement, the council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement.

4. Responsible Authorities

The Act empowers certain agencies to act as responsible authorities so that they can employ their particular area of expertise to help promote the licensing objectives. Responsible authorities will also offer advice and guidance to applicants.

Responsible Authorities are generally public bodies that must be notified of all applications, they are entitled to make representations about licence applications, or apply for a review of an existing licence, providing representations and / or a review are relevant to the licensing objectives. They have no obligation to respond to applications for premises licences if they wish not to do so.

Section 157(h) of the Act defines Responsible Authorities as:

- The Gambling Commission

- The Police
- The Fire Service
- The Local Safeguarding Children Board
- The Local Planning Authority
- Environmental Health
- HM Revenue and Customs
- The licensing authority (the council)

Each representation will be assessed with regard to the licensing objectives and be taken on its own individual merits.

The Licensing Authority will also consult with the Director of Public Health on all premises licence application.

The council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area;
- and the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Local Safeguarding Children Board for this purpose. The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: www.kirklees.gov.uk

5. Interested parties

Interested parties are certain types of people or organisations who have the right to make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

- "For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person
- lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- has business interests that might be affected by the authorised activities, or
- represents persons who satisfy paragraph (a) or (b)"

The council is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. The council will not apply a rigid rule to its decision

making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to local authorities. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

The Gambling Commission has recommended that the licensing authority states that interested parties include trade associations and trade unions, and residents' and tenants' associations. However, the council emphasises that it will not generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005 i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represent the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact

Licensing Service, Flint Street, Fartown, Huddersfield, HD1 6LG
Email: licensing@kirklees.gov.uk
Tel 01484 221 000

6. Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions with respect to the exchange of information between it and the Gambling Commission, and the functions with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that the council applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection and Freedom of Information Acts will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005. Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

The council will work closely with responsible authorities in undertaking its enforcement duties under the Gambling Act 2005, be guided by the Gambling Commission's Guidance for local authorities and will endeavor to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

The council will endeavor to avoid duplication with other regulatory regimes so far as possible. The main enforcement and compliance role for the council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission.

This council will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

8. Licensing Authority functions

Licensing Authorities are responsible under the Act for:

- Licensing premises where gambling activities are to take place by issuing Premises Licences
- Issuing Provisional Statements
- Regulating members' clubs and miners' welfare institutes who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issuing Club Machine Permits to Commercial Clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issuing Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Registering small society lotteries below prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and Endorsing Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')

- Maintaining registers of the permits and licences that are issued under these functions

The council will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

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PART B - PREMISES LICENCES

1. General Principles

The council will issue premises licences to allow premises to be used for certain types of gambling. The types of premises to which licences will be issued include amusement arcades, bingo halls, bookmakers and casinos.

Premises licences will be subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

The council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it [is](#):

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution') and also that unmet demand is not a criterion for a licensing authority.

Definition of "premises"

Premises is defined in the Act as "any place". Different premises licences cannot apply in respect of a single premise at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.

The council will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.

The council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly, there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and ability to comply with the requirements of the Act. But, in addition an important consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise may compromise the licensing objectives.

An applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that references to “the premises” are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling. It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensure that the authority can, if necessary, inspect it fully, as can other responsible authorities with inspection rights.

Where premises are not yet built or are about to be altered for the purpose of gambling and ultimately a premises licence will be required, the applicant should first consider making an application for a provisional statement (see section 9).

Local Risk Assessment

The council is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as health information and data related to gambling related harm as well as issues of crime and disorder. The term "vulnerable persons" includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

It is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), for licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.

The LCCP, at Section 10 go on to say licensees must review (and update as necessary) their local risk assessments:

- a) to take account of significant changes in local circumstance, including those identified in this policy;
- b) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- c) when applying for a variation of a premises licence; and
- d) in any case, undertake a local risk assessment when applying for a new premises licence.

In undertaking a local risk assessment the Council will expect the operator, as a minimum to take into account:

- whether the premises is in an area of deprivation
- whether the premises is in an area subject to high levels of crime and/or disorder
- the ethnic profile of residents in the area
- the demographics of the area in relation to vulnerable groups
- the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather
- health information and data relating to gambling related harm

The Council's local area profile should be the starting point for operators when developing their local risk assessments as many of the concerns listed above form part of the local area profile.

The local risk assessment should also show how vulnerable people, including people with gambling dependencies, are protected.

The Council also consider the following matters are of importance for operators to consider in developing their local risk assessments:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of persons using the premises
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome

Local Area Profile

Each locality within Kirklees has its own character and challenges. In order to assist applicants in completing their local risk assessments, the Council may, where relevant information exists, publish a local area profile. Any local area profile will be published on the Council's website, and applicants should refer to the Council's website for this information.

If published the local area profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profile will be presented to any subsequent licensing sub-committee when they determine an application that has received representations.

The Council recognises that it cannot insist on applicants using the local area profile when completing their risk assessments. However, an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

Duplication with other regulatory regimes

The council will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. The council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

Licensing objectives

Premises licences granted must be consistent with the licensing objectives. With regard to these objectives, the council has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

The Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime the council will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The council is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behavior was, to those who could see it, so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way

The council has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks'

section.

Protecting children and other vulnerable persons from being harmed or exploited by gambling

Protection of children

The Kirklees Safeguarding Children Board has a webpage dedicated to providing local information about child safety, child sexual exploitation, policies and procedures including risk factors and signs and symptoms: <http://www.kirkleessafeguardingchildren.co.uk/>

The council is aware that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

The Act provides the following definition for child and young adult in Section 45:

Meaning of "child" and "young person"

(1) In this Act "child" means an individual who is less than 16 years old.

(2) In this Act "young person" means an individual who is not a child but who is less than 18 years old.

For the purpose of this section protection of children will encompass both child and young person as defined by the Act.

The council will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.

Protection of vulnerable people

As regards the term "vulnerable persons" it is noted that the Gambling Commission is not seeking to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." The council will consider this licensing objective on a case by case basis. Should a practical definition prove possible in future then this policy statement will be updated by way of a revision.

Problem gambling can affect anyone at any time and there are some groups who are more likely to experience problems. Operators, [using the information available in the Council's Local Area Profile.](#) -should consider these groups in their Local Risk Assessments, especially in relation to identifying people in these groups and mitigating harm experienced by them. Examples of vulnerable groups include, the unemployed and those living within deprived areas, children / young adults, those with drug / alcohol issues and those with mental illness.

Conditions

Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the council will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. The council will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

The council will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted that:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

There are conditions which the council cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

Door Supervisors

The Gambling Commission advises in its Guidance for local authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objective of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.

Where operators and the council decide that supervision of entrances / machines is appropriate for particular cases, it will need to be decided whether these need to be Security Industry Authority (SIA) licensed or not. It will not be automatically assumed that they need to be.

2. Adult Gaming Centres

The council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

The council may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Documented procedures on how employees will monitor the licensed area to ensure they are not being used by persons under the age of 18
- Occasional spot checks for children / young persons in adult only areas
- This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3. (Licensed) Family Entertainment Centres:

The council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

The council may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas

- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises
- Documented procedures on how employees will monitor the licensed area to ensure they are not being used by persons under the age of 18
- Occasional spot checks for children / young persons in adult only areas

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

The council will refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The council will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

Changes on the numbers of machines permitted came into force in 2011. Please see appendix one for limits on numbers of machines at the above type of premises.

4. Casinos

The council has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the council decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the full council.

Casinos and competitive bidding

The council is aware that where a licensing authority is empowered to grant a premises licence for a new style casino (i.e. the Secretary of State has made such regulations under Section 175 of the Gambling Act 2005) there are likely to be a number of operators which will want to run the casino. In such situations the local authority will run a 'competition' under Schedule 9 of the Gambling Act 2005. The council will run such a competition in line with any regulations / codes of practice issued under the Gambling Act 2005.

Licence considerations/conditions

The Gambling Commission has stated that "further guidance will be issued in due course about the particular issues that licensing authorities should take into account in relation to the suitability and layout of casino premises". This guidance will be considered by the council when it is made available.

Betting machines

The council will take into account the size of the premises, the number of counter positions

available for person-to-person transactions, and the ability of staff to monitor the use of betting machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

5. Bingo premises

The council is aware that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted the council will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

This council is also aware that the Gambling Commission has stated that it is going to issue further guidance about the particular issues that licensing authorities should take into account in relation to the suitability and layout of bingo premises. This guidance will be considered by the council once it is made available.

6. Betting premises

Betting premises are premises such as bookmakers and betting offices where various types of gambling are authorised to take place. Children and young persons will not be able to enter such premises.

Betting premises will be able to provide a limited number of betting machines. The council will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

7. Tracks

Tracks are sites (including racecourses and dog tracks) where races or other sporting events take place. There are currently no tracks within this council area.

Should the need arise the council is aware that such tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The council will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

The council will therefore expect the premises licence applicant to demonstrate suitable

measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

The council may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes

Provision of information leaflets / helpline numbers for organisations such as GamCare. This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Gaming machines

The council will consider the location of gaming machines at tracks, and applications for track premises licences will need to demonstrate that, where the applicant holds a pool betting operating licence and is going to use his entitlement to four gaming machines, these machines are located in areas from which children are excluded. Children and young persons are not prohibited from playing category D gaming machines at a track.

The council is aware that the Gambling Commission is preparing guidance as regards where gaming machines may be located at tracks and any special considerations that should apply in relation, for example, to the supervision of the machines and preventing children from playing them.

Betting machines

The council will take into account the size of the premises and the expectation of how staff will monitor the use of the betting machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. It will also take note of the Gambling Commission's suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises.

Conditions on rules being displayed

In line with guidance from the Gambling Commission the council will consider attaching a condition to track premises licences requiring the track operator to ensure that the rules are

prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office."

8. Travelling Fairs

Travelling fairs have traditionally been able to provide various low stakes gambling without the need for a licence or permit provided that certain conditions are met. This provision continues in a similar fashion in the new Act.

The council will decide whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The council will also consider whether the applicant falls within the statutory definition of a travelling fair.

It has been noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The council will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. Provisional Statements

A provisional statement application is a process which allows a developer to examine the likelihood of whether a building which has yet to be constructed or altered for the purpose of gambling, would be granted a premises licence when the building work is complete. It is not a licence and merely gives the holder some form of assurance that a premises licence would be granted. Once works are complete a full premises licence would still be required.

In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- a) which could not have been raised by objectors at the provisional licence stage; or
- b) which in the authority's opinion reflect a change in the operator's circumstances.

The council will not take into account irrelevant matters e.g. the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal."

10. Reviews

Requests for a review of a premises licence can be made by interested parties or responsible

authorities; however, it is for the council to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is :

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

Consideration will also be given as to whether the request is frivolous, vexatious, will certainly not cause this authority to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The council can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

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PART C – Permits / Temporary & Occasional Use Notice

1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits)

The term 'unlicensed family entertainment centre' is one defined in the Act and refers to a premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers. The premises is 'unlicensed' in that it does not require a premises licence but does require a permit to be able to provide its category D machines. It should not be confused with a 'licensed family entertainment centre' which does require a premises licence because it contains both category C and D gaming machines.

The Gambling Act 2005 contains a provision for local authorities to prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit. Schedule 10, Para 7 of the Act states, "in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under Section 25."

In accordance with Gambling Commission guidance the council will give weight to child protection issues when considering applications for permits.

The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The council will assess these policies and procedures on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised children being on the premises, or children causing problems on or around the premises. The council will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs, that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

The council is aware that an application for a permit may only be granted if the chief officer of police has been consulted on the application.

In line with the Act the council cannot attach conditions to this type of permit and the "Statement of principles" only applies to initial applications and not to renewals

2. Gaming machine permits in premises licensed for the sale of alcohol

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The council can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;

- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and "such matters as they think relevant." The council considers that "such matters" will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the council that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

Measures which will satisfy the council that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

The council can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

The holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize Gaming Permits - (Statement of Principles on Permits)

The council will expect the applicant to set out the types of gaming that he or she is intending to offer and be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

In making its decision on an application for this permit the council does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

There are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

4. Club Gaming and Club Machines Permits

Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

To qualify for club permits members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

The council may only refuse an application on the grounds that:

- a) the applicant does not fulfill the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- b) the applicant's premises are used wholly or mainly by children and/or young persons;
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d) a permit held by the applicant has been cancelled in the previous ten years; or
- e) an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced. The grounds on which an application under the process may be refused are:

- a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- c) that a club gaming permit or club machine permit issued to the applicant in the last ten

years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. Temporary Use Notices

Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues.

The Act makes a special reference, in the context of temporary use notices, to a "set of premises" to try and ensure that large premises which cannot reasonably be viewed as separate are not used for more temporary use notices than permitted under the act. The council considers that the determination of what constitutes "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a "set of premises", the council will look at, amongst other things, the ownership/occupation and control of the premises. The council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

6. Occasional Use Notices for tracks

There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice.

The council has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The council will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

More information relating to this can be found in the Guidance to licensing authorities 4th edition at <http://www.gamblingcommission.gov.uk>

Kirklees Local Area Profile

GAMBLING ACT 2005

1. Introduction and Background

The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

The council is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

Local Risk Assessment

It is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), for licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.

In undertaking a local risk assessment the Council will expect the operator, as a minimum to take into account:

- whether the premises is in an area of deprivation
- whether the premises is in an area subject to high levels of crime and/or disorder
- the ethnic profile of residents in the area
- the demographics of the area in relation to vulnerable groups
- the location of services for children such as schools, playgrounds, and other areas where children will gather
- health information and data relating to gambling related harm

The local risk assessment should also show how vulnerable people, including people with gambling dependencies, are protected.

This Local Area Profile has been produced to aid applicants in giving careful consideration to the points above when making an application. The Council recognises that it cannot insist on

applicants using the local area profile when completing their risk assessments. However, an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

2. Gambling Related Harm

The Local Government Association defines gambling related harm as:

“Any type of repetitive gambling that disrupts or damages personal, family or recreational pursuits. It can have many and varied impact, including on an individual’s physical and mental health, relationships, housing and finances, and affect a wide range of people, such as families, colleagues and wider local communities.”¹

It is with this in mind that Kirklees Council seeks to ensure that gambling premises and license holders are aware of, and committed to ensuring that gambling activity is carefully monitored and that those at risk of gambling related harm are identified and offered appropriate support.

Who is most at risk?

Research and evidence shows that there are a number of population groups who are more at risk of gambling related harm². These are:

- Children, adolescents and young adults (including students)
- People with mental health issues, including those experiencing substance abuse problems
- Individuals from certain minority ethnic groups, such as Asian/Asian British, Black/Black British and Chinese/other ethnicity
- The unemployed
- The homeless
- Those with low intellectual functioning
- Problem gamblers seeking treatment
- People with financially constrained circumstances
- Those living in deprived areas

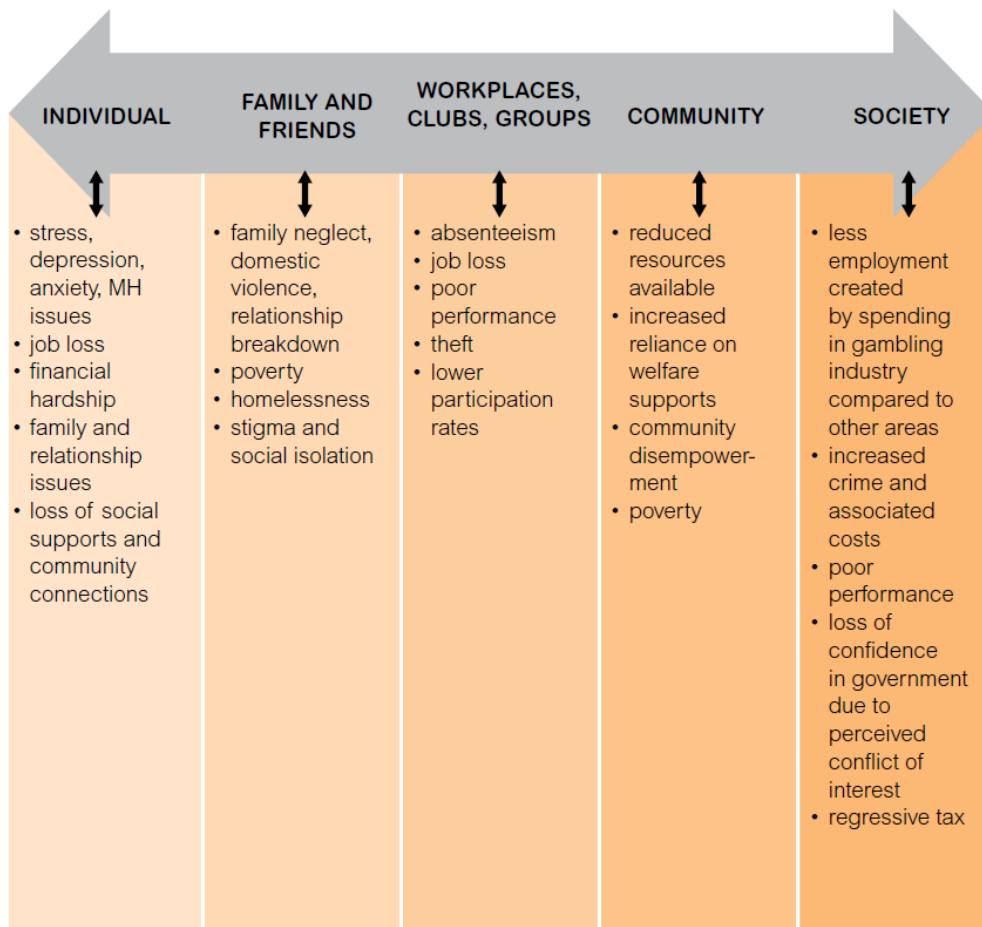
What is the impact?

The impact of gambling can have a significant effect on an individual’s physical, mental and social health. However, the impact can also extend beyond an individual – affecting relationships, families, friends, workplaces and communities. This is demonstrated below³:

¹ Tackling gambling related harm; a whole council approach; Local Government Association and Public Health England; 2018.

² Tackling gambling related harm; a whole council approach; Local Government Association and Public Health England; 2018.

³ Tackling gambling related harm; a whole council approach; Local Government Association and Public Health England; 2018.



Source: Health promotion resource guide for problem gambling prevention in Melbourne North¹²

3. Our Approach to the Local Area Profile

Each locality with Kirklees has its own character and challenges. In order to assist applicants in completing their local risk assessments, the Council has published this Local Area Profile. The local area profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profile will be presented to any subsequent licensing sub-committee when they determine an application that has received representations.

The Council recognises that it cannot insist on applicants using the local area profile when completing their risk assessments. However, an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result.

3.1 Creating the Kirklees Local Area Profile

A local area profile is an assessment of the key characteristics of Kirklees in the context of gambling-related harm. The information presented helps to provide a better understanding of the types of people that may be more vulnerable to gambling-related harm and where they are located.

We have used spatial analysis to visualise potential vulnerability to gambling-related harm in Kirklees. By mapping certain risk factors associated with gambling related harm we will identify areas of higher risk with regards to vulnerability to gambling-related harm.

Based on the evidence outlined in the section above about which groups may be most at risk of gambling-related harm, the following thematic data was mapped and used to create a 'Gambling Harm Risk Index':

- Deprivation (Index of Multiple Deprivation rankings)
- Unemployment
- Ethnic minorities
- Young people (aged 11-24)
- Crime and ASB rates

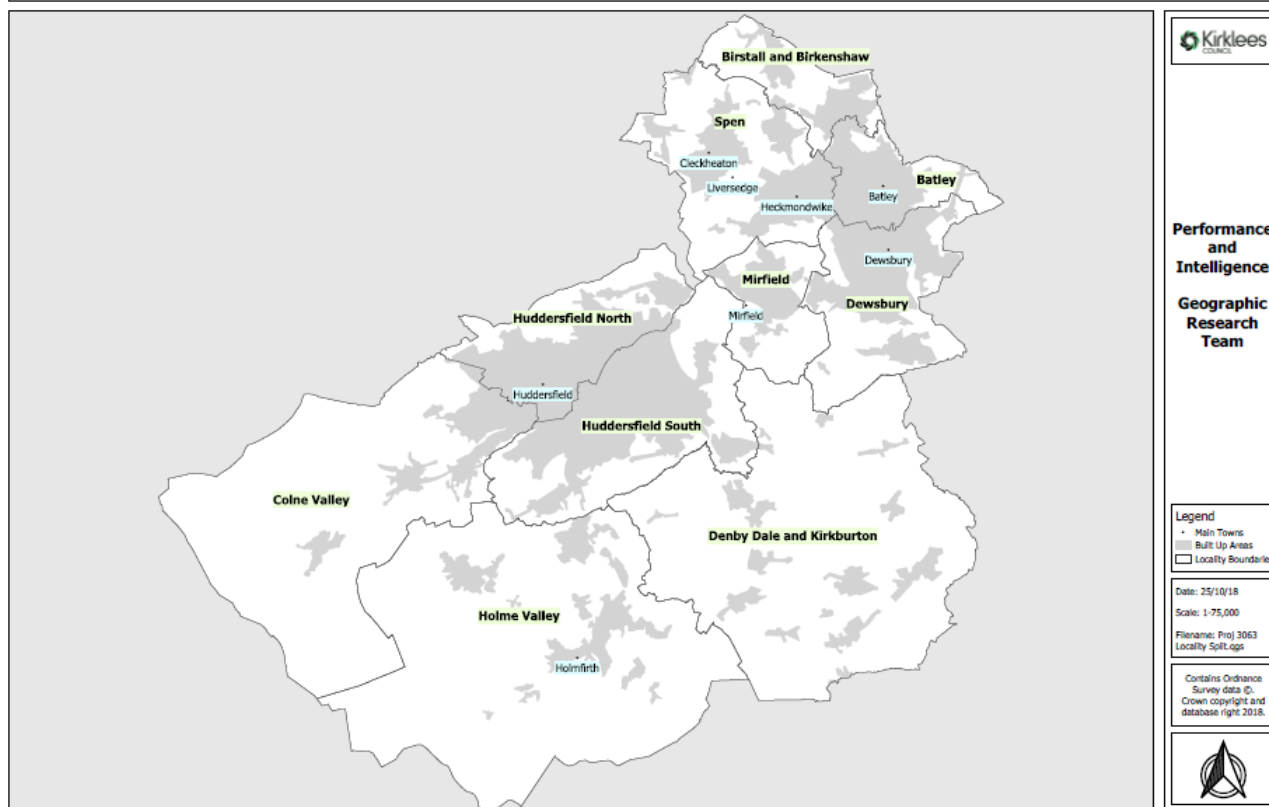
Each LSOA in the District was given score of 1 – 5 for each of the factors, which were then combined to give an overall 'Gambling Harm Risk Score'; the higher the score, the more at risk an area's population may be to gambling-related harm.

To give additional context, the following point data was also mapped:

- Existing gambling establishments
- Educational establishments
- Community centres
- GP surgeries
- Places of worship
- Job centres

In order for the Local Area Profile to be meaningful and easy to use, we divided the District into ten locality areas:

Gambling Local Area Profile - Ten Locality Split



4. The Local Area Profile

4.1 The Kirklees Area

Kirklees Council is situated in West Yorkshire, which contains 5 metropolitan councils in total. The council area has a population of approximately 440,000, making it the largest metropolitan district not based on a city in terms of population. The population has increased by 8.4% since 2002, and is predicted to rise a further 9.9% by 2030. The number of households is expected to increase 20% by 2039. In terms of area it is the third largest in West Yorkshire, covering 157 square miles. The council area is mainly rural in the south with a central urban area around large towns. The area also comprises of several smaller towns of varying sizes. These areas are shown on the map above.

Kirklees has a varied population – many ethnicities are represented, speaking a range of languages and bringing a cultural diversity to the region. A thriving student community based around the University of Huddersfield attracts students from around the world. 21% of the Kirklees population are from an ethnic minority background; significantly higher than the Yorkshire & Humber average of 11% and the national average of 14%. Some parts of Kirklees are much more ethnically diverse than others, with high numbers of ethnic minority groups around Dewsbury, Batley and Huddersfield town centre, but very low numbers in other areas, particularly the South of the district.

Life expectancy and healthy life expectancy (the number of years lived in good health) have been increasing in Kirklees, but there are big inequalities in life expectancy and healthy life expectancy across the District depending on whether someone lives in a more deprived or less deprived area. Kirklees contains areas of high and low deprivation, with regions of highest deprivation found in some of the more densely populated urban areas to the north and east (including parts of Huddersfield, Dewsbury and Batley), and lower levels of deprivation found in the more sparsely populated rural areas to the south and west (including the Colne and Holme Valleys, Denby Dale and Kirkburton). We also know that those living in some of the most deprived areas of the District are more vulnerable to a wide range of health and wellbeing issues, such as smoking, obesity, etc.

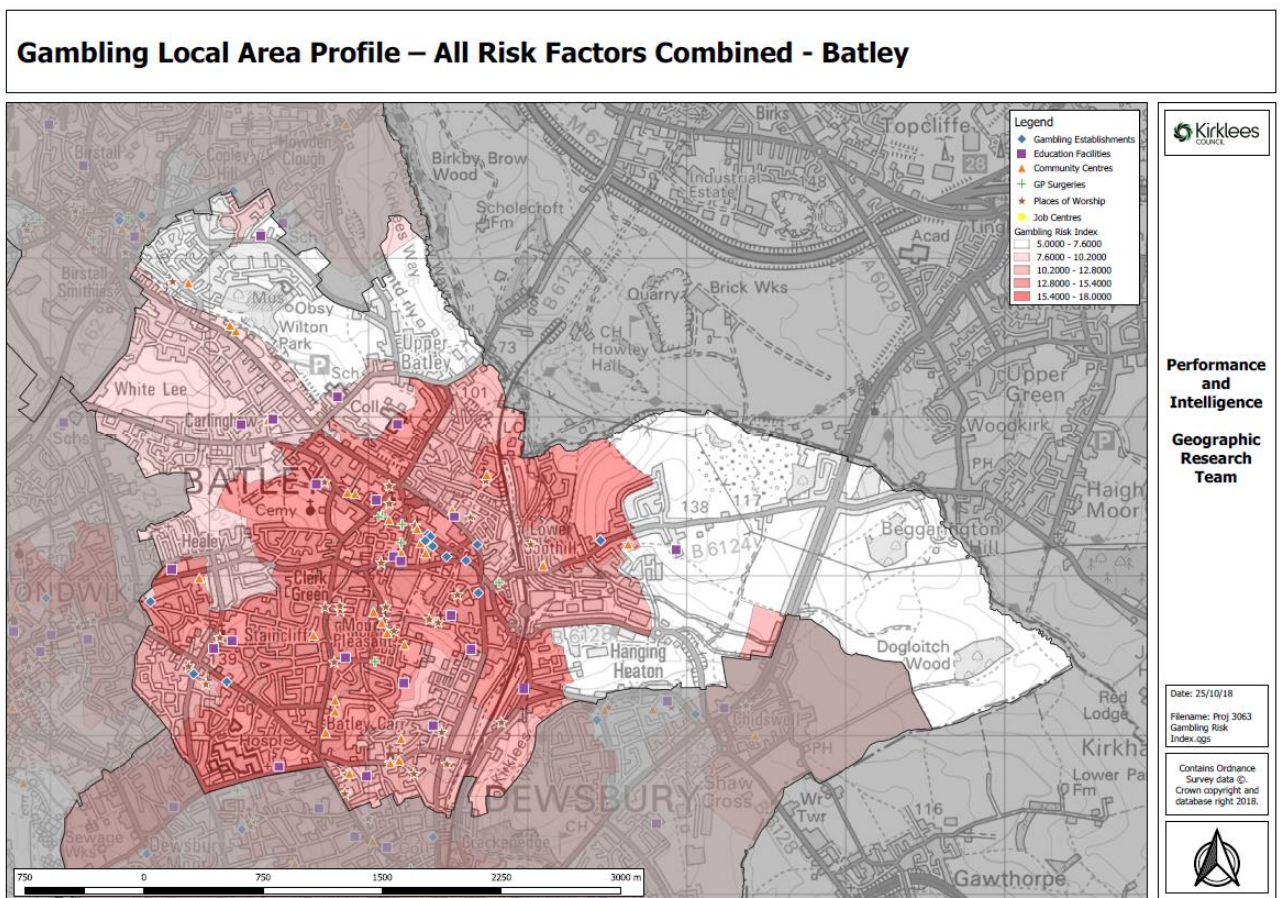
The maps below show the risk levels for gambling harm across the 'ten localities' of Kirklees. Applicants are encouraged to identify the risk level of the area in which they are proposing to make an application and address any local issues around the risk of gambling-related harm. Any areas with a score of 15.4 – 18 are considered very high risk (identifiable by the darkest shade of red) and applications for these areas may be subject to a formal hearing to determine the application, if the licensing authority do not think the operator has considered the risks appropriately. This local area profile is to be considered alongside the other criteria and restrictions set out in the Statement of Principles.

Maps showing the prevalence of each individual risk factor in an area can be found at Appendix 1. Applicants are encouraged to consult these to gain a fuller understanding of the local context and issues in the area in which they are proposing to open an establishment. If required, larger copies of maps are available upon request. Please contact licensing@kirklees.gov.uk

4.2 Batley

In Batley, there are LSOA which are considered to be very high risk; these are highlighted in the darkest shade of red below.

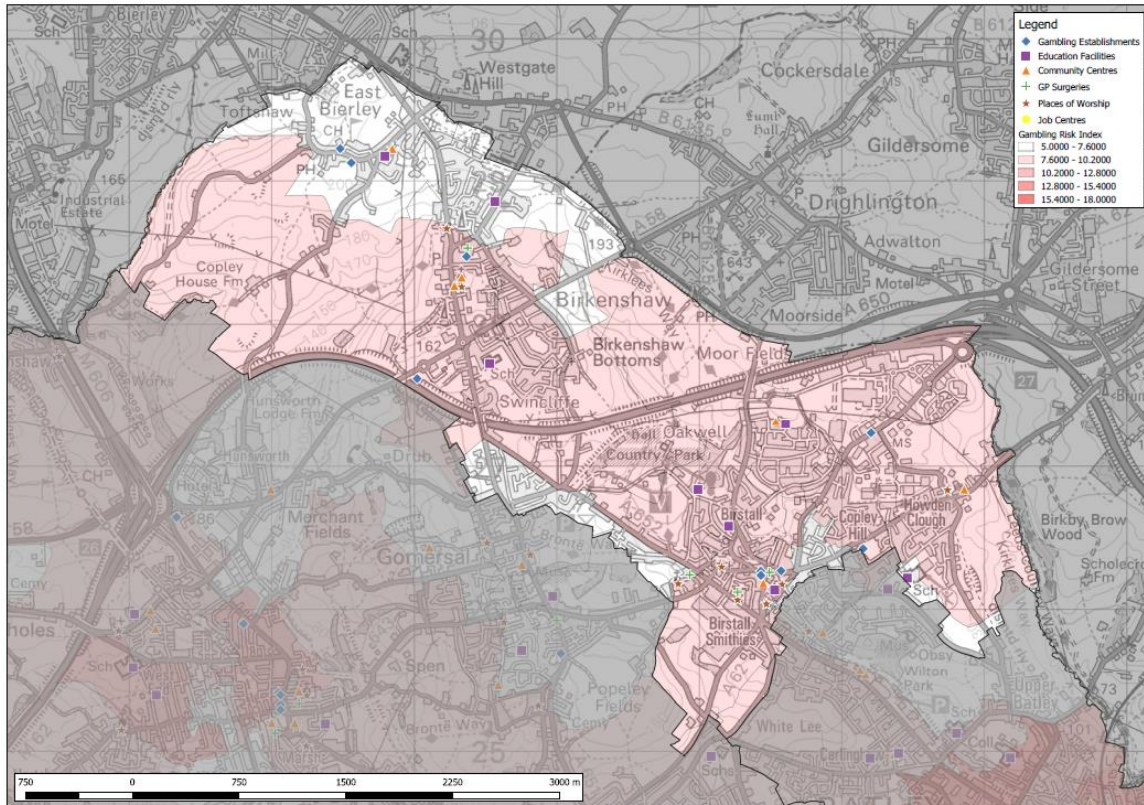
Closer scrutiny of applications will take place where they fall within, or near to, the areas highlighted as high risk. Operators applying for licences, or varying licences within these areas, will have to demonstrate, via their local risk assessments, that they have considered the risks identified and have taken the necessary and appropriate steps to mitigate those risks.



4.3 Birstall & Birkenshaw


There are no areas of Birstall & Birkenshaw identified as very high risk. However, gambling related harm can happen in any area. Applicants proposing to open an establishment here are still encouraged to consider the detailed maps in Appendix 1 and provide details of how they will mitigate for gambling related harm.

Gambling Local Area Profile – All Risk Factors Combined - Birstall and Birkenshaw



Performance and Intelligence
Geographic Research Team

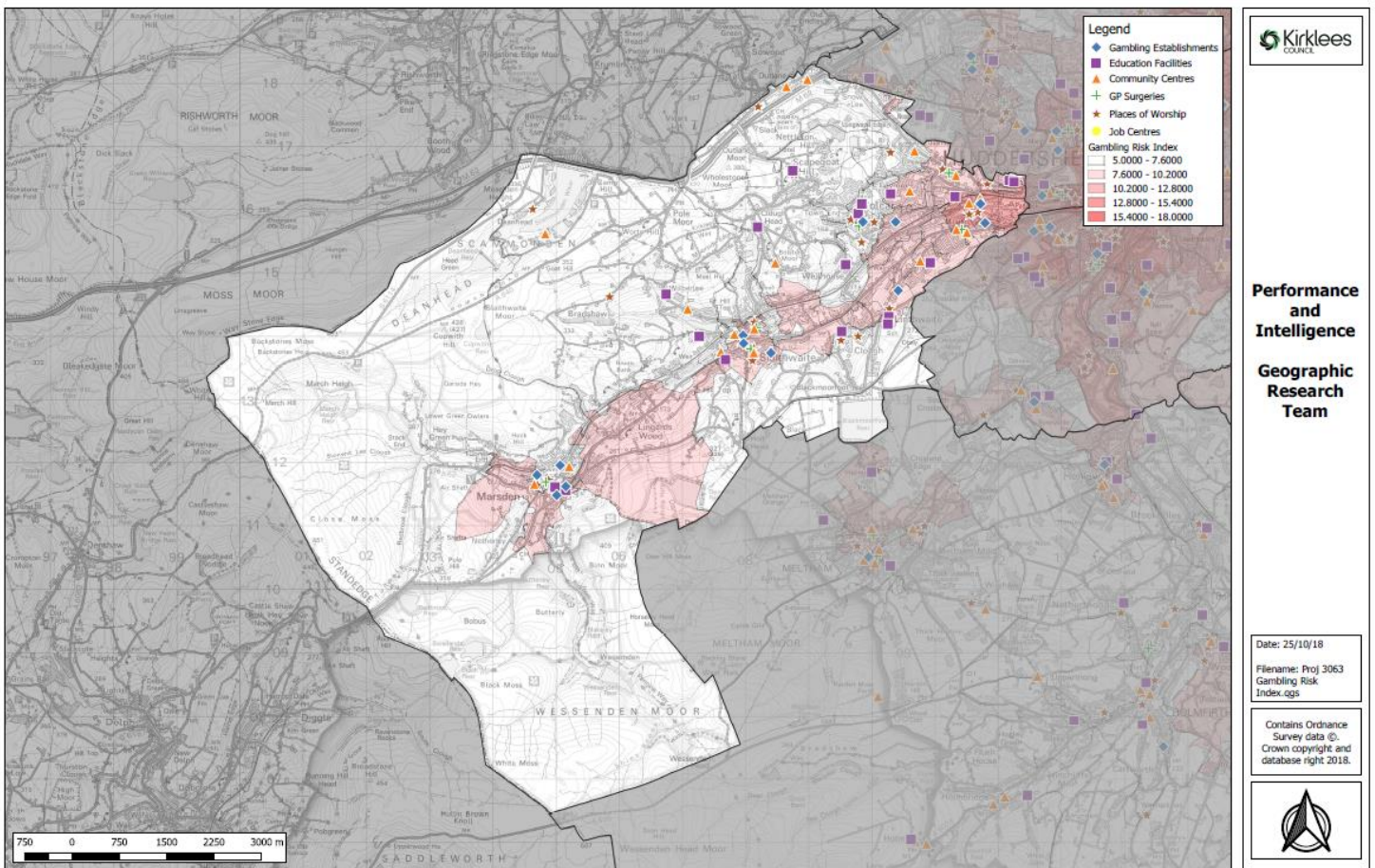
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4.4 Colne Valley

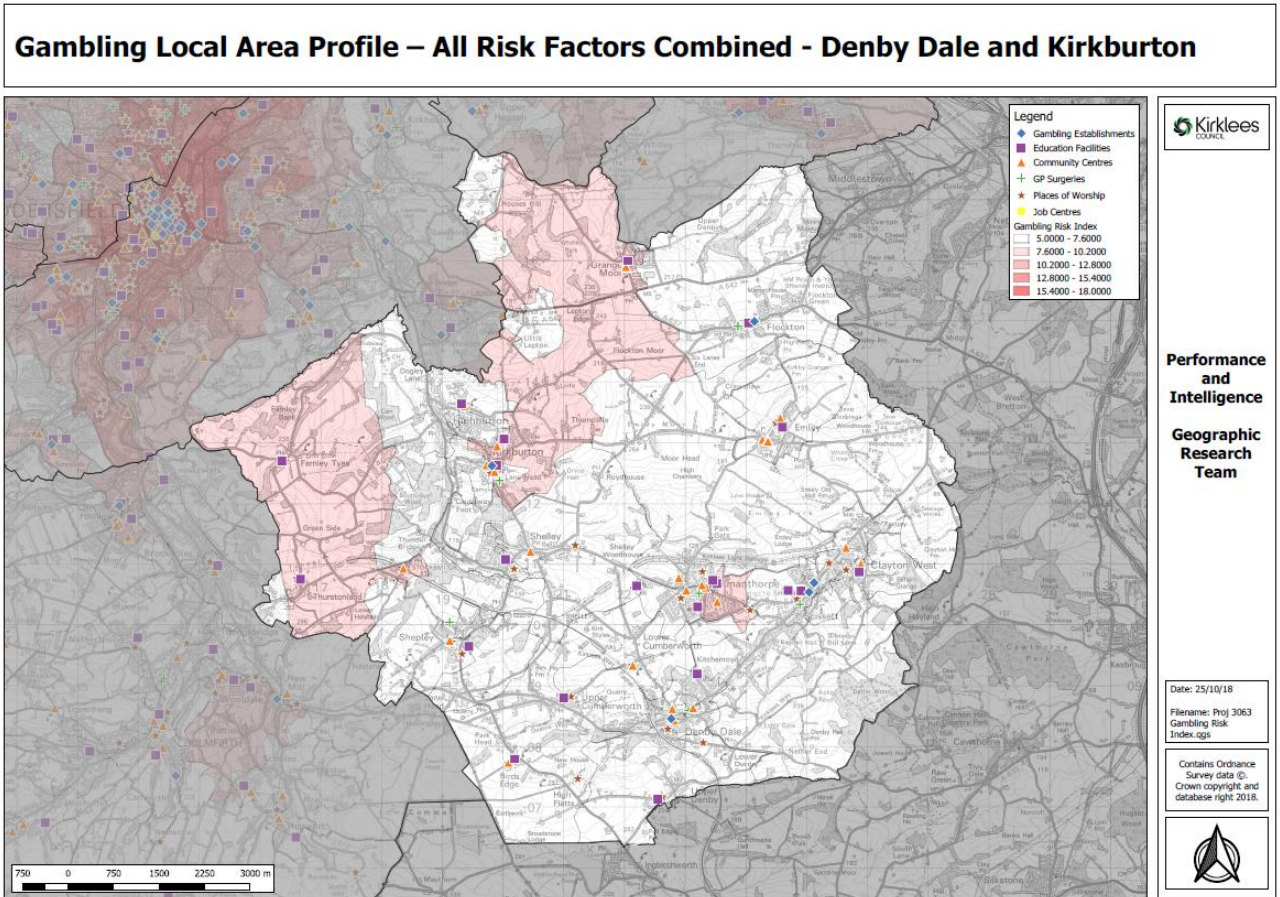
There are no areas of Colne Valley identified as very high risk. However, gambling related harm can happen in any area. Applicants proposing to open an establishment here are still encouraged to consider the detailed maps in Appendix 1 and provide details of how they will mitigate for gambling related harm.

Gambling Local Area Profile – All Risk Factors Combined - Colne Valley



4.5 Denby Dale & Kirkburton

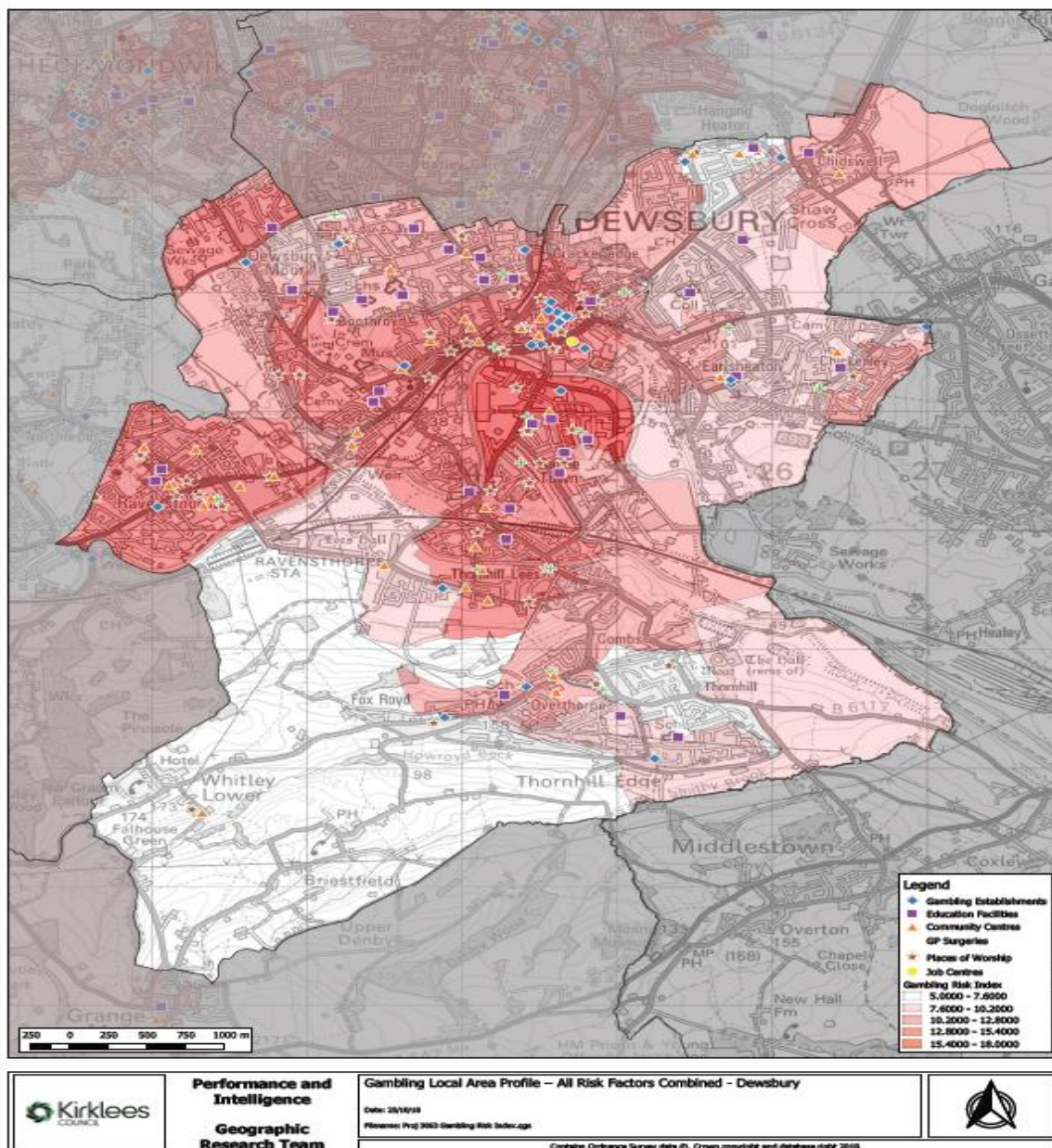
There are no areas of Denby Dale & Kirkburton identified as very high risk. However, gambling related harm can happen in any area. Applicants proposing to open an establishment here are still encouraged to consider the detailed maps in Appendix 1 and provide details of how they will mitigate for gambling related harm.



4.6 Dewsbury

In Dewsbury, there is one LSOA which is considered to be very high risk; this is highlighted in the darkest shade of red below.

Closer scrutiny of applications will take place where they fall within, or near to, the areas highlighted as high risk. Operators applying for licences, or varying licences within these areas, will have to demonstrate, via their local risk assessments, that they have considered the risks identified and have taken the necessary and appropriate steps to mitigate those risks.

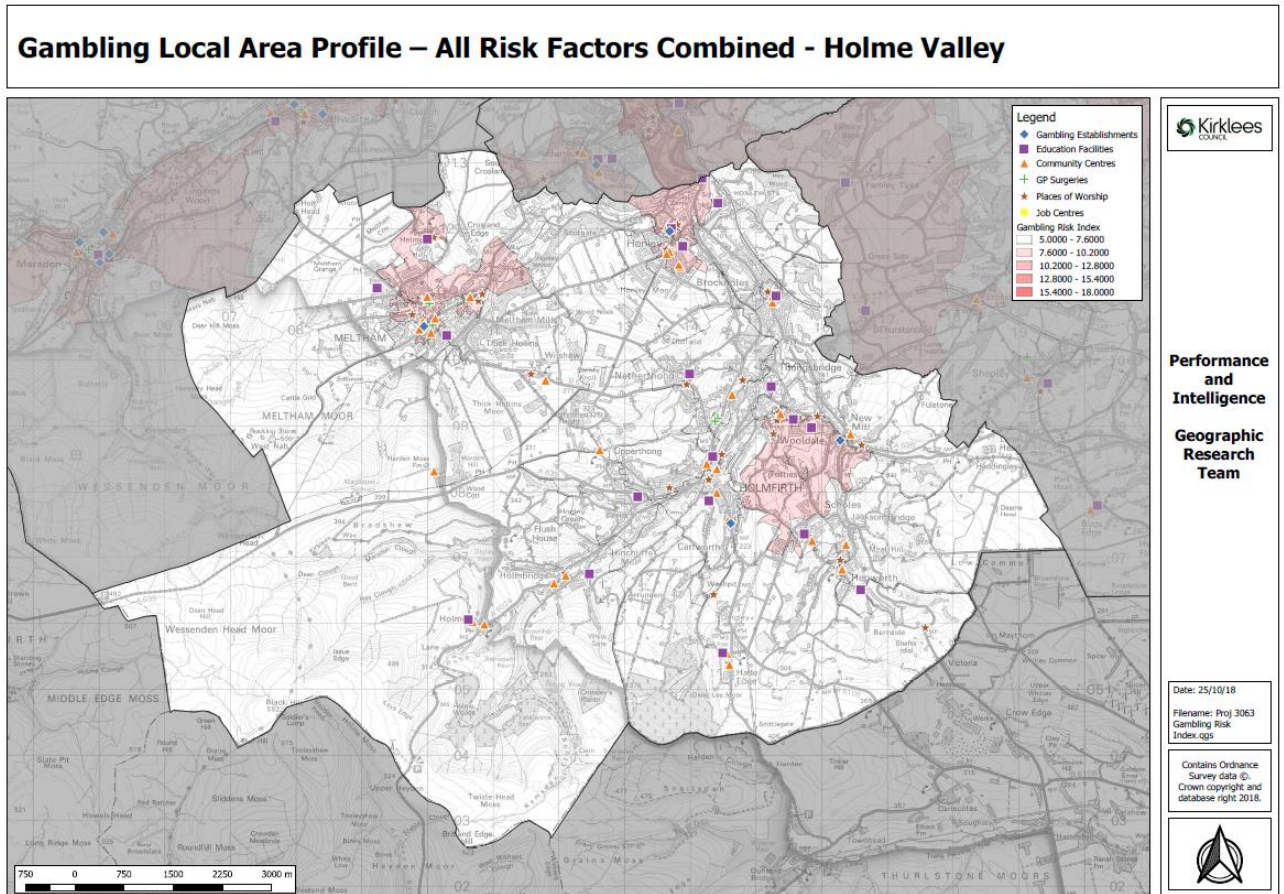


The following postcodes fall within this high risk area:

WF12 9TA	WF12 9AT
WF13 1FF	WF12 9AU
WF12 9AS	WF12 9LT
WF12 9BA	WF12 9PJ
WF12 9JS	WF12 9PN
WF12 9JT	WF12 9PR
WF12 9JU	WF12 9PS
WF12 9JX	WF12 9PT
WF12 9LD	WF12 9PU
WF12 9LE	WF12 9QS
WF12 9LF	WF12 9AQ
WF12 9LG	WF12 9PP
WF12 9LH	WF12 9LN
WF12 9LP	WF12 9AH
WF12 9LR	WF13 1EH
WF12 9LS	WF13 1XH
WF12 9LY	WF12 9AP
WF12 9LZ	WF13 1XL
WF12 9NP	WF12 9AW
WF12 9NS	WF12 9BE
WF12 9LA	WF12 9PW
WF12 9LB	WF12 9AE
WF12 9LW	WF12 9AR
WF12 9BD	WF12 9AN
WF12 9BQ	WF12 9LQ
WF12 9AG	WF12 9AF
	WF12 9LJ
	WF12 9AL
	WF12 9PH
	WF12 9AX

4.7 Holme Valley

There are no areas of Holme Valley identified as very high risk. However, gambling related harm can happen in any area. Applicants proposing to open an establishment here are still encouraged to consider the detailed maps in Appendix 1 and provide details of how they will mitigate for gambling related harm.

