

# Public Document Pack



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

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Monday 28 March 2022

## Notice of Meeting

Dear Member

### **Cabinet**

The **Cabinet** will meet in the **Council Chamber - Town Hall, Huddersfield** at **3.00 pm** on **Tuesday 5 April 2022**.

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.

## **Cabinet Members:-**

<b>Member</b>	<b>Responsible For:</b>
Councillor Shabir Pandor	Leader of the Council
Councillor Paul Davies	Cabinet Member - Corporate
Councillor Eric Firth	Cabinet Member - Town Centres
Councillor Viv Kendrick	Cabinet Member - Children (Statutory responsibility for Children)
Councillor Musarrat Khan	Cabinet Member - Health and Social Care
Councillor Peter McBride	Cabinet Member for Regeneration
Councillor Naheed Mather	Portfolio Holder - Environment
Councillor Carole Pattison	Cabinet Member for Learning, Aspiration and Communities
Councillor Cathy Scott	Deputy Group Leader and Cabinet Member - Housing and Democracy
Councillor Will Simpson	Labour - Secretary & Cabinet Member - Culture and Greener Kirklees

# Agenda

## Reports or Explanatory Notes Attached

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**Pages**

**1: Membership of Cabinet**

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

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**2: Minutes of Previous Meeting**

1 - 6

To approve the Minutes of the Meeting of the Cabinet held on 22 February 2022.

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**3: Declarations of Interest**

7 - 8

Cabinet Members will be asked to advise if there are any items on the Agenda in which they have a Disclosable Pecuniary Interest, which would prevent them from participating in any discussion or participating in a vote upon the item, or any other interests.

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**4: Admission of the Public**

Most agenda items will be considered in public session, however, it shall be advised whether Cabinet will consider any matters in private, by virtue of the reports containing information which falls within a category of exempt information as contained at Schedule 12A of the Local Government Act 1972.

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**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.

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**6: Questions by Elected Members (Oral Questions)**

Cabinet will receive any questions from Elected Members.

In accordance with Executive Procedure Rule 2.3 (2.3.1.6) a period of up to 30 minutes will be allocated.

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**7: Adult Services Capital Investment Programme - Construction for Knowl Park House/ Centre of Excellence scheme** 9 - 14

To consider an increase in the budget allocated for the new Dementia Day Care centre and the Kirklees Living Well Centre.

Wards Affected: Mirfield

Contact: Saf Bhuta - Head of Care Provision (in House) – Adults Social Care Operations

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**8: 2022/23 Council Capital Plan - Proposed allocation of 2022/23 capital funding from the Directorate for Children's Achieve & Aspire Capital Maintenance baseline section of the Capital Plan** 15 - 28

To consider potential projects to be funded from the 2022/23 Achieve & Aspire Capital Maintenance section of the Capital Plan.

Wards Affected: All

Contact: Emma Griff, Strategic Manager Facilities – Property

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**9: COVID-19 Additional Relief Fund** 29 - 36

To consider the establishment of a COVID-19 Additional Relief Fund business rates relief scheme.

Wards Affected: All

**10: Government proposals for additional Household Support in 2022/23** 37 - 48

To consider proposals to provide support for households in 2022/23 in accordance with funding and associated guidance issued by Government.

Wards Affected: All

Contact: Julian Hobson – Senior Manager, Welfare and Exchequer Services

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**11: Contract Award; Fire Safety improvements to low rise residential blocks district wide** 49 - 56

The consider the outcome of the tender evaluation and to appoint the preferred bidder.

Wards affected: All

Contact: Asad Bhatti – Head of Asset Management, Investment and Regeneration

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**12: Update on the Low Carbon Housing Pilot Project** 57 - 76

To consider the Low Carbon Project Update.

Wards Affected: Liversedge and Gomersal

Contact: James Hinchliffe, General Manager – Development.

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**13: 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.

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**14. Contract Award; Fire Safety improvements to low rise** 77 - 78

## **residential blocks district wide**

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

To receive exempt information in relation to Agenda Item 11.

## **15. Update on the Low Carbon Housing Pilot Project**

79 - 86

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

To receive exempt information in relation to Agenda Item 12.

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 22nd February 2022**

Present: Councillor Shabir Pandor (Chair)  
Councillor Paul Davies  
Councillor Eric Firth  
Councillor Viv Kendrick  
Councillor Musarrat Khan  
Councillor Peter McBride  
Councillor Naheed Mather  
Councillor Carole Pattison  
Councillor Will Simpson

Observers: Councillor David Hall  
Councillor Andrew Cooper  
Councillor John Taylor

Apologies: Councillor Cathy Scott

**162 Membership of Cabinet**

Apologies for absence were received on behalf of Councillor Scott.

**163 Minutes of Previous Meeting**

**RESOLVED** – That the Minutes of the Meeting held on 18 January 2022 be approved as a correct record.

**164 Declarations of Interest**

No interests were declared.

**165 Admission of the Public**

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

**166 Deputations/Petitions**

Cabinet received deputations from;

(i) Mike Prior and David Wyles, on behalf of Huddersfield Civic Society with regard to biodiversity net gain, specifically in relation to an identified gap between the Council's biodiversity strategy and its deployment within the planning application process.

A response was provided by the Cabinet Member for Regeneration (Councillor McBride)

(ii) Clare Walters with regard to the protection of wildlife at Laneside Quarry.

## **Cabinet - 22 February 2022**

A response was provided by the Cabinet Member for Environment (Councillor Mather)

### **167 Questions by Members of the Public**

No questions were asked.

### **168 Questions by Elected Members (Oral Questions)**

Cabinet received the following oral questions in accordance with Executive Procedure Rule 2.3;

#### **Question from Councillor Cooper**

“With regards to the deputation from Clare Walters, could Kirklees try and get the applicants to honour the commitment to have regular liaison meetings and real dialogue, and can we do more on enforcement to support ecologists to champion wildlife on the site?”

A response was provided by the Cabinet Member for Environment (Councillor Mather).

#### **Question from Councillor D Hall**

“With regard to the flooding this past weekend, would the Cabinet Member join me in thanking all of the staff that were working to assist with the flooding, and would she agree with me that, as the Cabinet are responsible for setting the resources available to tackle the flooding, and we were told in the Spen Valley that no sand bags would be available until properties were beginning to flood, that this is not a good policy? Could she clarify what the policy is and if that is not the policy could she urgently review the policy to ensure that we are getting the right answers on the ground?”

A response was provided by the Cabinet Member for Environment (Councillor Mather).

#### **Question from Councillor J Taylor**

“Does a business case exist for the acquisition of the George Hotel?”

A response was provided by the Leader of the Council.

#### **Question from Councillor Cooper**

“Do you agree with me that one of the ways of approaching the floods issue would be to provide vulnerable households with flood sacks so that those that are in imminent danger can protect their homes. If you believe that this is a good idea then pursue it, if you don't we'll buy them from ward budgets. So, is that something that the Council itself could provide or Newsome Members provide it directly?”

A response was provided by the Leader of the Council.



**Question from Councillor D Hall**

“With regard to sand bags, I am concerned that the policy isn’t working. When you do the review please ensure that there are enough people to take residents calls and enough people to deliver the resources.”

A response was provided by the Cabinet Member for Environment (Councillor Mather).

**Question from Councillor J Taylor**

“We all know that Planning staff are under pressure at the moment and that delays are arising as a result. These delays have an impact on peoples lives. I’ve been dealing with cases that have been outstanding for over a year. What is the administration doing to monitor (i) how many cases that are out of the standard time (ii) the longest time applications have been waiting and (iii) what are we doing, beyond trying to recruit more staff, to try and facilitate this?”

A response was provided by the Cabinet Member for Regeneration (Councillor McBride)

**Question from Councillor Cooper**

“Recently Climate Emergency UK provided a 0% score to Kirklees for its response to the Climate Emergency. Was a plan available before September 2021, is one available now, or is one planned and when will it be in place?”

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Simpson)

**169**

**Determination of school admission arrangements for 2023/24**

Cabinet gave consideration to a report which sought to determine admission arrangements for all Kirklees Community and Voluntary Controlled Schools for the 2023-2024 year. It was noted that arrangements needed to be determined by 28 February 2022 in order to comply with the requirements of the School Admissions Code. The report advised that there were no proposed changes to co-ordinated admission schemes for 2023-2024 and confirmed the outcome of the statutory consultation process that had taken place between 22 November 2021 and 2 January 2022. Appendices to the report set out (i) how the published admission numbers are derived (ii) the admission arrangements for community and voluntary controlled schools for 2023-2024 and (iii) the published admission numbers for community and voluntary controlled schools for 2023-2024.

The report provided an overview of the outcomes of an appeal to the Schools Adjudicator which had resulted in changes to the organisation of both St. John’s CE(VC) Infant School and Westmoor Primary School. It was noted that, with regard to school organisation, there were no current outstanding statutory processes. The report set out a request for authority to approve applications to the Schools Adjudicator to be delegated in order to support situations when the authority has to be very responsive to requests.

## Cabinet - 22 February 2022

Cabinet were advised that, subject to approval, the arrangements would be published on the Council's website, and would inform the composite guide for parents to support applications for 2023-2024.

### RESOLVED -

- 1) That approval be given to (i) the Kirklees co-ordinated admission schemes for 2023/2024, including in-year admissions, as set out at Appendix 2 (ii) admission arrangements for Kirklees community and voluntary controlled schools as detailed in Appendix 1c and (iii) the Published Admission Number for each school as set out in Appendix D, including the change to St John's CE(VC) Infant School.
- 2) That authority be delegated to the Service Director (Learning and Early Support), following consultation with the Cabinet Member (Learning, Aspiration and Communities), to approve applications to the Schools Adjudicator for variations in school admission arrangements or pursue such appeals against a determination of admission arrangements by an own admission authority, as the Service Director reasonably considers to be necessary.

### 170 **Catering Service Baseline Capital Plan - Proposed allocation of funding for the 21/22, 22/23 - 2 - year baseline programmes**

Cabinet gave consideration to a report which out details of a two year investment programme of £200k per annum to support the contract renewal business situation. The report sought approval for spending for 2022-2023 and 2023-2024 of £200k per annum for the programme as outlined within the considered report.

Cabinet noted that the school catering sector was now a highly competitive market and that the service needed to continue to invest in infrastructure to maintain a competitive edge to sustain existing business, bid for new business, increase uptake and continue to deliver surplus to the Council. The report advised that the benefits of continuing to invest would enable existing business to be maintained and to improve standards across all schools which the service holds contracts with. It was noted that the investment would include maintained schools and academies in order to ensure consistency of service across the district.

Cabinet were advised that, subject to approval of the proposed programmes, the Catering Service would work alongside external suppliers to ensure that projects were developed, designed, procured and implemented.

### RESOLVED –

- 1) That approval be given to the proposed programmes of works and school catering equipment upgrades and replacement up to £400k maximum, as outlined in the considered report, for the two year baseline capital programme.
- 2) That authority be delegated, in accordance with Council Financial Procedure Rule 3.12, to the Service Director (Culture and Visitor Economy) to manage

## **Cabinet - 22 February 2022**

the implementation of the identified works within the respective agreed total programme budget.

- 3) That, pursuant to (2) above, the delegated powers include authority to (i) add new urgent projects to the programme without prior Cabinet approval providing that the total cost of the programme remains within the approved capital allocation set by the Council and (ii) slip or delete projects during the course of the financial year to enable the effective management of the programme concerned.

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<b>KIRKLEES COUNCIL</b>			
<b>COUNCIL/CABINET/COMMITTEE MEETINGS ETC</b>			
<b>DECLARATION OF INTERESTS</b>			
<b>Name of Councillor</b>			
<b>Item in which you have an interest</b>	<b>Type of interest (eg a disclosable pecuniary interest or an "Other Interest")</b>	<b>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]</b>	<b>Brief description of your interest</b>

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:** 5<sup>th</sup> April 2022  
**Title of report:** Adult Social Care Capital Programme – Knowl Park House / Kirklees Living Well Centre

**Purpose of report:**

To seek cabinet approval to increase the budget allocated for the new Dementia Day Care centre and the Kirklees Living Well Centre (KLWC – previously referred to as the Centre of Excellence) thereby enabling the appointment of the successful tenderer to deliver the projects;

<b>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?</b>	<b>Yes – this report will result in capital and revenue expenditure exceeding £250K</b>
<b>Key Decision - Is it in the <u>Council’s Forward Plan (key decisions and private reports)?</u></b>	<b>Key Decision – Yes</b> <b>Public report with no private appendix.</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>Yes</b>
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>	<b>Richard Parry – Strategic Director for Adults and Health - on 17/02/22</b>
<b>Is it also signed off by the Service Director for Finance?</b>	<b>Eamonn Croston on 01/03/22</b>
<b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>Julie Muscroft on 01/03/22</b>
<b>Cabinet member <u>portfolio</u></b>	<b>Cllr M Khan – Portfolio Holder for Health and Social Care</b>

**Electoral wards affected:** Mirfield

**Ward councillors consulted:**

Cllr Vivien Lees-Hamilton, Cllr Kath Taylor and Cllr Martyn Bolt have been kept updated on this scheme.

**Public or private:** Public

**Has GDPR been considered?** Yes, there are no GDPR implications.

## **1. Summary**

- 1.1 The existing Knowl Park House premise at Crowlees Road, Mirfield is a council owned building solely providing day centre facilities for 25 people with dementia. The two-storey building is a former Type C WRCC residential building constructed in 1963. Due to the ageing layout and condition of the flat roof building it is no longer fit for the delivery of dementia day services in the medium to longer term. This proposed scheme will replace the existing building on site and will provide the very best facilities for day services for the future.
- 1.2 In addition, the site will also have facilities to provide a variety of support to help people with a range of disabilities to continue to live at home as independently as possible for longer. In the interim we are calling this Kirklees Living Well Centre (KLWC) incorporating a contact point for information for carers and their support, and demonstration areas for new technology and internal building design.
- 1.3 The initial outline business case was approved at Cabinet in February 2019 for inclusion in the Strategic Priorities 'Day Services Support for Vulnerable Adults' Capital Budget 2019/20 to 2024/25 (Independent theme).
- 1.4 The existing day service has already relocated to alternative premises in Heckmondwike to enable the new build scheme to progress. This has been agreed with staff, unions, carers and families.
- 1.5 This report sets out progress to date on this scheme, the outcome of the tender process for the demolition and replacement new build and seeks cabinet approval to let the contract to the successful tenderer and deliver the scheme within the stated capital budget.

## **2. Information required to take a decision**

- 2.1 As part of the Council's capital programme Adult Services have an agreed capital budget of £25.4m (£22.470m for Day Care Support for Vulnerable Adults and £2.913m for One Off Projects)
- 2.2 This report solely relates to the re-provision of the council's existing 25 place Dementia Day facility at Knowl Park House, Mirfield and the provision of a new Kirklees Living Well Centre (KLWC).
- 2.3 The initial outline business case was approved at Cabinet in January 2019 and was included in the Strategic Priorities Capital Budget (Independent theme).
- 2.4 At the time of the initial bid an indicative capital budget of £5m was set aside. This outline estimate was exclusive of furniture replacement and capitalised salaries relating to the service capital team.
- 2.5 A report was approved at Cabinet on 29th June 2020 to appoint Lead Consultant Architects. Following a tendering exercise Frank Shaw Associates were appointed and a detailed feasibility and design have subsequently been completed.
- 2.6 The resultant detailed design and pre-tender estimate indicated that the anticipated cost of the scheme would exceed the original outline budget due to a combination of additional pressures including:

- significant rises in construction materials associated with Covid and Brexit;
- increased transport costs;



- an increase in the footprint of the buildings to ensure best practice design and learning from Covid;
- the absorption of demolition costs;
- increase in professional fees due to the changes in scope such as the increased building size;
- unforeseen issues relating to necessary groundworks.

2.7 In September 2021 Cabinet approved a proposal to increase the budget to £6.3m and for the scheme to progress to tender. Planning permission for this scheme was obtained on 21<sup>st</sup> October 2021 at Strategic Planning Committee.

2.8 A tender process has been carried out by the Procurement and Capital Delivery Services in accordance with the Council's Financial and Contract Procedure Rules. A successful tenderer has been identified and, subject to final contractual clauses and legal issues being agreed, a contract for the agreed works will be let if approved by Cabinet.

2.9 Market conditions in the construction world remain volatile and difficult which has resulted in the successful tender bid being higher than anticipated. This has meant that the total budget required to deliver this scheme has increased from £6.3m to £8.21m. This is inclusive of all internal and external professional fees and capitalised salaries, furniture and equipment.

2.10 It is proposed that the additional £1.91m required will be funded from the existing Adult Services capital programme of £25.4m (£22.470m for Day Care Support for Vulnerable Adults and £2.913m for One Off Projects) as shown in the Council's approved Capital Plan.

2.11 Members are requested to approve the budget of £8.21m for the delivery of this scheme, which will enable the award of the construction contract to the successful tenderer.

