

Public Document Pack



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Monday 5 August 2019

Notice of Meeting

Dear Member

Cabinet

The **Cabinet** will meet in the **Reception Room - Town Hall, Huddersfield** at **4.00 pm** on **Tuesday 13 August 2019**.

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

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

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

Julie Muscroft

Service Director – Legal, Governance and Commissioning

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

The Cabinet members are:-

Member

Councillor Shabir Pandor
Councillor Viv Kendrick

Councillor Musarrat Khan
Councillor Naheed Mather
Councillor Peter McBride

Councillor Carole Pattison

Councillor Cathy Scott
Councillor Graham Turner
Councillor Rob Walker

Responsible For:

Leader of the Council
Cabinet Member - Children (Statutory responsibility for Children)
Cabinet Member - Health and Social Care
Cabinet Member - Greener Kirklees
Deputy Leader and Cabinet Member for Regeneration
Cabinet Member for Learning, Aspiration and Communities
Cabinet Member - Housing and Democracy
Cabinet Member - Corporate
Cabinet Member for Culture and Environment

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

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

2: Minutes of previous meeting

1 - 18

To approve the minutes of the meetings of Cabinet held on the 29 May, 18 June and 16 July 2019.

3: Interests

19 - 20

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

4: Admission of the Public

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

5: Deputations/Petitions

The Cabinet 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.

6: Public Question Time

The Cabinet will hear any questions from the general public.

7: Member Question Time

To receive questions from Councillors.

8: Corporate Financial Monitoring Report; Quarter 1 2019-20 21 - 42

To receive information on financial monitoring for General Fund Revenue, Housing Revenue Account (HRA) and Capital Plan, as at Quarter 1 (month 3), 2019-20.

Ward: N/A

Portfolio: Corporate

Contact: James Anderson, Head of Service, Accountancy and Sarah Hill, Finance Manager Tel: 01484 221000

9: Outcome of Call-in review meeting into the Cabinet - Decision in relation to Future Options for Almondbury Community School 43 - 46

To inform the Cabinet on the outcome of the Scrutiny call in review meeting into the Cabinet decision of 16 July 2019 on Future Options for Almondbury Community School. The scrutiny review meeting will take place on 7 August 2019 and the outcomes, including potential recommendations for Cabinet to consider, will be made available after that meeting.

Ward: Almondbury

Portfolio: Learning, Aspiration and Communities and Children Services

Contact: Penny Bunker, Governance and Democratic Engagement Manager, Tel: 01484 221000

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Wednesday 29th May 2019

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

Observers: Councillor Martyn Bolt
Councillor Andrew Cooper
Councillor Paola Antonia Davies
Councillor Alison Munror
Councillor Carole Pattison
Councillor Elizabeth Smaje
Councillor Mohan Sokhal
Councillor Rob Walker

Apologies: Councillor Musarrat Khan

1 Membership of the Committee

Apologies for absence were received on behalf of Councillor Khan.

2 Minutes of previous meeting

RESOLVED – That the Minutes of the Meeting held on 16 April 2019 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

It was noted that Agenda Item 16 would be considered in private session (Minute No. 16 refers).

5 Deputations/Petitions

Cabinet received deputations from Charly Matthews, Amy Bairstow, David Whittingham and Peter Rock in respect of Agenda Item 9 at the consideration of that item.

6 Public Question Time

Cabinet received questions from Trish Jennings, Charly Matthews, David Burns, Tejinder Ajiz, Helen Tones, Paula Bairstow, Elena Ali, Darren Bairstow and Adele Brady in respect of Agenda Item 9 at the consideration of that item.

7 Member Question Time

Cabinet received questions from Councillor Bolt in regards to (i) the availability of Cabinet Members for questions following this meeting (ii) progress made in investigating and recovering S106 monies for the Mirfield area (iii) the provision of safe and secure parking and improvement of facilities for HGVs and (iv) when the Leader would provide notice of the Members of Cabinet and their portfolios.

A response was provided by the Leader of the Council.

Cabinet received questions from Councillors Cooper, PA Davies and Munro in respect of Agenda Item 9 at the consideration of that item.

8 Appointment of Deputy Leader

Cabinet received notice from the Leader of the Council that Councillor Peter McBride had been appointed as Deputy Leader of the Council, in accordance with articles 7.2.4 and 7.3.4 of the Constitution.

RESOLVED - That it be noted that (i) under Articles 7.2.4 and 7.3.4 of the Council's Constitution, the Leader of the Council had appointed Councillor McBride as Deputy Leader of the Council, with effect from 13 May 2019 and (ii) Councillor McBride would take Cabinet Portfolio Holder responsibility for the Economy Portfolio.

9 Future Options for Almondbury Community School - Outcome Report

Cabinet gave consideration to a report which set out the outcomes of the non-statutory consultation process on future options for Almondbury Community School and sought approval to formally propose alterations to the school by reducing the age range from 3 to 16 years, to 3 to 11 years.

Deputations presenting objection to the proposals were received from Charly Matthews, Amy Bairstow, David Whittingham and Peter Rock, and questions were received from Trish Jennings, Charly Matthews, David Burns, Tejinder Ajiz, Helen Tones, Paula Bairstow, Elena Ali, Darren Bairstow, Adele Brady, Councillor Cooper, Councillor PA Davies and Councillor Munro.

The report advised that, pursuant to the decision of Cabinet on 19 March 2019, a non-statutory consultation had taken place between 27 March 2019 and 23 April 2019 in regards to; (i) changing the age range of the school, from 3 to 16 years, to 3 to 11 years, with implementation from September 2020 (ii) changing the planned admission number of the primary phase from 60 at Key Stage 1 and 110 at Key Stage 2 to 30, with effect from September 2020, thereby providing 210 places across Reception to Year 6, through a phased approach and (iii) admitting no new pupils into Year 7 from September 2020.

The report acknowledged that the proposals would require the Council to (i) work with King James's School and Newsome High School to realign the existing Almondbury Community School priority admission area (ii) explore the opportunity to work with King James's School to create 30 additional places from September 2020, thereby creating 150 additional secondary places over five years (iii) work with the Regional Schools Commissioner to secure an academy sponsor for Almondbury High School as a future primary school and (iv) consolidate Almondbury Community

Cabinet - 29 May 2019

School as a future primary school into the current key stage 1 building on Fernside Avenue.

Cabinet were advised that 358 responses to the consultation had been received, alongside a petition of 1254 signatures. The responses were contained at Appendix E of the considered report and an officer commentary addressing the key themes was contained within the report.

Cabinet noted that, whilst there was support for retaining a secondary phase at Almondbury Community School, there were a low number of pupils on roll which had resulted in the provision of a limited curriculum and that educational opportunities were challenged due to the financial impact of under occupancy. It was also noted that the Regional Schools Commissioner had issued an Academy Order for Almondbury High School on 16 May 2019.

The report advised that, subject to approval, the proposals would be subject to statutory notice, which would be followed by a period of representation, prior to a final decision being taken in July 2019.

RESOLVED –

- (1) That, pursuant to the non-statutory consultation process, authority be delegated to Officers to publish the following statutory proposals in relation to Almondbury Community School;
 - (i) to change the age range of the school from age 3 to 16 years to age 3 to 11 years (with effect from September 2020)
 - (ii) to change the planned admission number of the primary phase from 60 (Key Stage 1) and 110 (Key Stage 2) to 30 in both Key Stage 1 and Key Stage 2 (with effect from September 2020), thereby providing 210 places from Reception to Year 6 (through a phased approach)
 - (iii) to admit no new pupils to Year 7 from September 2020.

- (2) That Officers be authorised to
 - (i) continue to explore the consolidation of primary year groups at Almondbury Community School into the current Key Stage 1 building on Fernside Avenue, and report on the indicative level of investment required
 - (ii) continue to explore the opportunity to work with King James's School and make amendments to its current catchment area, creating 30 additional planned places from September 2020, therefore in the longer term creating an additional 150 secondary places at the school through the admission of 30 additional pupils per year, and report on the indicative level of investment required
 - (iii) work with Newsome High School to make amendments to its current catchment area to include the catchment area of Lowerhouses CE(VC) Junior, Infant and Early Years School which forms part of the current Almondbury Community School secondary catchment area
 - (iv) explore with Netherhall Learning Campus High School the impact of changing their catchment area to include parts of Moldgreen Community Primary School and Dalton School primary catchment areas (south of A642) which form part of the current Almondbury Community School secondary catchment area
 - (v) continue to work in partnership with local secondary schools and the Regional Schools Commissioner to plan for the transitional arrangements to support pupils, families and the staff of

Almondbury Community School if the proposal are approved (vi) continue to engage with and support children and families, particularly those in challenging circumstances who may be affected by the proposals (vii) continue to work with King James's Academy Trust to further assess the level of capital investment that would be required to enable King James's School to create 30 additional planned places and that this information be submitted to a future meeting (vii) continue to assess the level of investment which would be required to enable the existing Key Stage 1 building of Almondbury Community School on Fernside Avenue to be utilised by the revised age range and that this information be submitted to a future meeting and (viii) submit a report detailing the outcome of the statutory consultation and representation period to a future meeting to inform a final decision of Cabinet.

10 Disposal of Open Space at Raikes Lane/The Mount, Birstall, Batley

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

Cabinet received a report which set out details of objections received as a result of advertising the Council's intention to dispose of open space at Raikes Lane/The Mount, Birstall and were asked to give consideration as to whether the disposal should proceed pursuant to the previous Cabinet decision on 21 August 2018.

