

Public Document Pack

Kirklees Council



Main Hall - Town Hall, Huddersfield

Tuesday 4 July 2023

Dear Member

The Council will meet on Wednesday 12 July 2023 at 5.30 pm at 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

To agree and authorise the Mayor to sign the Minutes of Annual Council held on 24 May 2023.

1 - 8

4: Declaration of Interests

9 - 10

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 item, 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/or deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the Public must submit a deputation in writing, at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

7: Public Question Time

To receive any public questions.

In accordance with Council Procedure Rule 11, the period for the asking and answering of public questions shall not exceed 15 minutes.

Any questions must be submitted in writing at least three clear working days in advance of the meeting.

8: West Yorkshire Combined Authority - Minutes

11 - 50

To receive the Minutes of the Meetings of the West Yorkshire Combined Authority held on 8 December 2022, 2 February 2023 and 8 December 2023.

9:	Pay Policy Statement (Reference from Personnel Committee)	51 - 70
	To consider the Annual Pay Policy Statement.	
	Contact: Shauna Coyle, Head of People Services	
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10:	Council Financial Outturn and Rollover Report 2022/2023 (Reference from Cabinet)	71 - 152
	To consider the report.	
	Contact: James Anderson, Head of Accountancy	
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11:	Council Plan (Reference from Cabinet)	153 - 166
	To consider the report.	
	Contact: Stephen Bonnell, Partnerships and Corporate Planning	
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12:	Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons	167 - 168
	To receive written questions to the Leader, Cabinet Members and Chairs of Committees and Nominated Spokespersons in accordance with Council Procedure Rule 12.	
	A schedule of written questions will be tabled at the meeting.	
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13:	Minutes of Cabinet and Cabinet Committee - Local Issues	169 - 218
	To receive the Minutes of (i) Cabinet held on 21 December 2022, 17 January 2023, 14 February 2023, 21 February 2023, 14 March 2023 and 11 April 2023 and (ii) Cabinet Committee - Local Issues held on 19 December 2022.	
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14: Holding the Executive to Account

- (a) To receive a portfolio update from the Leader of the Council.
 - (b) To receive oral questions/comments to Cabinet Members on their portfolios and relevant Cabinet Minutes;
 - The Leader of the Council (Councillor Pandor)
 - The Deputy Leader of the Council/Housing and Democracy Portfolio (Councillor Scott)
 - Children's Portfolio (Councillor Kendrick)
 - Culture and Greener Kirklees Portfolio (Councillor Mather)
 - Corporate Portfolio (Councillor P Davies)
 - Environment Portfolio (Councillor Ahmed)
 - Health and Social Care Portfolio (Councillor Khan)
 - Learning, Aspiration and Communities Portfolio (Councillor Pattison)
 - Regeneration Portfolio (Councillor Turner)
 - Transport Portfolio (Councillor E Firth)
-

15: Minutes of Other Committees

219 -
414

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

16: 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):

- Appeals Panel (Councillor Reynolds)
- Corporate Governance and Audit Committee (Councillor Homewood)
- Corporate Parenting Board (Councillor Kendrick)
- Health and Wellbeing Board (Councillor Kendrick)
- Licensing and Safety Committee - including Licensing and Regulatory Panel (Councillor A U Pinnock)
- Overview and Scrutiny Management Committee (Councillor

- Smaje)
- Personnel Committee (Councillor Pandor)
 - Planning Sub Committee - Heavy Woollen Area (Councillor Lowe)
 - Planning Sub Committee - Huddersfield Area (Councillor Ullah)
 - Scrutiny Panel – Childrens (Councillor Cooper)
 - Scrutiny Panel – Environment and Climate Change (Councillor Ramsay)
 - Scrutiny Panel – Growth and Regeneration (Councillor Hussain)
 - Scrutiny Panel – Health and Adult Social Care (Councillor Armer)
 - Standards Committee (Councillor Crook)
 - Strategic Planning Committee (Councillor S Hall)
 - Kirklees Active Leisure (Councillor Sokhal)
 - West Yorkshire Combined Authority (Councillor Pandor)
 - West Yorkshire Combined Authority Transport Committee (Councillor Anwar)
 - West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
 - West Yorkshire Joint Services Committee (Councillor H Zaman)
 - West Yorkshire Police and Crime Panel (Councillor H Zaman)
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17: Motion submitted in accordance with Council Procedure Rule 14 as to the Ending of the Practice of Using Council Street Furniture for the Displaying of Election Posters

To consider the following Motion in the names of Councillors Taylor and D Hall;

“This Council notes that:

The ‘Election Campaign Material Policy’ (last updated 24 January 2023) currently allows for small posters to be placed on the authority’s lamp posts.

The use of election posters on street furniture is mixed across Kirklees and political parties and there is no discernible correlation between those areas where posters are used and increased engagement or turnout. The policy distracts both Police and Council resources in needing to police it and where posters are used it can leave a place looking very untidy, especially when posters become defaced, damaged or start to peel. There are also issues about fairness in that posters cannot be installed in areas where streetlights are hosted in other ways, such as on telegraph poles, which means some more rural parts of the borough do not have the

same level of Council support.

Their use is often hotly objected to by residents, especially where the poster is from a candidate the resident does not support, generating further work for Council Officers. Whilst there was a place for this type of advertising in the past, the current proliferation of media which are open to candidates to communicate their message to the electorate means that this is no longer the effective medium it may have been.

Furthermore, the Council does an excellent job in letting the public know when there is an election, and does so through a wide variety of media, as does the press, social media and political parties.

Removing the ability to erect posters on Council owned assets allows the following benefits:

- Reduces workload for Council staff and Police.
- Reduces the use of single use plastic (cable ties), which are often left to pollute the environment or remain around the lamppost.
- Frees up time for candidates and activists to engage with the public directly.
- Removes the health & safety issues and road safety issues associated with the erection and removal of posters. Frees up election expenses to be used to communicate directly with the electorate.

This Council therefore resolves to update the 'Election Campaign Material Policy' to remove the ability for parties to use Council street furniture for the displaying of election posters."

18: Motion submitted in accordance with Council Procedure Rule 14 as to Renewable Energy

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

"This Council believes;

That, if Kirklees is to play its part in achieving the Paris Climate targets, meet its net zero target by 2030 and address the cost of living crisis, we need to reduce energy demand through energy efficiency measures such as retrofitting homes and other buildings; and to significantly raise the amount of energy we produce from renewable sources.

Having more of our energy produced from renewable sources helps us control costs by having secure forms of energy generated locally.

Energy security means that the UK is less at the mercy of dubious and undemocratic regimes with poor human rights records that are often the suppliers of fossil fuels.

This Council resolves to ask Kirklees Cabinet to:

i) Conduct an audit of the potential for renewable energy installations and energy efficiency measures on all Council land and property, draw up a priority list for installations based on the most potential to save energy and generate clean energy, and present it to the Cabinet within 6 months.

ii) Develop a financial case to install solar photovoltaics on all new build Council owned buildings where technically feasible, recognising that integrated roof systems are cheaper to install than retrofitting solar systems after construction

iii) Create a Local Area Energy Plan for Kirklees that has the buy-in of the wider community and lead a local area energy planning process that involves both the network operators and other key stakeholders, including developers, energy experts and community energy groups

iv) Investigate establishing strategic partnerships with renewable and energy efficiency installers to help ensure certainty on cost and delivery of measures and report back to Full Council within 6 months.

v) Maximise external funding to finance installations using Government, WYMCA and any ethical sources.

vi) Encourage wider community investment in local renewable energy projects through a range of measures including but not limited to Community Share Offers and Municipal Bonds

vii) Develop a proposal for a compelling offer for private householders and Landlords to support the installation of solar photovoltaics and high cost energy efficiency measures.

viii) Encourage best practice in Planning to support renewable energy installations by developers and to create a low carbon energy supply;.

ix) Encourage renewable and energy efficiency skills by establishing links and relationships between our partners in the Renewable

Energy and Energy Efficiency sectors with appropriate local training and education providers.

x) Ensure training opportunities and new skills are included in all projects and contracts related to energy efficiency and renewables should include commitments from contractors on providing training opportunities and new skills for local people. Funding from WYMCA to support training and skills should be utilised to support this proposal.

xi) The Council should require new energy generation projects of 5MW or above to have at least 5% local ownership.”

19: Motion submitted in accordance with Council Procedure Rule 14 as to Local Government Pay to Council : A Fully Funded, Proper Pay Rise for Council and School Workers

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

“This Council notes:

Local government has endured central government funding cuts of more than 50% since 2010. Between 2010 and 2020, councils lost 60p out of every £1 they have received from central government. Councils across England are now facing a collective funding gap of £2.4bn for the financial year 2023/24 and a cumulative funding gap of £4.08bn for 2024/25 according to UNISON research.

Councils led the way in efforts against the Covid-19 pandemic, providing a huge range of services and support for our communities. Local government has shown more than ever how indispensable it is. But Covid has led to a massive increase in expenditure and loss of income, and as we emerge from the pandemic, local authorities and schools need far more support from Westminster. Recent funding announcements from the Government relating to schools did nothing to help.

Council and school workers kept our communities safe through the pandemic, often putting themselves at considerable risk as they work to protect public health, provide quality housing, ensure our children continue to be educated, and look after older and vulnerable people.

Since 2010, the local government workforce has endured years of

pay restraint with the majority of pay points losing at least 25 per cent of their value since 2009/10. Staff are now facing the worst cost of living crisis in a generation, with inflation hitting 10% and many having to make impossible choices between food, heating and other essentials. This is a terrible situation for anyone to find themselves in.

At the same time, workers have experienced ever-increasing workloads and persistent job insecurity. Across the UK, 900,000 jobs have been lost in local government since June 2010 – a reduction of more than 30 per cent. Local government has arguably been hit by more severe job losses than any other part of the public sector.

There has been a disproportionate impact on women, with women making up more than three-quarters of the local government workforce.

Recent research shows that if the Government were to fully fund the unions' 2023 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits and tax credits, and increased consumer spending in the local economy.

This Council believes:

Our workers are public service super-heroes. They keep our communities clean and safe, look after those in need and keep our towns and cities running.

Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.

Local government workers deserve a proper real-terms pay increase. The Government needs to take responsibility and fully fund this increase; it should not put the burden on local authorities whose funding has been cut to the bone and who were not offered adequate support through the Covid-19 pandemic.

This Council resolves to:

Support the pay claim submitted by UNISON, GMB and Unite on behalf of council and school workers, for an increase of RPI + 2% and in order to enable the Council to do that, asks Cabinet to;

- (i) Call on the Local Government Association to make urgent representations to central government to fund the NJC pay claim
- (ii) Write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government
- (iii) Meet with local NJC union representatives to convey support for

the pay claim and consider practical ways in which the council can support the campaign

(iv) Encourage all local government workers to join a union.”

By Order of the Council

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

Chief Executive

Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
The Main Hall - Town Hall, Huddersfield on Wednesday 24 May 2023**

PRESENT

The Mayor (Councillor Cahal Burke) in the Chair

COUNCILLORS

Councillor Aafaq Butt	Councillor Adam Gregg
Councillor Adam Zaman	Councillor Alison Munro
Councillor Amanda Pinnock	Councillor Ammar Anwar
Councillor Andrew Marchington	Councillor Andrew Pinnock
Councillor Anthony Smith	Councillor Andrew Cooper
Councillor Bernard McGuin	Councillor Beverley Addy
Councillor Bill Armer	Councillor Carole Pattison
Councillor Cathy Scott	Councillor Charles Greaves
Councillor David Hall	Councillor Darren O'Donovan
Councillor Donna Bellamy	Councillor Elizabeth Reynolds
Councillor Elizabeth Smaje	Councillor Eric Firth
Councillor Graham Turner	Councillor Gwen Lowe
Councillor Habiban Zaman	Councillor Hannah McKerchar
Councillor Harry McCarthy	Councillor Karen Allison
Councillor Imran Safdar	Councillor Itrat Ali
Councillor Jackie Ramsay	Councillor James Homewood
Councillor John Lawson	Councillor John Taylor
Councillor Jo Lawson	Councillor Kath Pinnock
Councillor Lisa Holmes	Councillor Manisha Roma Kaushik
Councillor Mark Thompson	Councillor Matthew McLoughlin
Councillor Martyn Bolt	Councillor Masood Ahmed
Councillor Moses Crook	Councillor Melanie Stephen
Councillor Mohan Sokhal	Councillor Mussarat Pervaiz
Councillor Musarrat Khan	Councillor Naheed Mather
Councillor Nosheen Dad	Councillor Paola Antonia Davies
Councillor Paul Davies	Councillor Paul Moore
Councillor Richard Smith	Councillor Shabir Pandor
Councillor Sheikh Ullah	Councillor Steve Hall
Councillor Susan Lee-Richards	Councillor Timothy Bamford
Councillor Tony McGrath	Councillor Tyler Hawkins
Councillor Viv Kendrick	Councillor Vivien Lees-Hamilton
Councillor Will Simpson	Councillor Yusra Hussain
Councillor Zarina Amin	

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1 To elect the Mayor for the ensuing year

It was moved by Councillor A Smith and seconded by Councillor J Lawson;

‘That Councillor Cahal Burke be hereby elected Mayor of the Council of the Metropolitan Borough of Kirklees for the Municipal Year 2023/2024, from now until his successor accepts office, and has signed the required declaration.’