2.12 Adult Services have in place an appropriate Capital Programme Board and a client development team to support all schemes within their allocation and to ensure appropriate governance is complied with. This scheme is being led by the Council's Corporate Capital Development and Delivery Team along with their Technical Services Team who are integral to the successful development and delivery of this scheme. This ensures the service has well-established corporate project management protocols and procedures to ensure schemes are appropriately scrutinised in terms of risk, value for money, affordability and viability.

### **3. Implications for the Council**

3.1 The Council's capital budget plans support the overall delivery of the following Council objectives and priorities within available resources:

- i) Well
- ii) Independent
- iii) Aspire and Achieve
- iv) Sustainable economy
- v) Safe and cohesive
- vi) Clean and Green
- vii) Efficient and Effective

The schemes also support delivery of the Kirklees Vision for Adult Social Care as follows:

- **Working with People**

The service has and will continue to engage and involve staff working in the service, the people that use services, their carers and people living with dementia.

- **Working with Partners**

We have and will continue to work with our partner, Stirling University's Dementia Services Design Centre, to ensure all elements of the design fully meet their gold standard expectations throughout the scheme. Everything we design will be based on enhancing delivery of the service and aspire to the most current dementia design elements.

We have and will continue to work with colleagues from health including the CCG and SWYFT and have representation from these organisations through the Adults Capital Oversight and Delivery Board.

Adult Services are working alongside specialist teams across the Growth and Regeneration Directorate, taking a cross Council approach to the development of this scheme and assuring the successful development and delivery of this project as well as other schemes within the wider Adults Capital Programme.

This scheme is also supported through a robust programme office and project governance approach through the Adults Capital Delivery Programme Board

- **Place Based Working**

The provision of the KLWC at Knowl Park will provide facilities in a state-of-the-art building to support, advise, develop and train carers, partners and families using an early intervention and preventative approach. This will maximise people's independence to enable them to stay in their own homes for longer, delaying their move to residential care. This will give the opportunity for closer, placed based working within our communities utilising a wide range of stakeholders and VCS organisations. This also provide opportunities to work with Housing colleagues on the development of appropriate client specifications for new-build social housing and the benefits of internal design.

- **Climate Change and Air Quality**

The new build accommodation being provided will be constructed using modern, energy efficient materials and equipment that will contribute to an ever-reducing carbon footprint for the Council and conform as a minimum to the requirements of Part 25b of the Building Regulations. Green travel measures such as bicycle racks and electric vehicle points have been included in the project.

Traffic along Crowlees Road will increase during the demolition and build phases of this scheme. However, once the scheme is completed this will cease. Once operational, there will be increased traffic to the KLWC, but this is expected to be minimal and will be managed as part of the operating model.

- **Improving outcomes for children**

This scheme, specifically the KLWC, will benefit children with disabilities as they will be able to visit with their families to see how the design of accommodation and technology could support them in potential changes to their homes.

- **Other (Legal / Financial or Human Resources)**

The revenue and capital implications of this report have already been incorporated into The Council's Capital Plan and Medium-Term Financial Plan.

There is sufficient capacity within Adult Services Capital Team and within the Growth and Regeneration Service (Capital Development) to deliver this scheme.

### **Do you need an Integrated Impact Assessment (IIA)?**

An IIA has been completed and indicates there will be no negative impacts.

## **4. Consultees and their opinions**

- 4.1 The Local Ward Members have been consulted, as has the Portfolio Member for Health and Social Care and are supportive of the proposals.
- 4.2 Adults Services SCLT, Adults Capital Delivery and Oversight Board and Corporate Capital Board have been consulted and support the proposals in this report. In addition to this throughout this capital scheme, officers have worked with families, carers, service users, staff and unions and will continue to do so.

## **5. Next steps and timelines**

- 5.1 Following cabinet approval, a Capital Outlay Report (COR) will be completed for the scheme, a contract let to the successful tenderer subject to outstanding contract clauses and legal matters, with a start on site programmed for June 2022. The anticipated completion date is Autumn 2023, with Adults Services using the building from late 2023.

## **6. Officer recommendations and reasons**

- 6.1 In order to ensure the delivery of new state of the art facilities for dementia day care and the KLWC, Cabinet are asked to:

Consider and approve the proposed increase from £6.3m to £8.21m for the total budget required for the project outlined in this report, to be funded from within the Adults Service existing capital programme, to enable the award of the construction contract to the successful tenderer thereby facilitating the delivery of the new facilities

## **7. Cabinet Portfolio Holder's recommendations**

- 7.1 The Portfolio Holder for Health and Social Care warmly welcomes the development of the new dementia day care centre and associated Kirklees Living Well Centre (previously referred to as the Centre of Excellence), which will replace aging existing day care facilities that require urgent replacement. Designed to the dementia gold standard of Stirling University, these state-of-the-art facilities will provide excellent day care as well as supporting people living with dementia, their carers and wider family, allowing a range of people with disabilities to live at home independently for as long as possible. This aspirational and exciting new provision will have a significant positive benefit for Kirklees residents, and I therefore recommend that Cabinet endorses the proposals as outlined in Section 6 above of this report.

## **8. Contact officers**

Saf Bhuta – Head of Care Provision (in House) – Adults Social Care Operations –  
[saf.bhuta@kirklees.gov.uk](mailto:saf.bhuta@kirklees.gov.uk) – Tel: 01484 221000

Stephen Stead - Adult Services Capital Programme Manager - Tel: 07929 193794 - [stephen.stead@kirklees.gov.uk](mailto:stephen.stead@kirklees.gov.uk)

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

The updated Capital Plan 2018-2024 was approved at Full Council on 13/2/19: <https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=138&MId=5653>

Approval was given at Cabinet on 29th June 2020 to appoint Lead Consultant Architects <https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=139&MId=6441>

Approval was given at Cabinet on 21<sup>st</sup> Sept 2021 to revise the budget for this scheme to £6.3m <https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=139&MId=6737>

Planning permission was approved at Strategic Planning Committee on 21<sup>st</sup> October 2021 <https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=148&MId=6776>

## **10. Service Director responsible**

Michelle Cross - Service Director Mental Health and Learning Disability

## **11. Appendices**

None

Name of meeting: Cabinet  
Date: 5<sup>th</sup> April 2022

Title of report: 2022/23 Council Capital Plan – Proposed allocation of 2022/23 capital funding from the Directorate for Children’s Achieve & Aspire baseline section of the Capital Plan.

Purpose of report: This report will identify potential projects, for Member approval, to be funded from the 2022/23 Achieve & Aspire Capital Maintenance section of the Capital Plan to address urgent condition related needs in maintained schools and ask for delegated powers for officers to manage the programme within its budget envelope.

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, this report involves significant expenditure in excess of £250K.
Key Decision - Is it in the <u>Council’s Forward Plan (key decisions and private reports)?</u>	Key Decision – Yes Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	David Shepherd – Strategic Director for Growth and Regeneration – 19/03/2022
Is it also signed off by the Service Director for Finance?	Eamonn Croston – Service Director for Finance – 18/03/2022
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – Service Director for Legal Governance and Commissioning – 18/03/2022
Cabinet member <a href="#">portfolio</a>	Corporate - Cllr Paul Davies Learning, Aspiration & Communities - Cllr Carole Pattison Children – Cllr Viv Kendrick

Electoral wards affected: All

Ward councillors consulted: No

Public or private: Public

Has GDPR been considered? There are no GDPR implications relating to this report.

## 1. Summary

- 1.1 This report will identify potential projects to be funded from the Achieve & Aspire Capital Maintenance baseline section of the Capital Plan which was approved by Council on 16<sup>th</sup> February 2022. This funding is used to address urgent condition related needs in maintained schools.
- 1.2 Members will be asked to consider and approve the Capital Maintenance programme along with named projects so that they can be delivered in 2022/23 and to authorise delegated powers for officers to manage the programme.

## 2. Information required to take a decision

### *(a) Background*

- 2.1 On 27<sup>th</sup> April 2021 the Department for Education (DfE) announced a Schools Condition Capital grant allocation for 2021/22 of £3.576M for Kirklees. This level of grant was also deemed to be indicative of the allocation for the Authority for 2022/23, subject to future confirmation by the Department in spring 2022.
- 2.2 The DfE revised the condition funding system & methodology used for their capital settlements for 2021/22, using new data from the Condition Data Collection, and more up-to-date pupil numbers from the spring 2020 census. Weighted pupil numbers underpin funding calculations for the School Condition allocations. The numbers are weighted to reflect the different levels of floor area per pupil in different settings. We expect this same methodology to be used for future years' allocations.
- 2.3 Grant allocations from the Department are revised annually to reflect new or closing schools and where a school moves to a new responsible body (e.g. from Maintained to Academy status), in which case the pupil-led core condition funding will move with the schools. No maintained schools converted to Academy in 2021/22 and therefore no estimated reduction in the level of grant expected for 2022/23 has been applied. When settling the Council's Five-Year Capital plan, we estimated that our grant allocation for 2022/23 from the DfE would be £3.2M.
- 2.5 Currently, all schools that have a scheme of work within the approved programme are asked to make a funding contribution from their Devolved Formula Capital (DFC), which is a capital grant given to schools to maintain and improve their buildings. In recent years the level of DFC received has allowed for over £80K of additional works to be added into the annual programme and we would expect to see a similar level of contributions for 2022/23.
- 2.6 In addition to the indicative allocation in the Capital Plan for 22/23 of £3.2M, another £1.8M of in-year re-profiling has been carried out, the majority of which relates to the additional condition allocation received in September 2020 designated to larger scale condition refurbishments & aging modular classroom replacement schemes. The new budget allocation for 22/23 Capital Maintenance is Schools totals £5M as approved by Council on the 16<sup>th</sup> February 2022.

### *(b) Capital Maintenance for schools – Proposed Condition based projects 2021/22*

- 2.7 It is proposed that the £5M budget allocation for 2022/23 will be distributed as follows:

<b>Allocation</b>	<b>2022/23 Capital Plan</b>
Urgent condition need based projects and Health & Safety works	£3.798M
Larger scale condition refurbishment work and aging modular classroom schemes	£0.650M
Essential fire safety works	£0.250M
Essential Physical adaptations works	£0.030M
Capital Plan preparation, advance surveys, feasibility studies, advance design, and condition surveys in relation to delivery of projects	£0.100M
Risk pot for emergency additions to the capital plan in year / balance for high tenders and asbestos removal.	£0.172M
<b>TOTAL</b>	<b>£5M</b>

- 2.8 The Capital Maintenance programme for Schools primarily aims to address the backlog of condition works in our schools' estate. Currently, the backlog of Priority 1 - 3 works (i.e. works required in the next 0-5 years) is around £40M (excluding Public Private Partnership (PPP) 1 & 2 / Voluntary Aided / Academy Schools).
- 2.9 Attached at **Appendix A** is a business case that outlines the process for identifying the condition needs of individual schools, explains how the backlog of repairs is prioritised across all schools and how the 2022/23 schools' condition programme, if approved, will be designed, procured and implemented. In order to maximise spend on works it is proposed to manage asbestos risk via the main risk pot which will be carefully monitored throughout the year.
- 2.10 Following feasibility work undertaken by the Council's Technical Services; a prioritised list of urgent condition works required to be undertaken in schools during financial year 2022/23 has been identified. This is attached at **Appendix B**. All of the works proposed have scored 28-30 on the matrix scoring system (described in **Appendix A**), indicating that a failure of the element concerned would have a major impact on the individual school from a Health and Safety and/or building closure and/or building damage perspective.
- 2.11 The proposed programme of works primarily consists of the following categories of work:
- replacement of life expired flat and pitched roofs.
  - whole or partial school electrical re-wires.
  - replacement of obsolete boilers and heating distribution systems.
  - urgent health and safety works including fire safety improvements and structural repairs.
- 2.12 In addition to the new condition works, the following activities are also proposed to be funded from the available capital grant:
- £100K to cover survey and preparation costs for the 2022/23 programme along with advance feasibility and design costs for the 2023/24 programme.
  - £172K for a risk pot for items such as emergency in year additions to the programme, higher than anticipated tenders and unexpected asbestos discovered once works are under way.

### *(c) Financial Delegations*

- 2.13 In order to aid the implementation of the baseline programme for 2022/23 mentioned in this report, Members are requested to delegate authority in accordance with the Council's Financial Procedure Rules 3.11 & 3.13 dated May 2021, to the Service Director – Learning and Early Support to manage the implementation of the identified works within the respective agreed total programme budget.
- 2.14 Delegated powers would include the authority to:
- add new urgent projects to the programme without prior Cabinet approval providing that the total cost of the programme remains within the approved capital allocation set by Council & transfer resources to or from any unallocated resources within a programme area without restriction.
  - Slip or delete projects in response to operational need and reallocate budget between projects during the course of the financial year 2022/23 providing that the total cost of the programme remains within the approved capital allocation to enable the effective management of the programme, especially during the exceptionally busy summer break when the majority of these works will be delivered.
  - transfer resources between any project or programme area up to a maximum of £2,000,000 in any financial year.
- 2.15 Significant amendments to the approved programme under delegated powers will be reported to Cabinet through the Quarterly Financial Monitoring process and / or through delegated decision notices on the Council's website.

## **3. Implications for the Council**

### **3.1 Working with People**

Should the proposals be approved, officers will work in close partnership with the schools and staff to ensure the delivery of the projects to an excellent standard that will help secure the outcomes for children both now and in the future.

### **3.2 Working with Partners**

No direct impact.

### **3.3 Place Based Working**

Schools are at the centre of their communities, delivering essential educational, health and well-being activities for children, parents and the wider community. Some of the proposals in this report will deliver high quality secondary school places to meet the needs of local pupils and will ensure that learners with SEND have access to the required specialist provision.

### **3.4 Climate Change and Air Quality**

The condition schemes identified in this report will ensure that we are replacing inefficient roofs, boilers, heating and electrical systems with modern, energy efficient materials and equipment that will contribute to an ever-reducing carbon footprint for the Council. For example, roofs will be repaired and insulated to modern standards, LED lighting and new ceilings will be introduced during rewire projects and heating distribution systems that are 40-50 years old will be replaced with new. These projects demonstrate the Council's



commitment to investing and managing its school estate to ensure that the Council's Carbon Neutral Vision is supported and enhanced.

### 3.5 **Improving outcomes for children**

The works identified in **Appendix B** are urgent condition works that could close a school, thereby disrupting the education of children, or represents a potential significant H&S issue. Improvements in the condition of school buildings will have a positive impact in that they that will contribute to a safe, warm, dry and secure learning environment for all pupils and staff. This capital budget is also used to improve accessibility to school buildings when works are identified in relation to the needs of specific pupils, helping them to attend their local school where possible.

### 3.6 **Financial**

The Capital Maintenance investment outlined in this report for the 2022/23 is funded from DfE grant and has no impact on prudential borrowing.

## 4. **Consultees and their opinions**

4.1 This report has been subject to consultation with the Portfolio Holders for Corporate, Children's and Learning, Aspiration and Communities, who support the proposed report and programme of works. There was a realisation as to the backlog of works on maintained schools and an appreciation of the work that had gone into developing this programme which will give a morale boost for staff and schools.

4.2 Following approval by Cabinet, consultation will occur with the individual schools that are due to be part of the programmes to discuss the scope of the works, proposed timings and decant options and this will continue throughout the year as the projects are developed, designed and implemented.

4.3 The Children's SEND Assessment and Commissioning team works closely with the Schools Asset Management team to identify pupils with disabilities to ensure that their needs are being met where appropriate. This involves close consultation with the individual schools concerned and parents to ascertain and agree the level of "reasonable adjustments" required to the school's buildings and grounds, and also to its day-to-day operations and curriculum.

## 5. **Next steps and timelines**

Subject to approval of the proposed projects and final business case, Technical Services will ensure that the 2022/23 Capital Plan is updated and the projects concerned are designed, developed, procured and implemented.

## 6. **Officer recommendations and reasons**

6.1 Members are requested to:

- (a) consider and approve the business case at **Appendix A** which outlines the rationale for the schools' condition works programme, the availability of funding, the selection process and the main categories of work, thereby enabling the projects concerned to be designed, procured and implemented;

- (b) consider and approve the detailed list of proposed works in schools for 2022/23, which is attached at **Appendix B**.
- (c) consider and approve the delegated powers as outlined in paragraphs 2.13 - 2.15 of this report.

## **7. Cabinet Portfolio Holder's recommendations**

Portfolio Holders were consulted on 17<sup>th</sup> March 2022 and recommended that Cabinet:

- (a) consider and approve the business case at **Appendix A**;
- (b) consider and approve the detailed list of proposed works in schools for 2022/23, which is attached at **Appendix B**.
- (c) consider and approve the delegated powers as outlined in paragraphs 2.13 - 2.15 of this report.

## **8. Contact officer**

Emma Griff – Strategic Manager Facilities – Property  
Tel: 01484 221000 - Email: [emma.griff@kirklees.gov.uk](mailto:emma.griff@kirklees.gov.uk)

David Martin - Head of Service for Corporate Landlord and Capital  
Tel: 01484 221000 - Email: [david.martin@kirklees.gov.uk](mailto:david.martin@kirklees.gov.uk)

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

16 February 2022 Council: 5 Year Capital Investment Plan 2022/23 to 2026/27

## **10. Service Director responsible**

Joanne Bartholomew - Service Director – Development  
Tel: 01484 221000 - Email: [joanne.bartholomew@kirklees.gov.uk](mailto:joanne.bartholomew@kirklees.gov.uk)

## **11. Attachments**

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

Appendix B: Detailed list of proposed 2022/23 Achieve & Aspire Capital Maintenance Schools' condition programme.