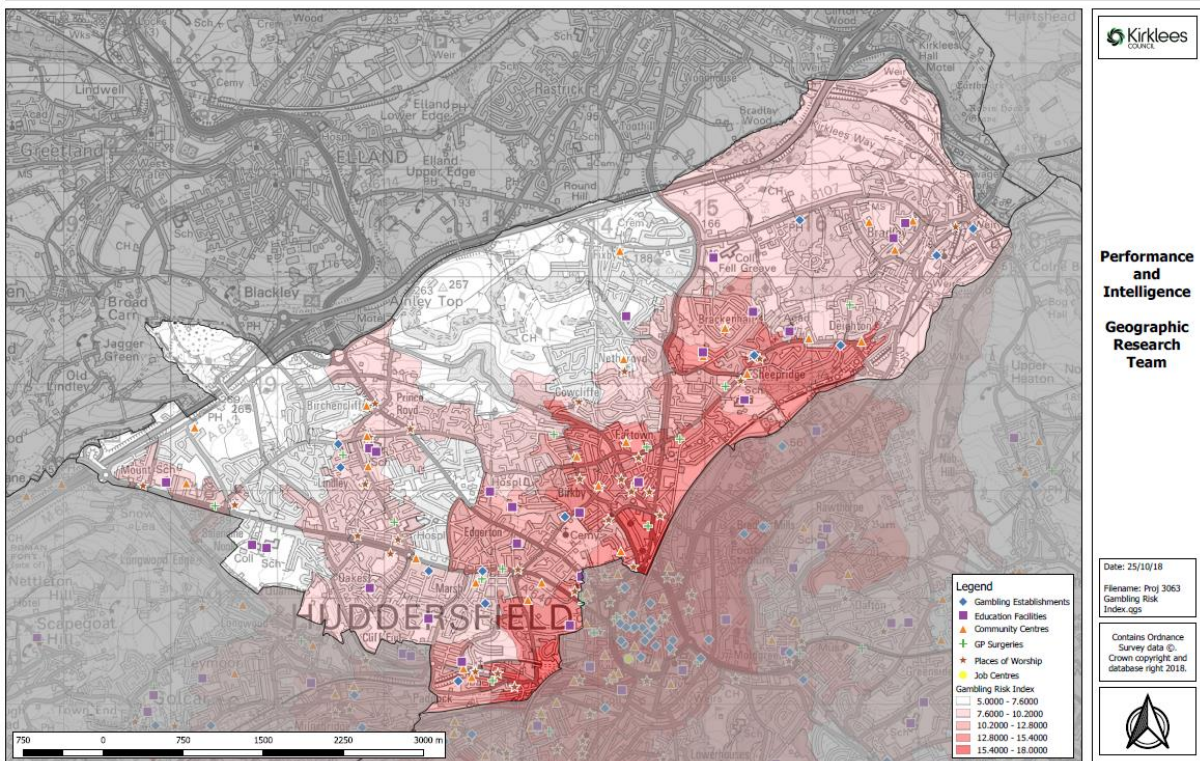


4.8 Huddersfield North and Huddersfield South

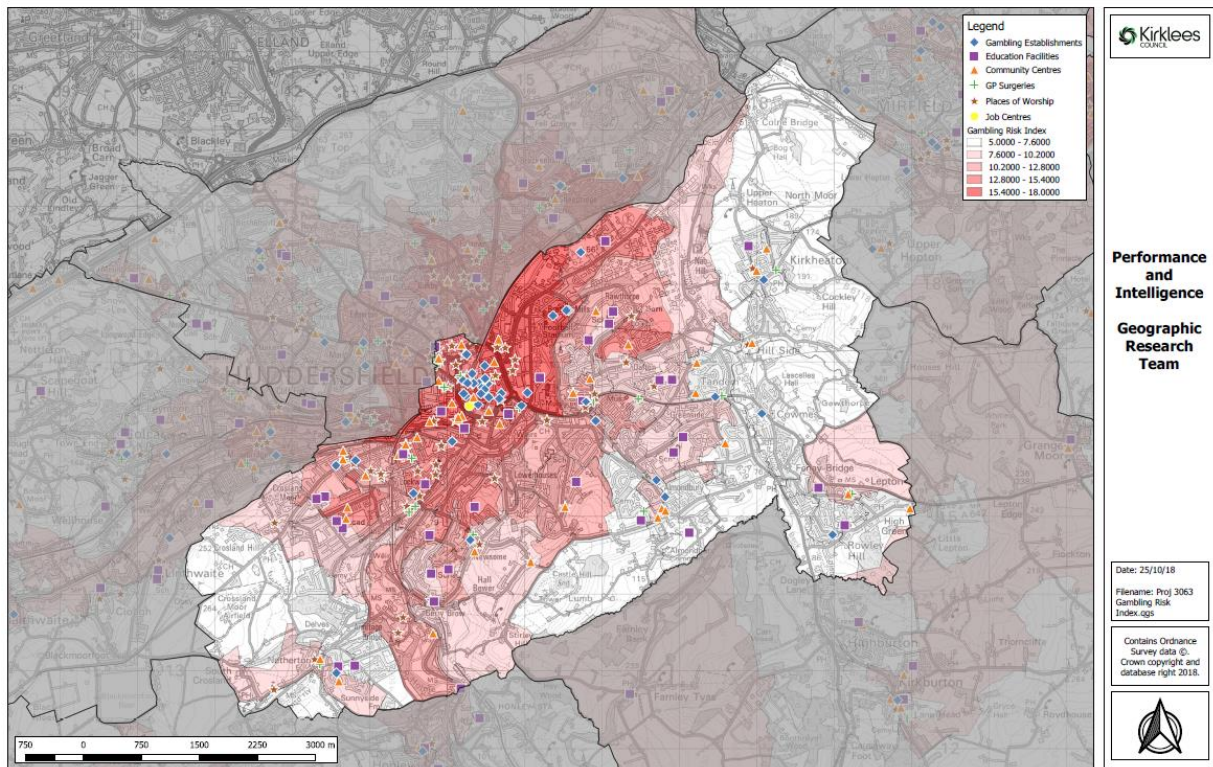
Huddersfield North and Huddersfield South contain two very high risk LSOAs which fall into both area; these are highlighted in the darkest shade of red on the maps below

Closer scrutiny of applications will take place where they fall within, or near to, the areas highlighted as high risk. Operators applying for licences, or varying licences within these areas, will have to demonstrate, via their local risk assessments, that they have considered the risks identified and have taken the necessary and appropriate steps to mitigate those risks.

Gambling Local Area Profile – All Risk Factors Combined - Huddersfield North



Gambling Local Area Profile – All Risk Factors Combined - Huddersfield South



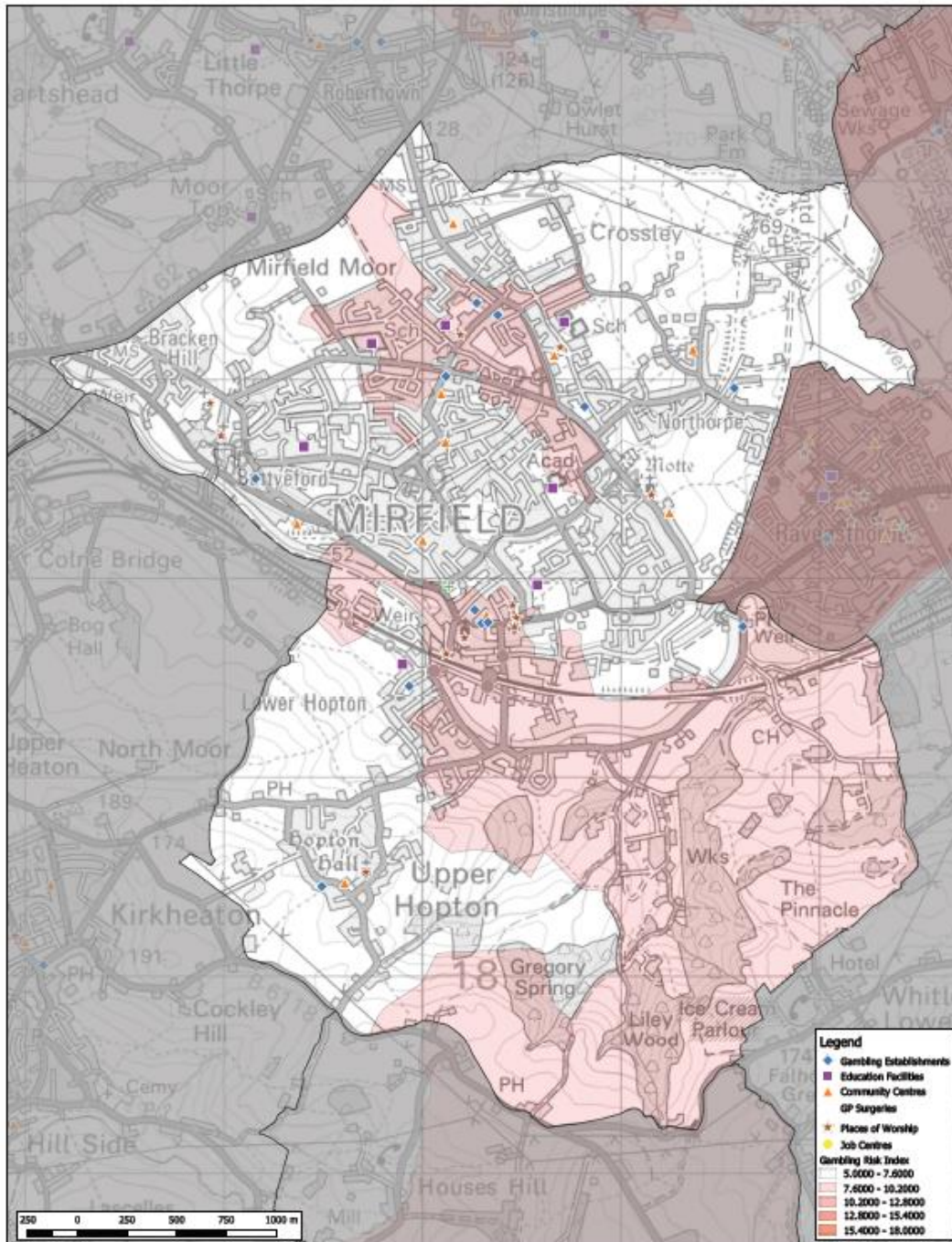
The following postcodes fall within these high risk areas:

HD1 2AN	HD1 1DT	HD1 2PU	HD1 2DT	HD1 2QE	HD1 5DG	HD1 6JH
HD1 2PT	HD1 1ER	HD1 2SU	HD1 2EF	HD1 6AH	HD1 5AW	HD1 6JJ
HD1 1DR	HD1 1DD	HD1 2TH	HD1 2BP	HD1 6QT	HD1 5AT	HD1 6JL
HD1 1DY	HD1 1DL	HD1 2UR	HD1 2EP	HD1 6QX	HD1 5DL	HD1 6JN
HD1 1QA	HD1 1QF	HD1 2BW	HD1 2JD	HD1 6HQ	HD1 5DQ	HD1 6JW
HD1 1BQ	HD1 1BA	HD1 2EH	HD1 2LR	HD1 6QS	HD1 6AL	HD1 6NJ
HD1 1DU	HD1 1BT	HD1 2JY	HD1 2QD	HD1 6QR	HD1 6BR	HD1 6NN
HD1 2EX	HD1 1BX	HD1 2PZ	HD1 2QJ	HD1 1QT	HD1 6HU	HD1 6NW
HD1 1SG	HD1 1EG	HD1 2QA	HD1 2JF	HD1 2DN	HD1 6NG	HD1 6PU
HD1 1QX	HD1 1EH	HD1 2QF	HD1 2AA	HD1 1QS	HD1 6BA	HD1 6AY
HD1 1BY	HD1 1RL	HD1 2RA	HD1 2AX	HD1 1DG	HD1 6BG	HD1 6BE
HD1 1NP	HD1 1BU	HD1 2SQ	HD1 2AZ	HD1 4AD	HD1 6BW	HD1 6JP
HD1 1NY	HD1 2AD	HD1 2DX	HD1 2BU	HD1 2QT	HD1 6BL	HD1 6BY
HD1 1PB	HD1 2AL	HD1 2EG	HD1 2SX	HD1 1QY	HD1 6HY	HD1 6AP
HD1 1QH	HD1 2AR	HD1 2JJ	HD1 2BR	HD1 1AA	HD1 6JB	HD1 6BN
HD1 1QJ	HD1 2BQ	HD1 2PY	HD1 2HG	HD1 6AJ	HD1 6JE	HD1 6DD
HD1 1QQ	HD1 2BT	HD1 2RD	HD1 2HE	HD1 1ED	HD1 6JF	HD1 6AR
HD1 1QZ	HD1 2EA	HD1 2RS	HD1 2BB	HD1 1RW	HD1 6DZ	HD1 6NB
HD1 1RA	HD1 2EW	HD1 2RT	HD1 2HA	HD1 1RY	HD1 6HZ	HD1 6AE
HD1 1ES	HD1 2LE	HD1 2ET	HD1 2HL	HD1 1EB	HD1 6JA	HD1 5AA
HD1 1BG	HD1 2LF	HD1 2SP	HD1 2RX	HD1 6AS	HD1 6JG	HD1 6BZ

HD5 9AD	HD1 6PP	HD1 6PX	HD1 2NX	HD1 4BP
HD5 9AN	HD1 6PW	HD2 1YG	HD1 3HR	HD1 4BZ
HD1 6RA	HD1 6PH	HD1 6AQ	HD1 3HU	HD1 4HA
HD1 6SB	HD1 6PR	HD1 1RF	HD1 3HY	HD1 4RN
HD1 6RX	HD1 6PT	HD1 6AF	HD1 3HZ	HD1 4RU
HD1 6SD	HD1 6RJ	HD1 2DR	HD1 3JB	HD1 4RY
HD5 9BA	HD1 6PS	HD1 2HF	HD1 3LE	HD1 4SE
HD5 9AB	HD1 6PF	HD1 6QB	HD1 3LF	HD1 2NS
HD5 9AE	HD2 1YB	HD1 1QL	HD1 4SF	HD1 3EB
HD1 6RZ	HD1 6PD	HD1 1DJ	HD1 4AZ	HD1 2JL
HD5 9BS	HD2 1YD	HD1 6AX	HD1 4BB	HD1 2JT
HD5 9AF	HD2 1YF	HD1 6BX	HD1 4BD	HD1 3HJ
HD1 6NA	HD1 6DE	HD5 9AA	HD1 4BE	HD1 3HW
HD1 6PG	HD1 2QR	HD1 1DE	HD1 4BG	HD1 4BA
HD1 6PE	HD1 2QB	HD1 1LE	HD1 4BL	HD1 4DL
HD1 6NS	HD1 6ND	HD1 1SW	HD1 4BN	HD1 4BU
HD1 6NX	HD1 2ES	HD1 1TA	HD1 4EU	HD1 4AJ
HD1 6NY	HD1 5AN	HD1 2DW	HD1 4RP	HD1 4AN
HD1 6NZ	HD5 9AL	HD1 2SN	HD1 4RT	HD1 4SR
HD1 6PA	HD1 2QY	HD1 6NL	HD1 4RX	HD1 4BX
HD1 6PB	HD1 6QE	HD1 6PZ	HD1 4RZ	HD1 2JN
HD1 6PJ	HD1 2BN	HD1 6SE	HD1 4SG	HD1 3JD
HD1 6PL	HD1 6NE	HD1 2RB	HD1 4SH	HD1 2JS
HD1 6PN	HD1 6BT	HD1 1DA	HD1 4SJ	HD1 2TG
HD1 6BB	HD1 1RD	HD1 1ST	HD1 4SS	HD1 3LD
HD1 1RX	HD1 6DG	HD1 1SU	HD4 5AE	HD1 3FH
HD1 6NT	HD1 6NU	HD1 9JT	HD1 3JA	HD1 3FJ
HD1 1SR	HD1 2ER	HD4 5AA	HD1 4SD	HD1 3FL
HD1 6AG	HD1 1DH	HD4 5AD	HD1 1SE	HD1 2NU
				HD1 4RL
				HD1 2JA
				HD1 4BS

4.9 Mirfield

There are no areas of Mirfield identified as very high risk. However, gambling related harm can happen in any area. Applicants proposing to open an establishment here are still encouraged to consider the detailed maps in Appendix 1 and provide details of how they will mitigate for gambling related harm.

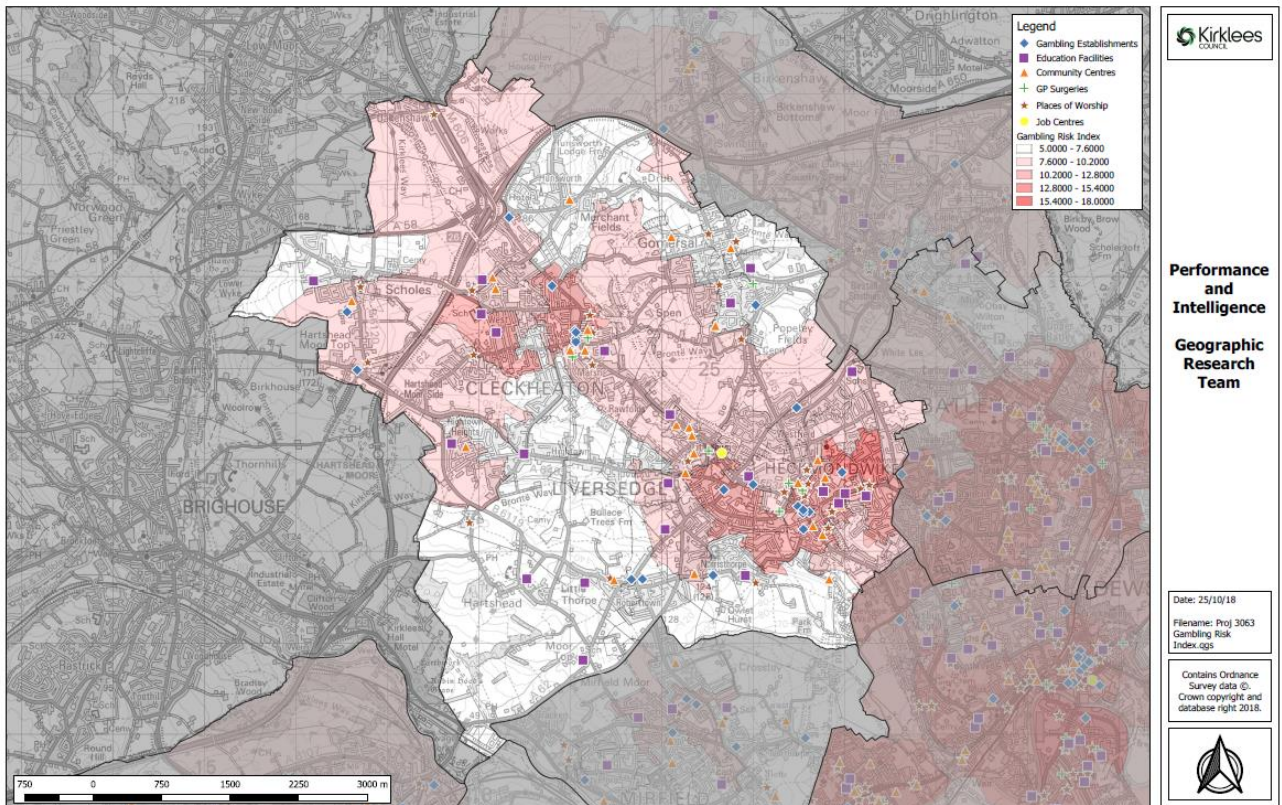


 <p>Kirklees COUNCIL</p>	<p>Performance and Intelligence</p> <p>Geographic Research Team</p>	<p>Gambling Local Area Profile – All Risk Factors Combined - Mirfield</p> <p>Date: 26/10/18</p> <p>Filename: Proj 3003 Gambling Risk Index.gpx</p>	
<p><small>Contains Ordnance Survey data ©. Crown copyright and database right 2018.</small></p>			

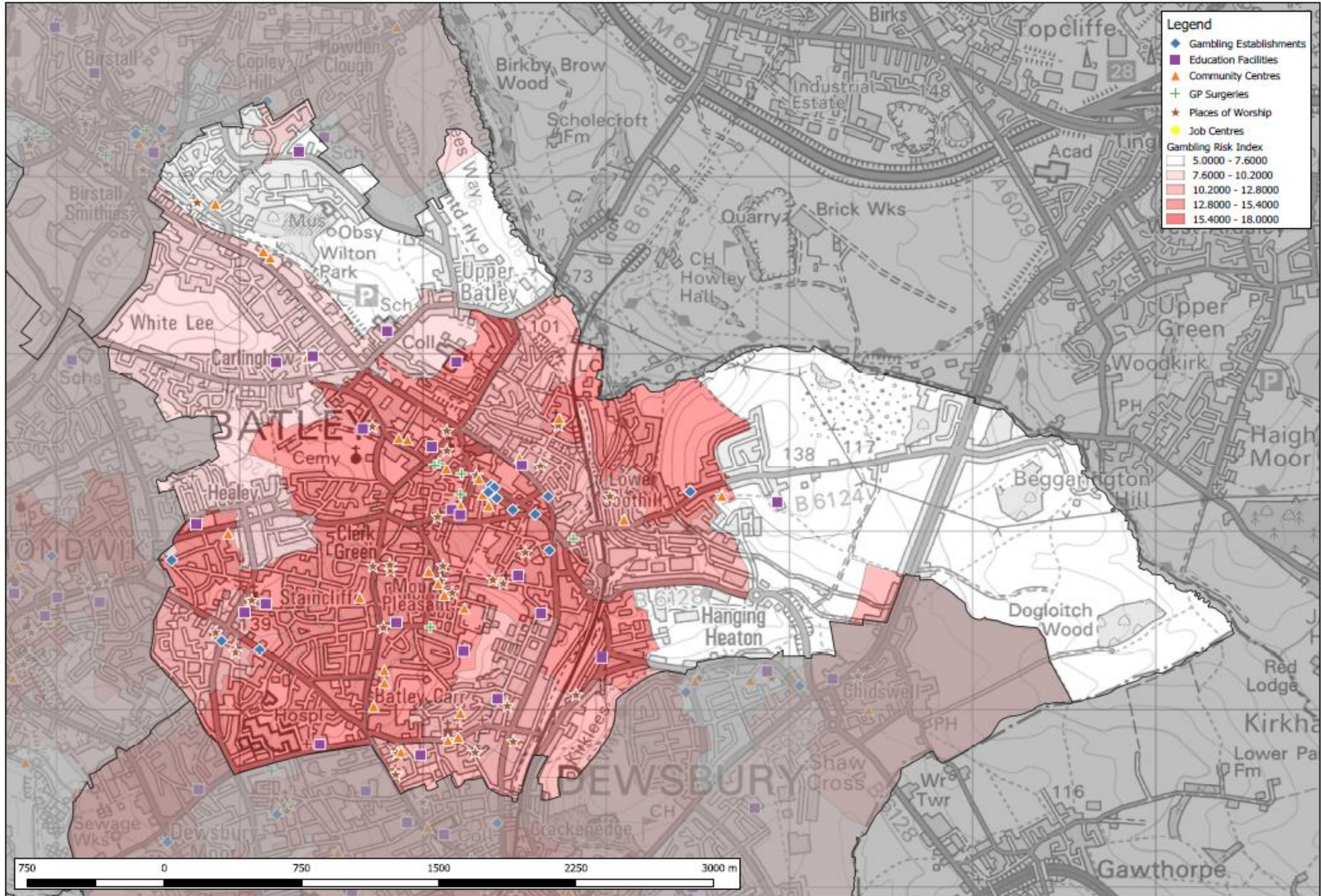
4.10 Spen

There are no areas of Spen considered to be very high risk. However, gambling related harm can happen in any area. Applicants proposing to open an establishment here are still encouraged to consider the detailed maps in Appendix 1 and provide details of how they will mitigate for gambling related harm.

Gambling Local Area Profile – All Risk Factors Combined - Spen



Gambling Local Area Profile – All Risk Factors Combined - Batley



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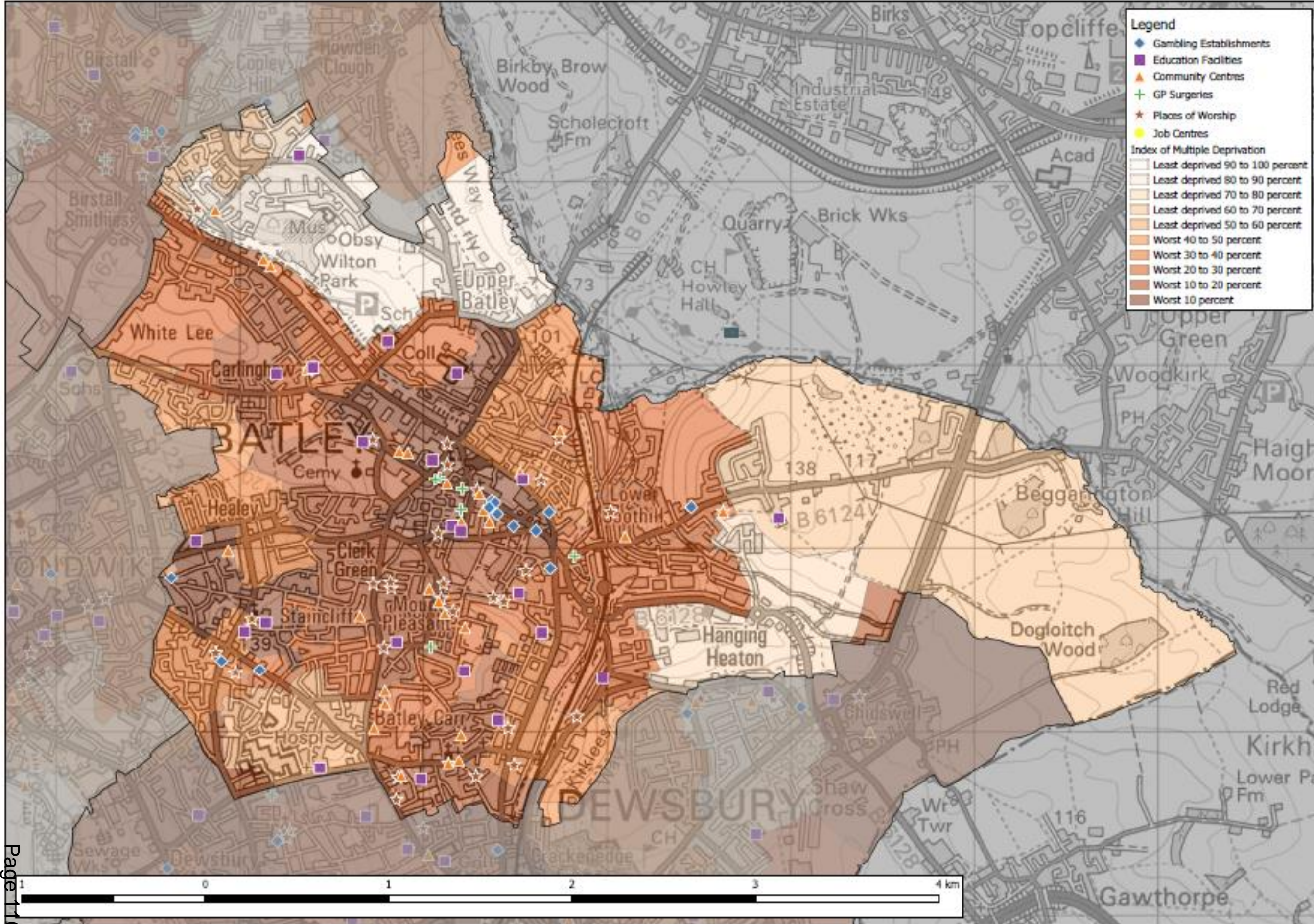
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Filename: Proj 3063
Gambling Risk Index.ogs

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Gambling Local Area Profile - Index of Multiple Deprivation (2015) - Batley



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- ★ Job Centres

Index of Multiple Deprivation

- Least deprived 90 to 100 percent
- Least deprived 80 to 90 percent
- Least deprived 70 to 80 percent
- Least deprived 60 to 70 percent
- Least deprived 50 to 60 percent
- Worst 40 to 50 percent
- Worst 30 to 40 percent
- Worst 20 to 30 percent
- Worst 10 to 20 percent
- Worst 10 percent



Performance and Intelligence

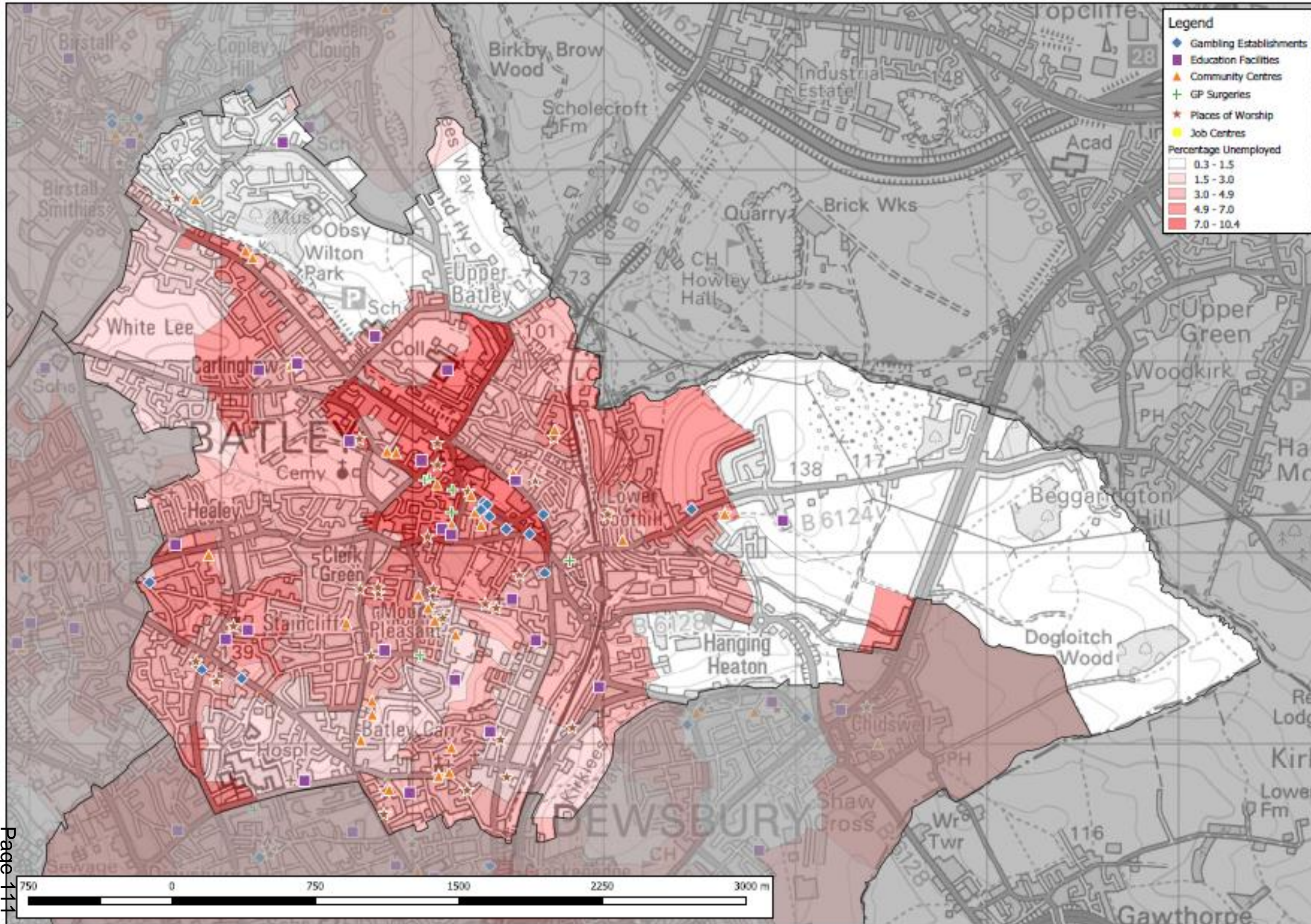
Geographic Research Team

Date: 25/10/18
 Filename: Proj 3063 Deprivation Maps.qgs

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Gambling Local Area Profile - Percentage Unemployment - Batley



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- + GP Surgeries
- ★ Places of Worship
- Job Centres

Percentage Unemployed

- 0.3 - 1.5
- 1.5 - 3.0
- 3.0 - 4.9
- 4.9 - 7.0
- 7.0 - 10.4



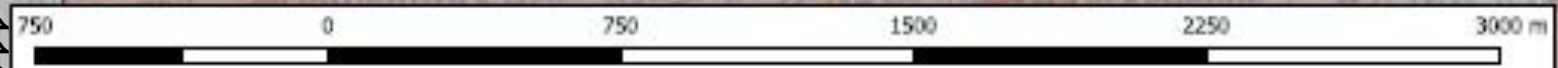
Performance and Intelligence

Geographic Research Team

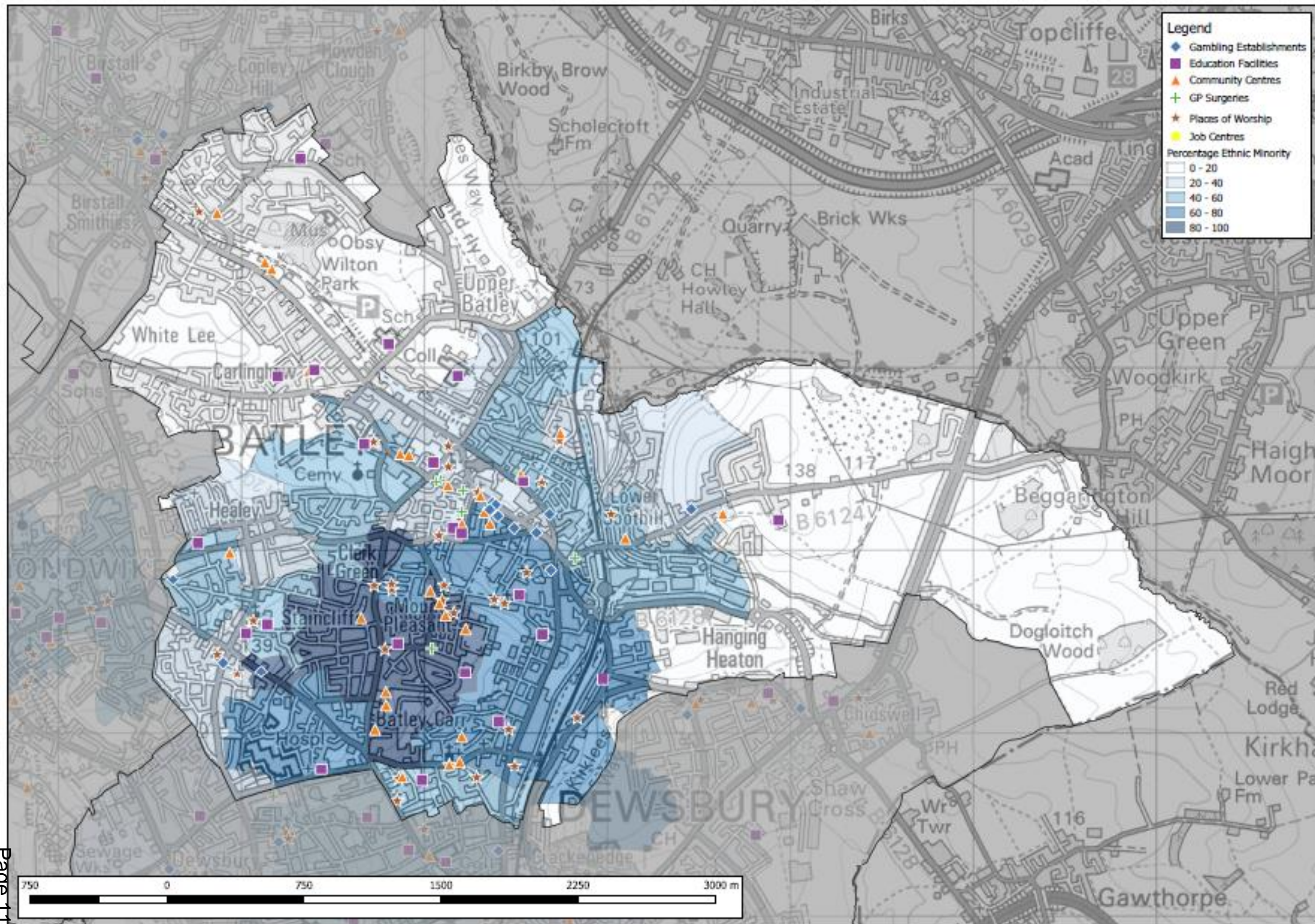
Date: 25/10/18

Filename: Proj 3063 Unemployment Maps.qgs

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Gambling Local Area Profile - Percentage Ethnic Minorities - Batley



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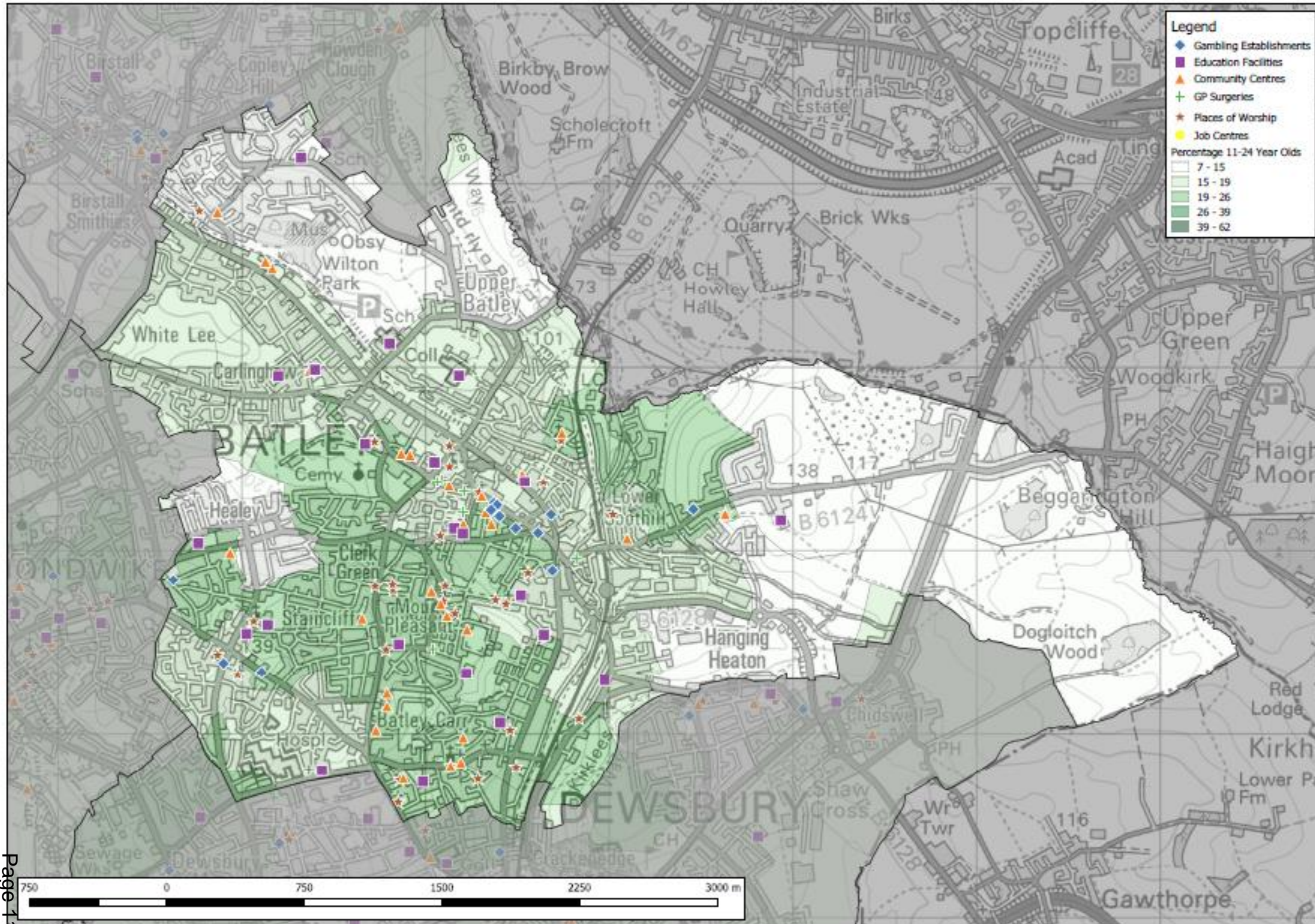
Date: 25/10/18

Filename: Proj 3063
Ethnicity Maps.qgs

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Gambling Local Area Profile - Percentage 11 to 24 Year Olds - Batley



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Percentage 11-24 Year Olds

- 7 - 15
- 15 - 19
- 19 - 26
- 26 - 39
- 39 - 62

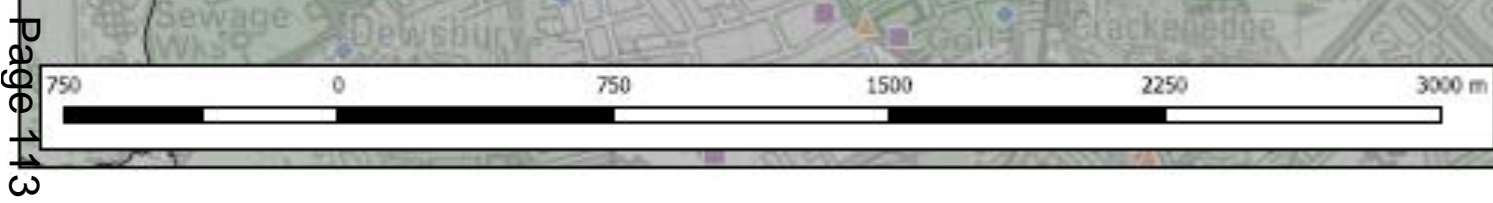


Performance and Intelligence

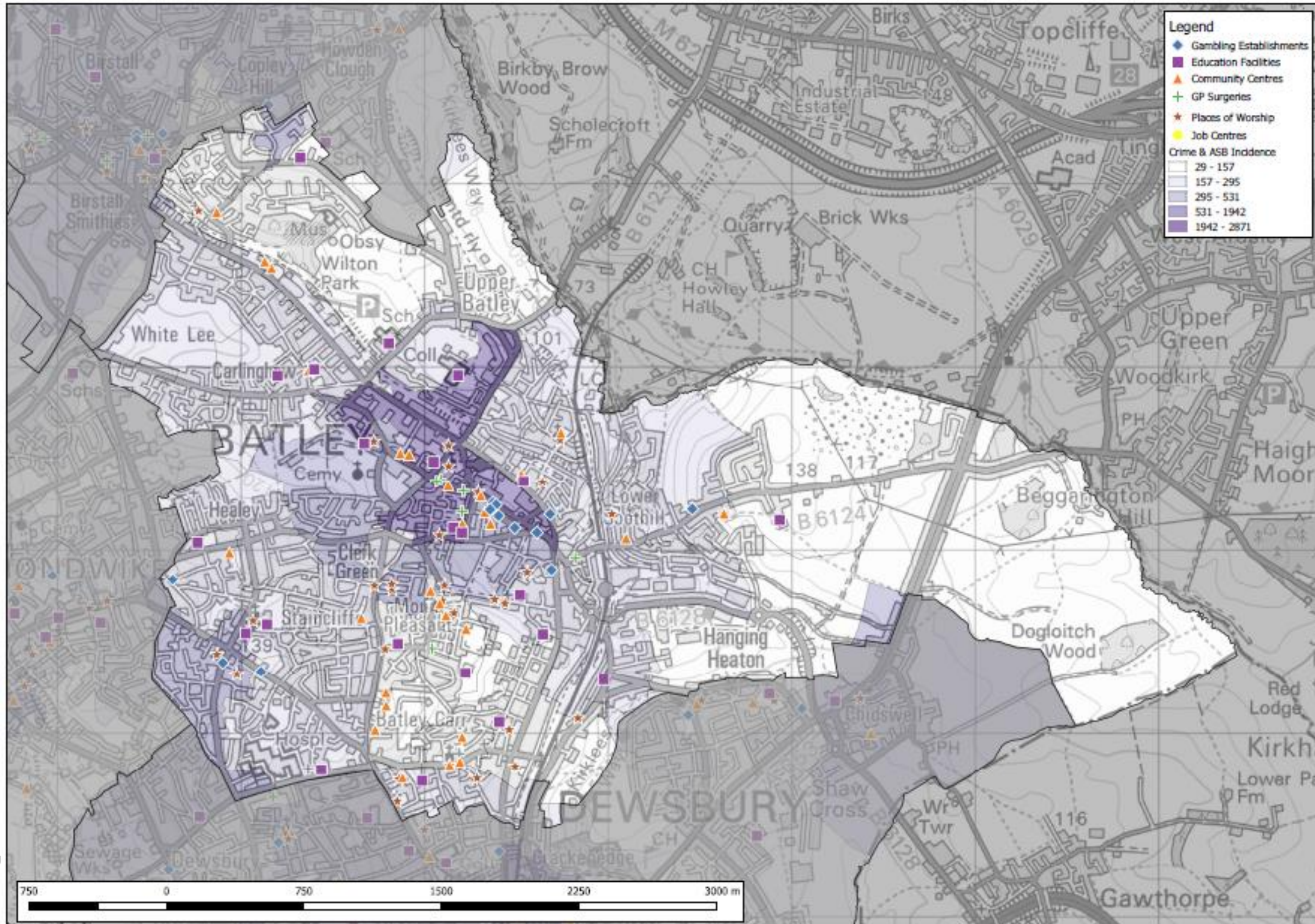
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Date: 25/10/18
 Filename: Proj 3063
 Young People
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Gambling Local Area Profile - Crime & Antisocial Behaviour Incidence - Batley



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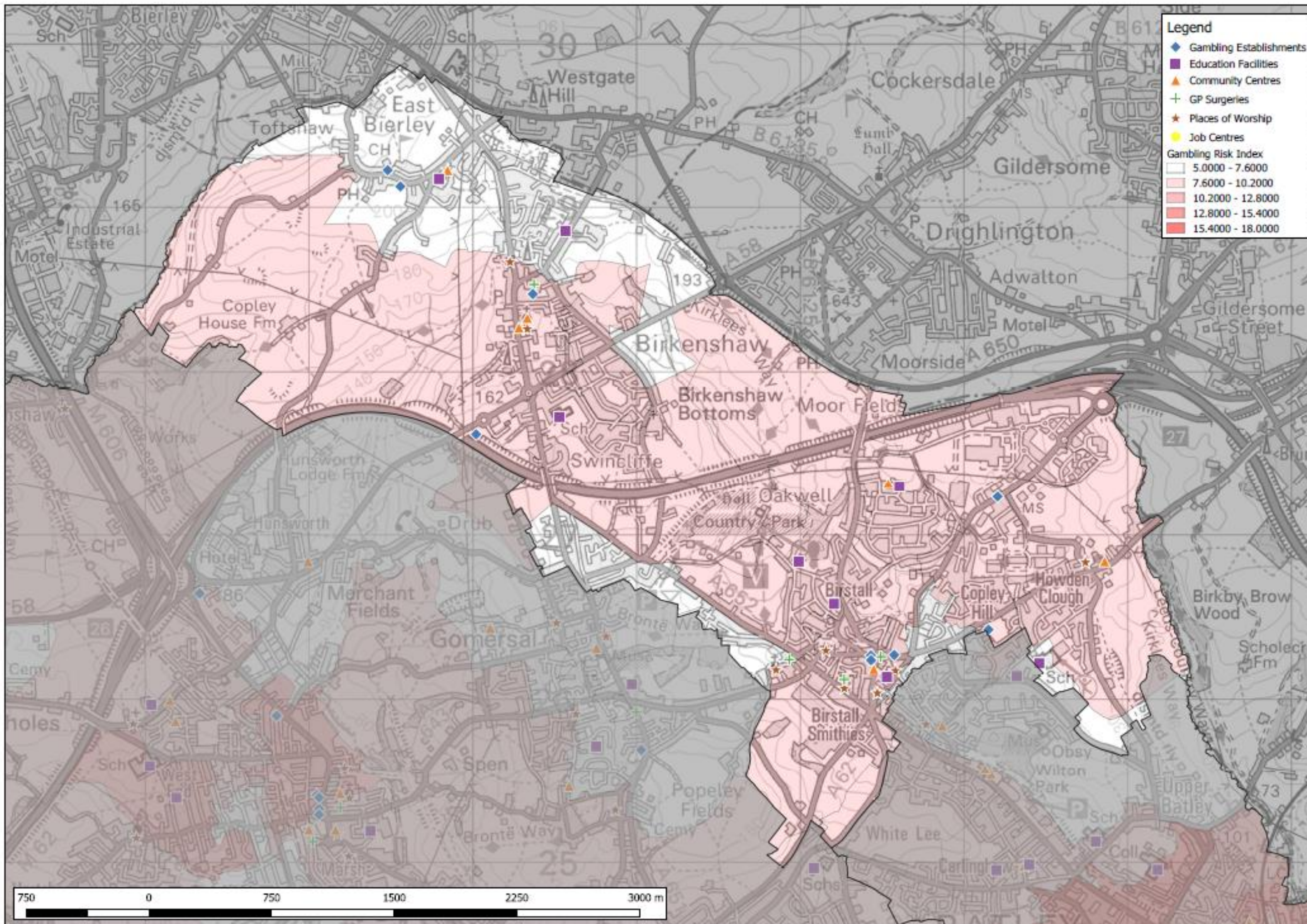
Date: 25/10/18

Filename: Proj 3063
Crime Incidence
Maps.qgs

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Gambling Local Area Profile – All Risk Factors Combined - Birstall and Birkenshaw



Performance and Intelligence

Geographic Research Team

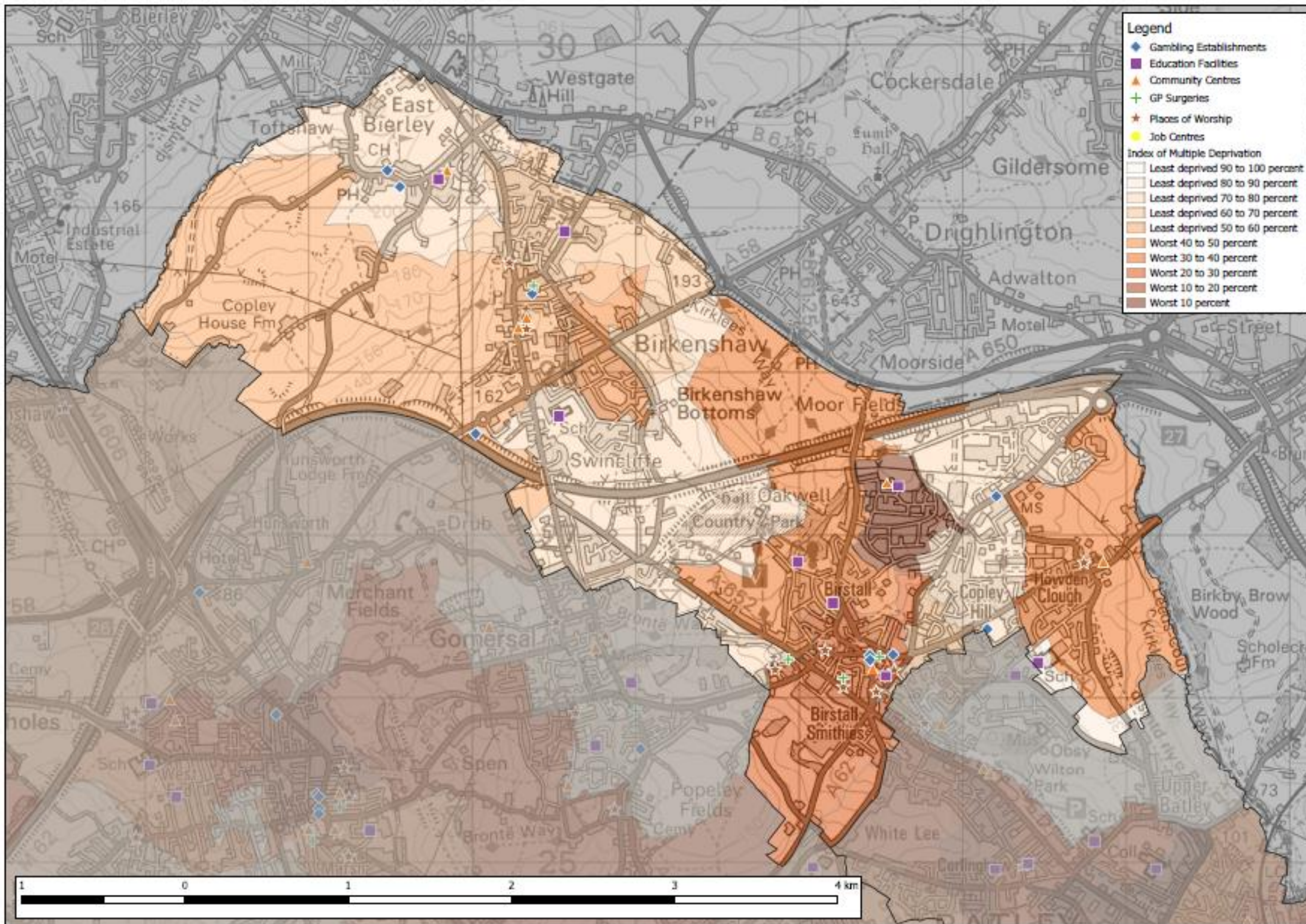
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Filename: Proj 3063
Gambling Risk
Index.ogs

