

Public Document Pack

Kirklees Council



Main Hall - Town Hall, Huddersfield

Tuesday 9 November 2021

Dear Member

The Council will meet on Wednesday 17 November 2021 at 5.30 pm in the Main Hall - Town Hall, Huddersfield.

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

The following matters will be debated:

Pages

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

3: Minutes of Previous Meeting

1 - 6

To agree and authorise the Mayor to sign the Minutes of Council held on 13 October 2021.

4: Declaration of Interests

7 - 8

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

5: Petitions (From Members of the Council)

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

6: Deputations & Petitions (From Members of the Public)

Council will receive any petitions and hear any deputations from members of the public in accordance with Council Procedure Rules 9 and 10.

A deputation is where up to five people can attend the meeting and make a presentation on a particular issue of concern. A member of the public can also hand in a petition at the meeting, relevant to the powers and responsibilities of Council.

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

7: Public Question Time

The Committee will hear any questions from the general public in accordance with Council Procedure Rule 11.

8: West Yorkshire Combined Authority - Minutes

9 - 16

To receive the Minutes of the Meeting of West Yorkshire Combined Authority held on 9 September 2021.

9: Youth Justice Plan (Reference from Cabinet) 17 - 70

To consider the approval of the Youth Justice Plan 2021 – 2025.

Contact: Ian Mottershaw, Head of Service – Contextual Safeguarding and Youth Engagement

10: Network Rail - Trans-Pennine Route Upgrade Transport and Works Act Order submission Update: Council Withdrawal of Objection 71 - 78

To receive the report.

Contact: Richard Hollinson, Head of Major Projects

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

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

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

12: Minutes of Cabinet 79 - 94

To receive for information; the Minutes of Cabinet held on 21 September, 5 October and 12 October 2021.

13: Holding the Executive to Account

(a) To receive Portfolio Updates from the Cabinet Members for (i) Culture and Greener Kirklees (Councillor Simpson) and (ii) Children's Services (Councillor Kendrick)

(b) To receive oral questions/comments to Cabinet Members on their portfolios and relevant Cabinet Minutes :

- (i) The Leader of the Council (Councillor Pandor)
- (ii) The Deputy Leader of the Council / Housing and Democracy Portfolio (Councillor Scott)
- (iii) Children's Portfolio (Councillor Kendrick)
- (iv) Corporate Portfolio (Councillor P Davies)

- (v) Culture and Greener Kirklees Portfolio (Councillor Simpson)
 - (vi) Environment Portfolio (Councillor Mather)
 - (vii) Health and Social Care Portfolio (Councillor Khan)
 - (viii) Learning, Aspiration and Communities Portfolio (Councillor Pattison)
 - (ix) Regeneration Portfolio (Councillor McBride)
 - (x) Town Centres (Councillor E Firth)
-

14: Minutes of Other Committees

95 - 116

- (i) Corporate Governance and Audit Committee
 - (ii) Overview and Scrutiny Management Committee
 - (iii) Standards Committee
 - (iv) Strategic Planning Committee
-

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

To receive oral questions in accordance with Council Procedure Rule

13 (4):

- (a) Appeals Panel (Councillor Ramsay)
- (b) Corporate Governance and Audit Committee (Councillor Y Hussain)
- (c) Corporate Parenting Board (Councillor Reynolds)
- (d) Health and Wellbeing Board (Councillor Kendrick)
- (e) Licensing and Safety Committee – including Licensing Panel and Regulatory Panel (Councillor A U Pinnock)
- (f) Overview and Scrutiny Management Committee (Councillor Smaje)
- (g) Personnel Committee (Councillor Pandor)
- (h) Planning Sub Committee - Heavy Woollen Area (Councillor M Hussain)
- (i) Planning Sub Committee – Huddersfield Area (Councillor Lyons)
- (j) Scrutiny Panel – Children’s (Councillor Marchington)
- (k) Scrutiny Panel – Corporate (Councillor Cooper)
- (l) Scrutiny Panel – Economy and Neighbourhoods (Councillor Uppal)
- (m) Scrutiny Panel – Health and Adult Social Care (Councillor Zaman)
- (n) Standards Committee (Councillor Hill)
- (o) Strategic Planning Committee (Councillor S Hall)
- (p) Kirklees Active Leisure (Councillor Sokhal)
- (q) West Yorkshire Combined Authority (Councillor Pandor)

- (r) West Yorkshire Combined Authority Transport Committee (Councillor Homewood)
 - (s) West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
 - (t) West Yorkshire Joint Services Committee (Councillor Zaman)
 - (u) West Yorkshire Police and Crime Panel (Councillor Ahmed)
-

16: Motion submitted in accordance with Council Procedure Rule 14 as to Principal Area Boundary Review of Kirklees Council

To consider the following Motion in the names of Councillors Greaves, Lyons, White, Allison, Cooper and Lee-Richards;

“The Local Government Boundary Commission for England (LGBCE) undertakes periodic electoral governance reviews of Kirklees Council which consider how many wards are required and what their boundaries should be, how many councillors are needed to support the arrangements and how frequently elections should be held. It is noted that discussions are currently being undertaken to set a commencement date for this electoral review.

In addition to an electoral review, this Council wants to undertake a Principal Area Boundary Review (PABR) to specifically consider splitting Kirklees Council and creating a new Council for North Kirklees / central West Yorkshire, which may also incorporate settlements from neighbouring authorities.

This Council directs cabinet to make this intention clear in discussions with the Local Government Boundary Commission for England and to request a PABR to be undertaken alongside or in advance of the Electoral review, to consult neighbouring authorities as to their views on the creation of a new council and to update Council on progress by the 16th March 2022.”

17: Motion submitted in accordance with Council Procedure Rule 14 as to Community Governance Review of Town, Parish and Community Councils within the Borough of Kirklees

To consider the following Motion in the names of Councillors Greaves, Lyons, White, Allison, Cooper and Lee-Richards;

“The last full review of the governance arrangements for Town, Parish and Community Councils within the Borough of Kirklees was

undertaken in 2009, with a commitment for an updated review to be undertaken by 2019.

The recommendations of the Kirklees Democracy Commission, the changes to UK politics, the move towards community and place-led working and the desire for Neighbourhood plans all point to a desire for greater involvement in local decision-making.

A Kirklees-wide CGR can help to establish residents' views on how they want to be represented, whether they wish to create new local councils or to alter the existing ones, as well as to commence the statutory process for making these changes.

This Council directs Cabinet to undertake a Community Governance Review at its earliest opportunity, to make this intention clear in discussions with the Local Government Boundary Commission for England, and to update Council on progress by the 16th March 2022."

18: Motion submitted in accordance with Council Procedure Rule 14 as to Support for Smokefree Fund 2030

To consider the following Motion in the names of Councillors Khan, Pandor, Scott, Greaves, White and Lyons;

This Council notes that:

- On 9th June 2021, All-Party Parliamentary Group (APPG) on Smoking and Health launched its report and recommendations for the forthcoming Tobacco Control Plan to secure the Government's ambition of a Smokefree country by 2030. On 10th June there was a Westminster Hall debate on APPG recommendations. The recommendations included a "Smokefree Fund" secured through a polluter pays amendment to the Health and Social Care Bill.
- The next Tobacco Control Plan for England is expected before the end of 2021
- The Government's ambition is that by 2030 less than 1 in 20 people in England will smoke
- It is recognised that achieving a smokefree 2030 will be 'extremely challenging', particularly in areas of deprivation and among people living with mental health conditions and will require 'bold action to both discourage young people from starting in the first place, and to support smokers to quit'. In the two years since the ambition was stated, an estimated 200,000 children under the age of 16 have started smoking, two thirds of who will without action, become regular smokers.

- Fluctuations in desire to quit and success at quitting, have taught us that sustained declines in smoking prevalence are only achieved when action is systematic, co-ordinated and properly resourced.
- The Chief Medical Officer, Professor Chris Whitty, pointed out recently, this is an industry that kills people for profit, and more people are likely to have died last year and this year from smoking than COVID-19.
- Smoking not only kills people prematurely, but it also drives them into poverty and reduces healthy life expectancy, with smokers needing help with everyday tasks 7 years earlier than those who've never smoked. But this burden is not equal. Smoking is concentrated among disadvantaged groups locking in poverty and poor health across the generations.
- In 2019 the smoking rate in Kirklees is 14.3%, which is above the national average of 13.9%. The highest rates of smoking in Kirklees are in the wards with the highest levels of deprivation. Dewsbury West, (17.1%) Dewsbury East (15.8%) and Batley West (15.8%) and Batley East (15.9%).
- The total additional spending on social care in Kirklees as a result of smoking for adults aged 50 and over in 2021 was approximately: £9,162,617. Please see the Action on Smoking (ASH) Social Care cost calculator available at <https://ash.org.uk/information-and-resources/reports-submissions/reports/costtosocialcare/>
- Kirklees Council Public Health supports the work of Breathe2025, Yorkshire and Humber's tobacco control collaboration through the tobacco community of improvement in partnership with PHE and other LA's. Through working together, we are better at achieving our aims of a smokefree generation.

This Council resolves:

- To commit to registering support as a council to the ASH Smokefree Roadmap to achieving a smokefree society by 2030, already supported by over 74 organisations, including; Sheffield City Council, Gateshead Council, Newcastle City Council, North Tyneside Council, South Tyneside Council, West Yorkshire and Harrogate ICS, Greater Manchester Combined Authority, Cancer Research UK, Royal College of General Practitioners, Faculty of Public Health, Association of Directors of Public Health, Royal College of Physicians, The Health Foundation, Royal Society for Public Health, NCSCCT (National Centre for Smoking Cessation and Training)

Full List and pledge at
<https://smokefreeaction.org.uk/smokefree2030/>

- To write to all local MPs to ask them to sign up to the pledge publicly and work with the council on achieving its aims.
 - To ask the Cabinet to review the Tobacco Control Plan for England (expected to be released in October 2021) and agree a position on behalf of the Council.
-

19: Motion submitted in accordance with Council Procedure Rule 14 as to Increasing the Warm Home Discount Scheme

To consider the following Motion in the names of Councillors Munro and Iredale;

This Council notes:

- 1) The Warm Home Discount Scheme, which is a Government-led initiative providing eligible households with a £140 discount on their electricity bill between September and March each year. This is a one-off discount which is administered by energy suppliers;
- 2) The £140 discount has remained fixed for over 9 years;
- 3) There have been huge rises in energy prices in recent years, with the costs of energy increasing by 40% in the last year alone. Additionally, Ofgem has recently set an unprecedented price cap hike. According to the End Fuel Poverty Coalition, Ofgem's price cap hike could propel a further 1.2 million people in to fuel poverty (rising from 4.1 million to 5.3 million);
- 4) The publication of the Government's Energy White Paper (December 2020). Earlier this year, the Government also consulted on proposals to reform the Warm Home Discount Scheme in England and Wales until 2026. The Government has pledged to increase the size of individual rebates from £140 to £150 and expand the scheme so that an additional 780,000 households receive rebates off their energy bills each winter.

This Council believes:

- 1) That the Warm Home Discount is vital in helping to tackle fuel poverty. The rebate helps households that struggle to keep warm pay for their energy;

- 2) That it's essential for households to be able to heat their homes to a safe level. Too many households are forced to make decisions about whether to heat or to eat;
- 3) The Government's proposed changes to increase the Warm Home Discount Scheme by only £10 is insufficient given that energy prices have risen higher in recent years and are likely to continue to increase. The Warm Home Discount Scheme has not kept up with the times and unless the rebate is increased further, many families will suffer and will struggle to keep warm. The Warm Home Discount Scheme should also be better designed, so that more eligible households are aware about the discount and there are more channels to apply for it.

This Council resolves:

That the Leader of the Council writes to the Minister of State at the Department for Business, Energy & Industrial Strategy, the Rt Hon Greg Hands MP, to urgently review and update the Warm Home Discount Scheme, to ensure the scheme is fit-for-purpose and that the rebate better reflects the rapid rises in energy costs, while also reviewing and updating the scheme so that it is better designed, to help ensure more households are aware about it.

By Order of the Council

A handwritten signature in dark ink, appearing to read 'J. Geelman', written in a cursive style.

Chief Executive

This page is intentionally left blank

Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
Main Hall - Town Hall, Huddersfield on Wednesday 13 October 2021**

PRESENT

The Mayor (Councillor Nigel Patrick) in the Chair

COUNCILLORS

Councillor Masood Ahmed	Councillor Karen Allison
Councillor Bill Armer	Councillor Timothy Bamford
Councillor Donna Bellamy	Councillor Martyn Bolt
Councillor Cahal Burke	Councillor Aafaq Butt
Councillor Andrew Cooper	Councillor Paola Antonia Davies
Councillor Paul Davies	Councillor Eric Firth
Councillor Charles Greaves	Councillor Adam Gregg
Councillor David Hall	Councillor Steve Hall
Councillor Lisa Holmes	Councillor James Homewood
Councillor Yusra Hussain	Councillor Robert Iredale
Councillor Manisha Roma Kaushik	Councillor Viv Kendrick
Councillor Musarrat Khan	Councillor John Lawson
Councillor Vivien Lees-Hamilton	Councillor Susan Lee-Richards
Councillor Fazila Loonat	Councillor Gwen Lowe
Councillor Aleks Lukic	Councillor Andrew Marchington
Councillor Naheed Mather	Councillor Peter McBride
Councillor Bernard McGuin	Councillor Matthew McLoughlin
Councillor Alison Munro	Councillor Darren O'Donovan
Councillor Shabir Pandor	Councillor Carole Pattison
Councillor Mussarat Pervaiz	Councillor Andrew Pinnock
Councillor Kath Pinnock	Councillor Jackie Ramsay
Councillor Elizabeth Reynolds	Councillor Mohammad Sarwar
Councillor Cathy Scott	Councillor Joshua Sheard
Councillor Will Simpson	Councillor Elizabeth Smaje
Councillor Anthony Smith	Councillor Richard Smith
Councillor Mohan Sokhal	Councillor Melanie Stephen
Councillor John Taylor	Councillor Mark Thompson
Councillor Sheikh Ullah	Councillor Harpreet Uppal
Councillor Lesley Warner	Councillor Michael Watson
Councillor Paul White	Councillor Habiban Zaman

51 Announcements by the Mayor and Chief Executive

The Mayor conveyed thanks to those that had attended the Mayoral Civic Dinner contributed to the success of the event.

The Mayor also advised that Agenda Item 12 would be withdrawn.

The Chief Executive advised that (i) the Procurement Team had been successful in achieving the National Government Opportunities Excellence in Public Procurement Award for the Best Procurement Delivery in the Public Sector (ii) the Catering Service had been shortlisted for the Lead Association for Caterers in Education Catering Business of the Year Award (iii) the European Diversity Awards had been shortlisted the Iroko Project for the Community Project of the Year and (iv) Siraj Mayet had been shortlisted for Human Resources Champion of the Year of Award.

52 Apologies for absence

Apologies for absence were received from Councillors Akhtar, Dad, D Firth, Hill, M Hussain, Lyons, A U Pinnock and K Taylor.

53 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 8 September 2021 be approved as a correct record.

54 Declaration of Interests

No interests were declared.

55 Petitions (From Members of the Council)

Councillor Burke submitted a petition requesting that the former Eastlawns site, Lindley, is returned to Council ownership for the provision of a car park.

Councillor Sokhal submitted a petition on behalf of the Hackney Carriage Trade regarding parking issues arising from the installation of bollards and plant boxes on John William Street and requesting their removal.

Councillor Sokhal submitted a petition on behalf of traders within Huddersfield Town Centre regarding the impact of car parking restrictions on John William Street and their negative impact upon trade.

The Mayor advised that, in accordance with Council Procedure Rule 9 (3), the petitions be referred to the appropriate Service Director for investigation.

56 Deputations & Petitions (From Members of the Public)

Council received a deputation from Alison Gaughan with regards to the A629 scheme upon local residential amenity and the climate emergency.

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

57 Public Question Time

Council received the following questions from Nicolette Philokyprou regarding the Holmfirth Town Centre Improvement Scheme;

- (i) What is the criteria for moving the current loading arrangements from the south to the north side?
- (ii) Has an environmental impact of the plans been carried out?

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

58 West Yorkshire Combined Authority - Minutes

RESOLVED – That the Minutes of the Meeting of West Yorkshire Combined Authority held on 24 June and 29 July 2021 be received and noted.

59 Council Budget Strategy Update - 2022/23 and future years (Reference from Cabinet)

It was moved by Councillor P Davies, seconded by Councillor Pandor and;

RESOLVED - That Council endorses the resolution of Cabinet held on 12 October 2021, as set out below;

- (i) That the funding and spend assumptions informing the updated budget forecasts, as set out at paras. 2.3 to 2.12 of the considered report be noted.
- (ii) That the current and forecast earmarked reserves and general balances, as set out at Appendix B, be noted.
- (iii) That the decision on the preferred option for Business Rates Pool arrangements for 2022/2023 be delegated to the Chief Executive and Service Director (Finance), in consultation with the Leader and Cabinet Member, as set out at para. 2.4, be noted.
- (iv) That the updated multi-year capital budget plans, as set out at Appendix D, be noted.
- (v) That the financial planning framework, as set out at para 1.6, be approved.
- (vi) That the corporate budget timetable and approach, as set out at Appendix F, be noted.
- (vii) That authority be delegated to the Strategic Director (Corporate Strategy, Commissioning and Public Health) to agree the approach to budget consultation and relevant timescales in consultation and relevant timescales in consultation with the Cabinet Member for Corporate Services.
- (viii) That amended wording as follows be noted; para 1.5.3 delete ‘...Huddersfield Market High Street Fund Bid at £18m...’ and at para 1.8.6 insert ‘...and consider options for the previously unsuccessful Huddersfield Market High Street Fund Bid at £18m...’

60 Our Council Plan 2021/2023 (Reference from Cabinet)

It was moved by Councillor Pandor, seconded by Councillor Scott and;

RESOLVED - That Our Council Plan (Appendix 1 to the considered report) and ‘Achieving Our Outcomes (Appendix 2), be approved.

61 Re-appointment of Independent Person (Reference from Standards Committee)

It was moved by Councillor Warner, seconded by Councillor Bolt and;

RESOLVED –

- 1) That approval be given to the reappointment of the existing Independent Person for a further two years.
- 2) That it be noted that the Monitoring Officer take the necessary steps to advertise for and appoint a further Independent Person.

62 Elected Member Attendance at Meetings

Item withdrawn.

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

Under the provisions of Council Procedure Rule 12, Council received the following written questions;

Question by Councillor Cooper to the Leader of the Council (Councillor Pandor)

"You said at the Overview and Scrutiny Management Committee meeting in August;

'You'll also be aware that we're going to have a big distribution company coming into Kirklees.

I'm trying my best to actually get the one-and-a-half thousand jobs in place.'

Can you please detail how you were "doing your best"? Was it a phone call? An email? A meeting? If so, can you tell us with who, when and what was discussed?"

The Leader replied thereto.

Question by Councillor Cooper to the Leader of the Council (Councillor Pandor)

"Will Kirklees be finally following the lead given by Calderdale and now Bradford Councils in recommending the West Yorkshire Pension Fund divests from fossil fuel investments?"

The Leader replied thereto.

Question by Councillor Munro to the Cabinet Member for Learning, Aspiration and Communities (Councillor Pattison)

"The decision to close Almondbury Junior School in 2014 has been the catalyst for everything that has followed. Millions and millions of pounds have been spent in the process of reconfiguring the Schools in our area. How are the Council measuring outcomes?"

The Cabinet Member replied thereto.

Question by Councillor Lawson to the Leader of the Council (Councillor Pandor)

“How does the Leader of the Council hope to attract highly skilled and well-paid jobs by welcoming applications for motorway distribution warehouses?”

The Leader replied thereto.

64 Minutes of Cabinet and Cabinet Committee - Local Issues

Item not considered (due to time constraints).

65 Holding the Executive to Account

Item not considered (due to time constraints).

66 Minutes of Other Committees

Item not considered (due to time constraints).

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

Item not considered (due to time constraints).

68 Motion submitted in accordance with Council Procedure Rule 14 as to Mayoral Precept

Item not considered (due to time constraints).

69 Motion submitted in accordance with Council Procedure Rule 14 as to Increasing the Warm Home Discount Scheme

Item not considered (due to time constraints).

This page is intentionally left blank

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

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

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

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



**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY, 9 SEPTEMBER 2021 AT COMMITTEE ROOMS
6&7, CIVIC HALL, LEEDS**

Present:

Mayor Tracy Brabin (Chair)	West Yorkshire Combined Authority
Councillor Susan Hinchcliffe	Bradford Council
Councillor Stewart Golton (Substitute)	Leeds City Council
Councillor James Lewis	Leeds City Council
Sir Roger Marsh OBE DL	Leeds City Region Local Enterprise Partnership
Councillor Cathy Scott (Substitute)	Kirklees Council
Councillor Rebecca Poulsen	Bradford Council
Councillor Andrew Waller	City of York Council

In attendance:

Ben Still	West Yorkshire Combined Authority
Brian Archer	West Yorkshire Combined Authority
Melanie Corcoran	West Yorkshire Combined Authority
Liz Hunter	West Yorkshire Combined Authority
Dave Pearson	West Yorkshire Combined Authority
Alan Reiss	West Yorkshire Combined Authority
Angela Taylor	West Yorkshire Combined Authority
Dominic Martin	West Yorkshire Combined Authority

35. Apologies for Absence

Apologies for absence were received from Cllr Lawson and Cllr Pandor, and from Cllr Robinson as well as his substitute.

36. Declarations of Disclosable Pecuniary Interests

There were no pecuniary interests declared by Members during the meeting.

37. Exempt Information - Possible Exclusion of the Press and Public

Resolved: That in accordance with paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting during consideration of Appendix 5 to Agenda Item 7 on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of

the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information and for the reasons set out in the report that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

38. Minutes of the Meeting of the Combined Authority held on 29 July 2021

Resolved: That the minutes of the meeting of the West Yorkshire Combined Authority held on 29 July 2021 be approved.

39. Economic Recovery

Members agreed to discuss item 6 prior to item 5, to accommodate Sir Roger Marsh having to leave the meeting early.

The Combined Authority received an update on developments around the Covid-19 crisis, and were requested to provide views and comments on the latest draft of the West Yorkshire Economic Recovery Plan.

The refreshed draft Economic Recovery Plan focused on delivering a fair, just, and lasting recovery across the region in response to the effects of the pandemic on the economy. It was noted that this refresh of the Plan marked a transitional moment as the region moved out of lockdown restrictions/furlough and away from a 'rescue' phase into one more focused on rebuilding the economy for all communities in the region, with a central focus on inclusive growth and tackling the climate emergency. The Plan also included new action areas linked to delivery of the Mayor's campaign pledge, as well as a targeted focus on areas for government co-investment opportunities, and linked in to local recovery plans to build a comprehensive picture for West Yorkshire. Officers across the region who had contributed to this were thanked for their hard work.

The uncertainties inherent to this planning were noted, and a clearer picture would be gained after the Comprehensive Spending Review and once further details had been released regarding the UK Shared Prosperity Fund. The effects of the Plan would be monitored through existing economic reporting measures, particularly in regard to how the economy developed over the coming months, with factors that could affect the recovery highlighted in forecasting.