Project Title:	Capital Maintenance for Schools – Condition Programme
Project Manager:	David Martin
Client Service:	Children’s Services
Date of this OBC:	April 2022
KMC Capital total (Gross) (£000s):	<b>£5M</b>

## DESCRIPTION

### Description of the project and its purpose:

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

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

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

On 16<sup>th</sup> February 2022 the Council approved a 5 Year Investment Plan, which included proposed funding under Capital Maintenance for Schools totalling £5M, £3.2M for the main 2022/23 allocation and £1.8M of grant funding re-profiled from 2021/22.

A programme of urgent condition works in schools totalling £3.798M is proposed. The key categories of works are:

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

- (a) An allocation of £100K for preparation costs for the 2022/23 and 2023/24 capital plan. These costs include feasibility studies / asbestos surveys / condition surveys / advance design in relation to the preparation and implementation of projects.
- (b) An allocation of £172K to act as a risk pot for emergency schemes that may emerge as the financial year progresses. As the backlog of repairs exceeds the availability of capital, it has only been possible to fund projects with a matrix score of 28-30. Inevitably, there is a risk that schemes that miss the programme cut may deteriorate during the course of 2022/23 prompting the need to bring some projects back into the programme in order to tackle serious H&S issues or potential school closures.
- (c) An allocation of £30K to cover disability access schemes not yet identified. In all schools the Head teacher and governing body are asked to consider if reasonable adjustments to how they deliver the curriculum can be made without the need to undertake physical adaptations. In addition, consideration is given as to whether specialist equipment can meet the needs of the individual. Where physical works are required, consideration is given to minimising the level of works required to that which would be considered to be “reasonable”. In all cases, the works identified are either required to enable the admission of pupil(s) to the school chosen by their parents / carers from the start of the new academic year in September 2022 or are required to meet the needs of schools where pupils have already been admitted but where adaptation works have subsequently been identified. Works to schools will have wider benefits for staff, visitors and the local communities by increasing the accessibility of the buildings and grounds for all.
- (d) The risk pot also covers unexpected discoveries of asbestos on site once works have started & the impact of increased inflation on material costs as previously experienced in 21/22.
- (e) There is a proposed allocation of £250K for essential fire safety works in schools arising from Fire Risk Assessments carried out by the schools/Local Authority.
- (f) An allocation of additional condition funding of £650K for larger scale condition refurbishment works and aging modular classroom schemes, specific named projects yet to be determined.

Further schemes may be added by officers, subject to approval, using authority delegated in the attached cabinet report providing that there are sufficient funds available within the programme area.

### **Allocation methodology for condition funding**

Every school receives a condition survey covering internal and external fabric, mechanical and electrical services, as well as external areas on a planned rolling programme. All surveys are undertaken by the Council using external consultants and are funded through a combination of the Schools Traded Service for Repairs and Maintenance and the Achieve and Aspire Schools Condition programme.

The information collected is stored on the Council’s K2 Asset Management database and is used to set the Council’s capital investment plan for schools, as well as being used by schools themselves to prioritise expenditure from their revenue Repair and Maintenance budgets and their Devolved Formula Capital allocations.

All surveys are based on the DfE’s condition surveying methodology, which has been in operation since 2000. The methodology allocates a condition and priority to each individual element using nationally agreed DfE stipulated grades as follows:

<b>GRADE</b>	<b>MEANING</b>
A	Good - Performing as intended and operating efficiently.
B	Satisfactory - Performing as intended but exhibiting minor deterioration
C	Poor - Exhibiting major defects and / or not operating as intended
D	Bad - Life expired and / or serious risk of imminent failure.
Priority 1	Urgent work that will prevent immediate closure of the premises and / or address an immediate risk to the health and safety of occupants and / or remedy a serious breach of legislation.

Priority 2	Essential work required within two years that will prevent serious deterioration of the fabric or services and / or address a medium risk to the health and safety of occupants and / or remedy a less serious breach of legislation.
Priority 3	Desirable work required within three to five years that will prevent deterioration of the fabric or services and / or address a low risk to the health and safety of occupants and / or remedy a less serious breach of legislation.
Priority 4	Long term work outside the five-year planning period that will prevent deterioration of the fabric or services.

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

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

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

Weightings are not allocated to fixed furniture, external areas, redecoration, sanitary services and internal walls and doors. These areas are often prioritised by schools using their own DFC funds.

**What are the benefits / critical success factors?**

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

It will contribute to addressing a key priority for the Directorates for Children’s & Families which is to ensure that all schools are warm, dry, safe and secure.

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

The programme is designed and procured to ensure that all schools re-open without loss of teaching days where physically and organisationally possible. Health and Safety concerns will always be taken into account before reopening a school after the summer works period.

**FINANCE**

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

Profile: Year 22/23

Sum **£5M**

Funding for this section of the Capital Plan comes from the Capital Maintenance for Schools grant, which is not a ring-fenced capital grant, provided by the DfE for Councils to improve and maintain the condition of their schools' estates.

### **Lifespan of assets**

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

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

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

Responsibility for the lifecycle costs of this programme rests with the schools and the Council. Schools undertake significant capital repairs / replacement works from their Devolved Formula Capital (DFC) and their own revenue budgets. The Council undertakes capital works in schools using the Capital Maintenance Grant provided by the DfE.

### **Revenue Implications**

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

## **DELIVERY & MANAGEMENT**

### **How will the project be delivered/managed?**

#### **Delivery & Management.**

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

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

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

### **Is this subject to OJEU Regs?**

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

### **How will this be procured:**

This programme of works will be delivered through the Council's Technical Services. Works delivered externally by contractors will be tendered; or will be negotiated if delivered by KCH&N (Kirklees Council Housing & Neighbourhoods). We will also negotiate with private contractors on multi-phased schemes

where contractors have performed well on the first phase of works – management of the procurement process will be through the Capital Delivery team.

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

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

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

- There are some larger schemes (e.g. whole school re-wires or projects that combine different disciplines e.g. boiler replacement combined with a whole school re-wire) which will be complicated to deliver due to programming issues; availability of decant space etc;
- Many schemes will need to be undertaken during the summer holidays due to the nature of the works e.g. the replacement of a slate roof on a Victorian School and therefore any potential slippages could have serious consequences.

**OTHER INFORMATION**

**Key Contacts**

Emma Griff – Strategic Manager (Facilities) – Property - Tel: 01484 221000

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This FBC approved by:

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Project	Ward	Expected Delivery Period	Expected Total Cost of Project
<b>ACHIEVE &amp; ASPIRE CAPITAL MAINTENANCE PROGRAMME 2022/23 - CONDITION PROJECTS</b>			
2022/23 Capital Plan preparation costs - Advance Surveys/feasibility studies/asbestos surveys/condition surveys costs in relation to the delivery of DCYP projects and advance design of projects for the 2023/24 programme.	Various	Continuous	£100,000
Risk Pot for emergency additions to the Capital Plan/balance for high tenders/asbestos	Various	Continuous	£172,000
Battysford CE (VC) Primary School - Phase 1 rewire	Mirfield	Summer Holiday 2022	£210,000
Birkby Junior School - Replace valley gutters & slating	Greenhead	Term time / Summer Holiday 2022	£50,000
Birkenshaw CE (VC) Primary School - Phase 2 drainage works	Birstall & Birkenshaw	Summer Holiday 2022	£40,000
Brockholes CE (VC) J&I School - Phase 1 re-roof flat roof	Holme Valley North	Summer Holiday 2022	£80,000
Bywell CE (VC) Junior School - Re-roof flat roofs including former caretaker's house	Dewsbury East	Term time / Summer Holiday 2022	£122,000
Crossley Fields J&I School - Window refurbishment	Mirfield	Summer Holiday 2022	£50,000
Crow Lane Primary & Foundation Stage School - Phase 1 rewire	Golcar	Summer Holiday 2022	£142,000
Crow Lane Primary & Foundation Stage School - Drainage works	Golcar	Summer Holiday 2022	£15,000
Denby Dale First & Nursery School - Phase 1 re-roof flat roof	Denby Dale	Summer Holiday 2022	£146,000
Denby Dale First & Nursery School - Boiler plant replacement	Denby Dale	Term time	£127,000
East Bierley CE (VC) Primary School - Re-roof pitched & small flat roof	Birstall & Birkenshaw	Summer Holiday 2022	£96,000
East Bierley CE (VC) Primary School - Boiler plant replacement	Birstall & Birkenshaw	Summer Holiday 2022	£105,000
Flatts Nursery School - Domestic water distribution	Dewsbury East	Summer Holiday 2022	£65,000
Grange Moor Primary School - Hygiene facilities	Kirkburton	Summer Holiday 2022	£15,000
Golcar JI&N School - Domestic water distribution	Golcar	Summer Holiday 2022	£45,000
Gomersal Primary School - Hygiene facilities	Liversedge & Gomersal	Summer Holiday 2022	£10,000
Hade Edge J&I School - Partial heating distribution replacement with LST's	Holme Valley South	Summer Holiday 2022	£22,000
Hanging Heaton CE (VC) J&I School - Partial heating distribution replacement with LST's	Dewsbury East	Summer Holiday 2022	£35,000
Headlands CE (VC) JI&N School - Phase 1 hall roof & lower roof	Liversedge & Gomersal	Term time / Summer Holiday 2022	£125,000
Headlands CE (VC) JI&N School - Modular replacement	Liversedge & Gomersal	Term time / Summer Holiday 2022	£650,000
Hightown JI&N School - Boiler plant replacement	Cleakheaton	Term time	£121,000
Holme J&I School - Stonework repairs	Holme Valley South	Summer Holiday 2022	£20,000

Project	Ward	Expected Delivery Period	Expected Total Cost of Project
Hyrstmount Junior School - Boiler plant replacement (main school)	Bately East	Term time	£130,000
Kaye's F&N School - Partial boiler plant replacement	Denby Dale	Summer Holiday 2022	£70,000
Littletown JI&N School - Partial heating distribution replacement with LST's	Liversedge & Gomersal	Summer Holiday 2022	£55,000
Marsden I&N School - Phase 2 rebuild cavity wall & associated works	Colne Valley	Summer Holiday 2022	£35,000
Meltham CE (VC) Primary School - Storeroom rebuild	Holme Valley North	Summer Holiday 2022	£15,000
Mill Lane Primary School - Partial rewire	Batley East	Summer Holiday 2022	£130,000
Moorlands Primary School - Replacement of TMV's	Lindley	Summer Holiday 2022	£15,000
Reinwood I&N School - Replace platform lift	Lindley	Summer Holiday 2022	£25,000
Purlwell I&N School - Phase 2 rewire	Batley East	Summer Holiday 2022	£90,000
Savile Town CE (VC) I&N School - Partial heating distribution replacement with LST's	Dewsbury South	Summer Holiday 2022	£60,000
Scholes Village Primary School - Re-roof flat area 03 & part 05	Cleakheaton	Term time / Summer Holiday 2022	£50,000
Shepley First School - Phase 1 rewire	Kirkburton	Summer Holiday 2022	£92,000
Spring Grove JI&N School - Renew central glazed roof lights including slating	Newsome	Summer Holiday 2022	£143,000
St John's CE (VC) Infants School (Dewsbury) - Boiler plant replacement	Dewsbury West	Summer Holiday 2022	£85,000
St Thomas CE (VC) Primary School - Hygiene facilities	Ashbrow	Summer Holiday 2022	£15,000
Thornhill Lees CE (VC) I&N School - Dining hall rewire & ceiling grid safety works	Dewsbury South	Summer Holiday 2022	£25,000
Various Schools - Physical adaptations to improve access for pupils with disabilities in mainstream schools	Various	Continuous	£30,000
Various Schools - Fire safety works	Various	Continuous	£250,000
Various Schools - Large scale condition works	Various	Continuous	£650,000
Westborough High School - Re-roof Design Block (flat roof)	Dewsbury West	Summer Holiday 2022	£172,000
Westborough High School - Phase 3 condition & fire safety works	Dewsbury West	Summer Holiday 2022	£300,000
		<b>Total</b>	<b>£5,000,000</b>
<b>RESERVE SCHEMES</b>			
Birkby I&N School - Phase 1 rewire	Greenhead	-	£160,000
Staincliffe CE (VC) Junior School - Replacemnt fire alarm	Batley West	-	£40,000
Thornhill Lees CE (VC) I&N School - Boiler plant replacement	Dewsbury South	-	£130,000
Various Schools - Mobile boiler replacements	Various	-	£100,000
Wilberlee J&I School - Fire alarm & mains replacement	Colne Valley	-	£18,500



**Name of meeting:** Cabinet  
**Date:** 5<sup>th</sup> April 2022  
**Title of report:** COVID-19 Additional Relief Fund

**Purpose of report:**

This report seeks approval for the Council to establish the COVID-19 Additional Relief Fund business rates relief scheme in Kirklees, for the 2021/22 financial year only. The scheme will provide retrospective rates relief for businesses in sectors that have been impacted by the pandemic but are ineligible for the Expanded Retail Discount, Nursery Discount or other national rate relief schemes that have been established by the Government.

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  Private Report/Private Appendix - No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	David Shepherd – 18 March 2022
Is it also signed off by the Service Director for Finance?	Eamonn Croston – 18 March 2022
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – 28 March 2022
Cabinet member <u>portfolio</u>	Councillor Paul Davies – Portfolio Holder for Corporate

**Electoral wards affected:** All wards

**Ward councillors consulted:** Ward councillors have not been consulted as a result of the need to establish the scheme as soon as possible.

**Public or private:** Public.

**Has GDPR been considered?** Yes.

## 1. Summary

- 1.1 The Government has established the COVID-19 Additional Relief Fund (CARF) to provide retrospective business rates relief for the 2021/22 financial year for those businesses that have been impacted by the pandemic but are ineligible for the Expanded Retail Discount or other Government rate relief schemes. The scheme will operate on a discretionary basis with local eligibility criteria to be agreed by the Council, within the framework of guidance set by Government.
- 1.2 £7,361,465 has been allocated for businesses in Kirklees. This report seeks Cabinet approval to establish the scheme, including the eligibility criteria for applicants and the amounts of rate relief to be awarded.

## 2. Information required to take a decision

### Background

#### *Context*

- 2.1 The Council has now distributed over £175m of COVID-19 grants to businesses across Kirklees since the start of the pandemic. In addition, Kirklees businesses that pay business rates in the retail, hospitality, leisure and visitor accommodation sectors have been awarded rate relief through the Government's Expanded Retail Discount scheme. This provided 100% rate relief during 2020/21 and 75% for 2021/22. For 2022/23, the Retail, Hospitality and Leisure Business Rates scheme will provide eligible businesses with 50% rate relief – considered and approved by Cabinet as part of the Council Annual Budget Report for 2022/23. The Nursery Discount has operated on a similar basis over this period for Ofsted-registered providers of early years childcare.
- 2.2 During the earlier phases of the pandemic, many businesses sought to pursue the revaluation of their premises through the Valuation Office Agency, citing the impact of COVID-19 restrictions on property values and consequently their business rates liability. The Government has argued that the pandemic should not be considered a Material Change of Circumstances (MCC) for the purposes of business rates and subsequently introduced new legislation – the Rating (Coronavirus) and Directors Disqualification (Dissolved Companies) Act 2021 – to facilitate this.
- 2.3 Alongside these legislative changes, the Government announced the COVID-19 Additional Relief Fund to extend support for businesses affected by the pandemic but ineligible for the Expanded Retail Discount or Nursery Discount. £1.5bn has been allocated for the scheme in England for the 2021/22 financial year. Local authority guidance for the scheme was published on 15<sup>th</sup> December 2021, when the above legislation received Royal Assent.

#### *COVID-19 Additional Relief Fund: scheme guidance*

- 2.4 Government guidance notes that local authorities will use discretionary relief powers under section 47 of the Local Government Finance Act 1988 to implement the COVID-19 Additional Relief Fund. The Government has given Councils the discretion to agree the detailed eligibility criteria and priority sectors for support and to determine the level of relief for individual hereditaments, within the framework of the scheme guidance.
- 2.5 Guidance notes that the relief is available for the 2021/22 financial year only and must be fully committed (i.e., allocated to ratepayer's accounts) by 30<sup>th</sup> September 2022. Local authorities may not grant the discount to themselves, in line with section 47(8A) of the Local Government Finance Act 1988. Guidance further states that local authorities must:
  - not award relief to ratepayers who for the same period of the relief would have been eligible for the Extended Retail Discount, the Nursery Discount or the Airport and Ground Operations Support Scheme (AGOSS);

- not award relief to a hereditament for a period when it is unoccupied (other than hereditaments which have become closed temporarily due to the government's advice on COVID-19, which should be treated as occupied for the purposes of the relief), and
- direct their support towards ratepayers who have been adversely affected by the pandemic and have been unable to adequately adapt to that impact; this is an important feature of the scheme, requiring Council's to seek evidence of the economic impact of the pandemic from businesses applying for the relief.