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Gambling Local Area Profile - Index of Multiple Deprivation (2015) - Birstall and Birkenshaw



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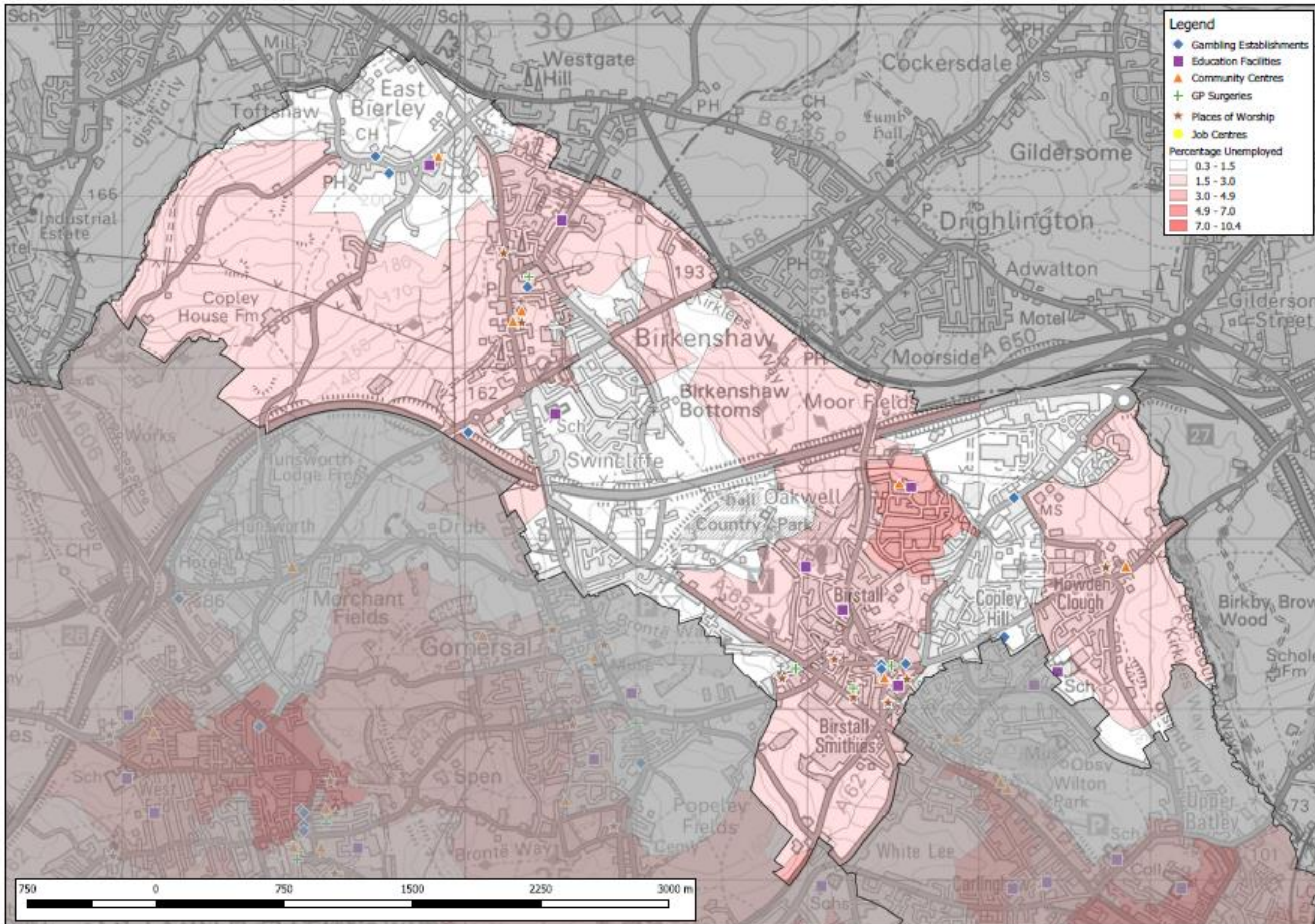
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Filename: Proj 3063 Deprivation Maps.qgs

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Gambling Local Area Profile - Percentage Unemployment - Birstall and Birkenshaw



Performance and Intelligence

Geographic Research Team

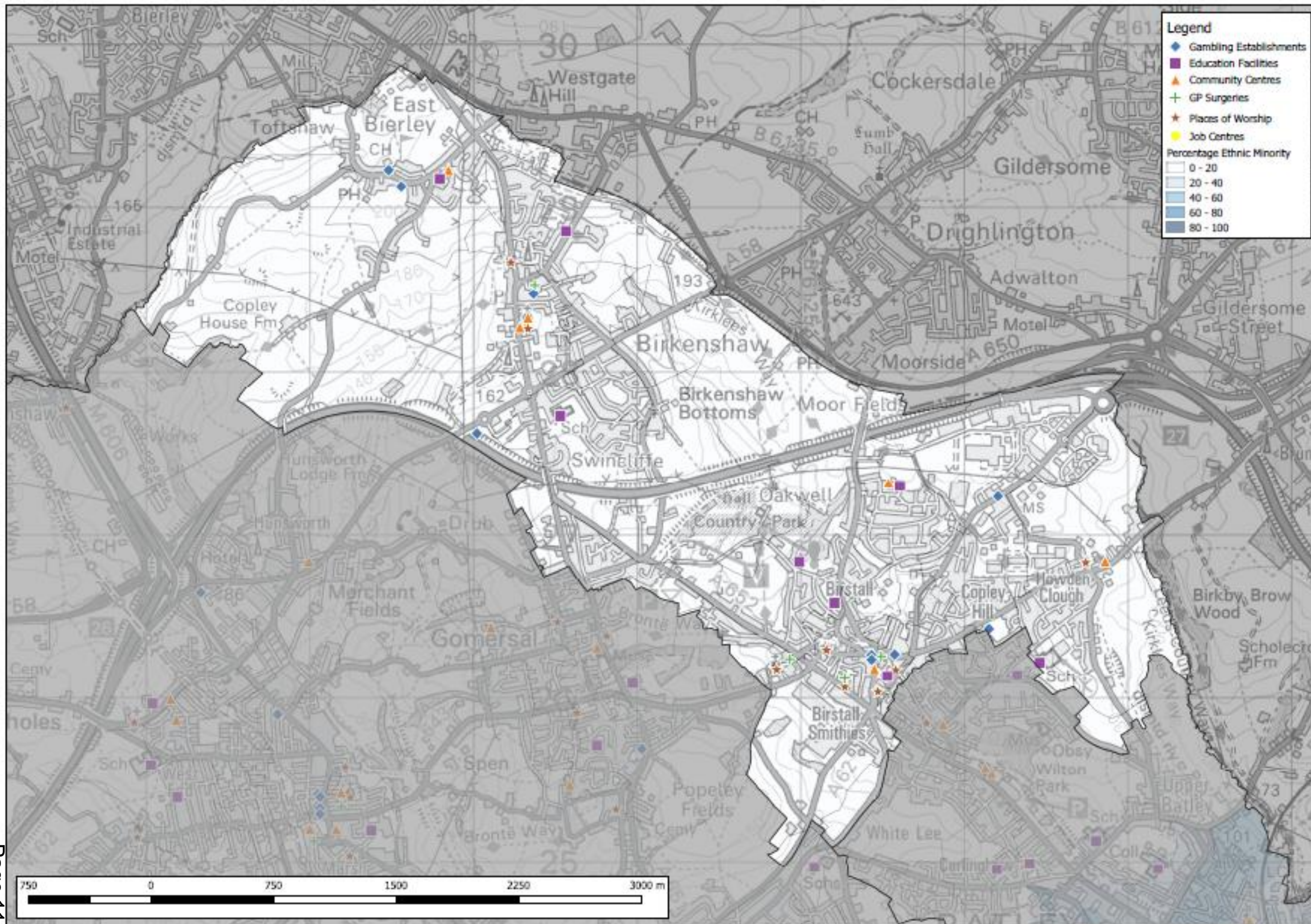
Date: 25/10/18

Filename: Proj 3063 Unemployment Maps.ags

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Gambling Local Area Profile - Percentage Ethnic Minorities - Birstall and Birkenshaw



Performance and Intelligence
Geographic Research Team

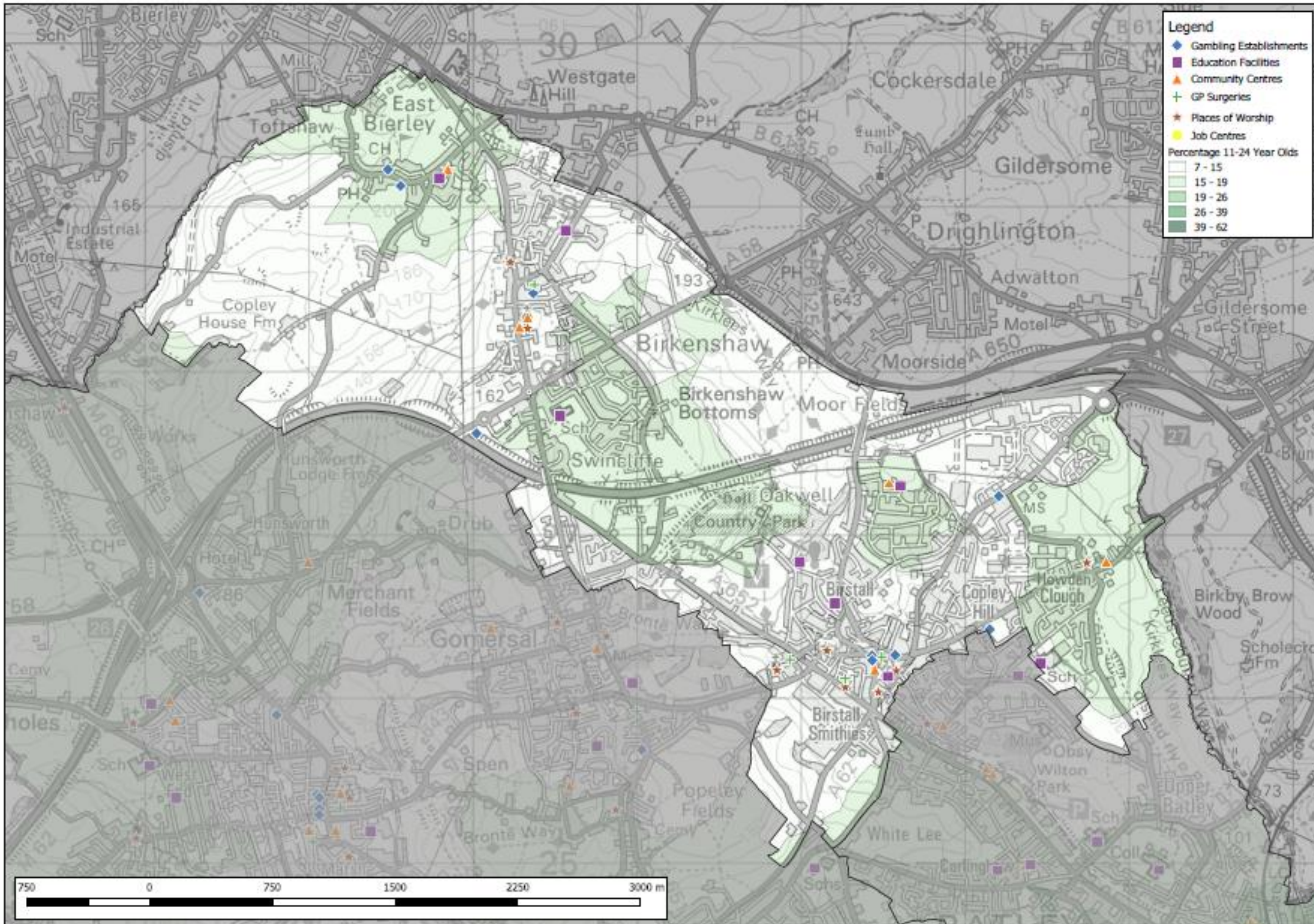
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Filename: Proj 3063
Ethnicity Maps.qgs

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Gambling Local Area Profile - Percentage 11 to 24 Year Olds - Birstall and Birkenshaw



Performance and Intelligence
Geographic Research Team

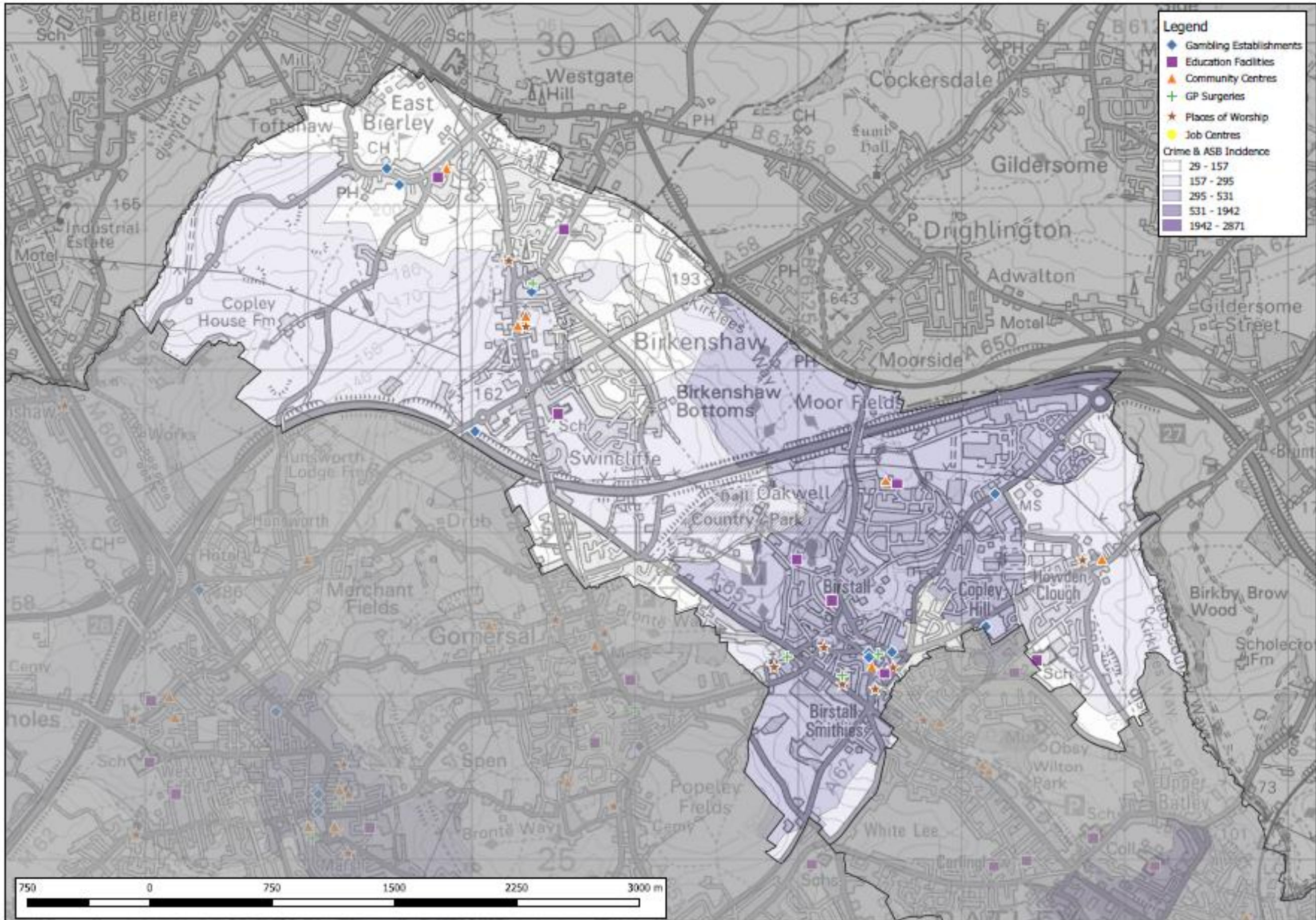
Date: 25/10/18

Filename: Proj 3063
Young People
Maps.qgs

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Gambling Local Area Profile - Crime & Antisocial Behaviour Incidence - Birstall and Birkenshaw



Performance and Intelligence

Geographic Research Team

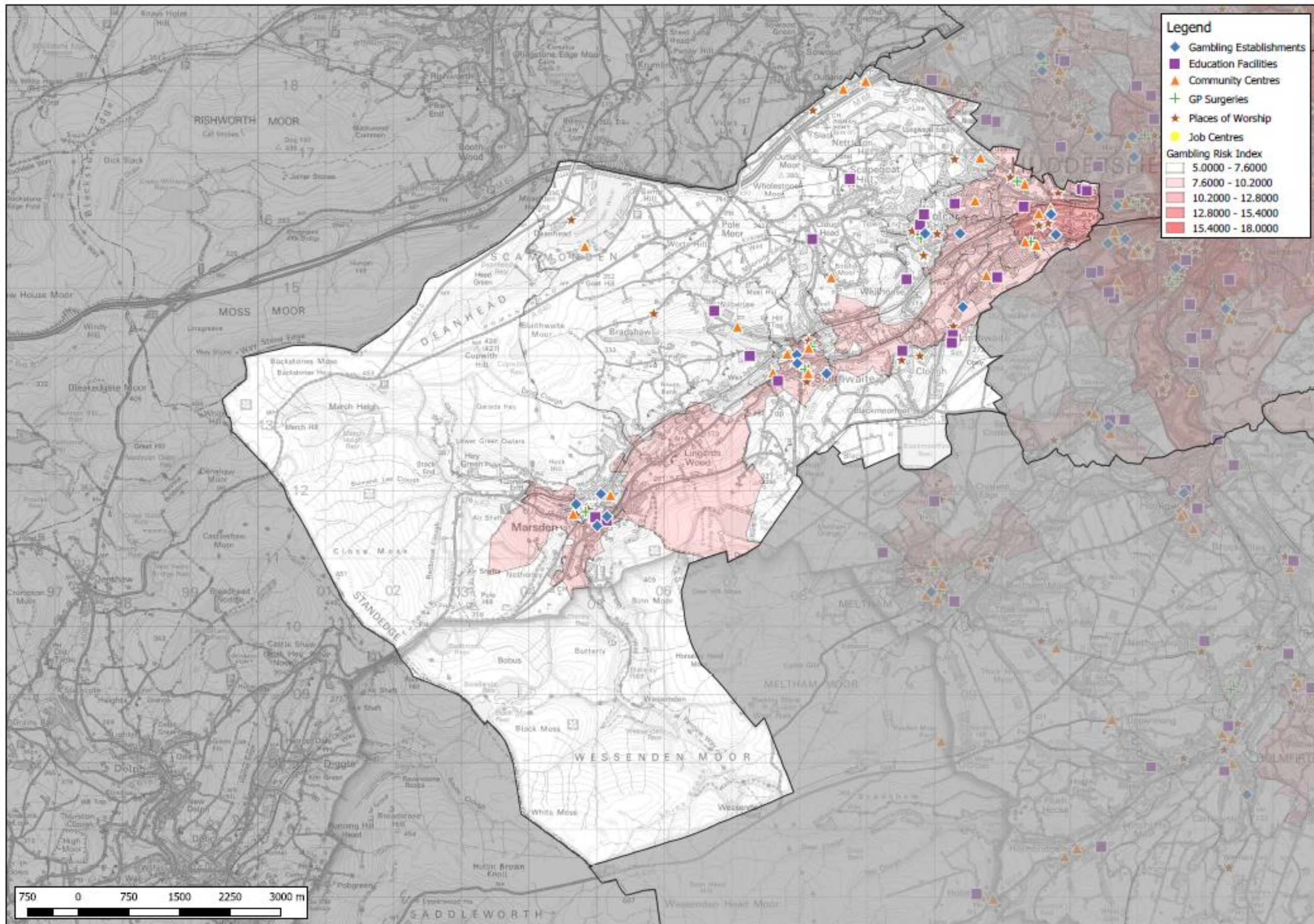
Date: 25/10/18

Filename: Proj 3063
Crime Incidence
Maps.qgs

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Gambling Local Area Profile – All Risk Factors Combined - Colne Valley



Performance and Intelligence

Geographic Research Team

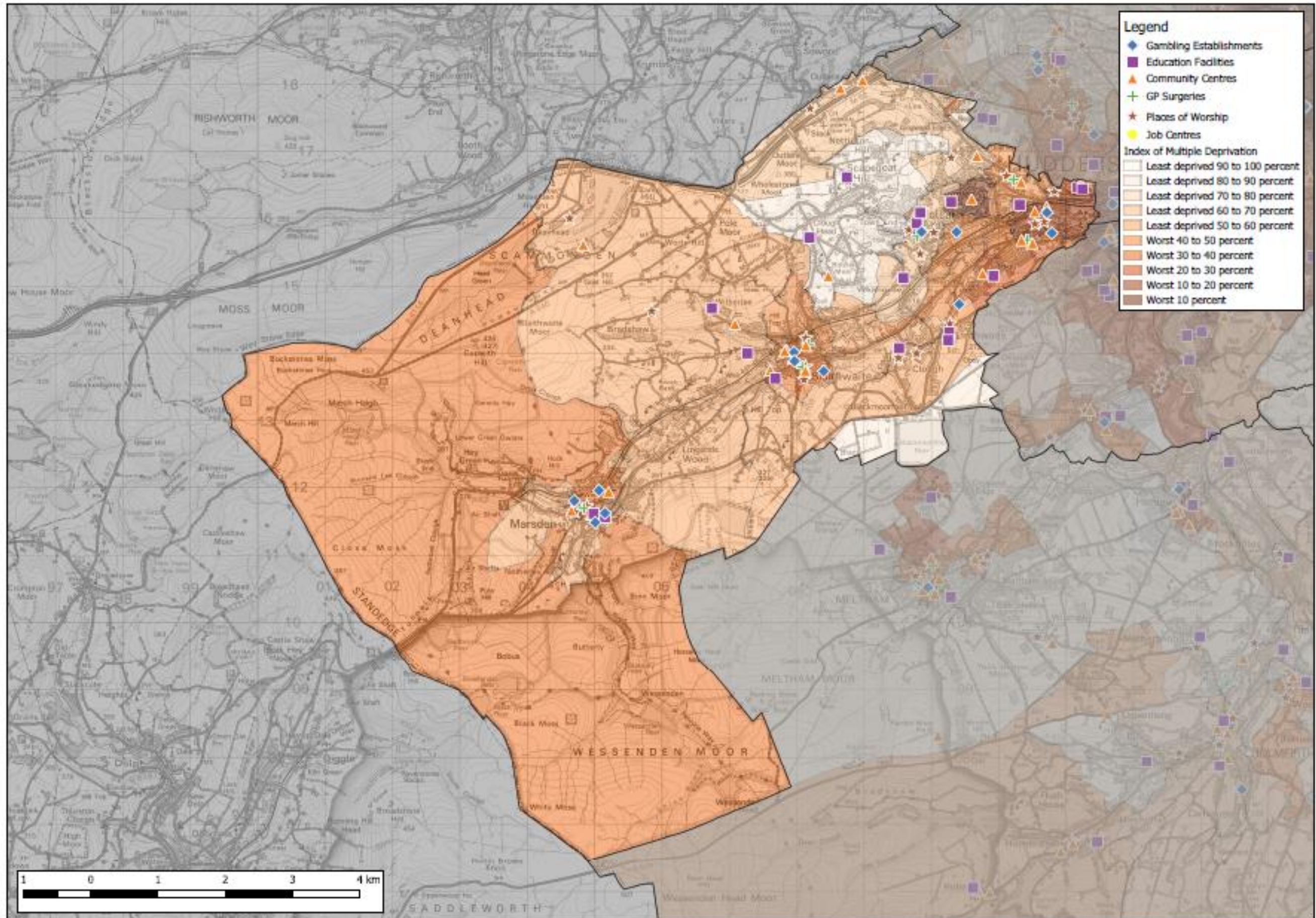
Date: 25/10/18

Filename: Proj 3063
Gambling Risk Index.qgs

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Gambling Local Area Profile - Index of Multiple Deprivation (2015) - Colne Valley



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Index of Multiple Deprivation

- Least deprived 90 to 100 percent
- Least deprived 80 to 90 percent
- Least deprived 70 to 80 percent
- Least deprived 60 to 70 percent
- Least deprived 50 to 60 percent
- Worst 40 to 50 percent
- Worst 30 to 40 percent
- Worst 20 to 30 percent
- Worst 10 to 20 percent
- Worst 10 percent



Performance and Intelligence

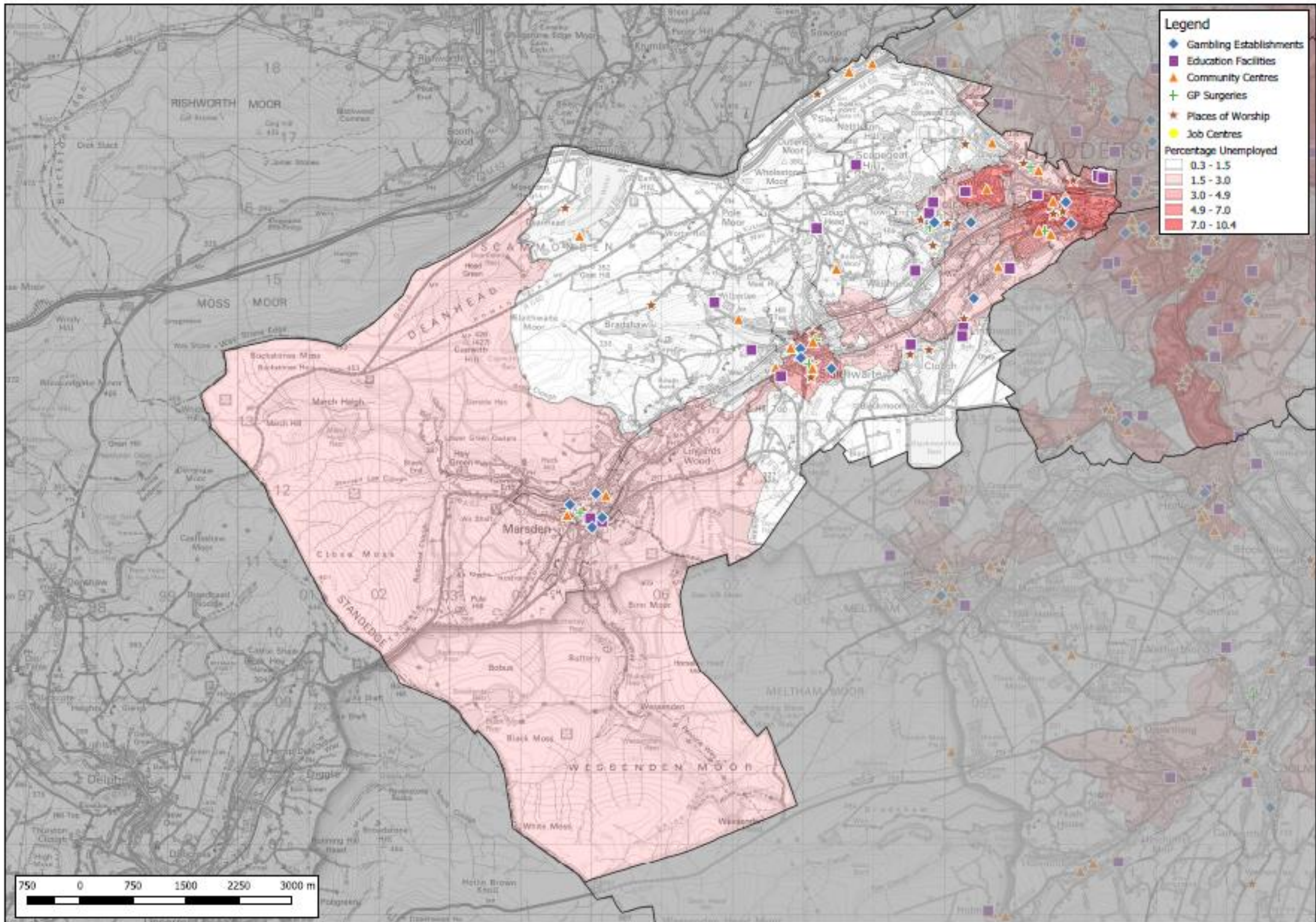
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 Deprivation Maps.qgs

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Gambling Local Area Profile - Percentage Unemployment - Colne Valley



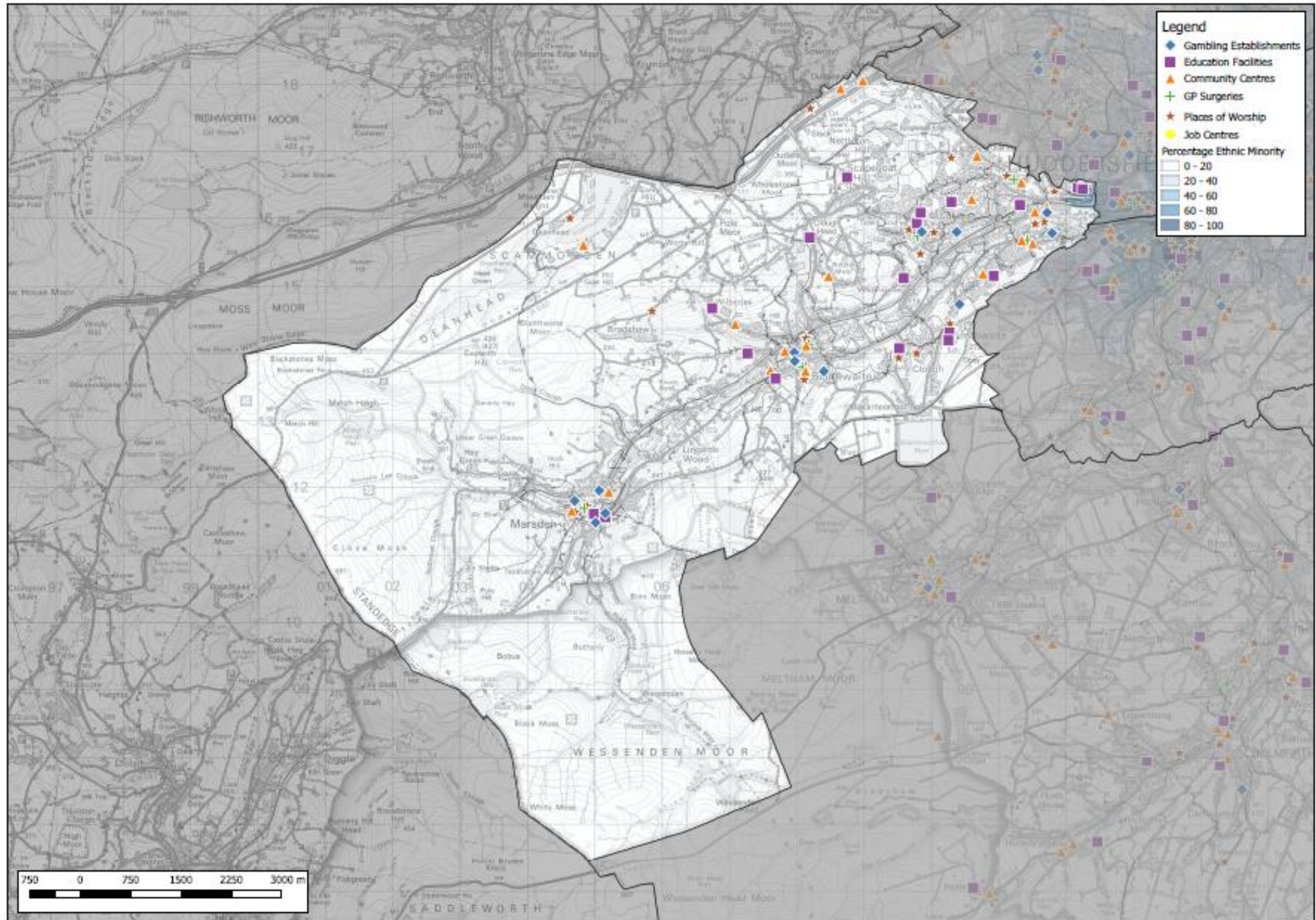
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Unemployment
Maps.qgs

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Gambling Local Area Profile - Percentage Ethnic Minorities - Colne Valley



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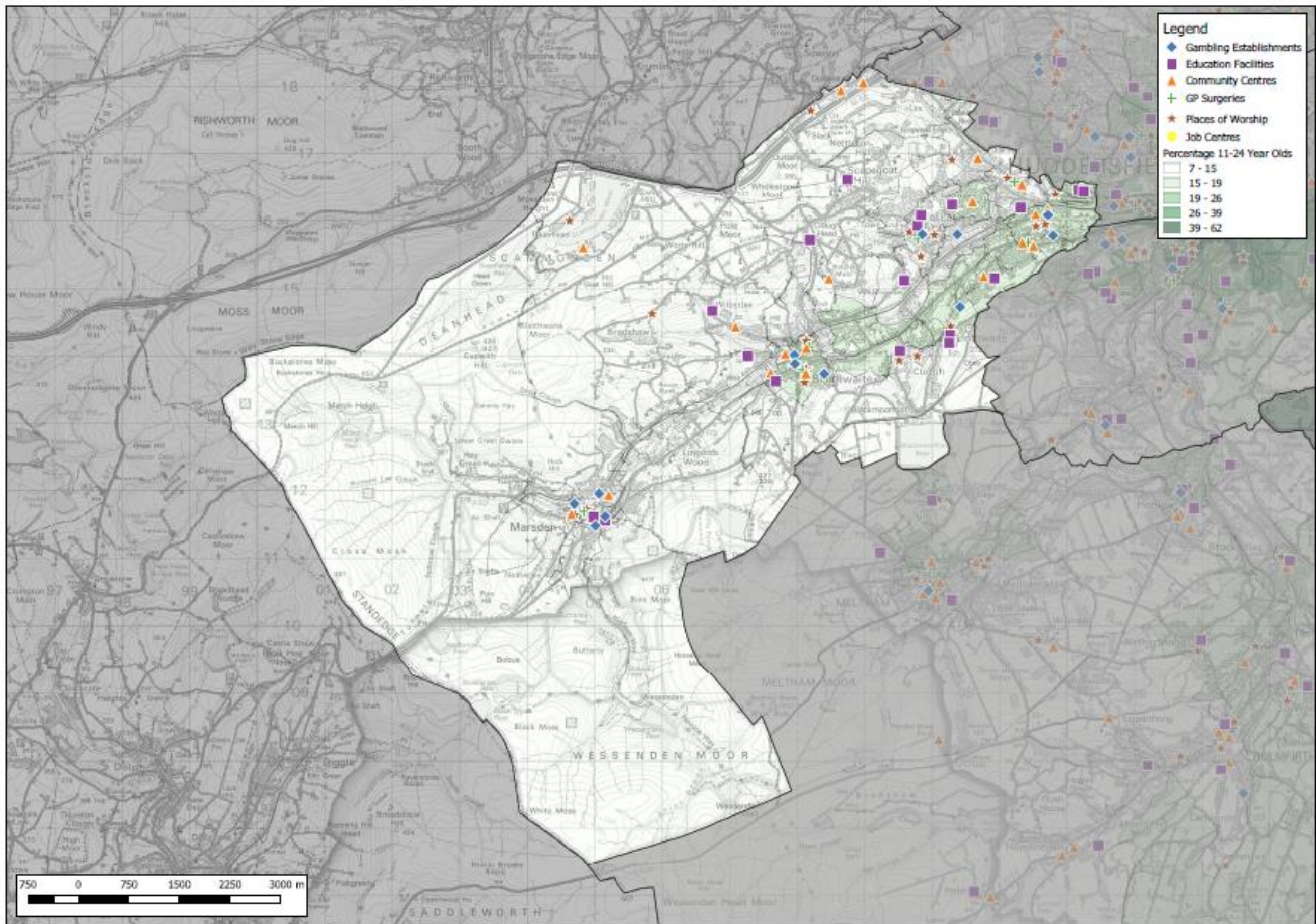
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Filename: Proj 3063
Ethnicity Maps.qgs

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Gambling Local Area Profile - Percentage 11 to 24 Year Olds - Colne Valley



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Percentage 11-24 Year Olds

- 7 - 15
- 15 - 19
- 19 - 26
- 26 - 39
- 39 - 62



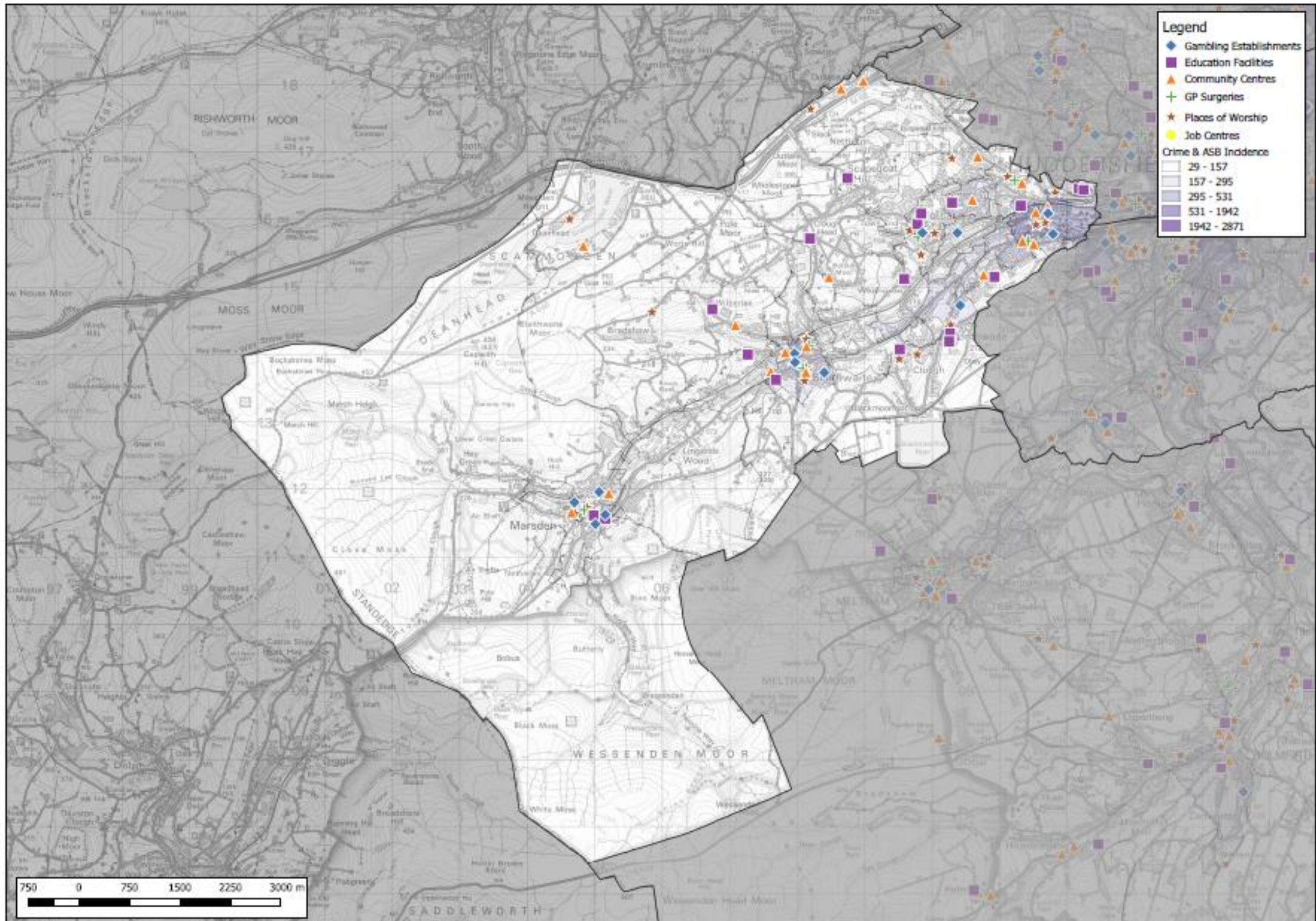
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Young People
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Gambling Local Area Profile - Crime & Antisocial Behaviour Incidence - Colne Valley



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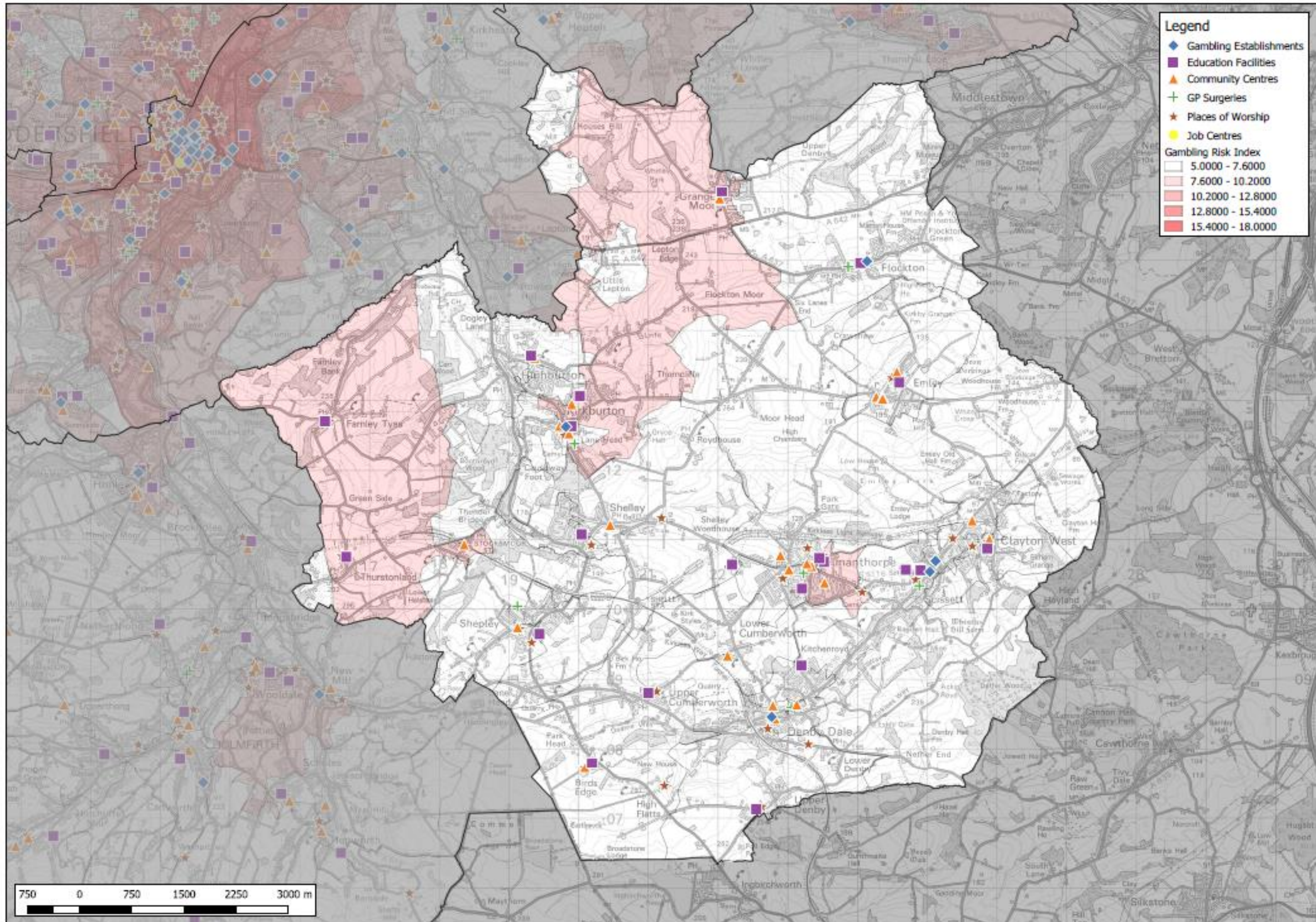
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Crime Incidence
Maps.qgs

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Gambling Local Area Profile – All Risk Factors Combined - Denby Dale and Kirkburton



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Gambling Risk Index

- 5.0000 - 7.6000
- 7.6000 - 10.2000
- 10.2000 - 12.8000
- 12.8000 - 15.4000
- 15.4000 - 18.0000



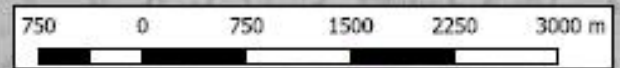
Performance and Intelligence

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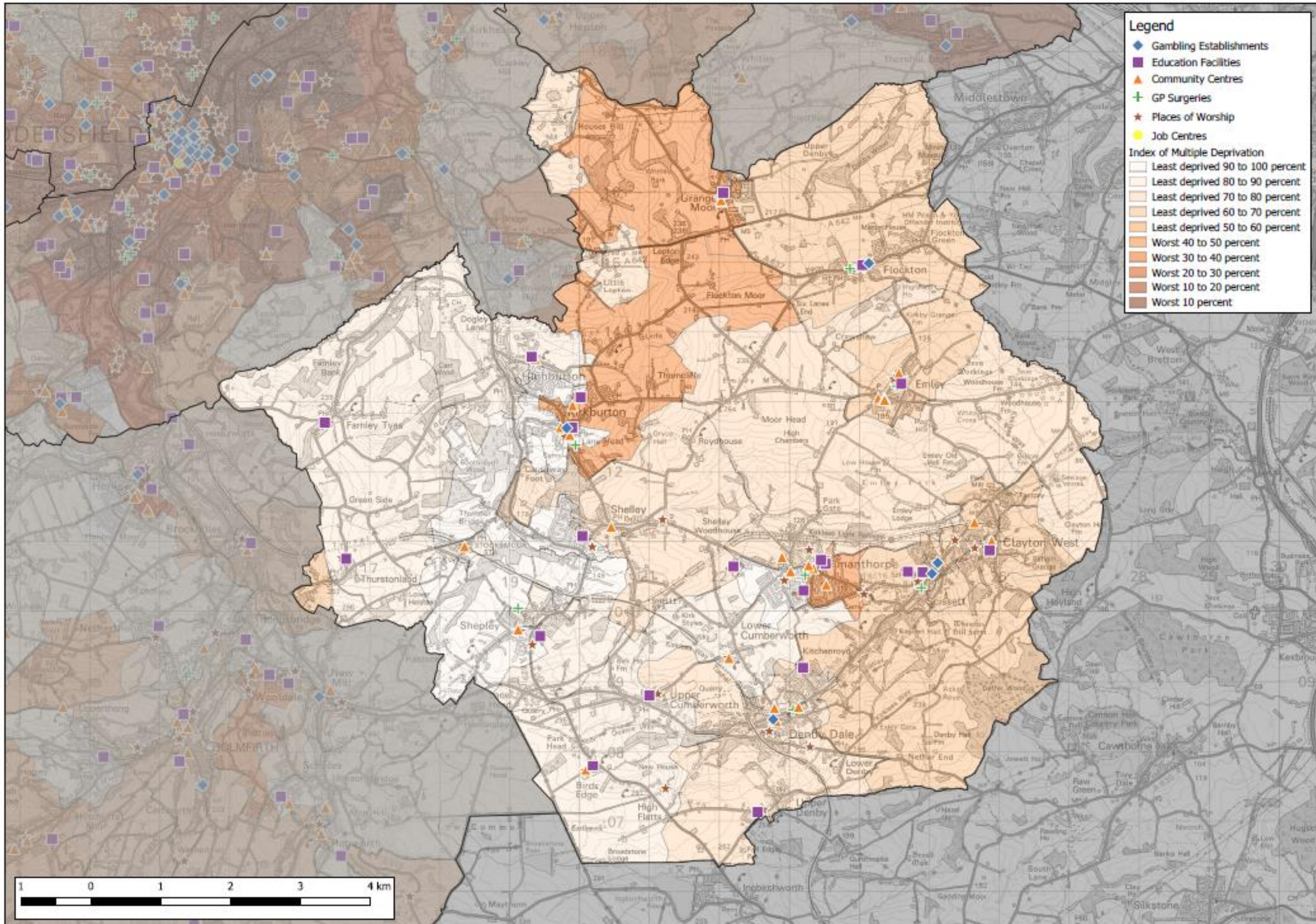
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Gambling Local Area Profile - Index of Multiple Deprivation (2015) - Denby Dale and Kirkburton



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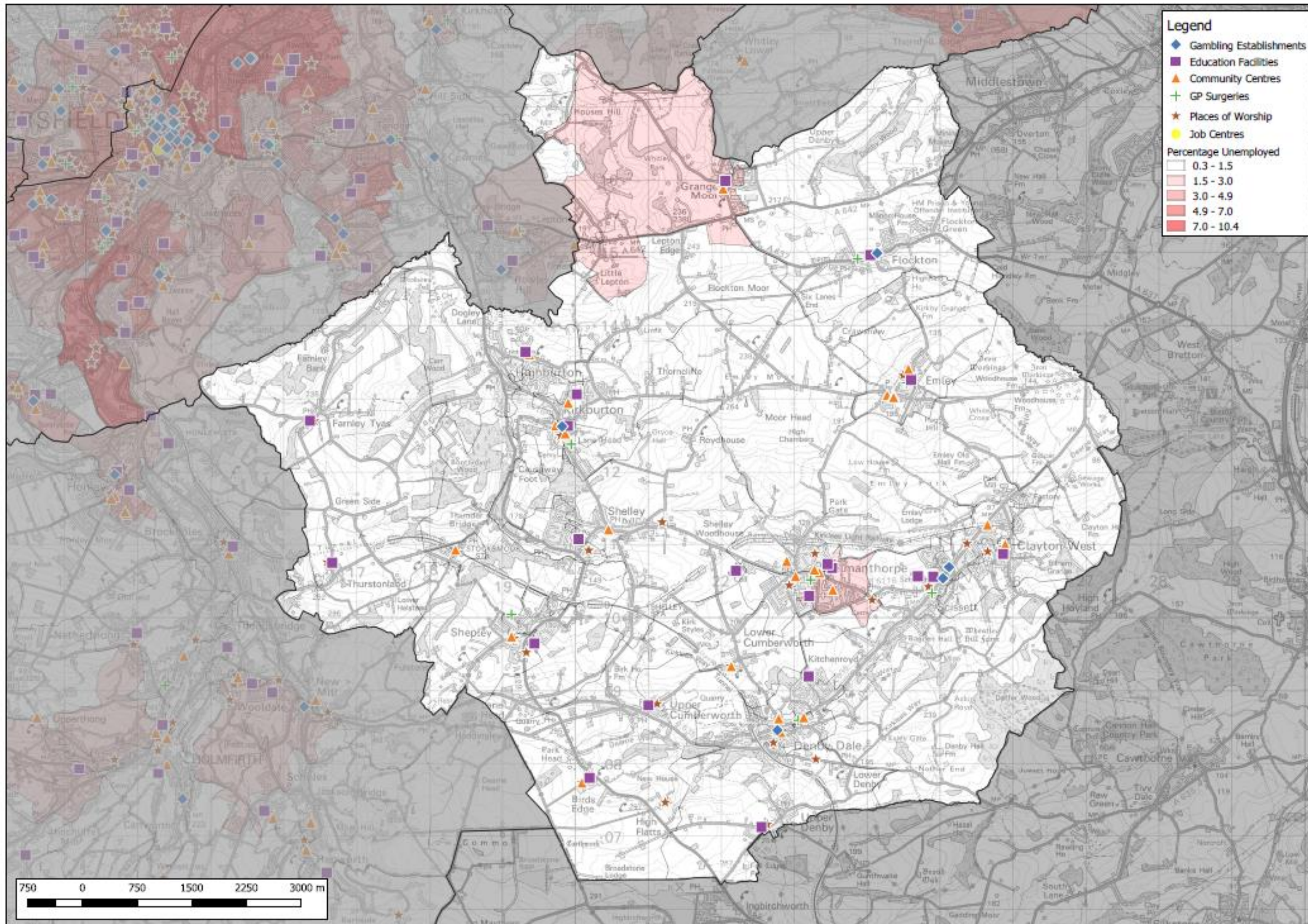
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Gambling Local Area Profile - Percentage Unemployment - Denby Dale and Kirkburton