The Motion, on being put to the Meeting, was **CARRIED**.

Councillor Burke then made the declaration of Acceptance of Office required by law, took the Chair, returned his thanks for his election and named Miss Sinead Burke as his Mayoress for the coming year.

(The Mayor, Councillor Cahal Burke, took the Chair).

It was then moved by Councillor Dad, seconded by Councillor H Zaman and

RESOLVED –

- 1) That the thanks of the Council be tendered to Councillor Masood Ahmed for his service to the Office of Mayor for the 2022/2023 Municipal Year.
- 2) That the thanks of the Council be tendered to Miss Iram Ahmed for her services as Mayoress for the 2022/2023 Municipal Year.

2 To appoint a Deputy Mayor for the ensuing year

It was moved by Councillor Ahmed and seconded by Councillor Pandor;

‘That Councillor Nosheen Dad be hereby appointed as Deputy Mayor of the Council of the Metropolitan Borough of Kirklees for the 2023/2024 Municipal Year.’

The Motion, on being put to the meeting, was **CARRIED**.

3 To approve as a correct record and authorise the signing of the Minutes of the Ordinary Meeting of the Council held on 8 March 2023

RESOLVED – That the Minutes of the Meeting of Council, held on 8 March 2023, be approved as a correct record.

4 Interests

No interests were declared.

5 Announcements by the Mayor and Chief Executive

The Chief Executive advised of the official return of Councillors following the local district elections, held on 4 May 2023, as set out at Agenda Item 5.

The Mayor welcomed all Councillors to the new municipal year, and welcomed newly elected Councillors, namely Councillors Ali, Amin Addy, Bellamy, McKerchar, Moore and Safdar.

Council received tributes to former Councillor Michael Watson, who had not been re-elected and had represented the Denby Dale ward from May 2015.

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The Mayor advised Council of the death of former Councillor Fran Perry who had represented the Ashbrow Ward. Tributes were paid by Councillors Pandor and Homewood.

6 **To receive any apologies for absence from Elected Members**

Apologies for absence were received on behalf of Councillors D Firth, Loonat and Sheard.

7 **Proposed Revisions to Contract Procedure Rules (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain and seconded by Councillor Taylor and

RESOLVED – That the proposed changes to Contract Procedure Rules, as set out at Appendix A of the report, be approved.

8 **Proposed Revisions to Financial Procedure Rules (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain, seconded by Councillor Taylor and

RESOLVED –

- 1) That approval be given to the amendments to Financial Procedure Rules, as set out at Appendix 1 of the considered report.
- 2) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to make any consequential amendments to financial policies and/or constitutional references.

9 **Changes to the Council Constitution (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain, seconded by Councillor Taylor and

RESOLVED –

- 1) That the changes made to the Constitution during the 2022/2023 municipal year, as set out at Appendix 1, be noted.
- 2) That approval be given to the proposed changes to the Constitution as set out at paragraphs 2.07, 2.13, 2.15, 2.21-2.42, 2.44 and 2.46, and the accompanying appendices subject to the following amendments to Council Procedure Rules as set out at paragraph three of Appendix 1; (viii) Council Procedure Rule 10(2) Paragraph 2.24 – deadline for receipt of a deputation to be amended to three clear working days notice (ix) Council Procedure Rule 10(4) – sustainability of a deputation shall be determined by the Chief Executive in consultation with the Mayor and (x) Council Procedure Rule 10(5) – remove (5) with consequential amendment to 10(6), and renumbering accordingly (xi) Council Procedure Rule 10(8) – remove and renumber accordingly (xii) Council Procedure Rule 10(9c) – redraft of wording (xiii) Council Procedure Rule 11(1) paragraph 2.28 – deadline for receipt of public questions to be amended to three clear working days notice and (xiv) Council Procedure Rule 12 paragraph 2.33 – written questions, be amended to three clear working days notice.

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- 3) The changes as set out at paragraphs 2.16, 2.17, 2.43, 2.48 and 2.49 of Appendix 1 be noted.
- 4) That it be noted that the Constitution will continue to be reviewed.
- 5) That the proposed work in relation to the Member Officer Protocol (Appendix 1, Paragraph 2.65) be noted.
- 6) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to make appropriate amendments to the Constitution, including consequential changes.

10 **Proposed Amendments to Overview and Scrutiny (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain, seconded by Councillor Taylor and

RESOLVED –

- 1) That approval be given to the proposed changes as set out at Appendix 1 (paragraphs 2 and 3) of the considered report.
- 2) That, pursuant to (1) above, authority be delegated to the Service Director (Legal, Governance and Commissioning) to make appropriate changes to the Constitution.
- 3) That the update on the implementation of the recommendations of the Kirklees Democracy Commission in relation to the review of governance models be noted.
- 4) That it be noted that a report reviewing the workings of the new scrutiny arrangements will be submitted to Corporate Governance and Audit Committee during March 2024.

11 **Appointment of Committees, Boards and Panels**

It was moved by Councillor Sokhal, seconded by Councillor R Smith and

RESOLVED – That approval be given to the establishment of the Committees, Boards and Panels, as listed within the considered report, in accordance with the Council's Constitution.

12 **Allocation of Seats**

It was moved by Councillor Sokhal, seconded by Councillor R Smith and

RESOLVED –

- 1) That the requirements of Section 15 and 16 of the Local Government and Housing Act 1989 shall not apply to the Corporate Parenting Board, Overview and Scrutiny Management Committee, and Health and Wellbeing Board, for the ensuing Municipal Year.
- 2) That the number and proportion of Members of Committees, Boards and Panels be in accordance with the report as set out at Agenda Item 12.

13 Membership of Committees, Boards and Panels, and Ratio of Substitutes Panel

It was moved by Councillor Sokhal and seconded by Councillor R Smith and

RESOLVED - That the membership of Committees, Boards and Panels, as set out in the tabled report, be approved and that the allocation of any outstanding places on any Committees, Boards and Panels, or subsequent amendments, be delegated to Group Business Managers.

14 Dates and Times of Committees, Boards and Panels

It was moved by Councillor Sokhal, seconded by Councillor R Smith and

RESOLVED - That the dates and times of meetings of Committees, Boards and Panels for the 2023/2024 municipal year be in accordance with the schedule as set out at Agenda Item 14.

15 Appointment of Members to Joint Authorities

It was moved by Councillor Sokhal and seconded by Councillor R Smith and

RESOLVED –

- (1) That Council appoint the Leader as Kirklees Council's Elected Member for the WYCA, with the Deputy Leader as the WYCA Substitute Member and notes that these members will also be appointed to the WYCA Governance and Audit Committee and the WYCA Finance, Resources and Corporate Committee.
- (2) That Council delegate authority to the Chief Executive, in consultation with Group Leaders, WYCA's Managing Director and other West Yorkshire Chief Executives, to appoint the 3 additional Members to WYCA and their substitutes, so that the 8 constituent council members taken as a whole reflect the balance of political parties for the time being among members of WYCA's constituent councils, so far as reasonably practicable.
- (3) That Council delegate authority to Group Business Managers to nominate members to WYCA's Transport Committee, 4 members; 2 Ordinary, 1 Transport Engagement Lead, 1 Transport Portfolio Holder.
- (4) That Council delegate authority to Group Business Managers to nominate three members to each of the three WYCA Scrutiny Committees; Corporate Overview and Scrutiny Committee, Economy Overview and Scrutiny Committee and Transport Overview and Scrutiny Committee. (Any nominated member may act as a substitute for another member, from the same district and party, on any of the three committees. If any member does not have another member from the same party and district then they may nominate a named substitute).
- (5) That Council delegate authority to the Chief Executive, in consultation with Group Business Managers to:
 - a. confirm any relevant Portfolio Holder to be appointed, or
 - b. make any additional nomination

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to any WYCA Committee or Panel, as requested by WYCA after this Council's annual meeting. Kirklees has 1 place (for the Portfolio Holder or most appropriate Member) on each of the five-WYCA Committees:

- (i) Business, Economy and Innovation Committee
- (ii) Climate, Energy and Environment Committee
- (iii) Place, Regeneration and Housing Committee
- (iv) Employment and Skills Committee
- (v) Culture, Arts and Creative Industries Committee

- (6) That Council delegate authority to the Chief Executive to appoint a local authority representative and substitute to the LEP Board.
- (7) That Council delegate authority to the Chief Executive to appoint a substitute to the Leeds City Region Partnership Committee.
- (8) That in order to fill places on (i) West Yorkshire Fire and Rescue Authority, and its Committees and (ii) West Yorkshire Police and Crime Panel, Council delegate authority to Group Business Managers for determination.
- (9) That Council delegate authority to Group Business Managers to determine the appointment of Elected Members/Representatives to the remaining Joint Authorities not otherwise set out in this report.

16 **Appointments to Outside Bodies and Other Committees**

It was moved by Councillor Sokhal, seconded by Councillor Taylor and

RESOLVED –

- 1) That Council notes that Group Business Managers will put forward nominations to the Service Director – Legal, Governance and Commissioning to fill places or make any adjustments to nominees, as appropriate, following Council.
- 2) That those bodies with executive functions be referred to the Leader of the Council to put forward nominations.
- 3) That, in relation to Yorkshire Purchasing Organisation Management Committee, Council agrees to waive political balance rules which apply in accordance with Section 17 of the Local Government and Housing Act 1989 (this requires approval with no Member voting against);
- 4) That, Council agrees to delegate authority to the Leader to nominate one nominee and a substitute (in consultation with Group Business Managers); and the Leader (in consultation with Group Business Managers) will nominate a Director to the associated Limited Company: YPO Procurement Holdings Ltd.
- 5) That one of the Council Trustees on Kirklees Active Leisure, to be determined by the Group Business Managers, be authorised to represent the

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Council for the purposes of Member meetings pursuant to Section 323 of the Companies Act 2006, to exercise a vote.

17 **Appointment of Spokespersons for Joint Committees and External Bodies**

It was moved by Councillor Sokhal, seconded by Councillor Taylor and

RESOLVED –

- 1) That the nomination of spokespersons to reply to oral questions at meetings of Council on behalf of Kirklees Active Leisure and West Yorkshire Police and Crime Panel, be delegated to Group Business Managers for determination.
- 2) That it be noted that the spokespersons for the West Yorkshire Combined Authority (and its Committees); West Yorkshire Fire and Rescue Authority, and West Yorkshire Joint Services Committee will be notified by those bodies.
- 3) That the appointed spokesperson for the West Yorkshire Joint Adoption Committee be the relevant Cabinet Portfolio Holder.

18 **Appointment of Chairs of Committees, Boards and Panels**

RESOLVED – That Chairs of Committees, Boards and Panels be appointed as follows for the 2023/2024 Municipal Year;

Appeals Panel – Councillor E Reynolds
Corporate Governance and Audit Committee – Councillor J Homewood
Health and Wellbeing Board – Councillor V Kendrick
Licensing and Safety Committee – Councillor A U Pinnock
Overview and Scrutiny Management Committee – Councillor E Smaje
Personnel Committee – Councillor S Pandor
Standards Committee – Councillor M Crook
Strategic Planning Committee – Councillor S Hall
Planning Sub Committee (Heavy Woollen Area) – Councillor G Lowe
Planning Sub Committee (Huddersfield Area) – Councillor S Ullah
Statutory Officer Dismissal Committee – Councillor S Pandor

Scrutiny Panel (Childrens) – Councillor A Cooper
Scrutiny Panel (Environment and Climate Change) – Councillor J Ramsay
Scrutiny Panel (Growth and Regeneration) – Councillor Y Hussain
Scrutiny Panel (Health and Adult Social Care) – Councillor B Armer

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

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

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

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



**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY, 8 DECEMBER 2022 AT COMMITTEE ROOM 1,
WELLINGTON HOUSE, 40-50 WELLINGTON STREET, 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
Councillor Cathy Scott (Substitute)	Kirklees Council
Councillor Rebecca Poulsen	Bradford Council
Mark Roberts	Leeds City Region Local Enterprise Partnership
Councillor Jane Scullion (Substitute)	Calderdale Council
Councillor Andrew Waller	City of York Council

In attendance:

Ben Still	West Yorkshire Combined Authority
Melanie Corcoran	West Yorkshire Combined Authority
Dave Pearson	West Yorkshire Combined Authority
Alan Reiss	West Yorkshire Combined Authority
Angela Taylor	West Yorkshire Combined Authority
Philip Witcherley	West Yorkshire Combined Authority
Caroline Allen	West Yorkshire Combined Authority
Ian Parr	West Yorkshire Combined Authority

50. Apologies for Absence

Apologies for absence were received from Cllr Pandor, Cllr Swift, Cllr Holdsworth, Cllr Jeffery, Cllr Morley, Cllr Robinson, and Cllr Carter.

The Mayor opened the meeting and noted that the impact of inflation upon West Yorkshire remains a key issue for the Combined Authority, and along with all other mayoral combined authorities the Combined Authority is reviewing upcoming projects to ensure sustainable and swift delivery when budget constraints allow. The Combined Authority is working closely with the local authorities to minimise disruption and ensure no part of the region is unfairly impacted.