The report advised that six individual objections had been received, which were attached to the considered report at Appendix 2, and raised matters relating to the conservation area, the setting of listed buildings, wildlife and trees, road congestion and highways issues.

Cabinet considered that the disposal of the open space would allow the land to be better utilised and maintained and provide the opportunity for a local small scale development whereby the objections received in relation to the future use of the site could be addressed within the statutory planning process.

RESOLVED - That the objections be noted and that approval be given to the disposal of open space at Raikes Lane/The Mount, Birstall, Batley in order to (i) enable the land to be better utilised and maintained (ii) achieve a capital receipt and (iii) provide a potential opportunity for local small scale development and support to the local labour market.

11 Disposal of Open Space at Rowley Hill/Common End Lane, Lepton, Huddersfield

Cabinet received a report which set out details of objections received as a result of advertising the Council's intention to dispose of open space at Rowley Hill/Common End Lane, Lepton, and were asked to give consideration as to whether the disposal should proceed pursuant to the previous Cabinet decision on 21 August 2018.

The report advised that numerous objections had been received, which were attached to the considered report at Appendix 2, and raised matters relating to highways, drainage issues, recent repair works, wildlife and local habitat, invasion of privacy, overdevelopment and proximity to listed buildings.

Cabinet - 29 May 2019

Cabinet considered that the disposal of the open space would allow the land to be better utilised and maintained and provide the opportunity for a local small scale development whereby the objections received in relation to the future use of the site could be addressed within the statutory planning process.

RESOLVED - That the objections be noted and that approval be given to the disposal of open space at Rowley Hill/Common End Lane in order to (i) enable the land to be better utilised and maintained (ii) achieve a capital receipt and (iii) provide a potential opportunity for local small scale development and support to the local labour market.

12 **Early Closedown Review 2018/19**

Cabinet received a report which set out proposals to review earmarked reserves as part of the 2018-2019 accounts process. The report advised that the annual budget report had indicated that there would be a further assessment of reserves requirements as part of the 2018-2019 final accounts process, and a number of recommendations were therefore presented within the report regarding further reserves requirements.

Cabinet noted the detail of the proposals which were; (i) to set aside a specific reserve of £11m specifically to support the development of the Council's waste management strategy in light of the known financial implications of the current Council PFI waste contract ending 2022-2023 (ii) to increase the current strategic investment and support reserve by £1.4m from £4m to £5.4m and (iii) to establish a specific revenue reserve for £500k to support a range of initiatives to enhance a range of council venues which are available to the public for entertainment and cultural purposes. The report advised that the proposals would be met from the re-direct of existing financial resilience reserves of £8.8m, plus the transfer of in-year (2018-2019) unallocated minimum revenue provision totalling £1.4m from central budgets to general fund reserves, as part of the 2018-2019 final accounts process.

It was noted that, subject to approval, the proposals would be incorporated into the 2018-2019 final accounts process, and thereon reported to Council in July 2019.

RESOLVED -

- (1) That approval be given to (i) the Waste Management Strategy Reserve at £11m (ii) the increase in Strategic Management Reserve by £1.4m to £5.4m and (iii) the Commercialisation reserve at £0.5m.
- (2) That, pursuant to (i) and (iii) above, approval be given to the funding of reserves proposal through the transfer of £4.1m unallocated MRP release from Central Budgets, and re-direct of existing financial resilience reserves of £8.8m, as part of the 2018-2019 final accounts process.

13 **Air Quality Management Area Declaration – Thornton Lodge**

(Under the provision of Council Procedure Rule 36(1) Cabinet received a representations from Councillors Cooper and Sokhal).

Cabinet - 29 May 2019

Cabinet gave consideration to a report which sought approval to declare an Air Quality Management Area (AQMA) in Thornton Lodge and Longroyd Bride, Huddersfield.

Cabinet were advised that it was necessary for Local Authorities to declare Air Quality Management Areas for areas of the borough where pollution levels exceeded those required by government and that there were currently nine AQMAs within the Kirklees area. It was proposed that the Thornton Lodge Action Plan would be submitted to Cabinet in July 2019, as part of the Council's five year air quality action plan.

The report advised that the nitrogen dioxide levels in the Thornton Lodge area had been determined to exceed the national objective following a period of monitoring and assessment, and that the Council was under a legal duty to declare a AQMA under Section 83 of the Environment Act 1995.

RESOLVED - That authority be delegated to the Strategic Director (Economy and Infrastructure) to declare an Air Quality Management Area in Thornton Lodge and Longroyd Bridge, Huddersfield.

- 14 Assembling Land and Property, Huddersfield Town Centre**
(Under the provision of Council Procedure Rule 36(1) Cabinet received a representation from Councillor Cooper).

Cabinet gave consideration to a report which set out details regarding the acquisition of a strategic freehold asset in Huddersfield Town Centre, in association with the Huddersfield Town Centre masterplan.

Cabinet noted that the masterplan was to be launched for public engagement within the coming weeks and that the purchase of the asset would assist in supporting the Council's strategic objectives for the development of the town centre. The report advised that the ambition of the plan was to set out a number of key transformational projects which would shape the town centre in the long term.

An exempt appendix to the report set out details of the asset and financial implications.

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

RESOLVED -

- (1) That approval be given to the acquisition of the strategic freehold asset, in accordance with the terms as set out at Agenda Item 16 (exempt information).
- (2) That approval be given to capital funding from the Strategic Priorities allocation for Huddersfield Town Centre, as identified in the Council's approved Capital Plan for 2019/20 to 2023/24.

Cabinet - 29 May 2019

- (3) That authority be delegated to the Strategic Director (Economy and Infrastructure) and Service Director (Legal, Governance and Commissioning) to negotiate and agree the final terms for the acquisition of the asset as identified at Agenda Item 16 (exempt information).
- (4) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into and execute any agreements or instruments relating to the acquisition of the asset as identified at Agenda Item 16 (exempt information).
- (5) That authority be delegated to the Service Director (Economy and Skills) to undertake the strategic and operational management of the proposed strategic purchase, alongside the Service Director (Legal, Governance and Commissioning) to agree relevant operational leases and terms.

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 Assembling Land and Property Huddersfield Town Centre

(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 is that the disclosure of the information would be contrary to confidential terms and that the exemption outweighed the public interest in disclosing the information and providing greater openness and transparency in relation to public expenditure in Council decision making).

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

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Contact Officer: Helen Kilroy

KIRKLEES COUNCIL

CABINET

Tuesday 18th June 2019

Present: Councillor Shabir Pandor (Chair)
Councillor Carole Pattison
Councillor Rob Walker
Councillor Viv Kendrick
Councillor Musarrat Khan
Councillor Naheed Mather
Councillor Peter McBride
Councillor Graham Turner

Observers: Councillor Alison Munro
Councillor Mohan Sokhal

Apologies: Councillor Cathy Scott

17 Membership of the Committee

Apologies were received from Cllr Cathy Scott.

18 Minutes of previous meeting

The minutes of the meeting of Cabinet held on 29 May 2019 were agreed.

19 Interests

No interests were declared.

20 Admission of the Public

It was noted that agenda item 15 would be considered in private session.

21 Deputations/Petitions

No deputations or petitions were received.

22 Public Question Time

No questions were asked.

23 Member Question Time

No questions were asked.

24 Council Financial Outturn & Rollover Report 2018-19 incorporating General Fund Revenue, Housing Revenue account, Capital and Treasury Management

Cabinet gave consideration to the Council's 2018-19 financial outturn position for General Fund Revenue, Housing Revenue Account (HRA) and Capital Plan, including proposals for revenue and capital rollover from 2018-19 to 2019-20. This report also included an annual review of Council Treasury Management activity

Cabinet - 18 June 2019

Cabinet noted that the Council's General Fund Revised (net) revenue budget for 2018-19 was £275.2m. The budget included planned (net) revenue savings of £16.2m in 2018-19.

The revised budget was net of a number of planned transfers to reserves during the year, the most significant being the approved release of £8.5m Minimum Revenue Provision (MRP) overprovision from the Treasury Management budget in-year.

Cabinet were informed that Council spend was £275.0m in 2018-19 which had resulted in an underspend of £0.2m or 0.07% against the revised budget. The year-end financial position was the equivalent to the delivery of £16.4m overall savings broken down as follows:

- (i) £13.1m savings achievement against the £16.2m target; equating to 81%
- (ii) £3.3m net underspends elsewhere

Cabinet noted that the revenue outturn position was summarised at Appendix 1 and in Table 1 of the report.

Cabinet were asked to recommend that the underspend be used to fund a co-ordinated Healthy Holiday Programme through a partnership of 60 organisations which would allow those most in need to access services such as healthy meals, nutrition education and exercise.

RESOLVED - That Cabinet:-

- (1) Noted the revenue outturn position for 2018-19;
- (2) Noted the year end position on corporate reserves and balances;
- (3) Noted the regular monitoring and review of corporate reserves in 2019-20 to be reported to Cabinet as part of the Quarterly financial monitoring cycle; and
- (4) Approved the revenue rollover recommendation set out in the report.
- (5) Noted the year end position on the Collection Fund;
- (6) Noted the HRA revenue outturn and reserves position 2018-19;
- (7) Noted the Council capital outturn position for 2018-19;
- (8) Approved the £31.7m capital rollover from 2018-19 to 2019-20;
- (9) Approved the revised capital plan for the period 2019-24 after taking into account rollover, the re-phasing of schemes and changes to grant assumptions.
- (10) Noted the review of Treasury Management activity for 2018-19.