The focus on inclusive growth was welcomed by Members, as were the place-based initiatives spread throughout the districts. Members praised the high level of engagement with young members of BAME communities and people with disabilities but questioned why, after engagement, only 59% of the target amount had been successfully supported in moving into employment or education/training, and what could be done to improve this? Officers advised that many of the participants in the programme had been unemployed for more than six months and significant challenges existed in moving them into work and training, but they would examine external benchmarks to determine if approximately 60% was a good outcome for this or if a higher target should be set, and this would be reported on at the next meeting.

Members also questioned how the Combined Authority was supporting the Mayor's pledge for 1000 well-paid jobs internally, whether that be through creating apprenticeships, graduate schemes, or similar programmes. It was noted that there were currently 19 apprenticeships underway with the Combined Authority, with a further six planned. Recruiting efforts were also planned to attract a more diverse workforce, particularly from the BAME community.

It was noted that although £1.4 billion had originally been requested in government funding to support the Plan, no funding had been received for this. The need for government investment was emphasised, particularly in light of the region having been particularly badly impacted by the pandemic in comparison to other regions of the country.

In consideration of the above-mentioned move between phases from recovery to rebuilding, Members suggested renaming the Plan to the Economic Growth Plan, to present a more forward-looking and positive picture. However, it was noted that some sections of society were still struggling to move out of the effects of the pandemic and needed further support to recover, and it was important not to lose sight of this.

Members discussed the [re]boot programme, noting that there had been little traction in Kirklees to date and that a more expanded programme was needed. Officers advised that the programme was being replaced by a gainshare-funded equivalent that would allow greater flexibility of the qualifications that can be supported and would therefore be able to better meet employer needs. More detail on this could be shared after the meeting.

Members were invited to share any further comments on the revised draft of the Plan after the meeting.

Cllr Golton joined the meeting, and Sir Roger Marsh had to leave due to a schedule conflict.

Resolved: That the Combined Authority:

- a) Notes the update on COVID-19 support in West Yorkshire.
- b) Comments on the refreshed draft of the West Yorkshire Economic Recovery Plan and commits to review further at future meetings as the economy develops.

40. Business Productivity and Resilience Plan

The Combined Authority received an update on the work being done to develop a Business Productivity and Resilience Plan.

The importance of the Business Productivity and Resilience Plan for the region was highlighted. For the economic recovery from the pandemic to be lasting, the widening gap of inequality would need to be addressed through the creation of skilled jobs with investment and supporting infrastructure.

Building on the development of the Economic Recovery Plan as well as work done in 2018-19 as part of the development of a regional industrial strategy, the Plan noted that businesses would be put at the heart of any recovery.

Increasing the region's productivity would be a top priority, as a strong link existed between productivity and better homes and living standards, as well as more innovation and technological integration. The potential benefits of this were emphasised, with a potential 15% uplift to the regional economy.

Members welcomed the intention of the Plan to increase levels of jobs in the region meeting the 'Good Work' standard as defined by the Office for National Statistics in response to the Taylor Review of Modern Working Practices; these would be jobs that were not low-paid and left the employee working satisfactory hours and with their desired contractual status. However, they questioned how it would be ensured that the Plan increased the number of people in employment and avoided treating productivity as an end within itself with only a small number of people benefitting. The importance of skilled management in relation to this was discussed, as it had the potential to grow businesses not only for owners but also for employees, and supporting this was a vital aim of the Plan.

The potential to become more innovation-driven was also raised; the region was well-placed for this, having the highest concentration of universities nationally outside of London and the Southeast, and the Combined Authority and LEP had been working with MIT to deliver programmes encouraging and supporting people in innovating existing businesses and scaling up ideas with the potential to become globally significant.

It was hoped that increasing productivity would increase the attractiveness of the region, thereby supporting the creation of high-value jobs and the broadening of the employment base, as this would allow more opportunities for workers to increase their skills and to improve their quality of life.

Members noted the mention within the report of a prioritisation plan to outline implementation of the Plan, and requested that milestones for success be included in this, particularly in regards to funding. It was also cautioned that although the region's economy included a wide variety of productive businesses with many opportunities for expansion and training, it also contained a large number of low-productivity businesses, and it would be important to ensure both these groups benefitted from the Plan rather than one at the expense of the other.

The increasing opportunities for growth and investment in areas such as Central and South America were also discussed, particularly in light of national considerations on acceding to the Comprehensive and Progressive Trans-Pacific Partnership. Some of the economies in these regions were growing extremely quickly and were predicted to potentially surpass the UK within a generation, and the importance of looking forward to longer-term opportunities was noted.

Resolved: That the Combined Authority endorses publication of the priorities and indicative actions of the Business Productivity and Resilience Plan as part

of the region's Strategic Economic Framework.

41. Capital Spending and Project Approvals

The Combined Authority considered a report on proposals for the progression of, and funding for, a number of West Yorkshire Combined Authority supported projects that had been considered at stages 1, 2 and 3 of the Combined Authority's assurance process.

After the changes to committee arrangements approved at the Annual General Meeting, these schemes had come directly to the Combined Authority due to expediency of delivery. These included projects relating to:

- York Northern Outer Ring Road
- Department for Transport Capability Fund (Revenue)
- Enterprise Zone 1 Langthwaite Business Park Extension Phase 1
- Wellington House Accommodation Project

In addition, it was noted that the following decision points and change requests had been assessed and approved through the agreed delegation process:

- Safety, Accessibility and Efficiency Programme
- TCF Kirklees Early Walking and Cycling Gateways – Dewsbury Rail Station Access and Huddersfield Better Connected Stations
- Land Release Fund
- CIP A58-A672 Corridor, Calderdale
- CIP A646-A6033 Corridor, Calderdale
- Integrated Corporate Systems
- LTP-ITB Rail Accessibility Package
- Leeds City Centre Grey to Green

Details of all the schemes were provided in the submitted report. Approval was also requested that after the changes to committee arrangements at the 24 June Combined Authority meeting, future schemes seeking approval be allocated to the appropriate thematic committees.

Members welcomed the York Northern Outer Ring Road, which would provide much-needed improvement for orbital cycle routes and connect communities among the ring road. The need to prioritise removing carbon, as well as the importance of protecting York's heritage sites, was highlighted.

In regards to the Department for Transport Capability Fund (Revenue), Members questioned the criteria for applications for the £1.35 million in funding that had been secured. These could be shared with the committee after the meeting.

Members questioned why the Leeds City Centre Grey to Green scheme appeared to have tripled in cost. It was advised that the overall cost of the package had not increased, but that funds had been moved between the four elements comprising it in order to meet the March 2022 deadline for delivery, as the grant funding was time-limited. This allowed the Combined Authority to maximise the benefit of the funding it had received without an increase in cost.

Members discussed the Wellington House Accommodation project and the exempt appendix of the submitted report, and members of the press and public left the meeting.

Resolved:

- a) That in respect of future approvals, the Combined Authority approves that the schemes in the funding programmes shown in paragraph 4.3 of the submitted report are allocated to the indicated thematic committee also shown in paragraph 4.3 of the submitted report.
- b) That in respect of the York Northern Outer Ring Road, the Combined Authority approves:
 - i) The change request to the York Northern Outer Ring Road project to bring together the roundabout junction upgrade scheme and the dualling scheme and their associated funding allocations, into one combined scheme, with total scheme costs of £65,193,000, and for development costs of £3,438,000 from the West Yorkshire plus Transport Fund to progress the combined scheme to full business case, bringing the total development costs to £9,019,000 from the West Yorkshire plus Transport Fund.
 - ii) That the Combined Authority enters into an addendum to the existing funding agreement with City of York Council for expenditure of up to £9,019,000 from the West Yorkshire + Transport Fund.
 - iii) That future approvals are made in accordance with the assurance pathway and approval route outlined in the submitted report. This will be subject to the scheme remaining within the tolerances outlined in the submitted report.
- c) That in respect of the Department for Transport Capability Fund (Revenue), the Combined Authority approves that:
 - i) The Department for Transport Capability Fund (revenue) scheme proceeds through decision point 4 (full business case) and work commences on activity 5 (delivery).
 - ii) Approval of £1,351,341 which will be funded through Department for Transport Capability Fund (revenue).
 - iii) Approval is delegated to the Director of Delivery to enter into small grant agreements with community organisations and businesses for expenditure up to £50,000 from the DfT's Capability Fund, as agreed by the scheme's Programme Board.
 - iv) Future approvals are made in accordance with the assurance

pathway and approval route outlined in the submitted report. This will be subject to the scheme remaining within the tolerances outlined in the submitted report.

- d) That in respect of the EZ Langthwaite Extension Phase 1, the Combined Authority approves that, subject to the conditions set by PAT stated in the submitted report:
- i) The Enterprise Zone Langthwaite Business Park Extension Phase 1 scheme proceeds through decision point 4 (full business case) and work commences on activity 5 (delivery).
 - ii) Approval is given to the Combined Authority's contribution of £2,217,000 of which £417,000 is from the Local Growth Fund and £1,800,000 is from the Getting Building Fund.
 - iii) The Combined Authority enters into an addendum to the existing Funding Agreement with Wakefield Council for expenditure up to £1,246,000 from the Getting Building Fund.
 - iv) Future approvals are made in accordance with the assurance pathway and approval route outlined in the submitted report. This will be subject to the scheme remaining within the tolerances outlined.

That in respect of the Wellington House Accommodation Project, the Combined Authority approves the recommendations set out in the exempt appendix 5 of the submitted report.

42. Minutes for Information

The Combined Authority noted the minutes of the committees and panels that have been published on the West Yorkshire Combined Authority's website since the last meeting.

Resolved: That the minutes of the Combined Authority's committees and panels be noted.

This page is intentionally left blank



Name of meeting: Cabinet and Council

Date: 16th November 2021 (Cabinet) 17th November 2021 (Council)

Title of report: Kirklees Youth Justice Plan update 2021 - 2025

Purpose of report: Members are asked to consider and comment on the attached draft of the Kirklees Youth Justice Plan 2021-25. As the Youth Justice Plan forms part of the policy framework of the Council it needs to be submitted for the approval of full Council.

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, the plan is applicable across all Wards
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 If no give the reason why not
Date signed off by <u>Strategic Director</u> & name	Mel Meggs – Director for Children's Services. 6 th April 2021.
Is it also signed off by the Service Director for Finance?	Eamonn Croston -
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft. -
Cabinet member portfolio	Councillor Viv Kendrick

Electoral wards affected: All Wards.

Ward councillors consulted: Not applicable.

Public or private: Public.

Has GDPR been considered? Yes, no personal or sensitive data is included in this report.

1. Summary

- 1.1. The Youth Offending Partnership has a statutory duty to submit an annual youth justice plan. Section 40 of the Crime and Disorder Act 1998 sets out the Youth Offending Partnership's responsibilities in producing this plan. It states that it is the duty of each local authority, after consultation with partner agencies, to formulate and implement an annual youth justice plan, setting out how youth justice services in their area will be composed and funded, how it will operate and what functions it will carry out.
- 1.2. This plan gives an overview of the work of the Youth Justice Service (YJS) in Kirklees and sets out details of performance over the past year and our priorities for the coming four years.
- 1.3. Although we are required to produce an annual plan, at Kirklees, we are ambitious about improving and sustaining outcomes for children at risk of offending. Therefore, we have set a longer-term vision for our YJS in line with the Kirklees Financial Plan and strategic priorities for 2021-25. This plan covers the same period.
- 1.4. The Youth Justice Plan is subject to the approval of Kirklees Council. Members are asked to consider and comment on the attached draft of the Kirklees Youth Justice Plan 2021 - 2025 prior to its submission for the approval of full Council.

2. Information required to take a decision.

Background.

- 2.1. The principal aim of the youth justice system is to prevent offending by children (Crime and Disorder Act 1998). Kirklees Youth Engagement Service, of which the YJS is a part, coordinates the provision of youth justice services.
- 2.2. The YJS is a multi-agency partnership between the council, the police, probation, and health services, each of which holds a statutory responsibility for resourcing and supporting the partnership.
- 2.3. The YJS plays a vital role in both improving community safety and safeguarding and promoting the welfare of children, protecting them from significant harm. Many of the children involved with the YJS are among the most vulnerable in society and are at greatest risk of social exclusion. Our multi-agency approach ensures that we play a significant role in contributing to addressing the safeguarding needs of these children.
- 2.4. We have used a broad range of performance data and intelligence to inform the updated Youth Justice Plan. The 2019/20 performance data combined with local and national drivers for systems change in youth justice has informed the following service priorities until 2025.
 - Sustaining the low numbers of first-time entrants (and maximising use of diversion and pre-court outcomes).
 - Reducing offending and reoffending.
 - Reducing the use of youth detention.
 - Participation of children and families.
 - Tackling disproportionality.
 - Reducing serious youth violence and child criminal exploitation
- 2.5. Success is measured through the key outcome targets of the number of children entering the youth justice system and the number of children reoffending.
The three impact indicators that the youth offending teams are measured against are:
 - first time entrants (FTEs) to the youth justice system aged 10 to 17.
 - rate of proven reoffending by children in the youth justice system.
 - the use of custody.

- 2.6. In addition to these key indicators, the YJS Management Board agreed the following strategic priorities following of our end of year performance, data report and Partnership Board away day in December 2020:
- participation of children and families – focusing on identity development approaches to desistance.
 - tackling disproportionality
 - reducing serious youth violence and child criminal exploitation

3. Performance Summary.

- 3.1. Over the year 2019-20, the key achievements of the YJS are summarised below.
- Continued low numbers of first-time entrants.
 - Low further offending rates for children supported by the YJS and Youth Engagement Service (YES).
 - Receipt of the Restorative Services Quality Mark (RSQM) to recognise our continued excellence in this area of practice.
 - Continued strong partnership working with the police to manage risk of serious harm via the Deter Young Offender (DYO) Scheme.
 - Development of contextual safeguarding approaches to proactively identify and support children at risk of criminal exploitation.
 - Development of YES to provide early intervention to children at risk of child criminal exploitation and serious youth violence.
- 3.2. The performance data below provides further insight into how the service has performed and explains the rationale for the proposed plan priorities.
- 3.3. In January 2019 to December 2019 (latest available full year) Youth Justice Board data shows that 101 children became first time entrants. This was a small rise (2 children) on the previous year's figures and continues to be a priority area for us to sustain at low levels.
- 3.4. The most recent Police National Computer (PNC) data for January 2018 to March 2018, published by the Ministry of Justice (MOJ), on our reoffending shows a rate of 36.8%, which is lower than the West Yorkshire, national and statistical neighbour rates.
- 3.5. There was also a decrease in the number of re-offences per re-offender to 4.39 in the year January 2018 to December 2018, compared to 5.01 for the previous year (aggregated annual figures). The individual quarterly figures also show a decrease from 4.09 (January 2017 to March 2017) to 3.57 (January 2018 to March 2018).
Although these rates have decreased over time, and they compare favourably to our West Yorkshire neighbours, they compare less favourably to national rates and this is therefore an area that we intend to proactively address during the duration of this plan.
- 3.6. Local YJS data shows an increase in the number of custodial sentences during 2019/20 when compared with 2018/19. In 2019/20 17 young people received custodial outcomes (from a total of 280 disposals) whereas in 2018/19, 15 custodial disposals were given (from a total of 251).
- 3.7. In 2019/20, eleven children were remanded to youth detention accommodation (YDA), compared to ten in the previous year. The number of nights spent on remand has almost doubled, with a total of 1590 nights in accommodation in 2019/20, compared to 855 in 2018/19. Therefore, reducing the use of custody, including remand, is another area of focus to be addressed over the duration of our plan.
- 3.8. In 2019/20, 52 substantive outcomes were received where a weapon was used involving 50 young people. We have made reducing serious youth violence and child criminal exploitation a strategic priority for the partnership across the duration of this plan.

- 3.9. Our local data shows that Black, and mixed ethnicity children are disproportionately overrepresented in Kirklees in both pre- and post-court outcomes. More detailed analysis indicates that the most overrepresented group for the last year are children with mixed ethnicity, who represent 11% of all YJS outcomes in 2019/20 (27 of 229 children), compared to Kirklees populations of 5%. This group is noticeably overrepresented in custodial sentences in 2019/20, accounting for 25% (four of sixteen children sentenced to custody). As such, tackling disproportionality is a key strategic priority for us over the next four years.
- 3.10. Finally, we know that within our YJS, we have a significant number of children with complex and multiple needs due to having experienced abuse, trauma, and neglect. Over the duration of this plan, we intend to focus our approach on proactively addressing trauma and supporting children with identity development. As a result, we have prioritised participation as a cross-cutting theme across all YJS practice.
- 3.11. Over the duration of this plan, the YJS Management Board will develop a sharper focus on understanding and scrutinising local data to ensure that the partnership is appropriately challenged and supported to address the strategic priorities set out.

4. Implications for the Council

Working with People

The aims of the YJS is to reduce the number of victims and youth crime in Kirklees, safeguard and protect children and the public, and increase public confidence in youth justice services by delivering high quality, fair and transparent services that embrace the diversity of children, the people of Kirklees and their communities.

For several years, the YJS has worked restoratively with children, families, victims, and the wider community to help repair harm caused and promote family and community cohesion.:

We know that restorative practices can be the most effective way of resolving conflict and repairing harm, allowing us to hear, respect and act upon the views of victims.

This restorative approach is at the heart of the proposed Youth Justice Plan.

Working with Partners

The YJS is a multi-agency partnership, between the council, the police, probation, and health services, each of which holds a statutory responsibility for resourcing and supporting the partnership.

The Youth Justice Plan has been created in collaboration with all key partners including the police, children's services, health services, probation, community safety and both voluntary and private sector providers.

The YJS will lead and support partnerships to meet the needs of children and families:

Place Based Working

There are close links and dependencies between the Youth Justice Plan, the work of the Youth Engagement Service (YES) delivered through the Youth Practice Model and Place Based Working. The Youth Practice Model has considered and evaluated the youth provision across Kirklees. The aim is to ensure that young people have access to safe locations, activities, support and ensure that they are socially accepted and have a voice within their community. Therefore, a key priority is youth engagement, active citizenship, and community cohesion. Through delivering activities and diversionary interventions in the areas where intelligence and young people tell us they are needed, it is envisaged there will be a positive impact on both place based working and the priorities of the Youth Justice Plan.

Climate Change and Air Quality

There will be no impact.

Improving outcomes for children.

Successful delivery of the plan will realise the following outcomes:

- The number of children in the youth justice system is reduced.
- The number of children in the youth justice system reoffending is reduced.

- The safety and wellbeing of children in the youth justice system is improved.
- Children and young people are supported to live safe, happy, healthy and successful lives.

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

There are no legal, financial or human resource implications associated with the proposed Youth Justice Plan.

Integrated Impact Assessment (IIA)

The diversity profile of the children supported in 2019/20, indicates that Kirklees has a disproportionate number of Black, and mixed ethnic origin children within the youth justice system. As such, tackling disproportionality will be a key strategic priority over the next four years. On the basis this plan will have a positive impact on people with protected characteristics, an IIA has been completed.

5. Consultees and their opinions

- 5.1. The Youth Justice Plan has been prepared with consultation of the Youth Management Board members. A draft plan was shared with the board for the purpose of consultation (24th February 2021). The Board is represented by Police, Health Partners, Children Services and Probation). Further consultation has been undertaken at Kirklees Safeguarding Children Partnership – Executive Group (12th May 2021). KSCP – Executive Group supported the plan.
- 5.2. The plan has been shared for information and feedback with the Communities Partnership Board meeting (27th May 2021).

6. Next steps and timelines

- 6.1. Subject to approval from Cabinet Members, this plan will proceed to Full Council for sign off on the 17th November 2021.
- 6.2. Following Council approval, the youth justice plan must be submitted to the Youth Justice Board (YJB) for England and Wales and published in accordance with the direction of the Secretary of State.
- 6.3. The plan and strategic priorities will be reviewed on a quarterly basis at operational level and every six months at board level. It will be updated accordingly to reflect any changes to the national and local youth justice landscape that may impact on our priorities and ability to deliver a range of services designed to reduce youth offending within Kirklees.
- 6.4. Regular updates on progress against the plan will be scheduled in the forward plan and provided to Corporate Parenting Board.

7. Officer recommendations and reasons

- 7.1. Members are asked to consider and comment on the attached draft of the Kirklees Youth Justice Plan 2021 - 2025 prior to its submission for the approval of full Council.
- 7.2. It is recommended for future annual updates that approval to be given for a Delegated Officer Decision to be made by the Service Director for Family Support and Child Protection

8. Cabinet Portfolio Holder's recommendations

The Portfolio Holder is supportive of the plan and vision.

9. Contact officer.

Ian Mottershaw. Head of Service- Contextual Safeguarding and Youth Engagement Service (including YJS

ian.mottershaw@kirklees.gov.uk

01484 221000

10. Background Papers and History of Decisions

Executive Team – 8th June 2021

Key Decision Notice – 14th June 2021

Youth Justice Management Board – 30th June 2021

11. Service Director responsible

Elaine McShane – Service Director for Family Support and Child Protection.

Kirklees Youth Justice Plan

2021-2025



Contents

Forward and Executive Summary	1
Introduction	4
Legal Framework.....	5
Kirkless vision, ways of working, values and aims for the Youth Justice Service	6
Review of Youth Justice Service performance 2019/20	9
Youth Justice Service structure and governance	20
Partnership arrangements.....	25
Resources and value for money.....	27
Strategic Priorities 2021/25	29
Risk to future delivery.....	35
Summary	36
Youth Justice Service Strategic Management Plan approval	37
Appendix 1: Youth Engagement Service	38
Appendix 2: Youth Justice Service.....	39
Appendix 3: Governance Interface.....	40
Appendix 4: Risks and Measures.....	44
Appendix 5: Kirklees COVID-19 Recovery Plan.....	44

Foreword and Executive Summary

Welcome to the 2021-25 Kirklees Youth Justice Strategic Plan.

We are delighted to publish our first four-year Youth Justice Plan 2021-25 for Kirklees Youth Justice Service. The plan is aligned with the shared outcomes, values and core principles of the Council Plan, and the Kirklees budget planning process for a similar period.

Improving community safety and safeguarding and promoting the welfare of children, will support children to get the best start in life and help people in Kirklees live in cohesive communities where they feel safe, are safe, and are protected from harm.

The plan gives an overview of the work of the Youth Justice Service (YJS) in Kirklees and sets out details of performance over the past year and our priorities for the coming four years.

At Kirklees:

‘We support children to live safe, happy, healthy and successful lives’ and our Youth Justice Service vision is to ensure ‘we take a child first approach and always seek to work in partnership with children and families’.

The Youth Justice Service has a key role to play by:

- diverting children away from the youth justice system, where appropriate
- helping prevent offending and reoffending
- reducing the use of custody
- contributing to multi-agency public protection and safeguarding
- adopting a formulation model, trauma informed, identity development and whole family approach to youth justice

The Youth Justice Service does this by working together with its key partners – the police, children’s services, health services, probation, community safety and both voluntary and private sector providers – to deliver high quality and effective services to children, their families, and the victims of offending.

The overall effectiveness of the Youth Justice Service continues to be monitored by the Youth Justice Board and Ministry of Justice against three key national indicators which are linked directly to the service’s core aims, performance and outcomes for children, families, and communities.

In Jan to Dec 2019 (latest available full year) YJB data shows that 101 children became first time entrants. This was a small rise (2 children) on the previous year’s figures and continues to be a priority area for us to sustain at low levels.