The Mayor provided an update on her recent meeting with the Transport Secretary, Mark Harper, in which the ongoing issue regarding the number of

cancelled services was raised, and it was stressed that action must be taken by government to address the issues. Further contact has been made with the Secretary of State, with the hope that decisive action is taken in the coming days.

51. Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

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

There were no items that required the exclusion of the press and public.

53. Minutes of the Meeting of the Combined Authority held on 21 October 2022

Resolved: That the minutes of the meeting of the West Yorkshire Combined Authority held on 21 October 2022 be approved and signed by the Chair.

54. Crisis in the Cost of Living and Doing Business

Members received a report from the Director of Strategy, Communications and Intelligence to provide an update on latest economic intelligence and the Combined Authority's response to cost of living crisis.

Economic forecasts predict the UK will experience a recession lasting until 2024, driven by higher energy costs and the war in Ukraine, among other factors. West Yorkshire will be disproportionately affected compared with other UK areas, with around one third of households falling within the poorest 20% of neighbourhoods in England. This means households will spend a higher proportion of their income on energy and essentials, with lower or diminishing savings as the cost-of-living crisis continues. Energy intensive businesses such as manufacturing are also struggling, with approximately 57,000 employees affected and a potential £8 billion in turnover at risk.

Support packages have already been agreed by the Combined Authority, such as the Mayor's Cost of Living fund and the Mayor's Fares scheme, with further support to be agreed. Expressions of interest have already been received from businesses regarding support for decarbonisation and energy saving, and further support is available in the form of financial, housing, and jobs advice, with the aid of local authorities and the voluntary sector.

The Mayor has sent a letter to the Chancellor setting out key priorities for West Yorkshire – help for businesses' energy bills, the delivery of the Northern Powerhouse Rail, and the commitment to a new mass transit system. There are potential opportunities to explore regarding investment zones, as well as a review of the way Mayoral Combined Authorities receive and allocate funding.

Members noted discussions from the recent LEP board meeting, with business owners concerned that inflation and energy bills could still rise for businesses, and the consequences of potential energy blackouts. In research undertaken on the behalf of the Combined Authority, 67% of businesses responded with

concerns about their survival, most of them being small-to-medium enterprises. The LEP board discussed the regional response, emergency grants, support for vulnerable people, and the launch of the Employment West Yorkshire scheme. Members pointed out importance of the voluntary sector and non-profit organisations, and private sector support is available to provide training.

Members questioned if there is capacity to support businesses who have not yet expressed an interest in the available support. Officers confirmed this is the case.

Resolved: That the latest intelligence be noted, the implications of the current economic situation for businesses within the region be discussed, and the action taken so far by the Combined Authority, and the next steps following the Autumn Statement be noted.

55. Inflation - Transport Programmes

The Combined Authority received a report from the Director of Transport Policy and Delivery to approve the pausing of some projects and approve funding for others identified in the report. The same report was presented to the Finance, Resources, and Corporate Committee on 10 November, with total identified savings of £266 million. Officers expressed thanks to the local authority partners authority partners for the joint work.

Officers emphasised that no schemes are being discarded, only paused until the delivery becomes viable. Work will progress outstanding business cases and identifying external funding sources to ensure that schemes are ready for delivery as soon as possible. Officers clarified the three main criteria for reviewing projects – financial viability, deliverability, and timescales. Some projects will be paused in their entirety, and others may only be paused in part.

Members raised concerns that projects are stopped without consulting the affected communities. Officers confirmed that consultation is a part of the business case for each project, with multiple means through which communities are kept up to date. Members noted the importance of their role in communicating with local communities.

Members questioned if schemes from the CRSTS funding stream will be affected, officers responded they are not, however there is a time limit on some funding streams.

Resolved: The Combined Authority approved:

- i) The projects to be pipelined and the Revised Full Funding required to reach the pause decision point, as set out in this report. (Appendix 1).
- ii) The new project indicative / full allocations, as set out in this report (Appendix 2).

- iii) The additional funding requests on projects in WYTF, TCF and CRSTS, as set out in this report.
- iv) The re-baselined based on the milestone information included in the report (Appendix 3 and 4).
- v) That no further approvals for the changes requested will be required through the Assurance Framework and that projects continue on their approval pathways and routes to the next decision point.
- vi) The Combined Authority enters into a Funding Agreement or an addendum to the existing Funding Agreement with the relevant partner for expenditure as detailed in Appendix 1 and 2 and for milestone dates as detailed in Appendix 3 and 4.

56. Business planning and budgets

The Combined Authority received a report from the Director of Corporate and Commercial Services to consider the 2022/23 business forecast, and provide an update on the 2023/24 budget process.

The 2023/24 budget will be aligned with the new directorate structure to support the focus on outcomes and delivery. The Combined Authority's income has not increased in line with inflation, and reviews are being undertaken to identify additional savings and funding. Officers acknowledged the need to manage the cost pressures without increasing the cost for the local authorities. Transport-related costs are especially difficult due to the volatile nature of available funding as well as still-recovering bus passenger numbers, though it is key to maintain the same or better levels of service with the available budget.

Members praised the involvement of the Local Government Association with the Communications review, and requested the outcomes of the review be shared with members. Officers offered to circulate the outcomes, and added that many of the Combined Authority's existing plans were endorsed by the LGA. Discussions have been held regarding additional consultation across the whole Combined Authority in late 2023.

Members queried how cross-boundary services are supported and how relationships with authorities neighbouring West Yorkshire are managed. Officers confirmed that relationships with cross-boundary services are managed in the same way as West Yorkshire services.

Members noted the need for ward members and communities to be informed of new developments. It was noted that there are committees and information channels through which information is distributed. Officers added that operators are required to register any service cuts with the Traffic Commissioner two months in advance, and are required to share the same information with the Combined Authority. Service cuts are shared with the appropriate ward members wherever possible, however cuts are not always able to be shared in the public domain.

Resolved:

- i) That changes to the 2022/23 business plans be approved.
- ii) That the Combined Authority consider the emerging budget for 2023/24
- iii) That input be provided and consideration be given to the emerging outcome led business plans for 2023/24.

57. Culture, Heritage and Sport Framework

The Combined Authority received a report from the Interim Director of Inclusive Economy, Skills, and Culture to approve the final version of the Culture, Heritage and Sport Framework.

Officers informed members the framework has been out for public consultation conducted through the Your Voice platform as well as multiple community events. The majority of the feedback was positive and will help to guide the investment, and further collaboration with external organisations will help to unlock additional funding. The framework targets communities with limited access to cultural events, and the diversity of the sector is growing. Job resilience is an important focus due to the proportion of freelancing jobs within the sector, though since the area is relatively new there are questions regarding how support is measured and evaluated.

The Mayor thanked the Culture, Heritage and Sport Committee members for their input, and noted that the cultural sector in West Yorkshire contributes around £2 billion per year to the economy and continues to grow. There are several cultural events in West Yorkshire to be delivered in the coming months which will bring further development, and emphasised the cultural sector is not just about holding events, as it offers employment, skills, and training for local people.

Members noted the recent meeting of the Culture, Tourism and Sport board was attended by Visit England, and suggested that there would be an opportunity to develop links if they have not yet been made. Officers agreed and responded that conversations are taking place with multiple organisations, and West Yorkshire is an attractive prospect with upcoming cultural events.

Members noted the relatively low levels of feedback received, officers replied that a more detailed report and breakdown of the feedback was presented to the Culture, Heritage and Sport Committee. The Framework was promoted heavily on social media, and the original response deadline was extended due to the passing of Her Majesty Queen Elizabeth II.

Resolved: That the update on the Cultural, Heritage and Sport Framework be noted, and the Framework text in in Appendix 1 be approved for publication.

58. Project Approvals

(a) Investment Priority 4 - Tackling the Climate Emergency and Environmental Sustainability

Members received a report from the Director of Transport Policy and Delivery on the progression of, and approval of funding for schemes. Officers informed the members that projects will now be presented under their associated investment priorities for clearer understanding of how budgets are spent.

Officers introduced the Business Sustainability Package, which aims to support small and medium-sized enterprises to meet their targets to achieve net zero carbon emissions by 2038 through measuring emissions, identifying improvements, and supporting action to reduce emissions.

Members noted the scheme builds upon previous schemes which have already helped to reduce annual emissions of supported businesses by 4,500 tonnes of carbon and reducing their energy bills.

Resolved: The Combined Authority approved that:

- (i) The Business Sustainability Package proceeds through decision point 2 (strategic outline case) and decision point 4 (full business case) work commences on activity 5 (delivery).
- (ii) Approval to the Combined Authority's contribution of up to £10,596,934 is given. The total scheme value is up to £21,946,934.
- (iii) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report and any change requests are delegated to the Climate, Energy and Environment Committee, which will be subject to the scheme remaining within the tolerances outlined in this report.

(b) Investment Priority 5 - Future Transport

Members received a report from the Director of Transport Policy and Delivery on the progression of, and approval of funding for schemes.

Combined Services and Assets Database Replacement

Officers introduced the Combined Services and Assets (CoSA) Database Replacement, which will support sustainable transport by replacing the current IT system and allowing for better management of bus service data.

Members questioned if the new system will resolve ongoing issues with the real-time information screens at bus stops, which would improve commuters' confidence in buses. Officers responded that it is not a direct resolution but will pave the way towards improvements to the information screens. Separate conversations are being had with

operators about how the data used by the real-time information boards can be made more reliable.

TCF - Bradford City Centre Cycling and Walking Improvements

Officers introduced the scheme which is designed to remove traffic in Bradford City Centre, thereby making walking and cycling easier. New public spaces, seating, and artwork will be introduced to improve the area, and new bus hubs, cycle tracks, and pedestrian crossings. Delivery is targeted before the Bradford City of Culture commences.

Members raised concerns regarding disruption to the city centre. Members acknowledged there may be disruption, but the works will ultimately make it more accessible. Officers added that the cost to benefit ratio for the scheme is high when assessed with the Department for Transport criteria, and should bring higher value to Bradford city centre as a destination upon completion.

Resolved:

With respect to the Combined Services and Assets Database (CoSA) Replacement, the Combined Authority approved that:

- (i) The Combined Services and Assets Database (CoSA) Replacement scheme proceeds through decision point 1 (strategic assessment) and work commences on activity 2 to 4 (business justification case).
- (ii) An indicative approval to the Combined Authority's contribution of £615,000. The total scheme value is £615,000.
- (iii) Development costs of £50,000 are approved for development of the business justification case.
- (iv) Future approvals are made in accordance with the assurance pathway and approval route outline in this report and any change requests are delegated to the Transport Committee, which will be subject to the scheme remaining within the tolerances outlined in this report.

With respect to the TCF - Bradford City Centre Cycling and Walking improvements, the Combined Authority approved that:

- (i) The TCF Bradford City Centre Cycling and Walking Improvements scheme proceeds through decision point 3 (outline business case) and work commences on activity 4 (full business case).
- (ii) An indicative approval to the Combined Authority's contribution of £43,166,000. The total scheme value is £43,266,000.
- (iii) Approval to an additional £3,741,000 of development costs is given, taking the total approval to £5,893,500.

(iv) The Combined Authority enters into an addendum to the existing funding agreement with Bradford Council for expenditure of up to £5,893,500.

(v) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report subject to the scheme remaining within the tolerances set out in this report.

59. Committee Appointment

Members received a report from the Head of Legal and Governance seeking approval to appoint Nicky Chance-Thompson, CEO of the Piece Hall Halifax, as the private sector Deputy Chair of the Culture, Heritage and Sport committee.

The report noted that the current Deputy Chair Helen Featherstone has resigned due to taking up a new role from January, and the Mayor expressed her thanks as Chair of the Culture, Heritage and Sport Committee for Helen's contributions during her term.

Resolved: That Nicky Chance-Thompson be appointed to the role of Deputy Chair of the Culture, Heritage & Sport Committee.

60. Director Roles and Appointments

Members received a report from the Chief Executive providing an update on the new directorate structure, to ratify the new appointments of existing directors into new roles, and to approve the creation of two Executive Director roles. The report also provided an update regarding the changes to lead directors for the Combined Authority and thematic committees.

Officers explained that the Combined Authority members had previously taken the decision to approve the new directorate structure, and since then the existing directors have moved into new roles. Two further Executive Director roles will be created and appointed to in due course.

Officers informed the members that Phil Witcherley has been proposed as Interim Director of Inclusive Economy, Skills, and Culture. Melanie Corcoran has also been proposed as Interim Chief Operating Officer. Both roles are on an interim basis while an external substantive recruitment processes take place.

Resolved:

- (i) That the amendment of the organisation's establishment to create the revised senior structure as set out in Figure 1 be approved.
- (ii) That the appointment of existing Directors into revised roles, shown in Table 1 be ratified.
- (iii) That progression to recruitment of all vacant Director posts in the

structure be approved.

- (iv) That the appointment of Phil Witcherley into the post of Interim Director of Inclusive Economy, Skills and Culture, until such time as a substantive appointment is made be approved.
- (v) That the appointment of Melanie Corcoran into the post of Chief Operating Officer from 1 January 2023 on an interim basis, until such time as a substantive appointment is made be approved.
- (vi) That the update to the list of responsible Directors for Combined Authority committees set out in Table 2 be noted.