25 Quarter (4) Corporate Performance Report

Cabinet considered an overview of the Council's corporate performance at the end of Quarter (4) 2018/19.

Cabinet was informed that Kirklees was rated 6th out of 150 councils by iMPower (endorsed by the LGC) for achieving best value and positive outcomes for people receiving Adult Social Care services.

Cabinet - 18 June 2019

Cabinet noted that the Kirklees Economic Strategy 2019-25 had been adopted by the Council, an innovative plan to bring together all local organisations and businesses to create more local success and wealth.

RESOLVED - That the Corporate Performance Report Quarter 4 2018/2019 be received and noted.

26 Kirklees Communities Partnership Plan

Cabinet considered an overview of the new Communities Partnership Plan for Kirklees and the key priorities to make Kirklees safer and more cohesive.

The Communities Partnership Plan has been developed in consultation with the Communities Partnership and Overview and Scrutiny Committee but there was a formal requirement for the plan to be approved by Full Council as a key policy.

The Cabinet Member for Learning Aspirations and Communities recommended to Cabinet that the report be deferred to enable a further look at the policy framework of the Council to ensure that all issues of concern to residents in Kirklees had been included.

Cabinet also agreed that partners should be invited to be part of a joint presentation for the Communities Partnership Plan, when this matter was reconsidered by Cabinet.

RESOLVED - That the item be deferred.

27 Corporate Plan 2019 Refresh

Cabinet considered an update on some of the activities which had helped contribute to achieving the outcomes set in the two year Corporate Plan, approved July 2018.

Cabinet noted that the Corporate Plan 2018-20 was being refreshed for 2019/20 to highlight key delivery to date, as well as the priorities and continued direction of travel for the next 12 months. The shared outcomes, aims and impact measures remained consistent with the 2018-20 plan. However, this refresh provided the opportunity to update both the We're Kirklees journey, and the ways in which the Council would deliver against its outcomes.

Cabinet expressed thanks to the team that had produced the Corporate Plan.

RESOLVED -

- (1) That the Corporate Plan 2019/20 be endorsed by Cabinet and referred to the meeting of Council on 17 July 2019 for approval.
- (2) That authority be delegated to the Chief Executive to make any required amendments, in consultation with the Leader, following approval by Council at its meeting on 17 July 2019.

28 Huddersfield Business Improvement District (BID)

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

Cabinet - 18 June 2019

Cabinet considered a report to note the progress on the development of the BID project in the run up to the forthcoming July BID ballot, and the financial implications and considered potential waiver of any eligible admin costs incurred by the Council.

Cabinet was informed that it was envisaged the BID would charge an additional levy on top of existing business rates of 1.5% or 0.75% for those businesses within the 2 Zones. The estimated total levy income was £2.16m. Wherever possible the BID company would seek additional funding to increase the benefits that could be delivered to businesses.

Cabinet noted that the proposal would help to regenerate the Huddersfield Town Centre and engage businesses in future improvements of the area and to help celebrate its culture and heritage.

Cabinet was informed that decisions on expenditure of the BID would be taken by the partners involved and would take account of the heritage and priorities which were important to local businesses.

Cabinet noted that there would be a further investment requirement from the Council in terms of Council owned buildings in the BID area that would be part contributors towards the estimated additional £2.4m BID levy generated over a 5 year period.

RESOLVED -

- (1) That approval be given to waive the charges for the collection of the business levy associated with the BID.
- (2) That the potential financial implications if the BID was successful, be noted.
- (3) Subject to the outcome of the ballot, authority be delegated to the Service Director Legal, Governance and Commissioning or her authorised representatives, to approve the terms of, and execute any legal documentation to which the council is to be a party, necessary to finalise the implementation of the BID.

29 Ashbrow Housing Site - Update

Cabinet considered a report outlining the current position with the Ashbrow Housing site.

An exempt appendix to the report set out contractual terms of the Ashbrow development.

Cabinet gave consideration to the exempt information as set out at Agenda Item 15 prior to the determination of this item (Minute No. 31 refers).

RESOLVED -

- (1) That approval be given to proceed with the Ashbrow development in accordance with the contractual terms as set out in the private appendix of the report.
- (2) That the Service Director Legal, Governance and Commissioning be authorised to enter into any contractual documentation required to reflect the changes to Ashbrow scheme.

30 Exclusion of the Public

That acting under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 3 of Schedule 12A of the Act, as specifically stated in the undermentioned Minute.

31 Ashbrow Housing Site - Update

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006, namely Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 13 (Minute No. 29 refers).

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 16th July 2019

Present: Councillor Shabir Pandor (Chair)
Councillor Carole Pattison
Councillor Rob Walker
Councillor Viv Kendrick
Councillor Musarrat Khan
Councillor Naheed Mather
Councillor Peter McBride
Councillor Cathy Scott
Councillor Graham Turner

Attendees: Councillor Bernard McGuin
Councillor Andrew Cooper
Councillor Alison Munro
Councillor Elizabeth Smaje
Councillor Mohan Sokhal

32 Membership of the Committee

All Cabinet Members were present.

33 Interests

No interests were declared.

34 Admission of the Public

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

35 Deputations/Petitions

Cabinet received a deputation from Mr Ken Shaw seeking support for a campaign to assist local business through the adjustment of business rates and the reform of the Insolvency Act 1986.

A response was provided by the Cabinet Member for Corporate Services.

Cabinet received deputations from Charly Matthews, Amy Bairstow, Neesha Ali and Peter Rock in respect of Agenda Item 8 at the consideration of that item. (Minute No. 39 refers).

36 Public Question Time

Cabinet received questions from Trish Jennings, David Whittingham, Michael Buck, David Burns, Tejinder Ajiz, Charleen Davies and Darren Bairstow in respect of Agenda Item 8 at the consideration of that item. (Minute No. 39 refers).

37 Member Question Time

Cabinet received questions from Councillors Cooper, McGuin and Munro in respect of Agenda Item 8 at the consideration of that item. (Minute No. 39 refers).

38 2019/20 to 2023/24 Council Capital Plan - Proposed allocation of capital funding from the Directorate for Children's Learning & Early Support baseline sections of the Capital Plan

Cabinet gave consideration to a report which provided an update on specific school based Special Educational Needs and Disability capital grants, identified to be funded from the Learning and Early Support Special Provision government grant baseline section of the Council's capital plan. The report sought approval for the allocation of further top-up SEND funding, and additionally, were asked to approve the allocation of capital required to fund new modular accommodation at Brambles Primary Academy and Hanging Heaton CE (VC) Junior and infant Schools from the 2019/2020 Learning and Early Support Basic Need baseline budget for New Pupil Places.

The report provided an overview of the special provision funding made available to support pupils with SEND and explained the progress of the schemes at Ravenshall School, Honley High School and Newsome High School, along with associated revised project costs.

RESOLVED -

- (1) That the additional capital grant being provided by the DfE for Special Provision projects, as detailed within paragraph 2.2 of the considered report, be noted.
- (2) That approval be given to the proposed capital allocations for projects at Ravenshall School, Newsome High School and Honley High School, as detailed in the considered report, which would be funded from the Learning and early Support Special Provision grant baseline section of the Capital Plan and that authorisation be given for the projects to be designed, procured and implemented within the overall programme budget of £1.794m.
- (3) That approval be given to capital allocations for modular projects at Brambles Primary Academy and Hanging Heaton CE (VC) Junior and Infant School, to be funded from the Learning and Early Support Basic Need Grant baseline section of the Capital Plan, enabling the specified projects to be implemented on site.
- (4) That approval be given to delegate powers, in accordance with Financial Procedure Rule 3.16, to the Service Director for Economy and Skills to manage the implementation of the works identified within the considered report within the respective agreed total programme budgets, including authority to transfer resources between schemes and within the overall programme budget to enable the successful delivery of the individual projects.

39 Future options for Almondbury Community School - Final Decision Report

Cabinet gave consideration to a report which set out the outcomes from representations received in response to the published statutory proposal to change the upper age range of Almondbury Community School, from 3 to 16 years, to 3 to 11 years.

Cabinet - 16 July 2019

The report explained that, following the meeting of Cabinet on 29 May 2019, when a decision had been taken to publish the statutory notice and proposal, Cabinet were now asked to consider the outcome of the process and the Officer recommendation to give approval to changing the age range of the school. It was noted that, prior to this, a non-statutory consultation had been carried out, following authorisation at Cabinet on 19 March 2019, and the rationale for undertaking the non-statutory consultation were set out at paragraph 2.1 of the considered report.

Following the decision on 29 May, the report advised that a statutory notice was published on 7 June 2019, for a 4 week period, during which time 51 representations were received. The representations were set out at Appendix 9 of the report. Cabinet were advised that the Kirklees School Organisation Advisory Group had met on 5 July 2019 to consider the statutory process and to formulate advice for Cabinet and that the note of the meeting was attached at Appendix 5 to the considered report.

The report presented to Cabinet provided information regarding (i) the statutory process and (ii) information required to take a decision, which included detail regarding the rationale for the proposals, educational standards and diversity of provision, sufficiency of places, community cohesion, travel and accessibility and funding. It was noted, subject to approval, the proposal would be implemented from September 2020.