The most recent PNC (Police National Computer) data for January 2018 to March 2018, published by the Ministry of Justice (MOJ), on our reoffending shows a rate of 36.8%, which is lower than the West Yorkshire, national and statistical neighbour rates.

There was also a decrease in the number of re-offences per re-offender to 4.39 in the year Jan to Dec 2018, compared to 5.01 for the previous year (aggregated

annual figures). The individual quarterly figures also show a decrease from 4.09 (Jan to March 2017) to 3.57 (Jan to March 2018).

Although these rates have decreased over time, and that they compare favourably to our West Yorkshire neighbours, they compare less favourably to national rates and this is therefore an area that we intend to proactively address during the duration of this plan.

Local YJS data shows an increase in the number of custodial sentences during 2019/20 when compared with 2018/19. In 2019/20 17 young people received custodial outcomes (from a total of 280 disposals) whereas in 2018/19, 15 custodial disposals were given (from a total of 251).

In 2019/20, eleven children were remanded to youth detention accommodation (YDA), compared to ten in the previous year. The number of nights spent on remand has almost doubled, with a total of 1590 nights in accommodation in 2019/20, compared to 855 in 2018/19. Therefore, reducing the use of custody, including remand, is another area of focus to be addressed over the duration of our plan.

In 2019/20, 52 substantive outcomes were received where a weapon was used involving 50 young people. We have made reducing serious youth violence and child criminal exploitation a strategic priority for the partnership across the duration of this plan.

Our local data shows that Black, and mixed ethnicity children are disproportionately overrepresented in Kirklees in pre- and post-court outcomes. More detailed analysis indicates that the most overrepresented group for the last year are children with mixed ethnicity, who represent 11% of all YJS outcomes in 2019/20 (27 of 229 children), compared to Kirklees populations of 5%. This group is noticeably overrepresented in custodial sentences in 2019/20, accounting for 25% (four of sixteen children sentenced to custody). As such, tackling disproportionality is a key strategic priority for us over the next four years.

Finally, we know that within our Youth Justice Service, we have a significant number of children with complex and multiple needs due to having experienced abuse, trauma, and neglect. Over the duration of this plan, we intend to focus our approach on proactively addressing trauma and supporting children with identity development. As a result, we have prioritised participation as a cross-cutting theme across all Youth Justice Service practice.

YJS Management Board Chair
Julie Sykes

2019-20 key achievements and 2021-25 Youth Justice Service priorities

- Continued low numbers of first-time entrants.
- Low further offending rates for children supported by the YJS and Youth Engagement Service (YES).
- Receipt of the RSQM (Restorative Services Quality Mark) to recognise our continued excellence in this area of practice.
- Continued strong partnership working with the police to manage risk of serious harm via the Deter Young Offender (DYO) Scheme.
- Development of contextual safeguarding approaches to proactively identify and support children at risk of criminal exploitation.
- Development of YES to provide early intervention to children at risk of child criminal exploitation and serious youth violence.

The 2019/20 performance data combined with local and national drivers for systems change in youth justice has informed the following service priorities until 2025.

- Sustaining the low numbers of first-time entrants (and maximising use of diversion and pre-court outcomes).
- Reducing offending and reoffending.
- Reducing the use of youth detention.
- Participation of children and families.
- Tackling disproportionality.
- Reducing serious youth violence and child criminal exploitation.

On behalf of the Management Board, we are pleased to present our first four-year Youth Justice Strategic Plan for 2021-25.

Signature



Chair of the Kirklees YJS Management Board

“Learnt my lesson, if I ever lose my temper not to bottle things but talk about it” (a child)

The principal aim of the youth justice system is to prevent offending by children (Crime and Disorder Act 1998). Kirklees Youth Engagement Service, of which the Youth Justice Service is a part, coordinates the provision of youth justice services.

The service works in partnership to achieve the national youth justice strategic objectives, which are to:

- reduce the number of children in the youth justice system
- reduce reoffending by children in the youth justice system
- improve the safety and wellbeing of children in the youth justice system
- improve outcomes for children in the youth justice system

The YJS plays a vital role in both improving community safety and safeguarding and promoting the welfare of children, protecting them from significant harm. Many of the children involved with the YJS are among the most vulnerable in society and are at greatest risk of social exclusion.

Our multi-agency approach ensures that we play a significant role in contributing to addressing the safeguarding needs of these children.

The Youth Justice Service is a multi-agency partnership, between the council, the police, probation, and health services, each of which holds a statutory responsibility for resourcing and supporting the partnership.

Success is measured through the key outcome targets of the number of children entering the youth justice system and the number of children reoffending.

The three impact indicators that the youth offending teams are measured against are:

- first time entrants (FTEs) to the youth justice system aged 10 to 17
- rate of proven reoffending by children in the youth justice system
- the use of custody

In addition to these key indicators, the YJS Management Board agreed the following strategic priorities following of our end of year performance, data report and Partnership Board away day in December 2020:

- participation of children and families – focusing on identity development approaches to desistance
- tackling disproportionality
- reducing serious youth violence and child criminal exploitation

Over the duration of this plan, the YJS Management Board will develop a sharper focus on understanding and scrutinising local data to ensure that the partnership is appropriately challenged and supported to address the strategic priorities set out.

The Youth Offending Partnership has a statutory duty to submit an annual youth justice plan. Section 40 of the Crime and Disorder Act 1998 sets out the Youth Offending Partnership's responsibilities in producing this plan. It states that it is the duty of each local authority, after consultation with partner agencies, to formulate and implement an annual youth justice plan, setting out how youth justice services in their area will be composed and funded, how it will operate and what functions it will carry out.

The youth justice plan must be submitted to the Youth Justice Board (YJB) for England and Wales and published in accordance with the direction of the Secretary of State.

Although statute requires the production of an annual plan, at Kirklees, we are ambitious about improving and sustaining outcomes for children at risk of offending. Therefore, we have set a longer-term vision for our Youth Justice Service in line with the Kirklees Financial Plan and strategic priorities for 2021-25. This plan covers the same period.

We will review this plan and our current strategic priorities on a quarterly basis at operational level and every six months at board level. It will be updated accordingly to reflect any changes to the national and local youth justice landscape that may impact on our priorities and ability to deliver a range of services designed to reduce youth offending within Kirklees. The plan will be fully reviewed annually.

This plan will be submitted to the YJS Management Board in February 2021 and following that the YJB by 30.6.21.

Our YJS vision

We take a child first approach and always seek to work in partnership with children and families to build resilience and sustain positive change.

Our YJS values

Trust:

We are reliable, others can count on us to undertake tasks and deliver on what was agreed – we will do what we said we would do. We will encourage open and honest communication, and model clear and fair professional boundaries.

Respect:

We will listen to and value other people's perspectives and differences. We will show empathy and humility in the way we communicate.

Empower:

We help others to realise their ability and potential and show emotional intelligence in our approach. We show appropriate and respectful use of the power given to us in our jobs or positions and we use this to encourage and enable others.

Repair:

We will continue to work restoratively, working with children, families, victims, and the wider community to help to repair harm caused and promote family and community cohesion.

How we work in Kirklees

The Youth Justice Service will deliver high quality youth justice services that align with the established ways of working within Kirklees.

We put children and young people first:

We are passionate about ensuring the best possible outcomes for children and young people and this drives everything that we do.

We embrace diversity and champion inclusion:

We are committed to valuing difference and diversity in our workforce and in the children and families we work with, so that their identities are promoted, and their individual needs are met.

We are resourceful, adaptable, and dependable:

We find and create solutions that work well for children and their families. We build our reputation based on our professionalism, our dedication, our flexibility, and by always delivering what we promise.

We nurture strong, responsive, and caring relationships:

We build strong and productive partnerships with children, young people, parents, carers, and communities so that we can listen and learn from one another.

We will work restoratively with children, families, victims, and the wider community:

We know that restorative practices can be the most effective way of resolving conflict and repairing harm, allowing us to hear, respect and act upon the views of victims.

We lead and support partnerships to meet the needs of children and families:

We build strong and effective partnerships with our council, other statutory services, schools, education providers, local businesses, as well as organisations in the voluntary and community sector.

We value and invest in our staff to deliver innovative and quality services:

We know that our employees are our most important asset – they make our ambitions a reality. We recruit and retain the best people, value their experience and expertise, and support their professional development and personal growth.

We will work with the council to deliver the most effective solutions:

We understand the requirements of Kirklees council, and work closely with elected members and corporate leaders to help deliver their plans and priorities.

Aims of the Youth Justice Service

We aim to reduce the number of victims and youth crime in Kirklees, safeguard and protect children and the public, and increase public confidence in youth justice services by delivering high quality, fair and transparent services that embrace the diversity of children, the people of Kirklees and their communities. The Youth Justice Service's ambition is to holistically support all children that engage in offending behaviour by:

- working in partnership with children and families to support participation and identity development
- working with whole families to support desistance
- ensuring children can access high quality flexible support at the right time and right place
- ensuring that interventions and services are provided at the earliest opportunity
- providing a fair and equitable service to children, families, victims and the wider public

The Youth Justice Service has demonstrated good performance in its contribution to safeguarding and improving outcomes for children and young people. In 2019/20, we continued to build on effective practice and achieved positive progress against our youth justice plan. The Youth Justice Service has demonstrated continued good performance against two of the three key national performance indicators.

- Positive progress in sustaining a low number of first-time entrants, and consistently showing a lower rate than our West Yorkshire neighbours' performance.
- The rate of reoffending is reduced from the previous year, and data shows the rate consistently reducing with time and compares favourably with both regional and national reoffending rates.
- However, the rate of the use of custody has increased in 2019/20 compared to the previous comparable year. Although this increase is concerning the indications are that the rate of the use of custody is on a downward trend, and this will continue to be a priority focus going forward.

In terms of victim satisfaction with the service, performance data in 2019/20, highlighted the following key strengths:

- 71% of direct victims engaged in some form of restorative justice, be that one-to-one meetings, shuttle mediation, receiving a restorative letter, suggesting an appropriate reparation option, or being kept in touch with progress made.
- 11% of the above engaged in some form of direct restorative justice, which involved either meeting with the child concerned, shuttle mediation or receiving direct reparation.

Below are comments from children/parents and a placement on the service received:

"I did feel he considered my individual needs and concerns and the communications with me have always been very good" adding that "I had a say and if I didn't understand I could say so and we would look at it differently". Also "I felt at ease with the way tasks were undertaken with me" (a child)

"They have done all they can to make things as good as they can for my son and ourselves" (a parent)

"Only one incident and YJS undertaking work with him and keep trying to engage him. Regular contact with us; everybody is kept in the loop and appointment information is shared and meetings. Offering role modelling sessions through placement which has been well received by him and his keyworker" (placement)

She felt her son had been helped a lot to understand why what he had done was wrong and helped to gain a place at college (a parent)

"The worker engaged well with my son and he was always willing to speak with me and followed through on all the intervention work including the reparation". As a result, she did not feel that he would re-offend (a parent)

"I have learnt my lesson and if I ever lose my temper again – to talk about it and not to bottle it up" adding "thanks for being sound with me!" (a child)

"100% supportive to me. Been invited to help out with a recruitment of staff and they listen to what I think" (a child)

Characteristics of children referred to our Youth Justice Service

The data in the below provides an overview of the outcomes of children the Youth Justice Service worked with in 2019/20. Almost 43% of children received an out of court disposal (youth cautions and youth conditional cautions), indicating effective diversion from court where possible.

Breakdown of outcomes

Number of children receiving a substantive outcome, by main disposal type (some children received more than one substantive outcome in this period).

Table 1	
Total number of children receiving a substantive outcome	229
Youth caution	27
Youth conditional caution	69
Total children receiving an out of court disposal	96
Compensation order	0
Absolute Discharge	2
Conditional discharge	14
Detention and training order	10
Fine	9
Reparation Order	3
Referral order programme	69
Section 226/Section 226B (custody)	0
Section 90-92 programme (custody)	6
Youth rehabilitation order	12
Youth Rehabilitation with ISS	8
Total children receiving a court disposal	133

Characteristics of children subject to youth justice interventions in 2019/20

Table 2.1	
All young people worked with in 2019/20	256
Emotional wellbeing concerns	66
Substance misuse concerns	110
Education, health, and care plans	24
Children not in employment, education, or training (at the end of their intervention)	39
Children looked after	22
Child Protection plans (current or previous)	52

Characteristics of children subject to youth justice interventions in 2019/20 (cont.)

Ethnicity	Kirklees 10 to 17 population (2011 census)	Kirklees children with substantive outcomes 2019/20
White	69%	67.2%
Black/Black British	2%	6.11%
Asian	23%	14.8%
Mixed	5%	11.8%
Other	1%	

The diversity profile, illustrated above, of the children supported in 2019/20, indicates that Kirklees has a disproportionate number of Black, and mixed ethnic origin children within the youth justice system.

Table 2.3	
Ethnicity:	
White	154
Asian	34
Black	14
Mixed	27
Other	0

Table 2.4	
Age at time of sentence:	
11 years old	5
12 years old	9
13 years old	18
14 years old	31
15 years old	40
16 years old	56
17 years old	70

Table 2.5	
Gender:	
Male	210
Female	19

National key performance indicators

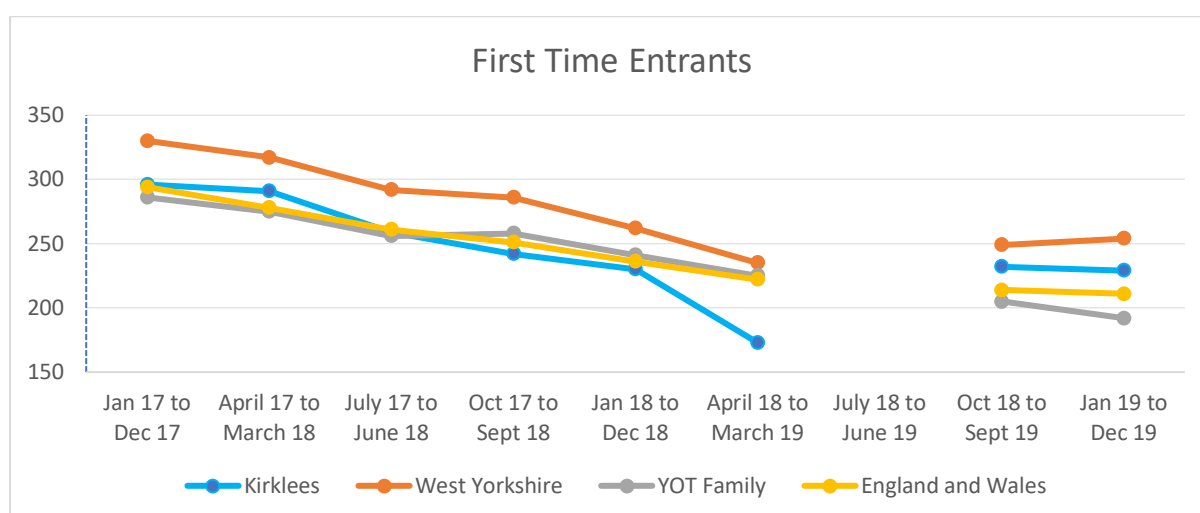
Our performance against the key indicators (see below), although with some caveats in terms of the use of custody, presents a positive outlook of the work being undertaken by Kirklees Youth Justice Service and its partner agencies.

First time entrants

First time entrants (FTEs): The number of children with a substantive youth justice outcome in the period who has not previously entered the youth justice system.

Table 3					
	Jan to Dec 2018	April 18 to March 19	July 18 to June 19	Oct 18 to Sept 19	Jan 19 to Dec 19
Kirklees	230	173	unavailable	232	229
YOT Family	241	225		205	192
West Yorkshire	262	235	unavailable	249	254
National (England and Wales)	236	222	unavailable	214	211

*unavailable from YJB due to PNC upgrade

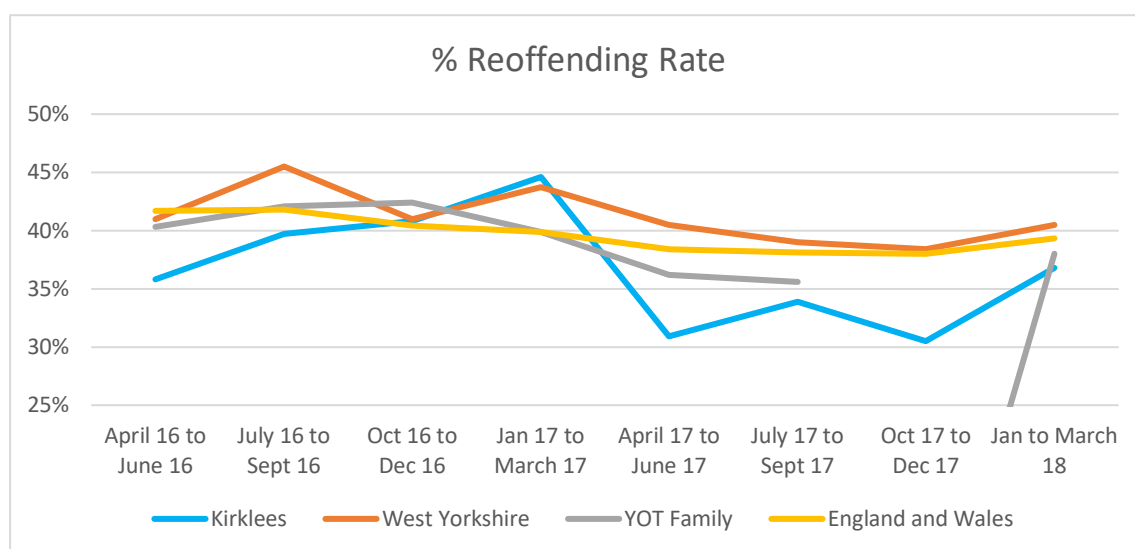


The data for this indicator comes from the Police National Computer and is published by the Minister of Justice (MOJ). The data is shown in rolling full years for the 12 months to March, July, September, and December of each year. The above shows that although Kirklees continues to perform more favourably than West Yorkshire as a whole, in terms of first-time entrants, we are less favourable than both nationally and in terms of our statistical neighbours. Therefore, it is right that we have this as one of our priority areas going forward. The continued focus on the number of FTEs is positive and points to the fact that early intervention and diversion is working to an extent. Also, however, what this does mean is that for the children who are not eligible for a community resolution or out of court disposal intervention means that the Youth Justice Service is continuing to work with an increasingly complex cohort of children. This requires a fundamental shift in how interventions are delivered, with a focus on trauma informed approaches and identity development to support desistance and resettlement.

Reducing reoffending

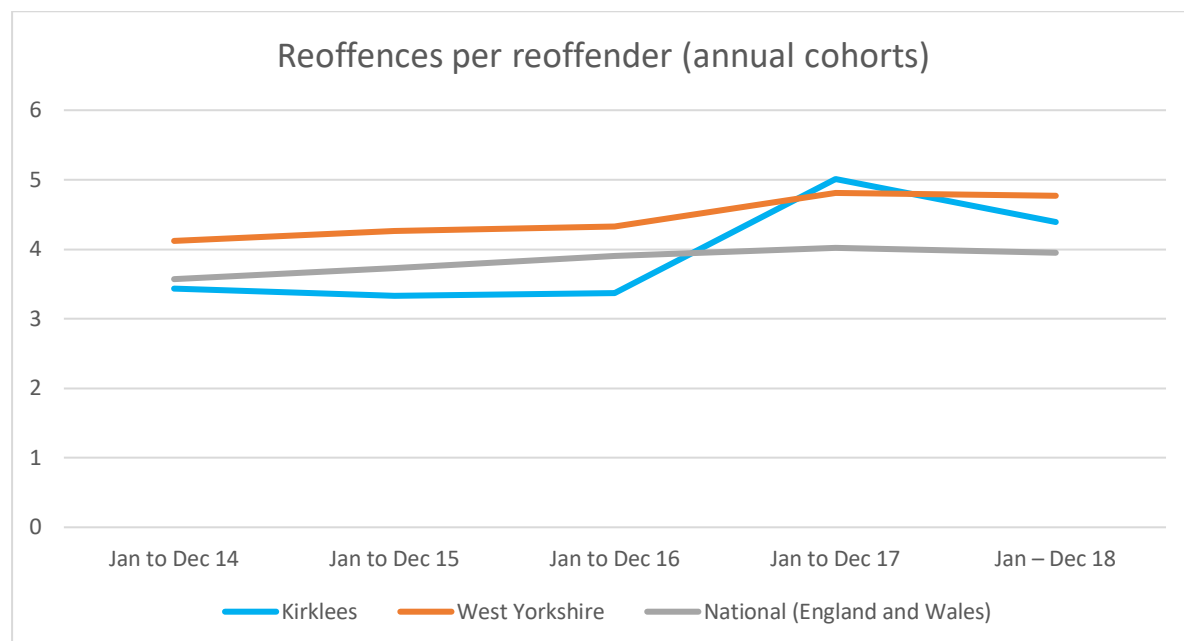
Reoffending binary rate: The quarterly group of children in the YJS who are proven to have reoffended.

Table 4					
	Jan 2017 - Mar 2017	Apr 2017 - Jun 2017	Jul 2017 - Sep 2017	Oct 2017 - Dec 2017	Jan 2018 - Mar 2018
Kirklees	44.6%	30.9%	33.9%	30.5%	36.8%
YOT Family	39%	36.2%	35.6%	36.3%	38%
West Yorkshire	43.7%	40.5%	39%	38.4%	40.5%
National (England & Wales)	39.9%	38.4%	38.1%	38.0%	39.3%



Re-offences per reoffender frequency rate: the average number of re-offences per reoffender, based on aggregated annual cohorts of children.

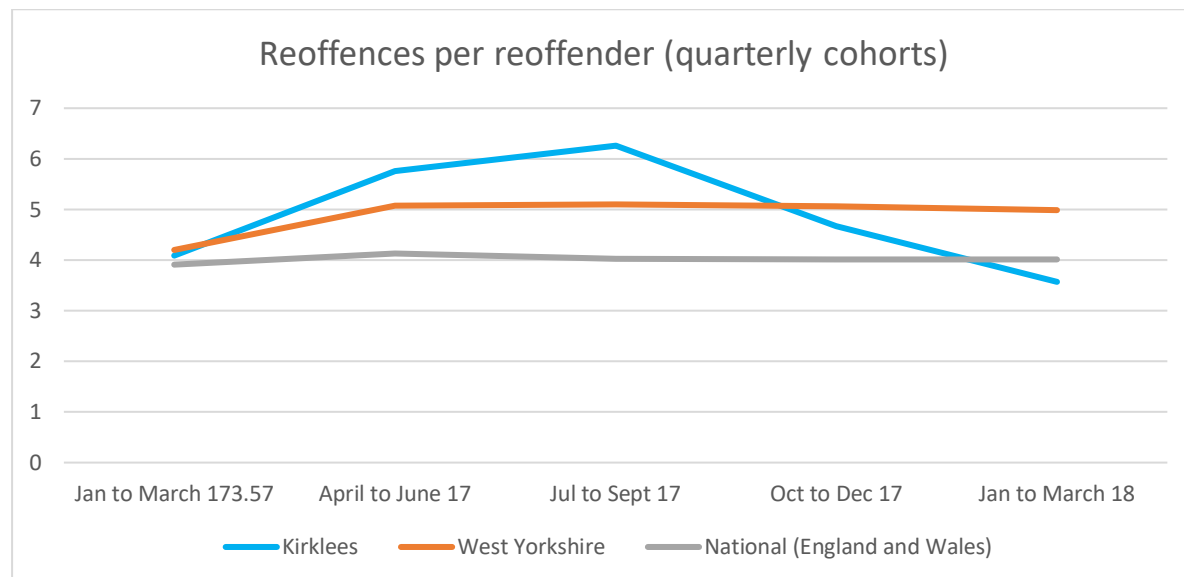
Table 5					
	Jan - Dec 14	Jan - Dec 15	Jan - Dec 16	Jan - Dec 17	Jan - Dec 18
Kirklees	3.43	3.33	3.37	5.01	4.39
West Yorkshire	4.12	4.26	4.33	4.81	4.77
National (England & Wales)	3.57	3.73	3.9	4.02	3.95



There was a decrease in the number of re-offences per reoffender to 4.39 in the year Jan 2018 to Dec 2018, compared to 5.01 for the previous year (aggregated annual figures). However, the data shows the trend does not compare favourably to the national rate. This is therefore a priority over the duration of the plan.