61. Officer Arrangements

Members received a report from the Head of Legal and Governance containing revisions to the Officer Delegation Scheme, and seeking approval for the Chief Executive to discharge functions to Combined Authority Officers as appropriate.

Resolved:

- (i) That the Officer Delegation Scheme in relation to Non-Mayoral Functions attached as Appendix 1 to the report to be brought into immediate effect, noting that some elements will come into effect from 1 January 2023 as referenced within the Scheme itself.
- (ii) That the Chief Executive be authorised to discharge any functions that the Combined Authority or one of its committees may have delegated outside of the Officer Delegation Scheme to a Combined Authority officer in relation to a specific matter.
- (iii) That it be noted that the Head of Legal & Governance Services will make any consequential revisions to the Constitution and other key documents.

62. Minutes for Information

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

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**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY, 2 FEBRUARY 2023 AT COMMITTEE ROOM 1,
WELLINGTON HOUSE, 40-50 WELLINGTON STREET, 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
Councillor Shabir Pandor	Kirklees Council
Councillor Rebecca Poulsen	Bradford Council
Councillor Jane Scullion (Substitute)	Calderdale Council
Councillor Andrew Waller	City of York Council
Mark Roberts	Leeds City Region Local Enterprise Partnership

In attendance:

Ben Still	West Yorkshire Combined Authority
Melanie Corcoran	West Yorkshire Combined Authority
Angela Taylor	West Yorkshire Combined Authority
Dave Haskins	West Yorkshire Combined Authority
Dave Pearson	West Yorkshire Combined Authority
Alan Reiss	West Yorkshire Combined Authority
Philip Witcherley	West Yorkshire Combined Authority
Caroline Allen	West Yorkshire Combined Authority
Ian Parr	West Yorkshire Combined Authority

63. Apologies for Absence

Apologies for absence were received from Cllr Carter, Cllr Holdsworth, Cllr Jeffery, Cllr Morley, Cllr Robinson, and Cllr Swift.

64. Declarations of Disclosable Pecuniary Interests

Mark Roberts declared an interest in item 9 – LEP Governance, owing to his current position as Interim Chair of the LEP. It was clarified that no decisions on the current meeting agenda are affected, however Interim LEP Chair will not be involved in any future discussions regarding the Independent Remuneration Panel or any decisions it makes.

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

The Mayor noted that appendices 1, 2, and 3 of item 13 were identified as

exempt from 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 appendices 1, 2, and 3 to Agenda item 13 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.

66. Minutes of the Meeting of the Combined Authority held on 8 December 2022

Resolved: That the minutes of the meeting of the West Yorkshire Combined Authority held on 8 December 2023 be approved and signed by the Chair.

67. Business Planning and Budgets

The Combined Authority considered a report from the Director of Finance and Commercial Services to approve the 2023/24 outcome-led business plan, and to consider and approve the proposed revenue budget and transport levy for 2023/24, the revised position for 2022/23, the indicative capital budget and programme and treasury management statement.

Officers noted that much has been achieved, despite the significant budget pressures caused by the ongoing cost of living crisis and other economic challenges. Decisions have already been taken to tackle the budget pressures, including freezing the local authority transport levy, and identifying more efficiency and cost-saving measures. The Combined Authority remains committed to delivering an inclusive economy, embedding equality, diversity, and inclusion, and tackling the climate emergency.

Officers noted the plans on page set out the key aims for each directorate, all of which have a spending plan against which progress will be reported. The presented budget is not without risks, so proposals are being made to ring fence some savings on concessionary reimbursement, to add to savings which have already been identified.

Officers explained that the Bus Service Improvement Plan (BSIP) funding can support the ambitions of the Combined Authority, especially since the existing Bus Recovery Grant funding is expected to end in March 2023. Decisions on this matter will be made by the Transport Committee and update reports will be made to the Finance, Resources and Corporate Committee and Combined Authority.

Officers clarified that this budget is the first to be set around the Combined Authority's new directorate structure. All officers are aware of the budget pressures, though once a more established pipeline of projects is developed the Combined Authority will be ready to take advantage of future opportunities. Members asked if comparisons are made against the plans of other Mayoral Combined Authorities, officers responded that this is the case and further information can be included in future reports. Members requested further

details on what is being spent towards longer-term outcomes, officers responded that further discussions are forthcoming, but that sustainability and income generation are both important to meet long-term aims.

Members raised concerns that the Economy Scrutiny Committee meeting was held in private. Officers clarified that there was an open session of the committee, as well as a private session. The public session was inquorate due to illness and so had to be held as an informal meeting, however the conversations still took place as planned. The Mayor noted the Combined Authority has three separate scrutiny committees which is high among other Mayoral Combined Authorities, and encouraged as many people as possible to view the proceedings of the other committees for a broader understanding of the work of the Combined Authority.

Resolved:

That the outcome led business plans for 2023/24 be approved.

That the revised outturn budget for 2023/24 be approved.

That the indicative capital programme and budget for 2021/22 – 2024/25 be approved.

That in accordance with the powers contained in the Local Government Finance Act 1988 (as amended) and by virtue of article 9(6) of the West Yorkshire Combined Authority Order and the Transport Levying Bodies Regulations 2015 (as amended) a levy of £103 million be determined for the year ended 31 March 2024.

That the Director, Finance and Commercial Services be authorised to issue the levy letter in respect of the financial year ending 31 March 2023 to the five District Councils in West Yorkshire.

That a payment of £5.09 million be made to the five District Councils in accordance with Table 1 of the report.

That authorisation be given to the Director, Finance and Commercial Services to arrange appropriate funding for all expenditure in 2022/23 and 2023/24 subject to statutory limitation, including the most appropriate application of capital funding as set out in the report.

That approval be given to the continuing of the policy, effective from 2017/18, for recovering the Combined Authority costs of managing the capital programme against the capital programme spend being mainly West Yorkshire plus Transport Fund, Transforming Cities, Getting Building Fund, Brownfield Housing, Local Transport Plan Integrated Transport and any schemes developed in year.

That the adoption of the CIPFA Code of Practice for Treasury Management in Public Services be reaffirmed.

That the treasury management policy as set out in Appendix 5 be approved.

That the prudential limits for the next three years as set out in Appendix 5 be

adopted.

68. Pipeline Development Priorities

The Combined Authority considered a report from the Director of Strategy, Communications and Intelligence to endorse proposals for the next phase of development of programmes to support the delivery of the West Yorkshire Investment Priorities and associated outcomes, and to approve in principle £5 million additional capacity funding to support pipeline development within the local authorities.

Officers noted that since 2020, a key focus has been supporting communities and businesses through the pandemic, and similar programmes have also been agreed to tackle the crisis in the cost of living and doing business. Longer-term issues should also be addressed in a sustainable way, so future programmes should wherever possible contribute to more than one investment priority, and also towards one of the aims of growing an inclusive economy, tackling the climate emergency and promoting equality, diversity and inclusion. By identifying which projects meet the criteria the Combined Authority will be able to take advantage of any available and future funding as quickly as possible. Projects that do not meet the criteria can be scaled back or put on hold until they become viable, and all projects will proceed through the assurance framework at the appropriate time.

The Mayor thanked officers for their work in developing the pipeline of project delivery, and noted that there are numerous upcoming cultural projects already under way that will bring employment and training opportunities to many people, and additionally will make a strong case for further investment in the region.

Members asked if the development on investment zones a direct response to the government's proposals, officers responded that it is not directly related as the original proposals have since been withdrawn. The work is undertaken proactively and includes more areas than those suggested by the government which can work cohesively instead of as one predetermined zone.

Resolved:

That the proposed direction of the programmes for development set out above be endorsed. Funding allocations and approvals to spend will be considered as programmes become ready. Any proposals to be brought forward will be progressed in line with the Combined Authority's Assurance Process.

That £5m funding per year from the Single Investment Fund to Local Authorities to support capacity issues and enable pipeline development work to be undertaken against the Investment Priorities be indicatively approved in principle. Full approval will be granted once the project has progressed through the assurance process in line with the Combined Authority's Assurance Process.

That the approval for programme to pass through Decision Point 2, totalling no more than £10m of funding from the Single Investment Fund be delegated to

the Finance, Resources and Corporate Committee.

69. Bus Service Funding Update

The Combined Authority considered a report from the Director of Transport Operations and Passenger Experience to provide an update on current issues affecting bus services in West Yorkshire and the actions to be taken to mitigate these risks and issues in 2023/24.

The Mayor noted that she continues to urge the government for longer-term funding for bus operators outside of London. Without continued funding some operators may need to reduce services, potentially leaving some communities cut off. The Mayor raised that there is not enough funding to cover every at-risk route, and so there is a need to consider how BSIP funding can be used to help stabilise network. Members highlighted the key role that buses play in supporting the local economy, and the Mayor confirmed that a meeting with the Minister for Transport is being arranged, where the issue will be addressed in greater detail.

The Mayor's Fares scheme has been operating for three months, and initial assessments have shown 7.2 million journeys have benefitted, saving passengers roughly £3.6 million. Passenger levels have risen from 81% of pre-pandemic levels to 87%, and more detailed figures will be presented to the Transport Committee. The Mayor expressed thanks to the people of West Yorkshire who have contributed to supporting bus services.

Members questioned the availability of data from the Mayor's fares scheme, officers responded that there had been delays retrieving the data from operators, however a full report will be provided to the members of the Transport Committee. The Chair and deputy Chairs of the Transport Committee are holding ongoing meetings with operators and reporting back to the Transport Committee.

Officers explained there is further information due to be circulated regarding the successful Levelling Up Fund bid of £41 million. The funding will be used to support a wide array of improvements across West Yorkshire including to bus stations and stops, funding to improve access to buses, and funding towards specific schemes which will improve bus priority and encourage active travel.

Members questioned if the bus patronage will increase to pre-pandemic levels, officers responded that bus use by under 19s is growing and is potentially higher than 2019. There are other demographics that have fallen in use, especially for those commuting to work. Use of the free bus pass has also fallen which may be linked to the relative health concerns experienced by bus pass holders.

Resolved: That the actions being taken to manage bus service costs in 2023/24 be noted.

70. Adult Education Budget Rates

The Combined Authority considered a report from the Interim Director of Inclusive Economy, Skills and Culture to provide an update on progress with devolved Adult Education Budget (AEB), to seek approval for an increase to the AEB Funding Rate as recommended by the Employment and Skills Committee, and to seek approval for the proposal regarding Residential Uplift funding.

The Mayor noted that the recommendation made by the Employment and skills committee addresses the government's pre-devolution decision to freeze the funding rate for the last decade. Similar decisions are being taken across the Mayoral Combined Authorities where the AEB is also devolved, and without further funding providers have reported they may scale back or cut their courses entirely.

Members added that the recommendations have arisen as a result of multiple discussions at the Employment and Skills Committee and other conversations with education providers and employers. The Combined Authority has already saved over £1 million in administration fees due which has been put back in to benefitting learners.

Resolved:

That the proposal for an AEB rate increase, as outlined in 2.26 be approved

The decommitment to residential uplift funding, as outlined in 2.36 be approved

71. LEP Governance

The Combined Authority considered a report from the Head of Legal and Governance Services to seek approval to proposed changes to the LEP Constitution and governance arrangements following the approval of the LEP Integration Plan. The report also seeks approval to convene an Independent Remuneration Panel to advise the Mayor and the Combined Authority on the level of allowance for the LEP Chair.

The Mayor noted that the Levelling Up White Paper provided clarity for the role of LEP boards and their integration with Mayoral Combined Authorities. The Combined Authority has now received the approval with no changes, and so the proposed governance arrangements will allow the integration to progress. The Mayor expressed thanks to the private sector members for their input and their support of the LEP, and also to Mark Roberts for his interim leadership so far.

Resolved:

That the proposed LEP governance arrangements as set out in the draft Articles at Appendix 1 and draft Terms of Reference at Appendix 2 and the revised Recruitment and Appointment Procedure for Private Sector Representatives as set out at Appendix 3 for consideration by the LEP Board

at its meeting on 8 March 2023 be endorsed.

Subject to 10.1, the Head of Legal & Governance Services, in consultation with the Mayor and the Chair of the LEP Board as appropriate, be authorised to:

- finalise the Articles, Terms of Reference and the Recruitment and Appointment Procedure
- make such consequential amendments to the Authority's Constitution as are necessary
- set a date from which the proposed changes are brought into effect.

That the Head of Legal & Governance Services be authorised to convene an Independent Remuneration Panel to make recommendations to the Mayor and the Combined Authority as to the allowance that shall be payable to the LEP Chair.

72. Assurance Framework Annual Review

The Combined Authority considered a report from the Interim Chief Operating Officer to report on progress on the annual review of the Leeds City Region Local Framework, and to request the Combined Authority to review and approve the proposed revisions to the Leeds City Region Assurance Framework.

Officers explained that the assurance framework was initially developed in 2015, and is required to be updated annually, incorporating any new government guidance. The amendments include clarifications about the AEB and Multiply funding, and further reviews will be undertaken with a network group for peer review and presented at a future Combined Authority meeting. Members noted the need for partnership in put into the framework, as well as the need for all projects to be delivered at speed and to represent value for money.

Resolved:

The proposed revisions to the Leeds City Region Assurance Framework be reviewed and approved.