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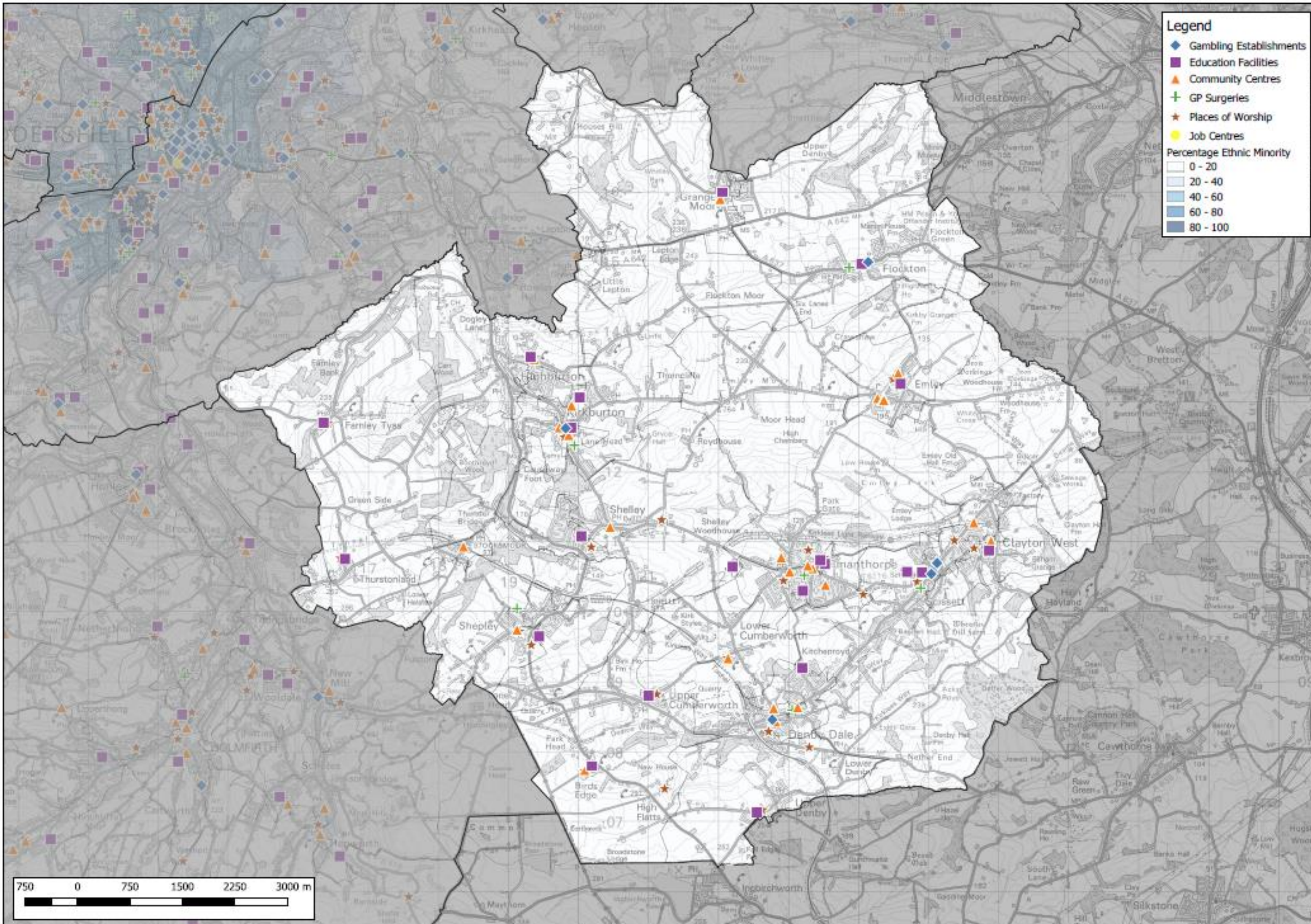
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Gambling Local Area Profile - Percentage Ethnic Minorities - Denby Dale and Kirkburton



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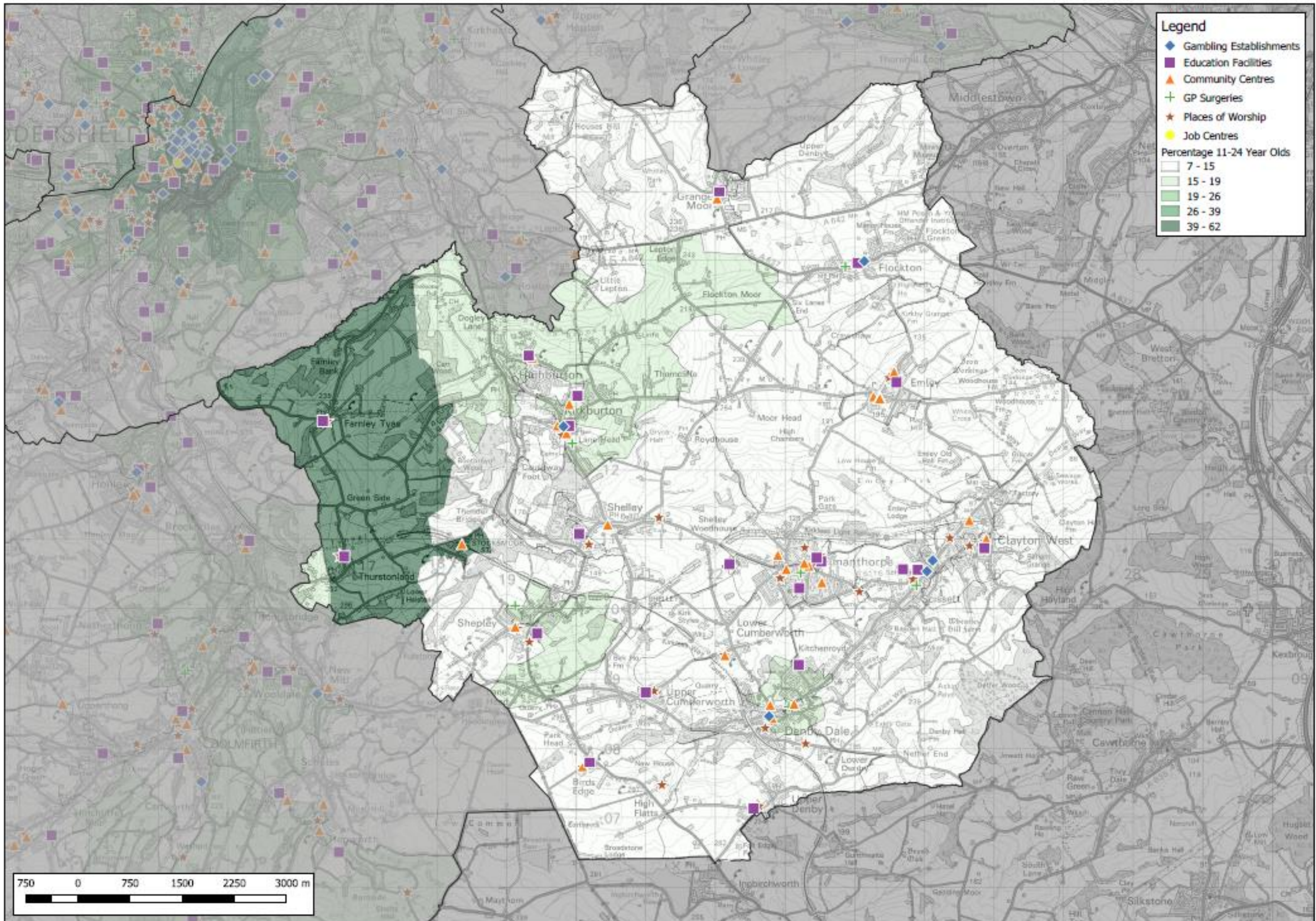
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Gambling Local Area Profile - Percentage 11 to 24 Year Olds - Denby Dale and Kirkburton



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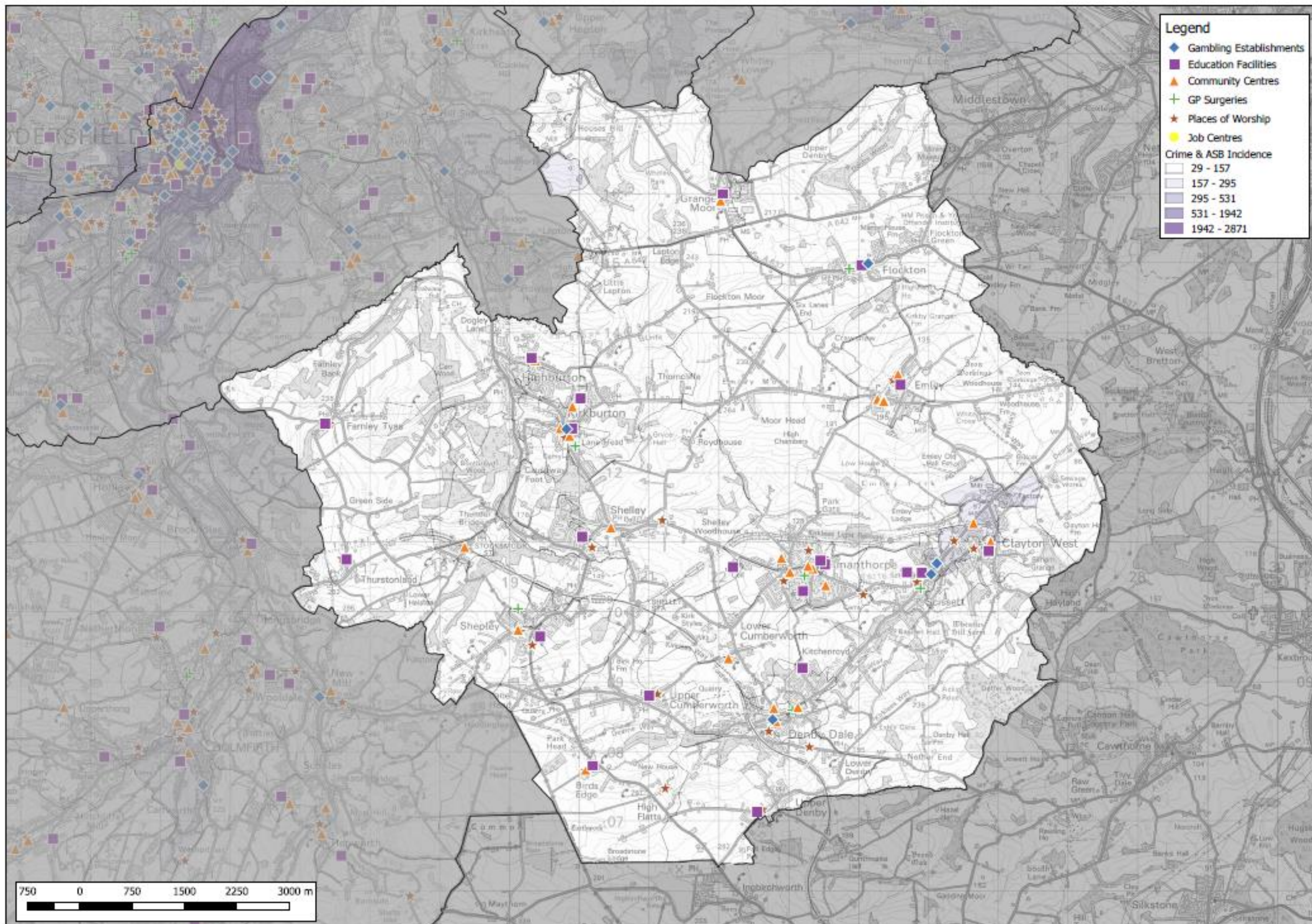
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Young People
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Gambling Local Area Profile - Crime & Antisocial Behaviour Incidence - Denby Dale and Kirkburton



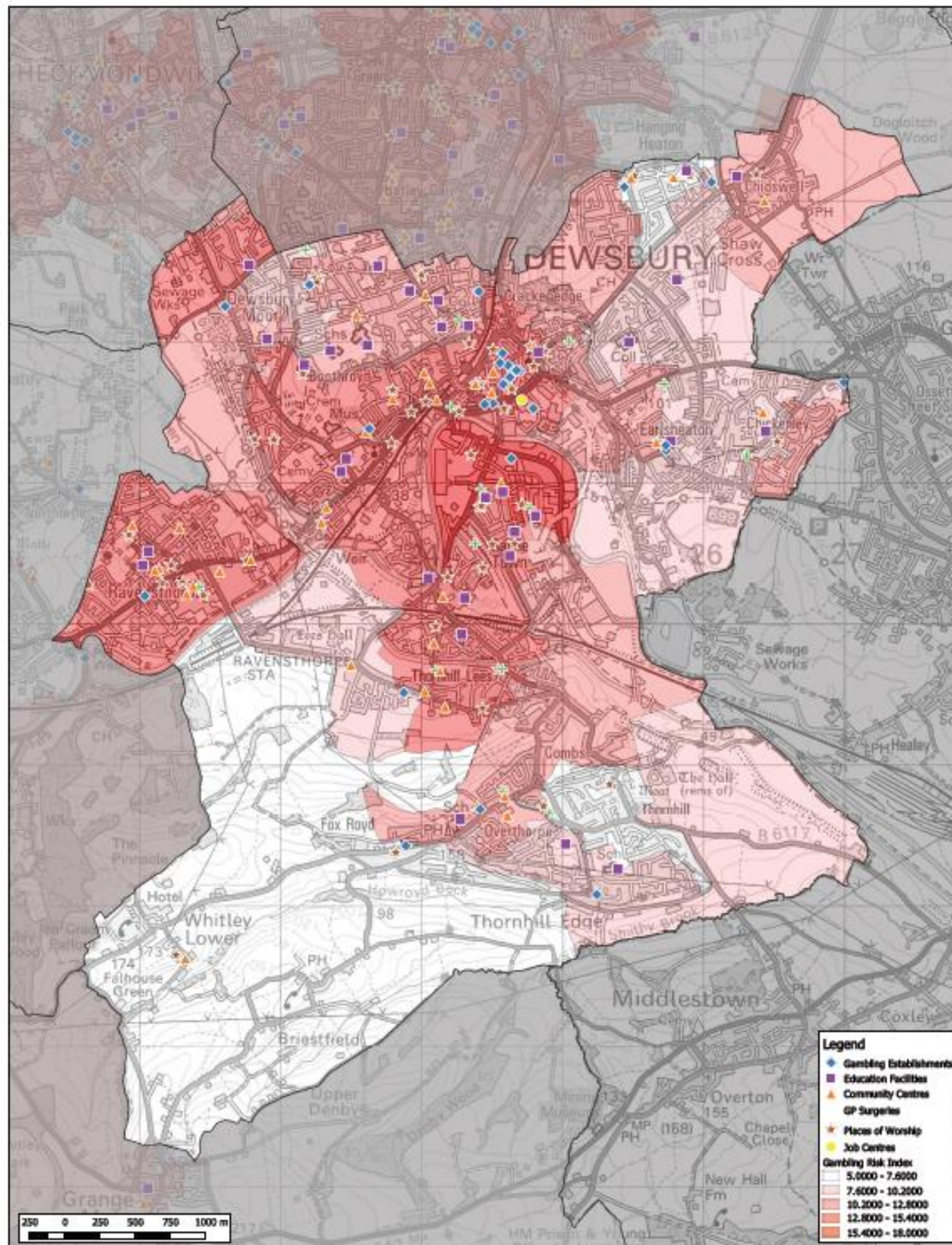
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Geographic Research Team

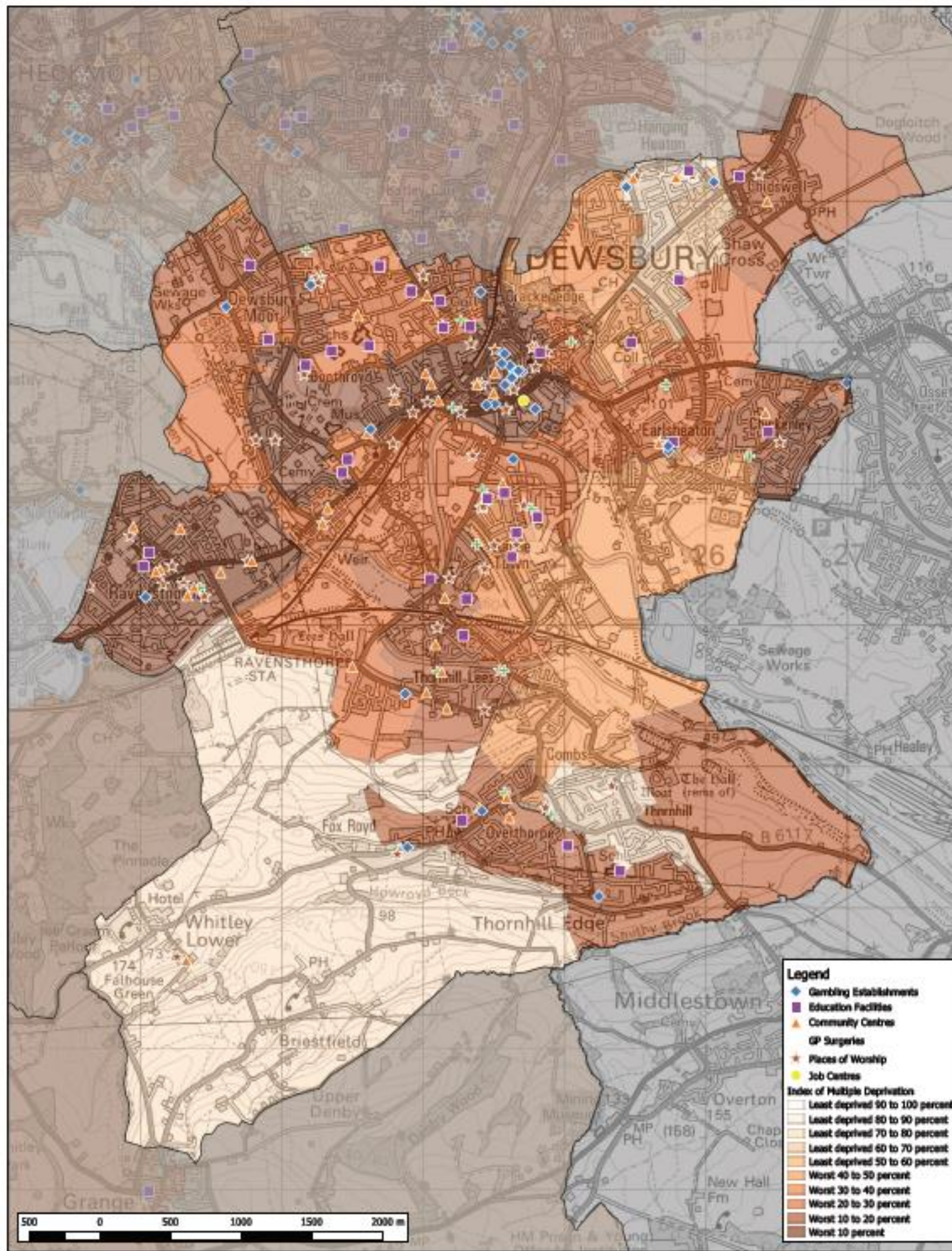
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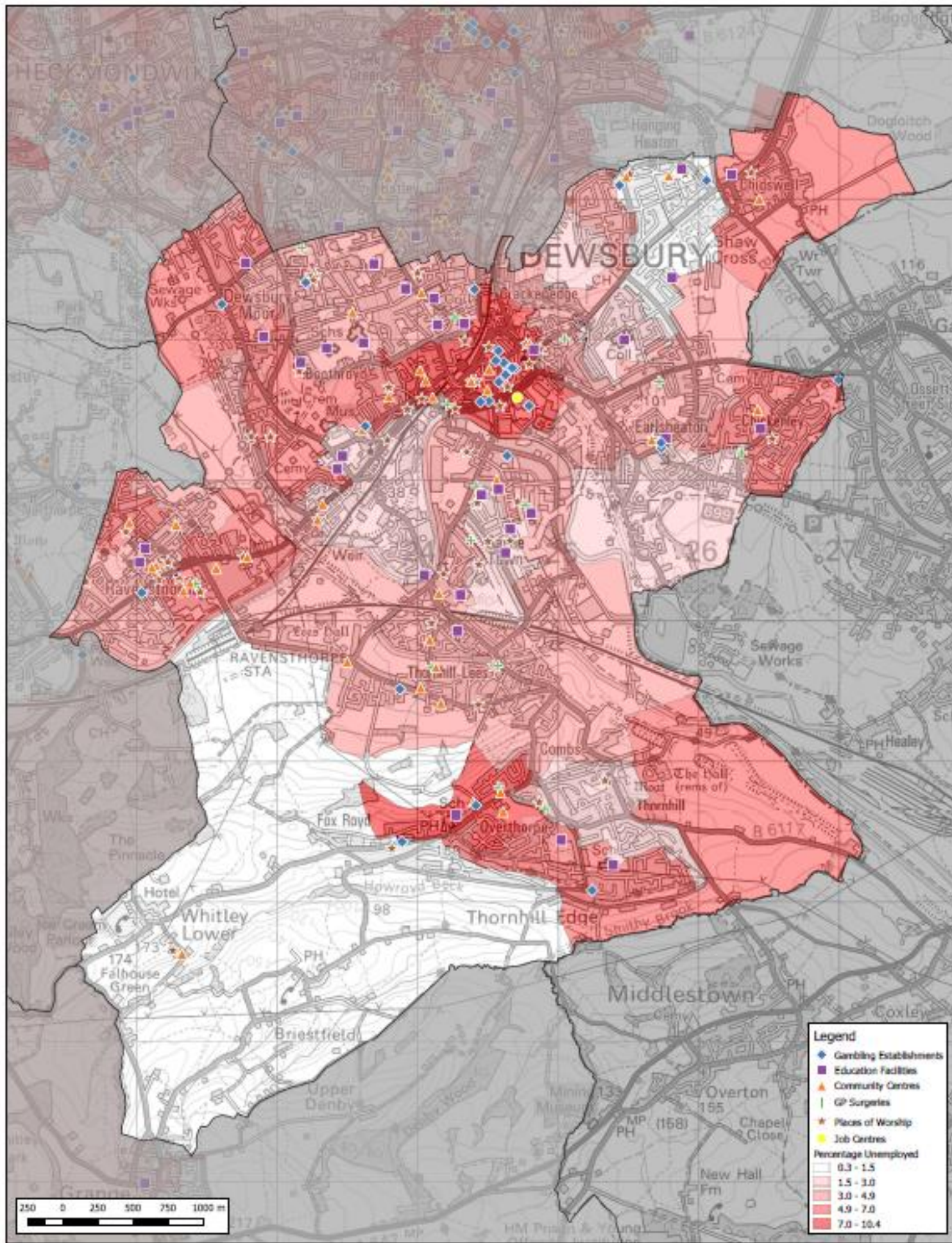
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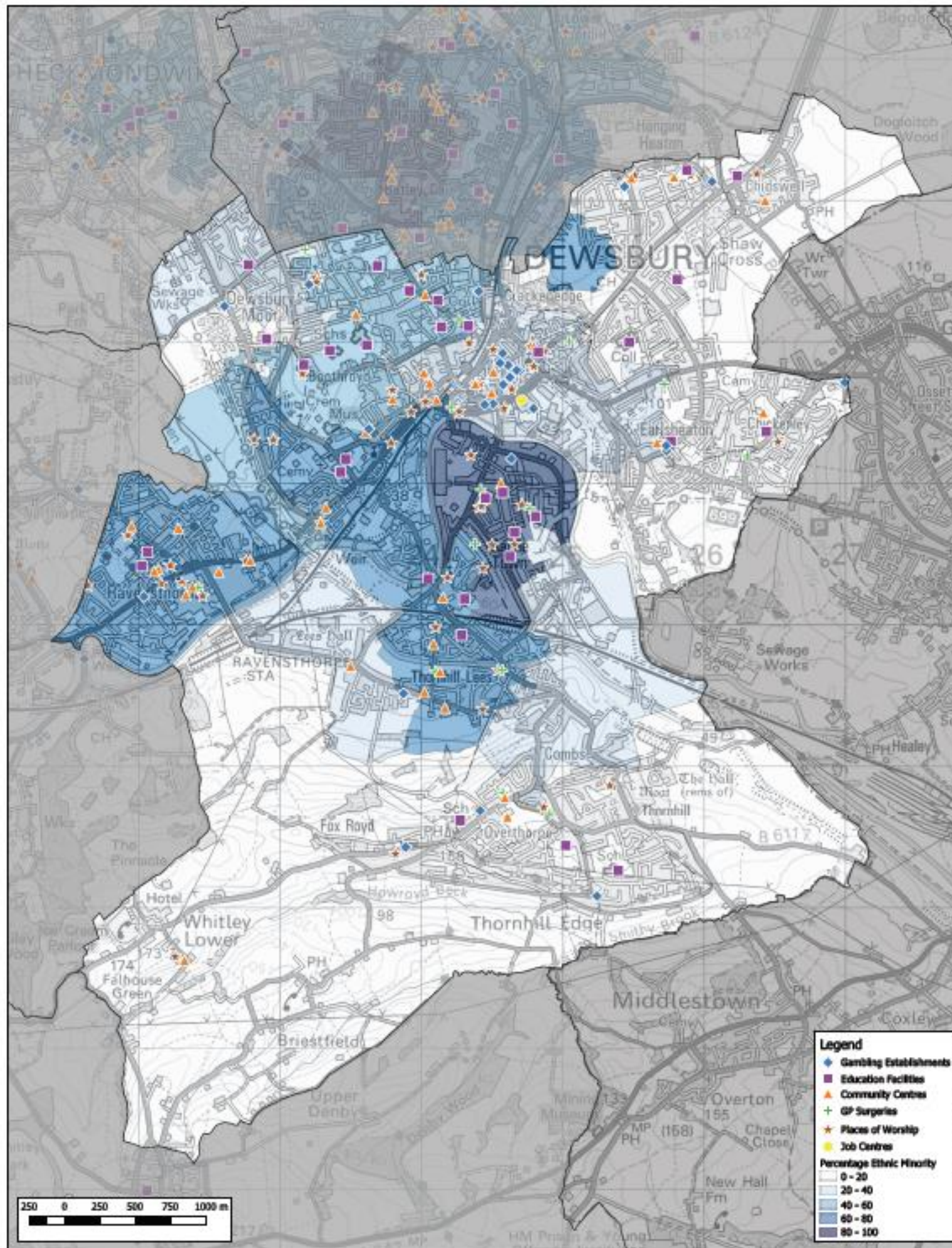


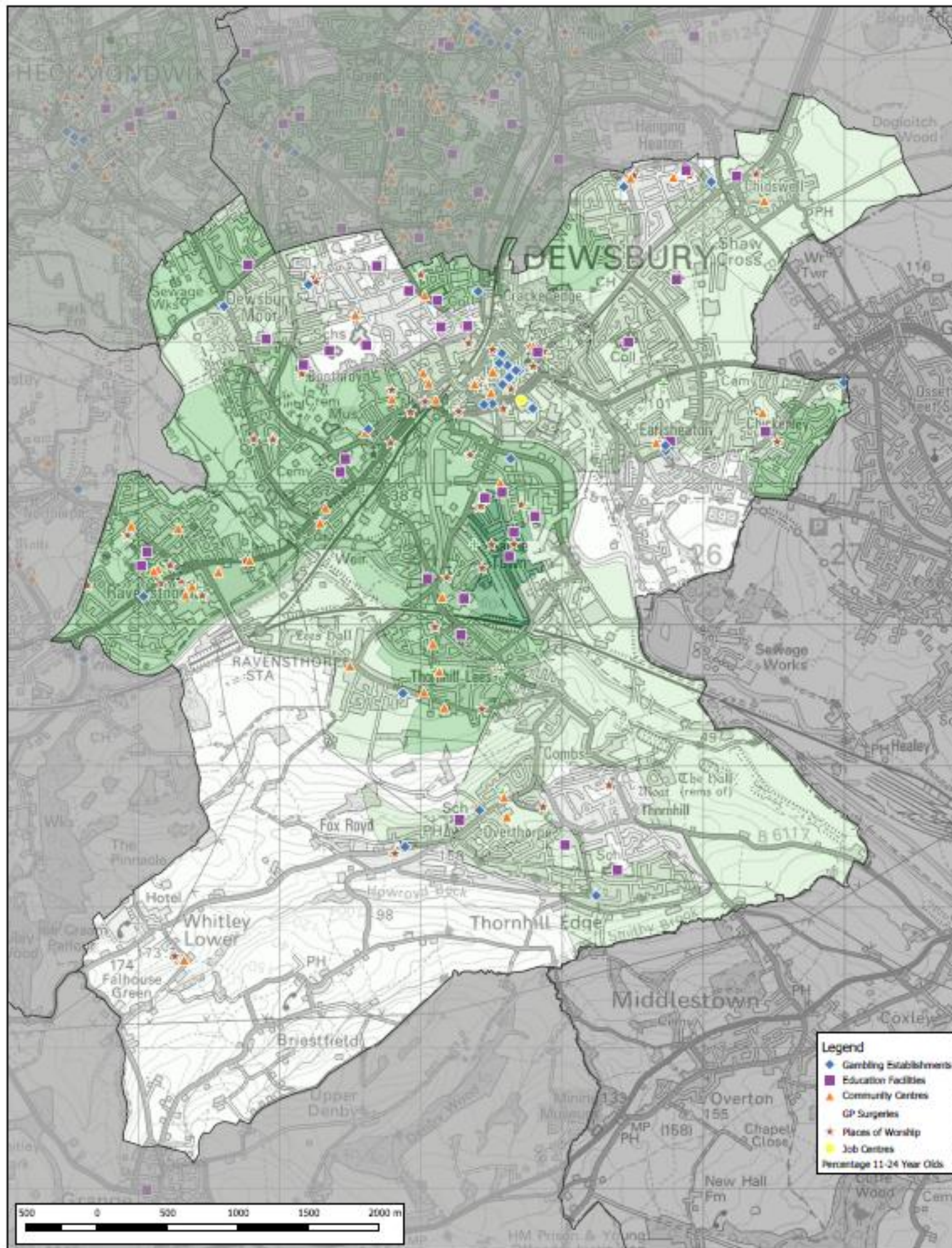
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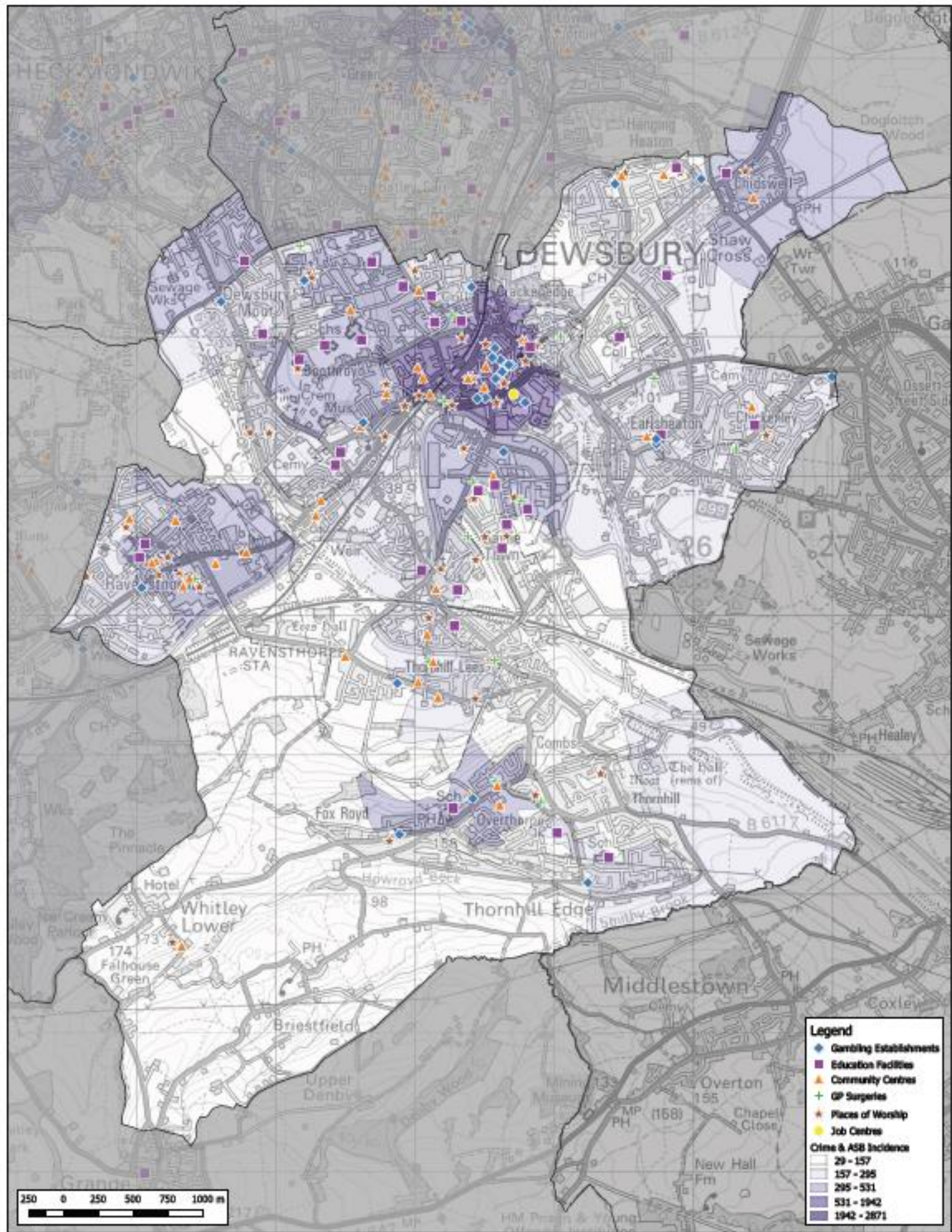


<p>Kirklees COUNCIL</p>	<p>Performance and Intelligence</p> <p>Geographic Research Team</p>	<p>Gambling Local Area Profile - Percentage Unemployment - Dewsbury</p> <p>Date: 25/02/18</p> <p>Filename: Proj 000 Unemployment Maps.qxd</p>	
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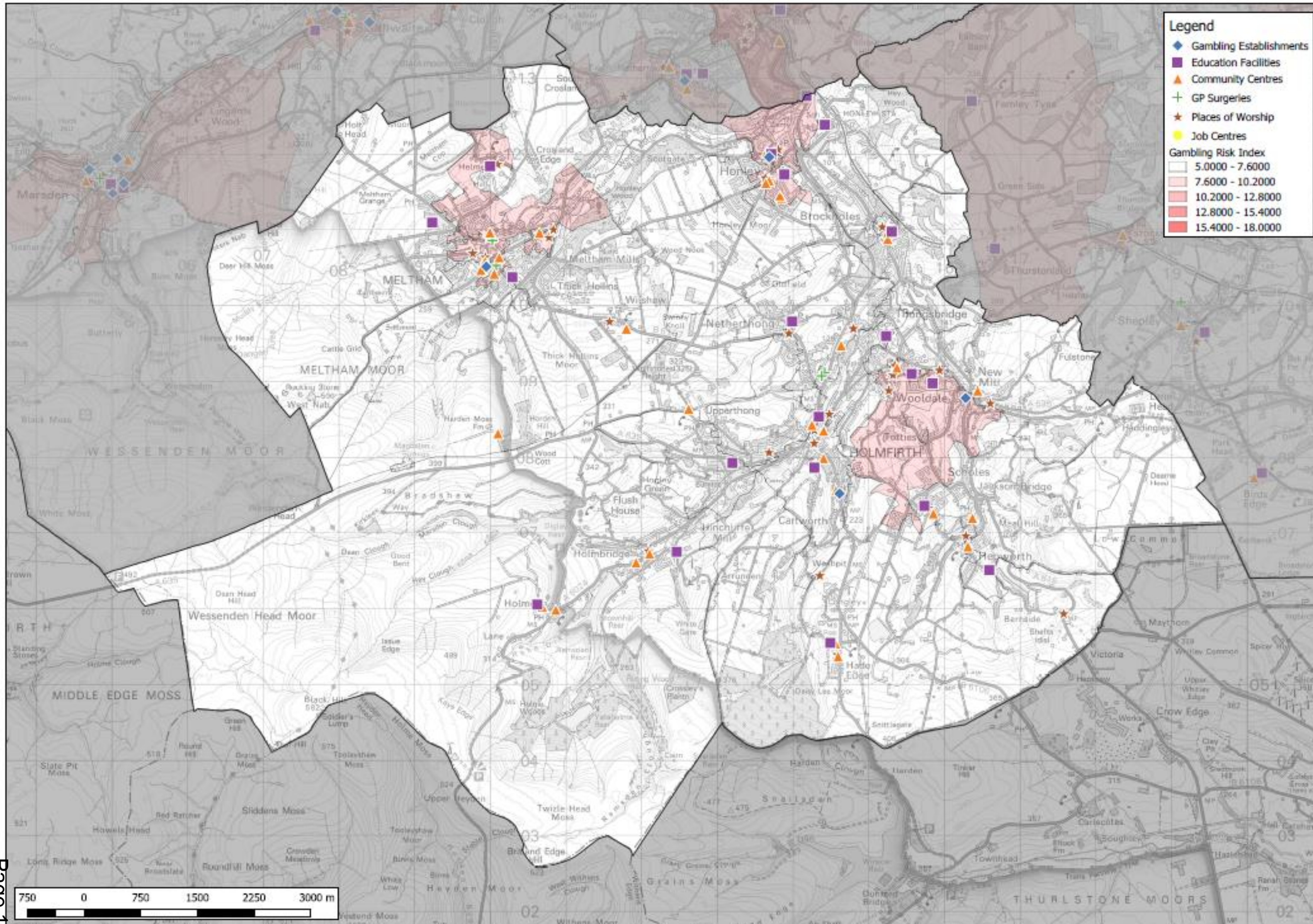




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Gambling Local Area Profile – All Risk Factors Combined - Holme Valley

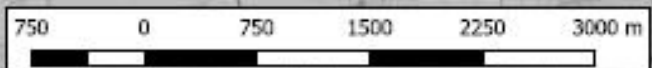


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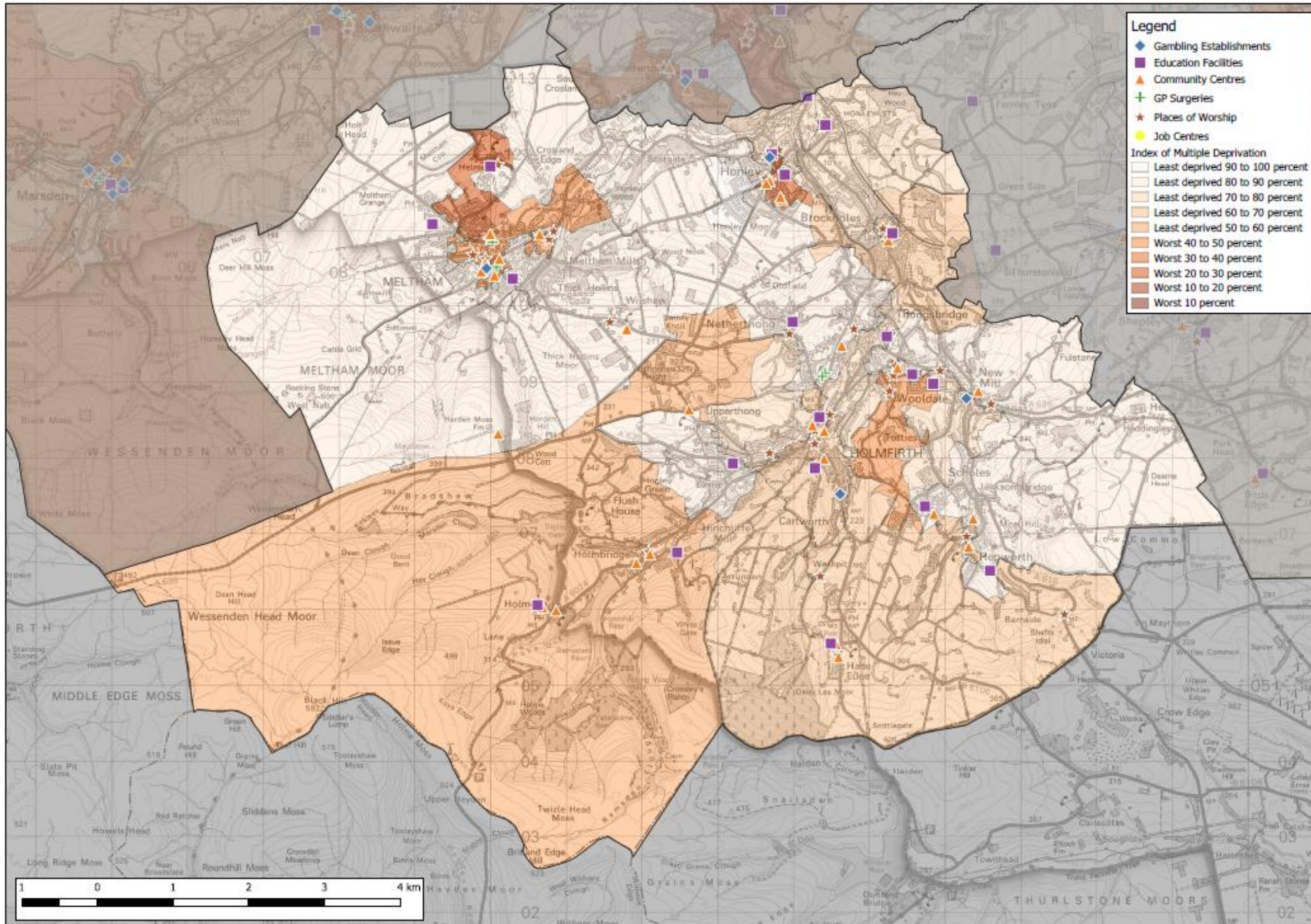
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Gambling Local Area Profile - Index of Multiple Deprivation (2015) - Holme Valley



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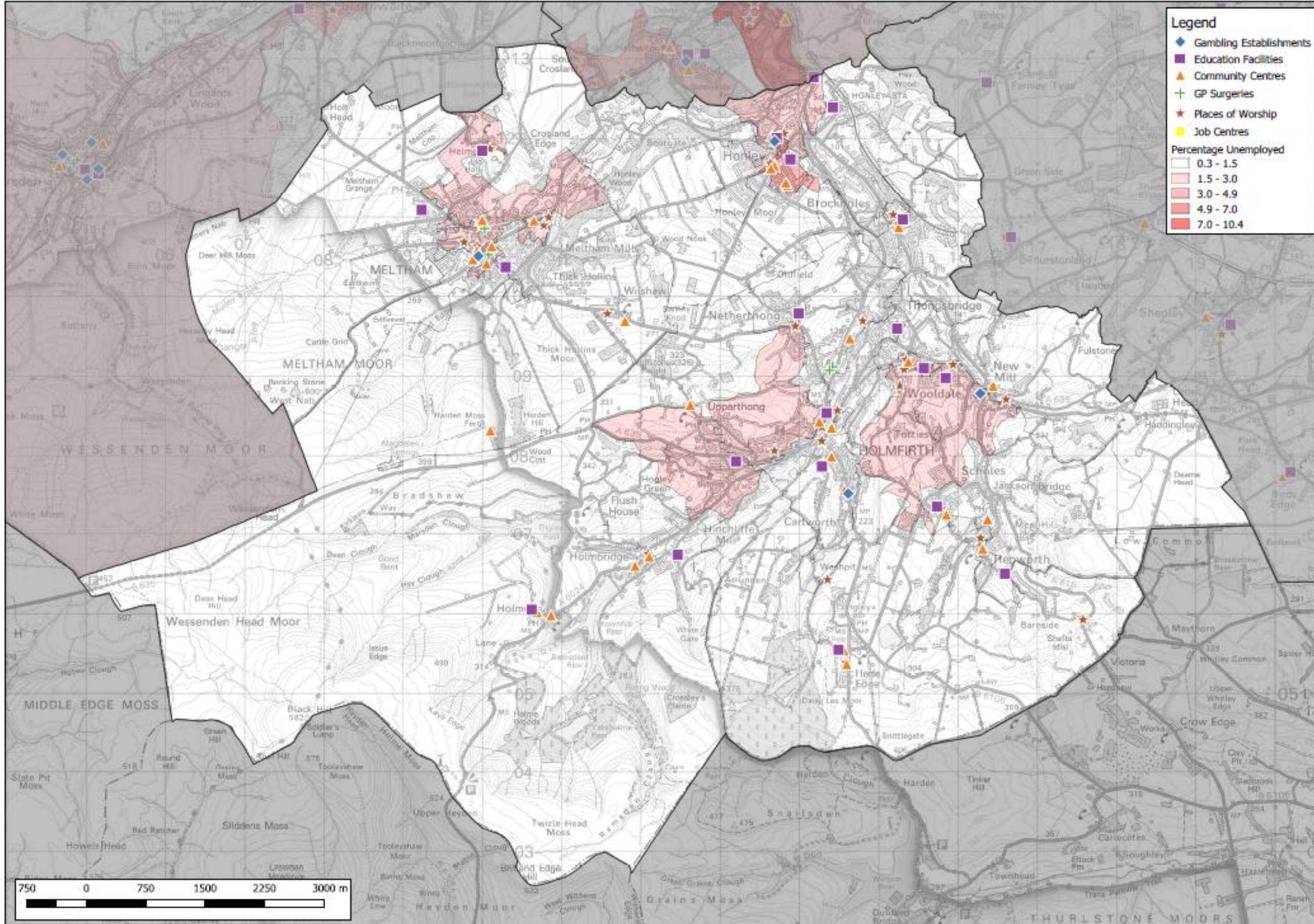
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Gambling Local Area Profile - Percentage Unemployment - Holme Valley



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Percentage Unemployed

- 0.3 - 1.5
- 1.5 - 3.0
- 3.0 - 4.9
- 4.9 - 7.0
- 7.0 - 10.4

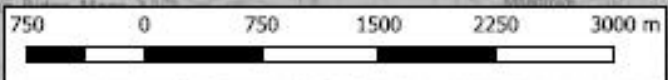


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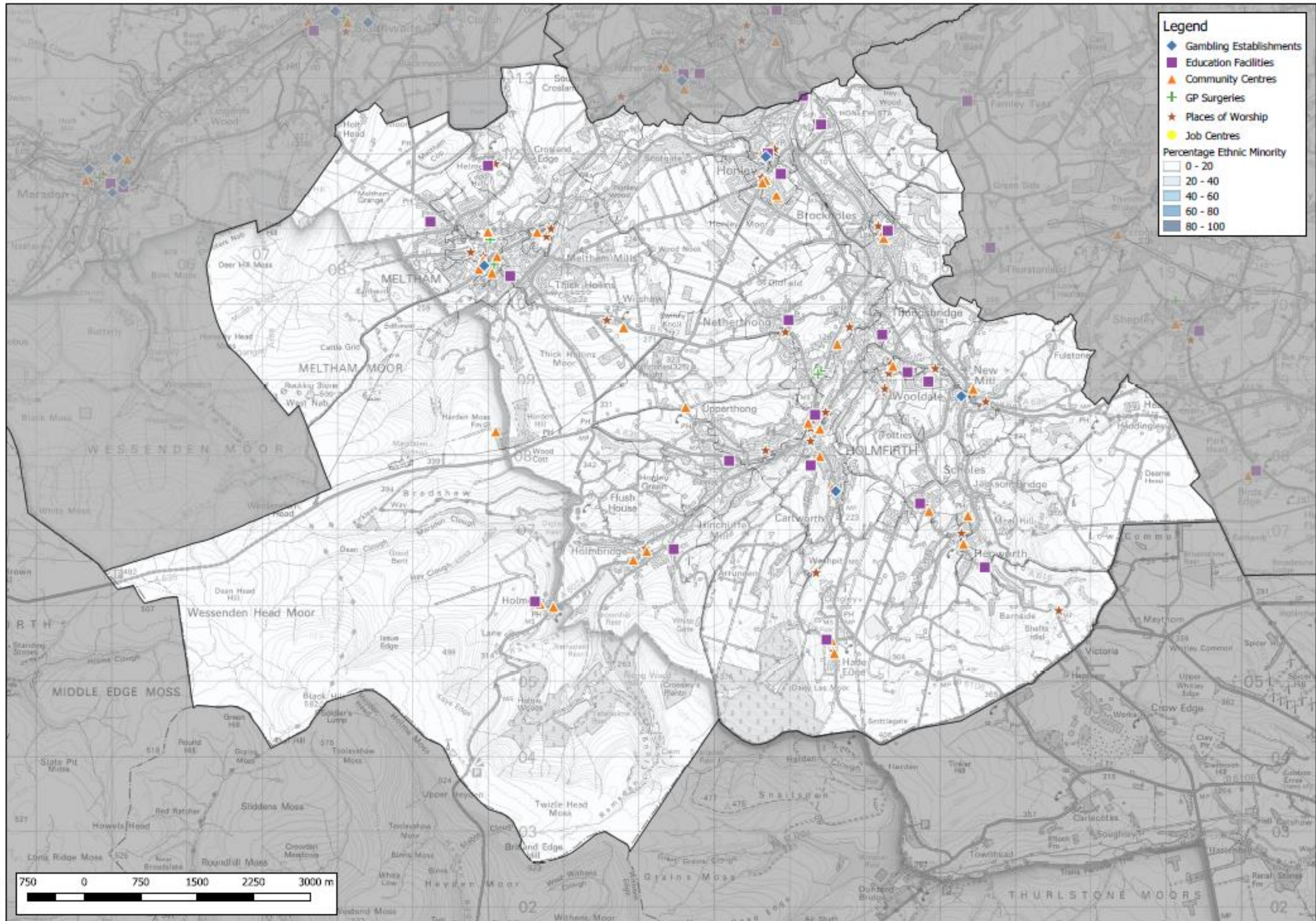
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Gambling Local Area Profile - Percentage Ethnic Minorities - Holme Valley