#### *The Kirklees CARF scheme*

2.6 In accord with Government guidance, the proposed Kirklees CARF scheme will target those businesses "*adversely affected by the Pandemic and unable to adapt to its impact*" whilst also ineligible for the Expanded Retail Discount, Nursery Discount or airport rate relief schemes that are in place for 2021/22. The Council's assessment of need is based on its extensive experience of administering COVID business grant schemes since the start of the pandemic, including the discretionary Additional Restrictions Grant scheme. It is proposed to prioritise businesses in the following sectors for support:

- suppliers or service providers to the retail/hospitality/leisure industries
- events and exhibition sector and its supply chain
- travel sector
- car parks operating on a commercial basis (excluding residential)
- manufacturing/engineering sectors
- hereditaments which are heavily reliant on social mixing and providing in person services.

2.7 It is proposed to target small and medium sized enterprises rather than the district's largest employers to ensure the scheme benefits as many rate-paying businesses as possible. To achieve this, and to ensure the affordability of the scheme, businesses with a rateable value (RV) of more than £141,000 will not be eligible for support. Whilst this will exclude a limited number of businesses with higher rateable values, typically those businesses are more likely to be financially robust and less likely to require rate relief support.

2.8 Ensuring parity between the reliefs available through CARF and the existing Government rate reliefs already in place for the retail, hospitality and nursery sectors is also a priority for the Council. As such, the Kirklees CARF scheme will award 75% relief against the 2021/22 business rates bills of eligible businesses, mirroring the relief available through the Expanded Retail Discount and Nursery Discount schemes.

2.9 Businesses will be required to apply for the relief via a simple online application process. Applicants will need to provide evidence of a trading loss of at least 20%, based on a comparison of their 2019/20 (pre-pandemic) and 2021/22 company accounts. The eligibility criteria for the Kirklees scheme will also include:

- businesses applying must have been in occupation of their premises and trading or providing a service during the period 1 April 21 to 31 March 2022
- businesses must be registered with the Council for business rates before 1 March 2022, and be liable for the payment of business rates
- the amount of rate relief to be awarded will be based solely upon the RV in the rating list on 31 March 2022. The impact of any changes made to the RV before or after this date will not be considered

2.10 The following will not be eligible for support through the Kirklees CARF scheme:

- businesses that have received 100% rate relief during 2021/22 through other relief schemes – e.g., via Small Business Rate Relief or Rural Rate Relief
- businesses with an RV of more than £141,000
- public sector bodies such as Fire, Police, NHS and schools
- businesses that will breach Government subsidy limits if relief were to be awarded

- national chains, advert rights, telecommunication masts and residential parking spaces
- businesses where the property was empty or exempt or had no rates bill to pay during all of 2021/22 (*businesses that were in occupation and were trading or providing a service for part of the year may be eligible in respect of those periods only*)
- businesses subject to any form of insolvency action already started or pending, including a proposal to strike off.

2.11 The balance of any resulting credit will be applied to any outstanding balance on the businesses business rate account for 2021/22 and thereafter to offset any payments due in respect of 2022/23. If a business no longer holds liability any final credit balance will be refunded as appropriate.

### **Options**

2.12 The Council could have chosen to make the scheme open to a much wider range of businesses or with eligibility criteria that are not in accord with Government guidance. This would generate potential reputational and financial risks for the Council as demand for the rate reliefs could be substantially greater than the funding available from Government. Failure to comply with Government guidance would place the Council at risk of financial clawback in the event that the Council awarded funding to ineligible businesses, with related reputational risk.

2.13 The proposals will ensure that many small and medium-sized enterprises (SMEs) impacted by the pandemic but ineligible for other rate relief schemes will gain access to further financial support through a locally administered/discretionary rate relief scheme. In the event that there are unallocated funds or additional resource is made available by Government, the Council will consider widening the range of organisations that can apply.

### **Costs**

2.14 The Government has allocated £7,361,465 for the CARF rate relief scheme in Kirklees. The Government will fully reimburse local authorities for discretionary relief awards which comply with its scheme guidance up to this amount.

2.15 Council officers will manage the scheme to ensure that only eligible businesses apply and that appropriate evidence is provided by applicants. The operation of the scheme will be subject to regular review by the Council's Section 151 Officer.

2.16 The scheme will operate through an application process and the Council will undertake proportionate pre-payment checks to confirm eligibility in relation to the criteria set out in this report. The Council will also undertake appropriate pre-and post-payment checks to manage the risk of fraud. Any funding issued by the Council will be subject to clawback, alongside any reliefs awarded paid in error.

### **Expected impact/outcome/benefits**

2.17 Provision of discretionary business rate relief will further mitigate the financial impact on businesses of the pandemic, building on the support already provided through COVID business grants, the Coronavirus Job Retention Scheme and other Government initiatives. Implementing the scheme will extend access to rate relief to a wider range of sectors/ businesses and will assist Kirklees SMEs to strengthen their financial resilience and be well placed to support the economic recovery.

### **Risks**

2.18 There are a number of risks associated with the scheme, including:

- applicants from ineligible sectors may apply for the reliefs or may be unable to provide sufficient evidence of the economic impact of the pandemic on their business
- need/demand may outstrip the funding available

- reputational risks for the Council in relation to the amount of relief available or the priority sectors identified for support.

2.19 These risks will be managed and mitigated through the operation of the rate relief scheme. Council Officers will put in place appropriate mechanisms to ensure that only eligible businesses are supported, and suitable evidence of economic impact is provided. The scheme will be open for applications for a defined period to be agreed. It is considered that the positive reputational benefits of providing access to financial support for the affected businesses who are to be targeted by the scheme outweigh the negative reputational impacts of the proposals.

### **3. Implications for the Council**

#### **Working with people**

3.1 The proposals will support the Council's efforts to work together with people and communities to find shared solutions. The Council has drawn on learning from the implementation of the various Government grant support schemes and this will inform delivery of the CARF scheme. The operation of the scheme will be kept under regular review in response to business feedback.

#### **Working with Partners**

3.2 The COVID-19 Additional Relief Fund has been developed by the Government in response to feedback from business organisations and other groups. The Council will work with local partners to publicise the scheme and target eligible applicants.

#### **Place Based Working**

3.3 The scheme will support those businesses that have been unable to secure COVID rate relief support to date, including those in some of the area's most deprived communities. Ward Councillors will be fully engaged in the process to encourage eligible businesses to apply for support.

#### **Climate Change and Air Quality**

3.4 The CARF scheme will provide rate relief to those SMEs that have been most affected by COVID-19 and support their financial resilience and increase the availability of working capital. This will enable some businesses to choose to invest in energy efficiency and renewable energy solutions which will reduce emissions and contribute to efforts to make Kirklees carbon neutral by 2038.

#### **Other (legal/financial/human resources)**

3.5 Financial matters are addressed in section 2 of the report. The Council will be required to provide regular reports to the Department for Levelling Up, Housing and Communities on the implementation of the scheme.

3.6 The scheme will be operated in accord with Subsidy Allowance guidance. It is anticipated that most applicants will be awarded relief based on the Small Amounts of Financial Assistance Allowance which allows provision of up to 325,000 Special Drawing Rights (currently worth just over £340,000) over a three-year period. Where the Small Amounts of Financial Assistance Allowance has been breached, additional relief may be awarded under the COVID-19 Additional Relief Fund Allowance up to a further £1,900,000 for COVID-19 related losses. If these Subsidy Allowance limits are reached, further relief up to £10 million may be available through the COVID-19 Additional Relief Fund Further Allowance.

3.7 The proposed rate relief scheme will be administered by Council officers from the Business, Economy & Growth and Welfare & Exchequer services. Sufficient officer capacity has been allocated to ensure the scheme can be implemented quickly.

3.8 A Stage 1 Integrated Impact Assessment (IIA) has been undertaken for the proposals.

#### **4. Consultees and their opinions**

- 4.1 Engagement with regional/local business groups and other stakeholders will continue as the scheme is implemented.

#### **5. Next steps and timelines**

- 5.1 Subject to approval, the COVID-19 Additional Relief Fund scheme will be launched as soon as practicable following the Cabinet meeting on 5 April with applications expected to remain open for an initial six week period. The Council will work with key local partners to publicise the scheme and target eligible applicants.
- 5.2 The Council will publish detailed scheme guidance and application forms on its website as soon as the scheme is launched. The Council will put in place a streamlined process to ensure the rapid turnaround of applications for support.
- 5.3 The Council will keep the operation of the scheme under review, including the period during which it will be open for applications.

#### **6. Officer recommendations and reasons**

1. Cabinet notes the content of this report and approves the establishment of the COVID-19 Additional Relief Fund, including the proposed eligibility criteria for applicants and the amounts of rate relief to be awarded set out in section 2 of the report.
2. Cabinet delegates authority for implementation and monitoring of the COVID-19 Additional Relief Fund scheme to the Strategic Director Growth and Regeneration and the Service Director Finance
3. Cabinet delegates authority to the Strategic Director Growth and Regeneration and the Service Director (Finance), in consultation with the Portfolio Holder for Corporate, to vary the eligibility criteria for the COVID-19 Additional Relief Fund and to make further changes to the scheme as required to ensure equity and achievement of the objectives noted above.

#### **Reasons**

1. To enable Cabinet to approve the COVID-19 Additional Relief Fund scheme for Kirklees to extend financial support available to those businesses that are ineligible for other Government COVID-19 rate relief programmes as soon as practicable.
2. To enable rapid and efficient implementation of the rate relief scheme in accordance with the scheme of delegations.
3. To enable the identification and implementation of additional measures, where required, to complement the approved rate relief scheme, in accordance with the scheme of delegations.

#### **7. Cabinet Portfolio Holder's recommendations**

The Cabinet Portfolio Holder supports the recommendations, which have been developed to ensure local businesses can access the rate relief scheme as soon as practicable.

#### **8. Contact officer**

Chris Duffill, Head of Business, Economy & Growth [chris.duffill@kirklees.gov.uk](mailto:chris.duffill@kirklees.gov.uk) 01484 221000.



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

COVID-19 Additional Relief Fund guidance –

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1041468/CARF\\_LA\\_Guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1041468/CARF_LA_Guidance.pdf)

**10. Service Director responsible**

Edward Highfield, Service Director Skills and Regeneration

Eamonn Croston, Service Director Finance.

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Name of meeting: Cabinet

Date: 05/04/2022

Title of report: Government proposals for additional Household Support in 2022/23

Purpose of report: To set out Council proposals to provide support for households in 2022/23 in accordance with funding and associated guidance issued by Government.

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  If yes give the reason why – indicative Government funded assistance package Borough wide, totalling £ 29.34m
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u> ?	Key Decision – yes  Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer-Henshall 28/03/22
Is it also signed off by the Service Director for Finance?	Eamonn Croston 28/03/22
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft 28/03/22
Cabinet member <u>portfolio</u>	Cllr Paul Davies

Electoral wards affected: All Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes

## 1. Summary

- 1.1 On the 3<sup>rd</sup> February 2022 the government announced a package of support for rising energy costs which was to be delivered through a Council Tax Rebate and associated Discretionary Fund for households. This report sets out the government's guidance and seeks a decision as to how best to ensure those entitled to support and those requiring support, receive it.
- 1.2 All eligible households will be entitled to the Government announced package of support for rising energy costs. This payment is addition to the 16<sup>th</sup> February 2022 Budget Council approved continuation of additional targeted support to the borough's lowest income households eligible for the Council's Council Tax Reduction (CTR) scheme, for 2022/23.
- 1.3 All payments made under the Council Tax Rebate or Discretionary Fund are to be treated as Local Welfare Provision and therefore will not be taken into account in the calculation of income related benefits. For Universal Credit, the Department of Work and Pensions has legislated to ensure payments are disregarded.
- 1.4 All payments made under the Council Tax Rebate or Discretionary Fund are non-taxable. Recipients do not need to inform HMRC of the amounts received and those who are self-employed do not need to report the amounts on their Self-assessment tax returns. As these payments are non-taxable they do not impact on tax credits. Tax credits claimants do not need to report these payments as income to HMRC.
- 1.5 On 23 March 2022, the Chancellor announced some further measures to households as part of the Government's Spring Statement. This included a further £500m national Household Support funding allocation to Councils for 2022/23. This follows on from a £500m national funding allocation which covered the period October 2021 to March 2022; this Council's share £3.702m. This Fund is intended to support vulnerable people with payments and grants such as vouchers to help meet daily needs such as food, clothing, and utilities.
- 1.6 It is anticipated (subject to Government confirmation) that Government guidance on the 2022/23 funding allocation will be the same as that issued for the 2021/22 Housing Support Fund, and a similar £3.7m allocation to Kirklees; the latter again subject to Government confirmation.

## 2.0 Information required to take a decision

### **Council Tax Rebate Fund**

- 2.1 Kirklees will receive a funding allocation of £ 25,635,450 which is made up of £24,670,650 for the Rebate Fund and £964,800 for the Discretionary Fund.
- 2.2 **The Rebate Fund** is only available to following households in Council Tax Bands A to D (or band E where it has been reduced to band D with a disabled band reduction) where those criteria applied on 1<sup>st</sup> April 2022 :
  - The property is someone's sole or main residence
  - The person in receipt is liable to pay council tax (or would be were the property not exempt)
  - The property is a chargeable dwelling, or in exemption classes N, S, U or W\*
    - N - Properties occupied solely by students
    - S - Occupied by under eighteen year olds only
    - U - Occupied only by severely mentally impaired persons

This means that:

- A property that meets all the criteria, but has a nil council tax liability as a result of a local council tax reduction, will be eligible.
- A property that has no permanent resident and is someone's second home will not be eligible.
- An unoccupied property (for the purposes of calculating council tax) will not be eligible.

2.3 There are currently 190,566 properties listed for Council Tax purpose, of those 170,397 are in Bands A to D. The Rebate Fund is sufficient to cover 164,471 households and not all households will qualify. This fund will be reconciled meaning that Government will fully fund all entitled payments. However all payments must be made by 30<sup>th</sup> September 2022 in order for the payment to be met from this fund. Any payment made after that date will not be funded by Government.

2.4 Eligible households are split into two groups. Those that pay by Direct Debit and those that don't. Those that pay by Direct Debit will not be required to take any action. Payment of £150 will be made directly to their bank account using the live Direct Debit information. Appropriate controls will be in place to prevent as far as possible any mistakes or fraudulent activity.

2.5 Those that don't pay by Direct Debit will need to make an application. The Council is working with its software suppliers to ensure appropriate internal controls are in place to support efficient and effective payments to eligible households. Applicants will be able to request that the £150 be credited to their council tax account should they choose to do that.

2.6 The Council will be encouraging those that don't ordinarily pay council tax, to apply for the rebate. The application process will be online and will be available as assisted digital for those that require support. It is worth noting that automation is key given the expected volume of applications. About 117,800, or 62% of the total households in Kirklees currently pay by Direct Debit, and the remaining 62,500 eligible households will need to apply for the payment.

2.7 Applications cannot be made before 1<sup>st</sup> April 2022 and must be decided by 30<sup>th</sup> September 2022. Illustratively, this would be the equivalent of Welfare & Exchequer staff processing an average of 341 payments each day including weekends (62,500/183 days). That is a significant increase in workload, hence processes that support automation and self-service will be critical to ensuring timely payments within Government guidelines to all eligible households.

2.8 Government has also clarified that once the Council has done all it can to solicit applications from those entitled, any household that has not applied for the payment or Council Tax account credit can receive that credit by default. At this stage officers recommend that where no application has been made by 16<sup>th</sup> August 2022, the Council Tax account of the liable party should be credited with £150 as a backstop to be redeemed at a later date by a means appropriate to that household. This will ensure at least that no household loses out to a rebate they are entitled to.

2.9 Councils are required to issue the Government's own leaflet with Council Tax Bills – and Council officers have used Government guidance flexibility to amend that leaflet to promote the local take up of Direct Debit. The leaflet reproduced at appendix 1 has been issued to all households as required by the guidance and grant conditions through the recent annual Council Tax billing process for 2022/23

## Discretionary Fund

2.10 **The Discretionary Fund** is available to any household that doesn't qualify under the rebate fund where that household has energy bills and any household that does qualify under the rebate fund where we identify that they will benefit from a carefully targeted top up.

2.11 The fund is £964,800 which would equate to £150 for 6432 households were we to allocate £150 under the discretionary scheme. At least 20,043 households don't qualify under the main scheme and so there is insufficient funding available in the discretionary fund to provide comparable support for all of those households.

2.12 Councils can determine locally how best to make use of this funding to provide payments to other households who are energy bill payers but not covered by the Council Tax Rebate. This could include households living in property valued in bands E – H that are on income related benefits or those where the energy bills payers are not liable for council tax. Kirklees currently has 540 households in bands E to H that are in receipt of a means tested council tax reduction that would equate to £81,000

2.13 A total of 20,043 households are in bands E to H which means that were any remaining fund to be distributed to those households not entitled to a council tax reduction it might amount to £883,800 ( $£964,800 - £81,000$ ) / 19,503 (20,043-540) = £45.31.