That delegated authority be given to the Combined Authority's Chief Executive in consultation with the LEP Chair and the Combined Authority Chair to approve the final Local Assurance Framework, in case any further changes are needed to be made to the Local Assurance Framework prior to its publication.

73. Project Approvals

(a) Investment Priority 1: Good Jobs and Resilient Businesses

Members received a report from the Interim Director of Inclusive Economy & Skills on the progression of, and approval of funding for schemes.

High Growth Enterprise Programme

Members noted the scheme will last for three years, providing support for up to 2,400 new businesses across west Yorkshire with targeted support and advice. Officers added that the scheme builds upon previous successful support packages, and incorporates funding from external sources such as the Prince's Trust to increase the array of eligible businesses.

Digital Enterprise

Officers noted that the Digital Enterprise scheme will support businesses with their growth at a time when the central government has dropped its own 'Help to Grow Digital' programme. Support will be available for up to 450 businesses, with around 30 high-impact grants available for specialist support. The progress of the scheme will be monitored and evaluated alongside providers. Members noted that investment in digital enterprise is crucial to support the development of new jobs, and ensuring West Yorkshire is on the front foot as the sector continues to develop.

Resolved:

With respect to the High Growth Enterprise Programme the Combined Authority, subject to the conditions set by the Programme Appraisal Team, approved that:

- (i) The High Growth Enterprise scheme proceeds through decision point 2 to 4 (Business Justification) and work commences on activity 5 (Delivery).
- (ii) The Combined Authority's contribution of £5,000,000 be given. The total scheme value is £10,352,563.
- (iii) The Combined Authority enters into a Funding Agreement with Leeds City Council for expenditure of up to £5,000,000.
- (iv) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report, any change requests are delegated to the Business, Economy and Innovation Committee. This will be subject to the scheme remaining within the tolerances outlined in this report.

With respect to Digital Enterprise the Combined Authority approved that:

- (i) The Digital Enterprise scheme proceeds through decision point 2 to 4 (business justification) and work commences on activity 5 (delivery).
- (ii) The Combined Authority's contribution of £4,676,147 be given. The total scheme cost is £8,686,772.

(iii) The Combined Authority enters into a Funding Agreement with Leeds City Council for expenditure of up to £4,676,147.

(iv) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report, any change requests are delegated to the Finance, Corporate and Resources Committee. This will be subject to the scheme remaining within the tolerances outlined in this report

(b) Investment Priority 3: Creating Great Places and Accelerated Infrastructure

Members received a report from the Director of Policing, Environment & Place on the progression of, and approval of funding for schemes.

Capital Flood Risk Management Programme

Officers noted that the Combined Authority has previously invested in flooding management. The approval relates to next phase of the programme, developing the business case and identifying further opportunities.

Flood Alleviation Scheme 2

Officers explained this scheme is on-site, however the impact of cost inflations has resulted in delays to delivery.

Members questioned if the schemes provide opportunities for local apprentices, officers responded that they do, and in this case the apprentices are managed by Leeds City Council. The number of apprentices can be disclosed outside of the meeting.

BHF Armley Tower Works

Officers noted that the BHF Armley Tower Works Scheme and Galem House were indicatively approved by the Place, Regeneration and Housing committee at its inquorate meeting on 5 January 2022, and are being presented to the Combined Authority for full approval.

Officers explained the scheme will support 50 affordable homes, including six apprenticeships.

Galem House

Officers explained the scheme will develop 77 new apartments in Bradford city centre. The apartments will all be available for rent and maintained by the developer, creating jobs and apprenticeships. Members asked if the apartments will be affordable rent, officers offered to find out and respond outside of the meeting.

Resolved:

With respect to the Capital Flood Risk Management Programme the Combined Authority approved that:

- (i) The Capital Flood Risk Management Programme proceeds through decision point 1 (strategic assessment) and work commences on the development of individual business cases.
- (ii) Development costs of £113,735 be approved taking the total scheme approval to £113,735.
- (iii) The principal that £10,000,000 of Combined Authority funding is utilised in order to engage and leverage funding from other funding sources and that work commences on the development of individual business cases, which will seek approval through the Assurance Framework.
- (iv) Approval of individual business cases through the Assurance Framework be delegated to the Place, Regeneration Housing Committee.
- (v) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report and where required, any change requests for the Capital Flood Risk Management Programme are delegated to the Place, Regeneration and Housing Committee. This will be subject to the scheme remaining within the tolerances outlined in this report.

With respect to the Leeds Flood Alleviation Scheme 2, the Combined Authority approved that:

- (i) The Leeds Flood Alleviation Scheme (Step 2) scheme proceeds through Decision Point 1 to 4 (business justification) and work continues on activity 5 (delivery), subject to assurances on a two outstanding questions from Government's Department for Business, Energy, and Industrial Strategy (BEIS).
- (ii) The Combined Authority's contribution of £12,565,000 be given. The total scheme cost is £125,826,000.
- (iii) The Combined Authority enters into a funding agreement with Leeds City Council for expenditure of up to £12,565,000.
- (iv) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report. This will be subject to the scheme remaining within tolerances outlined in this report.

With respect to the Brownfield Housing Programme delegation for pipeline of schemes, the Combined Authority approved that:

- (i) The existing delegation, as approved by the Combined Authority in July 2021, to the then Director of Delivery to make changes to the pipeline of schemes in the Brownfield Housing Programme, be transferred to the Director of Policing, Environment and Place.

With respect to BHF Armley Tower Works the Combined Authority approved that, subject to the conditions set by the Programme Appraisal Team:

- (i) The BHF Armley Tower Works scheme proceeds through decision point 2-4 (business justification) and work commences on activity 5 (delivery).
- (ii) The Combined Authority's contribution of £932,775 be given. The estimated total scheme cost is £9,909,032.
- (iii) The Combined Authority enters into a funding agreement with Yorkshire Housing Ltd for expenditure of up to £932,775.
- (iv) Future approvals are made in accordance with the assurance pathway and approval route outlined in the original report. This will be subject to the scheme remaining within the tolerances outlined in the original report.

With respect to BHF Galem House the Combined Authority approved that, subject to the conditions set by the Programme Appraisal Team:

- (i) The BHF Galem House scheme proceeds through decision point 4 (full business case) and work commences on activity 5 (delivery)
- (ii) The Combined Authority's contribution of £1,200,000 be given. The total scheme cost is £9,752,717.
- (iii) The Combined Authority enters into a funding agreement with Trident House Development Limited for expenditure of up to £1,200,000.
- (iv) Future approvals are made in accordance with the assurance pathway and approval route outlined in the original report. This will be subject to the scheme remaining within the tolerances outlined in this report.

(c) Investment Priority 5: Future Transport

Members received a report from the Interim Director of Transport Policy and Delivery on the progression of, and approval of funding for schemes.

Transformational – North East Calderdale

– Officers explained the scheme was originally a part of the West Yorkshire Plus Transport Fund. If approved, the project will proceed to the outline business case and also allow for the development of bus priority measures to prepare the area for larger-scale development.

CRSTS Asset Management and Enhancement Programme and Off Highway Walking and Cycling Network

Officers explained the three City Region Sustainable Transport Settlement (CRSTS) schemes were made possible due to the devolution deal. The Combined Authority has worked closely with the Department for Transport to ensure the funding is used appropriately. The scheme will promote active travel across West Yorkshire through maintenance and development of existing infrastructure.

CRSTS Network Management Renewals and Enhancements

– Officers explained the bid will fund the replacement of outdated traffic control systems. Members highlighted the need to consider the types of replacements used, as other authorities are experiencing difficulties with the supply of necessary components.

CRSTS Safer Roads

Officers explained the aim of the scheme to deliver a variety of traffic-calming measures and active travel enhancements across West Yorkshire. The local authorities will decide upon their own lists of priorities for action, which will be reviewed periodically.

Leeds City Centre – City Square Plus – Thirsk Row

Officers explained the scheme is a part of the Leeds City Square plus scheme, and concerns converting Thirsk Row from a one-way street to two-way operation, which is key to improving the bus routing and improving access for pedestrians and cyclists.

Resolved:

With respect to Transformational – North East Calderdale the Combined Authority approved that:

- (i) The Transformational North East Calderdale scheme proceeds through decision point 2 (strategic outline case) and work commences on activity 3 (outline business case).

(ii) An indicative approval to the Combined Authority's contribution of £4,300,000. The total scheme value is £78,400,000 - £88,100,000

(iii) Development costs of £1,560,000 are approved in order to progress the scheme to decision point 3 (outline business case) taking the total scheme approval to £1,960,000.

(iv) The Combined Authority enters into an addendum to the existing Funding Agreement with Calderdale Council for expenditure of up to £1,960,000.

(v) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report and where required, any change requests are delegated to the Transport Committee. This will be subject to the scheme remaining within the tolerances outlined in this report.

With respect to CRSTS Asset Management and Enhancement the Combined Authority approved that:

(i) The CRSTS Asset Management and Enhancement Programme proceeds through decision point 2 and 4 and delivery continues until the end of quarter 1 of year 2023/24, and work commences on the development of the SOC for year 2.

(ii) An indicative approval to the total CRSTS Asset Management and Enhancement Programme value of £248,000,000 and to the total CRSTS Off Highway Walking and Cycling value of £3,440,000 for Off Highway Walking and Cycling is given.

(iii) An additional £24,800,000 of development and delivery costs for quarter 3 and quarter 4 of the CRSTS Asset Management and Enhancement programme (year 1) be given to provide a total allocation of £49,600,000 for the 2022/23 financial year. For Off Highway Walking and Cycling approval to an additional £344,000 to is given to provide a total allocation for the 2022/23 financial year of £688,800.

(iv) £12,400,000 of development and delivery costs for quarter 1 for the 2023/24 financial year for the CRSTS Asset Management and Enhancement programme be given and approval to £172,000 of development and delivery costs for quarter 1 for the 2023/24 financial year for the CRSTS Off Highway Walking and Cycling.

(v) The Combined Authority enters into addendums to the existing funding agreements with the partner councils of the apportioned £37,200,000 for Q3 and 4 2022/23 and Q1 of 2023/24 financial year for CRSTS Asset Management and Enhancement programme and £516,000 for 2022/23 and Q1 of 2023/24 financial year for CRSTS Off Highway Walking and Cycling, up to the amounts shown below:

Bradford - £7,906,412

Calderdale - £4,979,964

Kirklees - £7,767,932

Leeds - £11,375,332

Wakefield - £5,686,360

(vi) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report and where required, any change requests are delegated to the Transport Committee. This will be subject to the scheme remaining within the tolerances outlined in this report.

With respect to CRSTS Network Management and Enhancement the Combined Authority approved that:

(i) The CRSTS Network Management and Enhancement programme proceeds through Decision Point 2 and 4 and delivery continues until the end of quarter 1 of year 2023/24, and work commences on the development of the SOC for year 2.

(ii) An indicative approval to the total CRSTS Network Management and Enhancement programme value of £25,000,000 be given.

(iii) An additional £1,862,500 of development and delivery costs for quarter 3 and quarter 4 for the CRSTS Network Management and Enhancement programme (year 1) be given to provide a total allocation of £4,362,500 for the 2022/23 financial year.

(iv) Approval to £931,250 of development and delivery costs for quarter 1 for the 2023/24 financial year for the CRSTS Network Management and Enhancement programme (Year 2) be given taking total approval up to £5,293,750.

(v) The Combined Authority enters into addendums to the existing funding agreements with the five partner councils of the apportioned £2,793,750 for Q3 and 4 of 2022/23 and Q1 of 2023/24 financial year taking, up to the amounts shown below:

Bradford - £1,475,000

Calderdale - £280,000

Kirklees - £1,006,250

Leeds - £1,657,500

Wakefield - £ 875,000

(vi) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report. This will be subject to the scheme remaining within the tolerances set out in this report.

With respect to CRSTS Safer Roads the Combined Authority approved that:

(i) The CRSTS Safer Roads Programme proceeds through Decision Point 2 and 4, and delivery continues until the end of quarter 1 of year 2023/24, and work commences on the development of the strategic outline case for Year 2.

(ii) An indicative approval to the total CRSTS Safer Roads programme

value of £25,000,000 be given.

(iii) An additional £2,500,000 of development and delivery costs for quarter 3 and quarter 4 for the CRSTS Safer Roads programme (Year 1) be given to provide a total allocation of £5,000,000 for the 2022/23 financial year.

(iv) £1,250,000 of development and delivery costs for quarter 1 for the 2023/24 financial (year 2) for the CRSTS Safer Roads programme (Year 2) be given taking total approval up to £6,250,000.

(v) The Combined Authority enters into addendums to the existing funding agreements with the five partner councils for expenditure of the apportioned £3,750,000 for Q3 and 4 of the 2022/23 financial year and Q1 of the 2023/24 financial year, up to the amounts shown below:

Bradford: £866,250

Calderdale: £330,000

Kirklees: £693,750

Leeds: £1,297,500 301

Wakefield: £562,500

(vi) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report. This will be subject to the scheme remaining within the tolerances set out in this report.

City Square Plus – Thirsk Row

The Combined Authority approved that:

(i) The change request to approve £939,000 from the CRSTS Fund to progress the Thirsk Row works as part of the City Square Plus scheme to Activity 5 (Delivery), and to extend the delivery timescale to July 2023, is approved.