Cabinet noted the Officer recommendations, as set out within the report, which were to acknowledge the comments and objections received, note the outcomes and recommendations of the School Organisational Advisory Group, and approve a change to the age range of Almondbury Community School from age 3 to 16 years, to age 3 to 11 years. The report recommended that Cabinet approve the statutory proposal in order to support improving secondary provision for children in the Almondbury area.

RESOLVED -

- (1) That the advice of the Kirklees School Organisation Advisory Group, being that the proposal is compliant and that the required statutory processes have been carried out, be noted, and that it be agreed that the decision regarding this proposal is taken within the statutory time period.
- (2) That it be acknowledged and confirmed that (i) the comments and objections received during the representation period and (ii) the relevant statutory guidance, have both been given full consideration as part of the decision making process.
- (3) That the outcomes and recommendations of the Kirklees School Organisation Advisory Group held on 5 July 2019 be noted.
- (4) That approval be given to the statutory proposal to change the age range of Almondbury Community School from 3 to 16 years to age 3 to 11 years, with effect from September 2020.

Cabinet - 16 July 2019

- (5) That it be confirmed that the reasons for approving the statutory proposal are that the proposal would contribute to improving the secondary provision for all children in Almondbury.

- (6) That officers be instructed to support and work proactively with Almondbury Community School, local secondary schools and with families of pupils to finalise arrangements in order to ensure that effective transition plans are put in place to implement the proposals from 1st September 2020 whilst ensuring a safe and well planned transition without compromising standards and quality of provision.

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

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

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

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



Name of meeting: Cabinet

Date: 13th August 2019

Title of report: Corporate Financial Monitoring Report, Quarter 1, 2019-20

Purpose of the Report

To receive information on financial monitoring for General Fund Revenue, Housing Revenue Account (HRA) and Capital Plan, as at Quarter 1 (month 3), 2019-20.

Key decision – is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Key decision - is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?	Key decision - Yes
The Decision - Is it eligible for “call in” by Scrutiny?	Yes
Date signed off by Strategic Director & name	Rachel Spencer Henshall – 2 August 2019
Is it also signed off by the Service Director for Finance?	Eamonn Croston – 31 July 2019
Is it also signed off by the Service Director – Legal, Governance & Commissioning?	Julie Muscroft – 2 August 2019
Cabinet member portfolio - Corporate	Give name of Portfolio Holders Cllr Graham Turner

Electoral wards affected: None Ward
Councillors Consulted: None

Public or private: Public

GDPR: This report contains no information that falls within the scope of General Data Protection Regulations.

1. Summary

1.1 General Fund

- 1.1.1 The Council's revised General Fund controllable (net) revenue budget for 2019-20 is **£287.1m**. The budget includes planned (net) revenue savings in-year of £10.9m.
- 1.1.2 The revised budget includes a number of planned transfers from reserves during the year, with the most significant being £2.8m from the revenue grants reserve which includes £0.8m from the Public Health reserve.
- 1.1.3 There is a forecast overspend of £2.0m against the £287.1m revised budget at Quarter 1; equivalent to 0.7%. This represents the following:
- i) forecast delivery of £7.8m planned savings against the target £10.9m ; equivalent to 72%;
 - ii) proposed transfer and roll forward of unbudgeted forecast in-year high needs pressure of £4.2m, through the Dedicated Schools Grant (DSG) funding account, within allowable Government rules;
 - ii) forecast £1.1m net underspends elsewhere

A detailed breakdown of the planned savings can be found at Appendix 6.

- 1.1.4 The forecast revenue outturn as at Quarter 1 is summarised at Appendix 1 and also in Table 1 below.

Table 1 - Overview of 2019-20 general fund forecast revenue outturn position as at Quarter 1

	Revised Budget	Outturn Forecast	Variance
	£000	£000	£000
Children & Families	80,317	80,751	434
Adults & Health	100,315	101,265	950
Economy & Infrastructure	40,997	43,765	2,768
Corporate Services	32,068	32,044	(24)
Central Budgets	33,382	31,282	(2,100)
Grand Total	287,079	289,107	2,028

- 1.1.5 It is expected that Strategic Directors continue to ensure as far as possible that management actions are taken between now and year end to manage down the forecast £2.0m forecast overspend, to deliver an overall balanced position for the Council for 2019-20. Headline variances are described in more detail in sections 1.2 to 1.5 below and a summary of all key variances can also be found at Appendix 4.
- 1.1.6 Cabinet has started work with the Executive Team to develop the budget for 2020-21 and beyond. After an initial review of the implementation of this year's agreed budget, the Cabinet will be looking to develop proposals that continue to build on their ambition for investment that supports the Council's priorities. A report will be submitted to Cabinet and the Council in early autumn which will set out the financial planning framework to inform the Council's budget strategy for 2020-21 and beyond.

1.2 Children & Families

Learning – High Needs

- 1.2.1 The Dedicated Schools Grant (DSG) High Needs funding allocation for 2019-20 is £38.0m. The forecast in-year pressure on High Needs spend in excess of the DSG funding allocation is £9.2m (equivalent to 24.2%). This pressure has been part offset from the planned release of Central Budget Minimum Revenue Provision (MRP) budget of £5m in-year. The current Medium Term Financial Plan (MTFP) strategy is to continue to release MRP over-provision budget over the medium term, but on a reducing basis.
- 1.2.2 Government's 2017 review of the National Funding Formula (NFF) acknowledged that Kirklees was underfunded in relation to existing high needs support from birth through to age 25, and identified a £7m high needs funding increase requirement (equivalent to 21% uplift against the existing high needs allocation). However, maximum annual increases have been capped at 3%, which translates to around to £1m uplift per year from 2018-19, over a seven year period. The current MTFP strategy set out in paragraph 1.2.1 above is intended to compensate for the fact that the full £7m funding requirement is only being released gradually by Government, over the 7 year period. It also takes into account a supplementary extra £250m national high needs funding announcement by Government late in 2018-19; £125m in 2018-19 and £125m 2019-20. Kirklees share of this is £1m per annum.
- 1.2.3 Net of the planned release of £5m MRP over-provision in-year, there is still a balance of £4.2m forecast unfunded in-year pressure. Of this, £2.2m relates to additional funding required to address structural funding pressures within the Council's Special Schools provision.
- 1.2.4 The remaining £2m High Needs pressure relates to a forecast increase in the overall number of children with Education, Health and Care Plans (EHCP's) and increased levels of top up funding for children already with an EHCP.
- 1.2.5 There has already been a 44% rise in the number of EHCP's within Kirklees in the last four years (2015-2019) since the 2014 Children and Families Act was implemented (47% nationally). The rising demand and cost pressures show no sign of slowing down, with continued growth of EHCP numbers expected in future years (over 10% in each of the last three years nationally).
- 1.2.6 It is not known at this stage whether any additional High Needs funding will be allocated by Government later in the year in response to the growing pressures noted at paragraph 1.2.5 above. The issue of high needs pupil pressures on Council budgets has been the subject of significantly increased recent national media coverage, and broader sectoral lobbying.
- 1.2.7 It is proposed at Quarter 1 that the projected unfunded High Needs pressure of £4.2m is carried forward on the balance sheet as a funding deficit against Dedicated School Grant (DSG). This is allowable under current Department for Education (DfE) DSG grant conditions. Should the deficit rolled forward comprise greater than 1% of the Council's total DSG allocation, the DfE will require the Council to agree a plan to return the DSG account to a balanced position within a specified time period (up to a maximum of three financial years). Kirklees received an overall DSG allocation of £362.65m for financial year 2019-20 so a deficit of £4.2m equates to 1.16%.
- 1.2.8 To put the above approach into context, most recently the Association of Local Authority Treasurers wrote to the Secretary of State for Education on 28th June 2019 outlining the issues facing the 152 Councils with statutory education responsibilities, in managing this additional demand, and asking Government for a further injection of funding into the system alongside a review of the Children and Families Act. Based on a survey response of 88 Authorities, the letter sets out an indicative estimate that by the end of 2018/19, the cumulative High Needs deficit across the 152 authorities would be in the region of £500m, and that through 2019-20, 88% of the 152 authorities will be in a deficit high needs funding position. The proposal set out in paragraph 1.2.7 above would also result in an equivalent Kirklees DSG £4.2m forecast

deficit carried forward equivalent to 11.0% of the Council's annual high needs funding allocation.

- 1.2.9 High Needs is an area of significant and growing pressure on Council budgets nationally and officers will continue to review and update current and future year forecasts through 2019-20, informed by local and national intelligence. It is anticipated that medium term, growth pressures may be mitigated at least in part through other measures included in the Kirklees-wide High needs Strategic review, with the Council currently working on the implementation of an action plan with key education partners across the district. Medium term, the approved capital budget plans for 2019-24 include £25m to support increased District high needs specialist placement sufficiency.
- 1.2.10 However, the above measures in themselves will not be enough to recover the overall position, and there is an expectation both locally and across the sector that Government has to fundamentally review High Needs funding requirements through any forthcoming Spending Review process, with some potential for a further supplementary in-year High Needs funding allocation as well, in 2019-20.

Learning and Early Support

- 1.2.11 There is a forecast pressure of £0.5m on Post -16 Home to School Transport due to an increase in the number of pupils with Education Health and Care Plans (EHCP's) requiring transport. Currently there are 245 children with EHCP's using this service which is an increase of 48 from the previous year and 91 from 4 years ago. This pressure also links in to other schools transport pressures highlighted in paragraph 1.4.2 further below, and the Council is currently exploring a range of alternate approaches, working with pupils, parents, schools sector and providers, to deliver more innovative and tailored transport options while reducing overall cost pressures.