2.14 There are however other households that might benefit more from the discretionary fund if their energy liabilities count for the purposes of the fund (clarification is being sought). At this stage Council officers have identified:

- those that qualify under the main scheme that are deemed particularly vulnerable may receive a carefully targeted top up payment from the discretionary fund in addition to the £150 they have already received;
- those in licensable houses in multiple occupation where the landlord is liable for Council Tax;
- Staying Put and Shared lives boarders if they pay energy costs as a condition of residency;
- those in temporary or B&B accommodation housed by the local authority with energy charges;
- those with no recourse to public funds housed in property where the landlord is liable for council tax; and
- those that do not qualify for a main scheme payment because they were not resident anywhere for the purposes of the main scheme on 01/04/22 e.g. young people that become liable for council tax for the first time after 01 April 22 but before the discretionary scheme ends on 30 November 2022

2.15 It is proposed that Cabinet delegates authority for implementing and monitoring the Discretionary Fund based on the above criteria, to the Strategic Director for Corporate Strategy, Commissioning & Public Health and the Service Director Finance, in consultation with the Corporate portfolio holder.

2.16 It is also proposed that Cabinet delegates authority to the Strategic Director for Corporate Strategy, Commissioning & Public Health and Service Director Finance, **Page 40**

consultation with the Corporate portfolio holder, to vary the eligibility criteria for the Discretionary Fund and to make further changes to the scheme as required to achieve the objectives of the Fund within available means.

Once approved, the eligibility criteria for the Discretionary Fund will be published on the Council's website.

- 2.17 Support from the Discretionary Fund does not have to be provided in relation to the position on 1 April 2022. Allocations from the discretionary fund must be paid to eligible households by 30 November 2022. Any remaining funding will be required to be repaid to Government. It is also worth noting that the fund will not be topped up if expenditure exceeds the allocation.

### **Household Support Fund**

- 2.18 The Chancellor announced on 23 March 2022 as part of the Spring Statement, an extension of the 2021/22 Household Support Fund with a further £500m national funding allocation for 2022/23. Subject to Government confirmation, it is expected that the further funding allocation will follow the same Government grant guidance as the 2021/22 Household Support Fund; namely supporting vulnerable people with payments and grants such as vouchers to help meet daily needs such as food, clothing, and utilities; and endorsed through a specific "Household Support Fund" report approved by cabinet on 16 November 2021.
- 2.19 The Council's share of the £500m 2021/22 funding allocation was £3.702m and this is anticipated to be fully utilised by the end of March 2022. A similar funding allocation is anticipated for 2022/23; again, subject to Government confirmation.
- 2.20 While at the time of writing this report, updated government guidance is still awaited regarding the 2022/23 funding allocation, It is anticipated that the types of intervention set out in the previous Cabinet report, would equally be applicable for the extended 2022/23 funding allocation.
- 2.21 It is intended that officers will work with services and partners to identify funding recipients through the Local Welfare Provision scheme. This approach will continue to take advantage of the existing administration and delivery mechanisms that meets the needs of any resident before that resident finds that they are without the food and essential supplies they need, because they have insufficient means to meet all of their liabilities.
- 2.22 This will ensure the most appropriate and timely interventions with services and partners, including but not limited to (and subject to updated government guidance):
- a) Food: Whether in kind or through vouchers or cash, including breakfast clubs
  - b) Energy and water: For any form of fuel and water bill
  - c) Essentials linked to energy and water: Including sanitary products, warm clothing, soap, blankets, boiler service/repair, purchase of equipment including fridges, freezers, ovens, etc
  - d) Wider essentials: Including broadband or phone bills, clothing, and essential transport-related costs such as repairing a car, buying a bicycle or paying for fuel
  - e) Housing Costs: In exceptional cases of genuine emergency where there is no other existing mechanism of support to meet that cost of rent (mortgage costs are not included)
- 2.23 To give some illustrative context, assuming £3.702m funding allocation for 2022/23, providing the equivalent of Free School Meal and fuel support for approximately 16,500 children over the 13 week holiday periods during 2022/23 at the equivalent

£15 per eligible child per week, would equate to about to £3.2m. The balance of £0.5m could support families and individuals more generally. It is intended that this funding will be allocated to the Council's existing Local Welfare Provision Fund which supports our most vulnerable families and individuals across the borough. This presumes that there is no restriction upon the date by which funding is to be spent, and at this stage we are awaiting guidance.

2.24 While extension of the Government Household Support funding for 2022/23 is welcomed, the relatively late announcement on 23 March 2022 and pending confirmation on government guidance, means a short timescale for the Council to effectively plan early for, target and distribute £3.7m funding to those most in need over the 2022/23 period. In light of this, the range of anticipated eligible funding interventions set out at paragraph 2.22 earlier will need to be continually reviewed and flexed accordingly for maximum effect.

2.25 In view of this, it is recommended that Cabinet delegate authority to the Strategic Director for Corporate Strategy, Commissioning and Public health and Service Director for Children's Services, in consultation with the Corporate portfolio holder , Learning, Aspiration & Communities portfolio holder and Service Director Finance, to direct the resource to appropriate interventions through 2022/23 through the Council's existing Local Welfare Provision scheme which supports the Council's most vulnerable families and individuals across the borough.

### **3. Implications for the Council**

#### **3.1 Working with People**

The payments will provide financial assistance to residents that qualify.

The Council will continue to ensure that households and individuals are aware of what the Council can do to provide advice, guidance and support at this time with the resources it has available.

To seek opportunities to work with people, partners and in places, to find alternative solutions and to provide resilience in communities with initiatives like "The Bread and Butter Thing" which has started in Chickenley, is to start in Dalton and will start in three other areas yet to be determined.

#### **3.2 Working with Partners**

Partners in the third sector will be critical in ensuring that those most vulnerable are aware of how they access this funding. We will ensure that partners are equipped to provide appropriate advice guidance and support

#### **3.3 Place Based Working**

There will be a need to directly engage with some residents that are hard to reach. For example this could include visiting Houses in Multiple Occupation to talk to residents about the discretionary energy support scheme. The Universal Credit benefit system and the way that housing costs support works for this cohort means that the authority knows little about the individuals and direct marketing isn't always possible – we will explore all possibilities to ensure maximum take up.

#### **3.4 Climate Change and Air Quality**

Not applicable



### **3.5 Improving outcomes for children**

Increases available household income so potentially reducing poverty as well as help towards food and fuel costs, and warm clothing.

### **3.6 Other (e.g. Legal/Financial or Human Resources)**

#### **Financial**

3.7 Government will provide initial Grant Funding of £24,670,650 for the Council Tax Rebate Fund. As this is a mandatory scheme, if actual payments exceed the initial funding allocation, Government will top this up. Equally, any unspent allocation will be returned to Government. The Discretionary Fund allocation of £964,800 has to be managed locally within the funding allocation provided. Likewise, any underspend will be returned to Government, but any overspend will need to be met by the Council .

3.8 The Department for Levelling Up, Housing and Communities will undertake a monthly data collection exercise to monitor implementation progress. Council officers will therefore put in place arrangements to support this. This includes monitoring and reporting on expenditure and numbers of benefiting households (both from the Rebate Scheme and Discretionary Fund) at Parliamentary constituency level and local authority level.

3.9 In addition to the Grant Funding, New Burdens funding will be provided to cover administration costs though the value has yet to be determined.

#### **Legal**

3.10 The funding is a one-off contribution. It is to be treated as Local Welfare Provision for the purposes of any other decision though it is not itself a Local Welfare Provision payment.

3.11 It is important to note that any payments made out of this grant fund do not amount to payments made under section 1 of the Localism Act 2011. Ordinarily Local Welfare Provision payments are made under that section and then count as “public funds” for the purposes of immigration and would not therefore be available to those with no recourse to public funds. Payments made here will be made in accordance with the Grant Determination and are subject to the conditions set out by the Secretary of State in that determination.

#### **Human Resources**

3.12 New Burdens funding is being provided to assist with administration of the Council Tax rebate and discretionary fund schemes, and the Council will apply the resources as appropriate to support any additional capacity requirements.

### **4 Consultees and their opinions**

For the most part i.e. the mandatory Council tax rebate scheme, payments are to be made in accordance with the scheme as set out by government and are not subject to consultation. Proposals for the Discretionary scheme as set out in this report, are also within the parameters of Government guidance.

### **5 Next steps and timeline.**

To commence payment activity as soon as is reasonably practicable from April 2022 onwards.

## **6 Officer recommendations and reasons**

Cabinet are asked to note and approve the following:

- 6.1 Note that the Rebate Fund consists of two cohorts and that the work required to make payment to those paying by Direct Debit commence immediately after 01 April 2022, taking into account the requirements of the scheme;
- 6.2 Note that those eligible under the Rebate Fund required to make an application should be given the choice to receive payment or credit to their Council Tax account as appropriate;
- 6.3 approve the officer proposal that where no application has been made by 16th August 2022t, the Council Tax account of the liable party should be credited with £150 as a backstop position, allowable within Government guidance;
- 6.4 note that the Council will seek to maximise the number of applications from those entitled by establishing a publicity and take up campaign that will target them specifically by whatever means are appropriate including working across services and with partner organisations.
- 6.5 approve the officer proposal that the Council adopts the Discretionary Fund eligibility criteria as set out at paragraph 2.14 of this report that Cabinet delegates authority for implementing and monitoring the Discretionary Fund based on the above criteria, to the Strategic Director for Corporate Strategy, Commissioning & Public Health and the Service Director Finance
- 6.6 approve delegated authority to the Strategic Director for Corporate Strategy, Commissioning & Public Health and Service Director Finance, in consultation with the Corporate portfolio-holder, to vary the eligibility criteria for the Discretionary Fund and to make further changes to the scheme as required to achieve the objectives of the Fund within available means.
- 6.7 Note the Government extended Household Support Funding support to Councils for 2022/23, and the Council's anticipated £3.702m share; and
- 6.8 approve delegated authority to the Strategic Director for Corporate Strategy, Commissioning and Public Health and Service Director for Children's Services, in consultation with the Corporate portfolio holder, Learning, Aspiration and Communities portfolio holder, and Service Director-Finance; to direct the Council's newly announced 2022/23 Household Support Fund allocation to appropriate interventions within the range of anticipated eligibility criteria as set out at paragraph 2.18 of this report, through the Local Welfare Provision scheme.

### **Reasons**

1. To enable Cabinet to note and approve the Government Council Tax Rebate, Discretionary Fund scheme and Household Support Funding schemes for eligible Kirklees households from April 2022 onwards.
2. To enable the effective and efficient implementation of the schemes in accordance with Government guidance and the proposed the scheme of delegations to ensure full utilisation of the Government funding to 31 March 2023 or such earlier date as the government may determine and in accordance with any appropriate guidance and grant conditions.

3. To enable the identification and implementation of any additional measures, where required, to complement the approved Discretionary Fund scheme, in accordance with the scheme of delegations.

## **7. Portfolio Holder Comments:**

The Portfolio Holders agree with the proposals as set out in this report.

## **8. Contact officer**

Julian Hobson – Senior Manager, Welfare and Exchequer Services

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

Billing Authority Guidance

<https://www.gov.uk/government/publications/the-council-tax-rebate-2022-23-billing-authority-guidance>

16<sup>th</sup> February budget papers – page 20 paragraph 2.11.7

<https://democracy.kirklees.gov.uk/documents/s45204/Budget%20Motion%20-%20Feb%202022.pdf>

Spring Statement 2022

[Spring Statement 2022: documents - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/speeches/spring-statement-2022)

## **10. Service Director responsible**

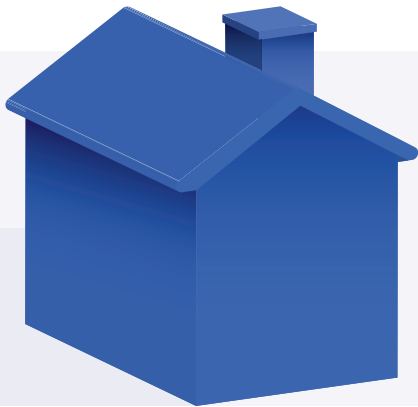
Eamonn Croston – Service Director - Finance

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HM Government

# £150 GOVERNMENT COUNCIL TAX REBATE



**If you live in a property in council tax bands A to D, you are likely to receive a £150 council tax rebate from the Government to help with the cost of living.**

As countries around the world come out of Covid-19 lockdowns, surging demand for energy has meant energy prices have increased. Over the past year, the price of gas alone has quadrupled.

Whilst the problem is global, the effect is being felt by millions of households here in the UK.

The Government has listened to these concerns and it has acted.

Recently, the Government announced that around 20 million households in England in council tax bands A-D will get a £150 rebate from April.

**The rebate will not need to be repaid.**

## WHO'S ELIGIBLE?

Households in council tax bands A-D will receive the £150 council tax rebate.

This means 4 out of 5 households in England will benefit, including around 95% of rented properties. However, second homes or empty properties will not benefit. If you are unsure of your council tax band, check your council tax band via your printed council tax bill or at: <https://www.gov.uk/council-tax-bands> or contact your local council.

### What if my household isn't eligible?

- Councils will receive an extra £144 million to provide support to vulnerable households who may not qualify for the £150 council tax rebate.
- This includes people on low incomes in council tax bands E-H.
- Your council will provide more detail on how this will operate in your area.

### How will my household get its £150?

- Your council will confirm how the rebate will be paid in your area.
- For people who pay council tax by direct debit, in most cases, the rebate will go directly into bank accounts. If you don't already pay by direct debit, you might want to sign up. This will make sure the rebate is paid to you quickly.
- Sign up for direct debit today at [www.kirklees.gov.uk/paycounciltax](http://www.kirklees.gov.uk/paycounciltax)
- For those who do not pay council tax via direct debit, your council will confirm how the rebate will be paid to you. Please make sure that communication is from your local council before providing payment details.
- The rebate will not need to be repaid.

### What else is on offer to support households with their energy bills?

- We are helping to spread the cost of the recent jump in energy prices over several years. £200 of this year's energy bill will be taken off from October and spread equally over the next 5 years instead, easing the burden on family budgets. This is not a debt, no interest is charged and no credit ratings are affected.
- The Warm Home Discount will be expanded, so nearly 3 million low-income households will benefit from a £150 discount.

Scan the QR code with your smart mobile device to check your council tax band.





**Name of meeting:** Cabinet  
**Date:** 5<sup>th</sup> April 2022

**Title of report:** Outcome of tender evaluation & Contract Award; Fire Safety improvements to low rise residential blocks District wide

**Purpose of report:**

This report follows on from the report to Cabinet on December 14<sup>th</sup> 2021 (Compliance Review) and outlines the outcome of a recent competitive tender inviting suppliers to undertake fire safety improvements to 865 low rise blocks across the District

The report outlines the outcome of the tender evaluation and to recommend acceptance of a tender and to appoint the preferred bidder.

<p><b>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?</b></p>	<p><b>Yes</b></p> <p><b>If yes give the reason why</b></p> <p>Spending in excess of £250k and affects all electoral Wards</p>
<p><b>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u></b></p>	<p><b>Key Decision – Yes</b></p> <p><b>Public Report - Yes</b></p> <p><b>Private Appendix – Yes – (Appendix 1)</b></p>
<p><b>The Decision - Is it eligible for call in by Scrutiny?</b></p>	<p><b>Yes</b></p> <p><b>If no give the reason why not</b></p>
<p><b>Date signed off by <u>Strategic Director</u> &amp; name</b></p> <p><b>Is it also signed off by the Service Director for Finance?</b></p> <p><b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b></p>	<p><b>David Shepherd: 15/3/22</b></p> <p><b>Eamonn Croston: 15/3/22</b></p> <p><b>Julie Muscroft: 17/3/22</b></p>
<p><b>Cabinet member <a href="#">portfolio</a></b></p>	<p><b>Give name of Portfolio Holder/s</b></p> <p><b>Cllr Cathy Scott - Housing and Democracy</b></p>

**Electoral wards affected: All**

**Ward councillors consulted: Yes**

## **Public or private: Public report with private Appendix 1**

Appendix 1 is private in accordance with Schedule 12A Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 namely it contains information relating to the financial and business affairs of third parties (including the Authority holding that information). It is considered that the disclosure of the information would adversely affect those third parties including the Authority and therefore the public interest in maintaining the exemption, which would protect the rights of an individual or the Authority, outweighs the public interest in disclosing the information and providing greater openness and transparency in relation to public expenditure in the Authority's decision making.