(ii) The Combined Authority enters into an addendum to the existing Funding Agreement for the City Square Plus scheme with Leeds City Council for expenditure of up to £11,641,000.

(iii) Future approvals are made in accordance with the assurance pathway and approval route outlined in this report. This will be subject to the scheme remaining within the tolerances set out in this report.

74. Governance Arrangements

The Combined Authority considered a report from the Interim Chief Operating Officer to appoint a non-voting advisory representative of the West Yorkshire Housing Partnership to the Climate, Energy and Environment Committee, and to appoint a non-voting advisory representative of the West Yorkshire Business Groups to the Business, Economy and Innovation Committee. Further recommendations seek the appointment an Interim Director of Transport Policy and Delivery, and to consider a recommendation for the use

of the Chief Executive's powers of delegation in cases of urgency.

Officers clarified the nomination of the Climate, Energy and Environment Committee will add to the existing expertise of the membership, and the case is similar for the Business, Economy and Innovation Committee and the role will be filled on a rotating basis. The proposed changes to the Chief Executive delegation would allow for decisions to be taken swiftly in the case of inoperative committees and other emergency reasons.

Resolved:

That a nonvoting advisory representative from West Yorkshire Housing Partnership to the Climate, Energy and Environment Committee be appointed.

That a nonvoting advisory representative of the West Yorkshire Business Groups to the Business, Economy and Innovation Committee be appointed.

That the appointment of Dave Haskins into the post of Interim Director, Transport Policy & Delivery until such time as a substantive Chief Operating Officer appointment is made be approved.

That the Chief Executive be authorised to take decisions which would have been taken by a committee and where, for exceptional circumstances, that committee has been unable to meet, and the decisions are of an urgent nature and cannot wait until the next scheduled meeting.

That the Head of Legal & Governance Services be authorised to make such consequential amendments to the Authority's Constitution as are necessary.

75. CoSTAR Innovation Hub

The Combined Authority considered a report from the Interim Director of Inclusive Economy, Skills and Culture providing an overview of an opportunity to bid for up to £51 million UK Research and Innovation (UKRI) funding to create a national innovation centre in the creative industries and to seek approval to be a participant in the bid. The report also seeks an initial release of funding to progress design and enabling works for the Langthwaite Enterprise Zone site.

Officers clarified that the appendices are exempt due to the commercial sensitivities and competitive nature of the bid. The bid is undertaken in partnership with the University of York, one of the leaders in this field, as well as other partners who cannot be named at present. If successful, the innovation hub will be a centre of innovation excellence in the creative sector, and will complement the existing businesses in the area.

Resolved:

That the participation as a party in the CoSTAR bid and submission of the non-binding letter of support outlining the potential financial support the Combined Authority is providing to the bid (subject to full Combined Authority Agreement and Assurance) provided at Appendix 2 be approved.

That the principles of the draft Memorandum of Understanding (to which the

Combined Authority will be a signatory) outlined at Appendix 3 be approved. Both the letter of support and the Memorandum of Understanding would be in substantially the form attached and subject to further legal input.

The release of £250k in initial resourcing capacity to enter into this bidding process and to enable development of the Langthwaite site, funded through residual Growing Places Fund monies be agreed.

That the indicative funding package for Langthwaite enabling works as detailed in Appendix 1, para 5.1 be noted.

76. Minutes for information

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

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**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY, 16 MARCH 2023 AT COMMITTEE ROOM 1,
WELLINGTON HOUSE, 40-50 WELLINGTON STREET, LEEDS**

Present:

Mayor Tracy Brabin (Chair)	West Yorkshire Combined Authority
Councillor Susan Hinchcliffe	Bradford Council
Councillor Jane Scullion (Substitute)	Calderdale Council
Councillor Shabir Pandor	Kirklees Council
Councillor James Lewis	Leeds City Council
Councillor Rebecca Poulsen	Bradford Council
Councillor Sam Firth	Leeds City Council
Councillor Sue Holdsworth	Calderdale Council
Mark Roberts	LEP Board Representative

In attendance:

Ben Still	West Yorkshire Combined Authority
Melanie Corcoran	West Yorkshire Combined Authority
Dave Haskins	West Yorkshire Combined Authority
Liz Hunter	West Yorkshire Combined Authority
Dave Pearson	West Yorkshire Combined Authority
Kevin Murray	West Yorkshire Combined Authority
Alan Reiss	West Yorkshire Combined Authority
Philip Witcherley	West Yorkshire Combined Authority
Caroline Allen	West Yorkshire Combined Authority
Ian Parr	West Yorkshire Combined Authority

77. Apologies for Absence

Apologies for absence were received from Cllr Jeffery, Cllr Morley, Cllr Swift and Cllr Waller.

The Mayor welcomed Cllr Sam Firth as a new member of the Combined Authority.

The Mayor reflected upon the Spring budget presented by government on 15 March 2023, and welcomed the announcement that West Yorkshire will contain one of 12 investment zones across the UK. Work will be undertaken with government and local partners to design how the investment zone will be implemented.

The Mayor welcomed the announcement of Trailblazer devolution deals which strengthen the existing devolution deals. Trailblazer deals have already been agreed with Greater Manchester and the West Midlands, and the Mayor has already and will continue to make a case for West Yorkshire to be next in line for deeper devolution.

The Mayor welcomed the extension of the domestic energy price cap for a further three months, but raised concerns that there seems to be no additional help for businesses. The confirmation of a second five-year City Region Sustainable Transport Settlement is encouraging and the Combined Authority is anticipating using this to part-fund its mass transit ambitions. The Mayor continues to seek reassurance that the slow-down of work on HS2 will not affect the overall ambition of the project or have a detrimental impact on the region.

Members welcomed the stability for local businesses, but noted businesses still need to be given confidence to make longer-term investment decisions. The increased eligibility for childcare funding will encourage more parents to re-enter the workforce and have a positive impact for businesses. It was noted that government support for LEPs will be withdrawn from April 2024, but the LEP integration work puts West Yorkshire in a strong position to maintain and grow its public and private sector partnerships.

Members raised concerns that the budget does not solve key issues for the region such as the high price of energy which has resulted in the closure of multiple leisure centres due to inability to meet costs. Local authorities cannot always fund at-risk services and the constituents are the most negatively affected when they are withdrawn.

78. Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

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

There were no items that required the exclusion of the press and public.

80. Minutes of the Meeting of the Combined Authority held on 2 February 2023

The Mayor requested a typing error in the minutes be corrected.

Resolved: That subject to amendments, the minutes of the meeting of the West Yorkshire Combined Authority held on 2 February 2023 be approved and signed by the Chair

81. West Yorkshire / Homes England Strategic Place Partnership

Members received a report seeking approval for the West Yorkshire/Homes England Strategic Place Partnership (SPP) – Partnership Business Plan. The Mayor noted the partnership will help to unlock funding and support the delivery of 5,000 affordable homes for the region.

Officers noted the report was discussed and endorsed by the Place, Regeneration and Housing Committee. Members emphasised the importance of consulting the local authorities throughout the process, and queried what the longer term aims of the partnership. Officers responded that, subject to approval, the first board meeting is scheduled in April 2023 with further dates to agree the next steps. The focus has been on the first year to support the initial stages, and all parties acknowledge more work will be required over the course of the partnership.

Resolved: The Combined Authority agreed:

That entry into the Strategic Place Partnership be agreed.

That the Strategic Place Partnership Business Plan be approved.

That the Terms of Reference for the SPP Board be approved.

82. Bus Reform Update

Members received a report providing an update on the Bus Reform Assessment and to seek approval to secure the conditional availability and preliminary briefing of a suitably qualified independent audit organisation.

The Mayor noted that buses are vital to a strong economy, and West Yorkshire needs a London-style transport system to meet its ambitions. The government has extended the bus recovery grant for a further three months, but bus operators are still cutting back on services. The Combined Authority is undertaking a bus franchising assessment and is required to go through audit and consultation. , An additional Combined Authority meeting will be scheduled shortly after the local elections to discuss bus reform.

Members queried what conversations are happening are happening with operators to mitigate the planned operator cuts to services. Officers responded that the Mayor as well as the Chair and Deputy Chairs of the Transport Committee have regular meetings with operators about the issue, but as private businesses operators can make any decisions they feel necessary. A list of withdrawn services was circulated to members of the Transport Committee as soon as it was feasible.

Members queried why Bus Service Improvement Plan (BSIP) funding is not yet used to restore service cut by operators. Members responded the BSIP funding is not intended to replace services, but to increase the quality of existing services.

Resolved: That securing the conditional availability and preliminary briefing of a suitably qualified independent audit organisation ("Auditor") be approved, so that after having prepared the assessment and should the Combined Authority wish to proceed, the Auditor may then be instructed to prepare a report in accordance with section 123D of the TA 2000.

83. Mass Transit Programme Update Report

Members received a report providing a progress update for the West Yorkshire Mass Transit Programme. The Combined Authority has an initial £200 million of funding towards the programme, but more funding is required to deliver on the intended aims. Members noted the system will provide a significant boost to the regional economy and is a key reason for mayoral devolution.

Members questioned the extent of the data collection, officers responded the travel surveys are being undertaken in partnership with local authority partners, and a stratified sample of homes has been identified to best represent the population of West Yorkshire for a household travel survey element. Further details were requested, and it was agreed details would be supplied outside of the meeting.

Resolved: That the content of the report be noted.

84. West Yorkshire Tourism

Members received a report proposing changes to the promotion of West Yorkshire level at a regional level, and seeking the establishment of a Local Visitor Economy Partnership (LVEP) for West Yorkshire.

The Mayor expressed the importance of Tourism to West Yorkshire, contributing approximately £5 billion to the regional economy and providing employment to roughly 10% of the workforce. West Yorkshire is a major tourist destination and promotion on a regional level will increase its draw to potential visitors.

Officers noted the changes are a response to government policy relating to VisitEngland and destination management. Three tiers of destination management have been introduced with the North East as the only top tier region. West Yorkshire has been placed in the second tier, and will be accredited by VisitEngland which qualifies for funding and support. The LVEP for West Yorkshire will be led by Leeds but represented by all local authorities. Members noted there is also strong private sector report for the establishment of the LVEP.

Members expressed that the governance of the partnership will need to be finalised. Members noted the Leeds team has had success in promoting the city and a partnered approach will bring benefits to the whole region. The Mayor noted she will chair the board, and the many cultural events across West Yorkshire in this and coming years will provide many opportunities to celebrate the region.

Resolved: The Combined Authority agreed

That a Local Visitor Economy Partnership (LVEP) application for West Yorkshire to Visit England be supported.

That as part of this work, appropriate governance will be developed. The Mayor will play a key role in championing the tourism sector and this will be reflected in the governance.

That an independent Destination Management Plan be commissioned, utilising capacity gainshare funding already allocated to Leeds City Council.

85. Project Approvals

(a) Investment Priority 1: Good Jobs and Resilient Businesses

Members introduced the Business Productivity Programme scheme, which aims to boost small and medium enterprises by providing financial and advisory support to a minimum of 283 businesses. Members noted improving productivity is key to growing the economy, and providing access to new and good jobs is a significant way to achieve this.

Resolved: The Combined Authority approved:

The change request for approval of £3,500,000 of UKSPF funding to replace £3,500,000 of the gainshare funding and increase the programme delivery timeframes from March 2025 to March 2026. To note UKSPF to be spent by March 2025.

Future approvals be made in accordance with the assurance pathway and approval route outlined in this report. This will be subject to the scheme remaining within the tolerances outlined in this report.

(b) Investment Priority 3: Creating Great Places and Accelerated Infrastructure

Officers introduced the Investment Priority 3 scheme, which consists of a portfolio of programmes which will deliver resilient infrastructure in line with the West Yorkshire Investment Strategy. Where possible, extra funding will be sought to contribute to the overall cost. Officers noted the Place, Regeneration, and Housing committee has discussed the range of projects at great length, and the schemes will deliver a wide range of outcomes.

Officers noted two further schemes, the Safety of Women and Girls – Pillar 1, and Rural England Prosperity Fund are recommended to be delegated to the Chief Executive to allow for expediency of delivery due to tight timelines.

Resolved: The Combined Authority approved that:

The Investment Priority 3 - Creating Great Places and Accelerated Infrastructure portfolio proceeds through decision point 1 (strategic assessment) and work commences on the development of individual business cases.

An indicative approval to the Combined Authority's contribution of £7,132,098. The total capital value of known projects and programmes in the IP3 portfolio is £72,044,680.

Development costs of £632,098 are approved in order to progress the individual business cases, taking the total approval to £745,833. Future approvals be made in accordance with the assurance pathway and approval route outlined in this report.

Additional Recommendations

Where scheme approval is required before 30 June 2023, the schemes outlined in paragraph 3.11 are delegated for approval to the Chief Executive, due to expediency of delivery.

Any change requests for the Capital Flood Risk Management Programme are delegated to Climate, Energy and Environment Committee.

The update on the Langthwaite Enterprise Zone Phase 1 project be noted.