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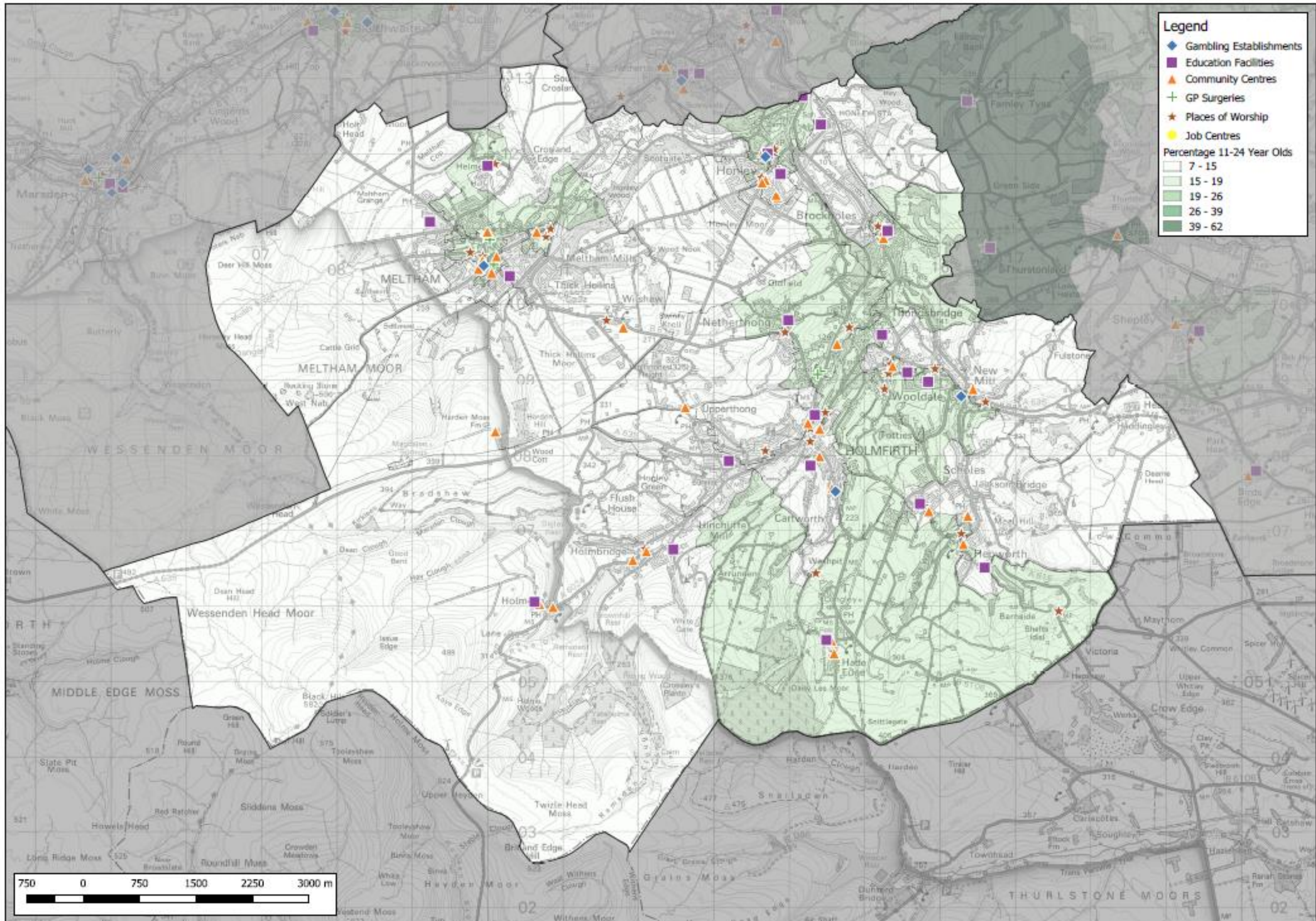
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Gambling Local Area Profile - Percentage 11 to 24 Year Olds - Holme Valley



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Percentage 11-24 Year Olds

- 7 - 15
- 15 - 19
- 19 - 26
- 26 - 39
- 39 - 62



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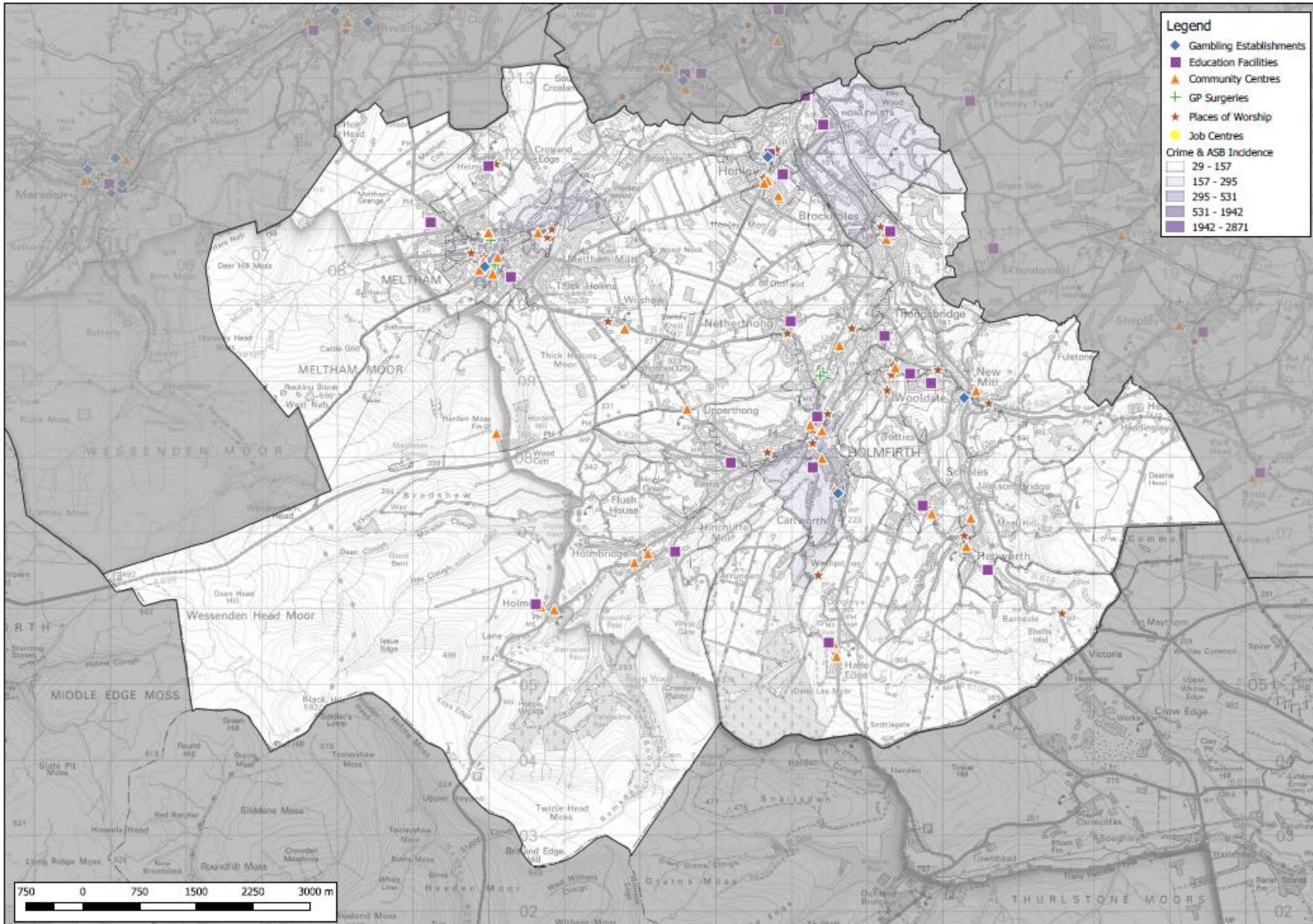
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Gambling Local Area Profile - Crime & Antisocial Behaviour Incidence - Holme Valley



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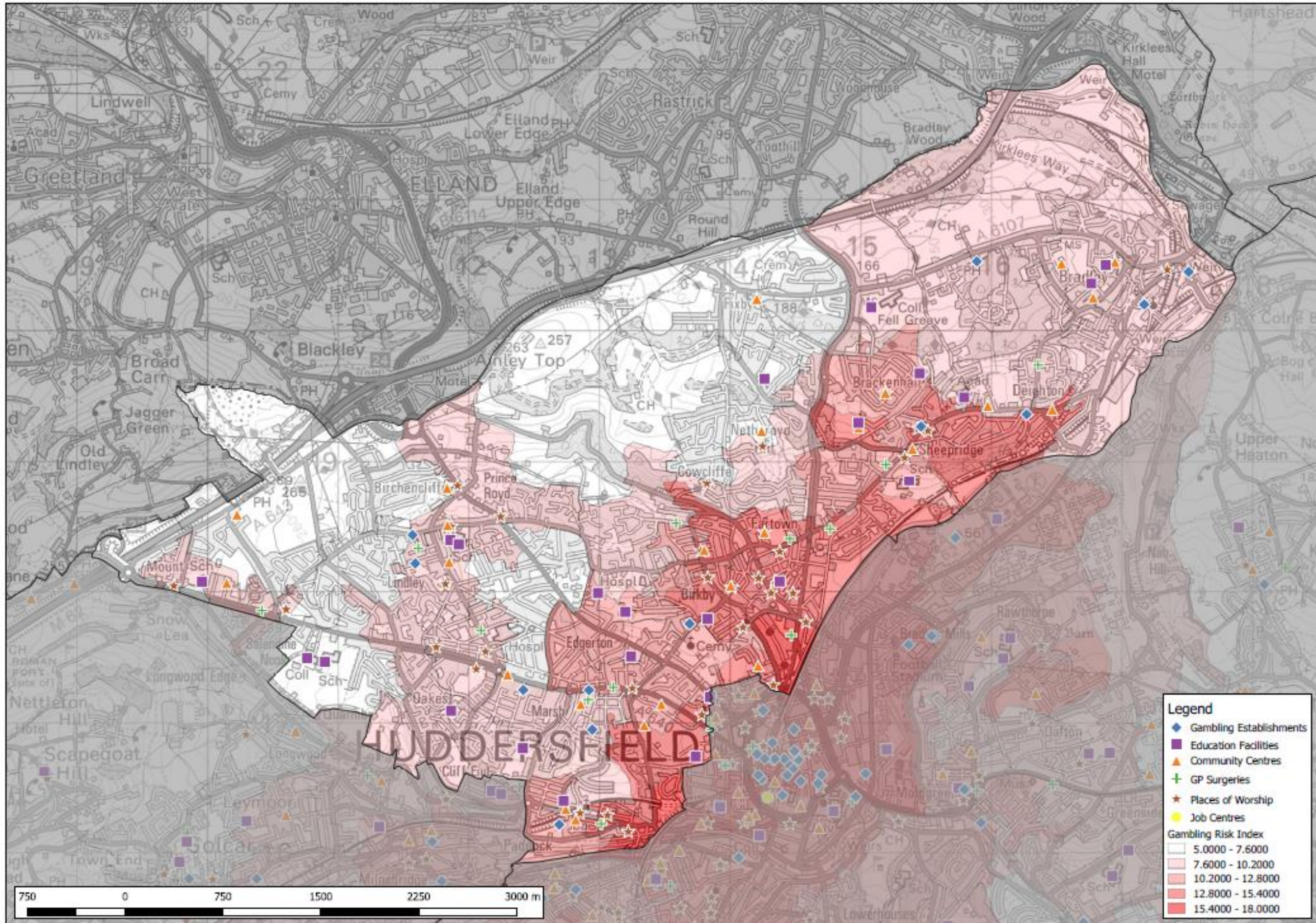
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Crime Incidence
Maps.qgs

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Gambling Local Area Profile – All Risk Factors Combined - Huddersfield North



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Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Gambling Risk Index

- 5.0000 - 7.6000
- 7.6000 - 10.2000
- 10.2000 - 12.8000
- 12.8000 - 15.4000
- 15.4000 - 18.0000

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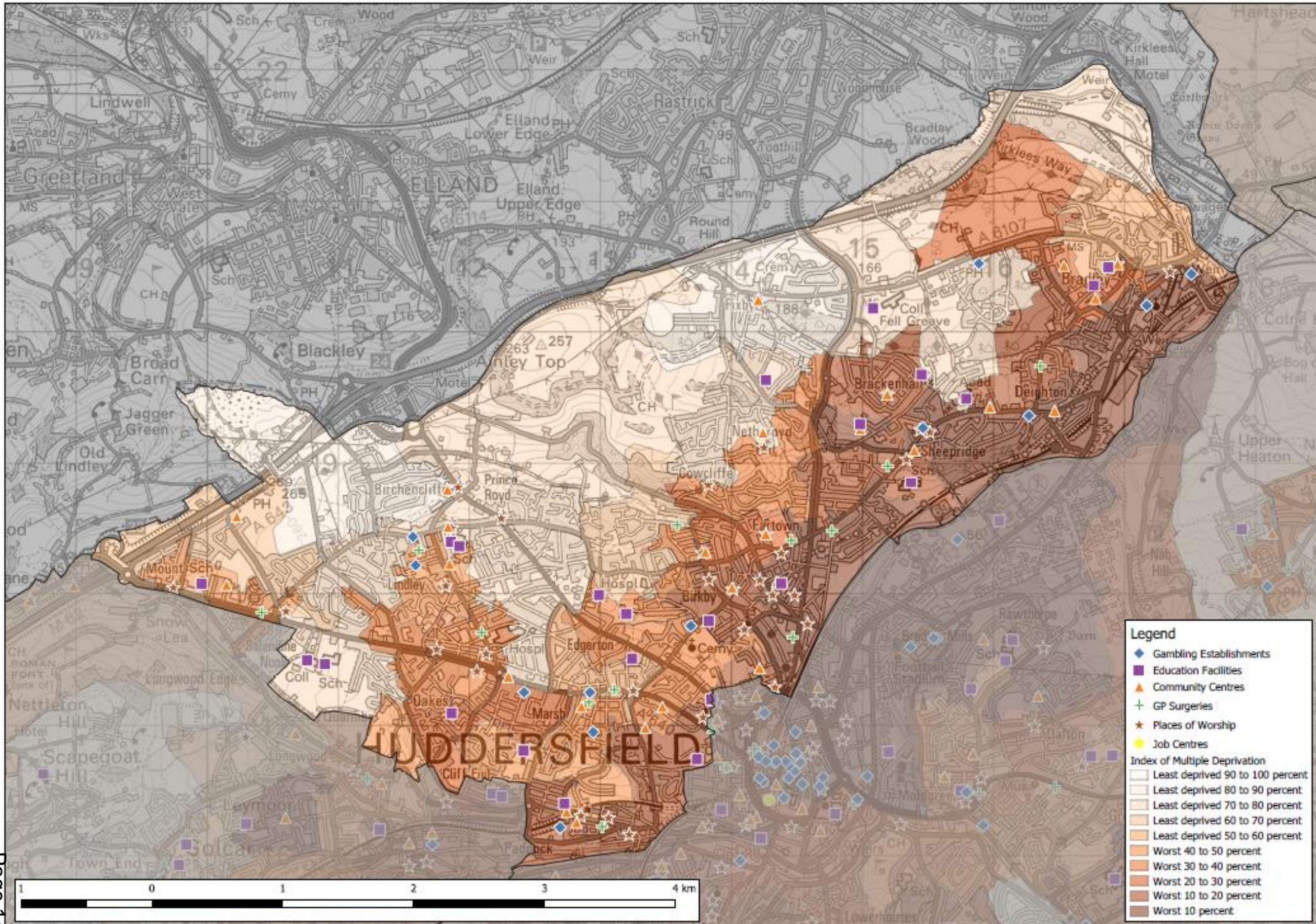
Gambling Local Area Profile - Index of Multiple Deprivation (2015) - Huddersfield North



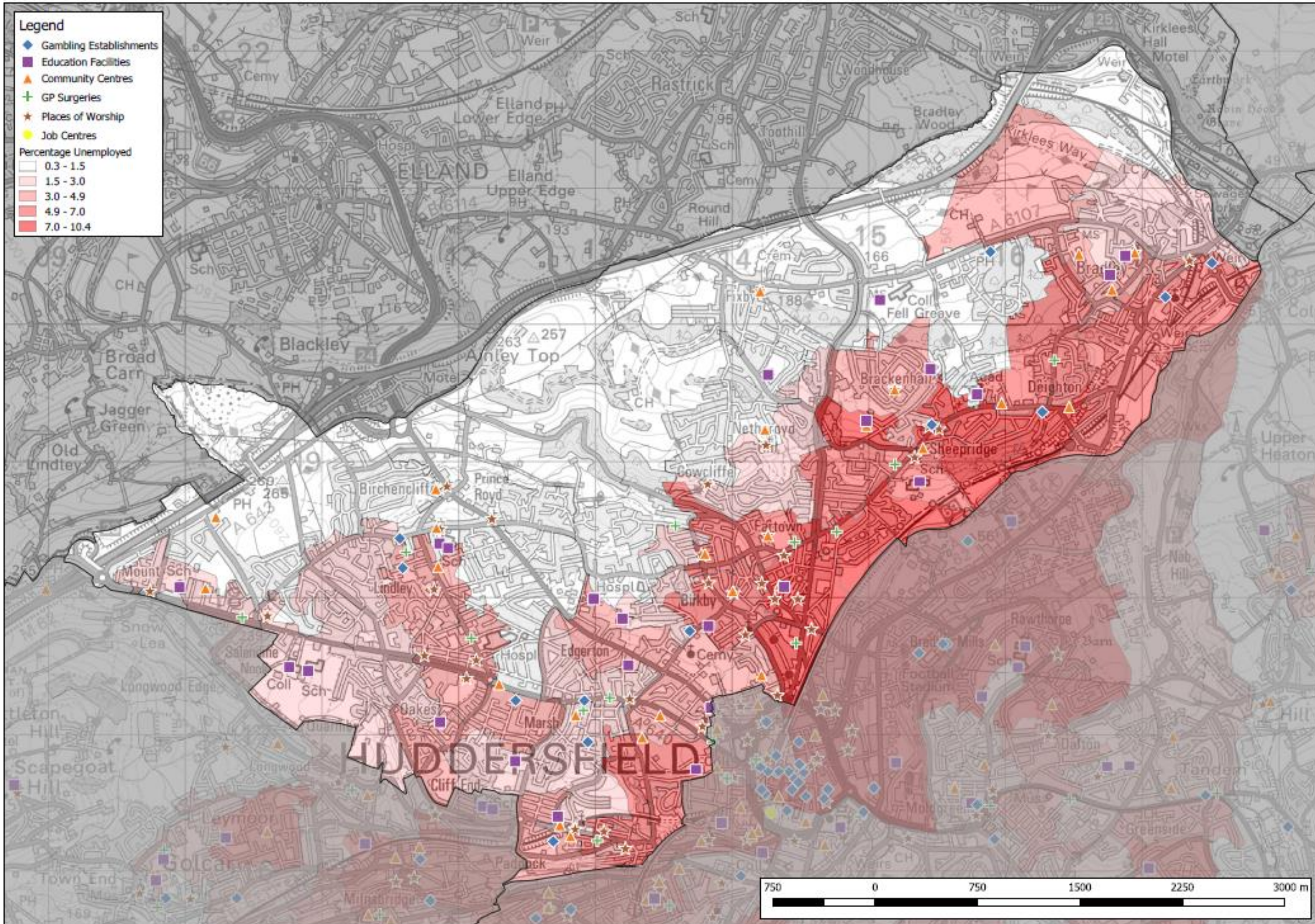
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Gambling Local Area Profile - Percentage Unemployment - Huddersfield North



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Percentage Unemployed

- 0.3 - 1.5
- 1.5 - 3.0
- 3.0 - 4.9
- 4.9 - 7.0
- 7.0 - 10.4



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 Unemployment
 Maps.ogs

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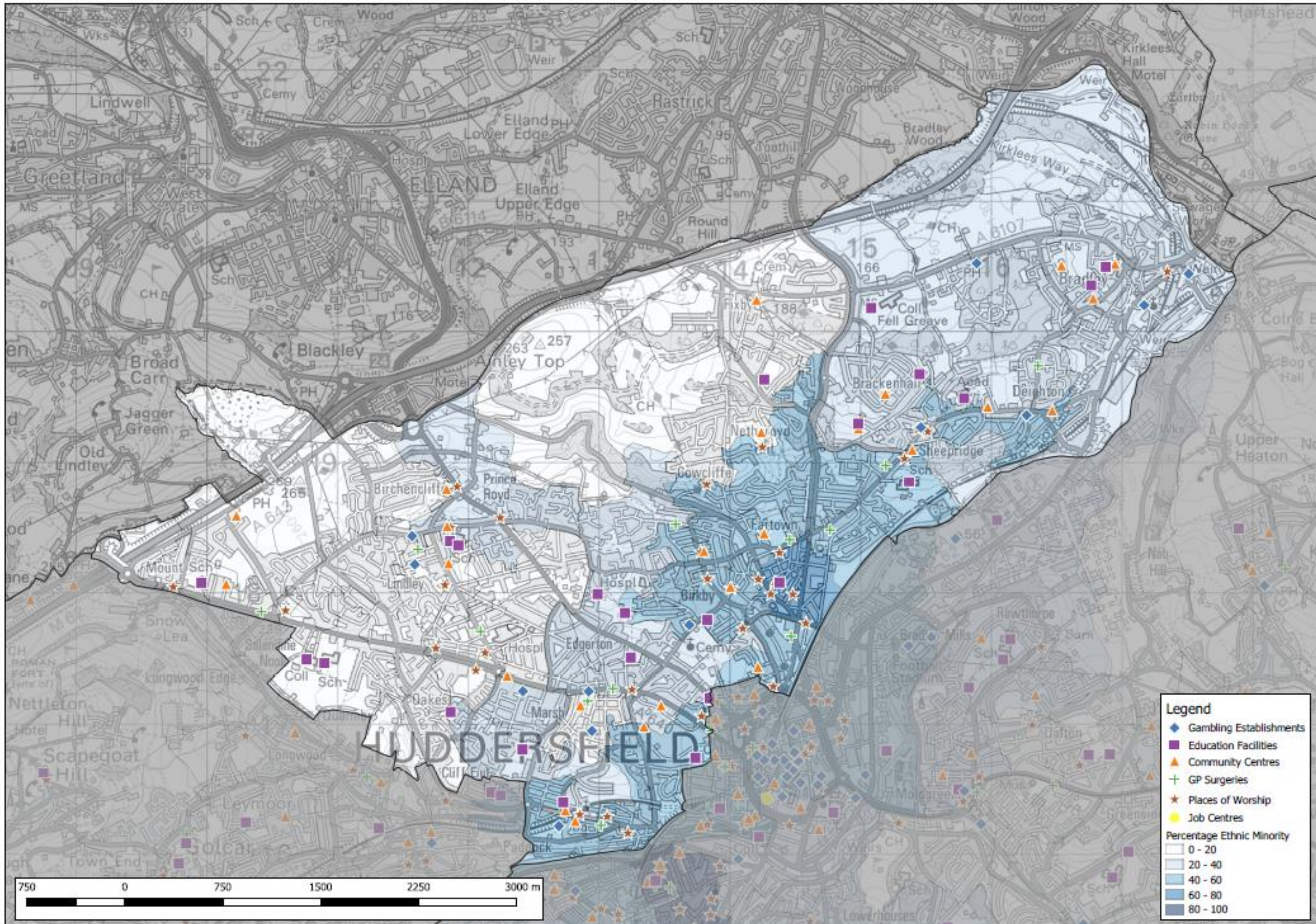


Gambling Local Area Profile - Percentage Ethnic Minorities - Huddersfield North



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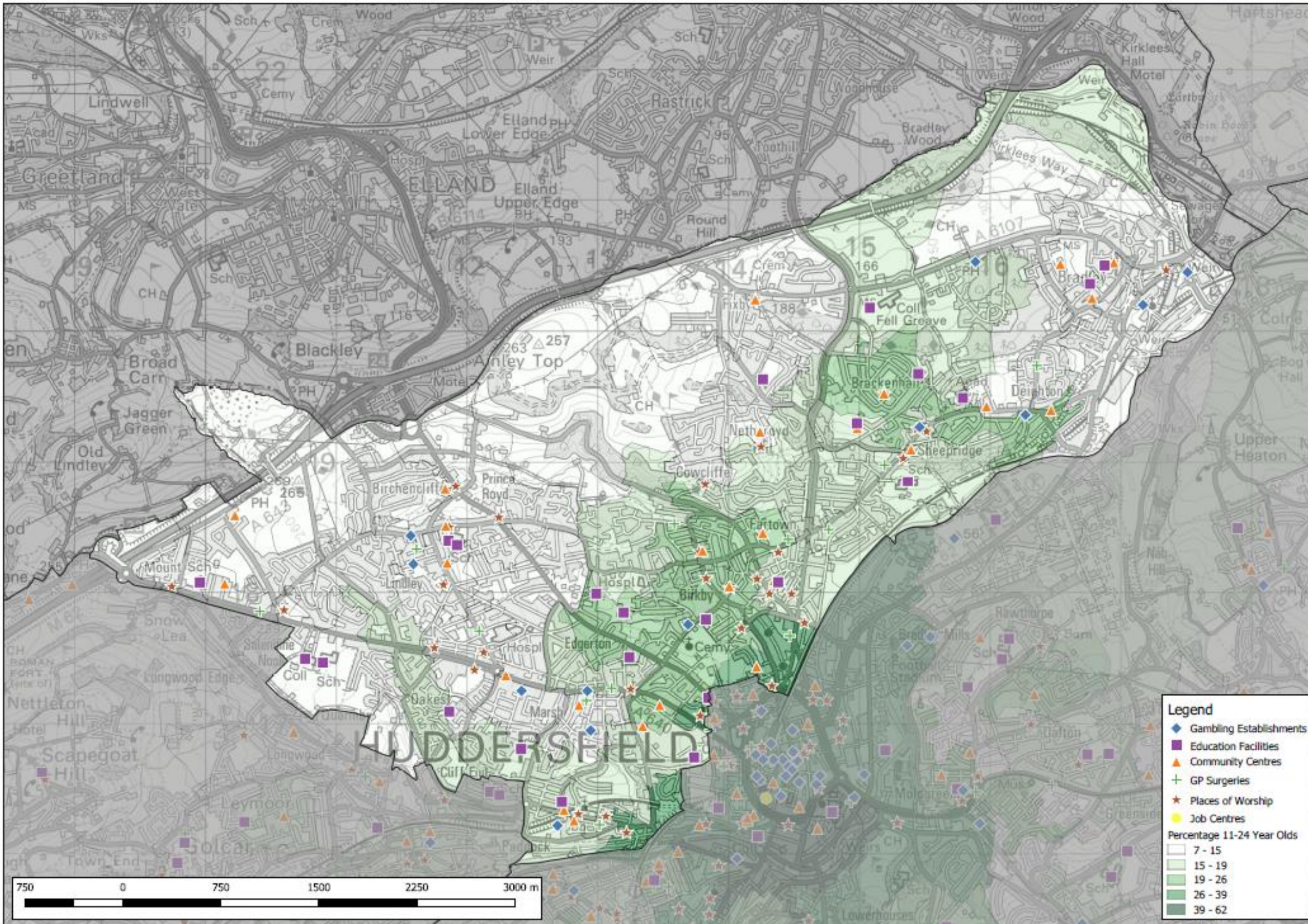
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Gambling Local Area Profile - Percentage 11 to 24 Year Olds - Huddersfield North



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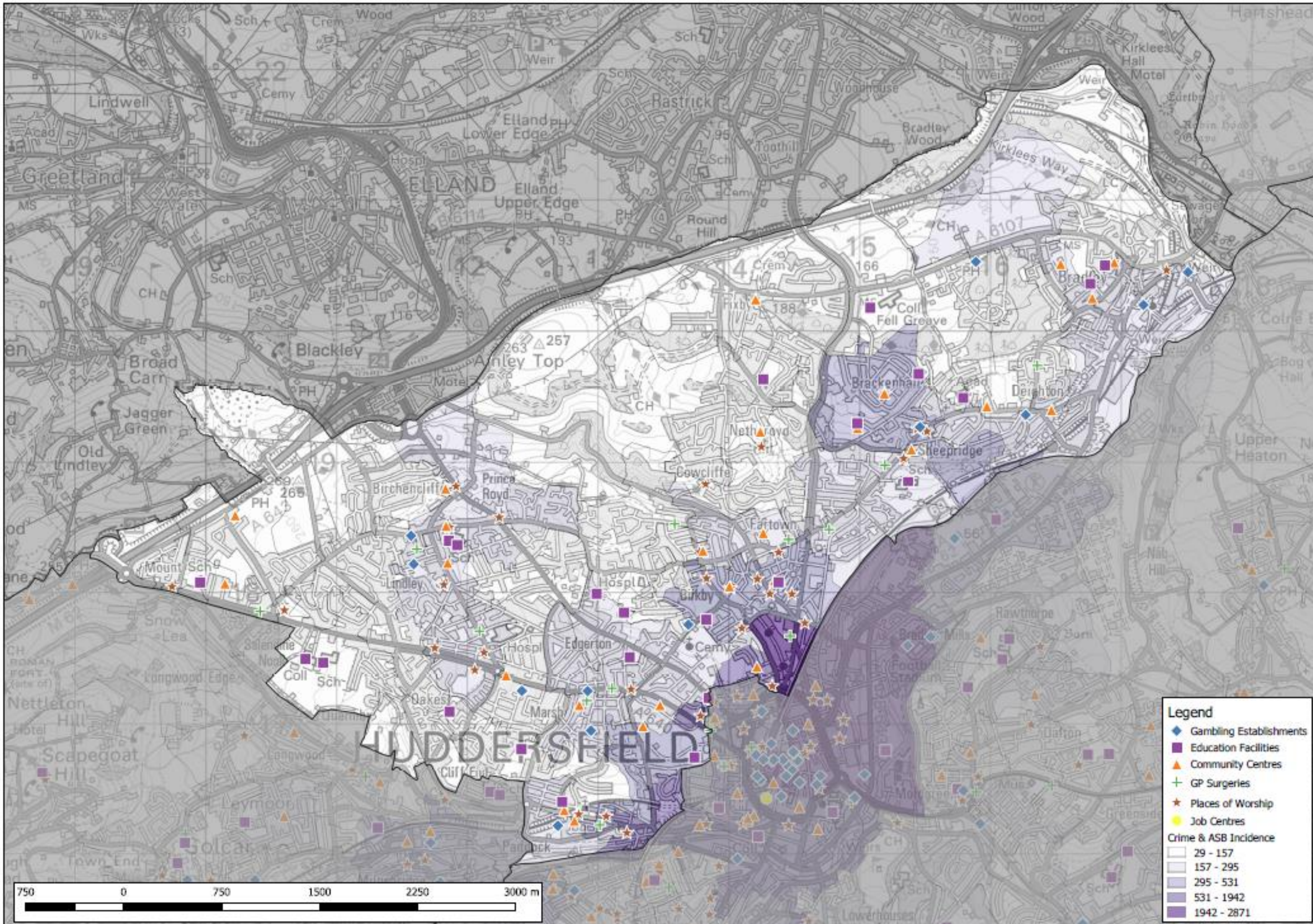
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Gambling Local Area Profile - Crime & Antisocial Behaviour Incidence - Huddersfield North



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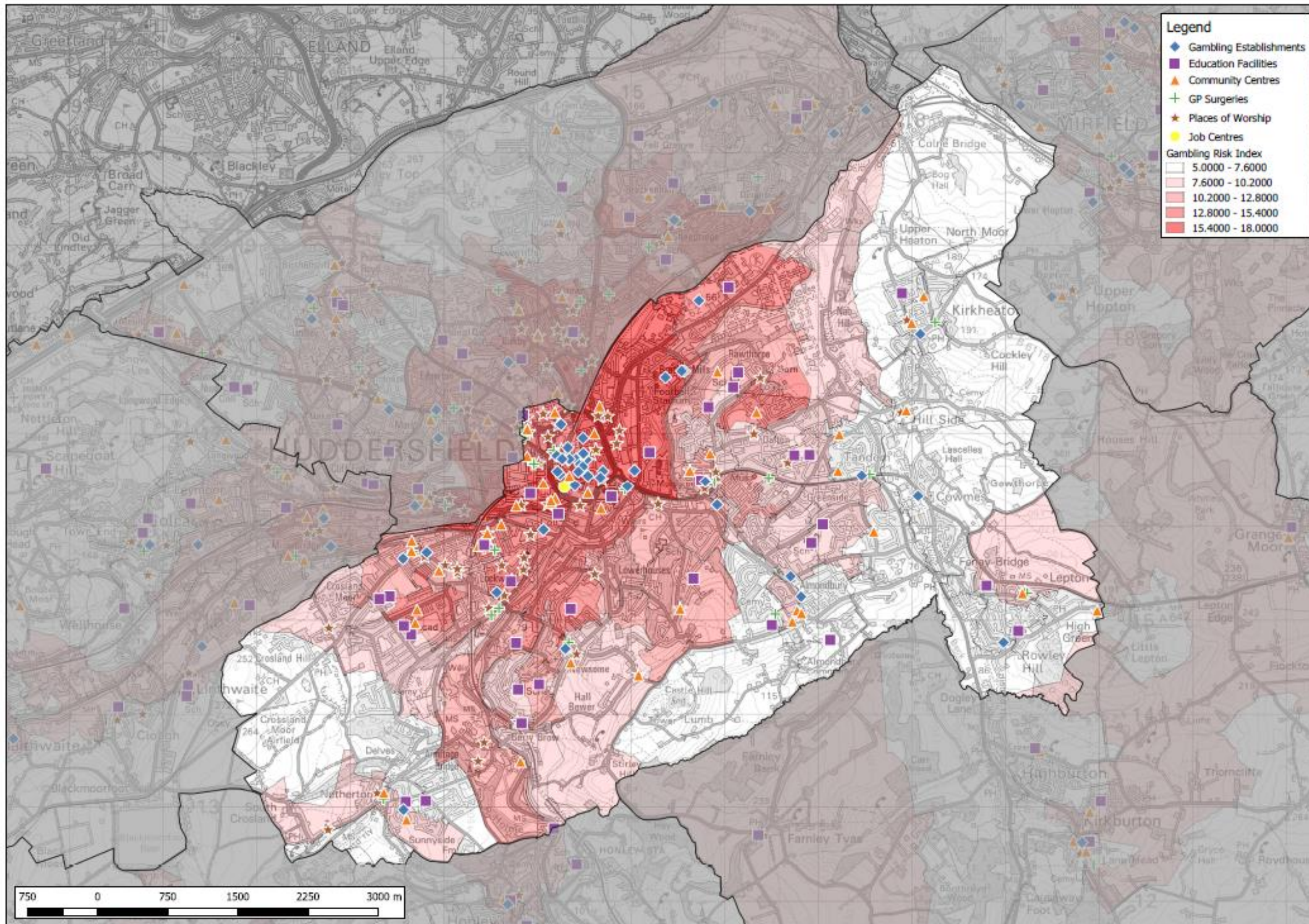
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Crime Incidence
Maps.qgs

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Gambling Local Area Profile – All Risk Factors Combined - Huddersfield South



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Gambling Risk Index

- 5.0000 - 7.6000
- 7.6000 - 10.2000
- 10.2000 - 12.8000
- 12.8000 - 15.4000
- 15.4000 - 18.0000



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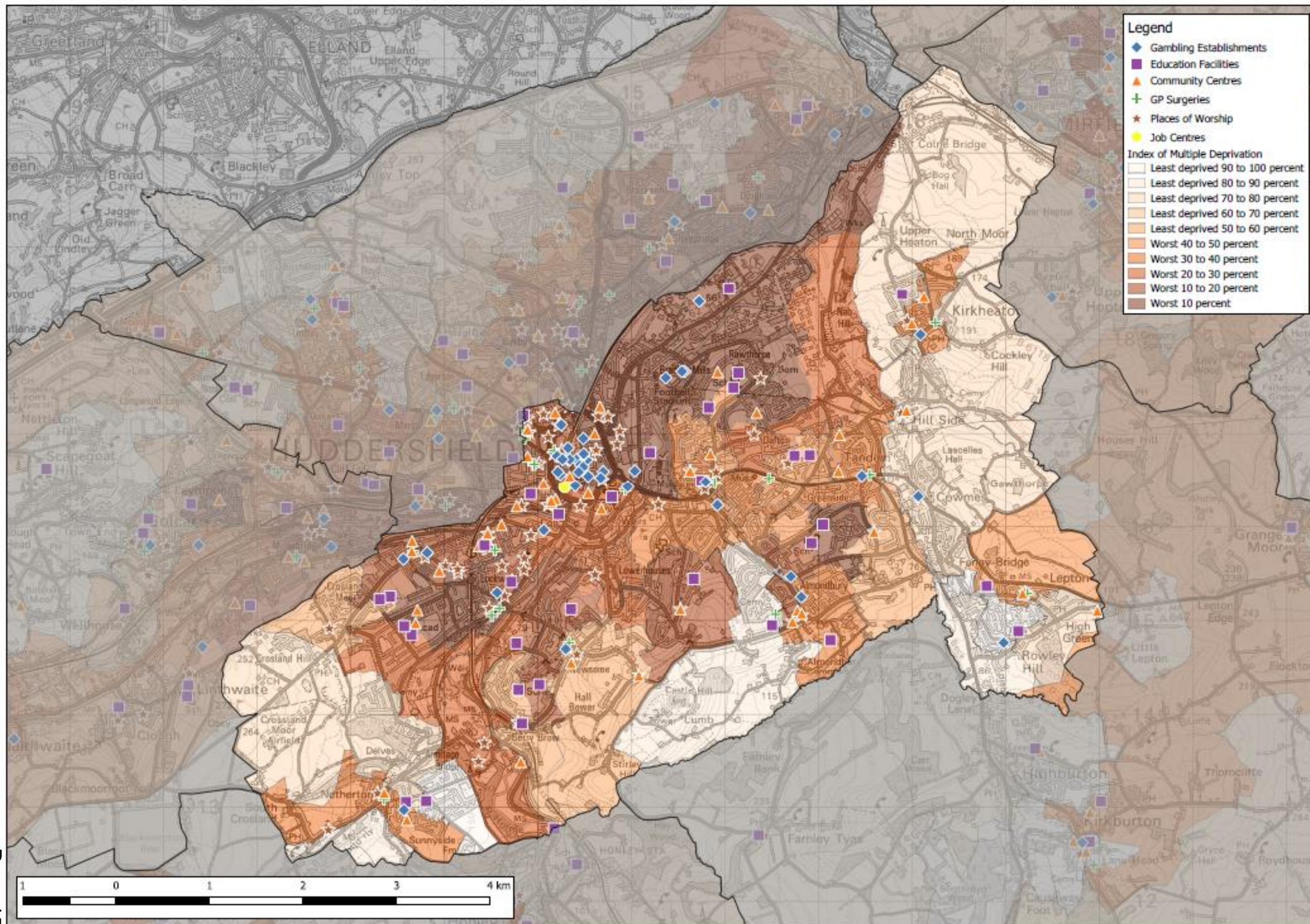
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Gambling Local Area Profile - Index of Multiple Deprivation (2015) - Huddersfield South



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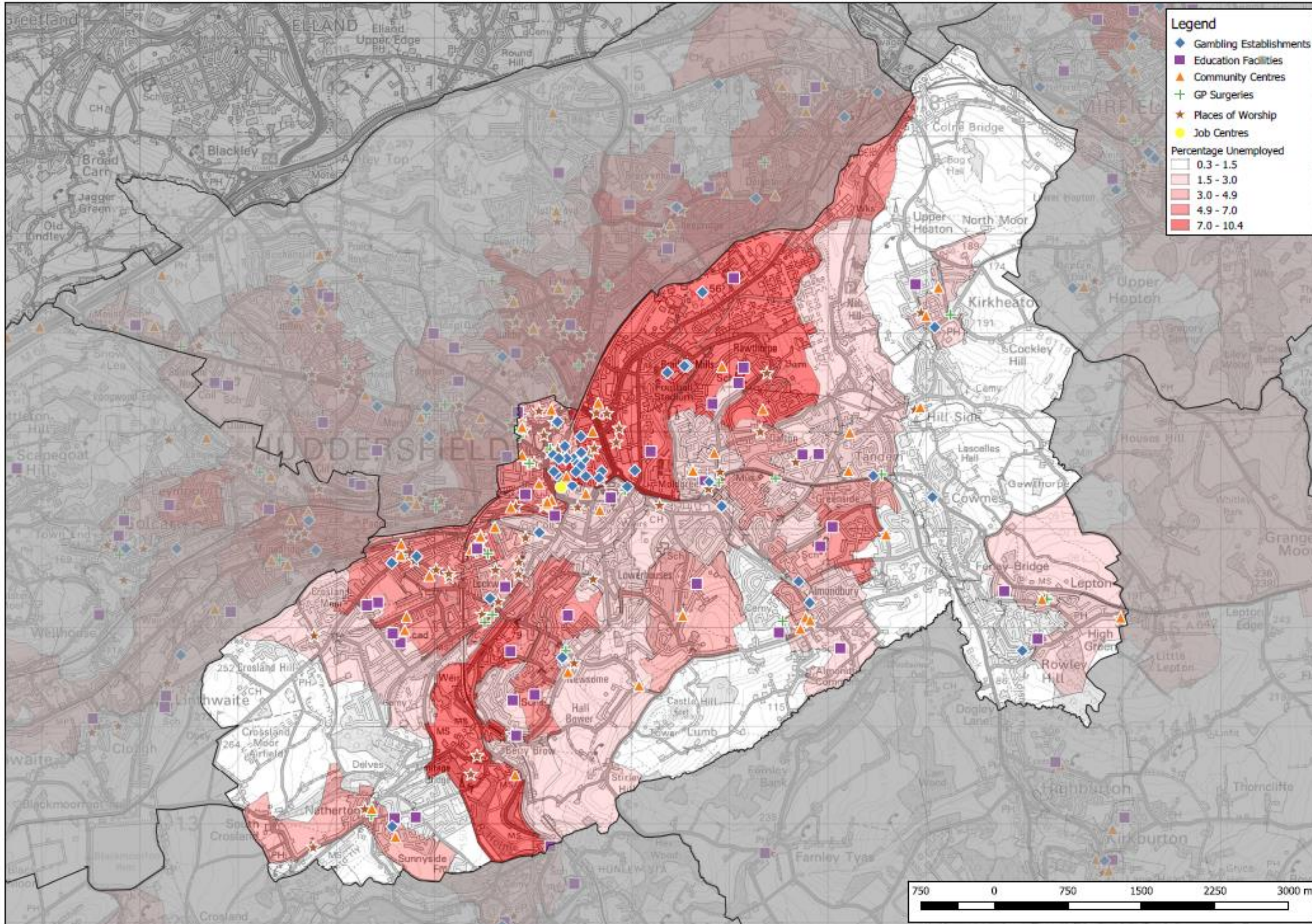
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Gambling Local Area Profile - Percentage Unemployment - Huddersfield South



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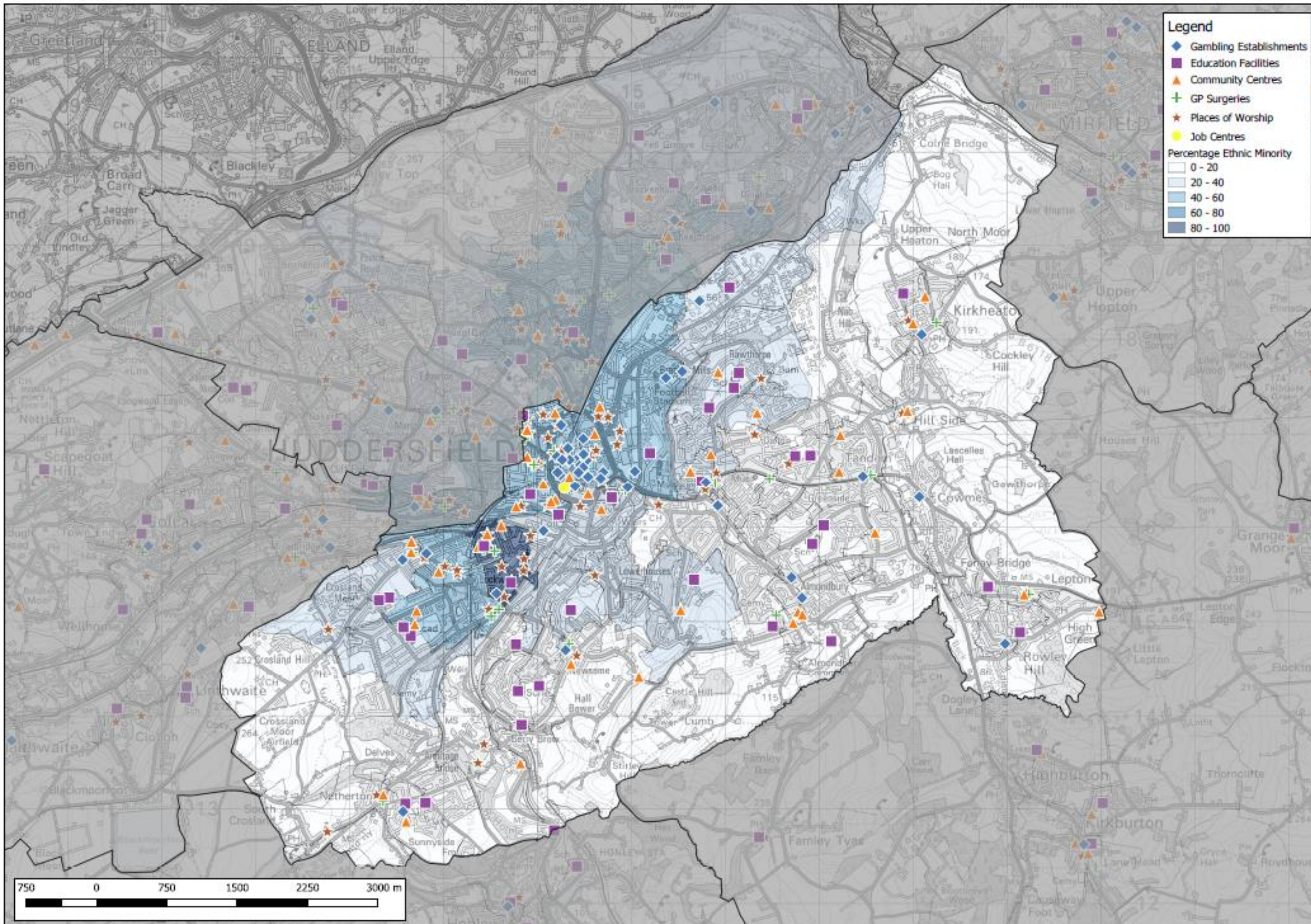
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Filename: Proj 3063
Unemployment
Maps.qgs

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Gambling Local Area Profile - Percentage Ethnic Minorities - Huddersfield South



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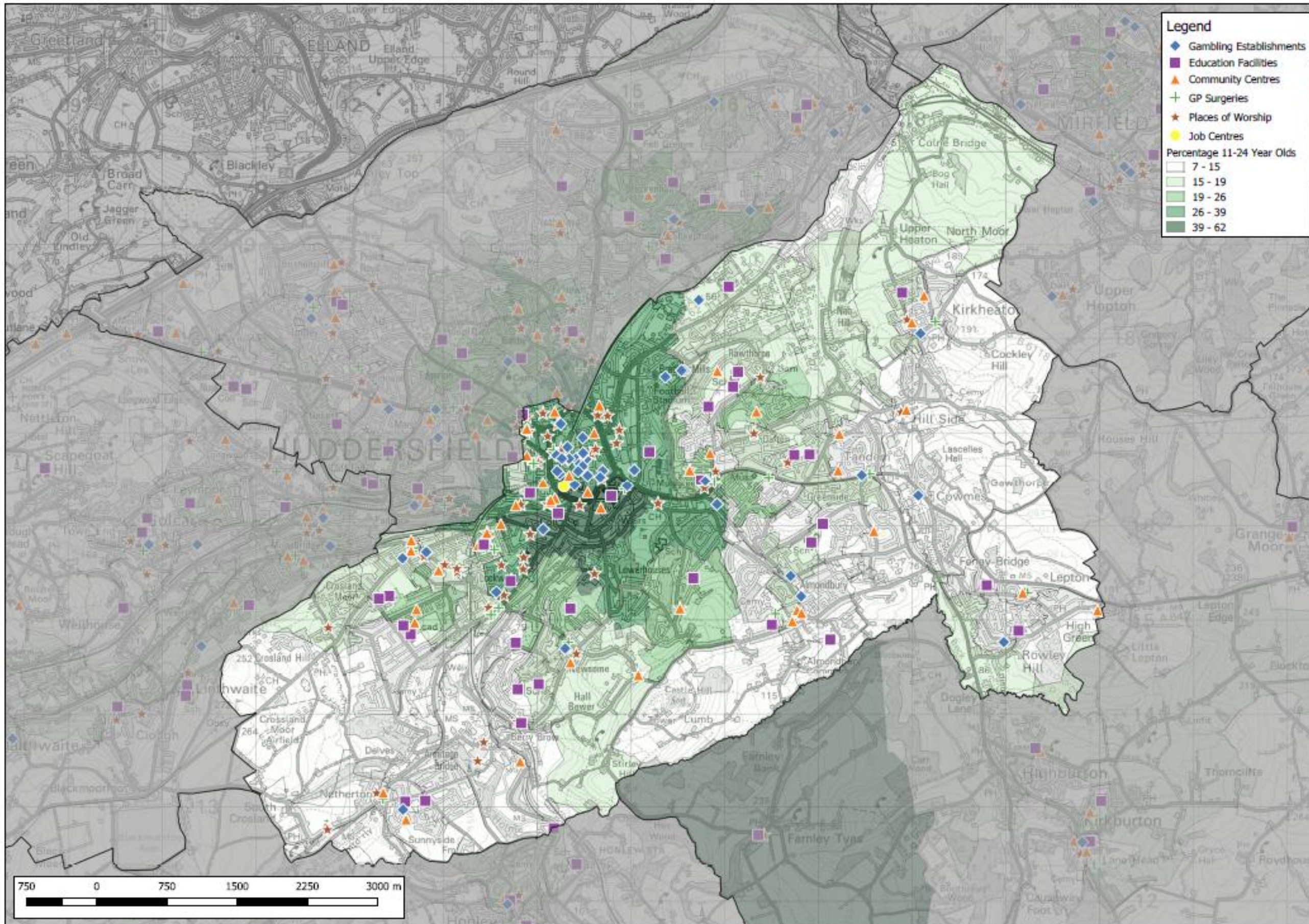
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Gambling Local Area Profile - Percentage 11 to 24 Year Olds - Huddersfield South