Child Protection and Family Support

- 1.2.12 Child Protection and Family Support has an estimated underspend of £0.7m on demand led placement costs; with planned moves agreed to reduce External Residential Placement (ERPs) from 37 to 16 during the year. This underspend is offset in part by other net social care pressures totalling £0.3m, including investment in Social Work practice and staff development.

1.3 Adults and Health

- 1.3.1 Within Adults and Health there is a planned saving on independent sector home care of £1m, and this is anticipated to be achievable, in part due to strengths based approaches having an impact. However there is a further projected £1.3m home care underspend; mainly due to current capacity challenges in the Independent Sector Home Care market which is resulting in causing alternate spend on placements and short term packages of £500k; and also some re-direct of anticipated Home Care spend to self-directed support, at £600k.
- 1.3.2 The other main projected variance in Adults relates to employee costs at £461k. A Programme is currently being shaped around the means of achieving the 19-20 savings targets. This will involve further developing understanding around demand and growth predictions, levels of productivity and the workforce shape required to best deliver pathways. It will also enable an intelligence led approach to vacancy management.
- 1.3.3 Government confirmed a national in-year (2018-19) package of social care funding to ease pressure on the NHS over the winter months as part of the Autumn Budget announcement on 29 October 2018. Kirklees' share of this additional in-year funding was £1.86m. The 2019-20 finance settlement confirmed the continuation of this funding in 2019-20. This is built into Adults base budgets alongside £1.2m Social Care Grant, originally announced as a one-off grant for 2018-19 but subsequently rolled into a new funding allocation for 2019-20 to be spent on Adult's

and Children's social care.

- 1.3.4 An additional £2.8m resource was set aside in reserves for Social Care Investment and Transformation in 2018-19; the funding made up of £1.6m additional income from the 2018-19 100% business rates pilot plus £1.2m additional Adult Social Care (ASC) grant from government (2018-19 allocation). Specific resource allocation recommendations for this additional funding were approved at Cabinet on 18th August 2018 with plans to draw the reserve down over a two year period to match actual spend. £2.5m of this reserve is still available to draw down in 2019-20.
- 1.3.5 The revised budget for Public Health includes a planned transfer of £823k from the Public Health reserve in-year, approved as part of the Annual Budget report in February 2019. This resource is being used to allow continued investment in substance misuse and sexual health activities that would otherwise have been subject to savings in 2019-20.

1.4 Economy and Infrastructure

- 1.4.1 Within Commercial, Regulatory & Operational Services (CROS) there is a projected overall income shortfall of £1.2m in Car Parking. As part of 2019-20 budget, car parking charges were frozen, and have been for a number of years. This means that the income targets within the budget cannot be achieved. Parking studies are underway, taking into account the Council's town centre and climate change ambition, which will enable a more realistic figure to be built into the budget process for 2020-21.
- 1.4.2 Also within CROS there is a projected overspend of £0.5m on Schools Transport; in the main linked to special educational needs demand (links also to the Learning-High Needs Section 1.2 of the report earlier), and a £0.4m short-term pressure in Bereavement due to a revised income shortfall projection relating to the Cremator Replacement project.

1.5 Central Budgets

- 1.5.1 Approved Central Budgets for 2019-20 include the set aside of £2.7m minimum revenue provision (MRP) over-allocation budget, as in-year contingency. This report reflects the intended release of £2.1m of this contingency over-provision at Quarter 1, to part mitigate the balance of £3.1m, or 28%, of the planned £10.9m savings unlikely to be achieved by current year end (see also Appendix 6). This leaves a contingency of £600k within Central Budgets; the further release of which will be reviewed in subsequent monitoring reports.

1.6 General Fund Reserves

- 1.6.1 The reserves position at Appendix 2 reflects the Council's reserves strategy and approach reported and approved at Budget Council on 13 February 2019 and subsequently updated as part of the 2018-19 Outturn report to Cabinet and Council in June and July 2019 respectively.
- 1.6.2 General fund reserves and balances are estimated to reduce through 2019-20 by £5.5m; from £112.5m at the start of the year to £107.0m as at 31 March 2020. The movement is made up of planned drawdowns in the year of £2.8m from the Revenue Grants reserve and £0.5m from the Rollover Reserve, together with the forecast overspend in year of £2m. However, this is a very early indicative forecast movement, and will be re-freshed and updated later in the year.
- 1.6.3 The revenue rollover of £189k approved at Council on 17th July has been transferred from general balances to the rollover reserve in-year to leave a revised General Balances figure of £10.0m.
- 1.6.4 The forecast reserves as at 31st March 2020, includes £9.7m relating to statutory schools reserves (which cannot be re-directed for non-school uses), leaving £10.0m general balances

and £87.3m usable reserves.

- 1.6.5 Total forecast usable reserves at 31st March 2020 is equivalent to 30.4% of the 2019-20 £287.1m (net) revenue budget. This represents a net increase of over 2% in this particular indicator, over the past 12 months, from 28%. For comparator purposes, the median percentage across the 26 metropolitan Councils on this particular indicator was 36% as at 31 March 2018.
- 1.6.6 The significance of this indicator is that it features as part of CIPFA's suite of 'financial resilience' performance indicators being developed to support officers, members and other stakeholders as an independent and objective suite of indicators that measure the relative financial sustainability and resilience of Councils, given extensive and ongoing national coverage and concern about financial sustainability across the local government sector.
- 1.6.7 Forecast financial resilience reserves as at 31st March 2020 will remain at just over £35m, which is net of the forecast £2m overspend and therefore £2m below the minimum financial reserves requirement recommendation by the Chief Financial Officer at least to the start of 2020-21. This recommendation was set out in the original 2019-22 budget strategy update report to Council in October 2018, informed by the Council's corporate risk register.
- 1.6.8 Regular monitoring and review of corporate reserves will be undertaken as part of the standard monitoring cycle and factored into the budget update due to Cabinet and Council in early Autumn 2019.
- 1.6.9 The Strategic Investment Support Reserve stands at £5.4m but there will be a review of the profile of commitments against this reserve for Quarter 2. Current commitments total £5.35m across the period 2019-24. These include managing the medium term revenue impact associated with the strategic acquisitions of key assets in support of the Council's broader Blueprint agenda for the major transformation of our key Town Centres. These reserves commitments will be monitored on an ongoing basis.
- 1.6.10 Kirklees had previously been allocated £210k funding from Government to help Councils with preparations for the UK's planned withdrawal from the EU; £105k for 2018-19 and a further £105k for 2019-20. This is being held within earmarked reserves in the first instance. Any costs incurred relating to planning, for example for increasing capacity and resilience, will be monitored and funding drawn down from the reserve to cover these costs in due course. Another potential impact on service budgets is the slow release build-up of costs through changes in prices/shortages in supply etc. These costs will also be monitored as required.

1.7 Collection Fund

- 1.7.1 The Collection Fund accounts separately for council tax and business rates income and payments. At Quarter 1, both elements of the collection fund are projecting an in-year performance in line with budget for 2019-20.
- 1.7.2 Taking into account the opening balance and repayments to the general fund in year, this results in a forecast deficit of £0.4m at 31st March 2020 for council tax; equivalent to 0.2% of Kirklees annual council tax requirement, and a forecast surplus of £1.8m for business rates; or 2.4% of planned income. See also the collection fund summary at Table 2 below.

Table 2 – Collection Fund Summary

Collection Fund forecast (Council Share)	Council Tax	Business Rates	Total
	£000	£000	£000
(Surplus)/Deficit at 1st April 2019	1,621	(8,700)	(7,079)
Re-payments to/(from) General Fund 19-20	(1,179)	6,923	5,744
In year Financial Performance	-	-	-
(Surplus)/Deficit at 31st March 2020	442	(1,777)	(1,335)

- 1.7.3 Business Rates annual appeals bad debt provision requirement was reduced in the 2019-20 budget round as a reflection of the new, more stringent, appeals system implemented from April 2017 onwards. Based on Quarter 1 forecasts, this revised level is robust, however officers will continue to review and update appeals provision assumptions throughout the remainder of the financial year as further intelligence emerges from the new system.

2018-19 Leeds City Region Business Rates Pool Surplus

- 1.7.4 The Leeds City Region Pool (LCR) was disbanded on 31st March 2019, with the new North and West Yorkshire 75% Pilot arrangement beginning on 1st April 2019. At the final meeting of the LCR Pool's Joint Committee on 27th March, a projected surplus of £1.5m was noted and this was notionally allocated to member authorities in accordance with the Governance Agreement. Kirklees' allocation of the surplus was calculated to be £164k.
- 1.7.5 A meeting of the Leaders was held on 11th April to discuss how to utilise this surplus. Leaders agreed to fund the following from the 2018-19 surplus position:
- i) 2019-20 Leeds City Region Secretariat £620k
 - ii) 2019-20 Combined Authority Transport Fund £696k
 - iii) 2019-20 WYCA China/India Desk £150k

Governance arrangements require individual members of the LCR Pool to formally approve the proposed utilisation of the LCR Pool Surplus funds as set out above. Cabinet is therefore asked to approve the proposals set out here, as part of this overall report.