Re-offences per reoffender frequency rate: the average number of re-offences per reoffender, based on individual quarterly cohorts of children.

Table 6					
	Jan - March 17	April - June 17	Jul - Sept 17	Oct - Dec 17	Jan - March 18
Kirklees	4.09	5.76	6.26	4.67	3.57
West Yorkshire	4.2	5.07	5.10	5.06	4.99
National (England & Wales)	3.91	4.13	4.03	4.01	4.01

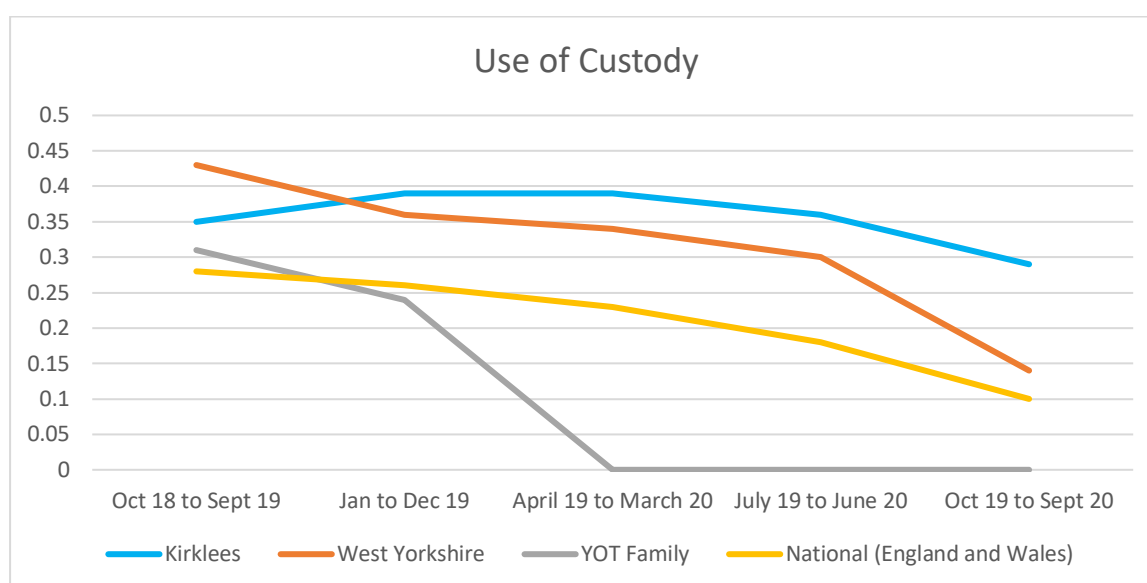


The number of re-offences committed per reoffender has steadily decreased over the last two quarters, with the figure for the Jan to March 18 period being 3.57, when compared to 4.09 for the same period the previous year. These rates, decreasing over time, compare favourably to the regional and national rates.

Reducing the use of custody

Rate of custodial sentences (per 1,000 of 10 to 17 population).

Table 7					
	Oct 18 to Sept 19	Jan to Dec 19	April 19 to March 20	July 19 to June 20	Oct 19 to Sept 20
Kirklees	0.35	0.39	0.39	0.36	0.29
West Yorkshire	0.43	0.36	0.34	0.30	0.14
YOT Family	0.31	0.24	n/a	n/a	n/a
National (England & Wales)	0.28	0.26	0.23	0.18	0.10



As can be seen above, despite that Kirklees use of custody rate in the most recent period has reduced, it still compares far less favourably to both West Yorkshire and is almost three times the national (average) rate.

Although the reduction mentioned is positive, the rate of use of custody remains high and again it is one of our six priorities going forward in terms of a partnership focus with an expectation to reduce this further.

This focus will include the work across the piece in tackling both serious youth violence and organised criminality, which has seen too many Kirklees children sentenced to custody for either very serious first-time offences or following a pattern of repeated serious matters.

Remands to youth detention accommodation

Number of children in placed in youth detention accommodation.

Table 8								
	2018/19	2018/19	2018/19	2018/19	2019/20	2019/20	2019/20	2019/20
	YOI	STC	SCH	All settings	YOI	STC	SCH	All settings
Kirklees	10	0	0	10	8	1	2	11

Number of nights in remand

Table 9						
	2018/19	2018/19	2018/19	2019/20	2019/20	2019/20
	YOI	STC	All settings	YOI	STC/SCH	All settings
Kirklees	855		855	1047	543	1590

The number of children who were remanded to youth detention accommodation in 2019/20 was higher than the previous year overall by one young person. Here again as mentioned above, the reduced use of youth detention accommodation will have a particular focus in terms of the reduction of use of custody going forward.

The high number of bed nights is symptomatic of the lengthy period of remands following a combination of serious offences committed and delays in trial dates following the COVID 19 pandemic.

Kirklees are also working in conjunction with the remaining four West Yorkshire YOTs to develop and recruit to remand foster carers and local non-secure PACE bed resources.

Serious Youth Violence

The Youth Justice Board defines 'Serious Youth Violence' (SYV) as any drug, robbery or violence against the person offence that has a gravity score of five or more.

Robbery offences all carry a gravity score of 6. (Gravity scores range from 1 (least serious) to 8 (most serious)).

Kirklees	Year ending June 2020	Year Ending June 2019	Change
Number of SYV offences	38	57	-19
Rate per 10,000 of the general 10-17 population	8.6	13.1	- 4.5
% SYV comprise of total offences	11%	12%	-1.1pp

Year ending June 2020: 38 serious youth violence offences committed. This is a decrease of 19 offences when compared with the previous year.

Year ending June 2020: the rate of serious youth violence per 10,000 of the general 10-17 population was 8.6. The rate decreased by 4.5 compared with the previous year.

Year ending June 2020: Serious Youth Violence offences comprised 11% of all offences committed by children from Kirklees YJS. This proportion has decreased by 1.1 percentage points compared with the previous year.

Although the above reductions are positive, the continued reduction in both serious youth violence and child criminal exploitation is our sixth priority area (shared priority with the Safeguarding Children Partnership).

In terms of CSPPI (Community Safeguarding and Public Protection Incidents), there were three notable incidents over the 2019/20 period, the first being in January, the second in March and the third in June 2020. In January, there was a particularly brutal murder of a security guard, followed by two gang-related instances, firstly attempt murder in March and then a murder/attempt murder in June.

A joint KSCP/Children's Social Care led Learning Event took place in August 2020, following which a *Local Learning and Scrutiny Report into Serious Youth Violence* was made available and which was shared at the YJS Management Board Meeting in December 2020.

National standards self-assessment

Our National Standards self-assessment of our practice between September 2019 and the end of February 2020 highlighted the following key practice themes for development in 2020/21:

NS1 Out of court disposals (OOCd)

- Further development of the Joint Decision-Making panel and programme of evidence-based interventions.
- Targeting disproportionality at the earliest stage in the youth justice system.

NS2 At court

- Building resilience across the service in court work in conjunction with wider WY colleagues.

NS3 In the community

- Improving evidence-based models to assessment, sentence planning and interventions, including improving sentence planning and risk management in partnership with children and families.

NS4 In secure settings

- Developing evidence-based models to supporting desistance and resettlement – constructive resettlement and identify development (staff being trained during 2020/21).

NS5 In transitions (resettlement)

- Enhancing multi-agency and evidence-based models to support transitions and resettlement – constructive resettlement and identify development.

These themes have informed the focus of our strategic priorities and service improvement work, reflected within our team operational improvement plan, training plan and Youth Justice strategic plan for 2021-5 and priority sub-groups.

The Youth Justice Service is structurally located within the Youth Engagement Service of Kirklees Children's Services.

We work closely within our local authority and local strategic partners, such as schools, the police, health services and voluntary sector organisations, to ensure that the services we provide are relevant and responsive to the differing needs of children and young people in Kirklees and support the delivery of the Council's local strategic priorities.

Youth Justice Service structure

The strategic leadership of the service is provided by the Head of Service supported by the Youth Justice Service Manager. At the time of writing this plan the Youth Justice Service has 12.5 full- time equivalent (FTE) posts plus 1.5 FTE police posts.

- 1 FTE Youth Justice Service Manager
- 5 FTE Team Managers
- 1.5 FTE Senior Practitioners
- 6.5 FTE Social Workers
- 7.5 FTE Youth Engagement Officers
- 1 FTE Probation Officer/PSO posts
- 0.8 FTE Restorative Justice (RJ) Lead
- 2 FTE RJ Workers
- Plus 16 volunteers and 6 sessional staff
- 1.5 FTE Police Officers
- 1 FTE Senior Mental Health Worker
- 2.5 FTE Nurses
- 1 FTE Early Support Consultant
- 1 FTE Substance Misuse Worker
- 1 FTE Careers Advisor
- 1 FTE Liaison and Diversion Worker
- 5.5 FTE Business/Support Workers
- 1 FTE Information Analyst

Transforming local youth justice services

The Youth Justice Service (formerly YOT) has undergone a transformation and restructure in 2019/20 to both achieve parity of pay across the wider Children's Services and in locating the service within the wider Youth Engagement Service (YES). Although this is to fully integrate approaches to adolescent safeguarding and contextual risk, the Youth Justice Service will still maintain its identity within the wider arrangements, so that the sharpness of the strategic partnership and operational interventions focused on desistance and public protection is not diluted. The Youth Justice Service has subsequently been realigned under a Head of Service to ensure a dedicated and focused partnership response for children at risk of offending.

As a result, youth justice workers will have a specialist and dedicated function within YES and will concentrate and focus upon work with children in the youth justice system. However, the Youth Justice Service will have access to the full range of services throughout Early Support and YES (see Appendix 1) including the detached youth work offer, youth intervention (former gang's workers) team, Adolescent Safeguarding Team and specialist social workers focused on contextual safeguarding, health and wellbeing, systemic practitioners (MST) and maintaining both its dedicated business support and performance analyst functions.

Governance

The YJS Management Board ensures that the service is provided with clear and coordinated strategic governance and support to continue delivering high quality youth justice services by:

- making sure that children are safe
- reducing the likelihood of reoffending
- minimising the risk of harm that children can cause to other people and themselves

The YJS Management Board is operating under revised Terms of Reference that have been developed in line with the YJB guidance on Modern Youth Offending Partnerships guidance by the YJB in 2013. The board meets four times a year and has a (District Police Commander) Chair who was appointed in November 2018. There is a high-level partnership representation on the board and there are good working relationships with all partners that ensures effective integrated strategic planning and delivery of good youth justice services.

The arrangement for chair and membership of the board ensures it is well placed to discharge its responsibilities, which include:

- setting the direction and strategy for local youth justice services, prioritising the quality of service and adherence to the evidence base
- understanding the risks to service and ensuring appropriate mitigations in place
- delivering the principal aim of reducing offending and reoffending
- ensuring that children involved in the youth justice system receive high quality, effective, personalised, and responsive services and have access to universal and specialist provision delivered by partners and other key agencies
- ensuring the skills of YJS staff, through workforce development, training, and supervision supports the delivery of high-quality practice

- ensuring services and practice prioritise the safety and wellbeing of children and our responsibility to victims of youth crime
- ensuring that policies and guidance are in place
- monitoring strategic performance oversight including analysis of diversity factors and patterns
- accountability and representation of youth justice issues within the local authority
- ensuring the local youth justice service environment to meet children's needs is appropriate and accessible
- ensuring the local authority discharge their duties under the Children Act 1989, particularly those in Schedule 2, paragraph 7, to:
 - discourage children within their area from committing offences
 - take reasonable steps designed to reduce the need to bring criminal proceedings against children
 - avoid the need for children to be placed in secure accommodation, monitoring the service's response to thematic inspections
- overseeing the service's management and response to our local Community Safeguarding Public Protection Incidents Policy
- providing financial governance for the partnership

Overall, the board is responsible for ensuring that there are effective multi-agency working arrangements, and sufficient and proportional resources deployed to deliver high quality youth justice services that meet local needs and statutory requirements. The board is well established, operating with a clear work plan and provides the service with 'critical friend', challenge and scrutiny. The board receives progress reports in relation to financial expenditure and performance at each meeting and is presented with reports on significant national and local youth justice developments likely to affect Youth Justice Service performance and service delivery. Additionally, reports on all other aspects of Youth Justice Service work are provided to the board under the structured cyclical arrangement to support oversight function.

The existing board membership includes all key statutory partners (see table 10). In 2020/21 we reviewed the current board governance arrangements and memberships given the changes within our partner organisations. The board recently undertook a self-assessment of its effectiveness and partnership working to help inform our forward plan and to strengthen its effectiveness. Current board members participated in governance and strategic priority discussions and challenge at our October 2020 YJS Management Board and away day workshop in December 2020 led by the Chair and Head of Service focussing on the following:

- developing understanding of board members responsibilities and board purpose
- improving understanding of key features of highly effective governance/board arrangements in line with the HMIP inspection criteria and the YJB Modern Youth Offending Partnership's guidance
- enhancing understanding of the YJS and the journey of the child through youth justice including the type of disposals and support on offer, including that for both substance misuse and speech, language, and communications, for example

Links with other strategic or stakeholder groups

The Youth Justice Service has the following strategic and operational links within Kirklees that enable us to deliver effective youth justice services which contribute to wider strategic priorities:

- Kirklees Safeguarding Children Partnership (KSCP)
- Corporate Parenting Panel
- Safer Kirklees Partnership (SKP)
- Violence Reduction Unit (VRU) Partnership Delivery group
- KSCP Exploitation Safeguarding Action group
- Kirklees Children's Services Assurance Meeting
- Multi-agency Public Protection Arrangements Strategic group (MAPPA) and Multi-agency Risk Assessment Conference group (MARAC)
- Clinical Commissioning Group (CCG)
- Kirklees Silver Serious Violence Reduction and Organised Crime Partnership group
- Kirklees Reducing Reoffending Steering group
- Health and Wellbeing Board
- Kirklees Youth Development Board

For an overview of the YJS Strategic Management Board governance interface with wider governance arrangements, please refer to Appendix 3. In this context the Youth Justice Service is strategically well placed to influence and deliver the local children's and crime reduction priorities and work effectively with partners to meet the needs and gaps in services for children at risk of offending.

Current Youth Justice Management Board membership

Table 10	
Stakeholder	Attendees
Police	Chief Superintendent (or delegated representative) and a Superintendent
Community Safety	Head of Communities
Her Majesty's Prison and Probation Service (HMPPS)	Head of Kirklees Local Delivery Unit
(& Senior Manager from Kirklees CRC; to June '21)	
Health	CCG Joint Children's Health Commissioner
(and Senior Managers from CGL, Locala & SWYT)	
Young Person	As part of Participation Strategic Priority 2021-2025
Housing	Service Managers for Housing Solutions and Homes and Neighbourhoods
Youth Justice Service	YJS Service Manager
Children Social Care/ Safeguarding	Head of Service – for Youth Justice and CSC
Education	Head of Service Education Safeguarding and Inclusion Learning & Skills; Children & Adults
YJB	Head of Innovation and Engagement – Yorkshire and Humberside
Prevention and Early Support	Head of Service – for Early Support
West Yorkshire Violence Reduction Unit	Programme Delivery Manager (Calderdale, Kirklees, and Wakefield)
Youth Justice Service team member	On occasion for Board insight of front-line delivery, issues, and practice

The Youth Justice Service and its strategic partnership board interfaces effectively with a diverse range of partners as illustrated in table 11. Partnership arrangements will be reviewed and monitored through service level agreements, where appropriate, to ensure an effective collaborative interface with the shared service.

Table 11
Kirklees Safeguarding Children Partnership Board
Safer Kirklees Partnership
Deter Young Offender (DYO) Meeting
Multi Agency Child Exploitation (MACE) Meeting
Exploitation Screening Panel (ESP)
DREAM (Daily Risk Exploitation and Missing Meeting)
The Multi-Agency Risk Assessment Conference (MARAC)
Multi-Agency Public Protection Arrangements (MAPPA)
Channel Panel (Prevent)
14-19 Partnership and ETE providers
BACS Meetings (Risk of Missing Education; for Kirklees North and South) and Single Point of Referral Meeting (considering alternative education placements)
Joint Substance Misuse Service Commissioning Group
Clinical Commissioning Group (CCG)
Fire Service
Police
Voluntary sector
Kirklees District departments including public health, adult services, housing etc

Prevent

Kirklees Council have the Prevent strategy in place and the Youth Justice Service Manager is a core member of the multi-agency Channel panel. The Channel meeting assists agencies working with vulnerable people meet their responsibilities under the Counterterrorism and Security Act 2015. Section 26 of this act places a duty on certain bodies ('specified authorities') in the exercise of their functions to have 'due regard to the need to prevent people from being drawn into terrorism'. Kirklees Council delivers children's services and as such is a 'specified authority'. Over the past 12-months, there have not been any children that have entered the youth justice system due to such activity in Kirklees.

Early Support (formerly Stronger Families)

There is an effective alignment between the Youth Justice Service and local Supporting Families programme, formerly known as Stronger Families, with a clear pathway for children at risk of offending and their families to access additional support that includes the following functions: family coaches, domestic violence practitioner, Family Group Conferencing workers and employment advisers.

**“He has stuck to everything and it has made him realise how serious it was. Thank you for all your help”
(a parent)**

The Youth Justice Service has a complex budget structure comprising of partner agency funding and in-kind contributions. The delivery of the youth justice work for Kirklees council is profiled within the Youth Justice Service cost centre. The Youth Justice Board grant and the councils' financial contributions are transferred to the designated Youth Justice Service cost centre for the delivery of the local youth justice services within Kirklees. Kirklees's finance management operates within the council's financial regulations and are subject to stringent control and accountability mechanisms. Alongside this, the Youth Justice Service budget and spend is also regularly reported to the YJS Management Board.

The overview of the Youth Justice budget for 2020/2021 is presented in table 12, with in-kind contributions profiled in table 12.

Table 12 - Budget 2020/2021	
Income	Kirklees
YJB core grant	£505,563
Local Authority	£1,011,314
Police (in kind)	£155,898
PCC	85,952
Probation (staff)	10,000
Probation (In kind)	58,724
Health (staff)	23,672
Health (in kind)	123,701
Total	£1,974,824

Remand position

Table 14 - Remand budget			
Financial year	Remand allocation	Remand outturn	Budget deficit year end
2014/15	£95866	£133526	£37660
2015/16	£134861	£133903	-£958
2016/17	£131306	£94228	-£37078
2017/18	£155069	£60509	-£94560
2018/19	£122801	£136873	£14072
2019/20	£140238	£507316	£367078

In 2019/20 the remand budget allocation was £140,238 and expenditure was £507,316. The Youth Justice Service work closely with partners to always present a robust credible community package to the court as an alternative to remand to youth detention where the risk to the public and the child can be managed.

All eight of the children remanded to the youth detention accommodation during 2019/20 were Kirklees children, accounting for 100% of the total remand costs. Out of the eight children:

- five were sentenced to custody
- two received community alternatives following a positive NRM (National Referral Mechanism) finding
- one was remanded on a different matter prior to a second custodial sentence
- One was transferred to probation due to turning 18
- 50% (four) of the children remanded were Black, or Asian ethnicity, which is disproportionate, when compared to local demographics

Since the introduction of the devolution of the remand budgets to local authorities (see table 14 above), allocations have been volatile with some years showing a deficit, and with 2019/20 being particularly poor.

Other pressures included the long duration time of the remand period and the above inflation increases in the remand provision nightly costs. This area of spend is monitored closely with robust operational management arrangements in place to mitigate unnecessary remands.

In 2020/21 we have received an uplift in the Youth Custody Service funding allocation for remands to £51,2057. At time of writing, 60% of this budget had been used, although some of this had been offset by Covid-19 funding to account for delays in trials during the pandemic.

The youth justice budget and resourcing will continue to be a high priority and monitored and scrutinised by the Youth Justice Service Management Board to ensure that we provide an effective and efficient service.

For the Youth Justice Service to drive improved outcomes for children at risk of offending in Kirklees, the YJS Management Board has set a range of strategic priorities that reflect national drivers and local need. The YJS Management Board set the following strategic priorities resulting from our end of year performance discussion at our October 2020 Board and away day in December 2020.

YJS priorities of focus in 2021/22 have been informed by:

- the YJS Management Board
- the Kirklees Safeguarding Children Partnership
- the Safer Kirklees Community Safety Partnership
- Kirklees Budget Planning 2020/24

Key challenges and opportunities within the landscape of youth justice services delivery for 2021/22

We will continue to shape delivery of the local Youth Justice Service and its underpinning local systems, to contribute to the YJB 2020/21 Business Plan and strategic objectives which cover:

- to strengthen and enhance the delivery of our statutory functions
- to see a youth justice system that sees children as children first
- to see an improvement in the standards of custody for children and promote further rollout of constructive resettlement
- to influence the youth justice system to treat children fairly and reduce over-representation
- to see a reduction in serious youth violence and child criminal exploitation

The key strategic priorities that we will focus on as a partnership:

- sustaining low level of first-time entrants (and maximising use of diversion and pre-court outcomes)
- reducing offending and reoffending
- reducing the use of youth detention
- participation of children and families, focusing on identity development approaches to desistance
- tackling disproportionality
- reducing serious youth violence and child criminal exploitation (shared priority with the Safeguarding Children Partnership)

To ensure grip and sustained pace against our strategic priorities, we have agreed that each priority will be driven by a dedicated sub-group of the board and sponsored by a board member. The work against these priorities is to be described in the sub-group action plans.

Year one outputs and outcomes:

Within the first year of our strategic plan and board sub-groups, we aim to achieve the following outputs and outcomes (all action plans are to have working documents, available on request).