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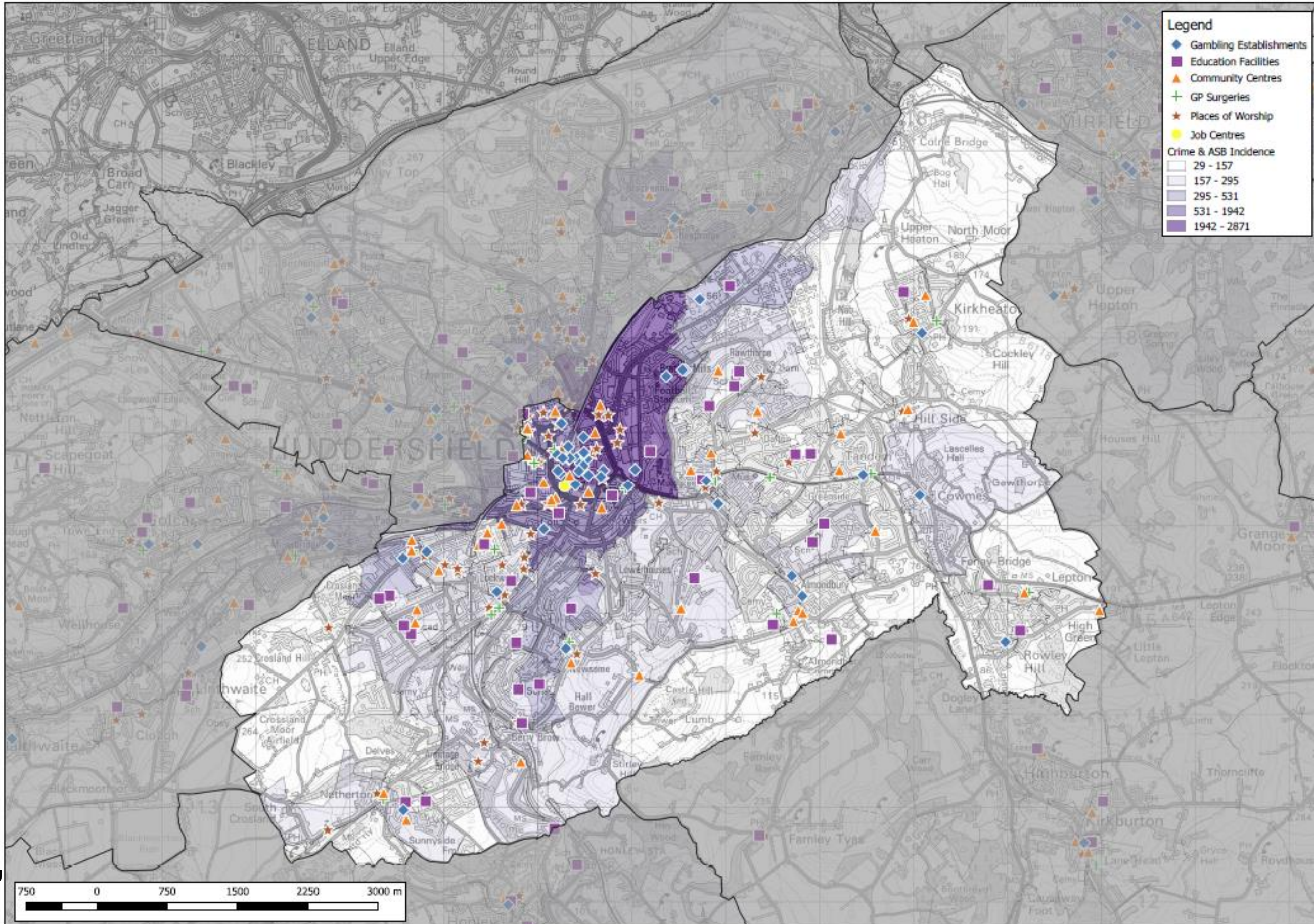
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Young People
Maps.qgs

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Gambling Local Area Profile - Crime & Antisocial Behaviour Incidence - Huddersfield South



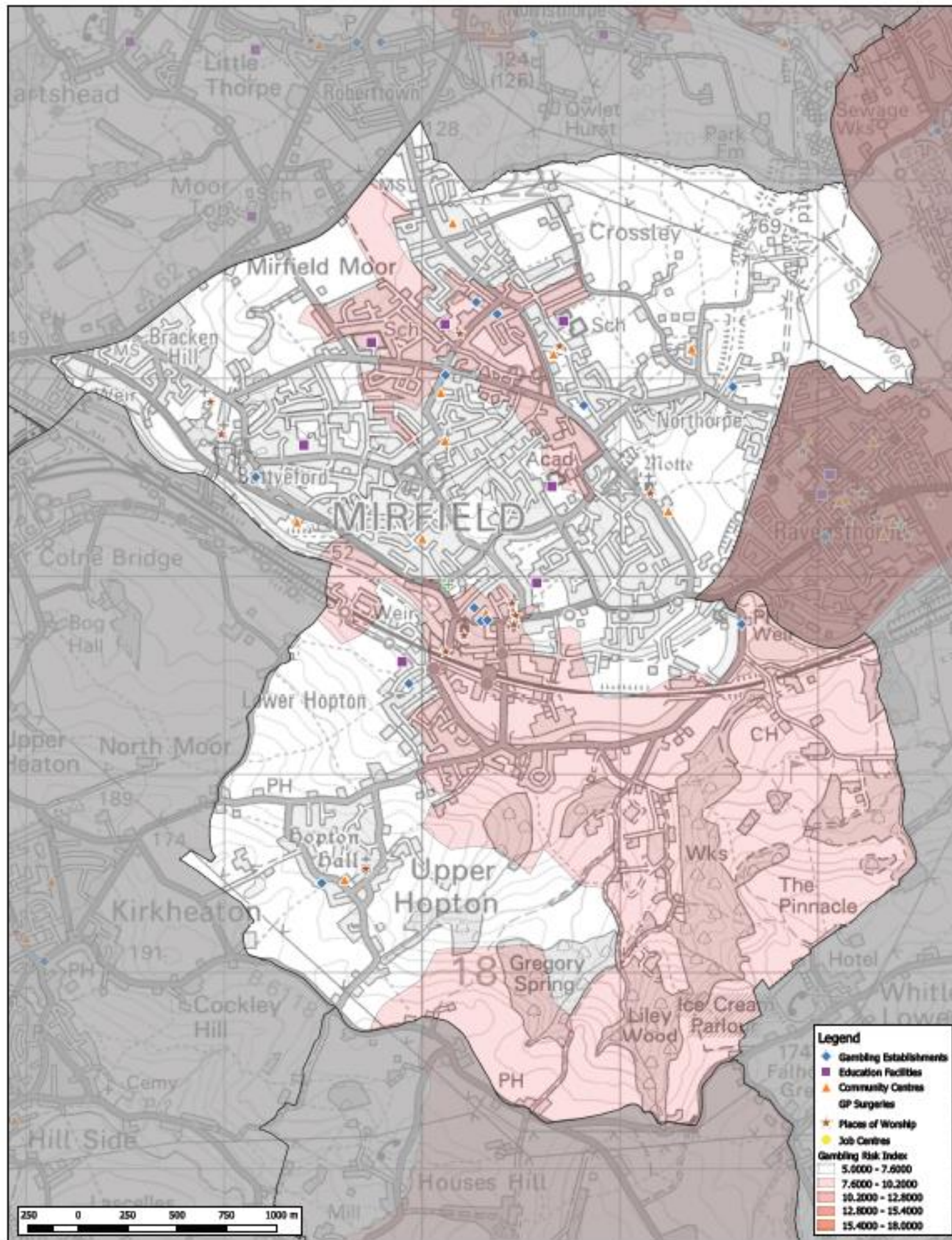
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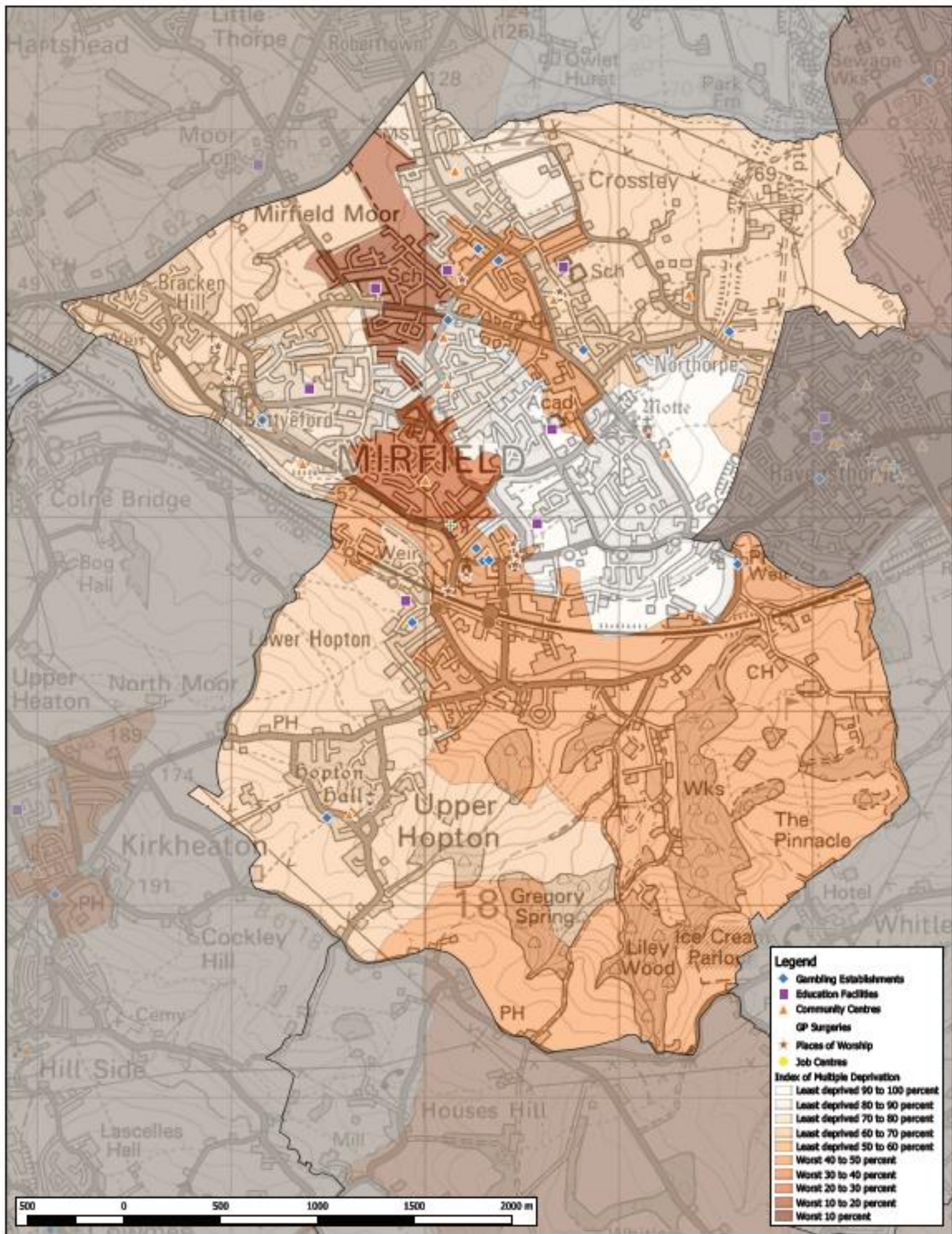
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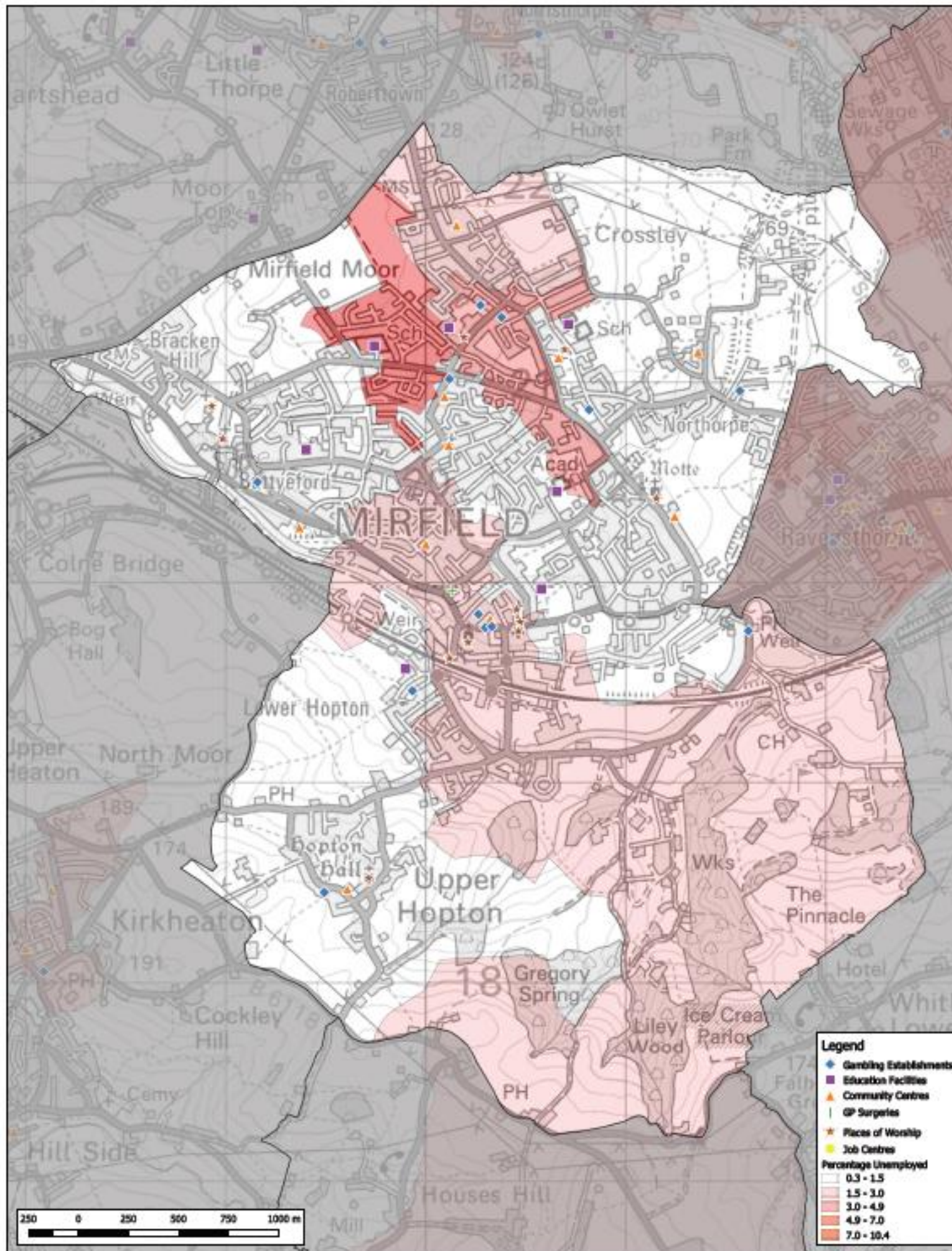
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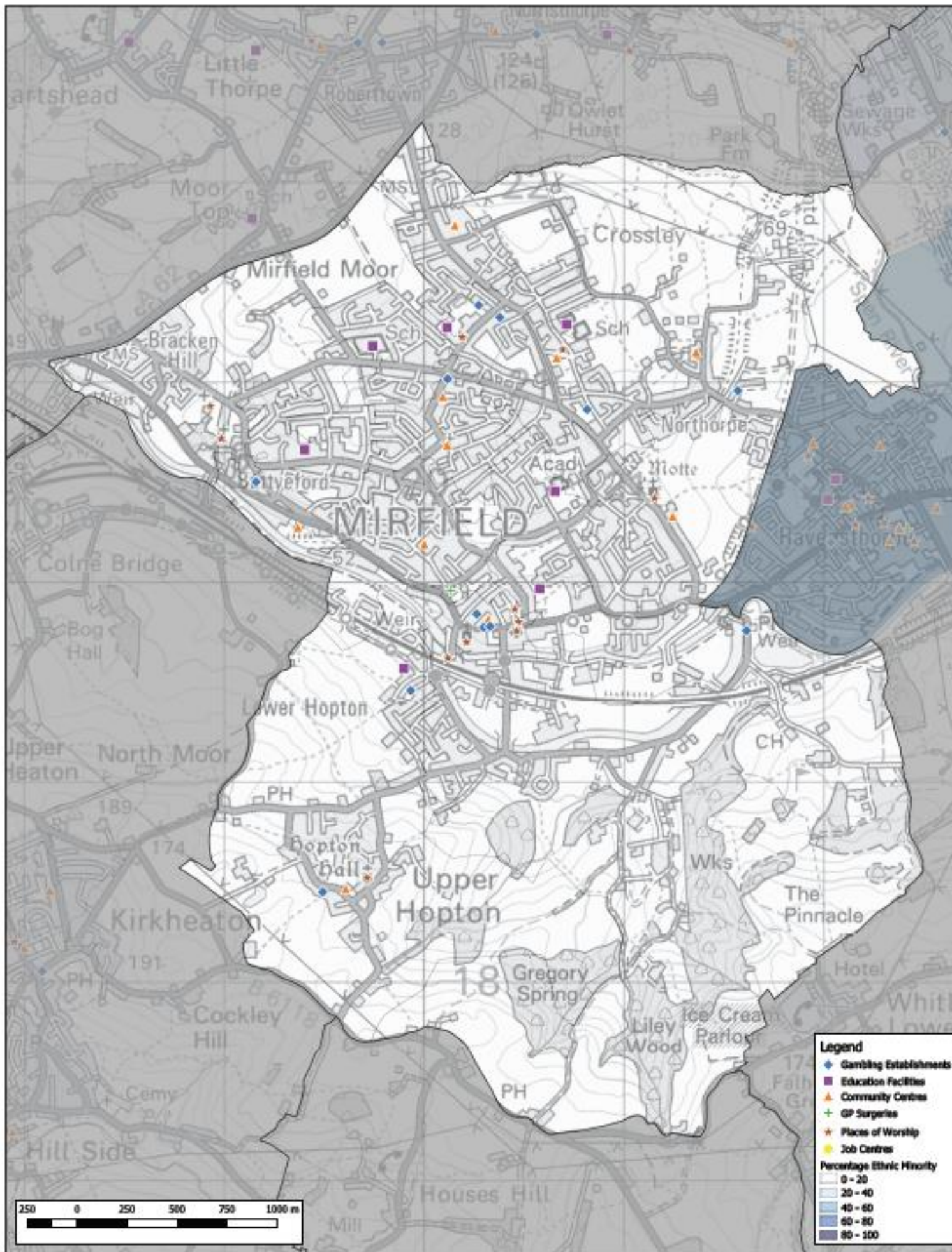




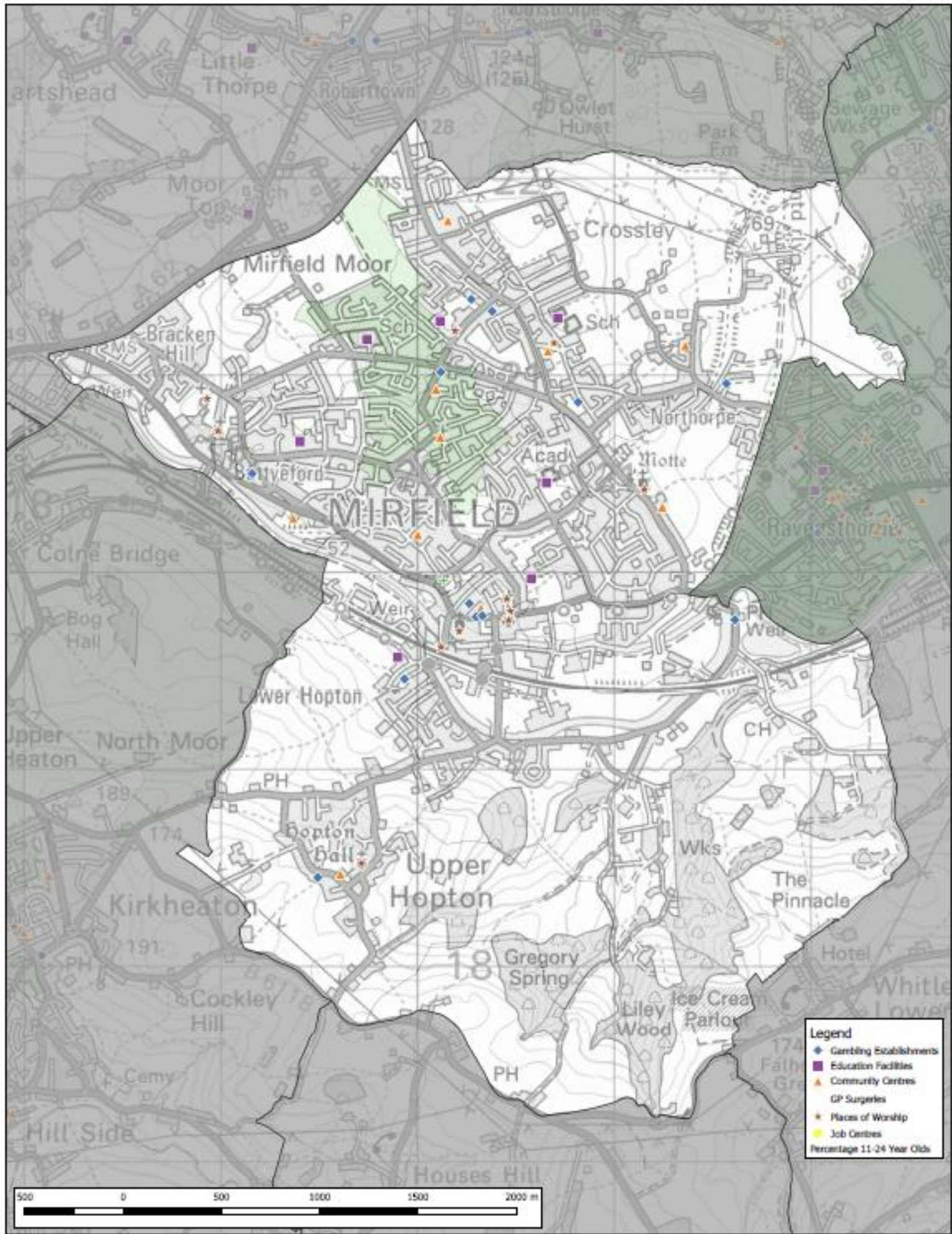
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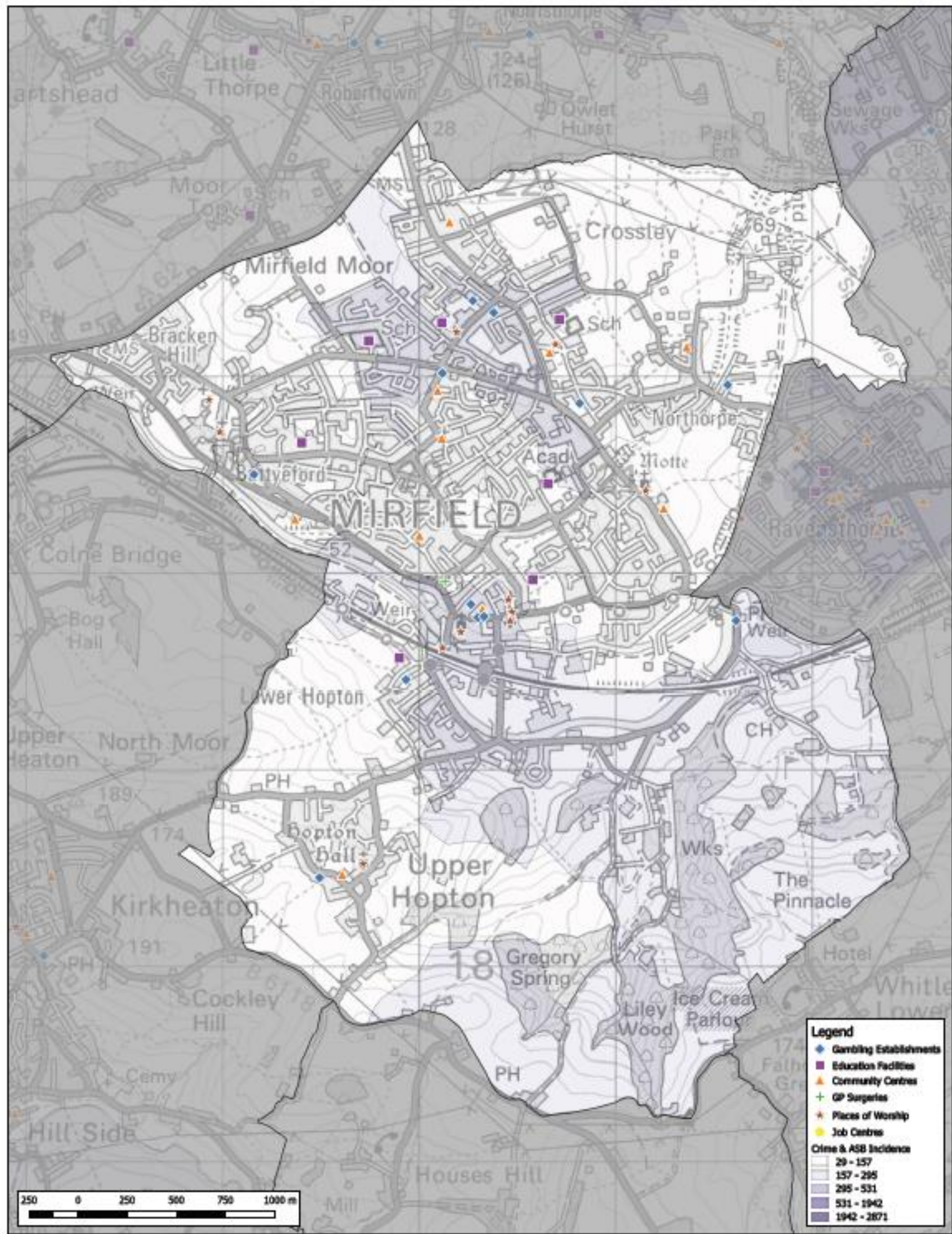






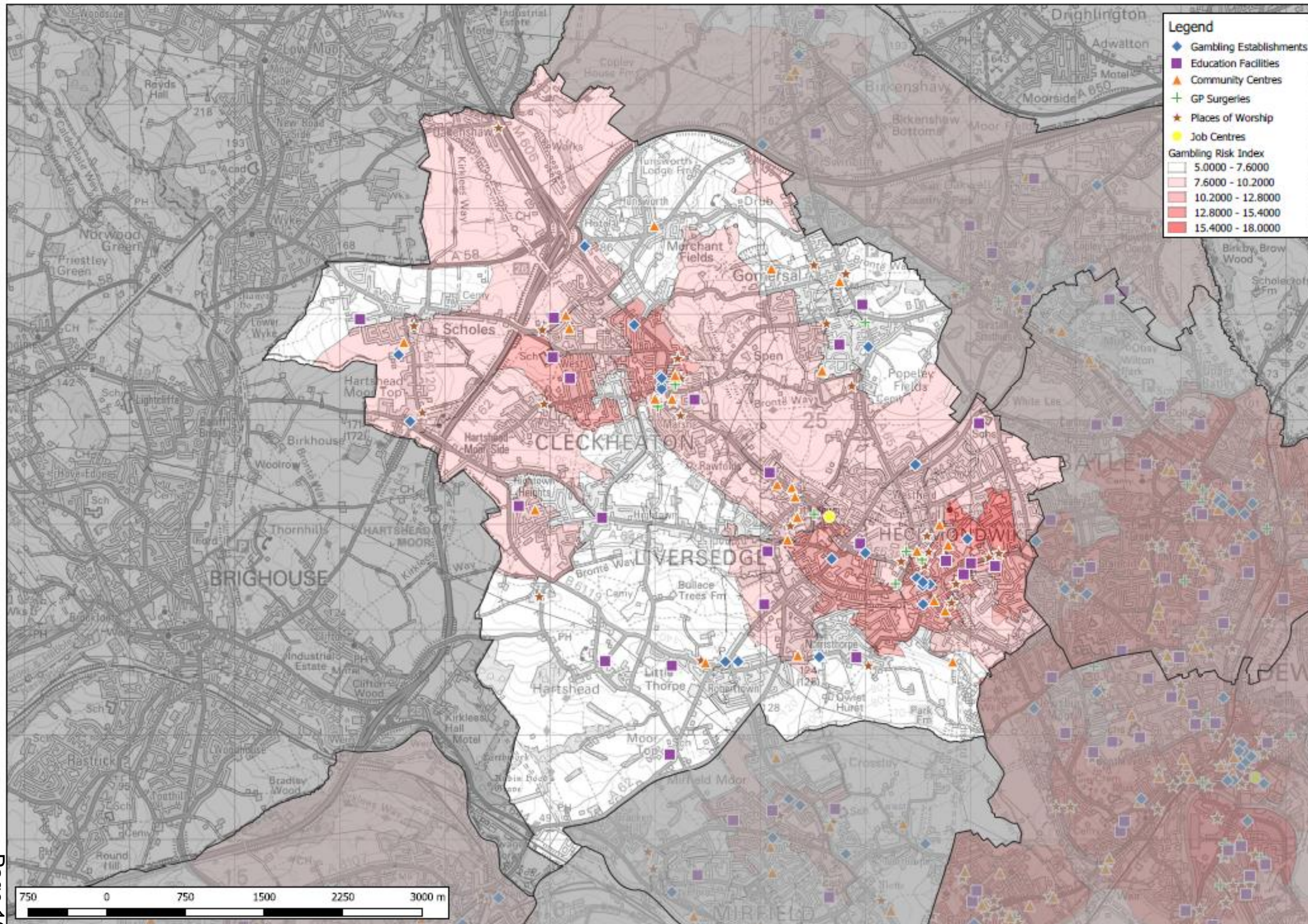
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	<p>Performance and Intelligence</p> <p>Geographic Research Team</p>	<p>Gambling Local Area Profile - Crime & Antisocial Behaviour Incidence - Mirfield</p> <p>Date: 28/10/18</p> <p>Filename: Proj 360 Crime Incidence Maps.apx</p>	
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Gambling Local Area Profile – All Risk Factors Combined - Spen



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Gambling Risk Index

- 5.0000 - 7.6000
- 7.6000 - 10.2000
- 10.2000 - 12.8000
- 12.8000 - 15.4000
- 15.4000 - 18.0000



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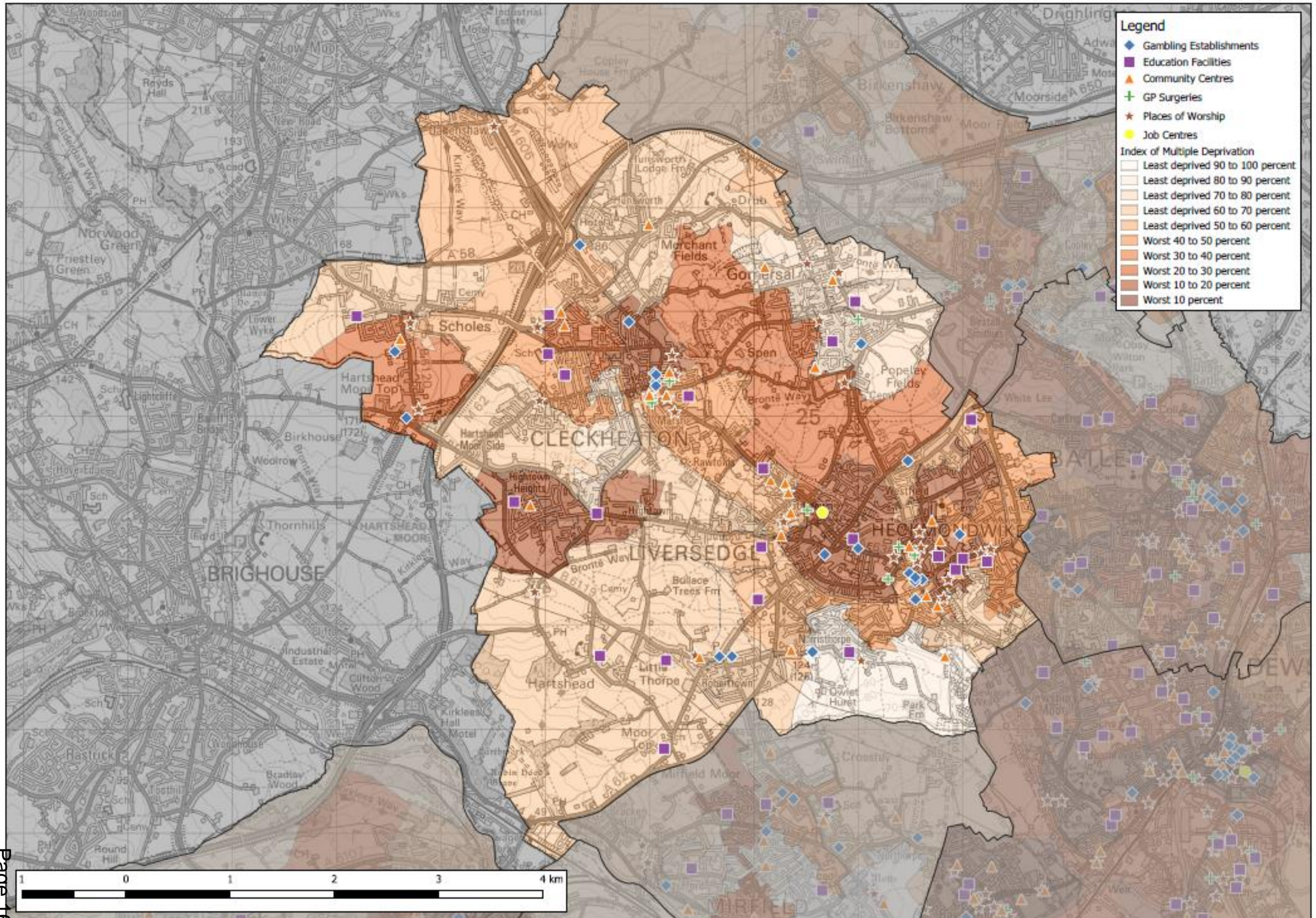
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Gambling Risk
Index.gvs

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Gambling Local Area Profile - Index of Multiple Deprivation (2015) - Spen



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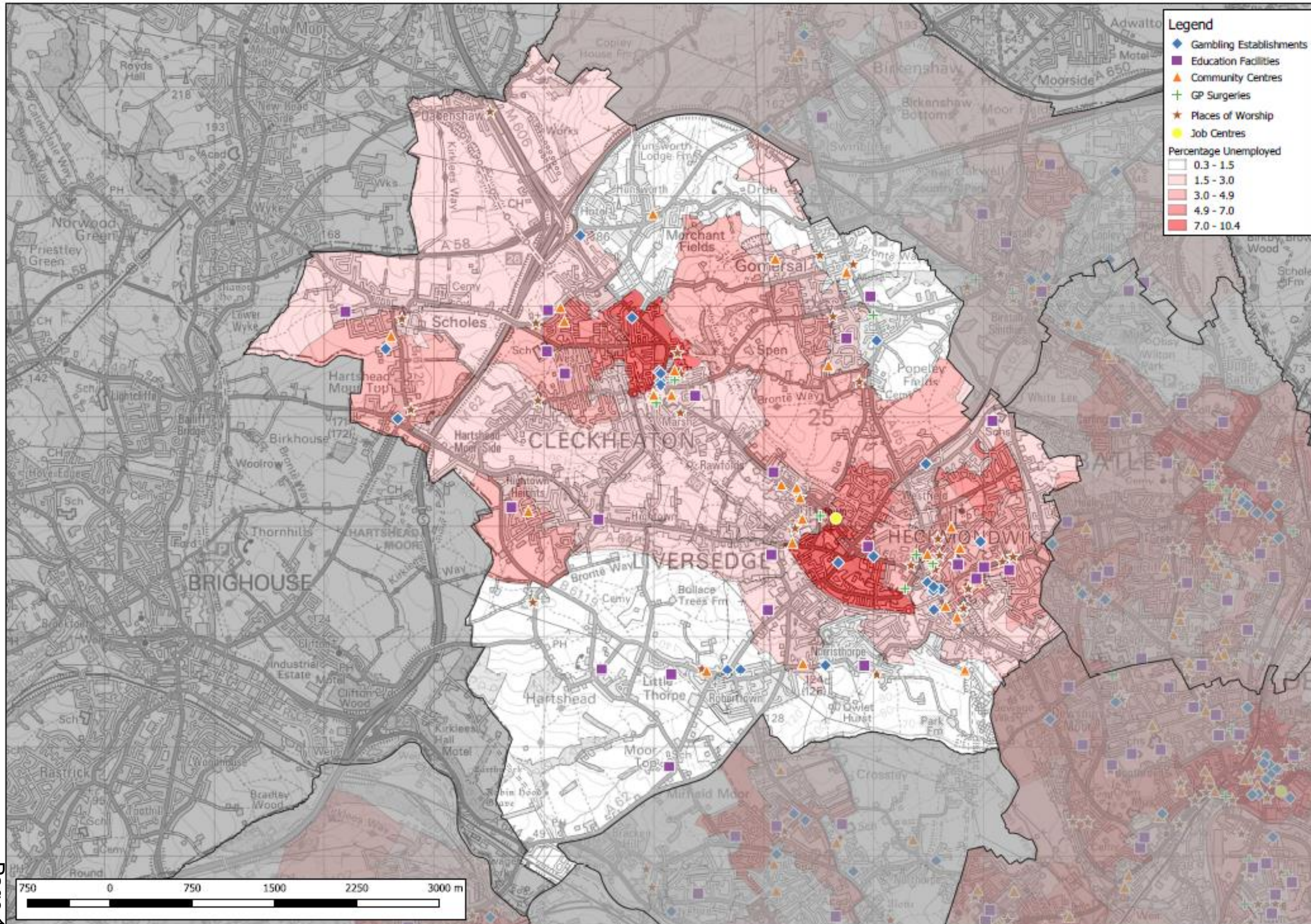
Date: 25/10/18

Filename: Proj 3063
Deprivation Maps.qgs

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Gambling Local Area Profile - Percentage Unemployment - Spen



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Percentage Unemployed

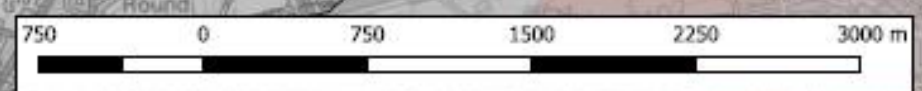
- 0.3 - 1.5
- 1.5 - 3.0
- 3.0 - 4.9
- 4.9 - 7.0
- 7.0 - 10.4



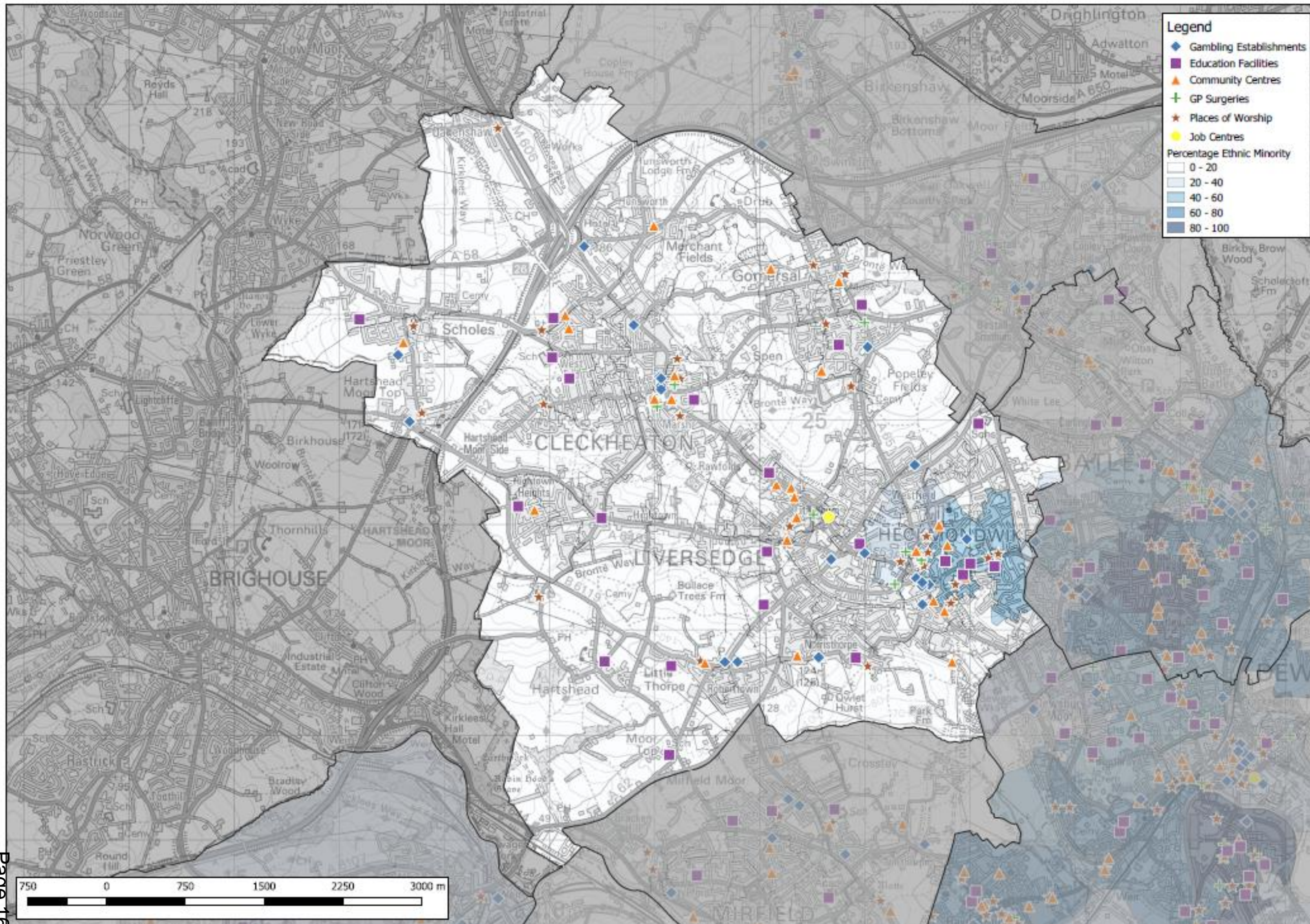
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Geographic Research Team

Date: 25/10/18
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Gambling Local Area Profile - Percentage Ethnic Minorities - Spen



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Percentage Ethnic Minority

- 0 - 20
- 20 - 40
- 40 - 60
- 60 - 80
- 80 - 100

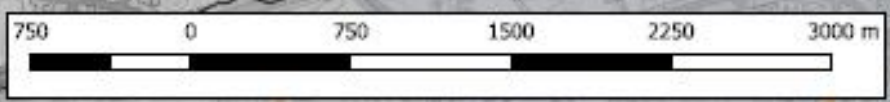


Performance and Intelligence

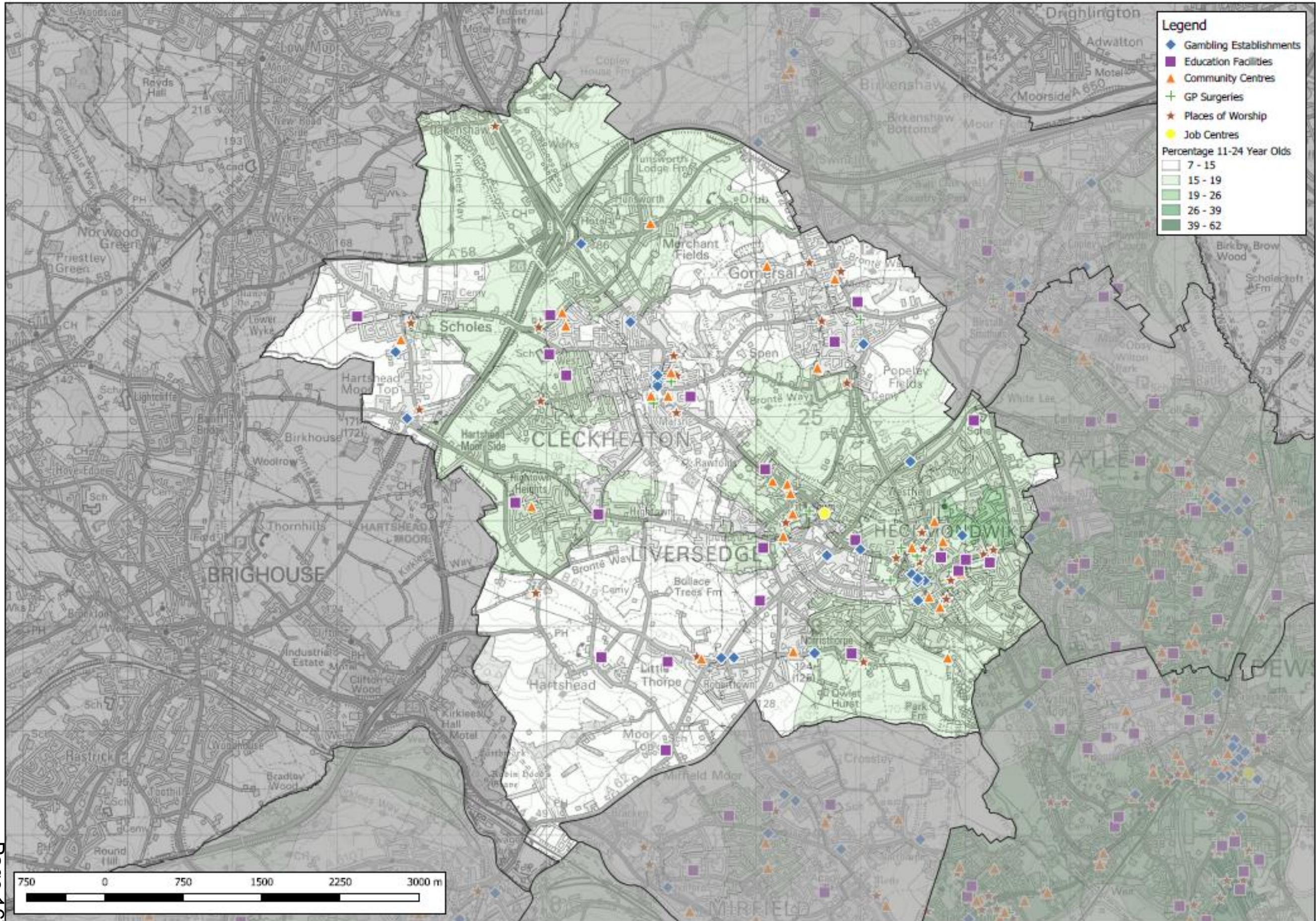
Geographic Research Team

Date: 25/10/18
 Filename: Proj 3063
 Ethnicity Maps.qgs

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Gambling Local Area Profile - Percentage 11 to 24 Year Olds - Spent



**Performance
and
Intelligence**

**Geographic
Research
Team**

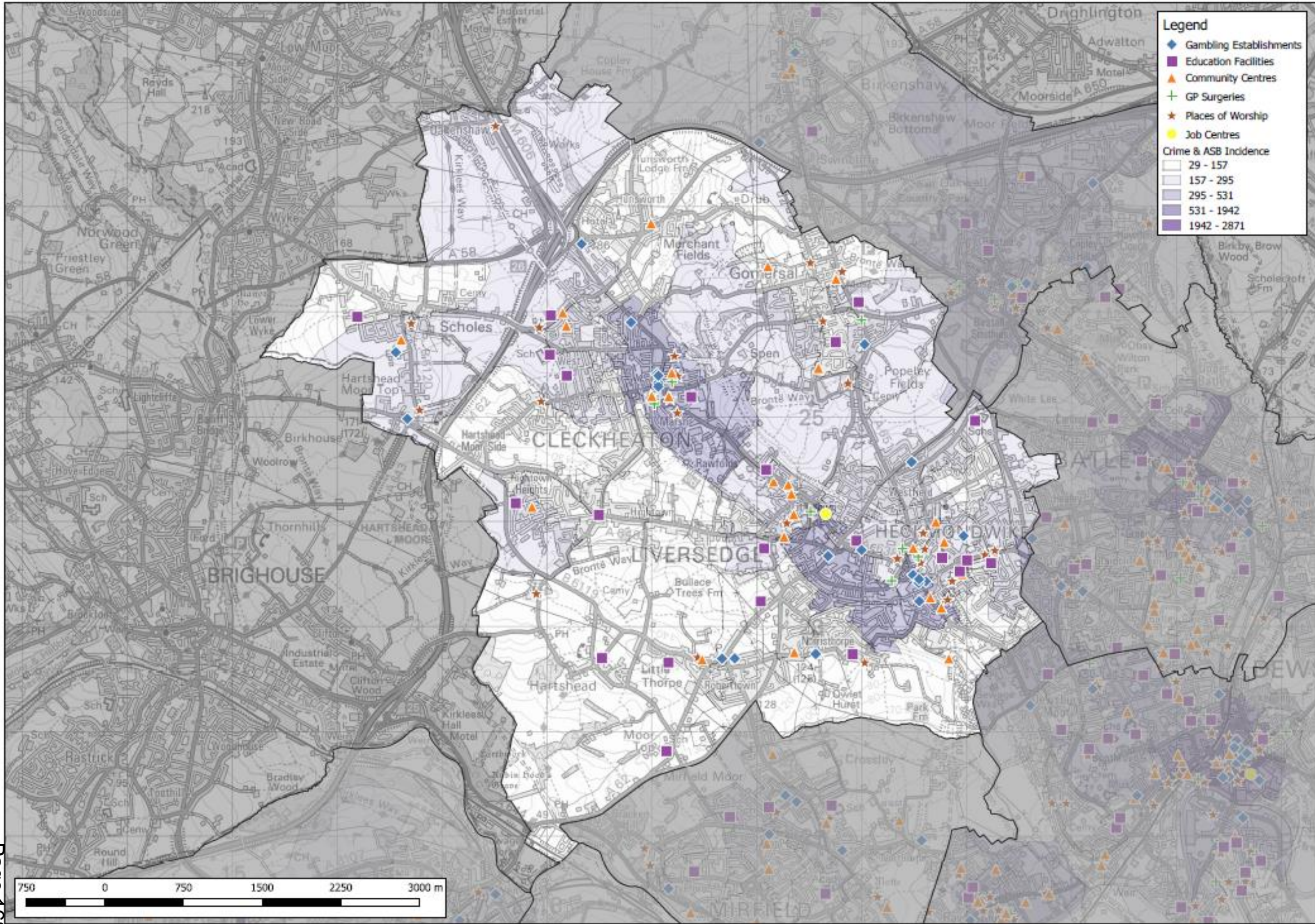
Date: 25/10/18

Filename: Proj 3063
Young People
Maps.qgs

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Gambling Local Area Profile - Crime & Antisocial Behaviour Incidence - Spen



Legend

- ◆ Gambling Establishments
- Education Facilities
- ▲ Community Centres
- ✚ GP Surgeries
- ★ Places of Worship
- Job Centres

Crime & ASB Incidence

- 29 - 157
- 157 - 295
- 295 - 531
- 531 - 1942
- 1942 - 2871



Performance and Intelligence

Geographic Research Team

Date: 25/10/18

Filename: Proj 3063
Crime Incidence
Maps.qgs

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 18th September 2018

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

In attendance: Councillor Alison Munro

Apologies: Councillor Graham Turner

65 Membership of the Committee

Apologies for absence were received on behalf of Councillor Turner.

66 Minutes of previous meeting

RESOLVED – That the Minutes of the meeting held on 21 August 2018 be approved as a correct record.

67 Interests

There were no declarations of interest.

68 Admission of the Public

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

69 Deputations/Petitions

No deputations or petitions were received.

70 Public Question Time

No questions were asked.

71 Member Question Time

No questions were asked.

72 The Revised Highway Asset Management Policy, Strategy, Hierarchy and Safety Inspections Policy

Cabinet received a report which sought (i) approval to a revised policy and strategy for highway maintenance and (ii) endorsement of the approach towards determining a highway management hierarchy and safety inspection policy.