1.8 Housing Revenue Account

- 1.8.1 The Council's Housing Revenue Account (HRA) accounts for all Council housing related revenue expenditure and income in a separate statutory (ring-fenced) account. The forecast revenue outturn at Quarter 1 is a surplus of £0.9m against an annual turnover budget of £92.0m in 2019-20; equivalent to just 1%. This largely reflects a planned re-payment to the HRA by Kirklees Neighbourhood Housing of £1.1m fee underspend rolled forward from 2018-19, against repair and maintenance activity.
- 1.8.2 Forecast HRA reserves at 31 March 2020, net of set asides for business risks and investment needs and a minimum working balance, is £61.2m. A summary of the HRA outturn and reserves position can be found at Appendix 3. Key variances are highlighted as part of Appendix 4.

1.9 Capital

- 1.9.1 The Council's revised capital budget for 2019-20 is £114.8m. The forecast capital outturn at Quarter 1 is £113.4m; forecast £1.4m variance.
- 1.9.2 The quarter 1 position is summarised in Table 3 below, categorised by Council primary purposes as set out in the Corporate Plan, which illustrates how the Council's investment proposals align

with the Council's ambitions for its residents. Each primary outcome is further structured between strategic priorities, baseline work programmes and one-off projects.

Table 3 – Forecast Capital Outturn 2019-20 at Quarter 1

By Category	Revised Budget £000	Actuals to Date £000	Annual Forecast £000	Variance £000
Achieve & Aspire	16,031	157	14,632	(1,399)
Children	200	0	200	0
Independent	2,673	13	2,673	0
Sustainable Economy	59,746	10,357	59,746	0
Well	4,029	68	4,029	0
Safe & Cohesive	180	0	180	0
Clean & Green	1,789	360	1,789	0
Efficient & Effective	4,456	166	4,456	0
General Fund	89,104	11,121	87,705	(1,399)
Independent –Strategic Priorities	6,790	287	6,790	0
Independent - Baseline	18,892	389	18,892	0
Housing Revenue Account	25,682	676	25,682	0
Total Capital Plan	114,786	11,797	113,387	(1,399)

- 1.9.3 A more detailed breakdown of the capital outturn position is provided at Appendix 5, along with key variances highlighted.
- 1.9.4 Noting that Quarter 1 is an early capital forecast, officers will continue to review capital budget profiles in year, including any more detailed recommendations for potential re-profiling of scheme budgets between years (allowable under Financial Procedure Rules 3.10-3.15), as part of Quarter 2 financial monitoring. Any such recommendations would reflect the growing complexities and challenges over the next 5 years in delivering to this scale of ambition.
- 1.9.5 Future capital plan updates will also be presented periodically to Council as part of the annual budget strategy update and annual budget approval reports to Cabinet and Council as a matter of course, as part of the annual planning cycle.
- 1.9.6 The overall capital funding position will also be updated for Quarter 2 monitoring, based on the actual spending to that point. It should be noted that early indicators of actual expenditure as at Quarter 1 are £3.8m ahead of last year (£11.8m for 2019-20 compared to £8m in 2018-19), which highlights the progress to date in delivering the capital plan.
- 1.9.7 Approval is requested for a Council contribution to counter terrorism work in Kirklees Stadium Development Ltd (KSDL) relating to various grades of telescopic bollards. The Council's share (40%) of the planned expenditure for this scheme is likely to be up to £60k. It is intended that this can be absorbed within existing capital funding (re-direct from flexible capital receipts activity line).

2 Information required to take a decision

- 2.1 The Appendices accompanying this report provide a more detailed breakdown of the Quarter 1 financial monitoring position, as follows:
- i) Appendix 1 sets out by service area, the forecast general fund revenue outturn position in 2019-20;

- ii) Appendix 2 summarises the forecast general fund reserves and balances movements in-year,
- iii) Appendix 3 summarises the forecast HRA financial position including movements in HRA reserves in-year;
- iv) Appendix 4 highlights the more significant general fund and HRA variances across service areas;
- v) Appendix 5 sets out by Outcome area the forecast capital outturn position in 2019-20 and the reasons for the more significant forecast capital variances across strategic priority and baseline capital schemes.
- vi) Appendix 6 shows forecast performance against planned savings at Quarter 1.

3 Implications for the Council

3.1 The report provides summary information on current and forecast financial performance against annual Council revenue and capital budgets, as at Quarter 1. These budgets support the overall delivery of the following Council objectives and Priorities within available resources:

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

3.2 Working with People

3.3 Working with Partners

3.4 Place Based working

3.5 Improving Outcomes for Children

3.6 Financial, Legal & Other Implications

3.6.1 The financial climate facing local government remains challenging; in particular with regard to Councils like Kirklees that have statutory education and social care responsibilities. The number of people who require support continues to increase and the complexity of services provided to vulnerable children and adults require higher levels of resourcing, while the cost of services continues to increase.

3.6.2 This challenge is exacerbated by the uncertainty surrounding the local government funding landscape post 2020. The political indecision created by the delay in the withdrawal of the UK from the European Union, is causing disruption to many decisions throughout Whitehall.

3.6.3 The Chancellor announced that the 2019 Spending Review would be revealed later in the autumn and would cover the period 2020-21 to 2022-23, however due to protracted uncertainty around the nature and timing of the UK's intended withdrawal from the EU, this could be cut to a single year. In turn, this could potentially impact the planned timeline for the business rates re-set and fair funding reviews, currently intended to be in place for 2020-21. In isolation, these reviews are already a source of great uncertainty for councils going forwards that, upon their conclusion, will result in a redistribution of funding between individual authorities.

3.6.4 Existing approved budget plans for 2019-22 include further target savings proposals of £6.2m over the 2020-22 period. However, given the uncertainties outlined above, there is significant

volatility in future years funding forecasts from 2020-21 onwards, and the Council at least needs to ensure that it achieves overall delivery of its existing planned savings over the 2019-22 period, including corrective action or alternative proposals.

- 3.6.5 Quarter 1 monitoring forecasts indicate the delivery in year of £7.8m net savings compared to planned savings of £10.9m; equivalent to 71% against target savings, and an overall £2.0m projected overspend. Note that these forecasts are net of High Needs unfunded pressures now assumed to be rolled forwards on the balance sheet as a deficit against DSG.
- 3.6.6 It is expected that Strategic Directors ensure as far as possible that management actions are taken between now and year end to manage down the remaining net overspend position to a nearer overall break-even position.
- 3.6.7 The Council's refreshed reserves strategy approved in the 2019-22 budget plans and since reaffirmed in Outturn and Rollover report to Cabinet and council in June and July 2019, are directed at strengthening organisational flexibility and financial resilience over the medium to longer term in account of the continued funding uncertainty for Councils post 2020. Any projected overspend would in the first instance effectively be transferred to reserves at year end and offset by financial resilience reserves, as indicated at Appendix 2.
- 3.6.8 It is intended that the forthcoming annual budget strategy report to Cabinet and Council in early autumn will incorporate a more detailed review, quantification and sensitivity analysis on a range of emerging budget and other risks to help inform the Council's financial planning framework and overall reserves requirement as part of the refreshed Medium Term Financial Plan (MTFP).
- 3.6.9 The above will factor in as appropriate, emerging issues highlighted through in-year financial monitoring reports.

4 Consultees and their opinions

This report has been prepared by the Service Director Finance, in consultation with the Executive Team.

5 Next Steps

To present this report to Cabinet as part of the Quarterly financial monitoring reporting cycle.

6 Cabinet portfolio holders recommendations

The portfolio holder agrees with the recommendations set out in this report.

7 Officer recommendations and reasons

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

General Fund

- 7.1 approve the roll forward of the £4.2m High Needs overspend through the DSG mechanism for the reasons set out in the narrative of this report ;
- 7.2 note the 2019-20 forecast revenue overspend of £2.0m as at quarter 1; net of the proposal set out at 7.1 above;
- 7.3 note the expectation that Strategic Directors work to identify opportunities for spending plans to be collectively brought back in line within the Council's overall budget by year end;

- 7.4 note the forecast year end position on corporate reserves and balances;
- 7.5 note the regular monitoring and review of corporate reserves in 2019-20 to be reported to Cabinet as part of the Quarterly financial monitoring cycle;
- Collection Fund
- 7.6 note the forecast position on the Collection Fund as at Quarter 1;
- 7.7 approve the allocation of the Leeds City Region pool surplus against the schemes highlighted in section 1.7 of the report.
- HRA
- 7.8 note the Quarter 1 forecast HRA surplus at £0.9m and forecast year-end reserves position of £61.2m;
- Capital
- 7.9 note the Quarter 1 forecast capital monitoring position for 2019-20;
- 7.10 to note the intention to bring back to Cabinet a more detailed review of the in-year capital forecast for Quarter 2, including any recommendations for scheme re-profiling across years ;
- 7.11 approve the capital expenditure for KSDL as highlighted in paragraph 1.9.7.

8 Contact Officer

James Anderson, Head of Service - Accountancy
james.anderson@kirklees.gov.uk

Sarah Hill, Finance Manager
sarahm.hill@kirklees.gov.uk

9 Background papers and History of Decisions

Outturn and Rollover Report 2018-19
Early Closedown Review 2018-19
Annual budget report 2019-22
Budget Strategy Update Report 2019-22
Annual budget report 2018-20

10 Service Director responsible

Eamonn Croston, Service Director Finance.