Sustaining the low level of first-time entrants (and maximising diversion and pre-court outcomes)

Key outputs

In 2021/22, we will:

- establish strategic priority and sub-group action plans across the strategic partnership
- review the early help strategy and youth service prevention offer to ensure early help for adolescents is provided at all possible 'teachable, reachable-moments'
- work with the scrutiny panel for out of court disposals to challenge the partnership on decision making for Black, Asian or minority ethnic children and other vulnerable groups, including children looked after and care leavers
- establish 'Kirklees ENGAGE' in partnership with WY Detention to further target 'teachable, reachable moments in police custody'
- enhance the out of court disposal Intervention offer to ensure it is evidence based and focused on identity development

Key outcomes

In 2021/22, we want to see:

- FTE rates stabilised and sustained
- increased engagement with early support at 'teachable, reachable-moments'
- an increase in pre-Community Resolution diversionary outcomes
- reduction in exclusions and children and young people who are not in education, training, or employment

Reducing offending and reoffending

Key outputs

In 2021/22, we will:

- establish strategic priority and sub-group action plan across the strategic partnership
- challenge board members on the partnership contribution to addressing offending behaviour – proactively targeting education and the post-16 offer and health provision relating to tier three mental health and speech, language, and communication needs
- establish and embed the YJB Live reoffending tracker and proactively use this to challenge the board and partners

- establish evidence-based models of practice that build upon our formulation approach, including whole family approaches to desistance, trauma informed approaches to assessment, intervention and risk management and interventions focused on identity development

Key outcomes

In 2021/22, we want to see:

- sustained low binary reoffending rates
- reduction in re-offences per reoffender

Sustaining the low use of youth detention

Key outputs

In 2021/22, we will:

- establish strategic priority and sub-group action plan across the strategic partnership
- challenge board members on the partnership contribution to addressing risk of youth detention: proactively targeting children's social care and the youth engagement service, education, and the post 16 offer and health provision relating to tier three mental health and speech, language, and communication needs
- establish evidence-based models of practice that build upon our formulation approach, including constructive resettlement and identity development
- ensure disproportionality for children subject to youth detention is proactively monitored and challenged
- build on internal monitoring mechanisms for children kept overnight in Kirklees police custody cells

Key outcomes

In 2021/22, we want to see:

- sustained low rates of youth detention, both at remand and sentence
- reduction in disproportionality within this cohort
- improved outcomes relating to resettlement, transitions and children kept overnight in local police custody

Participation of children and families focusing on identity development approaches to desistance:

Key outputs

In 2021/22, we will:

- establish strategic priority and sub-group action plan across the strategic partnership
- challenge board members on ensuring that participation is a cross cutting theme for the partnership
- establish a deeper understanding of participation as an evidence-based intervention focused on identity development
- develop youth participation forums
- develop parent's participation forums
- learn from Inspections and national best practice

Key outcomes

In 2021/22, we want to see:

- an increased number of children and families actively participating in youth justice service design, scrutiny, and desistance focused interventions
- emerging signs of the positive impact of participation on reoffending, youth detention and disproportionality rates

Tackling disproportionality

Key outputs

In 2021/22, we will:

- establish strategic priority and sub-group action plan across the strategic partnership
- challenge board members on ensuring tackling disproportionality as a cross cutting theme for the strategic partnership
- establish and embed the Youth Justice Board disproportionality toolkit to proactively monitor and scrutinise the data and areas where partnership responses can have a positive impact on disproportionality
- develop a training and development plan focused on targeting disproportionality and issues such as unconscious bias with the Workforce Development Team
- influence the Inclusion Commission (including links to SEND; from June 2021) – pan Kirklees Children's Services

Key outcomes

In 2021/22, we want to see:

- disproportionality within the youth justice cohort to reduce and align with local demographic and population
- disproportionality as a shared priority across the partnership and wider council
- increased engagement and participation of Black, Asian or minority ethnic children and families
- increased engagement with voluntary and third sector organisations who specifically work with Black, Asian or minority ethnic communities

Reducing serious youth violence and child criminal exploitation (shared priority with the Safeguarding Children Partnership)

Key outputs

In 2021/22, we will:

- establish strategic priority and sub-group action plan jointly with KSCB and other Boards
- monitor the effectiveness of the Daily Risk Exploitation and Missing (DREAM) approach to risk management – ensuring daily multi-agency risk management
- review and align approaches to risk management for adolescents – including DREAM, DY0 and MACE
- conduct a multi-agency knife crime audit and challenge the strategic partnership with the findings
- develop a youth safety strategy – including the VRU violence reduction unit plans and other cross-cutting action plans
- enhance and develop contextual safeguarding responses in partnership with the Youth Engagement Service

Key outcomes

In 2021/22, we want to see:

- a reduction in serious youth violence and knife related offences
- a reduction in the numbers of substantive outcomes in youth justice relating to serious youth violence and knife crime
- an improved and coordinated approach to youth safety and violence reduction
- the development of an 18-25 offer to support transitions from youth justice services and sustained outcomes
- a greater emphasis on providing services at 'teachable, reachable moments' for adolescents at risk of serious youth violence and child criminal exploitation

Link to over-arching and shared strategic priorities

The Youth Justice Service will also continue to contribute towards local strategic priorities within Kirklees, reflected in the following:

- Kirklees Budget Planning 2020-24
- Safer Kirklees Partnership Plan and violence reduction plan
- Kirklees Youth Development plans
- Early Support Strategy
- Joint strategic needs assessments

Within the last 12 months, we have faced the challenges of an ongoing efficiency agenda at national and local levels, changes within the local partnership landscape (health, police, and probation), as well staffing challenges and organisational transformation in Kirklees. We have also faced business continuity challenges because of the COVID-19 pandemic. The partnership has identified the following risks to future delivery:

Risk 1 – see COVID-19 below:

Currently unknown future pressures or costs as a direct or indirect consequence of COVID-19 across the partnership, for example a potential increase in anxiety and emotional or mental health difficulties as a result. These unknown pressures may lead to a reduction across partnership funds and resources.

Risk 2

Due to the ongoing realignment/restructure of the Youth Justice Service within YES, we have continued to carry some key vacancies during 2020 which we have not been able to recruit to. However, we have now recruited to two Social Worker vacancies and a Restorative Justice Worker.

COVID-19 business continuity and recovery

Following the COVID-19 pandemic and lockdown, the Youth Justice Service business continuity plan RAG (red, amber, green) rated contacts with Youth Justice Service supervised children, with most of contacts becoming virtual. However, the Youth Justice Service maintained weekly court attendance in person and home (doorstep) visits for any high-risk children that were not responding to the attempted contacts. Since June 2020, the Youth Justice Service has been implementing business recovery plan arrangements which include a return to face-to-face meetings wherever possible (e.g., home visits, in parks, in open spaces) and preparing office space and facilities within Young Batley Centre (which opened in late August 2020) for the delivery of high quality Youth Justice Service interventions and resuming a return to national standards contacts from September 2020 (as outlined in the submission to the YJB). We also opened our second office in 12 New Street Huddersfield on 4th January 2021.

Overall, we have managed the associated risks effectively, remaining resilient, mitigating against any detrimental impact on the delivery and quality of the Youth Justice Service. This is testament to our continued robust strategic leadership and support from the YJS Management Board.

The table in appendix 4 identifies wider risks and measures across our operational sub-groups that will be implemented to remain resilient whilst ensuring business continuity and our COVID-19 recovery plan (Appendix 5).

Our continued performance against the three national key performance indicators and many aspects of our service delivery, customer satisfaction surveys and our current improvement journey highlight effective practice and ongoing commitment to high quality standards within our work. The Youth Justice Service has continued to deliver a high-quality service to children and the wider public.

Our leadership and commitment to staff, service user engagement and a focus on innovation highlighted by our location within the wider youth engagement service has provided a strong platform and the capacity to continue ongoing service improvement to deliver an excellent Youth Justice Service.


However, we are aware of the need to improve certain elements of our practice to ensure we can meet the new national standards for youth justice in 2021/22 and intend to drive these areas of work forward through our established management board and strategic partnership.

Overall, the Youth Justice Service is well placed to continue maintaining high performance, preventing offending and reoffending, and contribute to key strategic priorities.

This annual Youth Justice Service Plan for 2021-25 is subject to the approval of Kirklees council in their capacity as the commissioners of services from the YJS Management Board.

This plan was approved by:

**YJS Management Board Chair
and Kirklees BCU Commander**

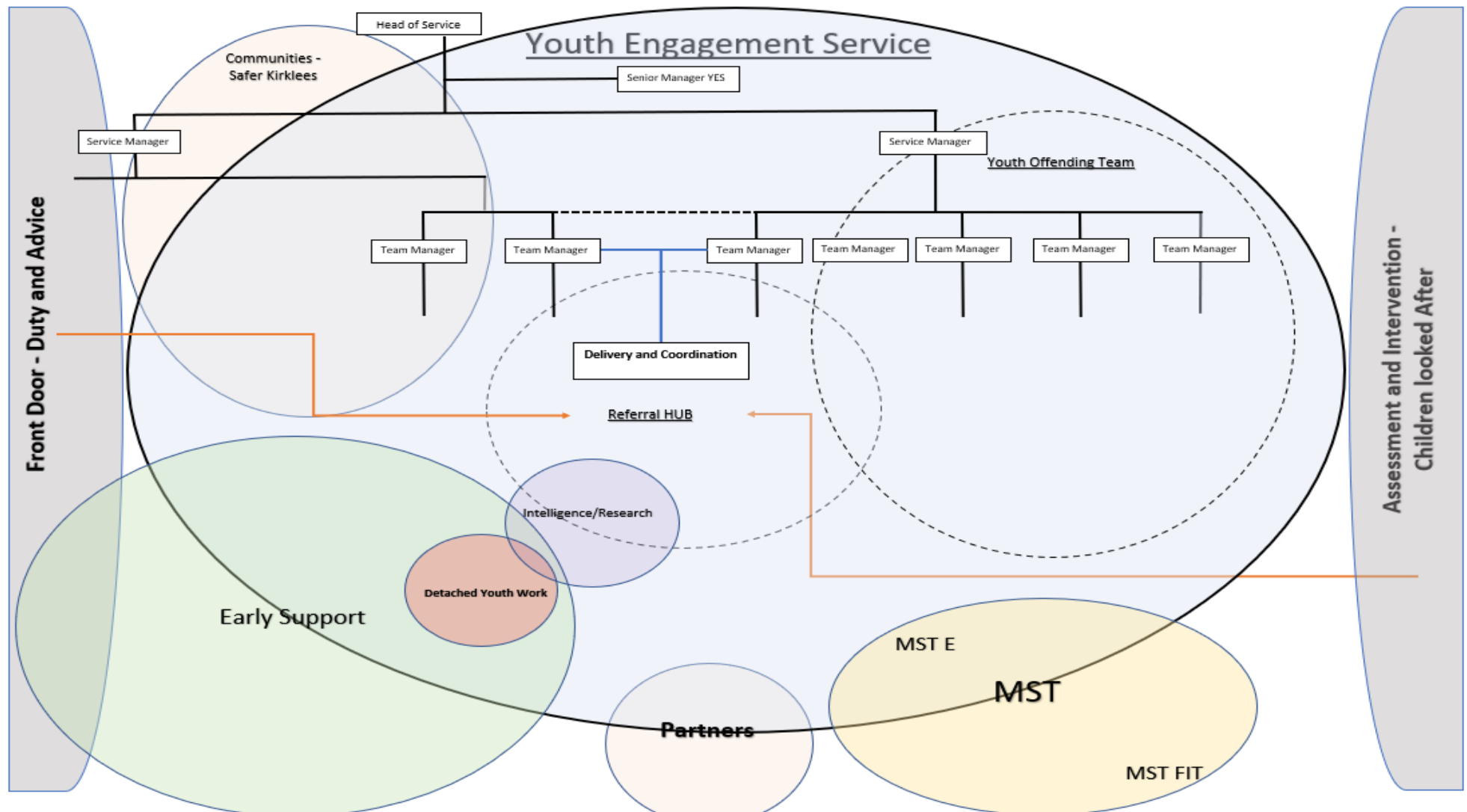


Julie Sykes

DCS for Kirklees Council

Mel Meggs

Appendix 1: Youth Engagement Service



Appendix 2: Youth Justice Service

YOUTH JUSTICE SERVICE

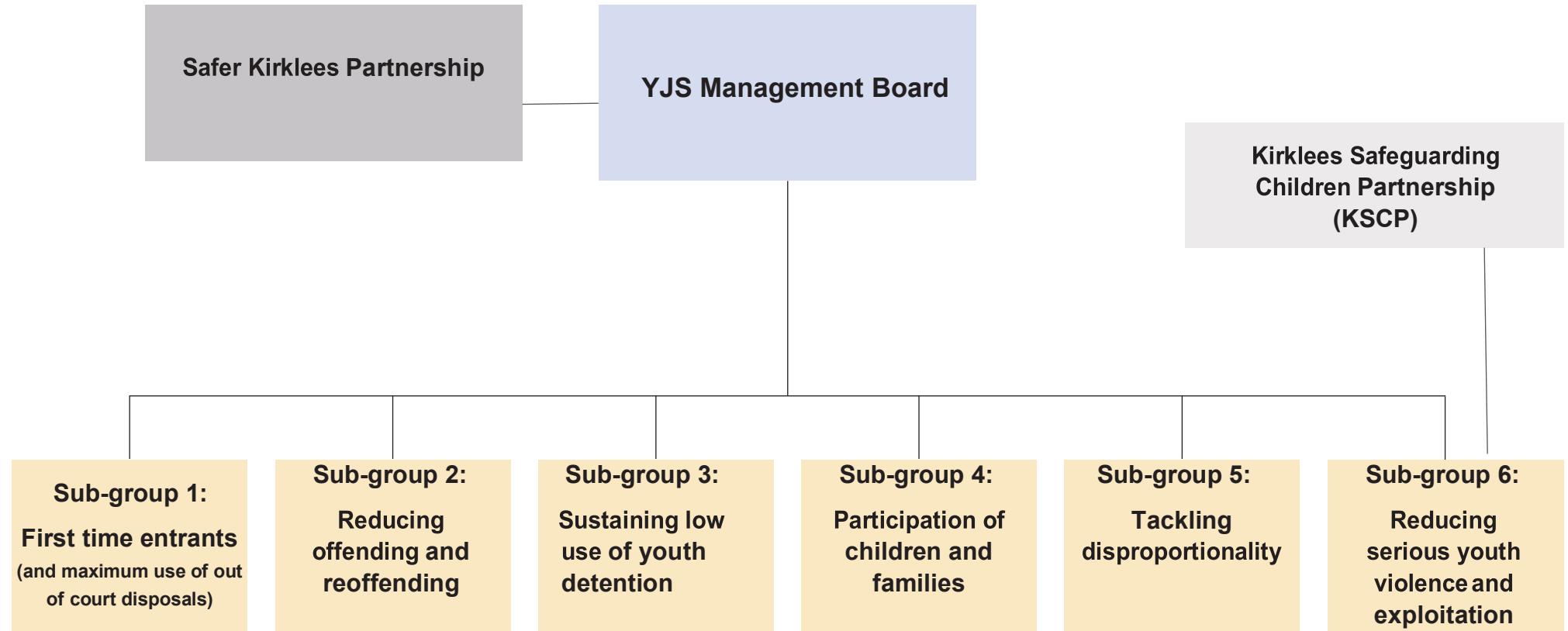
Head of Contextual Safeguarding and Youth Engagement Service

YOUTH JUSTICE SERVICE MANAGER

Team Manager (CR/YES) Re-Offending	Team Manager (OOCd – YC/YCC) First-Time Entrants	Team Manager (HSB/EDUCATION) Disproportionality	Team Manager (COURT/RJ) Participation	Team Manager (ISS/CUSTODY) Use of Custody	BUSINESS SUPPORT & IT
Social Worker 2 x Youth Engagement Officer Police Officer Early Support Consultant Substance Misuse Worker YES YIT (Link)	Social Worker Youth Engagement Officer 2 x Police Officer 3 x Health Worker L and D Link Officer Police YIT (Link)	Senior Practitioner 4 x Social Worker Careers Officer	4 x Social Worker Youth Engagement Officer RJ RJ Lead 3 x Restorative Justice Worker	Senior Practitioner Probation Officer Probation Support Officer 4 x Youth Engagement Officer	Information Analyst Business Support Manager 4 x Business Support Officers 1 x Support Worker

Appendix 3: Governance Interface

Governance chart for YJS Management Board



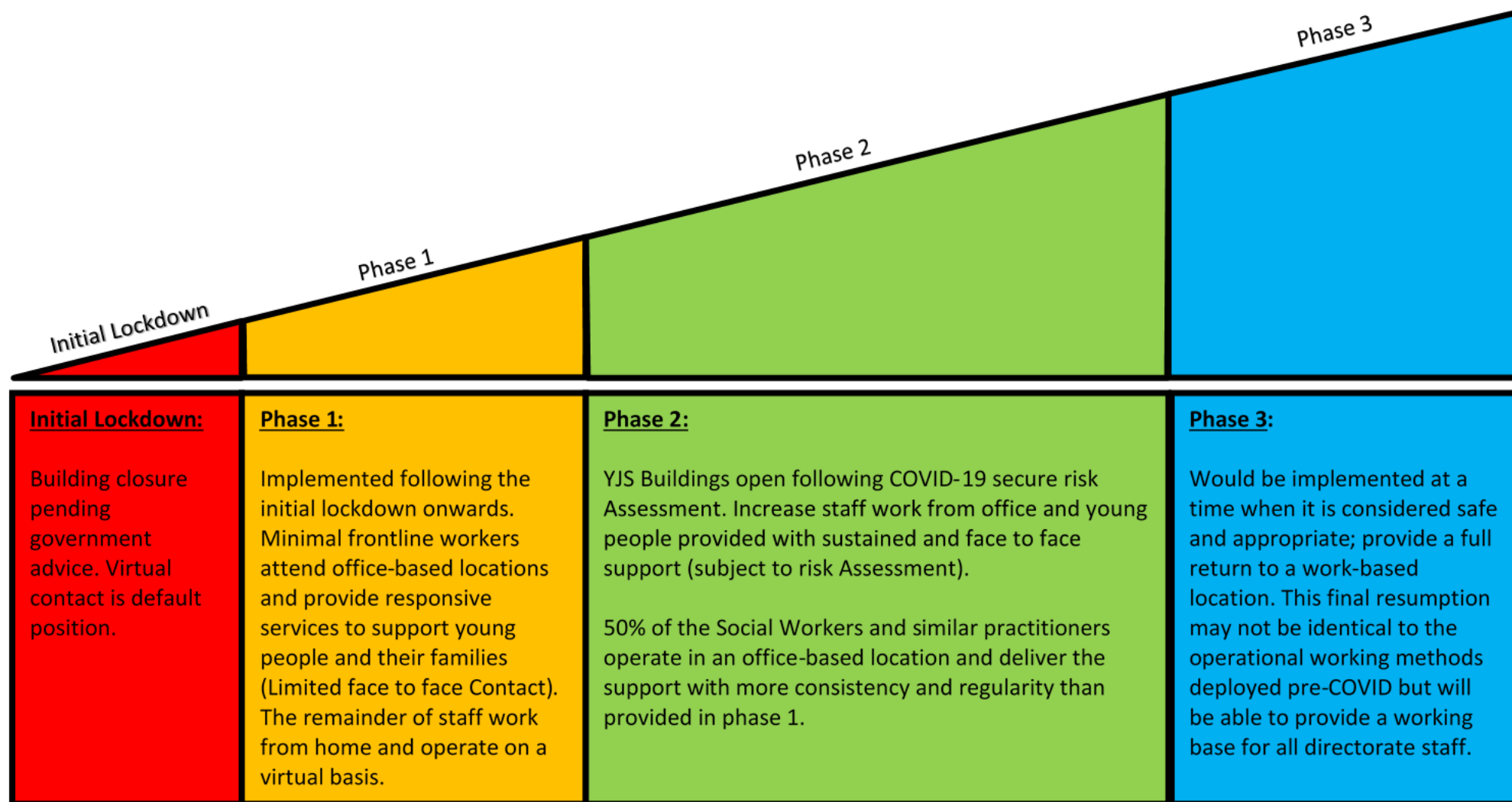
Appendix 4: Risks and measures

	Level of risk	Mitigating action	Owner
Funding			
Local efficiency agenda	M	Review of the current resource and resilience of service delivery. YJS Management Board will monitor the level of resourcing to ensure the Youth Justice Service is appropriately resourced and configured to meet its statutory function	Head of Contextual Safeguarding and Youth Engagement Service Chair of the YJS Board
Reduction of in-kind partner contribution	M	YJS Management Board will ensure effective partnership arrangements and contributions are in place to maintain highly effective Youth Justice Service partnership Escalation process to the Community Safety Partnership, Safer Kirklees, where significant risks or detrimental impact are identified	Chair of the YJS Board
Assessment, intervention, and planning			
Recovery Planning and business continuity COVID-19	H	Youth Justice Service business continuity and recovery plan is in place and the service has begun to deliver services within the 'new normal'	Head of Contextual Safeguarding and Youth Engagement Service YJS Service Manager
Compliance with new YJB National Standards for Children in Youth Justice	M	Robust QA and management oversight Key performance indicators in place to drive compliance and improvement where appropriate. Internal audits (Practice Learning Days) to provide health check	Head of Contextual Safeguarding and Youth Engagement Service YJS Service Manager
Partnership interface to safeguard children			
New model for safeguarding adolescent and contextual safeguarding currently being implemented (YJS within YES)	M	Review of existing arrangements and joint working with the new Youth Engagement Service (Youth Practice Model)	Head of Contextual Safeguarding and Youth Engagement Service YJS Service Manager

	Level of risk	Mitigating action	Owner
Reoffending			
Increased reoffending and re-offences per reoffender due to an active cohort of prolific offenders	M	Robust analysis and scrutiny of reoffending via the reoffending sub-group Strengthening of the DYO with clear impact measure and effective model in place Implement strong and consistent interface with looked after children teams to ensure coordinated approach to assessment and care-planning Clear pathways out of reoffending in place	Head of Contextual Safeguarding and Youth Engagement Service YJS Service Manager
Offences of children looked after in care settings increasing reoffending rates	M	Continue restorative justice approach to prevent unnecessary criminalisation and reoffending of children looked after within care-settings Review of the reducing criminalisation of children in care guidance and local protocols	Head of Contextual Safeguarding and Youth Engagement Service YJS Service Manager
Custody			
Failure of the Partnership to work together to reduce both serious youth violence and organised crime within the district leading to further uptick in the use of custody. Relationship with Youth Court impacting on custody performance	H	Effective engagement and representation of the sentences within the YJS Management Board and Board working with other Partnership Plans to best effect to successfully coordinate partnership effort. Monitor PSR congruence. Effective joint protocol for Youth Court (Leeds/Kirklees/Wakefield)	Chair of YJS Board Head of Contextual Safeguarding and Youth Engagement Service YJS Service Manager

Victim and public confidence			
Ability to maintain high level of public and victim confidence in the youth justice system	L	<p>Review of the effectiveness of victim work by the YJS Strategic Management Board</p> <p>Clear mechanisms in place to ensure voice of victims are heard and continued investment within restorative justice.</p> <p>Promote positive work of the Youth Justice Service</p>	<p>Chair of YJS Board</p> <p>YJS Service Manager</p>

Appendix 5: Kirklees COVID-19 recovery plan



TRANSFORMATION

This page is intentionally left blank

Name of meeting: Full Council
Date: 17th November 2021
Title of report: Network Rail – Trans-Pennine Route Upgrade Transport and Works Act Order submission Update: Council Withdrawal of Objection

Purpose of report: In light of Network Rail's Transport and Works Act Order submission to the Secretary of State on 31st March 2021, this item is for information to enable Council to understand the reasons for the Council's formal withdrawal of its objection to the Order and its resultant exclusion from the public inquiry.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No – This is not an Executive Decision
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u> ?	Key Decision – No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	David Shepherd (Strategic Director - Growth and Regeneration) Delegated Decision Notice dated Eamonn Croston (Service Director – Finance) Julie Muscroft (Service Director – Legal, Governance and Commissioning)
Cabinet member portfolio	Cllr Peter McBride, Cllr Naheed Mather, Cllr Eric Firth

Electoral wards affected: Ashbrow, Newsome, Dalton, Greenhead, Mirfield, Dewsbury West and Dewsbury South

Ward councillors consulted:

The following ward councillors have been consulted / briefed on this item:

- Cllr McBride and Cllr Firth via email (6th and 13th October 2021)
- Leading Members (18th October 2021)

Public or private: Public

Has GDPR been considered? Yes, there is no personal information contained in this report.