### **Has GDPR been considered? Yes**

#### **1.0 Background and Summary**

- 1.0.1 The report to Cabinet dated 14<sup>th</sup> December outlined the findings of an independent review into compliance carried out from January to May 2021. Commissioned by Kirklees Council the review identified 48 recommendations, 35 of which have been completed and formed the basis of an overall compliance improvement plan; 8 recommendations related to fire safety including Recommendation 25: namely the timely completion of all outstanding fire safety actions arising from Fire Risk Assessment (FRA) inspections in a priority order.
- 1.0.2 Work programmes to complete high priority (AA) actions to low rise blocks and medium/low priority actions to High rise blocks are underway and being delivered in-house by Property Services and expected to complete by end April 2022.
- 1.0.3 The remaining programme relates to over 16000 medium and low risk fire risk actions to over 865 blocks district wide and hence requires significant and dedicated resource without distraction to complete within a reasonable timescale. These were packaged into a single project and tendered with a view to appointing 1 Main Contractor responsible for the overall project.
- 1.0.4 The compliance team spent over 3 months developing a schedule and detailed specification of work based on the following improvements in both flats and communal areas to 865 blocks:
- Replacement of flat, communal and store fire doors
  - Repairing breaches of compartmentation in the fabric of the building
  - Mechanical/electrical upgrades to fire, heat and smoke detection systems and ventilation
  - Relocation of Bin and scooter stores

#### **2.0 Information required to take a Decision**

##### **2.0.1 Route to market**

The council operates an effective dynamic purchasing system (DPS) and includes a good mix of local and regional providers therefore it was decided that an expression of interest (EOI) would be issued via the DPS to gauge market interest; this yielded a number of positive responses and established the basis of the procurement route.

##### **2.0.2 Tender**

The tender specification was developed by the Compliance team and appended to a measured term contract JCT deemed the most suitable for this type of project.

The project team determined the pricing model based on an extensive schedule of rates to achieve cost certainty per block and keep variations to a minimum also offering the facility to price unforeseen items through a robust and formal variation process if required.



It was determined by the project team the following split of quality price and social value was the most appropriate given the scale and complexity of the project and therefore to achieve the best outcome for the council:

- Price: 30%
- Quality: 60%
- Social value: 10%

Details of price, quality and social value and scores for all bidders can be found at Appendix 1 to this report.

### 2.0.3 Procurement Timetable

Procurement Stage	Date
Tender Issue	10/08/2021
SITE VISIT - BY APPOINTMENT IN THIS PERIOD.	10/08/2021- 20/09/2021
Clarification Deadline for Bidders	14/09/2021
Deadline for the Council to Respond to Clarification Questions	20/09/2021
Tender Submission Deadline	20/10/2021
Evaluation period	20/10 - 17/12
10 Day Voluntary Standstill Period end	07/1/2022
Contract Award / Appointment. (Subject to cabinet approval)	April 2022

### 2.0.4 Tender evaluation results

Bids were received from 6 bidders in total with the winning bid from: Fortem Solutions Limited.

### 2.0.5 Tender Evaluation Panel

- The price submission was assessed by council officers from procurement and asset management.
- The tender evaluation for the quality aspect was carried out by a team of council officers from procurement, building safety and asset management teams. Consensus was used to award scores against each quality question for each bidder
- The Social Value assessment was undertaken by council officers from Procurement using Kirklees TOMs guidance 2020

## 2.1 Issues to Consider/Risk Register

Low Rise Fire Safety Improvements: Risks:	Mitigation
Lack of available project resource	Ongoing recruitment to the fire safety team will ensure adequate officers, use of temporary or fixed term agency staff, specialist consultancy support as required
Lack of project funding	Sufficient compliance capital allocation committed in the 10 year HRA business plan
Procurement delays due to Brexit/Covid	Ongoing early market engagement to lock in supply chain
Construction delays & cost: Materials	Early agreement on specification, nominated suppliers and client order commitment
Delayed completion and handover	Agreed phase completion, realistic programme with sufficient time allowance and contingency, Liquidated damages and or early completion incentives

## 2.2 Conclusions

2.0.2 The tender process and subsequent evaluation of tenders submitted has had thorough due diligence, is compliant with the procurement regulations currently in force and in accordance with the council's Contract Procedure and Financial Procedure Rules (CPR). The key considerations that underpinned the evaluation were based on the following principles:

- The duty to ensure tenant safety and regulatory compliance
- What is important to tenants and leaseholders – the Tenant's Voice
- Establishing a robust building safety case for all blocks
- Value for money
- HRA affordability and other priorities
- Appointing competent, experienced and reliable suppliers

## 3.0 Implications for the Council

### 3.0.1 Working with People

Keeping tenants safe is the council's highest priority. The project will not only deliver fire safety improvements but also improve the way we share information with residents, consult on proposals and establish a building safety case for all buildings in scope and those deemed higher risk, it aligns to the recommendations of Chapter's 1 and 5 of the Social Housing White Paper 2020:

1. *To be safe in your home. We will work with industry and landlords to ensure every home is safe and secure*
5. *To have your voice heard by your landlord, for example through regular meetings, scrutiny panels or being on its Board. The government will provide help, if you want it, to give you the tools to ensure your landlord listens.*

### 3.0.2 Working with Partners

A multi-agency approach is required for the delivery of the compliance and building safety programme, relationships internally, and with external partners are key to success. The Council cannot deliver programmes on its own; partners will play a vital part in shaping and delivering successful outcomes

### 3.0.3 Place Based Working

Consultation informs a Placed based approach; we continue to develop our overall engagement plan in consultation with the Housing Advisory Board and members of the Tenant and Grants Panel (TAG). Project specific consultation is underway in collaboration with Partnership colleagues as we develop remediation programmes across all areas of compliance specific to individual estates and blocks, those are reinforced with updates on communal notice boards and face to face interactions as well as building safety updates on our website

### 3.0.4 Climate Change and Air Quality

Fire Safety remediation programmes that affect the fabric of the building are designed to achieve compliance to Part L of the current Building Regulations therein achieve the best possible U Value and thermal rating.

### 3.0.5 Improving outcomes for children

The compliance review will deliver safer, compliant homes and support the best start for children living in Council Housing

### 3.0.6 Other (e.g., Legal/Financial or Human Resources)

The HRA takes account for this project and makes provision for the anticipated cost in the approved 5-year Capital plan and there will be no impact on the General Fund.

Statutory consultation under section 20 of the Landlord and Tenant Act 1985 (as amended) is not required because the council does not seek to pass the cost of these fire safety works onto leaseholders through their service charge

The review makes recommendations in accordance with the current and proposed Regulatory Framework:

- Building Safety Bill 2020
- Fire Safety Act (FSO) 2021
- MHCLG Advice Note 2020
- Building Regulations Part B and L
- Social Housing White Paper 2020
- Gas Safety Regulations 1998
- The Control of Asbestos Regulations 2012
- The Electrical Safety Regulations 2019
- HSE ACOP L8: Water Quality
- Lifting Operations and Lifting Equipment Regulations (LOLER) 1998

Contract administration and delivery will be managed by the Building Safety team using existing members of the team and additional positions currently being recruited, we aim to assign 2 project officers, 2 clerk of works with support from 2 technical officers and the lead for fire safety to be among a number of colleagues that will form the project team as detailed in the Project inception document.

### 3.0.7 Integrated Impact Assessment

Not required

#### 4.0 Consultees and their opinions

In the annual star survey tenants have told us they want their home to be safe and that the council invests in building safety. Our regular dialogue and relationship with the Tenants' Advisory and Grants Panel has also impressed the need to prioritise tenant safety. Supporting business cases and outline options have been presented to the Growth and Regeneration Directorate's Senior Leadership Team and the Portfolio Holder Responses and views have been considered and considered prior to finalising this report.

We continue to consult, engage and communicate with tenants and all stakeholders as we develop compliance remediation programmes ensuring this feedback is used to shape delivery. As each phase of the fire safety remediation programme to low rise blocks develops, we will share proposals with residents and ward councillors confirming the programme for the blocks, the extent of works and the sequence of delivery. We will continue to communicate with and share progress with those affected throughout the delivery stage. We expect to commence works to 6 story blocks in Autumn 2022 and will therefore aim to commence engagement in the Spring of 2022.

#### 5.0 Next Steps and Timelines

<b>Cabinet approval</b>	<b>5<sup>th</sup> April 2022</b>
<b>End of call-in period</b>	<b>12<sup>th</sup> April 2022</b>
Issue project Contract	April
Execute project Contract	May
Commence project team meetings	May
End of pre commencement period	August
Commence phase 1: 6 storey blocks	Sep
Anticipated Project Duration (subject to supplier proposals)	2-3 years

#### 6.0 Officer Recommendations and Reasons

##### 6.0.1 That Cabinet:

- (a) Consider the report and note the tender evaluation and results
- (b) Approve the appointment of Fortem Solutions Limited for fire safety improvements to low rise residential blocks within Kirklees District.
- (c) The Service Director Homes and Neighbourhoods to continue to monitor progress against programme
- (d) Approve the delegation to the Service Director Homes and Neighbourhoods to sign off final contract sum within a tolerance of 5% of the approved tender sum.

##### 6.0.2 Reasons:

Kirklees Council remains wholly accountable as the landlord and Registered Provider for the safety of council housing residents and therefore should be fully sighted on all risks associated to building safety with the potential to cause injury, harm or inconvenience; it is therein duty bound to ensure existing and proposed arrangements are adequate and proportionate with respect to tenant safety.

## **7.0 Cabinet Portfolio Holder's Recommendations**

The Cabinet Portfolio Holder supports the officer recommendations at paragraph 6.0.1 Keeping the council's tenants safe is the highest priority. I am pleased to see that the council has, since the transfer of engagements, acted as quickly in driving the actions required and scoped out, tendered and secured a preferred contractor in a challenging market and circumstances. I fully support the approach to keeping our tenants safe and meeting our obligations detailed against the regulations and the award of this contract and delivering the fire safety actions at the council's low rise housing blocks.

## **8.0 Contact Officer**

Asad Bhatti: Head of Building Safety  
Tel: 01484 221000 and ask for Asad Bhatti  
Email: [asad.bhatti@kirklees.gov.uk](mailto:asad.bhatti@kirklees.gov.uk)

## **9.0 Background Papers and History of Decisions**

Confidential in accordance with Schedule 12A Local Government Act 1972:

- Pre-qualification to DPS
- Invitation to Tender
- Tender submission
- Tender evaluation and panel scoring
- Report to Cabinet dated 14<sup>th</sup> December 2021: Building Safety, Compliance Report. Anthony Brown, RM Consulting: April 2021

## **10.0 Service Director responsible**

Naz Parkar, Homes and Neighbourhoods

## **11.0 Supplementary information:**

Private Appendix 1: Tender Evaluation Result Fire Compartmentation and Associated Refurbishments

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**Report to: CABINET**

**Date: 5 April 2022**

**Title of report: LOW CARBON HOUSING PILOT PROJECT UPDATE**

**Purpose of report:**

The report is brought to Cabinet as a Key Decision where the proposal involves expenditure of greater than £250,000, and in view of the significance of the climate change and energy agenda. The report briefs on the context and background to the Low Carbon Housing Project in relation to fuel poverty, energy price rises, and reducing the carbon footprint in housing. These are issues which will drive significant changes in housing design and standards to provide affordable warmth, tackle fuel poverty and to promote public health.

The report also advises of the proposed outcomes and next steps in developing the project through its design and construction stages, and behavioural changes in managing and living in innovative and resilient homes. Cabinet is asked to consider the report and the Private Appendix containing details of bids received from organisations bidding to provide specialist design services to design the project and to secure planning permission. Cabinet is asked to approve the bidder recommended in the Private Appendix. The reason and exemption for this is set out below.

<p><b>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?</b></p>	<p><b>Yes.</b></p> <p><b>This will incur specialist architect design fees in excess of £250,000</b></p>
<p><b>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u></b></p>	<p><b>Key Decision – Yes.</b></p> <p>A Key Decision Notice was published on 21 March 2022 in respect of the Cabinet report.</p> <p><b>Public Report with a Private Appendix.</b> This contains information relating to the financial or business affairs of any particular person (including the authority holding that information).</p>
<p><b>The Decision - Is it eligible for call in by Scrutiny?</b></p>	<p><b>Yes</b></p>
<p><b>Date signed off by <u>Strategic Director</u> &amp; name</b></p> <p><b>Is it also signed off by the Service Director for Finance?</b></p> <p><b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b></p>	<p><b>David Shepherd</b>, Strategic Director: 24 March 2022</p> <p><b>Eamonn Croston</b>, Service Director for Finance: 24 March 2022</p> <p><b>Julie Muscroft</b>, Service Director for Legal Governance and Commissioning 24 March 2022</p>
<p><b>Cabinet member <a href="#">portfolio</a></b></p>	<p><b>Cllr Cathy Scott</b></p>

**Electoral wards affected:** Liversedge and Gomersal

**Ward councillors to be consulted:** Cllrs David Hall, Cllr Lisa Holmes, Cllr Melanie Stephen

### **Public or private:**

This report is public.

The Key Decision Notice has been issued and this report is accompanied by a private appendix in which commercially sensitive information is provided.

The Appendix to this report is private in accordance with Schedule 12A Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 namely it contains information relating to the financial and business affairs of third parties (including the Authority holding that information). It is considered that the disclosure of the information would adversely affect those third parties including the Authority and therefore the public interest in maintaining the exemption, which would protect the rights of an individual or the Authority, outweighs the public interest in disclosing the information and providing greater openness and transparency in relation to public expenditure in the Authority's decision making.

### **Has GDPR been considered?**

Yes. This report does not identify individuals or convey personal data.

#### **1. Summary**

- 1.1 The links between housing and health are well documented and the role of housing in the integration of health and social care has become the subject of much debate. The evidence in the Housing Strategy and Strategic Housing Market Assessment emphasises the need to develop more affordable homes, and to promote affordable warmth to ensure tenants and residents realise the health benefits that good quality housing can deliver. Fuel poverty is a recognised problem for over 13% of Kirklees households and enquiries about this problem are increasing. The housing delivery plan agreed by Cabinet in 2018 has led to an ambitious council housing development programme which seeks to deliver 100 new homes per year. The council can drive delivery, sustainable development standards and the change.
- 1.2 The climate emergency declaration and recommendations of the Climate Emergency Working Group have emphasised the need for the council to drive improved sustainability standards into new and existing homes.
- 1.3 The approaching energy price rises from April 2022 and changes to Building Regulations in 2022 and 2025 for energy conservation and ventilation, means that these circumstances cannot be ignored, and a step change is required to move from our reliance on fossil fuelled homes, to reduce the carbon footprint of housing and drive more sustainable places by investing in higher environmental standards.
- 1.4 The Low Carbon Housing Project is a direct response to the cost-of-living crisis, the climate emergency, and the broader regulatory changes. The pilot project, as well as delivering more quality affordable, warm homes and places, will secure learning and best practice – from design and planning right through to occupation and management. This learning will enable the council to identify the skills needed in the workforce to ensure sustainable development becomes mainstream and scalable and will underpin social value outcomes in particular apprenticeships and training opportunities.
- 1.5 Delivering and maintaining homes that meet new and improved standards for construction will need those in planning, construction, housing management and maintenance, as well as residents, to develop new skills and behaviours.



- 1.6 Specific expertise from experienced designers is required to help the council to deliver these ambitions. This report outlines proposals to appoint specialist designers to design, cost and secure planning permission to build 125 homes, including at least 20 certified Passivhaus homes, one zero carbon home and achieve a minimum of 31% carbon reductions over current Building Regulations requirements.
- 1.7 A procurement exercise has resulted in 4 bids to provide specialist design services. Officers propose to report the bids to Cabinet and to secure authority to appoint a design team.
- 1.8 This project intends to develop the former RM Grylls school site at Hightown, Liversedge, a Local Plan site which is allocated for housing. The intention is to start development in 2023, and to complete the scheme in 2026. Cabinet will be asked to authorise the procurement of a development contractor once planning permission and a detailed, viable cost estimate has been obtained.

## **2. Information required to take a decision**

- **Background: Housing need, fuel poverty and climate issues**

- 2.1 The Kirklees Housing Strategy and the Strategic Housing Market Assessment evidence the need to provide 1049 new affordable homes per year to address an affordability gap. The Housing Strategy also identifies fuel poverty as an issue affecting 13.1% of Kirklees households; above the national and Yorkshire and Humber averages (11.1% and 12.1% respectively). Living in a cold damp home presents a significant threat to health and the Housing Strategy identifies the need to do more to improve the conditions of housing stock, for the wellbeing of residents.
- 2.2 Interventions such as the work of the Affordable Warmth Team to invest in retrofitting existing stock (e.g., Abbey Road) are already establishing ways to insulate homes, reducing energy consumption, and ensuring that warmth is retained. The council has also previously promoted national and local initiatives to address poor home insulation and promote the provision of new energy efficient boilers.
- 2.3 The council is also supporting residents through its Money Advice Team to provide advice and support to those who are seeking help in managing their financial commitments and living costs. The team has reported that in the last six months, enquiries about home heating costs have risen to the point where half of the enquiries are now raising concerns about being able to afford to heat homes adequately. This year, the Council expects to launch a wider energy campaign aimed at tackling fuel poverty and carbon reduction.
- 2.4 In the shorter term, inflation in food prices and the cost of living has been escalating, and international volatility of the gas supply market has led to wholesale gas prices increasing. When the OFGEM price caps are raised from April 2022, increases in gas wholesale costs (50%+) will be passed on to consumers, and home heating costs using this fossil fuel will significantly escalate. Whilst the government will be providing recoverable subsidies to reduce this financial shock, this does not address the reliance on fossil fuels and is a short-term mitigation. These factors will put further pressure on housing affordability and fuel poverty.
- 2.5 The housing delivery plan approved at Cabinet on 29 August 2018 underlined the need to reduce fuel poverty and to reduce the carbon footprint of new housing. It proposed trialling the development of low carbon homes as a way of reducing the carbon footprint of housing and developing opportunities for construction skills and training to support new approaches to housebuilding in the future. The focus at that time was on land to be disposed of to secure a market solution.
- 2.6 The council's subsequent declaration of a Climate Emergency in 2019 and the recommendations of the Climate Emergency Working Group ('CEWG') confirmed that more needs to be done to tackle the carbon footprint from home energy usage, and to develop homes incorporating

Passivhaus principles. These are homes which incorporate passive design and fabric first principles of high thermal insulation, airtightness, and ventilation to reduce energy usage, conserve heat, and manage heating and cooling.