The report advised that a ‘Well-managed Highway Infrastructure: A Code of Practice’ came into effect in 2016 to replace previous guidance, which would be withdrawn in October 2018, allowing a two year transition period. It set out how the Council would best manage the highway network by taking into account the consideration of stakeholder needs, local priorities, asset condition, and best use of available resources. The report explained that the Code set out 36 key recommendations for Highways Authorities and that, in view of the fundamental changes required, documents had been reviewed and updated to satisfy the recommendations of the Code. A summary of all recommendations was set out at Appendix 3 of the considered report, the proposed revised Policy and Strategy was attached at Appendix 1 and the approach to determining a highway management hierarchy and highway safety inspection regime was at Appendix 2.

RESOLVED -

- 1) That the revised Policy and Strategy for highway maintenance, as attached at Appendix 1 to the considered report, be approved.
- 2) That the approach to determining a highway management hierarchy and safety inspection regime, as set out in Highway Management Hierarchy and Highway Safety Inspection Policy, as attached at Appendix 2 to the considered report, be approved.
- 3) That authority be delegated to the Strategic Director for Economy and Infrastructure to keep the policy under review and update as required, in consultation with relevant Cabinet Members, in the event that a change in policy or approach is required, and that any substantial changes be submitted to Cabinet.

73 Adoption of a West Yorkshire plus York Common Skid Resistance Policy
Cabinet received a report which sought approval for the adoption of a West Yorkshire, plus York, Common Skid Resistance Policy. The report advised that there was a requirement for Local Authorities to formalise their processes for (i) monitoring skid resistance (ii) identifying roads where lack of grip is a potential issue (iii) prioritising sites for required improvement and (iv) ensuring that improvements incorporated within a forward programme of works. Cabinet were advised that the Kirklees Skid Resistance Strategy for these processes comprised both the West Yorkshire, plus York, Common Skid Resistance Policy, and a Kirklees Procedure Document. The Policy was attached at Appendix 1 of the considered report.

Cabinet noted that implementation of a common policy would ensure consistency on cross boundary networks, such as the West Yorkshire key Route Network, whilst also allowing each Authority autonomy to manage their networks appropriately for local conditions in accordance with their skid resistance procedure.

RESOLVED -

- 1) That the West Yorkshire plus York Common Skid Resistance Policy be approved as part of the strategy to manage kid resistance on Kirklees roads.
- 2) That authority be delegated to the Strategic Director for Economy and Infrastructure to keep the policy under review and update as required, in

consultation with relevant Cabinet Members, in the event that a change in policy or approach is required, and that any substantial changes be submitted to Cabinet.

74 The Revised Winter Maintenance Policy

Cabinet gave consideration to a report which sought approval to adopt a revised winter maintenance policy. Cabinet were advised that the policy had been revised to reflect the newly updated 'Well Managed Highway Infrastructure' code of practice.

The revised policy, which was attached as an appendix to the considered report, related to early intervention and the management of the winter maintenance service on a minor to moderate scale. The report advised that, in the event of severe conditions requiring the activation of the Council's emergency planning procedures, this policy would be overridden.

Cabinet noted that the policy promoted a proactive community approach to compliment the Council's interventions for the safety of residents. The report advised that, subject to approval, operations and communication plans would be put into place in readiness for the forthcoming winter season.

RESOLVED -

- 1) That the revised Winter Maintenance Policy, as attached at Appendix 1 to the considered report, be approved.
- 2) That authority be delegated to the Strategic Director for Economy and Infrastructure to keep the policy under review and update as required, in consultation with relevant Cabinet Members, in the event that a change in policy or approach is required, and that any substantial changes be submitted to Cabinet.
- 3) That authority be delegated to the Service Director to deliver the winter maintenance service and operational arrangements, as outlined within the policy and operational plan.

75 Huddersfield Town Centre Improvement Works

Cabinet received a report which sought the approval to commission improvement works to Huddersfield Town Centre, and release funding for the delivery of schemes and maintenance. The report provided information regarding proposals for public realm works within three identified locations of New Street, Cross Church Street/Kings Street and Queensgate/Queen Street areas. Paragraph 2 of the considered report set out the improvement proposals within each of these locations. It was noted that the identified schemes would be constructed to the standards as defined within the draft Huddersfield Town Centre Design Framework, ensuring that standards are more generally improved. The three identified locations has been chosen based upon need, funding opportunities and the ability to capitalise upon known development opportunities.

Cabinet noted that, in order to generate early activity on key areas of the town, an initial sum of £250k was sought to ensure that essential works could commence in priority areas as soon as possible.

RESOLVED -

- 1) That approval be given to commission the development of a scheme to improve the public realm in New Street, and the release of funding of up to £1.2m from the town centre capital allocation to develop and deliver a first phase of improvements.
- 2) That any scheme developed be in accordance with the principles as set out in the emerging Huddersfield Town Centre Design Framework.
- 3) That approval be given to the release of funding of up to £3.5m to develop, design and deliver schemes around Cross Church Street, Queens Street and Queensgate areas, subject to officers pursuing parallel bids to the Combined Authority to reclaim at a later date and that, should this not be feasible, Members be presented with an alternative funding proposal.
- 4) That approval be given to the release of £250,000 of capital from the town centre allocation in order to deliver essential elements of maintenance in the town centre.

76 Kirkburton Parish Council Neighbourhood Area Application for Lepton
(Under the provision of Council Procedure Rule 36(1) Cabinet received a representation from Councillor Munro).

Cabinet received a report which set out the comments received following a six week publicity period on the application by Kirkburton Parish Council for a Neighbourhood Planning Area for Lepton and sought approval of the application. The representations received were listed at paragraph 2.2.5 of the considered report. The application was attached at Appendix 1.

Cabinet welcomed the application, recognising that the plan gives communities the power to develop a shared vision for their locality and shape the development and growth of their neighbourhood. Cabinet requested that they be provided with progress updates on the development of the plan. It was noted that the Council would continue to support the progress of the plan through to the statutory stages.

RESOLVED - That approval be given to the Kirkburton Parish Council Neighbourhood Action Plan, as outlined in Appendix 1 of the considered report, and that Cabinet be provided with progress reports on the development of the Plan.

77 Licensing Policy Review Update

Cabinet received a report which explained the process for a review of the Licensing Policy in relation to taxi licensing, which would be in conjunction with the City of York Council, and the West Yorkshire Authorities. Cabinet were advised that the purpose of the review was to achieve common standards across the region and increase measures of public protection. The report explained that the changes would ensure that there were consistent minimum expectations in relation to the skills of taxi drivers, and vehicle specifications, in order to ensure that the Authorities were meeting safeguarding duties and ensuring that passenger safety was not

Cabinet - 18 September 2018

being compromised. A summary of the changes were set out at Appendix A to the considered report.

Cabinet were advised that the policies were currently being drafted and would be submitted to a meeting of Licensing and Safety Committee to seek approval for consultation to be undertaken.

Cabinet welcomed the proposals as set out within the report and encouraged taxi drivers and operators to engage with the consultation process.

RESOLVED -

- 1) That approval be given to continuation of the development of the policy in collaboration with West Yorkshire authorities and that the relevant Cabinet Member and Chair of Licensing and Safety Committee be briefed on progress and the timeline for implementation.
- 2) That the timetable for the policy review be noted.
- 3) That a report be submitted to the Licensing and Safety Committee during October 2018 to seek approval for the consultation process to be undertaken.

78

A New Events Programme

Cabinet received a report which sought approval for the use of funding, following the decision of Budget Council to allocate £300k towards ward based event activities. It advised that, following consultation, it was proposed that £200k of the funding be allocated towards a textile themed district wide festival and that £100k be allocated to enable the district to participate in regional or national events and festivals.

The report explained that the £200k funding would support the delivery of a six week festival inspired by the theme of textiles to be held during June/July, which would enable the participation of schools, colleges and the University. In terms of the £100k allocation, it advised that the funding would support the Council's ambitions to be involved in regional and national events by providing the financial contribution that would be required, and the costs of preparatory and community outreach work. It was noted that Cabinet would be asked to consider which regional event it wished to participate in and that once the outcome of a bid to host games in the Rugby League World Cup was known, it would be asked to make a decision as to which events it wished to participate in from 2019 to 2021.

RESOLVED -

- 1) That approval be given to the proposal to allocate £200k to the delivery of a district wide textiles themed festival.
- 2) That £100k be allocated to ensure that Kirklees is able to participate in regional and/or national events.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 2nd October 2018

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

Apologies: Councillor David Sheard
Councillor Masood Ahmed
Councillor Erin Hill
Councillor Graham Turner

79 Membership of the Committee

Apologies for absence were received on behalf of Councillors Ahmed, Hill, Sheard and Turner.

80 Minutes of previous meeting

RESOLVED – That the Minutes of the Meeting held on 29 August 2018 be approved as a correct record.

81 Interests

No interests were declared.

82 Admission of the Public

It was noted that all agenda items would be considered in public session. The Leader announced that there would be a late/urgent item in respect of revisions to Cabinet Portfolios. (Minute No 89 refers).

83 Deputations/Petitions

No deputations or petitions were received.

84 Public Question Time

No questions were asked.

85 Member Question Time

No questions were asked.

86 Council Budget Strategy Update Report 2019-22

Cabinet received a report which set out the approach to the annual update of the Medium Term Financial Plan, and set out a framework for the development of draft spending plans for future years. The provisional budget strategy provided a budget planning framework to consider a three year Medium Term Financial Plan for 2019-

Cabinet - 2 October 2018

2022 and a five year Capital Plan for 2019-2024. The report advised that the existing budget plans had been reviewed, including a high level review of funding and spend assumptions, and that any resultant gap between funding and forecasts would inform target spending controls for draft budget proposals. The updated spend assumptions within the report continued the approach of existing budget plans in terms of acknowledging further re-shaping of spending and targeted investment aligned to the Council's ambitions and plans.

The report set out details of funding assumptions at paragraph 2, and explained that the updated funding forecast assumed a position that national funding reductions would continue from 2020-21, which would equate to a further reduction of £3.2m each year.

The appendices to the report set out (i) a general fund summary 2019-2022 (ii) general fund reserves (iii) the housing revenue account summary (iv) the baseline capital plan and (v) the flexible use of the capital receipts strategy.

RESOLVED -

- (1) That the funding and spend assumptions informing the updated budget forecasts, as set out in section 2 of the report, be noted.
- (2) That the joint Leeds City Region/North Yorkshire Business rates Pilot bid for 2019-2020 be noted and endorsed.
- (3) That the existing capital budget plans rolled forward as set out at Appendix D, incorporating a draft year 5, be noted.
- (4) That approval be given to the budget planning framework, as set out within the report.
- (5) That approval be given to the corporate budget timetable and approach as set out at Appendix G.
- (6) That approval be given to the budget consultation approach and timetable, as set out within the report.
- (7) That the report be submitted to Council on 10 October 2018 with a recommendation;
 - (i) That approval be given to the updated baseline general fund revenue and Housing Revenue Account budget forecasts over the 2019-2022 period, as set out at Appendix A (general fund) and Appendix C (HRA) of the considered report.
 - (ii) That approval be given to the revisions to earmarked reserves and general balances, as set out at Appendix B.
 - (iii) That approval be given to the changes to the existing plan, as set out at Appendix D.
 - (iv) That approval be given to the flexible receipts strategy, as set out at Appendix E.

87 Introduction of a Civil Penalty Policy for Housing Act offences

Cabinet received a report which sought approval for a policy which would allow the Council to implement new powers under in regards to civil penalties, following the introduction of new housing enforcement legislation which provides local authorities with powers to impose a civil penalty of up to £30,000 as an alternative to prosecution for specific housing offences. The policy, which was appended to the considered report, would be used to determine the appropriate level of civil penalty in each case, and reflected the level of penalty as agreed with other West Yorkshire Authorities.

The report advised that the Housing and Planning Act 2016 provided the power to impose the penalties in regards to certain offences under the Housing Act 2004. The specific housing offences covered within the policy were (i) failure to comply with an Improvement Notice (ii) matters relating to the licensing of houses in multiple occupation (iii) matters relating to licensing of houses, under part 3 of the Act (iv) matters relating to the contravention of an overcrowding notice and (v) failure to comply with management relations of HMOs.

Cabinet noted that the level of penalty would be determined on a case by case basis, up to the maximum amount of £30,000, dependent upon the levels of culpability and harm, and intended to act as a deterrent and remove any gains resulting from the offence.

RESOLVED -

- (1) That approval be given to the introduction of civil penalties as an alternative to prosecution for offences under the Housing Act 2004.
- (2) That approval be given to the Civil Penalty Policy (Housing and Planning Act 2016).

88 Written Questions to the Leader and Cabinet Members (Reference from Council)

No questions were asked.

89 Revisions to Cabinet Portfolios (Late Item)

(Under the provisions of Council Procedure Rule 40 (1) the Leader announced that this item would be added to the agenda on the grounds of urgency).

The Leader announced that, in accordance with Article 7 of the Constitution, Councillor Erin Hill had submitted her resignation in respect of her appointment to Cabinet.

The Leader gave notice that, with immediate effect, the Cabinet would comprise of 9 Members and that the portfolio responsibilities of Councillors Khan and Scott would be revised as follows;

- Councillor Khan: Health and Social Care Portfolio
- Councillor Scott: Housing and Democracy Portfolio

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Contact Officer: Carol Tague

KIRKLEES COUNCIL

CABINET

Tuesday 16th October 2018

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

Observers: Councillor Martyn Bolt
Councillor Carole Pattison

Apologies: Councillor Shabir Pandor (Chair)
Councillor Naheed Mather
Councillor Cathy Scott

90 Membership of the Committee

Apologies for absence were received on behalf of Councillors Pandor, Mather and Scott.

91 Interests

No interests were declared.

92 Admission of the Public

It was noted that Agenda Item 15 would be considered in private session.

93 Deputations/Petitions

No deputations or petitions were received.

94 Public Question Time

No questions were asked.

95 Member Question Time

Councillor Martyn Bolt referred to the hiring of council land for fairgrounds and the imposition of policy on restrictions before implementation. This was considered under discussion of Item 10 (Events Policy).

96 Corporate Performance Q1 18/19

Cabinet received a report which provided an overview of the Council's corporate performance at the end of Quarter 1 2018/19.

The report focused on the key strategic issues faced by the Council, in relation to seven Kirklees Shared Outcomes and demonstrated progress, issues and risks in relation to the aims and aspirations of the 2018/19 Corporate Plan.

RESOLVED - That the Quarter 1 Corporate Performance Report be noted.

97 Special Educational Needs and Disabilities (SEND) Update

Cabinet gave consideration to a report which set out the impact of the SEND Strategy within the context of the High Needs Review, sought approval of the Accessibility Strategy and provided an overview of the strands of work in relation to children and young people with SEND and the linkages therein.

Cabinet noted that the Accessibility Strategy had been developed in partnership with parents, children and young people and other partners, as part of the work undertaken through the High Needs Review Consultation in 2017 and set out the Council's responsibilities and expectations of schools

It was highlighted that both the SEND and Accessibility Strategies contained clear plans for the improvement of provision for children and young people with SEND in order to help them achieve the best possible outcomes.

RESOLVED –

- (1) That the Council's ongoing commitment to deliver the outcomes in the SEND Strategy, in order to continue to drive forward improvements in support, provision and outcomes for children and young people with SEND was registered; and
- (2) The Accessibility Strategy was approved in order that this may support the work of the SEND Strategy and the High Needs Review in improving outcomes for children and young people with SEND.

98 Huddersfield Town Centre Design Framework and Investment.

Cabinet received a report which sought approval for the adoption of a Huddersfield Town Centre Design Framework (HTCDF).

The report outlined that the aim of the Framework was to create a more consistent approach with quality, environment and future condition at the fore.

Cabinet noted that the document was a starting point, which presented a framework for the thinking and planning of Huddersfield. It provided a benchmark and set out a criteria for improvement, which considered factors such as the retention and relationship of buildings, improvement of street furniture and interjection of trees and greenery, to ensure that being in the town was a pleasurable experience and that it was welcoming to visitors.

An initial investment of £2.5m was required to ensure that that work could start as soon as possible and the standards set for future developments and public realm enhancements.

As the improvement strategy was rolled out, wider consultation would take with other stakeholders such as shop owners, colleges, the University and the business community.

RESOLVED – That approval be given to:

- (1) The Huddersfield Town Centre Design Framework attached to the report;

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- (2) £2.5m capital funding for the town centre public realm enhancements;
- (3) The formation of a steering group to oversee and ratify town centre public realm and infrastructure projects; and
- (4) The reinstatement of town centre mason teams.

99 Events Policy

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

Cabinet gave consideration to a report which sought approval of the Events Policy and associated charging framework for outdoor events.

In receiving the report, the important role that events played in the cultural life and vibrancy of the district was highlighted, as was the economic value and contribution to the wellbeing of residents. The Events Policy would provide a more coordinated and consistent approach to supporting event organisers to deliver events safely, with a clear understanding of their role and responsibilities.

With regards to the restricted events outlined in paragraphs 2.3.1 of the report, it was noted that the reference to restriction on animals included the practice of goldfish being given as prizes at events.

The Charging Framework was complimentary to the Events Policy and charges would be set each April as part of the council's Fees and Charges process.

RESOLVED - That approval be given to:

- (1) The adoption of the Events Policy, with implementation from 1 April 2019, to ensure future clarity around decisions and processes which better enabled event organisers to deliver their events and publish on the Council's website;
- (2) The Events Charging Framework for outdoor events with implementation from 1 April 2019 and publication on the Council's website, so there was clarity around which event organisers the Council would charge to use its sites in the future and what it would charge for;
- (3) Delegated authority to the Strategic Director of Economy and Infrastructure in consultation with the relevant portfolio holders to refuse permission for an event to go ahead if it contravenes the Events Policy, and/or is assessed to be unsafe and/or make minor amendments to the Policy; and
- (4) Delegated authority to relevant heads of service to reduce or waive charges if a strong case was presented demonstrating that an outdoor event would contribute to the council's outcomes.

100 WYTF A629 Halifax Road - Scheme Approval and Compulsory Purchase Order Resolution progression

(Under the provision of Council Procedure Rule 37, Cabinet received representations from 3 residents from Edgerton Road).

Cabinet - 16 October 2018

Cabinet received a report which sought approval from Cabinet for the WY+TF A629 Halifax Road Phase 5 project, to progress to construction, subject to full Business Case approval and for the Council to progress preliminary preparation of a compulsory purchase order (CPO).

In receiving the report, it was noted that congestion, long journey times and poor air quality was currently experienced along the A629 between Huddersfield and Halifax town centres. The proposals outlined, would release capacity, reduce congestion and journey times, which in turn would bring long term wealth benefits. Improving speed at peak times would also improve levels of pollution in the area.

Concerns in relation to the CPO were acknowledged, but Cabinet noted that difficult decisions had to be made and this had been handled equitably and fairly. There had been a consultation process, with compensation available to those affected. The CPO would be submitted to the Secretary of State who could challenge if it did not meet requirements and there was a process for appeal.

RESOLVED –

- (1) That approval be given for the Council to enter into a Grant Agreement with the West Yorkshire Combined Authority for additional funding of £4,116,295 for the purposes of enabling the West Yorkshire Transport Fund A629 Halifax Road Phase 5 project to move to the Full Business Case stage;
- (2) Authority be delegated to the Strategic Director for the Economy and Infrastructure to negotiate and agree the terms of the Grant Agreement referred to in paragraph 6.1 of the report, with the West Yorkshire Combined Authority;
- (3) Authority be delegated to the Service Director Legal Governance & Commissioning to enter into and execute the Grant Agreement referred to in paragraph 6.1 of the report together with any documents and agreements that are ancillary to it;
- (4) Authority be given to serve formal requisitions for information for a CPO under Part XII Acquisition, Vesting and Transfer of Land etc., namely Sections 239, 240 and 246 of the Highways Act 1980; and
- (5) Authority be delegated to the Strategic Director for Economy and Infrastructure to implement the West Yorkshire Transport Fund A629 Halifax Road Phase 5 project improvement works in the event that (i) either all third party land that is required for the project has been acquired or any CPO has been confirmed; and (ii) the Full Business Case has been approved by the West Yorkshire Combined Authority (WYCA) and funding from the WYCA has been confirmed (iii) when the necessary Traffic Regulation Orders have been made.

101 Community Plus Investment Scheme: Individuals and Community organisations (Do Something Now)

Cabinet considered a report which sought approval for the 'Do Something Now' scheme which would fund grass root activities delivered by voluntary groups, individuals and the third sector.

Cabinet - 16 October 2018

The total fund was £0.5m per year, which would be available for set up rather than continual project running costs. The aim was to build capacity within the third sector, expand initiatives to help communities help themselves and support the early intervention and prevention agenda.

Whilst the delegated authority to agree the Funding Panel was agreed in principle, clarification was required as to the make-up of the Panel and elected Member involvement.

RESOLVED - That approval be given to:

- (1) The investment scheme for delivery described within the report and Appendix 1 was approved;
- (2) Delegation of authority to the Strategic Director for Adults or Children's Social Care, in consultation with appropriate portfolio holders to agree the Funding Panel was agreed in principle, subject to clarification as to the make-up of the Panel; and
- (3) Delegated authority to agree changes in criteria for funding projects be given to the Strategic Director for Adults or Children's Social Care in consultation with appropriate portfolio holders.

102 Learning & Early Support Capital Plan: Proposals to allocate funding for New Pupil Places at Birkby Junior School

Cabinet considered a report which sought approval for capital investment of £1.852m to permanently expand the existing Birkby Junior School from 480 places (4 Form of Entry – 4FE) to 600 places (5FE) in order to meet a Basic Need for additional new junior school places in the Birkby area.

Cabinet noted that the remodelled and refurbished building would act as a permanent base for the school's year 6 pupils. The newly expanded Birkby Junior School would provide 120 additional high quality places which would address the significant shortfall of places for primary school age children in the area. The building would provide modern facilities and had been designed so that the small hall could be made available for hire to the community out of school hours.

The importance of the library service was acknowledged and work was ongoing with local ward members to implement an interim solution following the closure of the Birkby Library provision in its current location to develop a longer term proposal for library services in the area.

RESOLVED - That approval be given to:

- (1) The capital allocation of £1.852m to enable the conversion of Birkby Fartown Community Centre building to school accommodation in order to provide 120 additional school places at Birkby Junior School; and
- (2) The interim arrangements being put in place in relation to Birkby Library, which will no longer operate from its existing site on Wasp Nest Road, Huddersfield from 2 November 2018.

103 Exclusion of the Public

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

**104 Learning & Early Support Capital Plan: Proposals to allocate funding for New Pupil Places at Birkby Junior School
Wards: All Wards**

The information was considered prior to the determination of Agenda item 13.

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

CABINET COMMITTEE - LOCAL ISSUES

Thursday 2nd August 2018

Present: Councillor Peter McBride
Councillor Naheed Mather
Councillor Graham Turner

Attendees: Elizabeth Twitchett, Presenting Officer
Karen North, Presenting Officer
Richard Hobman, Observing
David Hoyle, Local Resident

1 Appointment of Chair

That Cllr Peter McBride be appointed Chair for the 2018/19 municipal year.

2 Membership of the Committee

There were no substitutions.

3 Minutes of Previous Meeting

That the Minutes of the meeting held on the 28 March 2018, be approved as a correct record.

4 Interests

No interests were declared.

5 Admission of the Public

That all agenda items be considered in public session.

6 Deputations/Petitions

Cabinet Committee Local Issues received a deputation from David Hoyle, local resident supporting the proposed scheme on Lydgate Road.

7 Public Question Time

No questions were asked.

8 Member Question Time

No questions were asked.

9 Traffic Regulation (No 12) Order 2017 - Proposed Waiting Restrictions, Lydgate and York Rd, Batley

The Committee was presented with a report which outlined objections received in response to the public advertisement of parking restrictions on two of the roads proposed in Kirklees (TR) (NO 12) Order 2017. The objections were with regard to obstructive parking and access issues at school opening and closing time on both York Road and Lydgate Road Batley.

Cabinet Committee - Local Issues - 2 August 2018

Site visits highlighted that parking in these locations had resulted in access issues for drivers and road safety issues for both local residents and pedestrians.

Mr David Hoyle, local resident attended the meeting and made representation advising that local residents had got together to ask that measures be put in place to resolve the issues.

RESOLVED - That approval be given to the implementation of (TR) (No 12) Order 2017, in line with officer recommendations to alleviate congestion, maintain access and improve road safety on both York Road and Lydgate Road, Batley.



Kirklees Democracy Commission – progressing our recommendations



Cllr Cathy Scott

'Democracy
in Kirklees'

www.democracycommission.org.uk
#kirkdemocracy

Get
involved



Growing a stronger local democracy

- 48 Recommendations about our local democracy
- Agreed by Council in November 2017
- Cross Party Working Group established to oversee our practical work





Our work (so far)

We have:

- Agreed our terms of reference.
- Worked in public and shared everything via our Democracy Commission website.
- Identified the priority recommendations to focus on.
- Commissioned projects to deliver those recommendations.

'Democracy
in Kirklees'

www.democracycommission.org.uk
#kirkdemocracy

Get
involved



Projects we are working on

- Putting councillors at the heart of the organisation.
- The changing councillor role and how it is supported.
- A new citizen engagement framework.





Projects we are working on

- Improving electoral registration.
- Developing digital skills, confidence and content for civic good.
- Regional devolution – supporting citizens and councillors.





Projects we are working on

- Opening up our meetings.
- Civic pathways for young people.
- Democratic content and public awareness.





Some observations

- A good example of cross party working.
- We must continue to engage citizens in our work.
- We're growing long term change – we know this will take time.
- Look at our work and get involved.



Learn more & join our email list

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'Democracy
in Kirklees'

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Get
involved

Contact Officer: Alaina McGlade

KIRKLEES COUNCIL

APPEALS PANEL

Thursday 6th September 2018

Present: Councillor Nosheen Dad (Chair)
Councillor Bill Armer
Councillor Christine Iredale

1 Minutes of Previous Meeting

RESOLVED - That the Minutes of the meeting held on Thursday 27th July 2018 be approved as a correct record.

2 Interests

No interests were declared.

3 Exclusion of the Public

Determined.

4 School Transport appeal (MR & JS)

This report is recommended for consideration in private because the information contained in it is exempt information within Paragraph 1 of part 1 to schedule 12A of the Local Government Act 1972 as amended by the Local Government (access to Information) variation order 2006. It is considered the report contains information relating to any individual. The public interest in maintaining the exemption outweighs the public interest in disclosure of the information in terms of accountability, transparency and openness in council decision making.

RESOLVED - That the appeals be upheld for the remainder of the 2018/19 school year.

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KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 7th September 2018

Present: Councillor Hilary Richards (Chair)
Councillor Kath Pinnock
Councillor Mohan Sokhal

Apologies: Councillor Ken Sims
Councillor Julie Stewart-Turner

1 Membership of the Committee

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

Councillor Sokhal substituted for Councillor Pattison.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 27 July 2018 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

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

5 Deputations/Petitions

None received.

6 Annual Corporate Emergency Planning And Business Continuity Report

The Committee received the annual update of Emergency Planning and Business Continuity Report for the 2017/2018 financial year. The report sought to provide assurance that the Council was compliant with legislative requirements and that satisfactorily robust processes were in place in order to provide protection in the event of an emergency or business disruption.

The Committee noted the content of the report and discussion took place with regards to the need to update Councillors, by way of a training session, as to who to contact within the Council in the event of various types of emergency, and how to deal with local emergency situations. The Committee also discussed the implications for the potential of a no-deal Brexit and how this was being planned for across the region.

RESOLVED -

- 1) That the report be received and noted.

- 2) That arrangements be put in place for an Elected Member training session on Emergency Planning matters to be held.

7 Information Governance Annual Report

The Committee received the Information Governance Annual Report 2017/18, which provided an overview on matters relating to (i) information governance matters (ii) information access requests under the provisions of the Freedom of Information Act 2000 (iii) Environmental Information Regulations 2004 (iv) subject access requests made under the Data Protection Act 1998 and (v) an outline of improvements and developments planned for 2018/2019.

The Committee were informed that the learning from the past 12 months, along with planned activity for the next reporting period, would form the basis of the work programme for the Information Governance Board, with a focus upon compliance with the new General Data Protection Regulation.

The Committee welcomed the update report and discussion took place with regards to the frequency of future update reports, GDPR training for Council employees and Councillors, and external email user privacy notices. It was requested that a further report be submitted to the next meeting of the Committee to support a discussion on progress against GDPR compliance.

RESOLVED -

- 1) That the report be received and noted.
- 2) That a further report be submitted to the next meeting to provide an update on progress against GDPR compliance, and that six monthly updates be scheduled thereafter.

8 Corporate Customer Standards Annual Report 2017-2018

The Committee received a report which set out an update on complaint handling for the year 2017-2018, a review of Ombudsman and third stage complaints and details of whistleblowing complaints.

The report advised that, during 2017-2018, there had been no formal Ombudsman reports recorded against the Council and 11 upheld cases of complaint, several of which related to Adult Care Services.

The Committee noted the content of the report and discussion took place with regards to the figures of complaints received by the Ombudsman in relation to Council service areas and as a proportion across the West Yorkshire region. The Committee also noted the issues that had been highlighted by users of the Special Educational Needs service, and welcomed the proposed changes supported by additional funding, which had been put in place to enable the users of the service to have an improved experience.

The Committee also gave consideration to issues relating to dealing with inappropriate behaviour and managing complaints regarding Council staff. It was requested that a further paper be submitted to the next meeting of the Committee to

Corporate Governance and Audit Committee - 7 September 2018

support a further discussion on approaches towards dealing with persistently unreasonable behaviour.

RESOLVED -

- 1) That the report be received and noted.
- 2) That a further discussion be scheduled for the next meeting regarding dealing with complaints.

9 External Audit - Progress Report And Sector Update

The Committee received a progress report, as submitted by Grant Thornton external audit, which set out progress made in terms of delivering external audit responsibilities, along with a summary of relevant emerging national issues and developments. The Committee noted that a handover process from KPMG was in transition and the progress that had been made as at 24 August 2018, as detailed within the report, specifically with regards to financial statements audit, value for money and certification of claims and returns. The report set out a timetable for deliverables, and the proposed dates for the submission of the accounts audit plan, interim audit findings, the audit findings report, the auditor's report and the annual audit letter.

RESOLVED - That the External Audit Progress report be received and noted.

10 External Assessment Of Internal Audit (As Required By Public Sector Internal Audit Standards)

The Committee received the Internal Audit external assessment report, which had been carried out in accordance with the requirements of Public Sector Internal Audit Standards. The report, which had been prepared by Julie Gill, Audit Manager at Wakefield Council, following an assessment undertaken in January and February 2018, provided an overall opinion that the Council's internal audit function 'generally conformed' to Public Sector Internal Audit Standards and Code of Ethics, which was the highest on a scale of three ratings.

The accompanying report, submitted by the Head of Audit and Risk, highlighted the recommendations that had been made, and set out a response to the recommendations at paragraph 2.2. It was noted that the recommendations and proposed actions would be incorporated into a Quality Improvement Programme to be submitted to the Committee on 25 January 2019. The Committee were also asked to approve the revised Audit Strategy and Charter, which was largely the same as the previous version (2017) but incorporating minor changes, which were attached at Appendix B of the considered report.

The Committee noted the content of report, and noted that there would be the opportunity for further discussion regarding the impact of the recommendations to take place at the meeting to be held in January 2019.

RESOLVED -

- 1) That the External Assessment of Internal Audit be received and noted.

Corporate Governance and Audit Committee - 7 September 2018

- 2) That the recommendations as set out at paragraph 2.2 of the report, and the proposed response, as set out at paragraphs 2.3 and 2.4, be noted.
- 3) That the Internal Audit Strategy and Charter 2018-2020 be approved.

Contact officer: Helen Kilroy – Tel. 01484 221000

KIRKLEES COUNCIL

CORPORATE PARENTING BOARD

Monday 9th July 2018

Present: Councillor Viv Kendrick (Chair)
Councillors Lawson, Allison
Jo-Anne Sanders, Service Director, Learning and Early Support
Steve Comb, Interim Head of Corporate Parenting
Melanie Tiernan, Service Manager
Martin Green, Head of Localities Offer (Children and Families)
Janet Tolley, Virtual School Head Teacher
Sanna Mahmood, Looked after Children and Leaving Care
Gill Addy Designated Nurse for Looked After Children and Care
Leavers

In attendance: Mandy Prout, One Adoption (West Yorkshire)
Julie Bragg, Service Manager (Children and Families)

Apologies: Cllrs Hill, Bellamy and Loonat
E Mc Shane, M Tiernan, O Rix, T Brailsford

Observers: Emma Whittell, One Adoption West Yorkshire
Tony Earnshaw, BBC

1 Introductions and Apologies

Apologies for absence were received on behalf of Councillors Hill, Bellamy and Loonat, Elaine Mc Shane, Melanie Tiernan, Ophelix Rix and Tom Brailsford.

2 Minutes of previous meeting

The Board considered the minutes of the meeting held on 12th March 2018.

RESOLVED –

1. That the minutes of the meeting held on 12th March 2018 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the public

All items were considered in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 One Adoption West Yorkshire Annual Report

The Board considered an Annual Report from Mandy Prout of One Adoption West Yorkshire, outlining the management and outcomes of the adoption service. The report provided an overview of the adoption service activity from April 2017 to March 2018.

The Board was informed that One Adoption was the first Adoption Agency nationally and that they had developed strong partnerships with the Kirklees Children's Services Leadership Team.

Mandy Prout advised that Children were waiting less time to be placed with adoptive families, and an Adopter Led Service had been set up.

In response to a question from the Board relating to the reason for the reduction in Adopters, Mandy Prout advised that this was the case across the country and that work had been ongoing to try and find the answer. Mandy Prout further explained that a number of reasons could include lack of financial confidence due to Brexit and people often came into parenting later in life and if they could not have children, they often moved on. The Board was informed that West Yorkshire was in a good position to be able to progress potential adopters through the door as quickly as possible.

The Board was informed that One Adoption were working closely with the Fellowship Adoption Agencies to try and secure additional funding.

Mandy Prout explained that One Adoption was continuing to increase its work with partners and was now linking more with the Virtual Head Teachers.

The Board was informed that Emma Whittell from One Adoption had a press background and experience of promoting services in the press and was looking to do more promotion and marketing on Adoption.

Mandy Prout advised that the Adoption Leadership Board was engaged with One Adoption, who had spent time with the Chair recently to look at the family funding journey.

In response to a question from the Board regarding accommodation and co-locating staff together from Kirklees and One Adoption, Mandy Prout advised that the offices within Kirklees were decreasing from 5 to 3 but that the future ambition was to have all staff in one central base.

Resolved –

1. The Board thanked Mandy Prout for attending the meeting and the One Adoption West Yorkshire Annual Report was noted.

7. Performance Monitoring Update

The Board considered a verbal update on key highlights on Performance Monitoring data for the Children's Service.

Steve Comb, Head of Corporate Parenting, and Janet Tolley, Virtual Head Teacher, highlighted the following key issues:-

- Children currently in care – 668 (this figure was shared once a week with the Cabinet Member with responsibility for Children);
- Children subject to a care order and placed at home – progress was not as fast as it should be, in June 2017 the number was 59 and had decreased to 47 in May 2018;
- Children entering care – Steve Comb advised that the Legal Gateway Permanence Panel continued to support the consistency regarding decision making and planning around placement moves for children and young people;
- Looked after children reviews within statutory timescale – up to 91% in May 2018;
- Child participation in reviews – this had increased from 88.6% in June 2017 to 97.7% in May 2018 which showed positive results and that this was moving in the right direction;
- Independent Return and missing – the number of children that actively participated within their reviews continued to increase;
- Local Authority in touch with Care Leavers – In April and May 2018 the rate was 98% which was an increase from 97.7% in March 2018; Steve Comb advised that some young people did not want to be labelled as 'having been in care' but that they would let the Local Authority know where they were so the Council could keep in touch;
- A new Early Help Strategy was in place to help children to stay with their families;
- Educational attainment of children in care - a lot of work still to do to improve in this area and the impact of placement and relocation of children and young people going into care was important and any decisions needed a central discussion to ensure that the wellbeing of the young person was paramount.

RESOLVED –

1. That the verbal updates on Performance within Children's Services be noted.

8 Ofsted and Improvement Board Update

The Board considered a verbal update on Ofsted and the Improvement Board by Steve Comb, Head of Corporate Parenting.

Steve Comb advised that the Ofsted Monitoring visit would take place on the 11th and 12th July 2018 and that their main focus would be on pre-birth assessments and child protection plans.

The Board was informed that the Commissioner had said that the health outcomes for children in care were encouraging compared to what had been seen in other Local Authorities.

Steve Comb advised that Ofsted had been focusing on three Children's Homes in Kirklees and highlighted the following key issues:-

Healds Road

- Inspected by Ofsted in April 2018. had been rated as 'good overall' and the report had been published;
- The relationships between staff and young people were improving;
- Number of children at the home had reduced from 6 to 4 and transitions had been planned and well managed;
- Staff were promoting and supporting regular contact for the young people with their families and friends;
- Ofsted had given positive feedback on the decision making at all levels of Management at the home.

Woodlands

- Inspected by Ofsted in May 2018, had been rated as 'good overall' and the report had been published;
- The young people at the home were making good progress and were building strong relationships with staff;
- Incidents of challenging behaviour were reducing;
- Number of children at the home had reduced from 6 to 4.

Orchard View

- Inspected by Ofsted in May 2018, had been rated as 'good overall' and the report had been published;
- 59 children and young people were accessing the short breaks in the home for respite care;
- Staff were working well in building partnerships with families;
- Individual risk management plans had been created for each child so they were all helped and supported effectively.

In response to a question from the Board regarding how reductions in numbers in the homes had been managed, Steve Comb advised that as young people moved out of the homes their beds had not been reallocated.

Steve Comb advised that the Statement of Purpose for all three Children's Homes mentioned above had been adjusted and reports had been considered by the Board in April 2018.

The Board noted that one of the ambitions of the Sufficiency Strategy was to have more Children's Homes with places within the Kirklees area.

RESOLVED –

1. That the verbal update on key issues from Ofsted and the Improvement Board be noted.

10 Recruitment of foster carers and future membership of Fostering Panels

The Board considered a verbal report from Steve Comb on recruitment of Foster Carers and the future membership of Fostering Panels.

Steve Comb advised the Board that changes had been made in May 2018 to the Councillors who were Kirklees representatives on the Fostering Panels. A decision had been taken to have 4 Councillors in a pool who would sit on the Fostering Panels on a rota basis or when available. Steve Comb further explained that training would be undertaken and the Councillors new to the role would observe Fostering Panels as part of their training.

The Board was informed that an Acting Service Manager for Fostering had recently been recruited and was now in post. Steve Comb explained that recruitment of foster carers was a national challenge.

Cllr Kendrick advised the Board that she had met with the Kirklees Fostering Network and that connections with Kirklees was important. The Board was informed that 4 network meetings took place each year, the most recent meeting had been held in June 2018 and had been well attended. Steve Comb advised that the Network meetings were a good opportunity for foster carers to meet and talk to each other. Cllr Kendrick informed the Board that she had presented long service awards to foster carers at the Network Meeting in June and between them they had provided 400 years of foster care.

Steve Comb advised the Board that feedback from foster carers at the Network Meeting had been that the event was positive and they had appreciated the opportunity to meet and talk to other foster carers. The foster carers felt valued that Cllr Kendrick had attended the event. The Board was informed that the Virtual Head Teacher and Children's Social Care Managers would attend future Network meetings.

Steve Comb advised the Board that approximately 40 enquiries per month were received in Kirklees from people wishing to become a foster carer. The Board was informed that a report would be presented later in the year giving progress on the recruitment of foster carers.

The Board was informed that Laura Counce now had oversight of the Fostering Placement Team due to her commissioning background.

Steve Comb advised the Board that when people became foster carers, their family needed to understand the process and receive support and help.

Gill Addy, Designated Nurse for Looked after Children and Care Leavers, advised the Board that an additional LAC Nurse (Health Visitor) had been secured to work with the LAC Team. The LAC Nurse provides an additional resource to support foster carers with younger babies and children as well as the general LAC health duties.

In response to a question from the Board regarding good practice for seeking feedback from foster carers when they were leaving the service, Steve Comb advised that exit interviews were carried out. The Board was informed that people sometimes stepped down from foster caring as their own children had grown up and then grandchildren came along. Steve Comb further explained that foster caring was very specialist and some children had attachment difficulties, particularly babies who had been neglected, and could display certain distressing behaviours. The Board was informed that a lot of support was in place for foster carers. Steve Comb advised that some foster carers had agreed to be respite carers during school holidays.

In response to a question from the Board regarding promotion of foster caring via social media, Steve Comb advised that a member of staff in the Fostering and Recruitment Team was an expert on social media marketing and that 38% of enquiries to be a foster carer were now generated through the internet.

The Board agreed to consider a future report on the marketing plan for foster caring – date to be determined.

The Board was informed that a representative from the Foster Caring Network would be invited to be on the Board's membership and attend future meetings. Steve Comb further explained that the Network were currently trying to identify who the representative would be and agreed to update the Board in due course.

RESOLVED –

1. That the verbal update on Recruitment of foster carers and future membership of fostering panels be noted.
2. That the Board consider the marketing plan for recruitment of foster carers at a future meeting – date to be determined.
3. That a representative from the Foster Caring Network be invited to become a member of the Corporate Parenting Board and attend future meetings.

11 Care Leavers – Local Offer Keep on Caring

The Board considered a report outlining the development of the Kirklees Local Offer for Care Leavers and extending Personal Advisor Support to care leavers to the age of 25 and welcomed Julie Bragg to the meeting.

Julie Bragg advised that No 11 Drop-in facility was a remarkable resource for looked after children and young people and had been launched at the end of October 2017. The Council were now looking to review the service provision at No 11.

The Board agreed to comment on the Care Leavers Action Plan and feedback at the next meeting of the Board.

Julie Bragg gave an update on highlights from the report, as follows:-

- Officers were hoping to launch the Kirklees Local Offer for Care Leavers at the Care Leavers week in October 2018;

- Support for 21 to 25 year olds were being looked at and officers were developing an initial assessment tool to establish the needs of the young person and how the Council could help; developed a 'keeping in touch' protocol with Adult Services;
- Review of the No 11 drop-in facility building and housekeeping, Steve Comb advised that the open plan arrangement was not always suitable for some conversations and clinics;
- The Council would like to see a No 11 facility in North Kirklees so the service provision was accessible from both parts of the borough.

The Board agreed to receive details of the Care Leavers Week in October.

RESOLVED –

1. That the report on Care Leavers – Local Offer keep on caring be noted.
2. That the Local Offer Action Plan for care leavers be circulated to Board Members for comment and be considered by the Board in September 2018.
3. That the Board receive the dates of the Care Leavers week in October 2018.

12 Draft Children's Interim Sufficiency Strategy and Action Plan (2018-19)

The Board considered a report on the draft Children's Interim Sufficiency Strategy and Action Plan for 2018-2019 presented by Steve Comb.

The Board noted that as part of the Improvement Plan, the Council was committed to producing a Sufficiency Strategy and Action Plan setting out how it would increase the availability of local placements to ensure that children and young people did not need to be placed at a distance from their communities.

Steve Comb advised the Board that the last 12 years had seen an increase in the numbers of children in care and that partnership working was critical in terms of meeting complex needs locally. The Board was informed that a broader piece of work was required on how Children's Services could work well with the Child Adolescent Health Services to provide the support required.

Steve Comb advised that it was important to listen to children and young people and referred to the section of the report which outlined some extracts from "Views of Children" by the Kirklees Children's Rights Team in March 2017. The Board was informed that one young person had said that their foster carer did not understand what they were doing at school and could not help with homework. Steve Comb further explained that wider support was needed so that placements could be sustainable.

The Board agreed that it was positive to see that the child's voice had been included and taken into account in the development of the Sufficiency Strategy.

The Board agreed that a paragraph be included in the “Voice of the Child” Sufficiency Action Plan to endeavour to keep children at their current school when they are placed in care.

The Board agreed that health needs for girls would be better supported if they could be placed within Kirklees. Sanna Mahmood advised that young females were more likely to talk and engage than young males and that this needed to be looked at.

In response to a question from the Board regarding over the border placements, Steve Comb advised that over the border placements from Kirklees remained the responsibility of the Corporate Parent and the relevant Local Authority would keep Kirklees informed.

Gill Addy advised the Board that Kirklees would undertake its own health assessments for out of border placements and would contact the Local Authority to advise when a child from Kirklees was being placed in their area and when they were leaving.

RESOLVED –

1. That the report on the draft Children’s Interim Sufficiency Strategy and Action Plan for 2018-2019 be noted.
2. That the “Voice of the Child” Sufficiency Action Plan be amended to include a section on trying to keep children at their current school where possible when they are placed in care.
3. That Members of the Board give their comments on the draft Sufficiency Strategy and its future development to the Head of Corporate Parenting as soon as possible.

13 Training for Members of Corporate Parenting Board

The Board considered an update on the proposed LGA Corporate Parenting and Total Respect for Members of the Corporate Parenting Board and other elected members.

The Board was informed that Corporate Parenting Training had been scheduled for the 13th and 17th September 2018 and that all Elected Members would be invited to attend one of the sessions.

The Board noted that Total Respect training for members of the Board would be arranged in the near future – date to be determined.

RESOLVED –

1. That the update on the proposed LGA Corporate Parenting training for Members of the Corporate Parenting Board and other elected members be noted.
2. That the Board Members and all elected members be invited to attend the LGA Corporate Parenting Training sessions on either the 13th September (9.30 am at Hudawi Centre) or 17th September (5.30 pm at Dewsbury Town Hall).
3. That Total Respect Training take place for members of the Corporate Parenting Board in the future – date to be determined.

14 Updates from Board Members on interaction with Services

The Board considered verbal updates from Board Members on interaction with Services.

Councillor Kendrick gave a summary of events and meetings she had recently attended:-

- Visit to the Youth Offending Team – The Annual Report outlined good outcomes for looked after children who had been involved in the justice system; a good response had also been seen in terms of educational attainment;
- Attended Children’s Scrutiny Panel – feedback from the Panel had indicated that they felt well informed and that information provided was timely; Cllr Kendrick confirmed that information should be presented and shared with Scrutiny in the early stages;
- Visit to the Multi Systemic Therapy Team and joined in staff teams;
- Visit to West Yorkshire One Adoption Committee – meetings were held every 6 months attended by representatives from 5 Local Authorities in West Yorkshire;
- Met with Foster Carers at the Foster Carers Network and Long Service Awards Ceremony;
- Met with Care Leavers and Sanna Mahmood, Looked after children and leaving care;
- A Local Government mentor visited Kirklees from Wolverhampton and Councillor Kendrick will be visiting them in the near future to observe their Corporate Parenting Board;
- Visit to Peer Mentors at No 11;
- Visit to Heckmondwike Grammar School, had a good meeting with the Head Teacher and took part in a question and answer session on politics with 6th form students.

The Board noted that visits to internal services and external partners and organisations could be arranged and co-ordinated if required.

Steve Comb and Julie Bragg advised that they had recently visited the Children in Care Council and Care Leavers Forum.

15 Corporate Parenting Board Agenda Plan for 2017/18 and looking forward to 2018/19

The Board considered the Agenda Plan for the remainder of the 2018/19 Municipal year.

The Board agreed to have an informal meeting at 9.30 am prior to the public meeting at 10.30 am.

The Board agreed to consider future reports on the following issues:

- Update report from Children in Care Council and Care Leavers Forum – November 2018 (S Mahmood)

RESOLVED -

1. That the Corporate Parenting Board Agenda Plan for 2017/18 be updated as agreed.
2. That the Board's supporting officer be authorised to liaise with attendees to address the agreed actions.

16 Dates of Future Meetings

That the Board noted the future meeting dates of the Board during the 2018/19 municipal year:

- Monday 24th September 2018, 10.30 am
- Monday 19th November 2018, 10.30 am
- Monday 21st January 2019, 10.30 am
- Monday 11th March 2019, 10.30 am
- Monday 15th April 2019, 10.30 am

Contact officer: Helen Kilroy – Tel. 01484 221000

KIRKLEES COUNCIL

CORPORATE PARENTING BOARD

Monday 24th September 2018

Present: Councillor Viv Kendrick (Chair)
Councillors Lawson, Allison, Bellamy
Jo-Anne Sanders, Service Director, Learning and Early Support
Steve Comb, Interim Head of Corporate Parenting
Melanie Tiernan, Service Manager (Children and Families)
Martin Green, Head of Localities Offer (Children and Families)
Janet Tolley, Virtual School Head Teacher
Sanna Mahmood, Looked after Children and Leaving Care
Ophelia Rix, Head of Safeguarding and Quality Assurance
Keith Fielding, Kirklees Fostering Network
Colleen Callaghan, Kirklees Fostering Network

In attendance: Richard Smith, Youth Offending Team Service Manager
Julie Bragg, Service Manager (Children & Families)
Andy Quinlan, Acting Service Manager (Fostering)
Sara Miles, Service Manager (Children and Families)

Apologies: E Mc Shane, T Brailsford and G Addy

1 Introductions and Apologies

Apologies for absence were received on behalf of Elaine Mc Shane, Tom Brailsford and Gill Addy.

The Chair welcomed Keith Fielding and Colleen Callaghan from the Kirklees Fostering Network to the Board and noted that they would attend future meetings as a Board member.

2 Minutes of previous meeting

The Board considered the minutes of the meeting held on 9th July 2018.

RESOLVED –

1. That the minutes of the meeting held on 9th July 2018 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the public

All items were considered in public session.

5 Deputations/Petitions
No deputations or petitions were received.

6 Public Question Time
No questions were asked.

7 Review of Membership and Terms of Reference of Corporate Parenting Board

The Board considered revised Terms of Reference and the change to the Membership of the Board.

The Board agreed to invite the Chair of the Children’s Scrutiny Panel, or his/her nominee, to become a Member of the Board and attend future meetings.

RESOLVED –

1. The Board agreed to amend the Membership of the Board to add the Chair of the Children’s Scrutiny Panel, or his/her nominee, to the Board as an ex-officio Member and approved the revised terms of reference for the 2018/19 municipal year.

8. Ofsted and Improvement Board update

The Board considered a verbal update on Ofsted and the Improvement Board presented by Steve Comb, Head of Corporate Parenting.

Steve Comb advised the Board that Ofsted had given positive feedback relating to the outcomes for Copthorne Children’s Home.

The Board was advised that the next Ofsted monitoring visit to Kirklees Children’s Services would take place in December 2018 and that the focus was expected to be on the front door, but noted that this could change. Steve Comb further explained that there would be a full inspection of the Children’s Services at some point in the new year.

RESOLVED –

1. That the verbal update on key issues from Ofsted and the Improvement Board be noted.
2. The Board agreed to continue to receive regular updates at each meeting.

9. Performance Monitoring Update

The Board considered a verbal update on key highlights on Performance Monitoring data for the Children’s Service presented by Steve Comb, Head of Corporate Parenting and Janet Tolley, Virtual Head Teacher.