1. Summary

- 1.1 Network Rail formally submitted a Transport and Works Act Order¹ ("TWAO") application – (The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order) to the Secretary of State on 31 March 2021 seeking authorisation to upgrade the existing railway and undertake electrification works between Huddersfield and Westtown (about half a mile south-west of Dewsbury Station). The proposed Order would also authorise the construction of station improvement works at Huddersfield Station and works for the construction or reconstruction of stations at Deighton, Mirfield and Ravensthorpe.
- 1.2 Nine listed building consents were also submitted to the Council in March 2021 in association with the works proposed as part of the TWAO. On 12 May 2021, Kirklees Strategic Planning Committee considered the nine committee reports whereby officers concluded they had no objections to the proposed works, subject to the suggested conditions, and Members of the Kirklees Strategic Planning Committee provided their own additional comments. In the case of some of the applications concerns were raised and these comments have since been referred to Secretary of State for final determination.
- 1.3 The works are expected to cost c. £1.56 Billion. The Council had a statutory 45-day period to submit its response to the application. Officers submitted a response on 17th May 2021 and whilst supportive of the proposal in principle included several significant issues that it was felt, required further work or negotiation to resolve.
- 1.4 The Secretary of State deemed the Council's response to the submission as an 'objection' to the proposals. As a result of this it was a requirement that under s239 of the Local Government Act 1972, a Full Council endorsement was needed to support the objection. This was unanimously endorsed by Full Council on 14th July 2021. The report to Full Council made it clear that at any point up until the public inquiry, the Council could withdraw its objection either in whole or in part and in fact it was our hope to be able to do so, if negotiation with Network Rail was able to resolve matters satisfactorily. Section 239 power relates to submitting an objection or consent to a local Bill it does not directly relate to transport, infrastructure or planning matters.
- 1.5 Since Council endorsement in July, numerous detailed workshop sessions have been held with Network Rail to cover all issues raised in the Council's Statement of Case. The Council have been fully supportive of Network Rail's proposals and initial concerns raised have now been resolved through extensive and positive negotiations. Officers were satisfied with the outcome of the negotiations and as a result have formally withdrawn the objection and consequently the Council will not attend the public inquiry.
- 1.6 It should be noted that this positive outcome was made possible by Full Council's unanimous resolution on 14th July. Formally objecting to the scheme ensured issues of concern were taken seriously by Network Rail, to the extent that all major issues have been resolved satisfactorily. This is a strong vindication of the overall approach taken.

2 Information to note - Kirklees Negotiations with Network Rail July-October 2021

- 2.1 Since July, technical officers have worked intensively with Network Rail in numerous workshops sessions hosted and arranged by the major projects team to resolve key concerns that were raised in the Council's Statement of Case. These issues related to:

¹ TWAO: Orders under the Transport and Works Act 1992 (the TWA) are used to authorise, amongst other transport, rail schemes in England. The powers that can be given in a TWAO can be very wide-ranging. For example, the promoter of a scheme may need planning permission or compulsory powers to buy land or to close streets. A TWAO, if confirmed by the Secretary of State, can grant these powers.

1. Environment and Biodiversity	Detail of the application stated loss of areas of trees/woodland and associated consideration of biodiversity net gain as per Environment Bill requirements.
2. Climate Change	General considerations around the project's aspirations for net zero carbon in the light of the Council's declaration of a Climate emergency
3. Noise and Air Quality	Works at Hillhouse for a construction compound and how this may impact on residential properties
4. Highways disruption	Key concerns on replacement public transport provision during construction works, congestion around the town centre/Mirfield, diversions of traffic and re-routing of public rights of way. Retaining structures, infill of bridges and landscape maintenance
5. Dewsbury Riverside Housing Allocation	Whilst Officers were of the view that the TRU scheme did not prevent the housing development coming forward, clarification was required regarding the Western Gateway access arrangements and its interaction with the realignment of Calder Road proposed as part of the TRU scheme.
6. A62 Leeds Road Bridge	Consideration of future liability and maintenance of the new bridge and design concerns for the replacement bridge.
7. Operation of Waste/Recycling sites at Emerald Street and Weaving Lane	Continued public and commercial access to these sites are vital during the construction phase and a solution needed to be agreed.
8. Heritage Assets	Considerations around the Huddersfield Conservation Area and how works may impact on the setting and how works directly affect listed structures along the route
9. Development Management	Proposed structures/operations that required planning permission or further detail in their own right out of the scope of the TWA0
10. Minerals and Waste	Clarification required around the restoration and landscaping of Forge Lane Quarry site

3 Outcome of Negotiations

- 3.1 The issues initially raised have now been negotiated away through extensive further working between Council officers and Network Rail using the following mechanisms:

Three legally binding agreements to cover:

- Highways
- Waste operations during construction
- Environment protection and biodiversity

A 'Statement of Common Ground' (SoCG) between the Council and Network Rail which identifies which mechanism has been used to resolve each of our concerns identified in the Council's Statement of Case.

An agreed list of planning conditions (appended to the SoCG) to be attached to the deemed planning consent if/when the Order is granted by SoS. These have been discussed at length during negotiation workshops with Network Rail and have been submitted to the Planning Inspector running the public inquiry.

- 3.2 Without the formal resolution from Council to support the Council's objection back in July, matters that were of concern to Kirklees officers and residents have been afforded increased weight and importance in advanced negotiations with Network Rail, the key driver being to achieve 'common ground' between the two parties. As a result, the agreed SoCG has been submitted to the Secretary of State and identifies where issues initially raised by the Council have now been resolved. In summary, the outcomes for each issue initially raised is as follows:

1.Environment and Biodiversity	Resolved through revised and agreed planning conditions including biodiversity net gain condition, further clarification and legal side agreement (environment protection and biodiversity) including future commuted sum payments to the Council for long term management and maintenance of re-planted areas.
2. Climate Change	Resolved through clarification of information from Network Rail and agreement reached in the SoCG.
3.Noise and Air Quality	Resolved through revised and agreed planning conditions and legal side agreement (environment protection and biodiversity) to protect the amenity of surrounding residents.
4. Highways disruption and design processes	Resolved through legal side agreement (highways) including the establishment of a highways network management group between the Council and Network Rail to oversee a programmed approach to all highway diversions/closures during the lifetime of the project. Protocols agreed via the side agreement as to technical design of new bridge structures and road layouts.
5. Dewsbury Riverside Housing Allocation	Resolved through clarification of information from Network Rail and SoCG. Partnership programme with Network Rail initiated and both parties formally committed to working towards the full delivery of Dewsbury Riverside housing allocation as far as practicably possible.
6. A62 Leeds Road Bridge (structure and liability)	Resolved through legal side agreement (highways) with Network Rail retaining structure and future liabilities for the newly constructed bridge structure
7. Operation of Waste/Recycling sites at Emerald Street and Weaving Lane	Resolved through planning conditions and legal side agreement (waste operations) including agreement with Suez for protection of on-going operations at Emerald Street and Weaving Lane household waste recycling centres during construction and re-configuration of the Weaving Lane site for a temporary period during construction
8. Heritage Assets	Resolved through clarification of information from Network Rail, revised planning conditions and SoCG.
9. Development Management	Resolved by revised and agreed planning conditions attached to the SoCG
10. Minerals and Waste	Resolved through clarification of information from Network Rail and SoCG

- 3.3 As agreement had been reached on all matters attendance at the Inquiry (commencing on 2nd November) meaning that attendance was not necessary or required a delegated decision was made on 19th October 2021 by Strategic Director for Growth and Regeneration with the decision to formally withdraw the Council's objection to the TWAO submission and therefore remove the Council from participation in the public inquiry.

4. Implications for the Council

- 4.1 The main implications for the Council in withdrawing its objections from the public inquiry is that Council officers and their legal advisors no longer need to attend the public inquiry as the Council is satisfied through negotiations that our concerns have been adequately addressed via planning conditions or legal side agreements.
- 4.2 The issues which led the Council to make the formal objection pursuant to Section 239 of the Local Government Act 1972 have been resolved. The Local Government Act does not include the need to revert to Full Council to make a decision about whether to withdraw the objection and not to attend the public inquiry when the issues leading to an objection are resolved. The practical implications of that and its implementation is not a Council (non-executive) power and the delegated decision was made on 19th October 2021.

Working with People

- 4.3 Network Rail has conducted their own engagement with members of the public and statutory consultees as it is their project including a separate meeting at Mirfield Town Council. The Council has responded to two previous TRU consultations. Officers have held individual ward member briefing sessions for those affected along the route and attended a Mirfield Town Council meeting to answer concerns from town councillors.

Working with Partners

- 4.4 The Council has worked extensively with Network Rail and their array of technical consultants to ensure issues/concerns are addressed. Internal teams have held specific workshops to focus on each technical discipline affected by the proposals alongside other relevant external partners for example Suez in relation to household recycling sites and also affected businesses along the route. The Council has worked closely with West Yorkshire Mayoral Combined Authority in our response to the proposals, especially with regard to any impacts on the bus station and impacts in relation to strategic transport schemes/funding.

Place Based Working

- 4.5 The proposals affect Ashbrow, Dalton, Newsome, Greenhead, Mirfield, Dewsbury West and Dewsbury South wards critically during the construction phase. Officers have conducted specific ward member briefing sessions to go through the proposals in relation to each ward. Considerations for the whole district on a strategic level were included in the comprehensive overall response.

Climate Change and Air Quality

- 4.6 The proposals have been considered by the Council's Climate Change and Environmental Services team in the context of climate change and impact on air quality. These have been included in the Council's response to Network Rail's TWAO submission and the Council have highlighted key areas of concern relating to addressing climate change including the design of the new stations and the loss of trees/green infrastructure along the route. These issues have been pursued during negotiations with Network Rail prior to the public inquiry.

Improving outcomes for children

- 4.7 As per the information above, officers have raised technical concerns throughout the process around the health and well-being of Kirklees residents including children.

Financial and Other implications

- 4.8 Continued collaborative working and negotiations with Network Rail to fulfil the provisions of the legal agreements will need to be funded by the Council, however the non-attendance at the public inquiry will now not need additional Council funding. Human resources – Officers in relevant teams are aware of work post inquiry and aware of the work involved in fulfilling the terms of the legal agreements. In terms of project management there are dedicated resources in both Major Projects service and Planning service to lead on fulfilling commitments and discharging planning conditions and, if necessary, extra resources will be procured. In addition, the Council retain Womble Bond Dickinson to provide legal support if required under the WYLA Framework.

Communications

- 4.9 Communications (external) – This is a Network Rail project and communications have been driven by them to date during two previous periods of consultation and the 45-day statutory period for the submission. All relevant landowners/business have been consulted by them as part of the TWAO legislative process.
- 4.10 It was a legislative requirement that the Council ratifies its objection via a Full Council resolution, held after the requisite notice period has been given. A public notice was published 10 days prior to the Full Council meeting (14th July 2021) on 1st July in Huddersfield Examiner, Dewsbury and Mirfield Reporter. Full Council ratified the submission of the objection.
- 4.11 The Council may wish to consider a communications strategy following the outcome of the TWAO inquiry to publicise when construction may commence and what it means for residents.

Integrated Impact Assessment (IIA)

- 4.12 It is considered a full Integrated Impact Assessment (IIA) is not required as the decision to approve the TWAO application rests with the Secretary of State not the Council in this case.

In undertaking continued negotiations with Network Rail, officers are aware of the need to discharge the authority's equality duties with regard to those with protected characteristics and will ensure for example any road or public rights of way diversions take account of this moving forward. In addition, Network Rail will have to comply with the relevant legislation around providing for those with protected characteristics in any scheme design.

Consultees and their opinions

- 4.13 Cllr McBride, and Cllr Firth were briefed on the decision to withdraw the Council's objection on 13th October 2021. Members supported the decision to withdraw the Council's objection to the TWAO submission.
- 4.14 Group Leaders and some Group deputies were briefed on the proposed approach to the Council's response to the TWAO submission on the 18th October 2021. Leaders indicated their support for the withdrawal of the objection and there were no dissenting voices or major concerns raised.
- 4.15 Consultation has taken place internally with a wide array of Council officers who input into planning applications (e.g. Energy & Climate Change, Environmental Services, Conservation and Design, Highways, Landscape, Waste Strategy, Employment and Skills) and officers who determine planning applications (Development Management). Consultation has also been had with the Council's Senior Legal Officer and external legal representatives, as above.

5. Next steps and timelines

- 5.1 It is the intention of officers to continue working with Network Rail and other organisations to fulfil the provisions of the legal side agreements and the discharge of the agreed planning conditions

should the Order be granted at the outcome of the public inquiry. The public inquiry will conclude on 2nd December 2021 whereby the Inspector will provide a timescale for reaching a recommendation on his findings. The inspectors report will then be presented to the Secretary of State for a final decision on whether to grant the Order application.

6. Officer recommendations and reasons

This item is brought to Council for information only and therefore no decision is required.

7. Contact officer

Richard Hollinson
Head of Major Projects
Richard.Hollinson@kirklees.gov.uk

8. Background Papers and History of Decisions:

TWAO Public Inquiry website:

[Inquiry programme - Gateley \(gateleyhamer-pi.com\)](http://gateleyhamer-pi.com)

Network Rail – TWAO submission documentation:

[Huddersfield to Westtown \(Dewsbury\) - Network Rail](#)

Strategic Planning Committee papers (12th May 2021):

[Agenda for Strategic Planning Committee on Wednesday 12th May 2021, 1.00 pm | Kirklees Council](#)

Full Council 14 July 2021

9. Service Director responsible

David Shepherd
Strategic Director for Growth and Regeneration

This page is intentionally left blank

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 21st September 2021

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

Observers: Councillor Bill Armer
Councillor Martyn Bolt
Councillor David Hall
Councillor Yusra Hussain
Councillor John Lawson
Councillor Alison Munro
Councillor John Taylor

Apologies: Councillor Naheed Mather

58 Membership of Cabinet

Apologies for absence were received on behalf of Councillor Mather.

59 Declarations of Interest

No interests were declared.

60 Admission of the Public

It was noted that Agenda Items 11 and 12 would be considered in exempt session (Minute No.s 68 and 69 refer).

61 Deputations/Petitions

No deputations or petitions were received.

62 Questions by Members of the Public

No questions were asked.

63

Questions by Elected Members (Oral Questions)

Cabinet received the following questions in accordance with Executive Procedure Rule 2.3 (2.3.1.6).

Question from Councillor J Taylor

“Does the Cabinet Member feel that the financial outturn report properly reflected the current situation of our finances and the support that has been provided through covid?”

A response was provided by the Cabinet Member for Corporate Services (Councillor P Davies)

Question from Councillor Bolt

“The new road and street works act for highways gives certain criteria under which roads should not be dug up again, eg, a capital reconstruction has a five year period when utilities etc should not dig up the road surface again unless it is an emergency. Do you agree that it is unacceptable for anyone to start digging roads up and wasting expense within those timeframes unless it is an emergency?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Munro

“Please can you tell me when this council intends to mend and resurface the 3200 or so unclassified residential roads across Kirklees?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Lawson

“The warehouse development on Whitehall Road in Cleckheaton puts a lot of emphasis on employment as the redeeming feature of the application. This raises the question about the types of jobs on offer. Do you believe that employment opportunities in Kirklees should be market led or shaped by the Council to fulfil our own ambitions and priorities?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor D Hall

“I ask this question on behalf of a resident, Kay Milligan, who is a business owner in Huddersfield Town Centre, who has concerns about the impact on the town centre caused by any delays in processing covid grants and the application process. She asks ‘can an internal review be conducted giving is information on how much money central government passed to Kirklees and how it was distributed?’

A response was provided by the Cabinet Member for Corporate Services (Councillor P Davies)

Question from Councillor Y Hussain

“How does the library service look to provide a service to vulnerable citizens in Kirklees?”

A response was provided by the Cabinet Member for Corporate Services (Councillor P Davies)

Question from Councillor J Taylor

“How many vacancies do we have any how long has the earliest been outstanding for?”

A response was provided by the Cabinet Member for Corporate Services (Councillor P Davies)

64 Adult Social Care Capital Programme - Knowl Park House and The Homestead Capital Schemes

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

Cabinet gave consideration to a report which sought approval for the re-profile of service capital monies to meet increased cost of schemes at Knowl Park House, Mirfield and The Homestead, Almondbury, and to progress to tender. Cabinet were informed that detailed feasibility of the schemes had identified costs that would exceed the nominal original allocations and the reasons for this were set out at para.2.6 of the considered report.

The report advised that the reprofiling of capital monies would enable progress to be made with the schemes by providing adequate funds from the Adult Social Care Capital Allocation to meet revised anticipated costs following the detailed feasibility stage. It advised that relocation plans were currently in place to vacate both sites by Autumn 2021 in order to allow intrusive surveys to take place pending demolition and that tenders to appoint contractors would take place in (i) autumn for Knowl Park House and (ii) winter for The Homestead, followed by the respective capital outlay reports.

It was noted that, subject to approval, the amendments to budget allocations would be included in quartile two monitoring and that construction on both sites was scheduled for completion in spring 2023.

RESOLVED - That approval be given to (i) the re-profile of service capital monies in order to allow adequate funds to meet revised anticipated costs and (ii) that the schemes progress to tender process.

65 Strategic Property Acquisition - 18-20 Corporation Street/17 Foundry Street, Dewsbury

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

Cabinet gave consideration to a report which sought approval to purchase 18-20 Corporation Street/17 Foundry Street, Dewsbury, and to carry out initial works on the property. The report advised that the grade 2 listed property had been vacant for over two years the proposed reasons for purchase, which included regeneration benefit, were set out at para. 1.4 of the considered report. Cabinet noted that the property occupied a prominent position in Dewsbury Town Centre and that longer term strategic and commercial benefits may arise from the ownership of they key location property.

Cabinet were advised that, subject to approval, once the property had been utilised for The Arcade and Dewsbury Market projects it was anticipated that the property would transfer into the Council's Commercial Estate and let out on a commercial basis.

Appendices 1 and 2 of the considered report set out the red line boundary of the site and marketing information. Appendices 3, 4 and 5 (exempt) provided information relating to the valuation of the property, heads of terms and financial information.

(Cabinet gave consideration to exempt information at Agenda Item 11 (Minute No. 68 refers) prior to the determination of this Agenda item).

RESOLVED –

- 1) That approval be given to the acquisition of the property on the terms as set out in Appendix 4 to the considered report.
- 2) That approval be given to the property being purchased from the Strategic Acquisition Fund.
- 3) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into and execute any agreements or instruments relating to the acquisition of the property.
- 4) That approval be given to the implementation of works to create a new lift/stair core in 18/20 Corporation Street, and that this be funded from the Arcade budget.

66 Waste Disposal - Interim Contract Arrangements

Cabinet gave consideration to a report which set out proposed waste disposal arrangements in terms of an interim agreement with the current waste disposal contractor to (i) align the current service contract with upcoming waste strategy requirements and (ii) prepare the Council for re-procurement of waste disposal services.

The report explained that the current waste disposal contract was in year 24 of a 25 year waste agreement and that the contract focussed upon landfill diversion included a number of waste treatment and disposal facilities operated and maintained by the contractor, Suez Recycling and Recovery Kirklees Limited (Suez), which would revert back to the Council's ownership pion the expiration of the contract.

Cabinet were advised that the new Kirklees Resources and Waste Strategy, as approved by Council on 8 September 2021, would influence future requirements for

waste processing services and that interim arrangements would be required to support the Council to deliver some of the recycling ambitions proposed prior to the contract expiry date. It was noted that the interim agreement would assist with the transition from the current waste disposal services to the requirements of national government, and the benefits of the proposed arrangements were set out at para. 1.7 of the considered report.

RESOLVED –

- 1) That approval be given to Option 1 interim contract arrangements, as set out within the considered report.
- 2) That it be noted that consultation had identified that the flat rate is the preferred option and that it be adopted.
- 3) That it be noted that community education will be improved to help recycling rates into the 90% to 95% diversion rates.
- 4) That authority be delegated to the Service Director (Legal, Governance and Commissioning) in consultation with the Service Director (Highways and Streetscene) to finalise, enter into and execute any appropriate contracts and documentation in relation to waste disposal interim contract arrangements as outlined within the considered report.

67 Exclusion of the Public

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

68 Strategic Property Acquisition - 18-20 Corporation Street/17 Foundry Street, Dewsbury

(Exempt information in accordance with Schedule 12A of the 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 was considered that the disclosure of the information would adversely affect those 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).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 8 (Minute No. 65 refers).

69 Waste Disposal - Interim Contract Arrangements

(Exempt information in accordance with Schedule 12A of the 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 was considered that it would not be in the public interest to disclose the information contained in the report as disclosure could adversely affect overall ability to obtain

Cabinet - 21 September 2021

value for money, compromise the commercial confidentiality and intellectual property of organisations, disclose contractual terms, and impact upon any future legal action that may be required, which is considered to outweigh the public interest in disclosing information including, greater accountability, transparency in spending public money in the Authority's decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 9 (Minute No. 66 refers).

(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Munro, McGuinn and Taylor)

Cabinet considered a report which outlined the work that had been undertaken to develop and deliver a plan for the provision of special school places that would contribute to the long-term sufficiency of specialist provision as part of the wider SEND Transformation Plan.

The report advised that the proposal was for rebuilding and replacing two existing special schools, Woodley School and College and Joseph Norton Academy, with the aim of enhancing and extending already good quality provision. Alongside the rebuild of the two special schools there would also be an increase the amount of Specialist Provision attached to mainstream schools in Kirklees – this would include provision for learners with SEMH and ASD.

Cabinet was advised that the buildings for Woodley School and College and Joseph Norton Academy both required significant modernisation and on-going maintenance costs. The rebuild of the two special school and the investment in physical accommodation would secure the right number of places for Kirklees children, now and in the future as well as providing facilities and spaces that children and young people deserve, matching the quality of education they currently receive.

(Cabinet gave consideration to exempt information at Agenda Item 10 (Minute No. 79 refers) prior to the determination of this Agenda item).