2.7 Interest in Passivhaus development and principles has been growing in Kirklees. It is one way to include design elements to reduce fuel and heating costs and reduce the long-term carbon footprint generated by our homes. However, this type of housing requires behavioural and skills changes to construct, run, manage, maintain, and live in the home. It also requires expectations in terms of layout and design to be adjusted to achieve optimum site layouts and to maximise low carbon outcomes.

- **Policy, Climate change, skills gaps in building innovative resilient homes**

2.8 The Government's 'Construction 2025' industrial strategy [launched in 2013] sought to achieve a 50% reduction in construction costs, delivery timescales, greenhouse gas emissions from construction, and trade gap between imports and exports. The subsequent Farmer Review of construction sector labour in 2016 highlighted poor training models, a lack of innovation and collaboration as well as a weak research and development culture.

2.9 The Government's consultation on the Future Homes Standard (2019) and the Future Buildings Standard response (2021) set out the Government's proposals to further reduce the carbon footprint of new homes, by changing Building Regulations Part L (conservation of fuel and power) and Part F (ventilation). By 2025, this will require all new homes to produce 75%-80% less carbon emissions than houses built under the current regulations.

2.10 Technical guidance consultation on the Future Homes Standard is not expected until 2023 and consequently, interim changes to Part L for homes built from June 2022 require a 31% reduction in carbon emissions.

2.11 This requires some step changes in the way that homes are built, such as improved airtightness, and it also requires anticipation of higher standards and performance. This highlights the need for training and skills development and sharing best practice to build resilient and innovative low carbon homes, and to tackle poorly performing existing homes in an affordable way.

2.12 Adapting to build resilient low carbon housing to address climate change will also require creative thinking and flexibility from the planning system, particularly where new housing types or materials and site requirements and layouts may challenge current policy expectations.

- **Project development and options**

2.13 In response to the climate emergency declaration and the CEWG recommendations, officers have been working up proposals to develop a Low Carbon Housing Pilot project, as part of the Council's broader housing delivery programme and carbon reduction response.

2.14 This project aims to develop new homes using modern methods of construction (such as modular or panelised systems) and Passivhaus, and to share learning and practice to raise standards, reduce carbon emissions and living costs in Kirklees.

2.15 Preparatory work on the project was endorsed in June 2020 by Cllr Scott, Cllr McBride, former Cllr Rob Walker (and subsequently Cllr Simpson) as Portfolio Holders for Housing, Regeneration and Environment.

2.16 On the 7<sup>th</sup> of July 2021, the Housing Growth Board endorsed the management and development of the Low Carbon Housing Pilot Project by the Homes and Neighbourhoods Development Team, and authorised tenders for a Design Team to be issued.

2.17 As part of this work, an assessment of a range of sites was undertaken by an architect with Passivhaus design and delivery experience. This exercise concluded that the elevation,

topography, and aspect of the former RM Grylls school site off Second Avenue, Hightown, Liversedge would be a suitable fit. This Local Plan housing site is in the ownership of the council and has an allocation for 125 homes. It also sits in a locality within the worst 10-20% index of multiple deprivation and is a strategic fit to develop homes which will reduce carbon emissions, living costs and where the council can promote quality and raise standards.

- **Project objectives**

2.18 The objectives of this project are to:

- To construct 125 homes, a minimum of which 20 homes will be designed and built to a certified Passivhaus standard.
- To include at minimum one zero carbon house
- To achieve a 31% reduction in carbon emissions compared to current Part L Building Regulations for the remaining homes.
- Incorporate modern methods of construction.
- To share learning on costs, construction, and tenants' experience, to raise design standards for future housing sites.

2.19 This is also an opportunity to develop new homes and to incorporate social value outcomes for jobs and training in developing skills for future building techniques which will be required across the development sector. The construction tender stage will also allow the council to work with local construction design and contractors and support local supply chains and training.

2.20 The council has already procured architectural consultancy services through its established framework. However, this project requires specialist expertise and experience in a design team. Officers have assessed other local authorities' interest in Passivhaus and have liaised with the City of York Council in relation to their approach to developing a programme of low carbon homes over several sites.

2.21 The project has been broken down into two phases, each of which will need to pass through approval stages.

- **Phase 1:** Procuring an experienced Design Team led by a Principal Architect to undertake RIBA Stages 1-4 (scoping, design and obtaining an implementable full planning permission)
- **Phase 2:** Procuring a construction partner, to build the scheme once detailed planning consent is secured.

Phase 1 is broken down into a two-stage process:

- (1) A pre-qualification exercise to sift out organisations who do not have the required experience and knowledge of developing Certified Passivhaus home, and
- (2) Detailed submissions from short-listed organisations.

2.22 The Stage 1 process [administered through the YOR tender procurement portal] secured 9 eligible bids ('requests to participate') by close in October 2021. The sift led to 5 bidders being invited to submit detailed tenders by 31 January 2022 in the second stage.

2.23 Four bidders have submitted bids to this stage of the process and the evaluation and score moderation process has been undertaken during February and early March. The bids have been assessed against quality, cost, and social value criteria.

2.24 **Private Appendix 1** lists the bidding organisations in each stage. Further clarification has been sought in relation to the cost of services and reports to be provided, and the final recommended bidder will be presented to Cabinet.

2.25 To support the development of the project and the evaluation of bids, and future programme development, links have been forged with the Passivhaus Trust, and the School of Architecture at Huddersfield University, to act as 'critical friend' to the project.

- **Cost breakdown**

2.26 Build cost analysis will be developed as part of the design and specification process and will be reported to cabinet for consideration. Professional consultancy costs will be incurred in designing the scheme, as with any proposed development.

2.27 The Stage 1 procurement exercise to tender for professional design consultancy services require a principal architect/designer, mechanical and electrical consultant, quantity surveyor, planning consultant, and structural and civil engineer. Bidders have also been asked to price for a range of specialist services and reports including although not limited to Passivhaus advisors, ecologists, highway specialists, resident engagement support. The council would need to appoint an independent Passivhaus assessor to assess and certify the Passivhaus homes.

2.28 The latest construction cost estimates will be reported to Cabinet for approval, prior to proceeding with any construction tender exercise.

2.29 As part of the formal tender process, the four bidders have submitted detailed information on their range of services, professional fees, and staff forming each design team. Bidders have also set out their indicative principles for designing the scheme. Bidder's information includes commercially sensitive and personal information and will be summarised in a private appendix.

2.30 Pending final assessment and clarification, it is estimated that professional fees for the design process may be up to £1m. It should be noted that whilst significant costs will be incurred for the specialist professional design services, this project is buying in expertise to enable learning and skills improvements in specialist Modern Methods of Construction [MMC] and Passivhaus design and construction that will help us to develop our strategy and approach for future programmes. This will benefit the council and hopefully inspire other developers to follow this lead. Buying in the right expertise will provide the council with a platform to develop, learn, demonstrate, and replicate good practice.

2.31 Based on an estimated £17-£20m scheme of this scale, the architects' fees would typically incur 5% of fees on costs and it is a necessary cost which is incurred as part of the development process. In this case, the team will also be providing cost analysis, and the role of the Principal Designer for pre-development health and safety Construction Design and Management regulations, as well as a range of specialist services in relation to Passivhaus, low carbon and MMC design.

2.32 This project and design fees will help the council to scale up design, carbon reduction, affordability, and fuel poverty outcomes in developing the council's wider housing development programme. This will lead to the design and delivery of resilient, quality homes and places of the future. This learning can also be shared and applied to partners and other developers outside the council, with the aim of helping to raise housing standards, and reduce the carbon footprint of homes across Kirklees.

- **Timescale**

2.33 The indicative timescales advised to bidders are set out in the first table below. This timeframe will need to be adjusted to account for the Cabinet meeting of the 5<sup>th</sup> of April, and the 5-day call in period, which is 3 weeks beyond this indicative timetable. Contract award may also need to be moved into June to account for the extent of services and specifications required.

<b>STAGE 2: INVITATIONS TO TENDER ISSUED TO SELECTED CANDIDATES</b>	<b>12 November 2021</b>
Deadline for the Council to Respond to Clarification Questions	<b>10 December 2021</b>
Submission Deadline	<b>12 noon 31 January 2022</b>
Submission Deadline for Social Value Portal	<b>12 noon 31 January 2022</b>
Evaluation Period Ends	<b>7 March 2022</b>
Internal approval process:	<b>31 March 2022</b>
10 Day Standstill Period Ends	<b>12 April 2022</b>
<b>Contract(s) Award</b>	<b>12 April 2022</b>
<b>Contract Start Date</b>	<b>1 May 2022</b>

- 2.34 It is expected that following appointment, the successful design team will work up detailed proposals. From this point, the indicative development timescale is as indicated below:

<b>Design and planning</b>	
Revised Contract start date and design project team inception meeting	Late May / early June 2022
Design process and stakeholder input	June 2022 - October/November 2022
Detailed scheme and indicative costs	October/November 2022
Internal approval process prior to submission of planning application	November 2022/January 2023
Submission of full planning application	January/February 2023
Grant of full planning permission (prepare revised cost analysis)	May/June 2023
Internal/Cabinet approval to proceed to tender	June 2023
Preparation of draft construction tender	March - May 2023
Construction tender period	May-June 2023
Evaluation of tender submissions	June-July 2023
Internal approval process and Cabinet	July/August 2023
<b>Construction phase: training/skills development throughout</b>	
Contract let	August 2023
Mobilisation and start on site	September/October 2023
Practical completion and handover into management	March 2026
Management /Maintenance and living skills training	January – March 2026

- **Expected impact/ outcomes, benefits & risks (how they will be managed)**

- 2.35 Delivering homes which help communities and future generations to reduce their energy use and costs, that are warm, healthy, and adaptable will contribute to our achievement of the Kirklees Shared Outcomes.

- 2.36 In addition, the environment around the homes will also see a step change in terms of waste water management and access to landscaped localised amenity areas and existing woodland. There will be access for electric vehicle charging, promoting less reliance on the use of fossil fuelled vehicles. Biodiversity net gain opportunities will be considered and integrated into scheme designs.
- 2.37 For residents, there will be a need to learn to live differently, adapting to heating technologies such as air or ground source heat pumps, and energy and heat conservation approaches. This will require advice and training for residents to help them to get the best from their new home, and it will also require consideration of local letting or sales policies to ensure that residents will be engaged and inspired to adapt to living differently. This is very much about working with our communities and learning with them, and not imposing new ideas on them.
- 2.38 This new approach will also require advice, learning and development for housing management and maintenance colleagues to understand the different types of building techniques and maintenance regimes needed for these types of homes.
- 2.39 The learning and training opportunities during the design and subsequent construction phase represent an opportunity to deliver social value for our residents and local economy. A significant outcome will be to achieve interest and input from local suppliers and manufacturers associated with modern methods of construction and Passivhaus.
- 2.40 The impact of this project is expected to have a ripple effect in informing and influencing others. The council will use learning and experience from this project to inform current and future new developments and retrofit schemes, using the lens of innovation, quality and place shaping to meet and exceed changing regulatory requirements. The council's development programme may be impacted by the changes to regulatory standards and costs if learning and preparation is not implemented sooner than in 2025.
- 2.41 Wider learning from this project will be shared with the University and the Passivhaus Trust, partners in the Combined Authority, and other colleagues and developers to promote higher standards and the changes that are required to achieve resilient, low carbon homes for the future.
- 2.42 Key risks arise from knowledge gaps and cost escalation which will be mitigated in the robust procurement exercise. Bidders have been required to describe their professional teams, service and design delivery approaches and principles, and are required to undertake value engineering throughout.
- 2.43 Following the approval of a successful bidder to undertake the design and consultancy services, the project will be managed by a Development Manager within the Homes and Neighbourhoods Service, supported by other team members. A project team will drive the scheme with governance overseen by the New Build Housing Board. Updates to the Executive Team, Senior Management Team and the Housing Growth Board will be provided as appropriate. This will allow the consideration of highlighted risk areas and provide strategic direction for the project where significant design or risk issues are highlighted.
- **Evaluation**
- 2.44 The evaluation process in this and future projects will principally consist of 4 stages:
- design and planning
  - construction methodology, skills and learning
  - occupation – ease of living and managing a modern home
  - future skills and workforce needed to manage and maintain these homes
- 2.45 The first stage is currently being undertaken through the conclusion of the tender evaluation process which has sought to balance quality (60%) cost (30%) and social value outcomes (10%).

This project will be an exemplar cross-cutting project which will deliver across many policy strands for the council, in housing, environment and health themes. The scheme will be informed by local need and community and stakeholder input and engagement which has been a key part of the consultant procurement process.

- **Sustainability**

- 2.46 This pilot project embraces sustainable development at its heart, and it will be expected to comply with national and local policy in this area. Its objectives are clearly aligned to reducing the environmental impacts of new development and in addressing the climate emergency. It will also ensure that the homes are sufficiently flexible to ensure that a sustainable, stable mixed economy community can be integrated with existing communities, and that people have homes that support them throughout their life. The scheme will also ensure that the council can deliver this Local Plan housing site, supporting the council's housing delivery commitments. It will also allow the council to incorporate measures and outcomes such as jobs, skills, and training on these types of homes at relative scale, which may not otherwise be provided were the site to be developed by the market.
- 2.47 The development of this site is likely to challenge some established design expectations in view of the need to optimise solar gain on the one hand and to manage overheating on the other, and this will inform access and layout and the spatial orientation and appearance of dwellings. This will need close links with the Planning and Building Control teams.

- **Services & agencies involved**

- 2.48 This project will involve Sufficiency Group and link to the council's Accessible Homes Team, together with internal housing management, assets team and the affordable warmth team. It also involves the Passivhaus Trust and the Huddersfield University school of Architecture which can use this a learning opportunity. It will see the expanded involvement of the Combined Authority in supporting development costs from the Brownfield Housing Fund- the prospectus is being launched as this report is prepared.

- **Implications for the Council**

- 2.49 The Low Carbon Housing Pilot project will address many policy strands because the initiative is cross-cutting. Providing resilient, quality homes for the future, which will help to address affordability, fuel poverty, secure carbon reductions, and help to promote healthier housing conditions and life chances. Additionally, external infrastructure such as water management infrastructure, open space and access infrastructure will help to encourage less reliance on fossil fuelled vehicles and encourage active travel.

- **Working with People**

- 2.50 This project is fundamentally about working with people to build high quality homes and places where people will feel safe and have a sense of belonging. It is also a platform to learn and to develop skills in construction techniques, and to cascade these into future developments for the council and others. The project will include resident engagement and participation and the iterative design process will be designed to include the tenant and resident 'voice'. The competitive tender exercise has specifically included provision for bidders to ensure that stakeholder's views and inputs are included, and the social value portal requires bidders to set out how they can add value to their services by including opportunities for local skills and training.

- **Working with Partners**

- 2.51 Learning from the retrofit measures at Abbey Road will feed into this work, and officers are working with the University of Huddersfield School of Architecture in respect of their 'critical friend' role and informal advice for the programme. A link has also been made with the Passivhaus Trust in relation

to training opportunities for staff involved in the project, which could include a variety of cross-service colleagues.

2.52 The Combined Authority and have provided revenue support for due diligence in investigating the site. In the longer term, revenue funding from the Brownfield Housing Fund is available, particularly given the affordability and carbon reduction issues. These are priorities for the West Yorkshire Mayor. Combined Authority colleagues are inviting the council to submit outline and full business cases to secure revenue funding.

- **Place Based Working**

2.53 In directly developing this site, the council will be able to drive and lead improved standards and incorporate local intelligence and input from local residents and members. The council will directly respond to local housing market information and housing need evidence in developing a mixed tenure approach to the development. This will help to address gaps where a wholly market solution may otherwise 'lead' the housing types and tenure, meeting only part of local needs and aspirations.

2.54 Care will need to be taken to avoid imposing principles and new living approaches on households and it will be important to work with the local community to consider opening a list of residents who are interested and inspired in living differently and learning to run a home which in many cases will be very different to where they have lived before. Their knowledge and feedback will be important to improving standards for the future and feeding into the design process.

- **Climate Change and Air Quality**

2.55 Tackling the climate emergency, reducing emissions, and improving air quality are key long-term priorities for the Council to improve the quality of life for our residents and create a borough that is healthier, more sustainable and fairer for everyone.