Corporate Revenue Budget Monitoring 2019-20 – Month 3								
	Year To Date			Annual				
Strategic Director portfolio responsibilities	Controllable Budget (Net)	Actuals	Variance	Controllable Budget (Net)	Planned use of reserves	Revised Budget	Forecast	Variance
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Child Protection & Family Support	14,700	13,183	(1,517)	58,486	29	58,515	58,007	(508)
Learning & Early Support & Schools	8,363	8,935	572	21,417	385	21,802	22,744	942
Sub Total (Children & Families)	23,063	22,118	(945)	79,903	414	80,317	80,751	434
Adults Social Care Operation	14,325	14,609	284	33,375	18	33,393	33,151	(242)
Policy, Intelligence & Public Health	1,122	1,450	328	(2,632)	1,186	(1,446)	(1,473)	(27)
Commissioning, Quality and Performance	16,088	15,721	(367)	60,428	-	60,428	61,717	1,289
Service Integration	538	559	21	7,940	-	7,940	7,870	(70)
Sub Total (Adults & Health)	32,073	32,339	266	99,111	1,204	100,315	101,265	950
Economy, Regeneration & Culture	1,748	1,792	44	8,543	908	9,451	9,495	44
Commercial, Regulatory & Operational Services	1,296	2,921	1,625	31,570	(24)	31,546	34,270	2,724
Sub Total (Economy & Infrastructure)	3,044	4,713	1,669	40,113	884	40,997	43,765	2,768
Finance & Transactional Services	17,958	17,879	(79)	19,797	917	20,714	20,635	(79)
Governance & Commissioning	518	573	55	1,970	-	1,970	2,025	55
Corporate Services (OCE)	941	941	(0)	9,240	144	9,384	9,384	(0)
Sub Total (Corporate Services)	19,417	19,393	(24)	31,008	1,061	32,068	32,044	(24)
Central	3,151	3,319	168	33,487	(105)	33,382	31,282	(2,100)
General Fund Total	80,748	81,882	1,134	283,621	3,458	287,079	289,107	2,028

Appendix 2

	General Fund Earmarked Reserves						
	As at 1st April 2019	Reserves Review (annual budget)	Revised Balance	Planned drawdown in-year	Movements in-year	Unplanned use	Forecasted Reserves 31st March 2020
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Statutory (School Reserves)	(9,744)		(9,744)	-	-	-	(9,744)
Earmarked							-
Financial Resilience	(32,746)	(4,400)	(37,146)	-	-	2,028	(35,118)
Earmarked (Other)							
Workforce Restructure	-	-	-	-	-		-
Rollover	(2,160)	-	(2,160)	473	(189)	-	(1,876)
Revenue Grants (various)	(15,014)	21	(14,993)	2,796	-		(12,197)
Stronger Families Grant	(1,817)		(1,817)	-	-	-	(1,817)
Insurance	(1,900)		(1,900)	-	-	-	(1,900)
Other	(3,913)	(120)	(4,033)	139	-	-	(3,894)
Ward Based Activity	(1,067)	(160)	(1,227)	50	-	-	(1,177)
Social Care Reserve	(2,496)	-	(2,496)	-	-	-	(2,496)
Property and Other Loans	(3,000)	-	(3,000)	-	-	-	(3,000)
Adverse Weather	(4,000)	1,000	(3,000)	-	-	-	(3,000)
Strategic Investment Support	(5,400)	-	(5,400)	-	-	-	(5,400)
Waste Management	(11,000)	-	(11,000)	-	-	-	(11,000)
Mental Health	-	(1,400)	(1,400)	-	-	-	(1,400)
Business Rates	-	(2,000)	(2,000)	-	-	-	(2,000)
Elections	-	(500)	(500)	-	-	-	(500)
One venue Dev't Plan	(500)	-	(500)	-	-	-	(500)
Total – Earmarked Other	(52,267)	(3,159)	(55,426)	3,458	(189)	-	(52,157)
Sub-total Earmarked Reserves	(85,013)	(7,559)	(92,572)	3,458	(189)	2,028	(87,275)
General Balances	(10,215)	-	(10,215)	-	189	-	(10,026)
Grand Total	(104,972)	(7,559)	(112,531)	3,458	-	2,028	(107,045)
Total usable reserves (excluding schools)	(95,228)	(7,559)	(102,787)	3,458	-	2,028	(97,301)

HOUSING REVENUE ACCOUNT 2019-20 - MONTH 3

	Year to Date			Annual		
	Controllable Budget	Actuals	Variance	Revised Budget	Forecast	Variance
	£'000	£'000	£'000	£'000	£'000	£'000
Repairs & Maintenance	7,851	6,779	(1,072)	23,549	23,549	(0)
Housing Management	11,252	10,350	(902)	34,187	33,974	(213)
Other Expenditure	466	438	(28)	27,568	27,595	27
Total Expenditure	19,569	17,567	(2,002)	85,304	85,118	(186)
Rent & Other Income	(23,024)	(20,426)	2,598	(91,999)	(91,497)	502
Revenue Contribution to Capital Funding	0	0	0	6,695	6,695	0
Planned transfer to HRA Reserves	0	0	0	0	(1,200)	(1,200)
Total	(3,455)	(2,859)	596	0	(884)	(884)

HRA RESERVES

	Balance at 31 March 2019	Approved Movement in Reserves	Balance at 31 March 2020
	£'000	£'000	£'000
Set aside for business risks	(4,000)	-	(4,000)
Forecast in Year Surplus	-	(884)	(884)
Set aside to meet investment needs (as per HRA Business Plan)	(54,858)	-	(54,858)
Working balance	(1,500)	-	(1,500)
Total	(60,358)	(884)	(61,242)

Key Highlights – Child Protection & Family Support

Appendix 4

Activity Level	Description	Annual Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Service wide	Employee related	11,374	(299)	(299)	Vacancy/ turnover savings
Service wide	Social Care demand budgets	20,988	(675)	(665)	Estimated underspending on demand led placement costs due to improvements in service delivery, review of high cost placements and reduced numbers of Looked After Children
Service wide	Other social care pressures	10,322	404	589	Includes investment in Social Work practice and staff development & provision for slippage against planned demand led savings

Key Highlights – Learning & Early Support & Schools

Activity Level	Description	Annual Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Early Years Quality & Improvement	Review support to early learning	39	(12)	247	Balance of 2019-20 MTFP budget savings not achieved
Post 16 Services	Post-16 Transport	508	134	549	Overspending on Post-16 Home to School Transport due to increase in number of pupils with EHC plans requiring transport.

Key Highlights – Adults Social Care Operation

Appendix 4 (continued)

Activity Level	Description	Annual Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Assessment & Care Management	Employee related	4,378	713	461	Potential for partial achievement through vacancy management, and efficiency work-streams.
Self-Directed Support – Older People	Demand led budgets.	9,489	(244)	(1,020)	Lack of capacity in the Independent Sector Home Care market is resulting in lower home care spend, and alternate spend on placements/short-term packages, and direct payments.
Contracted Services	Independent Sector Daycare - Review of contracts	1,634	(95)	266	Work ongoing to identify means of achieving savings, alongside possible use of additional funding streams.

Key Highlights – Commissioning, Quality & Performance

Appendix 4 (continued)

Activity Level	Description	Annual Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Self-Directed Support	Apply proportional spend on direct payments	15,702	(478)	423	Higher activity and costs than anticipated.
Assessment & Care Management	Employee related	2,933	125	354	Mainly use of agency

Activity Level	Description	Annual Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Car Parking	Income	(3,994)	486	1,200	Ongoing income shortfall on parking charges; parking studies underway; to be reviewed as part of the 2020-21 budget process
Bereavement Services	Income	(860)	371	371	Planned closures for cremator replacement works. Estimated shortfall for the year to be reviewed each month.
Schools Transport		3,968	167	501	Budget savings in previous years not achieved due to high volumes of clients linked to high needs. Service offer being reviewed.

	Revised Budget £'000	Actuals to Date £'000	Forecast £'000	Variance £'000	Variance %
General Fund					
Achievement	16,031	157	14,632	(1,399)	(9)
Children	200	0	200	0	0
Independent	2,673	13	2,673	0	0
Sustainable Economy	59,746	10,357	59,746	0	0
Well	4,029	68	4,029	0	0
Safe & Cohesive	180	0	180	0	0
Clean and Green	1,789	360	1,789	0	0
Efficiency & Effectiveness	4,456	166	4,456	0	0
GENERAL FUND TOTAL	89,104	11,121	87,705	(1,399)	(2)
Housing Revenue Account					
Strategic Priorities	6,790	287	6,790	0	0
Baseline	18,892	389	18,892	0	0
HOUSING REVENUE TOTAL	25,682	676	25,682	0	0
CAPITAL PLAN TOTAL	114,786	11,797	113,387	(1,399)	(1)

Activity Level	Annual Budget £'000	Variance for the year £'000	Comments
Strategic Priorities			
District Sufficiency (SEND)	999	(499)	SEN High Level Review to be undertaken to assess best outcome for district sufficiency programme.
Delivery of Autistic Spectrum Disorder School	500	(400)	Scheme delayed due to changing priority outcomes of the SEN High Level Review.
Achieve & Aspire Total	1,499	(899)	