RESOLVED -

- 1) That approval be given for the development, design, tendering and construction of a new SEMH special school building on the Deighton site as detailed in the report with an indicative budget of £15m;
- 2) That approval be given for the development, design, tendering and construction of a new C&I / Autism special school building on the site of the Almondbury site as detailed in the report with an indicative budget of £21m;
- 3) That approval be given to remove the Almondbury site from the PPP1 Contract and delegate authority to the Service Director for Legal, Governance and Commissioning and the Service Director for Development, in conjunction with the Service Director for Finance, to agree to enter into negotiations with Kirklees School Services Limited to agree a Deed of Variation to the Project Agreement and authorise the Service Director Legal ,Governance and Commissioning (or authorised representatives) to enter into and execute on behalf of the Council any appropriate legal agreements ,contracts , instruments and certificates under the Local Government (Contracts) Act 1997 relating to the removal of Almondbury High School from the Grouped Schools PPP1 contract , subject to it remaining within the affordability parameters broadly set out in the public report and private appendix 2;

- 4) That authority be delegated to the Service Director for Legal, Governance and Commissioning and the Service Director for Development, in conjunction with the Service Director for Finance, to enter into negotiations to secure the removal of the telecommunications masts in accordance with the lease(s) or by agreement with the mast providers/tenants to agree the appropriate legal and contractual lease termination and enter into and execute any legal contracts, agreements or instruments on behalf of the Council;
- 5) That the current capital plan outline approval for this scheme of £28m be noted and that approval be given to the revised outline £36m allocation requirement being incorporated into updated capital plans to Budget Council in February 2022, and on the assumption of potential for external funding options to be explored as part of this outline uplift, officers will report back to Cabinet as appropriate, as costings and funding opportunities become clearer over the next 9-12 months as part of scheme development;
- 6) That authority be given, at an appropriate time, for officers to undertake the required non-statutory consultation for the proposed changes to Woodley School and College, working closely with the Governing Body of the school, and prepare a consultation outcome report to be presented back to Cabinet;
- 7) That authority be given for officers to work with Wellspring Multi Academy Trust, providing the support required for them to undertake a local consultation on their proposed changes to Joseph Norton Academy.

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

CABINET

Tuesday 12th October 2021

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

In attendance: Councillor Martyn Bolt
Councillor James Homewood
Councillor Amanda Pinnock
Councillor John Taylor
Councillor Harpreet Uppal

Apologies: Councillor Naheed Mather

82 Membership of Cabinet

Apologies for absence were received on behalf of Councillor Mather.

83 Declarations of Interest

No interests were declared.

84 Admission of the Public

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

85 Deputations/Petitions

Cabinet received a Petition from Angela Howard, representing the residents of Oak Road, which asked Kirklees Council for further clarification around the re-routing of traffic along Oak Road as part of the A62 to Cooper Bridge Corridor Improvement Scheme.

86 Questions by Members of the Public

No questions were received.

87 Questions by Elected Members (Oral Questions)

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

Question from Councillor Bolt

“Can the Leader clarify for myself and the Council, how when and why he and his Deputy asked instinctive partners whose stated business role is to influence, communicate and affect reputation, to hold back on any announcements for the controversial Cleckheaton development until after the elections?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Bolt

“As we are in National Lorry Week, does the Leader agree with me that a pro-active authority should recognise the need for our community and commerce to have efficient transport facilities?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor J Taylor

“This Council’s administration decided to close the Democracy Commission working party. There was work in progress and I was promised a report that would show who was picking up that work and where that work was going to be progressed. I suggested that we hold another meeting of the working group, and yet we still haven’t had a meeting arranged or had any contact about dates. When are we going to see some progress on the Democracy Commission?”

A response was provided by the Cabinet Member for Housing and Democracy (Councillor Scott)

Question from Councillor Bolt

“Can you tell me if you are satisfied that the Council is doing everything in its power to ensure homes are available for families if needed?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor J Taylor

“When place standard was initially introduced, we talked to people who didn’t ordinarily want to talk to the Council. We now seem to have slipped back to doing much more online. We need to hear the voice of people who don’t ordinarily take the time to engage with the Council. How are we going to make the step-change, going back to the principles we started with, so that we don’t let down our communities because we are only hearing those voices that we always hear?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor J Taylor

“I went to the Lindley ward for the launch of the Snow Dog’s initiative by Kirkwood Hospice and I was surprised that there wasn’t more involvement from Kirklees. Can

we talk to our cultural team about what they can do to get behind Kirkwood Hospice and turbocharge this initiative?"

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

Question from Councillor Bolt

"The Secretary of State for Transport is due to announce that he is seeking to make a bid for £50m to improve lorry parks across the country, therefore making the profession more attractive. Will you join me in putting together a bid within Kirklees for this newly announced £50m to see if we can not only improve Dewsbury, but let's have somewhere else in Kirklees for our hard-working lorry drivers?"

A response was provided by the Leader of the Council (Councillor Pandor)

88

A62 to Cooper Bridge Corridor Improvement Scheme

(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Bolt, Homewood, A U Pinnock, J Taylor and Uppal).

Cabinet considered a report which sought approval in principle to the A62 to Cooper Bridge Corridor Improvement scheme, to accept and spend funding from the West Yorkshire plus Transport fund and to agree in principle land acquisition as part of a land assembly.

The report advised that long journey times and poor air quality was experienced in the Cooper Bridge area and on the A644 and A62 nearby. The A62 and A644 had been identified as key routes which, through improvements, could support the creation of jobs in the area, relieve congestion, reduce journey times for general traffic and improve pedestrian and cycling accessibility.

Cabinet was informed that an outline business case had been prepared for submission to the Combined Authority to seek grant funding of £10m to develop the scheme to full business case submission. Cabinet was advised that the proposed scheme would require third party land to enable the construction of a new roundabout and targeted highway widening.

Appended to the considered report were (i) a general arrangement drawing showing the latest scheme design and (ii) the Consultation Outcome Report.

Resolved -

- 1) That approval be given in principle to the scheme.
- 2) That approval be given to accept and enter into any agreement with the West Yorkshire Combined Authority for the funding to work up the A62 to Cooper Bridge Scheme to full business case.

- 3) That approval be given to incur expenditure in the working up of the scheme if the Council's application to the West Yorkshire Combined Authority for funding is successful.
- 4) That authority be delegated to the Strategic Director Growth & Regeneration to negotiate and agree the terms of any agreements that may be necessary to work up the A62 to Cooper Bridge Scheme including the funding agreement with the West Yorkshire Combined Authority.
- 5) That authority be delegated to the Service Director – Legal, Governance & Commissioning to enter into the grant agreement with the West Yorkshire Combined Authority for the funding of the A62 to Cooper Bridge and any other relevant agreements and documents to which the Council is party.
- 6) That authority be given for the acquisition of land in principle as part of a land assembly.
- 7) That it be noted the design team's commitment to work with and place shape the scheme with residents and businesses.
- 8) That it be noted the land negotiations would commence subject to funding approval of the outline business case.
- 9) That it be noted that the project would return to Cabinet to secure authority to make compulsory purchase orders in relation to the scheme, where necessary.

89 Dewsbury Town Deal - Next Steps

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

Cabinet considered a report which outlined the next stage of the Dewsbury Town Invest Plan Project Delivery, which included details of the 9 identified projects that had been agreed in principle.

The report advised that the individual projects were at different stages of development but that the government had set a challenging timetable for delivering the business cases, being 12 months for the 9 projects. As the accountable body, the Council through the assurance process, would be responsible for determining what an acceptable business case would be.

Cabinet was advised that the projects would be overseen by the Dewsbury Town Deal Board and would be managed within the Council by the Dewsbury Blueprint Board, with project approvals being considered by Cabinet as appropriate.

RESOLVED -

- 1) That the details of the identified Town Investment Plan projects be agreed.
- 2) That the assurance process for agreeing / authorising business cases for individual projects be agreed.
- 3) That authority be given to the Strategic Director Growth and Regeneration, in consultation with the portfolio holders for Regeneration and Town Centres, to agree business cases and once agreed submit the required information to the Ministry of Housing, Communities and Local Government (MHCLG) to access the funding required for individual projects.

- 4) That authority be given to the Strategic Director Growth & Regeneration and the Council Section 151 Officer to utilise identified project funds, both council match funds and grant received from MHCLG as part of the Town Deal, to assist in the development of business cases or help facilitate early project delivery.
- 5) That authority be given to the Strategic Director Growth & Regeneration to approve grants of up to £100,000 per recipient to progress Town Investment Plan project delivery.
- 6) That authority be given to the Service Director Legal Governance and Commissioning to finalise and enter into all appropriate contracts, deeds and documents in relation to the receipt of grants from MHCLG.
- 7) That it be noted the engagement of consultants to assist with the development of business cases and the project governance arrangements are noted and agreed for the development and delivery of projects alongside the assurance process.

90 Our Council Plan 2021/23

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

Cabinet considered the 2021/23 'Council Plan' which set out the Council's ongoing commitment to People, Partners, Place, and its Shared Outcomes.

The report advised that the plan set out the Council's approach to recovery following the Covid-19 pandemic, seeing actions being delivered across the short, medium, and long term.

Cabinet was advised that the plan was an overarching one which formed part of the Council's Policy Framework. The Council Plan set out how the Council would deliver against its shared outcomes and identified how it would shape its work in the coming years.

RESOLVED -

- 1) That approval be given for the 'Achieving our Outcomes' report and recommend it to Council for approval at its meeting on 13 October 2021.
- 2) That approval be given for the priority actions for incorporation into the Council Plan as the Cabinet's priorities.
- 3) That approval be given for the Council Plan and recommend it to Council for approval at its meeting on 13 October 2021.
- 4) That in consultation with the Leader of the Council, authority be given to the Chief Executive to make any required amendments.

91 Financial Assistance for the Kirklees Care Association and Financial support to the local adult care sector

Cabinet considered a report which proposed two key interventions to support the local care market in the provision of care by (i) financial assistance to develop a strategic development partner in the form of a local care association known as Kirklees Care Association and (ii) providing short term funds to help enable providers make the transition to the new longer term market position.

The report advised that in line with the Vision for Social Care, the 'Home First' approach had resulted in the expansion of the local domiciliary care market which provided a greater opportunity to support people to remain in their own homes. It was noted that the predicted future demand for care homes would be for people with more complex support needs, who would stay for a shorter period of time.

Cabinet was advised that the development of a strategic partner in the Kirklees Care Association would allow the Council to build a stronger relationship with a key external partner to support co-produced sector change. It was noted that the hardship and innovation grant support scheme would allow the Council to provide support to providers locally who were seeking to diversify or needed the required investment to improve the range of care available locally.

RESOLVED -

- 1) That authority be delegated to the Strategic Director Adults and Health to administer grant funding up to £119k for the development of a strategic partner in the Kirklees Care Association for the years 2021/22 and 2022/23 and into 2023/24 in accordance with Financial Procedure Rule 22.12 the cost to be borne equally between the Council and NHS Kirklees CCG.
- 2) That authority be delegated to the Strategic Director Adults and Health to design and oversee a hardship and innovation grant support scheme for the local adult social care sector up to £500k from the existing Council budget for 2021/22.
- 3) That Cabinet notes the broader pressures in the care home system.

92

Proposal for delivering more affordable homes through Right to Buy (RTB) buyback

Cabinet considered a report which outlined the issues with the Right to Buy buyback programme and sought approval to introduce a capped negative Net Present Value under certain circumstances when purchasing properties from the open market.

The report advised that approximately 200 council homes were lost through the Right to Buy each year, impacting on the Council's ability to rehouse those most in need of affordable housing. The Council had found it challenging to grow its housing stock through the purchase of Right to Buy buyback properties due to house price increases, meaning the Council could not exercise the right of first refusal as it could not offer market value for many properties.

Cabinet was advised that approval to purchase properties with a negative Net Present Value would help meet increased demand for affordable housing within Kirklees, including specialist housing for particular groups such as Afghan refugees, people with physical disabilities and existing tenants who needed to relocate.

RESOLVED -

That approval be given to property purchases with a negative Net Present Value as set out in Table 1 of the report and include in the 30-year business plan.

93 Update of the medium term financial plan 2022-23 and following years

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

Cabinet considered a report which set out the financial planning framework for subsequent development of budget proposals for consideration at Budget Council for the financial year 2022/23, and future years.

The report advised that Cabinet had commenced work to develop the budget for 2022/23 and beyond and would be looking to develop proposals that continued to build on the ambition for inclusive investment that supported Council priorities.

Cabinet was advised of the following amendment to the text of the report; paragraph 1.5.3 delete text '...Huddersfield Market High Street Funding Bid at £18m...' and at paragraph 1.8.6 insert text '...and consider options for the previously unsuccessful Huddersfield Market High Street Fund Bid at £18m...'.

RESOLVED -

In noting that officers would consider options for the previously unsuccessful Huddersfield Market High Street fund bid at £18m;

- 1) That the funding and spend assumptions informing the updated budget forecasts be noted.
- 2) That the current and forecast earmarked reserves and general balances as set out at Appendix B be noted.
- 3) That it be noted that authority be delegated to the Chief Executive and Service Director for Finance, in consultation with the Leader and Cabinet Portfolio Holder, on the preferred option for Business Rates Pool arrangements for 2022/23.
- 4) That the updated multi-year capital budget plans as set out at Appendix D be noted
- 5) That approval be given to the financial planning framework as set out in Section 1.4 of the report.
- 6) That the corporate budget timetable and approach set out at Appendix F be noted.
- 7) That authority be delegated to the Strategic Director Corporate Strategy, Commissioning and Public Health to agree the approach to budget consultation and relevant timescales in consultation with the Portfolio Holder for Corporate Services.

94 Kirklees Council Access Strategy 2021 - 2026

Cabinet received the Council's Access Strategy 2021 - 2026, which had been redesigned given the requirements of citizens and communities had changed following the pandemic and as services recovered.

The report advised that central to the Access Strategy was how it could support several shared outcomes (i) addressing inequalities, building inclusion (ii) working across the life course and in the places that people live and (iii) local capacity building – building on the strengths and local resources.

RESOLVED -

That the Access Strategy 2021-26, as set out at Appendix 1, be approved and be implemented from October 2021.

Contact Officer: Nicola Sylvester

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 24th September 2021

Present: Councillor Yusra Hussain (Chair)
Councillor Steve Hall
Councillor Susan Lee-Richards
Councillor Kath Pinnock
Councillor John Taylor
Councillor Alison Munro

Observers: Councillor Paul Davies, Cabinet Member (Resources)
Councillor Elizabeth Smaje, Chair of Overview & Scrutiny Committee

Apologies: Councillor Melanie Stephen
Councillor Erin Hill (ex-Officio)

1 Membership of the Committee

Apologies for absence were received on behalf of Councillor Mel Stephens and Cllr Erin Hall. Councillor Alison Munro substituted for Councillor Paola Davies.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the meeting held on 13 August 2021 be approved as a correct record.

3 Declarations of Interest

There were no declarations of interests.

4 Admission of the Public

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

5 Deputations/Petitions

There were no deputations or petitions received.

6 Public Question Time

No public questions were submitted.

7 Corporate Customer Standards Annual Report 2020-21

The Committee received a report on Corporate Customer Standards 2020-21. The report updated the Committee on complaint issues and performance during the previous year.

The report was informed by the Local Government Ombudsman Annual Report which was published in July 2021. The report incorporated information about third stage complaint handling, some key examples of learning and a summary of the Whistleblowing concerns that had been received.

The ultimate sanction that the Local Government Ombudsman could apply was to issue a formal report against a Council. Those were usually issued where a matter was very serious and had a number of process issues to consider and resolve. In 2020-21 there were no formal reports issues against Kirklees Council.

Ombudsman upheld complaints were similar to previous years. It was noted that the Ombudsman was closed for new complaints for 3 months of the year and it was difficult to consider what impact the pandemic had on complainant behaviour.

Kirklees Council was approximately 19% of the West Yorkshire total and attracted a proportionate rate of referrals. Fewer upheld complaints were received than anticipated by population.

Learning from complaints was noted, the Committee was informed that working with complaint matters across the council increased learning from complaints.

RESOLVED –

- (i) That the Committee recognise the excellent work of the Complaints team,
- (II) That the report be noted

8 Annual report on Bad Debt write-offs 2020-21

The Committee received a report on Bad Debt write-offs 2020-21. Overall write-offs for 2020-21 were less than 2019-20 with some debt showing in future years due to very little debt recovery throughout the pandemic. It was noted that there was restricted enforcement recovery during the pandemic due to being unable to attend court. No recovery took place on business rates due to the team processing payments of government grants to businesses.

Although debt recovery was down, it was felt that was not a true reflection due to the pandemic and would be reflected in 2021-22.

There was a difference in finance write offs due to many debts raised in 2020-21 that weren't raised in 2019-20. Adult Social Care had been targeted, there was a dedicated recovery team that pursued Adult Social Care historical debt, that had been targeted for write off.

The Housing Revenue Account and Council Tax write offs were significantly reduced, which was a reflection of the pandemic. A provision in the accounts had been made for outstanding debts.

RESOLVED –

- (i) That benchmarking figures for write-offs in other Local Authorities be provided in future reports
- (ii) That the report be noted

9 Committee System Proposal

The Committee considered a report on Committee System Proposal. On 8th September 2021 Council approved the Corporate Governance and Audit Committee to determine the next steps in relation to the motion to consider a committee system governance model.

The Committee was asked to appoint an independent advisor Mark Edgell, who was from the Local Government Association to work with Councillors, beginning with an informal session of the committee to determine the next steps of the proposal and to establish a clear timetable.

RESOLVED –

- (i) That Mark Edgell be appointed to advise and work with the committee on the review process
- (ii) That an informal meeting be arranged with the Committee to meet Mark Edgell to discuss the key work areas, the timetable for the key milestones and timetable of work required.

10 Annual Governance Statement 2020-21

The Committee received a report seeking the approval of the 2020/21 Annual Governance Statement signed off by the Chief Executive and Leader of the Council. The Statement covered 2020/21 and up to the date at which the Annual Statement of Accounts was approved. The Statement concluded that overall the governance arrangements remained fit for purpose. It was reported that the draft Statement had been noted at the August meeting of this Committee and had remained largely unchanged, albeit reflecting feedback and issues raised then as appropriate.

It was explained that the statement had been compiled following the annual review of the effectiveness of the overall internal control and governance arrangements and was based on a number of forms of assurance which had been presented to various parts of the Council during the year. It was reported that a number of significant governance issues had been highlighted, all but one were brought forward from the 2019-20 statement, reflecting both the wide-ranging nature of the issues and action required, as well as the unique impact of the pandemic.

The actions and controls the Council was taking were contained within an Action Plan that accompanied the statement. It was reported that the Action Plan would be the subject of internal monitoring, with reporting back to Executive Team during 2021/22.

RESOLVED - That the Annual Governance Statement 2020/21 be approved.

11 External Audit Findings Report 2020-21

The Committee received the External Audit Finding Report, for year end 31 March 2021, as submitted by Grant Thornton.

It was reported that Grant Thornton's audit work was completed remotely during July to September 2021 and the findings were summarised within the report. The Committee was advised that the report was a draft and the final report would be shared with the Committee at a later meeting. At this stage Grant Thornton had not identified any adjustments to the financial statements that result in an adjustment to the Council's Comprehensive Income and Expenditure Statement, Balance Sheet or General Fund. It was anticipated that the audit report opinion would be unmodified and unqualified, with reference to the material estimation uncertainty disclosure in the financial statements regarding property valuation as a key audit matter.

During discussion of this item, Councillor John Taylor stressed the importance of Members updating their Interests.

RESOLVED - That the External Audit Findings Report be received and noted.

12 Council's Final Accounts 2020-21

The Committee received a report on the final accounts and audit processes for 2020/21 which sought Committee approval of the Council's Statement of Accounts for 2020/21 and a final version of the Annual Governance Statement.

The preparation of the Statement of Accounts was a statutory requirement and local authorities were normally required to have them signed by the section 151 Officer by 31 May and published with an Audit Certificate by 31 July, following the end of the financial year. However, in a sector-wide response to the consequences of the COVID-19 pandemic and noting the recommendations from the Redmond Review, the statutory deadline for the production of the unaudited Statement of Accounts for 2020-21 was revised. For the Council the revised deadline was 31 July. The accompanying deadline for the completion of the audit was also amended to 30 September 2021.

It was reported that there were no queries or objections raised in the six week public inspection period and that Value For Money formed part of the audit process which was now 3 months later. The date was now December 2021.

A discussion took place regarding the Council's reserves, it was agreed that a paper on the Council's reserves would be taken to Corporate Scrutiny Panel with members of this Committee being invited.

RESOLVED – That the Committee approves:

(i) The Statement of Accounts 2020/21 incorporating the Annual Governance Statement (Appendix A), with the Chair certifying the Statement of Responsibilities on page 22 upon completion of the audit.

(ii) The Letter of Representation (Appendix B), with the Chair signing it on

behalf of the Committee upon completion of the audit.

13 Financial Reporting Council Audit Quality Review on Grant Thornton

The Committee was asked to consider a quality review by the Financial Reporting Council on the council's external auditor, Grant Thornton.

In accordance with their routine selection of audits, the Financial Report Council's Audit Quality Review (AQR) team had completed a review of the audit. The report set out the scope of the review, the assessment of the quality of the audit work reviewed, any key findings and any examples of good practice that AQR sought to draw out from the inspection.

The Audit Quality Review had reviewed and assessed the audit of the financial statements and the conclusion on the Value for Money arrangements only. The Audit Quality Review had not assessed the adequacy of the entity's financial controls of financial reporting.

The details of the work and conclusions were provided in a private appendix, in accordance with the Financial Reporting Council's standard arrangements for confidentiality.

RESOLVED: That the Committee notes (following consideration of the private appendix) the conclusions of the Financial Report Council.

14 Exclusion of the Public

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

15 Financial Reporting Council Audit Quality Review on Grant Thornton

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

The Committee noted the exempt information, which was an appendix to Agenda Item 13.

This page is intentionally left blank

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Tuesday 28th September 2021

Present: Councillor Elizabeth Smaje (Chair)
Councillor Andrew Cooper
Councillor Andrew Marchington
Councillor Harpreet Uppal
Councillor Habiban Zaman

23 Membership of Committee

All Members of the Committee were in attendance.

24 Minutes of Previous Meeting

The minutes of the meeting of the Committee held on 3rd August 2021 were agreed as a correct record

An update was provided in relation to the item on 'Our Council Plan' (Minute 21), as follows:

- The latest draft had been discussed at an informal Corporate Scrutiny Panel the previous day. Councillor Cooper, Chair of the Panel, reported that the item had generated lots of valuable and varied contributions to influence the final version.
- In respect of the issues identified by the Overview and Scrutiny Management Committee, it was reported that:
Local spend and support for local businesses: the refresh of the Kirklees Economic Strategy, supported by a revised Economic Recovery Plan, would provide the opportunity to identify actions to help build a more inclusive economy.
Customer experience / access to services: the Corporate Scrutiny Panel would be receiving a report, at a later date, in respect of the ongoing work to support customer access to services.

25 Interests

No interests were declared.

26 Admission of the Public

All items were considered in public session.

27 Deputations/Petitions

The Committee received a deputation on behalf of Kirklees Cycling Campaign in relation to the progress report on the Climate Emergency and the Net Zero Road Map.

28 Public Question Time

Questions were asked by Alison Abbott, representing the Save Our Spen Group, in relation to:

- (i) the intentions of the Council in terms of identifying those areas of the district that are already suffering from high levels of pollution and high levels of hospitalisation of people with respiratory issues, and if so, once identified, the plans to influence any increase in these pollution levels in specific areas.
- (ii) what the Council's vision was in terms of ensuring that this district never sees a case like Ella Adoo-Kissi-Debrah, the young girl that had air pollution named as a cause of death.