2.56 This project is at the heart of addressing climate change and carbon reduction issues and significantly reducing the environmental impact of new homes. It will require change, learning and improvements on the part of the council and residents to adapt to new ways of living. It will reduce the impact on air quality through relying on renewable energy, encouraging active travel, and cutting out fossil fuel reliance for the home and for means of travel.

- **Improving outcomes for children**

2.57 Providing safe, affordable and warm homes and spaces for families and their children will help to give children their best start in life and to live as well as possible for as long as possible. It will also ensure that learning and living in energy efficient homes becomes second nature, as well as potentially inspiring the next generation of designers and builders.

2.58 The scheme could also provide educational benefits through providing skills training and linking in with school children in the development/construction to stimulate interest in construction training.

2.59 It will also provide an opportunity for the council and partners to listen to children and their families on the way that they live, learn and work.

- **Other (e.g., Legal/Financial or Human Resources)**

2.60 The site will need to be valued, prior to its appropriation into the Housing Revenue Account from Children and Young Persons Service and the council will need to publish a notice under Section 122 of the Local Government Act 1972 in terms of the use of 'open space' that is used informally on this site.

There is provision for the low Carbon Housing Project within existing headline HRA capital plan approvals, incorporating the use of RTB capital receipts etc. The HRA business plan sets out the



overall affordability context for all HRA spend and funding proposals, but the approval is the capital plan not the HRA Business Plan.

- 2.61 The financial costs of developing the scheme will come from the 30-year HRA business plan, supplemented using Right to Buy capital receipts in re-investing funds from previous property sales. The use of the right to buy funds is currently capped at 40% in FY 2023-24, and it will decrease to 30% in FY 2023-24 onwards. This will require careful financial profiling and planning in respect of committing finances to this scheme, subject to Cabinet agreeing to proceed to contract after competitive tender.
- 2.62 The development cost is expected to be supplemented by funding from the Combined Authority, subject to the submission of outline, and final business cases once development cost analysis has been firmed up when planning permission has been granted.
- 2.63 The management/oversight of the project will be undertaken by a Development Manager within the Homes and Neighbourhoods development team, reporting to the Head of Service and Service Manager, supported with other staff including a development officer and graduate officer. Governance and reporting will come from the New Build Housing Board, reporting when required to H&N senior management team, or to Housing Growth Board. The day-to-day design consultancy services will be led and managed by the principal architect and designer.

### **Do you need an Integrated Impact Assessment (IIA)?**

- 2.64 As this project will have impacts across multiple themes, the IIA tool has helped to assess the positive benefits and contributions across policy themes and outcomes. A phase 1 IIA screening assessment has been undertaken and this indicates that a Phase 2 IIA is not required.

### **3. Consultees and their opinions**

- 3.1 Consultation has been undertaken with Cllr Cathy Scott as lead portfolio holder and previously also with Cllrs Peter McBride and former Cllr Rob Walker, and subsequently Cllr Will Simpson.
- 3.2 Liversedge and Gomersal Ward Councillors have been briefed and their opinions sought, prior to progressing to Cabinet, and if cabinet approve the proposals, it is intended that community and Member engagement will be part of the iterative design process, once a successful bidder/consultant team has been appointed.
- 3.3 Consultation has also been undertaken with the Chief Executive and the Service Directors for Finance, and for Legal, Governance and Monitoring.
- 3.4 Overview and Scrutiny Committee (15 March 2022).

Members of the Overview and Scrutiny Committee supported the proposals.

The Committee suggest that:

- The council should recognise the linkage between climate change, the energy price crisis and fuel poverty
- The council should have an ambition for more schemes like this
- Officers should consider whether one zero carbon house is sufficient to provide sufficient data and learning
- Outcome based measures should be incorporated into the project.
- Officers should consider how sharing of data and information from the project will be achieved
- Skills learning and sharing should be incorporated in a clear project plan

Other specific comments were raised around:

- Other local authorities are pursuing ambitious Passivhaus schemes (e.g., Exeter with over 200 units, Norwich) and noting that Kirklees' has not pursued this approach earlier.
- Clarity on who would benefit from excess power generated from zero carbon housing, and potential good practice on energy sharing between households.
- Consider the costs of obtaining the Passivhaus certification and recognising that outcomes are more important.
- The importance of air pressure testing on the new homes to assess the performance gap.
- Ensuring that the council can secure clear outcomes- such as 15kwh/sqm and 0.6 air changes per hour at 50 pascals, and to ensure that fuel poverty is addressed.
- Why the number of Passivhaus and zero carbon units were set at 20, and one unit respectively (Note: the design brief cites these as minimum figures, and the council will need to take advice from the appointed specialist designers).
- Care taken to ensure that residents could be encouraged to adapt to living in the new homes
- Consider solar pv installations for the scheme
- There should be a robust approach to active travel and connectivity given the bus service network at present

#### Liversedge and Gomersal Ward Member comments

- 3.5 Officers met with Cllr David Hall and Cllr Mel Stephen to brief them on the report and project on Tuesday 22 March 2022.
- 3.6 Cllr Hall has subsequently written to advise of ward members' views on the project and proposals to appoint a specialist advisor. The comments are set out below.
- 3.7 *Cllr Hall and Cllr Stephen thank the officers for consulting us about this project. We support the aim of decreasing the borough's carbon emissions and are therefore supportive of lower-carbon housing. We do have reservations though as to this choice of site, for the following reasons:*
- *Windybank is a very isolated community, ill-served by public transport and with few amenities. We therefore question whether people who choose to live a lower-carbon lifestyle would want to relocate there, where people are more reliant on cars.*
  - *We are concerned that, whatever low-carbon homes are built, tenants might not adapt their lifestyles to the design of the buildings. How can this be ensured?*
  - *We support the building of more council properties, but would rather this particular site be developed for more privately-occupied homes. This is after conversations with teachers at the school who are concerned at the generally low aspirations of the children there.*

*We are at pains not to be unduly negative of the plans but do think the site is not suitable. We have another council-owned site in the ward, at Ings Road, Liversedge, which is a lot smaller (only 8 plots), and which would be much more suitable, as it is in the valley-bottom alongside an excellent bus route and many more facilities.*

*More generally, if a sum has been put aside to fund the low-carbon nature of the houses, is this the best way to spend it for the reduction in emissions achieved?*

#### Comments on observations received

- 3.8 Cabinet is invited to note and consider the comments received. It should be emphasised that the proposal is seeking to mitigate the impacts of the energy crisis and climate change. The site has been allocated for housing on the Local Plan and its development will go a long way to meeting both housing numbers and housing need. It has also been identified as a development site which is suitable for low carbon housing after consideration of several sites in the council's ownership.
- 3.9 At this point, there are many issues to consider and resolve such as the tenure mix and design response, access and sustainable transport issues, which would be considered and worked up with member and community input during the preparation of a planning application. The scheme

will also need to be carefully costed. Consequently, it is considered that detailed comments would be premature at this stage, although they would be considered details are worked up.

#### **4. Next steps and timelines**

- 4.1 Subject to Cabinet considering and approving the appointment of a successful bidder to provide specialist architectural and consultancy services, as outlined in the Private Appendix, it is expected that the consultant will be in place in May/June and that proposals can be worked up for submission to planning in the early part of 2023.
- 4.2 Final cost estimates would be provided once an implementable planning permission has been granted, for referral back to Cabinet to secure approval to tender for and appoint a development contractor.
- 4.3 It is expected that a start on site would be achieved in autumn 2023, and the development completed in 2026. The detailed indicative timescale is set out in the 'Timescales' section above, at paragraph 2.34.

#### **5. Officer recommendations and reasons**

- 5.1 It is recommended that Cabinet:
  - (i) Consider the report and note the outcome of the tender evaluation as set out in the Private Appendix.
  - (ii) Agree to the appointment of ECD Architects Ltd [the specialist design consultancy as recommended in the Private Appendix] to provide architectural, planning and development services in designing, costing and obtaining an implementable Full Planning Permission for low carbon and Passivhaus residential development at the former RM Grylls school site, and which shall be capable of implementation, as described in the tender exercise documented in the report and Private Appendix.
  - (iii) Delegate authority to the Service Director - Legal, Governance and Commissioning in consultation with the Strategic Director, Growth and Regeneration, to enter into and execute a contract with ECD Architects Ltd [the recommended specialist design consultancy] to provide design, cost, and planning services to the council in developing the proposals and securing an implementable planning permission.
- 5.2 The reasons for these recommendations are to enable the formal conclusion of the tender process, and to enable the council to enter into legal contract with the successful bidder. This will enable the provision of costing, architectural and planning services and to secure an implementable planning permission for the development of the Low Carbon Housing Pilot project. This will inform the scheme design, projected outcomes, review of costs and the subsequent consideration by Cabinet of the next steps in procuring a development contractor.

#### **6. Cabinet Portfolio Holder's recommendations**

- 6.1 The portfolio holder supports the proposals and the officer recommendations at Paragraph 5 above.

#### **7. Contact officer**

James Hinchliffe, General Manager- Development.  
[James.hinchliffe@kirklees.gov.uk](mailto:James.hinchliffe@kirklees.gov.uk)  
01484 221000

## **8 Background Papers and History of Decisions**

Housing Delivery Plan: Cabinet report approved on 29 August 2018.

<https://democracy.kirklees.gov.uk/ieDecisionDetails.aspx?ID=6273>

<https://democracy.kirklees.gov.uk/documents/s24283/Item%2010.%202018-08-29%20Housing%20Delivery%20Plan%20report%20for%20Cabinet.pdf>

Declaration of a Climate emergency: 19 January 2019

<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=138&MId=5651&Ver=4>

## **9. Service Director responsible**

Naz Parkar, service Director for Homes and Neighbourhoods

[naz.parkar@kirklees.gov.uk](mailto:naz.parkar@kirklees.gov.uk)

01484 221000

## **10. Document attached: Private Appendix**

The Private Appendix attached outlines the tender evaluation process and outcome. It has been prepared to support Cabinet in its the decision making on this report.

# EIA STAGE 1 – SCREENING ASSESSMENT

## PROJECT DETAILS

<b>Name of project or policy:</b>	
LOW CARBON HOUSING PILOT PROJECT, Site of the former RM Grylls School, Second Avenue, Hightown	
<b>Directorate:</b>	<b>Senior Officer responsible for policy/service:</b>
Growth & Regeneration	Naz Parkar
<b>Service:</b>	<b>Lead Officer responsible for EIA:</b>
Homes and Neighbourhoods	James Hinchliffe
<b>Specific Service Area/Policy:</b>	<b>Date of EIA (Stage 1):</b>
Development Team	03-Mar-22

### Brief outline of proposal and the overall aims/purpose of making this change:

This project aims to develop the site to provide around 125 new low carbon homes on this Local Plan housing site. It will include at least 20 Passivhaus dwellings and one zero carbon dwelling, and to secure at least 31% carbon savings over current Building Regulations. The homes will be built by and for the council and most will be affordable dwellings. The scheme is intended to reduce the carbon footprint of new homes, and to reduce the reliance on fossil fuels. It will provide affordable homes and trial improvements

## ASSESSMENT SUMMARY

Theme	Calculated Scores						Stage 2 Assessment Required
	Proposal	Impact	P + I	Mitigation	Evidence	M + E	
<b>Equalities</b>	6	3.7	<b>9.7</b>	2.5	4	<b>6.5</b>	No
<b>Environment</b>		2.6	<b>2.6</b>	0	2	<b>2</b>	No

## NATURE OF CHANGE

WHAT IS YOUR PROPOSAL?	Please select YES or NO
To <b>introduce</b> a service, activity or policy (i.e. <b>start</b> doing something)	YES
To <b>remove</b> a service, activity or policy (i.e. <b>stop</b> doing something)	NO
To <b>reduce</b> a service or activity (i.e. <b>do less</b> of something)	NO
To <b>increase</b> a service or activity (i.e. <b>do more</b> of something)	YES
To <b>change</b> a service, activity or policy (i.e. <b>redesign</b> it)	YES
To <b>start charging</b> for (or increase the charge for) a service or activity (i.e. ask people to <b>pay</b> for or to pay more for something)	NO

WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...		Level of Impact	
		Please select from drop down	
Kirklees Council's <b>internal practices</b> ?		Positive	
Lifestyles of <b>those who live and work</b> in Kirklees?		Positive	
<b>Practices of suppliers</b> to Kirklees council?		Positive	
<b>Practices of other partners</b> of Kirklees council?		Positive	
Each of the following <b>environmental themes</b> ? (Please select from the drop down list)			
	People	Partners	Places
...clean air (including Climate Changing Gases)	Very Positive Score: 0	Neutral Score: 2	Very Positive Score: 0
...Clean and plentiful water	Neutral Score: 2	Neutral Score: 2	Neutral Score: 2
... Wildlife and habitats	Positive Score: 1	Neutral Score: 2	Positive Score: 1
...Resilience to harm from environmental hazards	Positive Score: 1	Neutral Score: 2	Positive Score: 1
... Sustainability and efficiency of use of resources from nature	Very Positive Score: 0	Positive Score: 1	Very Positive Score: 0
...Beauty, heritage and engagement with the natural environment	Positive Score: 1	Neutral Score: 2	Positive Score: 1
... Resilience to the effects of climate change	Very Positive Score: 0	Positive Score: 1	Very Positive Score: 0
...Production, recycling or disposal of waste	Positive Score: 1	Positive Score: 1	Positive Score: 1
... Exposure to chemicals	Positive Score: 1	Neutral Score: 2	Neutral Score: 2

WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...	Level of Impact Please select from drop down
Kirklees <b>employees</b> within this service/directorate? (overall)	Positive
Kirklees <b>residents</b> living in a specific ward/local area?	Positive
Please tell us which area/ward will be affected:	Liversedge and Gomersal
<b>Residents</b> across Kirklees? (i.e. most/all local people)	Positive
Existing <b>service users</b> ?	Positive

Each of the following <b>groups</b> ?		Please select from drop down
<i>(Think about how your proposal might affect, either positively or negatively, any individuals/communities. Please consider the impact for both employees and residents - within these protected characteristic groups).</i>		
...age	What impact is there on Kirklees <b>employees</b> /internal working practices?	Positive
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Positive
...disability	What impact is there on Kirklees <b>employees</b> /internal working practices?	Positive
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Positive
...gender reassignment	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
...marriage/ civil partnership	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
...pregnancy & maternity	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Positive
...race	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Positive
...religion & belief	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
...sex	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
...sexual orientation	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
...those in poverty or low-come	What impact is there on Kirklees <b>employees</b> /internal working practices?	Positive
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Positive

...unpaid carers	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Positive



## HOW ARE YOU USING ADVICE AND EVIDENCE/INTELLIGENCE TO HELP YOU?

Please select YES or NO

### Equality Themes

Have you taken any <b>specialist advice</b> linked to your proposal? (Legal, HR etc)?	No
...employees?	Yes
Do you have any <b>evidence/intelligence</b> to support your assessment (in section 2) of the impact of your proposal on...	Yes
...Kirklees residents?	Yes
...service users?	Yes
...any protected characteristic groups?	No

Please list your **equalities** evidence/intelligence here [you can include hyperlinks to files/research/websites]:  
 The proposals are addressing environmental issues, carbon reduction, and fuel poverty, and equality of opportunity in meeting eligible applicant householders' housing needs. This is driven by the strategic Housing Market Assessment and local evidence on bidding patterns, and the input of Sufficiency Group and the Accessible Homes Team. Council's Choice Based Lettings system and allocations policy seeks to prioritise those most in need. Clearly need for all cannot be met on one development. The scheme is also about addressing fuel poverty and the risks of entering fuel poverty. The council/design team will be engaging with the local community and members throughout the design iteration of the proposals

	Please select from drop down
To what extent do you feel you are able to mitigate any potential negative impact of your proposal outlined on the different groups of people?	TO SOME EXTENT
To what extent do you feel you have considered your Public Sector Equality Duty?	FULLY

### Environmental Themes

Have you taken any <b>specialist advice</b> linked to your proposal?	Yes
...Kirklees Council practices?	Yes
Do you have any <b>evidence/intelligence</b> to support your assessment (in section 2) of the impact of your proposal on...	Yes
...resident and worker lifestyles?	Yes
...Practices of Supplier to Kirklees Council?	Yes
...Practices of other Kirklees Council partners?	

Please list your environmental evidence/intelligence here [you can include hyperlinks to files/research/websites]:  
 It is clear from the government's own proposals on Future Homes Standard and on evidence from previous specialist advice (GWPA consultants) that the new homes will require changes in practice in relation to property construction, maintenance and management. Evidence of this also comes from the Passivhaus Trust learning, training and academic papers. This will require learning and skills development, which will have a positive impact on employees' professional development and lifestyles in learning about carbon reduction and measures to reduce fuel poverty. For residents, this will be an opportunity to save on fuel and heating/cooling costs although the council will need to act carefully in supporting residents and not impose technology and learning on those residents who may be less equipped to accommodate new technology and living practices.

	Please select from drop down
To what extent do you feel you are able to mitigate any potential negative impact of your proposal on the environmental issues identified?	FULLY

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

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