(c) **Investment Priority 4: Tackling the Climate Emergency and Environmental Sustainability**

Officers introduced the Social Housing Decarbonisation – Wave 2 scheme for approval. The Wave 1 element was agreed by the Climate, Energy and Environment Committee in January 2022. The funding is the result of a bid from the government and so if approved and the bid is successful the work can begin as soon as possible. The scheme will be completed in partnership with West Yorkshire housing providers and local authority partners.

Resolved: The Combined Authority approved that:

The Social Housing Decarbonisation Fund programme proceeds through decision point 1 (strategic assessment) and work commences on activity 3 (outline business case).

Indicative approval to the Combined Authority's contribution of £15,032,090 be given. The total scheme cost is £31,967,212.

That the Combined Authority enter into the Memorandum of Understanding and Data Sharing Agreement with BEIS.

That delegated authority be granted:

- (i) To the Head of Economic Implementation to accept receipt of the funding from BEIS for the SHDF.
- (ii) To the Head of Economic Implementation and the Head of Legal and Governance Services in consultation with each other to finalise the Memorandum of Understanding and Data Sharing Agreement with BEIS and the Funding Agreements / letter between to Combined Authority and the Housing Providers (Accent Housing Limited, Chartford Housing

Limited, Manningham Housing Association Limited, Wakefield District Housing Limited, Leeds and Yorkshire Housing Association Limited, Leeds Federated Housing Association Limited, Yorkshire Housing Limited, Kirklees Council, Incommunities Limited) and all other related legal documents that may be required.

That future approvals be made in accordance with the assurance pathway and approval route outlined in this report, any change requests are delegated to the Climate, Energy and Environment Committee. This will be subject to the scheme remaining within the tolerances outlined in this report.

(d) Investment Priority 5: Future Transport

Officers introduced two schemes for delivery, the Castleford Growth Corridor and the CRSTS Programme. The Castleford Growth Corridor brings two separate schemes together by including the Wheldon Road pedestrian and cycle bridge. The scheme will improve the existing road provision which is more dangerous and discourages active travel. The CRSTS Programme consists of 39 schemes across 10 packages, enabling wider access to public transport and more safety improvements to walking and cycling in line with district, regional and national strategies. Further delegation requests for a number of schemes are requested for delegation to the Transport Committee and Chief Executive to maintain delivery targets.

Members queried how quickly the delivery will take place for projects, officers responded that the timescales can vary depending on external factors, but officers are able to provide updates to relevant members outside of the meeting.

Resolved: The Combined Authority approved that:

Castleford Growth Corridor

The change request to the Castleford Growth Corridor scheme to increase the Combined Authority contribution funding to £11,519,000 and to increase the outputs as detailed in this report be approved. The total scheme value will increase from £9,491,000 to £11,740,000.

The Combined Authority enters into a variation to the existing Funding Agreement with Wakefield Council for expenditure of up to £3,497,473. Future approvals be made in accordance with the assurance pathway and approval route outlined in this report. This will be subject to the scheme remaining within the tolerances outlined in this report.

CRSTS Programme

The Combined Authority, approved that:

The change request to the CRSTS Programme to increase the approved programme development costs by £7,000,000 to £10,000,000 be approved, and delegation to the West Yorkshire Combined

Authority's Chief Operating Officer to authorise schemes access to these development costs, in accordance with the Assurance Framework be approved.

The Combined Authority be authorised to enter into funding agreements between the Combined Authority and Districts for District led schemes for business case development for CRSTS led schemes.

Where scheme approval is required before 30 June 2023, the schemes outlined in paragraph 3.5 be delegated for approval to the Transport Committee, due to expediency of delivery.

Where scheme approval is required before 30 June 2023, the schemes outlined in paragraph 3.6 be delegated for approval to the Chief Executive, due to expediency of delivery.

86. Regional Investment Vehicles for Innovation Finance

Members received a report providing an overview of Northern Gritstone Ltd, and seeking approval of, following appropriate assurance and due diligence, a £1.5m contribution from the Combined Authority towards the Northern Gritstone investment company from the Single Investment Fund.

Officers informed members that Northern Gritstone is an investment vehicle founded by the Universities of Leeds, Manchester, and Sheffield aiming to support science and technology businesses. The company has raised £215 million out of a £500 million target, and the return on investment of the funds is expected to be in excess of 20% over the next decade. Investment would help to fund university spinouts, furthering growth and employment opportunities for the region. Due diligence will be undertaken before any investment is made.

Members questioned how funding fits into the Investment Strategy. Officers responded that the strategy required proposals to address market failure, which was not evident in this case. However, the proposals was being recommended to the Combined Authority despite this, because of the clear contribution towards priorities and the potential for a financial return. The strategy is reviewed annually, and the upcoming 2023 amendments would clarify that similar situations are in line with the Investment Strategy.

Members questioned how Northern Gritstone identifies funding targets, officers answered that the company is experienced and understands which businesses are likely to develop a strong return. The company has strong existing links within West Yorkshire spanning a variety of industries. Members agreed that investment in businesses is a priority and West Yorkshire should explore innovative ways to produce positive results.

Resolved: That delegated authority be granted to the Chief Executive Officer to approve £1.5 million investment to Northern Gritstone. This delegation is requested to allow time for further due diligence and application of the Combined Authority assurance processes before the deadline for investment.

87. UK Shared Prosperity Fund

Members received an update regarding progress made on implementing the West Yorkshire UKSPF Local Investment Plans, including Core UKSPF, Multiply and the new Rural England Prosperity Fund.

Members noted there has been considerable work so far and expressed thanks to officers for their efforts. The Local Partnership Group last met on 6 March 2023, receiving helpful advice towards the progress included within the report. The Local Partnership group raised concerns about the timescale of delivery, but noted officers are doing as much as possible so there are no missed funding opportunities.

Officers noted the delegation of funding was already approved, but there is a deadline in early May to inform the government about how the money is spent. The government funding comes with guidelines about how it can be spent, and the Combined Authority is trying to align the spending with the Investment Strategy. The Mayor noted the needs of West Yorkshire are different to the needs of other areas of the country, and will support any dialogue with government to make a stronger case for being a part of the next Trailblazer devolution deal.

Members asked which partners have been consulted as part of the rural fund, members noted there are members on the panel who specifically engage with the network of rural stakeholders including the National Farmers' Union, the Yorkshire Agricultural Society, and the Land and Business Association among others. Members asked if local parishes are included in consultation, officers responded they are not but consultation with them can be explored.

Resolved:

That the progress made on implementing the West Yorkshire UKSPF Local Investment Plans be noted.

That the recommendations made by the West Yorkshire UKSPF Local Partnership Group at its meeting on 6 March 2023 be noted and approved. The recommendations made are:

- the LPG was supportive of the £972,762 Women and Girls Programme providing their feedback and advice is taken in to account as the business case is finalised.
- the LPG endorsed the design of the Calls and the scoring framework at its meeting on the 6th March 2023 including the proposed funding envelopes and key policy areas for intervention as set out above providing their feedback and advice is taken in to account as the Invitation to Bid is finalised.
- the LPG endorsed the operating model at its meeting on 6 March 2023 providing their feedback and advice is taken in to account as the full business case is finalised.

That the progress made on Pillar 1 Safety of Women and Girls strand and the delegation requested in Item 10b for the Chief Executive to authorise the scheme to proceed through the Assurance Process with full delivery costs approved for an April 2023 start be noted.

That the funding envelopes and priority areas for the three Pillar 2 Business Support open calls for projects via an invitation to bid be approved, and the Chief Executive be authorised to agree, prior to publication, the full Invitation to Bid documentation in consultation with the Mayor, the Chair of the Business, Economy and Innovation Committee and the Interim Chair of the LEP – also Chair of the UKSPF Local Partnership Group (LPG), given the launch timescales.

That the progress made on Rural England Prosperity Fund be noted, the operating model be approved, and the delegation requested in Item 10b for the Chief Executive to authorise the scheme to proceed through the Assurance Process with full delivery costs approved for an April 2023 start be noted.

88. Spatial Priority Areas

Members received a report seeking endorsement to the inclusion of two additional Spatial Priority Areas (SPAs) to the existing locations agreed across West Yorkshire, and endorsement of an amendment to the boundary of one existing SPA.

Officers noted the report has been discussed by the Place, Regeneration and Housing Committee, and all affected authorities have been involved in discussions as well as in any future discussions.

Resolved: The Combined Authority agreed:

That the content of the report be noted.

That the SPA name changes listed in Table 1 be approved.

That the additional two SPAs of North Halifax Growth Area (Calderdale) and Huddersfield Station to Stadium Enterprise Corridor (Kirklees) and the amended South Kirkby and South Elmsall Urban Extension SPA in Wakefield be approved. Subject to this approval, the content on the Combined Authority website relating to SPAs will be refreshed.

89. Corporate Plan 2023/24

Members received a report seeking endorsement to the approach for developing and publishing the Corporate Plan 2023-24.

Officers noted the new corporate plan will focus more on outcomes and reflect the new organisational structure. The targets will be measurable so progress is as transparent as possible.

Resolved:

That the approach to the development of the Corporate Plan 2023-24 be endorsed.

That final approval of the Corporate Plan be delegated to the Mayor, LEP Chair and the Managing Director.

90. Governance and Appointment Arrangements

Members received a report regarding several changes to committee membership, to consider the report and recommendations of the Independent Remuneration Panel (IRP) in relation to the payment of remuneration to the LEP Chair. Given the gap between meetings, the appointment of Executive Directors, the Chief Operating Officer, and Directors was agreed to be delegated to the Chief Executive in consultation with the Mayor and following notification to Combined Authority members.

Mark Roberts left the room during the discussion of the Independent Remuneration Panel.

The Mayor noted that the input of private sector members is invaluable to the Combined Authority, and the outcome of the IRP was discussed at the previous meeting of the LEP. The Spring budget was clear that LEP funding would end by 2024. Officers noted the IRP report has been provided to members, and clarified the panel was chaired by Declan Hall and joined by Fara Butt to provide broader private sector input. The panel recognised the changes to the role of LEP Chair and so there is the potential need to review the outcome if it is required.

Members questioned if the LEP Chair being a Mayoral appointment will affect the level of scrutiny. Officers responded the LEP Chair is expected to be a member of the Combined Authority and subject to the same code of conduct as the elected members, and the three scrutiny panels will also have the same level of oversight as at present. Members agreed the need for private sector input and noted that members will make any concerns known if the LEP Chair does not deliver in their role.

Officers noted that Cllr Sam Firth has replaced Cllr Robinson a member of the Combined authority, as well as the Governance and Audit Committee. Officers noted that Cllr Peter Harrand has resigned as Chair of the Corporate Scrutiny Committee, Cllr Geoff Winnard is recommended as his replacement. The Mayor expressed thanks to Cllr Harrand for his work during his tenure as Chair.

The Mayor noted that further recruitment to director posts may be made ahead of the annual meeting and so for expediency the Chief Executive should be delegated authority to make the appointments.

The Mayor announced the appointment of Simon Warburton to the post of Executive Director for Transport, and noted his experience developing transport in Greater Manchester will be crucial to the Combined Authority achieving its ambitions.

Resolved: The Combined Authority agreed:

That with effect from 17 February 2023, Councillor Sam Firth replaces Councillor Matthew Robinson as one of the three political balance members of the Combined Authority be noted.

That Councillor Sam Firth be appointed to the Governance and Audit Committee as the Conservative Group replacement for Councillor Matthew Robinson.

That the resignation of Councillor Peter Harrand as Chair of the Corporate Scrutiny Committee be noted, and Councillor Geoff Winnard be appointed as his replacement.

That a representative of the Local Skills Improvement Plans (LSIPs) be appointed as a non-voting advisory representative to the Employment and Skills Committee.

That the report and recommendations of the Independent Remuneration Panel at Appendix 1 and determines the level of remuneration which is expected to be paid to the LEP Chair from the start of the new municipal year be considered.

That the Chief Executive be authorised, in consultation with the Mayor, the LEP Chair as appropriate and following notification to Combined Authority members, to make future appointments to the roles of Exec Director, Chief Operating Officer and Director following the outcome of the respective recruitment processes.

91. Minutes for Information

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



Name of meeting: Council (Reference from Personnel Committee)
Date: 12th July 2023
Title of report: Pay Policy Statement 2023/24

Purpose of report

To comply with the requirements of Sections 38 – 43 of the Localism Act 2011, that the authority produces a policy statement that covers matters concerning the pay of the authority’s principal Chief Officers.

The report is referred from the meeting of Personnel Committee on 26 June 2023 and is recommended for approval.

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?	Not Applicable
Key Decision - Is it in the Council’s Forward Plan (key decisions and private reports?)	No – Not Applicable
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name.	Rachel Spencer-Henshall 30 th May 2023
Is it also signed off by the Service Director (Finance)?	James Anderson 19 th May 2023
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft 19 th May 2023
Cabinet member portfolio	Cllr Shabir Pandor, Leader of the Council

Electoral wards affected: All

Ward councillors consulted: All

Public or private: Public

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

1. Summary

- 1.1 Sections 38 – 43 of the Localism Act 2011 requires that the authority produce a policy statement that covers several matters concerning the pay of the authority's staff, principally Chief Officers. The attached policy statement appendices meet the requirements of the Localism Act.
- 1.2 Section 39 (1) of the Localism Act 2011 specifically include the requirement that a relevant authority's pay policy statement must be approved by a resolution of the authority before it comes into force, and as per Section 39 (3) of the Act, that each subsequent annual statement must be prepared and approved before the end of the 31 March immediately preceding the financial year to which it relates.