The Chair explained that the questions were more relevant to the remit of Cabinet than Scrutiny but she would ask the responsible officer to provide a written response and that this would then be reported back to the Committee Members. She also explained that the Council's Air Quality Annual Status Report for 2021 would be submitted for consideration by Scrutiny, in due course.

Councillor Will Simpson, the Cabinet Member responded to the second question.

29 Climate Emergency and Net Zero Road Map Progress Report

The Committee received a report which provided updates in respect of:

- (i) The Climate Emergency and Phase 1 climate emergency actions.
- (ii) The Council's annual internal carbon emissions reporting, against the 40% reduction target set in 2010
- (iii) The development of the Council's road map to becoming carbon neutral by 2038;
- (iv) The Kirklees Climate Commission

Councillor Will Simpson, the Portfolio Holder for Culture and Greener Kirklees, introduced the aspects of the report relating to the Climate Emergency, Phase 1 actions and carbon reduction projects highlighting the following:

- The on-line Youth Climate Festival held in March 2021, with an estimated one thousand participants, and the associated follow-up actions.
- The Kirklees White Rose Forest Programme; aiming for a 35% increase in canopy cover across the district by 2050; largely completed by 2038 with 10% delivered on Council land by 2026.
- Progress in respect of the transition of the Council's fleet to electric vehicles, including charging infrastructure.
- Work on the publicly accessible electric vehicle charging infrastructure across the district, to encourage adoption of electric vehicles.
- Free/lower rate parking offer for electric and low emission vehicles on Council-run car parks.
- Development of the Huddersfield Heat Network.
- Council Housing projects in the district; including pilot schemes in respect of new-build and retrofit to existing properties.

Overview and Scrutiny Management Committee - 28 September 2021

John Atkinson, Project Manager (Energy and Climate Change) from the Environment and Climate Change Team gave a presentation highlighting the following points:

- The background and current position in respect of the district's net-zero road map. The consultation draft was expected to be completed by late 2021/early 2022.
- The scale of the challenge for Kirklees in reducing its carbon emissions.
- The routes for meeting the target, split into cost-effective and structural change options.
- The proposed next steps, including the development of; a detailed programme of activity, based on the findings of the road map; an effective partnership and collaborative approach; and a communication and culture change strategy.

Shaun Berry, Operational Manager and Martin Wood, Acting Head of Public Protection were also in attendance to answer Members' questions.

Questions and comments were invited from Committee Members, with the following issues being covered:

- In response to a question about the work done since the climate emergency declaration in January 2019 and the declaration of further Air Quality management Areas. it was explained that significant work had been undertaken, particularly in light of the challenging circumstances in the intervening period. For example, the internal 2020 target for reducing carbon emissions by 40% had been exceeded. However, it was accepted that there was much more to do to reach the targets that the Council had set itself and acknowledged that, as the target moved nearer, this may become harder; the 'easy wins' having been taken. Carbon reduction was also something that needed to be undertaken with partners and on a national basis as well as by the Council.
- In respect of the planning and research undertaken to inform the development of a strategic approach to provision of the infrastructure for electric vehicle charging; it was recognised that there was a need to ensure that charging points were put in accessible locations and where they were needed to ensure maximum benefit. A regional spatial study had been undertaken in conjunction with the West Yorkshire Mayoral Combined Authority.
- The current focus was investment into publicly accessible rapid-charging technology and the next phase would be to commission a study to give detailed consideration to the roll-out of on-street residential charging across the district, which would include consideration of those situations where provision might be problematic, such as for terraced properties.
- The progress being made was welcomed.
- If users were experiencing issues with electric vehicle charging points it was suggested that any concerns be relayed to officers and the Portfolio Holder.
- In response to questions about the reasons for the Passivhaus scheme being a pilot and the limit on the number of properties, it was explained that there had been no significant building of council housing in the district for some time and living in a Passivhaus meant a major change in lifestyle; there were also associated additional costs both initially and for ongoing monitoring.

- The view was expressed that it would be good for the Council to be bold and ambitious with the development of low-carbon and Passivhaus on council-owned housing sites.
- It was suggested that consideration should be given to full adoption of the Greenhouse Gas Accounting Tool, which should allow better benchmarking.
- Further to a question around how much of what had been achieved to date was due to national de-carbonisation, it was reported that this was one third.
- In terms of WYMCA projects it was questioned how the Council could ensure that these would not be detrimental to its objectives and ambitions in terms of carbon emissions and the role of the Climate Commission in looking at these large strategic projects.
- There was currently no standard for carbon impact assessments and how and when they had to be done. The Combined Authority was working on producing a standard so there would be a standard methodology by which projects could be assessed. The Climate Commission had been asked to take a role in this.
- In respect of free parking for electric vehicles and lower emission vehicles, it was confirmed that all electric vehicles could park for free on council-owned car parks and hybrid vehicles would pay 50%; this had been publicised via the Council's digital communications channels and a press release.
- The retrofit pilot scheme was welcomed, and it would be good to see this scaled-up, if additional funds were available at regional level.
- It was likely that a bigger impact could be achieved through deep retrofitting existing properties than building new properties and this would be an important consideration in prioritising.
- In respect of the impact of Heavy Goods Vehicles (HGVs) and public transport on pollution, and progress in this area; it was explained that the electric technology for HGVs was not as advanced as for smaller vehicles and a watching brief was being kept on developments. Progress had been made in terms of electrification in respect of trains and there had been significant improvement in the age, quality and carbon impact of buses in the district. Bus improvement strategies were being developed at West Yorkshire level and Kirklees fed into this in terms of air quality and carbon reduction impact, with officers in the Major Projects Team being actively involved in this work.
- The Council acted as a consultant to recommend and encourage the use of innovative solutions as part of major projects, to future proof development and try to ensure that when the technology was available, the necessary infrastructure was in place.

Further to a presentation giving a brief background to the establishment of Climate Commission and progress to date, including the recruitment process for commissioners; Professor Peter Roberts, the Chair of the Climate Commission joined the Committee to introduce himself and speak about his vision for the Commission and the expected next steps:

- There was a desire to work with everyone in Kirklees to bring about a better climate change proof future for all.
- The Commission had adopted a supportive, practical and proactive approach and aspired to be a source of independent advice, guidance and evidence.

Overview and Scrutiny Management Committee - 28 September 2021

- A range of sub-groups had been established to assist public bodies, companies, local community groups and the voluntary sector to deal with the challenges of combating climate change. These groups were formed of Commissioners and co-optees, with a very wide range of expertise, skills and experience and would develop guidance based on best practice.
- The Commission's approach would include reviewing plans, strategies and proposals to ensure that they did not add to the burden of dealing with existing climate change.
- Commissioners would work alongside the relevant parties to ensure that all new developments were planned and constructed to climate change proof standards.
- The Commission would look to identify 'quick wins', with benefits additional to the mitigation of climate change, and to build links with adjacent authorities which would be beneficial to Kirklees and help avoid the export or import of climate change associated problems.

Questions and comments were invited from Committee Members, with the following issues being covered:

- The Climate Commission was welcomed as a great resource for the district.
- In response to a question about the independence of the Commission, it was acknowledged that it may be preferable to establish independent support for the Commission, in time. It was considered that the Commission's independence would be demonstrated by it having a sound basis for its views and not being afraid to express them. The role of providing a critical friend was very important.
- The Commission would be as open and transparent as possible and listen to all interested parties; the Commission was for everyone in Kirklees.
- Active travel had been highlighted as a key area of focus in the road map and the relevant Commission sub-group would also be well placed to consider this issue. There was a need to encourage modal shift and behaviour change and work would be undertaken with residents and local communities to bring this about.
- There was a need to consider how walkable, cyclable, sustainable local communities could be created, formed and supported and how the need to travel could be minimised.
- In terms of the need for capacity building in the voluntary, community and education sectors, this was essential and was why the sub-groups were working towards identifying best practice and how this could be applied in communities. This guidance would also help in addressing the challenges within the road map in a pro-active and positive way. One of sub-groups had been tasked with considering communications and connecting with the wider community.
- In terms of the three-year term of office for commissioners, it was anticipated that the Commission would have a rolling work programme and commissioners could be offered two terms of office, or perhaps more in exceptional circumstances. There would be a need to build and retain experience; Some of the sub-groups had co-opted members which would assist in succession planning and one of the sub-groups would focus on engagement with young people.

Overview and Scrutiny Management Committee - 28 September 2021

- It was considered that communication should be a two-way thing and the Commission would welcome the views of, and engagement with, the different areas/ communities and interest groups in Kirklees. This involvement and input would be actively sought.
- The proposed approach to engagement was welcomed; it was important that this was accessible and also that it incorporated a diversity of experience and voices from across Kirklees.
- It was acknowledged that there would be need to reflect all communities of Kirklees and also the diversity within communities. This was recognised to include issues such as income and opportunities as well as ethnicity or gender.
- The economic case for investment was evident and there was a need to undertake cost benefit analysis of projects to address climate change issues; most such studies to date had shown that correctly figured solutions tended to come out as carbon positive and cost positive.
- There was no fixed position at this point in respect of the holding of engagement events; the formal launch of the Commission in November would be the first and anyone who wished to be involved would be very welcome so that the Commission could learn what their priorities were and what obstacles they faced in acting now.
- In conjunction with the Combined Authority funding was being sought for a COP26 related event, along with the five other West Yorkshire local authorities, to run a series of small events on projects taking place across the districts and Kirklees intended to showcase the development and establishment of the Climate Commission.

RESOLVED –

(1) That the Chair of the Climate Commission, Cabinet Member and officers be thanked for their attendance and presentations to the Committee.

(2) That officers update the Chair in respect of the Air Quality Annual Status Report for 2021 and Kirklees net zero road map.

30 Work Programme and Agenda Plan 2021-22

The Committee noted the current Work Programme and the date of the next meeting; 9 November 2021.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL
STANDARDS COMMITTEE

Wednesday 15th September 2021

Present: Councillor Erin Hill (Chair)
Councillor Martyn Bolt
Councillor Alison Munro
Councillor Mohan Sokhal
Councillor Michael Watson

In attendance: Mr Mike Stow

Apologies: Councillor James Homewood
Councillor Lesley Warner

1 Membership of the Committee

Apologies for absence were received from Councillors Homewood and Warner.

2 Minutes of Previous Meetings

RESOLVED – That the Minutes of the meetings held on 29 March and 19 May 2021 be approved as a correct record subject to the amendment of attendees on 19 May 2021 to indicate that Councillor Hill (Chair) and Councillor Warner were present, in place of Councillor E Firth and Councillor Lukic respectively.

3 Interests

Councillor Bolt and Councillor Munro declared 'other' interests in Agenda Items 6, 7 and 8 in their capacities as a Member of Mirfield Town Council and Kirkburton Parish Council, respectively.

4 Deputation/Petitions

No deputations or petitions were received.

5 Public Question Time

No questions were received.

6 Code of Conduct complaints update

The Committee gave consideration to a report which provided an update on complaints received against Councillors since the previous Committee meeting on 29 March 2021. The report advised that 11 complaints had been received relating to alleged breaches of the Code of Conduct, 9 of which related to Kirklees Councillors and 2 which related to Town or Parish Councillors. One of the complaints had been submitted by a Councillor, and the rest had been submitted by members of the public.

The Committee were advised that 5 of the complaints were not progressed after initial assessment and that the remaining 6 complaints were currently being investigated. It was noted that, in terms of an update on the 12 complaints submitted to the previous meeting, 3 had now been formally resolved, 4 were to progress to Assessment Panel, 1 would be dismissed and 4 were being reviewed by the Monitoring Officer and Independent Person.

The Committee noted the information presented and discussion took place with regards to investigation resource implication in cases where Town and Parish Councils may have adopted a code of conduct that is different to that adopted by the Council. It was noted that, within the Kirklees area, all of the Town and Parish Councils except Denby Dale, applied the Council's Code of Conduct. The Committee recognised that further debate with regards to the application of Code of Conduct would take place at Agenda Item 8 (Minute No.8 refers).

RESOLVED – That the report be received and noted.

7 Cases and News Update

The Committee received a report which provided an update on matters arising in terms of local government ethics, including relevant case law and decisions of other local authorities, which were set out at paragraph 2.2.

The report also provided an update on the work of the Committee on Standards in Public Life following on from the report on 'Ethical Standards in Local Government'. It was noted that the Local Government Association had now published guidance on their model Code of Conduct, which was set out at Agenda Item 8 (Minute No. 8 refers) and that the results of a consultation exercise that had been undertaken were currently being reviewed.

The Committee noted the report and discussion took place with regards to para. 2.1.8 of the report which indicated that two disabled councillors at York City Council had been prevented from voting in an accessibility debate as they had been considered to have a prejudicial interest. The Committee advised that they would be interested in any further information that could be provided as to any actions or decisions that had since been taken arising from this incident, and the Monitoring Officer confirmed that she would share any further information that she could obtain with Committee Members.

RESOLVED – That the report be received and noted.

8 Local Government Association (LGA) Model Code of Conduct

The Committee gave consideration to a report which presented the Local Government Association Model Code of Conduct and sought the decision of the Committee as to the adoption of the Code, which was attached at Appendix A of the report.

The Committee were asked to give consideration to either (i) the adoption of the code in full (ii) the adoption of the code in part or (iii) the retention of the Council's own code. The report set out both the advantages and disadvantages of each of the options. The report advised that the Model Code was based upon best practice

recommendations made by the Committee on Standards in Public Life. It was noted the main change in the code is that it is written in the first person in order to reinforce the obligations of the Elected Member.

Discussion took place with regards to the options as set out in the report, in terms of which would be the most appropriate model for the Authority to adopt. It was agreed that there were aspects of the Council's existing code that it was felt provided greater clarity and the Committee considered that it was important for such elements to be retained, particularly in relation to 'other interests'.

RESOLVED –

- 1) That the proposal as set out at para. 5.1.3 of the report be endorsed and that a further report be submitted to Corporate Governance and Audit Committee with regards to the adoption of a modified version of the LGA Code of Conduct which incorporates elements of the Council's Code of Conduct.
- 2) That, pursuant to (1) above, a report be submitted to the meeting of Corporate Governance and Audit Committee on 26 November 2021 for consideration of the proposal.

9 Update on the Appointment of Independent Persons
(Mr M Stow left the meeting during the consideration and determination of this matter.)

The Committee gave consideration to a report which provided an update on the appointment of Independent Persons and sought approval to make a recommendation to Council to (i) reappoint the current independent person and (ii) appoint a further independent person.

It was noted that authority had previously been granted in May 2019 for the Monitoring Officer to appoint a second independent person, pursuant to the recommendation of the Committee on Standards in Public Life to have at least two independent persons, but that the appointment had been delayed. It was also noted that the current independent person's term of office was shortly due to expire, and it was proposed that they be reappointed for a period of two years.

RESOLVED –

- 1) That the re-appointment of Mr Mike Stow as Independent Person for a period of two years be endorsed and that a report be submitted to the meeting of Council on 13 October 2021 proposing the reappointment.
- 2) That the Monitoring Officer be asked to undertake a recruitment process for the appointment of a second Independent Person.

This page is intentionally left blank

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 23rd September 2021

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Charles Greaves
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Jackie Ramsay
Councillor Mark Thompson

Apologies: Councillor Mohan Sokhal

1 Membership of the Committee

Councillor Jackie Ramsey substituted for Councillor Mohan Sokhal.

2 Minutes of the Previous Meeting

The minutes of the meeting of the Committee held on 26th August 2021 were agreed as a correct record.

3 Declaration of Interests and Lobbying

Councillor Bellamy advised that she had been lobbied in relation to Application 2021/91571.

4 Admission of the Public

All items on the agenda were taken in public session.

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations were received.

7 Site Visit - Application No. 92488

Site visit undertaken.

8 Site Visit- Application No. 91571

Site visit undertaken.

9 Planning Application - Application No. 2021/92488

The Committee considered Application 2021/92488 relating to the erection of a clinical building to accommodate a new accident and emergency department, associated vehicular access, car and cycle parking spaces, plant and landscaping at Huddersfield Royal Infirmary, Acre Street, Lindley, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Anna Basford and Mark Staniland (on behalf of the applicant).

RESOLVED -

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to complete the list of conditions, including those contained within the report and the update, as set out below:

1. Three years to commence development
2. Development to be carried out in accordance with the approved plans and specifications
3. Material samples to be provided
4. Development done in accordance with Arboricultural Method Statement
5. Notwithstanding submitted plans, landscaping with tree replanting to be submitted, alongside planting management and maintenance for planting.
6. Implementation of the agreed noise mitigation measures
7. Limitation of noise from fixed plant and equipment
8. Provision of a construction environmental management plan (CEMP)
9. Car parking management plan
10. Construction Management Plan (CMP)
11. Assistance call point to be provided.
12. Cycle facilities shown to be provided.
13. Full technical details on foul, surface water and land drainage to be provided.
14. Management and maintenance of drainage infrastructure
15. Details of temporary surface water drainage arrangements during construction
16. Clarification on electric vehicle charging point type and provision
17. Remediation and validation reports to be undertaken
18. Strategy for securing minimum 10% ecological net gain alongside management and maintenance
19. No removal of vegetation within bird breeding season without survey
20. Installation of the external lighting, as detailed in the external lighting strategy document,

together with additional conditions in respect of the height of the wall between the drop off zone and the entrance; and the assessment of the potential for the re-location of the trees that are to be removed.

A recorded vote was taken in accordance with Council Procedure Rule 42 (5) as follows;

For: Councillors Bellamy, Greaves, Hall, Pattison, Pinnock, Ramsey and Thompson (7 votes)

10 Planning Application - Application No. 2021/91571

The Committee considered Application 2021/91571 relating to the erection of residential development of 125 dwellings (revised layout) on land to the south of The Lodge and north of Church Lane, Linthwaite, Huddersfield.

Strategic Planning Committee - 23 September 2021

Under the provisions of Council Procedure Rule 37, the Committee received representations from Ben Stirling, Barry Heap and Dave Edwards (in objection) and Stephen Hughes (on behalf of the applicant).

RESOLVED -

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to complete the list of conditions, including those contained within the report, as set out below:

1. Three years to commence development
2. Development to be carried out in accordance with the approved plans and specifications
3. Submission of a Construction (Environmental) Management Plan
4. Submission of details of temporary drainage measures
5. Submission of details of temporary waste collection and storage (should development be phased, and/or dwellings become occupied prior to completion of the development)
6. Provision of site entrance and visibility splays prior to works commencing
7. Submission of details relating to internal adoptable roads and crossings
8. Cycle parking provision to be provided within the site
9. Provision of electric vehicle charging points (one charging point per dwelling with dedicated parking)
10. Implementation of air quality mitigation measures
11. Implementation of sound insulation measures, including additional requirements relating to units 27 to 32 and 36 to 46
12. Submission of ventilation scheme in relation to noise
13. Provision of waste storage and collection
14. Submission of details of attenuation basin
15. Submission of full details of flood routing
16. Submission of an Intrusive Site Investigation Report (Phase II Report)
17. Submission of Remediation Strategy
18. Implementation of Remediation Strategy
19. Submission of Validation Report
20. Submission of details of crime prevention measures
21. Submission of details of electricity substation
22. Submission of details of external materials
23. Submission of details of boundary treatments (including details of 2m high boundary treatment to the curtilage of unit 1, in accordance with Sport England's request)
24. Submission of details of how public access to land at the site's south corner would be restricted, in accordance with Sport England's request
25. Submission of details of external lighting
26. Submission of details of paths parallel to Church Lane
27. Submission of full details of open space and playspace
28. Submission of full landscaping details, including details of tree planting, and details of covenants regarding street tree retention
29. Biodiversity enhancement and net gain
30. Submission and implementation of an Ecological Design Strategy
31. Removal of permitted development rights,

together with an additional condition in respect of the increase in floor space of the five non-compliant units, so that all meet the National Design Space Standards, without moving closer to existing adjacent dwellings,

and subject to the inclusion of a requirement for consultation with local residents within the Construction (Environmental) Management Plan,

and to secure a Section 106 agreement to cover the following matters:

1. Affordable housing – 125 affordable housing units to be provided in perpetuity.
2. Open space – Off-site contribution of £173,180 required to address shortfalls in specific open space typologies.
3. Education – £424,606 contribution required.
4. Undeveloped land – No ransom scenario to be created.
5. Sustainable transport – Measures to encourage the use of sustainable modes of transport, including a £63,938 financial contribution, implementation of a Travel Plan and £10,000 towards Travel Plan monitoring.
6. Management – The establishment of a management company for the management and maintenance of any land not within private curtilages or adopted by other parties, and of infrastructure (including surface water drainage until formally adopted by the statutory undertaker).
7. Biodiversity – Contribution (amount to be confirmed) towards off-site measures to achieve biodiversity net gain.
8. Traffic Regulation Order – Funding of TRO relating to parking restrictions outside Church Lane site entrance, and provision of double yellow lines.

In the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution then the Head of Planning and Development shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the mitigation and benefits that would have been secured; if so, the Head of Planning and Development be authorised to determine the application and impose appropriate reasons for refusal under delegated powers.

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

For: Councillors Hall, Pattison, Pinnock and Ramsey (4 votes)

Against: Councillors Bellamy and Thompson (2 votes)

Abstain: Councillor Greaves

11 Planning Application - Application No. 2021/90980

Application for the partial demolition and change of use of the existing public house to offices, redevelopment of the public house car park, erection of new storage units/workshop and associated alterations (within a Conservation Area) at Pennine Industrial Equipment Ltd, Manorcroft Works, Commercial Road, Skelmanthorpe, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Paul Matthews (Agent).

RESOLVED -

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to complete the list of conditions, including those contained within the Committee report and the planning update, as set out below:

1. In accordance with the approved plans
2. Development to begin within 3 years
3. The works to former pub to be complete before occupation of new units
4. Building 8, as per the submitted site plan, is to be of a B8 use only
5. Prior to construction beginning, a noise report to be submitted
6. Hours of operation for buildings 5, 6, 7 and 8 to be 0730-1800 Monday to Saturday, 0800-1300 Sundays and Bank Holidays
7. Areas surfaced and drained accordingly
8. Before occupation of the development, the former pub access is to be closed permanently
9. Construction working hours to be 07.30 to 18.30 hours Mondays to Fridays, 08.00 to 13.00 hours Saturdays, with no noisy activities on Sundays or Public Holidays
10. Before groundworks commence, the Submission of a Phase 1 Preliminary Risk Assessment Report is required
11. If applicable after condition 11, the submission of a Phase 2 Intrusive Site Investigation Report
12. If applicable after condition 12, the submission of Remediation Strategy
13. Implementation of the Remediation Strategy
14. Submission of a Validation Report
15. Electric Vehicle Charging Point for at least 10% of non-residential parking spaces
16. Drainage details to be submitted prior to groundworks commencing
17. Carried out in accordance with submitted tree information
18. Trees to be removed out of nesting season (outside of February until August)
19. Bird nesting boxes as shown on plans to be provided prior to occupation of the new buildings
20. Details of the native hedgerow as shown on the proposed site plan, including details of species mix, height and maintenance provisions to ensure the hedgerow is beneficial in terms of its value to biodiversity and visual amenity, shall be submitted and approved prior to work commencing on the superstructure. This shall include a maintenance schedule.
21. New units to be used ancillary to the existing site and not to be rented out or sold separately.

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

For: Councillors Bellamy, Greaves, Hall, Pattison, Pinnock, Ramsey and Thompson (7 votes)

This page is intentionally left blank