Steve Comb and Janet Tolley highlighted the following key issues:-

- **Initial PEP completion** – there had been educational challenges in terms of meeting initial PEP completion dates in the required timescales. Janet Tolley advised the Panel that officers were continuing to work with social work teams to improve PEP. This included weekly updates to Social Work

managers and regular chase up emails and phone calls to Social Workers where there was missing information. The Board was informed that this was a priority for the Virtual School;

- **Child in care moving school** - The Virtual School were working to improve communication when a child moved school to ensure a smoother transition and had agreed that the team would now have an education planning PEP in these cases. The Board was advised that it was essential that considerations and agreement were given to the education provision as a central part of any placement move decision;
- **Children in Care** – good work was going on to support the child to remain with their family or get back to their family as soon as possible to retain the family dynamic;
- The Board was advised that when the State made a decision to remove a child from its home, officers had to be sure it was the right decision as outcomes for children in care were not always positive.

The Board agreed that they were concerned with regard to children with multiple placements who might have to move school more often and the negative impact this had on the child or young person.

Janet Tolley advised the Board that if a School wanted to permanently exclude a child the Virtual School would get involved. The Board was informed that there had been no exclusions for children in care since the Virtual Head Teacher had been in post. The Chair of the Board expressed an interest in visiting Carr Manor School in North East Leeds who had a policy of non-exclusion.

Keith Fielding from the Kirklees Fostering Network advised that negotiations could be carried out with young people to get them back into school and improving attendance, for example agreeing an arrangement with the young person to attend school for 6 half days rather than full time to ensure that they were still engaging with the school on a daily basis.

Janet Tolley advised the Board of a pilot being carried out to mentor and provide role modelling for young people in care who were experiencing difficulties in attending school. The Board agreed to consider updates on the pilot in the future.

Colleen Callaghan from the Kirklees Fostering Network advised the Board that it was very important for children to be able to stay at their current school so that they could maintain their peer friendships and that conversations would take place with Foster Carers to endeavour to ensure this could happen where possible. The Board was informed that where a foster carer did not have a car to get a child to school, an option could be to car share with other foster carers.

RESOLVED –

1. That the verbal updates on Performance within Children’s Services be noted.
2. The Board agreed to consider future updates on the pilot being carried out to mentor and provide role modelling for young people in placements and children’s homes, who were experiencing difficulties in attending school.

10 Overview of number of children in care

The Board considered a report giving an overview of the number of children in care, their placement location and age presented by Julie Bragg, Service Manager for Looked after Children and Leaving Care.

Julie Bragg advised that where children had been placed in care out of Kirklees, their cases would be reviewed to decide on the best approach for that child. Julie Bragg further explained that if children had settled in an area outside Kirklees and made friends and networks it was important that they be allowed to stay in that area. The Board was advised that each child needed to be looked at and supported on their own merits, individual needs and circumstances.

RESOLVED –

1. The Board noted the overview report on the number of children in care and thanked Julie Bragg for her contributions.

11 Draft Refreshed foster carer handbook

The Board considered the Draft Foster Carer's Handbook presented by Andy Quinlan, Acting Service Manager for Fostering.

Andy Quinlan advised the Panel that the Handbook was still in draft and would be finalised shortly, but that the main changes were around CSE and radicalisation. The Board was advised that an electronic version of the revised handbook would be available so that updates could easily be made. Andy Quinlan further explained that when changes were made to the revised Handbook, a note would be sent out via a newsletter advising of any key changes.

The Board agreed that the Foster Carer Handbook should be reviewed annually and that comments should be sought from the Kirklees Fostering Network and Foster Carers.

Andy Quinlan advised the Board that he would be attending the Foster Carers Business Meeting shortly with Steve Comb and would go through the draft Handbook and seek feedback and comments and that these would be included in the revised version of the handbook.

The Board noted that the final version of the handbook was expected to be available electronically and circulated within approximately 4 weeks.

The Board noted that the Handbook was a work in progress and that it was important to keep listening to those caring for children and make changes and improvements as required.

Keith Fielding advised that it would be useful to have more detailed financial information in the handbook, for example a maximum figure for what should be spent on a prom outfit to help foster carers.

Janet Tolley suggested that information on what funding foster carers were entitled to claim for should be explained within the handbook.

The Board agreed to send any further comments on the draft handbook to Andy Quinan by the 5th October, to allow any changes to be incorporated in the final version.

The Board agreed that the revised draft of the Foster Carer Handbook should be shared via email with the representatives from the Kirklees Fostering Network and all foster carers for comments, before it was finalised.

RESOLVED –

1. The Board noted the draft foster carer handbook and thanked Andy Quinan for attending the meeting.
2. The Board agreed that all the comments and feedback from Members of the Board should be taken into account in updating the draft Foster Carer Handbook.
3. The Board agreed that the revised draft of the Foster Carer Handbook should be shared via email with the representatives from the Kirklees Fostering Network and all foster carers for comments before it was finalised.
4. The Board agreed that the comments and feedback from the Foster Carers Business Meeting on the draft Foster Carers Handbook should be included in the revised handbook.
5. The Board agreed to send any further comments on the draft Foster Carer Handbook direct to Andy Quinan by the 5th October.
6. The Board agreed that the Foster Carer Handbook should be reviewed annually and that comments should be sought from the Kirklees Fostering Network and Foster Carers.

12 Children's Rights – Annual Report

The Board considered an annual report on Children's Rights covering period 1st April 2017 to 31st March 2018 presented by Melanie Tiernan, Service Manager (Children and Families) and Sara Miles, Service Manager (Children and Families).

The Board was advised that the Children's Rights Team shared the views and opinions of looked after children with Children's Social Work Services to ensure that the voice of the child was heard and taken into account in respect of Local Authority policy development and service delivery.

Melanie Tiernan advised the Board of key highlights from the report which included:-

- Every child or young person had the right to an independent advocate;
- The most common issues raised by children and young people were regarding placement planning issues;
- Positive outcomes for looked after children and young people included additional contact with family being agreed, clarity about contact arrangements being reached; the views of the child or young person being taken into consideration about what they wanted from their long term placement; and attending school trips or holiday activities;

Melanie Tiernan advised the Board that one of the key Ofsted findings was around sufficiency and one of the key areas for development was to work with Senior Managers to ensure that the voice of the child was included in sufficiency planning.

The Board was informed that advocacy for child protection conferences had been increased and that student social work placements would be offered within the team to lead on gaining the voice of the child within the child protection process.

In response to a question from the Board regarding what feedback and response had been received from young people, Melanie Tiernan advised that the Service had started to make an offer to young people that they could be entered into a prize draw to win a £25 voucher to try and encourage more written feedback. The Board was informed that a record was kept of both verbal and written feedback from young people. Melanie Tiernan further explained that the service was looking to send a feedback form to young people to be completed a few months after the advocacy. The Board noted that monitoring would be undertaken to check if young people were happy with their outcome and if the advocacy had worked for them.

Ophelia Rix advised the Board that a task and finish group had been set up to look at the variable ways to capture the voice and views of young people and the wider family network and what learning was from this. The Board agreed to consider an update giving feedback on this work at a future meeting – date to be determined.

Colleen Callaghan advised the Board that copies of letters sent to Children were also being sent to foster carers, so carers could help and prompt the children.

RESOLVED -

1. The Board noted the Annual Report on Children's Rights and thanked Melanie Tiernan and Sara Miles for their contributions.
2. The Board agreed to consider a report in January 2019 giving feedback on the learning being undertaken on capturing the voice and views of young people and the wider family network.

13 Independent visitors scheme (Annual Report)

The Board considered an Annual Report of the Independent Visitors Scheme during the period 1st April 2017 to 31st March 2018 presented by Melanie Tiernan.

The Board was informed that the Kirklees Independent Visitors Scheme, also known as Care2Listen, was a Local Authority funded scheme which sat within the Looked after Children Independent Service.

Melanie Tiernan advised the Board that the number of children and young people accessing the service had increased during the reporting period of April 2017 to March 2018 with 44 being matched with an Independent Visitor.

The Board was informed that officers were looking at the current scheme and how it should be taken forward, including the 16+ offer.

In response to a question from the Board regarding publicity of the Scheme, Melanie Tiernan advised that the Scheme had been promoted via social media and Facebook. Colleen Callaghan suggested that the Scheme be promoted via Social Workers as the children in her foster care had accessed the Scheme in the past. A number of Board Members advised that they were not aware of the Scheme and agreed that it should be brought to the attention of all Councillors and the Improvement Board to raise awareness and help with promotion of the scheme to reach a wider audience.

Councillor Kendrick agreed to visit Melanie Tiernan's Team in Family Support and Child Protection in the near future.

RESOLVED –

1. The Board noted the Annual Report on the Independent Visitors Scheme and thanked Melanie Tiernan and Sara Miles for their contributions.
2. The Board agreed that the Independent Visitors Scheme should be further promoted to reach a wider audience, including the Improvement Board, elected Members and via social media.
3. The Chair of the Board agreed to visit Melanie Tiernan's Team in Family Support and Child Protection in the near future – date to be determined.

14 Annual Report on Youth Offending Team and their work with children in Care

The Board considered a report regarding the improvement in outcomes for Looked after Children (LAC) subject to an intervention by the Youth Offending Team (YOT), presented by Richard Smith, Youth Offending Team Service Manager.

Richard Smith outlined the different youth offending categories, which were explained within the report. Richard Smith highlighted a number of key areas, as outlined below:-

- YOT were aware that outcomes for LAC were significantly worse than the general YOT population, and the aim was to bring outcomes for LAC more in line with the general population;
- There had been an improvement in the percentage of 10-17 year old LAC who were convicted of an offence, though far less dramatic;
- In 2010 almost 13% of Kirklees LAC were convicted of an offence compared with a national average of under 5%, by 2016 the Kirklees figure was just over 6% compared with a national average of 5%;
- Over the past 4 to 5 years the YOT's Restorative Justice Team had been working with Children's homes to encourage the use of restorative practice to deal with minor offences that occurred within the homes by giving the young person an opportunity to make amends for their offence, for example redecorating or repairing damage they have done, rather than going through the criminal justice system thereby reducing the number of young people criminalised for relatively minor offences.

In response to a question from the Board relating to what action taken by the YOT had made the biggest difference, Richard Smith advised that the YOT now took on responsibility for all LAC with Court Orders and had YOT Social Workers who had a real understanding of LAC behaviour and had built up relationships with young people in Children's Homes and with foster carers in Kirklees which had led to better engagement with young people. Richard Smith further explained that YOT were taking a different approach with young people and that it was about being more flexible in meeting the needs of the young person, whilst at the same time putting appropriate boundaries in place to ensure enforcement.

In response to a question from the Board relating to which Local Authority took responsibility for a young person with a YOT order living outside of Kirklees, Richard Smith explained that the other Local Authority would take on supervision of the young person, but that Kirklees YOT would retain ownership of the Court Order which had been served in Kirklees and vice versa.

The Board agreed to consider comparable data and trends of how many children with a Youth Offending Order were in foster placements and Children's homes within Kirklees. The Board also agreed to consider regular updates from the Youth Offending Team.

RESOLVED –

1. The Board noted the Annual Report on the Youth Offending Team (YOT) and their work with children in care and thanked Richard Smith for his contributions.
2. The Board agreed to consider a report at the November meeting giving comparable data and trends on how many children with a Youth Offending Order were in foster placements and Children's homes within Kirklees.
3. The Board agreed to consider regular updates from the Youth Offending Team – dates to be determined.

15 Care Leavers Local Offer Action Plan

The Board considered a report providing a progress update on the development of the Kirklees Local Offer and extending Personal Advisor support to care leavers to the age of 25 presented by Julie Bragg, Service Manager for Looked after children and leaving care.

The Board noted that they were consulted on the Action Plan and proposed draft of the Local Offer was considered by the Board in July 2018. Board Members had agreed to forward comments on the Local Offer to Julie Bragg following the meeting. Julie Bragg advised the Board that the Action Plan and proposed draft of the Local Offer for Care Leavers was considered at a meeting with partner agencies on the 28th August 2018. The meeting was attended by a mix of partners, some of which were already providing services at No 11. The main purpose of the meeting was for partners to discuss their role in the Local Offer in relation to enhancing the service provision for Care Leavers. Julie Bragg further explained that the partners had been asked to provide feedback on the proposed draft offer.

The Board was informed that one of the Care Experienced Apprentices was currently looking at the design of the offer in consultation with other young people.

Julie Bragg informed the Board that officers were planning to launch the Local Offer towards the end of November. The Board noted that further considerations were being given as to whether the Local Offer had the correct name or whether an alternative name would be chosen. The Board agreed to receive details of the launch date in November.

The Board was informed that officers had started looking for suitable premises within North Kirklees for a drop in facility similar to No 11 in Huddersfield.

Cllr Kendrick advised the Board that she had received feedback from Care Leavers that as soon as they were no longer in care they could not use their KAL cards. The Board was informed that care leavers could not afford to pay to use the KAL facilities. Cllr Kendrick further explained that the young people had advised that using the KAL facilities helped to make them feel better and enabled them to make friends and socialise. The Board agreed that the ability for young people in care to use leisure facilities was good for their general physical and emotional wellbeing. Colleen Callaghan advised the Board that it was good to encourage exercise to help the health and wellbeing of looked after children and that Bradford had a Foster Carer Card, which enabled young people in care to use a number of facilities, including free use of the local swimming pool.

The Board agreed to further explore if care leavers could access leisure facilities at a reduced rate.

RESOLVED –

1. The Board noted the Care Leavers Local Offer Action Plan and thanked Julie Bragg for her contributions.
2. The Board agreed to receive details of the launch of the Care Leavers Local Offer in November.
3. The Board agreed that it should further explore if Care leavers could access leisure facilities at a reduced rate.

16 Updates from Board Members on interaction with Services

The Board considered verbal updates from Board Members on interaction with Services.

Councillor Kendrick gave a summary of events and meetings she had recently attended, as follows:-

- Ofsted Monitoring visit;
- Hive Youth Zone in Birkenhead where a lot of work and intervention had been undertaken with the Youth Offending Team and young people;
- Met with Apprentices and care leavers;
- Children's Scrutiny Panel meetings - positive feedback had been received from the Panel Members on the current engagement with scrutiny and standard of reports;

- Interviews for the new Director of Children's Services – Mel Meggs had been appointed, start date to be confirmed;
- Corporate Parenting training on the 13th September 2018;
- Attended a wide range of meetings and briefings within Children's Services including the Improvement Board and the Kirklees Safeguarding Children's Board;
- Key Cities Youth Conference on the 25th July at the John Smith's Stadium where young people had put forward strong views;
- Homestart AGM where some young mums had talked about what life in care had been like for them and what had happened in their lives, some of whom had become peer mentors and gone on to University.

Colleen Callaghan advised the Board that the Kirklees Fostering Network was very pleased to be on the Membership of the Corporate Parenting Board. Colleen Callaghan advised that the Kirklees Fostering Network had recently attended the following events:-

- Houses of Parliament to promote longer nursery hours for children;
- Campaigned for better support and options for foster carers and met with some MPs;
- Presented at the Fostering Network meeting in London.

RESOLVED –

1. That the verbal updates from Board Members on interaction with Services be noted.

15 Corporate Parenting Board Agenda Plan for 2017/18 and looking forward to 2018/19

The Board considered the Agenda Plan for the remainder of the 2018/19 Municipal year.

The Board agreed to consider future reports on the following issues:

- Head Teachers Report on the educational outcomes for looked after children – 19th November 2018
- Kirklees Fostering Network – achievements, current priorities and future aspirations – date to be determined;
- Marketing Plan for Recruitment of Foster Carers – January 2019.

RESOLVED -

1. That the Agenda Plan for the Corporate Parenting Board during 2018/19 be noted.
2. That the additional agenda items be added to the agenda plan for the 2018/19 municipal year and amendments be made as agreed.
3. That the Governance Officer be authorised to liaise with officers on agreed actions.

16 Dates of Future Meetings

That the Board noted the future meeting dates of the Board during the 2018/19 municipal year:

- Monday 21st January 2019, 10.30 am
- Monday 11th March 2019, 10.30 am
- Monday 15th April 2019, 10.30 am

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Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 6th September 2018

Present:

Councillor Donna Bellamy
Councillor Viv Kendrick
Councillor Kath Pinnock
Councillor Cathy Scott
Dr David Kelly
Carol McKenna
Dr Steve Ollerton
Richard Parry
Rachel Spencer-Henshall
Fatima Khan-Shah
Helen Wright
Jacqui Gedman

In attendance:

Lucy Cole, Project Lead (Kirklees Health and Wellbeing Plan)
Rachael Loftus, Head of Regional Partnerships
Steve Brennan, Senior Responsible Officer, Working Together
Phil Longworth, Health Policy Officer

Observers:

Catherine Riley, Calderdale and Huddersfield Foundation Trust
Jane Close, Locala
Chris Walker – Attain
John Keaveny – SWYFT
Matt England – Mid Yorkshire Hospital NHS Trust

Apologies:

Councillor Shabir Pandor (Chair)
Kathryn Hilliam

12 Membership of the Board/Apologies

Apologies were received from the following Board members:- Cllr Shabir Pandor and Katherine Hilliam.

13 Minutes of previous meeting

That the minutes of the meeting held on the 28 June 2018 be approved as a correct record.

14 Interests

No Interest were declared.

15 Admission of the Public

All agenda items be considered in public session.

16 Deputations/Petitions

The Board considered a written submission from Christine Hyde, North Kirklees Support the NHS.

17 Public Question

No questions were asked.

18 Kirklees Health & Wellbeing Plan

Lucy Cole, Project Lead (Kirklees Health and Wellbeing Plan) attended the meeting to present the draft Kirklees Health and Wellbeing Plan (2018 – 2023) to the Board for endorsement. The plan will be a key document for the Health and Wellbeing Board with the priorities informing the agenda of the Board going forward.

The plan outlines the planned objectives and key planned interventions and programmes of work for each of the four population cohorts. The cohorts include:

- Living well – this segment of the population are largely healthy and maintaining their own health and wellbeing, they may be subject to some risk factors – behavioural (e.g. smoking, poor diet) or social (e.g. poor housing)
- Independent – 84% of people over 50 have a long term condition, which they are managing alone and there is a huge population of unpaid carers
- Complex - this group has a number of complex needs and consume a large amount of resources across multiple agencies.
- Acute and urgent – at any one time, anyone may require an urgent or acute intervention, this should be provided in the right environment by the right professional, meeting the need as quickly as possible

The Board was informed that there are five shared priorities for the Kirklees population within the plan:-

- Creating communities where people can start well, live well and age well
- Creating integrated person-centred support for the most complex individuals
- Developing people
- Developing estates
- Harnessing digital solutions

Through the delivery of these priorities the aim is to make a real impact, on making healthy weight the norm for the population, increasing the proportion of people who feel connected and reducing the prevalence of mental health and social isolation and narrowing the gap in healthy life expectancy.

The approach will be working with nine local communities of approximately 30,000 – 50,000 across Kirklees, bringing together the NHS, social care, wider council services and the voluntary and community sector.

Health and Wellbeing Board - 6 September 2018

The Board was advised that once the plan had been endorsed it would then be submitted to each organisation to present to their individual governance structures for approval.

The Board raised a number of questions in respect of the plan including whether there would be a shorter public facing document and in response was advised that a shorter public version of the document would be produced.

The Board questioned how it would be possible to ensure that there was equality of provision considering the diverse nature of the communities in Kirklees. In response, the Board was informed that it was not about trying to draw new boundaries and there was still some work to do. Partners aimed to tailor services to meet the needs of the diverse communities recognising that there are dotted line community boundaries and communities are not always easy to define.

Board members stated that adult social care was working in four locality teams and children services was also working in the same way, therefore how would working in nine local communities, support the four locality teams approach. This was recognised but noted that all services needed some geographical boundary to effectively organise services, but that in practice, these would be flexible to meet the needs of local communities and maintain important relationships between professionals. The Board will have an overview to ensure that there are no gaps in service or support as a result of working to different geographical configurations.

The Board felt that the plan needed to go further and address issues in respect of safe affordable housing with clarity on the term 'affordable', the aspirations and reality of healthy weight becoming the norm and air quality. The Board also felt that there needed to be more depth about the diversity of Kirklees.

Ms Cole advised that the plan would be amended to incorporate the comments and suggestions made by the Board and any further comments could be submitted directly by email. The amended plan would be circulated to Board members.

The Board commented that it was a good piece of work and thanked Ms Cole for the work and presenting the plan.

RESOLVED - That the Board endorses the Kirklees Health and Wellbeing Plan and the plan moving into the implementation phase subject to the agreed changes.

19 Update on Integration of Health and Social Care Commissioning and Service delivery

Steve Brennan, Senior Responsible Officer, Working Together and Phil Longworth, Health Policy Officer provided the Board with an overview of the work undertaken over the last few months. The Board was reminded that it had previously received several updates on the ongoing work to integrate health and social care commissioning and integration.

The Board was advised that work is progressing well and the main arrangements that had been put in place to oversee integrated commissioning and service delivery are the Integrated Commissioning Board (ICB) and the Kirklees Integrated Provider

Health and Wellbeing Board - 6 September 2018

Board (KIPB). These are supported by the Kirklees Health and Care Executive Group, in addition there are the existing Kirklees Health and Wellbeing Board arrangements.

To date, KIPB has had four meetings. It is still in its formative stages and will be working up formal terms of reference. Its aim is to change the relationship between commissioners and providers by supporting them to work together in a more integrated way, by joining up services and care around the needs of patients. It has identified areas where providers can work together to make a significant difference to integrating services over the next 6-9 months.

The development of Primary Care Networks is one of the key pieces of work that KIPB is undertaking.

To realise the vision for integrated commissioning a number of interventions have been identified for example, building on what is working well. There are a number of existing programmes which already have collaborative working.

The Board was informed that there are seven outcomes for Kirklees

- **Children** – have the best start in life
- **Healthy** – people in Kirklees are as well as possible for as long as possible
- **Achievement** – People in Kirklees have aspiration and achieve their ambitions through education, training, employment and lifelong learning
- **Safe and Cohesive** – people in Kirklees live in cohesive communities, feel safe and are protect from harm
- **Economic** – Kirklees has sustainable economic growth and provides good employment for and with communities and businesses
- **Clean and Green** – people in Kirklees experience a high quality, clean and green environment
- **Independent** – people in Kirklees live independently and have control over their lives

RESOLVED - That the Board:

- Notes the contents of the report
- Supports the ongoing work outlined in the report
- Approves the Kirklees Integrated Commissioning Strategy, subject to endorsement from the Integrated Commissioning Board
- Receives further updates on progress

20 **Integrated Care System Development**

Rachael Loftus, Head of Regional Partnerships advised the Board that Kirklees has been part of the West Yorkshire and Harrogate Health Care Partnership since its inception as a Sustainability and Transformation Plan in March 2016.

In October 2017, it was agreed that a Memorandum of Understanding should be developed to describe the type of relationship commitment, working arrangements and to support the next stage of the Partnerships development.

The MOU was drafted by a working group of colleagues from across Local Government and the NHS. All partners are clear that the next phase of partnership working is about the right systematic leadership for integration across health and care from across all the organisations that make up the partnership.

RESOLVED - That the Memorandum of Understanding be circulated to Board members to take through their individual governance structures.

21 Director of Public Health Annual Report

Rachel Spencer-Henshall, Strategic Director Corporate Strategy and Public Health, presented the Director of Public Health Annual Report 2018 (Ageing Well in Kirklees), explaining that it is a statutory requirement to write an annual report on the health of the population.

The Board was informed that the report has been presented in a visually engaging infographic format, underpinned by an outcomes-based, asset-based and life course approach. It highlights inequalities whilst also celebrating and promoting inclusion and diversity and includes information regarding the local population focussing on people aged 50 and over.

The report is sub-divided into four key sections, healthy people, care and support, good communities and working longer. Each section provides an illustrative example of how an issues impacts across the life course, a 'Kirklees snapshot' using the latest local data and intelligence; information on local assets; and a series of next steps for improving local understanding and taking action.

The Board was pleased to see the focus on Alzheimer's disease and the modifiable factors that people can affect from a younger age.

The Board asked about evidence of intergenerational work and in response was advised that this is an area for data development as although the initial evidence is promising, a clear case needs to be made and this will be a focus.

The Board was advised that the Annual Report would progress through governing bodies and full council.

RESOLVED - That the Board endorses a more positive and affirming view of ageing and use the intelligence from the report to support a system-wide, evidence and asset based approach to healthy ageing.

22 Winter Review

Phil Longworth, Health Policy Officer reminded the Board that in March 2018, the Board supported the proposals to undertake a Kirklees health and social care system wide review of local experiences over winter 2017/18. The review aimed to identify the key learning points and propose actions to improve outcomes and system efficiency and effectiveness.

The proposed approach was based on the model being used by Care Quality Commission (CQC), in their Local System Reviews. The review focused on in depth interviews with people from across the Kirklees health and social care system and

Health and Wellbeing Board - 6 September 2018

more than 40 people were interviewed individually and in groups. An interim progress report was presented to the Board in June 2018.

The Board was informed that there has been significant positive progress in relation to several of the issues highlighted through the review including building more positive relationships across the system. There are eight 'high impact changes' for improving patient flow and key service developments such as an integrated model of intermediate care and re-ablement. There are however still challenges such as: understanding the pressure on out-of-hospital services, especially primary care, community health services and social care; maintaining a focus on prevention and person centred care planning, and hearing the patient, user, carer voice.

It was recognised that the issues and solutions around winter pressures across health and social care were also experienced at various times throughout the year, and much of the planning and service improvements should not just focus on the winter period.

RESOLVED - That the Board notes the positive progress in responding to the lessons learnt and endorses the next steps.

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

LICENSING AND SAFETY COMMITTEE

Monday 10th September 2018

Present: Councillor Carole Pattison (Chair)
Councillor Mahmood Akhtar
Councillor Karen Allison
Councillor James Homewood
Councillor Michelle Grainger-Mead
Councillor Robert Light
Councillor Terry Lyons
Councillor Amanda Pinnock
Councillor Mohan Sokhal
Councillor Kath Taylor

In attendance: Wendy Blakeley, Head of Public Protection
Russell Williams, Group Leader, Licensing Public
Protection
David Stickley, Senior Legal Officer

Apologies: Councillor Christine Iredale
Councillor Manisha Roma Kaushik
Councillor Cathy Scott
Councillor Michael Watson

1 Membership of the Committee

Apologies for absence were received on behalf of Councillor Michael Watson, Councillor Manisha Kaushik and Councillor Cathy Scott.

2 Minutes of Previous Meeting

That the Minutes of the meeting of the committee held on 18 July 2017 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

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

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were received.

7 Review of Gambling Licensing Policy

The Committee considered a report which sought approval for a revised draft of the Council's Statement of Licensing Policy (Gambling) in order that it can be released for consultation. The report set out the process and timescale for the consultation and formal approval for the policy by Council.

The report noted that for the first time the Council had included reference to a Local Area Profile (LAP) of the Kirklees area and would include information held by the Council. This could include deprivation statistics, population and household data or it could be the ward data reports. The LAP would include a wide range of factors, data and information as well as information held by the Council's partners, such as information about local crime hot spots.

Although the LAP was not mandatory, the report advised that it had significant benefits for both the Council and businesses in that the applicants would have better awareness of the local area and risks – both potential and actual. Applicants would also need to complete their own local risk assessments.

Members of the Committee asked a number of questions relating to the LAP, particularly around the local perspective of ward members and how that could add to, or support issues identified. Russell Williams, Group Leader, Licensing agreed that separating the LAP into wards was something that could be considered. Mr Williams also confirmed that the LAP would provide consistency across Kirklees, and would be updated on a regular basis.

Following further questions, the Committee heard that should an applicant not comply with the requirement to complete their own risk assessment, they could risk the application being brought before a licensing panel in which members could add conditions or refuse the application. The expense to the applicant could be extensive, especially if legal representation was needed and it could have a reputational impact for the establishment, all of which acted as an incentive for operators to consider the impact of their operation on the local area.

It was noted by the Committee that Newsome ward had a concentrated number of gambling establishments, but these were all located in the town centre, rather than in Newsome. Mr Williams explained that the number of premises was not something that could be taken into account, but where they were located could be, for example if it was near to a drug and alcohol recovery centre. If that was the case, the licensing department would work with the premises to put additional steps in place, for example, Leeds City Council recently saw a gambling establishment part fund a nearby drug and alcohol recovery centre. However, Mr Williams agreed that the town centre having its own LAP was something that the licensing department would consider.

RESOLVED –

(1) The Committee approve the Gambling Policy appended to the report as a consultation policy

Licensing and Safety Committee - 10 September 2018

- (2) The Committee instruct officers to consult for a period of 6 weeks on the draft policy commencing on 17th September 2018.
- (3) Subject to there being no relevant representations that the Group Leader for Licensing recommends to the Council adoption of the Draft Gambling Policy.
- (4) Should relevant representations be received, instruct officers to bring a further report to the meeting of the Licensing Committee with the outcomes of the consultation.

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Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING AND SAFETY COMMITTEE

Thursday 11th October 2018

Present: Councillor Carole Pattison (Chair)
Councillor Mahmood Akhtar
Councillor Karen Allison
Councillor Christine Iredale
Councillor Michelle Grainger-Mead
Councillor Terry Lyons
Councillor Amanda Pinnock
Councillor Mohan Sokhal
Councillor Kath Taylor

In attendance: Samantha Lawton

Apologies: Councillor James Homewood
Councillor Manisha Roma Kaushik
Councillor Cathy Scott
Councillor Michael Watson

1 Membership of the Committee

Apologies for absence were received on behalf of Councillors Watson, Kaushik, Scott and Homewood.

2 Minutes of Previous Meeting

That the Minutes of the meeting of the committee held on 10 September 2018 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

That all items be held in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 Kirklees Hackney Carriage and Private Hire Licensing Policy

The Committee considered a report which sought approval to consult on a new Kirklees Hackney Carriage and Private Hire Policy. Two of the policies relating to convictions and driver training had been developed in partnership with the West Yorkshire authorities and York.

Licensing and Safety Committee - 11 October 2018

The Committee was advised that over the last two years, officers have been working on a project for approval with the Chairs of the West Yorkshire Licensing Committees (or equivalent), the respective lead member or portfolio holder and with the support of West Yorkshire Combined Authority. The project aims to establish some minimum standards in certain areas of licensing, while not necessarily creating identical policies.

In conjunction with the project, Kirklees has developed an overarching policy encompassing all the different aspects of taxi and private hire licensing, in which it is proposed to include the Convictions and Driver Training Policies which are part of the West Yorkshire wide project. The Committee was informed that while there are some excellent drivers, the policy has been developed to give assurance to the travelling public that the service being provided meets safeguarding duties and passenger safety. The key message being promoted is safeguarding, protecting the public and not compromising on passenger safety.

The Committee was informed that the Kirklees policy includes adopting a revised standard for testing hackney carriage and private hire vehicles. In addition, the council has adopted the West Yorkshire Low Emissions Strategy 2016-2021. Leeds will be bringing in a Clean Air Zone and if drivers meet the emissions they will meet the Clean Air Zone guidance standards. There will also be more emphasis on three year licences instead of one year licences.

The Committees' attention was drawn to the two additional conditions that have been attached to the standard conditions attached to the issue of Hackney Carriage and Private Hire Driver Licence namely:-

- Drivers must cooperate with any authorised officer and/or police constable from any other licensing authority
- Drivers must comply with the Council's Code of conduct on working with vulnerable people

The West Yorkshire Combined authority Hackney Carriage and private hire drive training policy is to give confidence to the travelling public that drivers licensed with each authority have been trained to the highest standard, a standard that is consistent across the region. Kirklees is looking to make the test, pre-application and there will be aspects of dementia training included however, the full details regarding the test to be taken by drivers has yet to be confirmed.

The Committee sought clarity on aspects of the policy and raised questions in respect of non-English speaking drivers and in response was advised that it was important for drivers to be able to communicate with the fare paying passenger. The Committee also raised questions in respect of domestic dogs travelling in taxis being at the discretion of individual drivers and in response was advised that the inaccuracies in the policy would be amended. Officers would also give consideration regarding this issue and what could be included in the policy to address this concern.

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Officers advised that authority was being sought from the Committee for permission to consult on the draft Kirklees policy, which includes the conviction policy, driver training policy and revised standards for testing hackney carriage and private hire vehicles.

RESOLVED:

That approval be given to consult on

- a) A new Kirklees Hackney Carriage and Private Hire Policy which includes the following policies developed in partnership with the West Yorkshire Combined.
- b) The draft policy on the Relevance of Criminal Conduct in Taxi and Private Hire Licensing (Conviction Policy)
- c) The draft West Yorkshire Driving Training Policy
- d) That the Head of Public Protection is authorised to agree the final approach to consultation alongside the other West Yorkshire and York authorities.

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Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 1st October 2018

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

In attendance: Cllr Shabir Pandor – Leader of Kirklees Council

26 Minutes of Previous Meeting

RESOLVED - That the Minutes of the meeting of the Committee held on 3 September 2018 be approved as a correct record.

27 Interests

No interests were declared.

28 Admission of the Public

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

29 Leader of the Council Priorities

Cllr Shabir Pandor, Leader of Kirklees Council attended the meeting to outline his key priorities. He advised the Committee that he had focused his priorities on issues that can be measured over the next few years.

Cllr Pandor's priorities were;

Achieving a devolution deal for West Yorkshire. Eighteen local authorities have agreed to support a Yorkshire deal. The South Yorkshire deal is currently in progress but there is a local commitment to moving to a deal for the whole of Yorkshire.

A review of the Inclusion and Growth Strategy is being undertaken by a new group called the Inclusive Growth Commission which has its first meeting on the 2 October 2018. The aim is to create quality jobs and try to recirculate the wealth in Kirklees. As a starting point a report has been commissioned by the Centre for Local Economic Strategies, which includes a desk top study. One of the areas looked at is benefits to ensure that people's income are maximised and creating employment locally that pays real wages. The report will be presented at the first meeting of the Inclusive Growth Commission to help agree some key actions.

Inclusion and diversity is a key area for Cllr Pandor. Kirklees Council has become a member of the Intercultural Cities Programme, a programme that spans across

Overview and Scrutiny Management Committee - 1 October 2018

Europe and allows benchmarking against other local authorities and similar countries in respect of social cohesion. It is to ensure that communities are not polarised and pull together, especially with the challenge of far right extremism. There is also a need to understand neighbourhood relationships and there are tools in the Intercultural Cities Programme that will allow Kirklees to benchmark how well it is doing in comparison to its European counterparts. There is work to do with regard to migrants resettlement in Kirklees and how they are integrated and made to feel welcome when they get here.

The Committee noted that Cabinet had recently approved a new £13m leisure centre in Spen Valley. Cllr Pandor outlined the planned timetable which saw the onsite building works for the new centre starting in April 2021.

In respect of town centre regeneration in Dewsbury and Huddersfield, Acom had been commissioned to work on the master plan. Stakeholder workshops will be organised later on in October. There will be options for consideration in respect of the Piazza and Station Warehouse. In addition a report would be presented to Cabinet early in 2019 regarding Cross Church Street, Queensgate and New Street.

Cllr Pandor advised that Combined Authority matched funding has been secured to support projects and needs to be delivered by 2021, this would include the Station Gateway £10m, A62 smart corridor £8m and Southern Gateway £10m.

In respect of Dewsbury, some master planning work has also taken place. Pioneer House was identified as a priority and following a slight delay, construction work was underway for completion in 2020. On the Springfield Campus a new college building was now open and there had been funding from the Combined Authority. A lot of work was taking place at Dewsbury train station to improve the frontage of the station and ring road. Finally, Heritage Action Zone work was taking place and £2m been allocated to bring some buildings back into use.

Cllr Pandor continued to outline his priority for the delivery of the housing element of the Local Plan for 10,000 homes in the next 5 years. The Local Plan will be coming back to Full Council, at the end of the year or early in 2019. Proposals for specialist housing and extra care housing are being considered as part of the commissioning of housing.

In considering the update, Cllr Stewart-Turner advised that inclusion and diversity and community cohesion are on the OSMC work programme and sought clarification on how the Intercultural Cities Programme was being fed into the two strategies that are being developed. Cllr Pandor explained that Kirklees had only recently joined the programme and he would be happy to bring back further details.

In respect of air quality, Cllr Pandor suggested that committee members may wish to have a further discussion with the Cabinet Member responsible for air quality. It was noted that the issues was on the Economy and Neighbourhoods Scrutiny Panel for future consideration.

Committee members asked if the Leader would be willing to commit to having a revised process in place with regard to the allocation of funds from section 106

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contributions. It was suggested this could involve elected members and schools in a more formal way in the allocation of contributions for educational purposes to benefit the children from new housing developments. Cllr Pandor explained that he would be happy to look at the allocation of 106 monies including working with partners and schools.

Councillor Stewart-Turner referred to a previous committee discussion regarding the preparedness of Kirklees to apply for funding when it becomes available. Whilst recognising that no devolution deal had been agreed, when it has, or additional funding is available through the Combined Authority, what project proposals have been worked up to enable the Council to be proactive in bidding for funding. Councillor Stewart-Turner asked if the committee could be provided with a list of project areas. Cllr Pandor explained that projects had not yet been formulated yet and ask for a further discussion with the Chair of Scrutiny to discuss a way forward.

RESOLVED –

- a) That Cllr Pandor, be thanked for attending the meeting to set out his priorities
- b) That Cllr Pandor be invited back in April 2019, to provide a progress update on his priorities

30 Ad Hoc Scrutiny Panel - Elective Home Education Progress Report

Cllr Cahal Burke, Lead Member for Children's Scrutiny Panel provided an update on the work of the Ad Hoc Scrutiny Panel, looking into Elective Home Education. Cllr Burke informed the Committee that in July 2017, the Director for Children's Services requested that Elective Home Education (EHE) be added to the Scrutiny Panel's work programme. This was based on the increasing numbers of EHE both locally and nationally and was seen as an area where the Panel could add value. The Ad Hoc Panel was established in November 2017.

Cllr Burke informed the Committee that EHE is the term used by the Department for Education to describe parents who choose to educate their children at home rather than sending them to school and it is different to home tuition provided by the local authority.

The decision to home educate a child, can often be based on the parents philosophical, religious, or spiritual outlook while for others it is to meet the specific needs of a child or children. The Panel was informed that for some an issue with the school had led them to consider electively home educating their child. For the academic year 2017/18, approximately 450 children were registered as being home educated for all or part of the school year. At the start of September 2018, approximately 300 children were known to be home educated.

Currently schools are not required to give detailed information regarding why a child has been taken off the school roll and therefore, officers only have limited information as to what may have influenced a parents decision to electively home educate. Contact is always made when a child has been taken off roll, however parents are not obliged to take up the offer of a meeting. Panel members recently

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met with parents in Dewsbury and Huddersfield and some concerns around 'off rolling' were raised and the panel will need to look into this further with schools.

The ad hoc panel has concerns about the practice of taking children off a school roll and have spoken to parents about the issue. In Kirklees the highest number of EHE children is in the Key Stage 4 cohort. The Panel was also concerned about children's progression into further education and employment opportunities.

The Panel learned that whilst there is no requirement for home education children to take exams, there are currently no facilities in Kirklees for EHE children to take GCSE exams, should they wish to do so. The Panel will need to explore this further to ascertain how the offer to electively home educated children can be improved to produce a better outcome.

The Committee was informed that the Home Education (Duty of Local Authorities) Bill completed its House of Lords stages in July 2018, the second reading is at the House of Commons on the 26th October 2018. Should the bill gain royal assent this will increase the duty of the local authority and will have financial implication on services. The Panel will monitor the progress of the bill and the implications for the local authority.

The Panel plans to meet with a number of other witnesses and groups, including leading elective home education experts, other local authorities in the area to consider their offer to EHE and head teacher forums.

In considering the report the Committee discussed whether the council could take a more proactive approach in support to parents who choose to home educate. Cllr Burke advised that the Home Education Bill will have an impact on what the local authority will have to provide. He explained that currently, the authority can offer to meet with parents however parents do not have to take up that offer, or show the work that is being produced or allow access to the young person at home.

RESOLVED –

- a) That Cllr Burke be thanked for providing an update on the work of the Ad Hoc Scrutiny Panel, looking into Elective Home Education, and
- b) That Management Committee note the work of the ad-hoc panel to date.

31 Appointment of Interim Co-optee

Cllr Rob Walker, advised that both he and Cllr Julie Stewart-Turner, had recently met with Mr Andrew Bird to discuss Mr Bird becoming an interim co-optee on the Economy and Neighbourhoods Scrutiny Panel for the remainder of the 2018/19 municipal year.

The Committee was informed that in preparation for becoming a co-optee Andrew had observed the September panel meeting. The Committee noted Mr Bird's background experience, pertinent to the work of the Panel, and agreed that he should be appointed an interim voluntary co-optee.

RESOLVED - That the appointment of an interim co-optee to support the work of the Economy and Neighbourhoods Scrutiny Panel be agreed.

- 32 Forward Agenda Plan / Date of next meeting Committee meeting dates 2018/19**
The Committee considered arrangements for the next meeting and agreed to amend the start times for the November and January Committee meetings to accommodate the agenda issues to be considered.

RESOLVED –

- a) That the forward agenda plan be amended in accordance with changing timescales for particular items.
- b) That the next meeting of the Committee will be held on Monday 5 November 2018 starting at 9.30am.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 27th September 2018

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Donald Firth
Councillor Paul Kane
Councillor Carole Pattison
Councillor Rob Walker
Councillor John Lawson

- 1 **Membership of the Committee**
Under the provisions of Council Procedure Rule 35(8), Councillor Lawson substituted for Councillor A Pinnock.
- 2 **Minutes of the Previous Meeting**
RESOLVED - That the Minutes of the Meeting held on 30 August 2018 be approved as a correct record.
- 3 **Interests and Lobbying**
There were no declarations of lobbying or interests.
- 4 **Admission of the Public**
It was noted that exempt information had been submitted in respect of Agenda Item 13 (Pre-application enquiry 2018/20735).
- 5 **Public Question Time**
None received.
- 6 **Deputations/Petitions**
No questions were asked.
- 7 **Site Visit - Application 2018/92005**
Site visit undertaken.
- 8 **Site Visit - Application 2018/90403**
Site visit undertaken.
- 9 **Site Visit - Application 2018/20367**
Site visit undertaken.

10 Planning Application - 2018/92005

The Committee gave consideration to Application 2018/92005 – Demolition of existing industrial units and erection of new industrial units and formation of car parking at Flush Mills, Westgate, Heckmondwike.

RESOLVED - That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- time limit for implementation – 3 years
- development in accordance with approved plans
- no development on the buildings superstructure until samples of facing and roofing materials have been approved
- development not to be brought into use until areas to be used by vehicles/pedestrians have been surfaced and drained
- development shall not be brought into use until vehicle turning facilities have been implemented
- access to the site to only be taken from the existing site access with blocking up of existing loading bay
- the submission of a scheme providing drainage details for the site
- the implementation of an intrusive contaminated land survey
- the submission of a site remediation strategy if required
- the implementation of site remediation strategy if required
- submission of remediation validation if required
- investigation of coal mining legacy issues involving intrusive investigation, the implementation of remedial works if required and proposed mitigation measures
- the installation of electric vehicle charging points and the provision of a low emissions travel plan
- details prior to the commencement of development of the method of preventing vehicular access into the site from the existing opening to the west of Omar Street
- details to be provided for the provision of cycle and motorway parking
- details to be provided of eastern boundary wall to be retained, including method of demolition, finished treatment and structural integrity
- noise survey and implementation, as recommended by Environmental Protection

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

For: Councillors Bellamy, D Firth, S Hall, Lawson, Kane, Pattison and Walker (7 votes)

Against: (no votes)

11 Planning Application - 2018/92176

The Committee gave consideration to Application 2018/92176 – Erection of industrial units at 2A Colliers Way, Clayton West, Huddersfield.

RESOLVED - That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- time limit for implementation – 3 years
- development in accordance with approved plans
- no development on the buildings superstructure until samples of facing and roofing materials have been approved
- development not to be brought into use until areas to be used by vehicles/pedestrians have been surfaced and drained
- development shall not be brought into use until vehicle turning facilities have been implemented
- the submission of a scheme providing drainage details for the site
- the submission of a Phase I contaminated land study
- the implementation of an intrusive contaminated land survey if required
- the submission of a site remediation strategy if required
- the implementation of a site remediation strategy of required
- submission of remediation validation of required
- investigation of coal mining legacy issues involving intrusive investigation, the implementation of remedial works if required and proposed mitigation measures
- hours of operation restricted to 18:30 Monday to Friday and 08:00 to 13:00 Saturdays – no activities shall take place on Sundays or bank holidays
- the installation of electric vehicle charging points
- the submission of a scheme detailing the provision of bat roost opportunities
- the submission and approval of a landscaping scheme (including maintenance arrangements)
- details to be submitted for the provision of cycle and motorcycle parking

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

For: Councillors Bellamy, D Firth, S Hall, Lawson, Kane, Pattison and Walker (7 votes)

Against: (no votes)

12 Planning Application - 2018/90403

The Committee gave consideration to Application 2018/90403 – Erection of detached dwelling (modified proposal) at Springfield Farm, 15 Moorside, Cleckheaton.

RESOLVED - That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- time limit for implementation – 3 years
- development in accordance with approved plans
- samples of materials
- removal of permitted development rights

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- surfacing of parking areas
- electric vehicle charging point
- reporting of unexpected contamination
- ecological design strategy
- turning facilities shall be retained within the first 10 metres to the car park of Katie's Kinder Care Nursery to the north of the application site – the turning facilities shall thereafter be made available for use at all times by any vehicles and shall be kept free from obstruction to such use

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

For: Councillors Bellamy, D Firth, S Hall, Kane, Pattison and Walker (6 votes)

Against: (no votes)

Abstained: Councillor Lawson

13 Planning Application - 2018/90735

The Committee gave consideration to Application 2018/90735 – Demolition of former fire station and erection of 27 units at Marsden Fire Station, Manchester Road, Marsden.

RESOLVED - 1) That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- time limit for implementation – 3 years
- plans to be approved
- walling, roofing and paving materials to be submitted and approved
- submission of landscaping scheme
- obscure glazing in south-facing windows of dwellinghouse, or details of how mutual overlooking between houses and flats will be prevented
- access to be formed with appropriate visibility splays
- private parking spaces, vehicle turning areas to be laid out, surfaced and retained
- bin storage areas to be laid out and retained
- surface water drainage scheme and subsequent maintenance
- submission of ecological design strategy
- submission of phase II contamination report and remediation strategy
- installation and retention of charging points
- submission of lighting scheme
- construction management plan

2) That authority be delegated to the Head of Strategic Investment to secure, subject to the conclusion of the assessment of viability, a S106 Agreement to cover (i) provision of 2 on site affordable rent units and (ii) contribution of £10,000 towards sustainable transport initiatives, including a real time bus information display and discounted metrocards (residential metrocard scheme) - £13,365.

3) That, pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Strategic Investment shall be authorised to consider whether permission should be refused on

Strategic Planning Committee - 27 September 2018

the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted to determine the Application and impose appropriate reasons for refusal under delegated powers.

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

For: Councillors Bellamy, D Firth, S Hall, Lawson, Kane, Pattison and Walker (7 votes)

Against: (no votes)

14 **Pre Application Enquiry - 2018/20367**

The Committee received information in relation to a Pre-Application Enquiry in respect of Application 2018/20367.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Julian Winter (Huddersfield Town Football Club) and Joshua Hellowell (applicant's agent).

Discussion took place which reflected general support of the scheme, and specifically regarding to car parking provision, environmental standards, samples of construction materials.

15 **Exclusion of the Public**

RESOLVED - That acting under Section 100(A) 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.

16 **Planning Application - Application 2018/90735**

(Exempt information under Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006. The report is recommended for consideration in private because the information relates to the financial or business affairs of persons (or the authority holding that information). It is considered that the disclosure of the information would adversely affect the companies concerned. The public interest in maintain the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making).

The Committee received exempt information in respect of Pre Application Enquiry 2018/90735 (Minute No. 14 refers).

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 25th October 2018

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Paul Kane
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Rob Walker
Councillor Bernard McGuin

Observers: Councillor Vivien Lees-Hamilton
Councillor Nigel Patrick
Councillor Martyn Bolt
Councillor Ken Sims
Councillor Kath Taylor

1 Membership of the Committee

Councillor McGuin substituted for Councillor D Firth.

2 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 27 September 2018 be approved as a correct record.

3 Interests and Lobbying

It was noted that all Committee Members had been lobbied on Application 2017/93935.

Councillor S Hall declared that he had been lobbied on Application 2017/92568.

4 Admission of the Public

It was noted that exempt information had been submitted in respect of Agenda Item 11 (Application 2017/92568).

5 Public Question Time

The Committee received questions from Councillor Bolt in relation to road safety audits, access to information and the speaking protocol for the meeting.

6 Deputations/Petitions

None received.

7 Site Visit - Application No: 2017/ 93935

Site visit undertaken.

8 Site Visit - Application No: 2017/92568

Site visit undertaken.

9 Site Visit - Application No: 2018/91579

Site visit undertaken.

10 Planning Application - Application No: 2017/93935

The Committee gave consideration to Application 2017/93935 – Erection of 61 dwellings with associated access, drainage, open space and landscaping at land off Woodward Court, Mirfield.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Stephen Benson, Jude Bruce, Martin Ibberson, Christine Sykes, Brian Thornton, Andrew Kirkby, Cheryl Tyler and Tracy Dell (local residents), Mark Lane and Paul Thornton (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(1), the Sub-Committee received representations from Councillors K Taylor, Lees-Hamilton and Bolt.

RESOLVED – That, contrary to the Officer recommendation, the application be refused on the grounds that (i) the land is allocated as safeguarded land within the emerging local plan and (ii) the proposed development would have a detrimental impact upon highways safety, particularly with regards to the existing narrow road network, substandard visibility play at the junction of Woodward Court and Wellhouse Lane and the proximity to Crossley Fields Junior and Infant School.

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

For: Councillors Bellamy, S Hall, Kane, McGuin, A Pinnock and Walker (6 votes)

Against: (no votes)

Abstained: Councillor Pattison

11 Planning Application - Application No: 2017/92568

The Committee gave consideration to Application 2017/92568 – Erection of 62 dwellings with associated works and formation of associated parking with vehicular access from Woodhead Road at land off Woodhead Road, Honley.

RESOLVED – That consideration of the application be deferred in order to enable the applicant to address outstanding matters relating to the S106, drainage, highways connections and arboriculture issues.

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

For: Councillors Bellamy, S Hall, Kane, McGuin, Pattison, A Pinnock and Walker (7 votes)

Against: (no votes)

12 Planning Application - Application No: 2018/91579

The Committee gave consideration to Application 2018/91579 – Reserved matters application pursuant to outline application 2015/93824 for erection of 56 dwellings at former Midlothian Garage, New Mill Road, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Sub-Committee received a representation from Chris Darley (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(1), the Sub-Committee received representations from Councillors Sims and Patrick.

RESOLVED – That authority be delegated to the Head of Strategic Investment to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- Development to be carried out in accordance with approved plans
- Samples of materials
- Boundary treatments
- Tree protection measures and tree method statement
- Parking and surfacing areas to be provided
- Lighting scheme

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

For: Councillors S Hall, Kane, Walker, Pattison and A Pinnock (5 votes)

Against: Councillor Bellamy (1 vote)

Abstained: Councillor McGuin

13 Exclusion of the Public

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.

14 Planning Application - Application No: 2018/92568

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making).

Strategic Planning Committee - 25 October 2018

The exempt information was not considered due to the deferral of Agenda Item 11 (Minute No. 11 refers).