Planned Savings Table

Appendix 6

Reference	Service Activity	Headline Proposal	Forecast Saving	Planned Saving	Variance Month 3
			£000	£000	£000
EX CP3	Management and Regulatory	Planned reduction in Legal Disbursement charges	-398	-175	-223
EX CP4	Service Wide	Planned reduction in the use of Agency Social Workers	-609	-636	27
TOTAL CHILD PROTECTION AND FAMILY SUPPORT			-1,007	-811	-196
EX LE4	Education services for vulnerable children	Part of a broader strategic review of services to vulnerable children	-46	-84	38
EX LE5	Early Learning	Review support to early learning (sufficiency and development)	2	-300	302
TOTAL LEARNING & EARLY SUPPORT			-44	-384	340
EX IN1	Access Strategy & Delivery – Library and Information Centres	Re-shape Library and Information Service	-312	-300	-12
EX IN2	Access, Strategy & Delivery – Access to Services	New ways of working; customer service centres/Kirklees Direct	-107	-100	-7
EX IN3	Access Strategy & Delivery – Library and Information Centres	Organisation wide – cross-cutting savings from Place based working	-316	-300	-16
TOTAL INTEGRATION, ACCESS & COMMUNITY HUB			-735	-700	-35
EX AS1 / 2 / 10 / 12 / 13	Assessment and Care Management	Staff Realignment within Adult Social Care	-266	-740	474
EX AS3	Demand Led Services	Reduce spend on independent sector home care and apply proportional spend on direct payment	-988	-988	-
EX AS4/5	Independent Sector Residential & Nursing Placements	Reduction of older people and physical disability placements	-296	-387	91
EX AS6	Day care and Contracted Services	Review all existing contracts	133	-133	266
EX AS7	Day care and Contracted Services	Older People's Independent Sector Day Services	-50	-50	0
EX AS8	Other demand led services	Community equipment	-33	-33	0
EX AS 9	Care Phones & Assistive Technology	Care Phones – Increased Income	-9	-20	11
New AS1	Care Phones & Assistive Technology	Additional savings	0	-250	250
New AS2	Other demand led services	Change in bad debt provision requirement	-200	-200	0
TOTAL ADULT SOCIAL CARE OPERATION			-1,709	-2,801	1,092
EX CQ1	Demand led services	Apply proportionate spend on direct payments	11	-412	423

Reference	Service Activity	Headline Proposal	Forecast	Planned	Variance Month 3
			£000	£000	£000
EX CQ2	Independent sector residential and nursing placements	Reduction in high cost learning disability placements	-207	-423	216
EX CQ3	Independent sector residential and nursing placements	Mental Health Placements	93	-67	160
EX CQ4	Day care and contracted services	Review of all existing contracts	-152	-234	82
TOTAL COMMISSIONING, QUALITY & PERFORMANCE			-255	-1,136	881
EX ER3	Strategic Investment - Planning	Increase in Planning Fees	-61	-120	59
EX ER4	Markets	Closure of Heckmondwike & Holmfirth markets and other increase income	-20	-40	20
NEW ER1	Management & Regulatory	Reduction in the events budget	-100	-100	0
TOTAL ECONOMY, REGENERATION AND CULTURE			-181	-260	79
EX CR1	Transport Services	Smarter practices/efficiencies	-91	-103	12
EX CR2	Bereavement Services	Additional income potential, 20%, through smarter marketing/product offer	-16	-50	34
EX CR3	Parks & Open Spaces	Increased cost recovery on services from KNH	-25	-25	0
EX CR4	Schools Facilities Management – Catering/Assets	Meal price increase/reduced subsidy on living wage	-106	-55	-51
EX CR5	Schools Facilities Management - Cleaning	Realignment to current performance	-42	-25	-17
EX CR6	Corporate Landlord	New ways of working	-280	-300	20
EX CR7	Parking	Income	0	-750	750
NEW CR1	Management & Regulatory	Income generation initiatives ; 10% booking fee – town hall tickets	-47	-50	3
NEW CR2	Management & Regulatory	Increase income collection efficiency thereby reducing bad debt requirement	-56	-50	-6
NEW CR3	Management & Regulatory	Increased contribution from HRA/KNH for housing management service	-1,500	-1,500	0
TOTAL COMMERCIAL, REGULATORY AND OPERATIONAL SERVICES			-2,163	-2,908	745
EX PI1	Sexual Health	Incorporating additional schemes into integrated sexual health services main contract	-72	-100	28
EX PI2	Substance Misuse	Reducing payments in primary care and ongoing contract efficiencies	-80	-100	20

Reference	Service Activity	Headline Proposal	Forecast £000	Planned £000	Variance Month 3 £000
EX PI3 / 4 / 5	Obesity, Physical Activity, Healthy Child	Incorporating additional schemes into healthy child programme	-123	-103	-20
TOTAL POLICY, INTELLIGENCE AND PUBLIC HEALTH			-275	-303	28
EX CS1	Transformation team	Organisation wide – cross-cutting reduction in sickness absence	-859	-859	0
EX CS2	Legal Services	Further savings to be identified	13	-122	135
EX CS3	Finance and Accountancy	Efficiency Savings	-184	-201	17
EX CS5	Welfare and Exchequer	More automation on back office services	-56	-50	-6
EX CS6	Finance and Accountancy	Income generation	-100	-100	0
NEW CS1	Management & Regulatory	Strategy & Commissioning review	-250	-250	0
TOTAL CORPORATE SERVICES			-1,436	-1,582	146
TOTAL GENERAL FUND PLANNED BUDGET SAVINGS			-7,806	-10,885	3,079



Name of meeting: Cabinet

Date: 13th August 2019

Title of report: Outcome of Call-in review meeting into the Cabinet Decision in relation to Future Options for Almondbury Community School

Purpose of report:

To inform the Cabinet on the outcome of the Scrutiny call in review meeting into the Cabinet decision of 16 July 2019 on Future Options for Almondbury Community School. The scrutiny review meeting will take place on 7 August 2019 and the outcomes, including potential recommendations for Cabinet to consider, will be made available after that meeting.

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes - the original Cabinet decision that has been reviewed was a key decision
Is it in the Council's Forward Plan?	Yes
Is it eligible for "call in" by Scrutiny?	No
Date signed off by <u>Director</u> & name	Rachel Spencer-Henshall 05.08.2019
Is it signed off by the Director of Finance?	N/A
Is it signed off by the Service Director - Legal Governance and Commissioning?	Yes 05.08.2019
Cabinet member portfolio	Learning Aspiration and Communities - Cllr Carole Pattison Children's Services – Cllr Viv Kendrick

Electoral [wards](#) affected: All

Ward councillors consulted: N/A

Public or private: Public Report

(Have you considered GDPR?)

Yes GDPR has been considered. The information in this report does not identify any individuals.

1. Key Points

- 1.1 On 7th August 2019, the Children’s Scrutiny Panel will consider a call in request on the decision made by Cabinet on 16 July 2019 on ‘Future options for Almondbury Community School – Final Decision.
- 1.2 The Panel will consider evidence from the Councillors who are signatories to the Call-In, the Cabinet Member for Learning Aspiration and Communities, the Cabinet Member for Children’s Services, officers from the Children’s Service, and members of the public.

Set out below are the three decision making principles that the panel will look at and the specific area of focus:

1. Relevant considerations	Issues connected with the capacity of secondary school places
2. Openness	Issues relating to the availability of information
3. Lawfulness and financial propriety	Clarity of the legislation relevant to the issue of the statutory notice

- 1.3 At the time of writing the call in review meeting has not taken place. According to the Overview and Scrutiny Procedure Rules, the panel will have three options available to it:

- (1) To take no further action and free the decision for implementation.
- (2) To refer it back to Cabinet with recommendations for amendment.
- (3) In exceptional circumstances (and after advice from relevant senior officers and the Service Director Legal, Governance and Commissioning) to refer it back to the next Council, if the Panel consider that the decision was not consistent with the budget or any policy previously agreed by the Council.

- 1.4 The outcome of the review meeting will be available at the conclusion of the scrutiny meeting and will be forwarded to Cabinet for consideration and added as an appendix to this report.

2. Implications for the Council

There are no specific implications for the Council within this report as the Panel does not have decision making powers. However as a result of hearing the call in evidence, recommendations may be made to Cabinet to amend its decision which, if accepted, could result in implications for the Council.

3. Consultees and their opinions

No consultation was appropriate in respect of the contents of this report.

4. Next steps

(1) If there are any recommendations made to Cabinet as a result of the call in review meeting on 7 August 2019, these will be considered by Cabinet and officers will implement any agreed actions.

(2) As required constitutionally the call in and its outcomes will be reported to Council in September 2019.

5. Officer recommendations and reasons

That Cabinet consider the Children's Scrutiny Panel findings as set out at appendix one and determine one of the following courses of action:

a. To note that the decision taken in respect of Future Options for Almondbury Community School has been subject to a call in review and freed for implementation;

OR; in the event that the Panel do not free the decision for implementation;

b. To accept the recommendations (in full or in part) of the Scrutiny Panel and amend the original decision accordingly;

c. To decide that further work needs to be done and defer the item until this is completed. If this action is taken then the Children's Scrutiny Panel should be kept informed on the work as it progresses and be formally notified when it is to be reconsidered;

d. Not to accept the view of the Scrutiny Panel and confirm the original decision;

e. To refer the issue for discussion at the next appropriate Council meeting.

6. Cabinet portfolio holder recommendation

As this is a Scrutiny referral, this is not applicable.

7. Contact officer and relevant papers

Penny Bunker, Governance & Democratic Engagement Manager

Tel: 01484 221000

Email: penny.bunker@kirklees.gov.uk

Relevant papers: Agenda papers of Children's Scrutiny Panel 7 August 2019 and the Cabinet meeting held on 16 July 2019 .

8. Service Director responsible

Julie Muscroft, Service Director, Legal, Governance & Commissioning

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