2. Information required to take a decision.

- 2.1 The report is submitted to ensure that the Council complies with the requirements of Sections 38 – 43 of the Localism Act 2011. This requires the Council to produce an annual pay policy statement that covers matters concerning the pay of the authority's principal Chief Officers. It also requires a Council resolution to approve the annual statement before the end of the 31 March immediately preceding the financial year to which it relates.
- 2.2 This policy also has some connection with the data on pay and rewards for staff which the Authority publishes under the Code of Recommended Practice for Local Authorities on Data Transparency and the data which is published under The Accounts and Audit (England) Regulations (2015). This policy statement does not cover or include school staff and is not required to do so.
- 2.3 The proposed 2023/24 Pay Policy Statement is attached in more detail for Council approval as follows:

Appendices

- Ai) Kirklees Pay Policy Statement 2023/24
Remuneration of Chief Officers
Kirklees Council Single Status Grades (1st April 2022) this will be subject to the national pay award consultations for 2023/24.
Range of Policies

3. Implications for the Council

- 3.1 Working with people.
N/A
- 3.2 Working with partners.
N/A
- 3.3 Place based working
N/A

- 3.4 Improving outcomes for children.
N/A
- 3.5 There is sufficient revenue budgetary provision within the approved budget plans for 2023/24 to implement the attached 2023/24 pay policy statement.
4. **Next steps and timelines**
Publish the Pay Policy Statement on the Council's Internet site, to meet the requirements of the Localism Act.
5. **Officer recommendations and reasons**
That Council approve the Annual Pay Policy Statement attached to this report in accordance with the 2011 Localism Act.
6. **Cabinet portfolio holder's recommendations**
That the Annual Pay Policy Statement for 2023-24 be approved.
7. **Contact officers.**
Shauna Coyle – Head of People Services
Margaret Lunn – Human Resources Partner, People Services
8. **Background Papers and History of Decisions**

2022-23 Pay Policy Statement approved and published on the Council Website.
Government Pay policy statement guidance: [Openness and accountability in local pay: supplementary guidance - GOV.UK](#)
9. **Service Director responsible**

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

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Kirklees Council – Pay Policy Statement

1 April 2023 to 31 March 2024

Introduction

Sections 38 – 43 of the Localism Act 2011 requires that the authority produce a policy statement that covers matters concerning the pay of the authority’s staff, principally Chief Officers. This policy statement meets the requirements of the Localism Act in this regard and also meets the requirements of guidance issued by the Secretary of State for Communities and Local Government to which the authority is required to have regard under Section 40 of the Act. This policy also has some connection with the data on pay and rewards for staff which the Authority publishes under the Code of Recommended Practice for Local Authorities on Data Transparency and the data which is published under The Accounts and Audit (England) Regulations (2015). This policy statement does not cover or include school staff and is not required to do so.

Definition of officers covered by the Policy Statement

This policy statement covers the following posts:

- a) Head of the Paid Service, which in this authority is the post of
 - Chief Executive.

- b) Monitoring Officer, which in this authority is the post of
 - Service Director - Governance & Commissioning

- c) Statutory Chief Officers, which in this authority are the posts of
 - Strategic Director - Children & Families
 - Strategic Director - Adults & Health
 - Strategic Director - Corporate Strategy, Commissioning & Public Health
 - Service Director – Finance – Section 151 Officer

- d) Non-statutory Chief Officers, which in this authority is the post of
 - Strategic Director - Environment & Climate Change
 - Strategic Director - Growth & Regeneration

- e) Deputy Chief Officers, (those who report directly to a Statutory or Non-Statutory Chief Officer) which in this authority are the posts of:
 - Service Director – Child Protection & Family Support
 - Service Director – Learning & Early Support
 - Service Director – Resources, Improvement & partnerships
 - Service Director – Communities & Access Services
 - Service Director – Adults Social Care Operation
 - Service Director – Learning Disabilities & Mental Health
 - Service Director – Development
 - Service Director – Homes & Neighbourhoods
 - Service Director – Skills & Regeneration
 - Service Director – Environmental Strategy & Climate Change
 - Service Director – Culture & Visitor Economy

- Service Director – Highways & Streetscene
- Service Director – Strategy & Innovation
- Head of People Services
- Consultant in Public Health
- Head of Health Protection
- Head of Improving Population Health
- Head of Accountancy
- Head of Commercial Services
- Head of Welfare & Exchequer Services
- Head of Finance

Policy on remunerating Chief Officers

The authority's policy on remunerating Chief Officers is set out on the schedule that is attached to this policy statement at Appendix A. It is the policy of this authority to establish a remuneration package for each Chief Officer post that is sufficient to attract and retain staff of the appropriate skills, knowledge, experience, abilities, and qualities that is consistent with the authority's requirements of the post in question at the relevant time, which may include reference to appropriate benchmarks.

Following the implementation of Single status, all Chief Officers are paid in accordance with the Council's pay spine including national pay awards.

Policy on remunerating the lowest paid in the workforce.

The authority applies terms and conditions of employment that have been negotiated and agreed through appropriate collective bargaining mechanisms (national or local) or as a consequence of authority decisions, these are then incorporated into contracts of employment. This authority revised the pay spine with effect from 1 April 2019 to recognise the implementation of the national minimum wage. The lowest pay point in this Authority, is Grade 1, Spinal Column Point (SCP) 1; £10.50 hourly rate.

The pay rate is increased in accordance with any pay settlements which are reached through the National Joint Council for Local Government Services. (The 2022 pay spine shown at Appendix B, will be subject to the national pay award consultations, for 2023/24).

The authority reviewed and implemented apprenticeship rates of pay from the 1st of April 2019. The rates of pay for 2023/24 are Year 1 £10.18 hourly rate and Year 2 onwards £10.42 hourly rate. The rates are paid to all apprentices and is no longer related to the age of the apprentice. The apprenticeship rates are increased in accordance with the national minimum wage and national living wage requirements

Policy on the relationship between Chief Officer Remuneration and that of other staff

The highest paid (actual) salary in this authority is £187,087 top of Grade 24 SCP 77, which is paid to Jacqui Gedman. The median (full time equivalent) salary* in this authority (not including Schools or other external organisations) is £25,878 second point of Grade 7 SCP 15.

***Median**

The median is the value falling in the middle when the data items are arranged in an array of either ascending or descending order. If there is an odd number of items, the median is the value of the middle item. If there is an even number of items, the median is obtained by taking the mid points of the two middle points (add middle points together and divide by 2).

Excluded: Kirklees active Leisure, Maintained Schools, Academies, Claiming Teachers, Temp Direct, Teachers pensions, Casual and Paymaster Only Contracts, any record where the actual salary is zero.

The ratio between the two salaries, the 'pay multiple', is 7.23:1.

This authority does not have a policy on maintaining or reaching a specific 'pay multiple', however the authority is conscious of the need to ensure that the salary of the highest paid employee is not excessive and is consistent with the needs of the authority as expressed in this policy statement and its wider pay policy and approach.

The authority's approach to the payment of other staff is to pay that which the authority needs to pay to recruit and retain staff with the skills, knowledge, experience, abilities, and qualities needed for the post in question at the relevant time, which may include reference to appropriate benchmarks, and to ensure that the authority meets any contractual requirements for staff including the application of any local or national collective agreements, or authority decisions regarding pay.

Policy on other aspects of Chief Officer Remuneration

Other aspects of Chief Officer remuneration are appropriate to be covered by this policy statement, these other aspects are defined as recruitment, pay increases, additions to pay, performance related pay, earn back, bonuses, termination payments, transparency, and re-employment when in receipt of a Local Government Pension Scheme (LGPS) pension or a redundancy/severance payment. These matters are addressed in the schedule that is attached to this policy statement at Appendix C).

Approval of Salary Packages in excess of £100k

The authority will ensure that, at the latest before an offer of appointment is made, any salary package for any new post that is not currently included within Appendix A (not including schools and any initial transfer to the Council under TUPE), that is in excess of £100k will be considered by full Council. The salary package will be defined as base salary, any bonuses, fees, routinely payable allowances, and benefits in kind that are due under the contract.

Flexibility to address recruitment issues for vacant posts

In the vast majority of circumstances, the provisions of this policy will enable the authority to ensure that it can recruit effectively to any vacant post. There may be exceptional circumstances when there are recruitment or retention difficulties for a particular post and where there is evidence that an element or elements of the remuneration package are not sufficient to secure an effective appointment or retention through for example market supplements or recruitment and retention payments. This policy statement recognises that this

situation may arise in exceptional circumstances and therefore a departure from this policy can be implemented without having to seek full Council approval for a change of the policy statement. Such a departure from this policy will be expressly justified in each case and will be approved through an appropriate authority decision making route.

Policy for future years

This policy statement will be reviewed each year and will be presented to full Council each year for consideration in order to ensure that a policy is in place for the authority prior to the start of each financial year.

Remuneration of Chief Officers

Appendix A

Job Category	Employment Conditions either Chief Execs, Chief Officer or Local Government Scheme (LGS)	Post Title	Salary Band* **	Expenses	Performance Related Pay (PRP) Arrangements	Earn Back Arrangements	Bonus	Non-Cash Benefits	Election Fees	Any Joint Authority Payments
A Head of Paid Service	LGS	Chief Executive	£160,000 - £189,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	Contract includes duties of returning officer for District, Parliamentary & European elections. The LA receives the income from National Government for the Parliamentary and European elections. For Referenda separate fees are paid to the officer.	No
B Monitoring Officer	LGS	Service Director Governance & Commissioning (Monitoring Officer)	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
C Statutory Chief Officers	LGS	Strategic Director Children & Families	£125,000 - £139,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
C Statutory Chief Officers	LGS	Strategic Director Adults & Health	£125,000 - £139,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
C Statutory Chief Officers	LGS	Strategic Director - Corporate Strategy,	£125,000 - £139,999	Kirklees has a common set of Terms and Conditions that	No	No	No	No	No	No

Job Category	Employment Conditions either Chief Execs, Chief Officer or Local Government Scheme (LGS)	Post Title	Salary Band* **	Expenses	Performance Related Pay (PRP) Arrangements	Earn Back Arrangements	Bonus	Non-Cash Benefits	Election Fees	Any Joint Authority Payments
		Commissioning & Public Health		applies to all staff. Entitled to claim.						
C Statutory Chief Officers	LGS	Service Director - Finance (Section 151 Officer)	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
D Non -Statutory Chief Officers	LGS	Strategic Director Environment & Climate Change	£125,000 - £139,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
D Non -Statutory Chief Officers	LGS	Strategic Director Growth & Regeneration	£125,000 - £139,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Child Protection & Family Support	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Learning & Early Support	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No

Job Category	Employment Conditions either Chief Execs, Chief Officer or Local Government Scheme (LGS)	Post Title	Salary Band* **	Expenses	Performance Related Pay (PRP) Arrangements	Earn Back Arrangements	Bonus	Non-Cash Benefits	Election Fees	Any Joint Authority Payments
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Resources, Improvement & Partnerships	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Communities & Access Services	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Adult Social Care Operation	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Learning Disabilities & Mental Health	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Development	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Homes & Neighbourhoods	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that	No	No	No	No	No	No

Job Category	Employment Conditions either Chief Execs, Chief Officer or Local Government Scheme (LGS)	Post Title	Salary Band* **	Expenses	Performance Related Pay (PRP) Arrangements	Earn Back Arrangements	Bonus	Non-Cash Benefits	Election Fees	Any Joint Authority Payments
				applies to all staff. Entitled to claim.						
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Skills & Regeneration	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Environmental Strategy & Climate Change	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Culture & Visitor Economy	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Highways & Streetscene	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Service Director - Strategy & Innovation	£90,000 - £109,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No

Job Category	Employment Conditions either Chief Execs, Chief Officer or Local Government Scheme (LGS)	Post Title	Salary Band* **	Expenses	Performance Related Pay (PRP) Arrangements	Earn Back Arrangements	Bonus	Non-Cash Benefits	Election Fees	Any Joint Authority Payments
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of People Service	£70,000 - £89,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Consultant in Public Health	£70,000 - £89,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Health Protection	£70,000 - £89,999	NHS agenda for change has common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Improving Population Health	£55,000 - £69,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Accountancy	£55,000 - £69,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No

Job Category	Employment Conditions either Chief Execs, Chief Officer or Local Government Scheme (LGS)	Post Title	Salary Band* **	Expenses	Performance Related Pay (PRP) Arrangements	Earn Back Arrangements	Bonus	Non-Cash Benefits	Election Fees	Any Joint Authority Payments
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Commercial Services	£55,000 - £69,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Welfare & Exchequer Services	£55,000 - £69,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No
E Deputy Chief Officer (those who report to a Statutory or Non-Statutory Chief Officer)	LGS	Head of Finance	£55,000 - £69,999	Kirklees has a common set of Terms and Conditions that applies to all staff. Entitled to claim.	No	No	No	No	No	No

* Salary is Full Time Equivalent - salary bands quoted reflect pay levels as of 1 April each year.

** 2023 Salaries are still to be confirmed salary band based on 2022 salaries.

Kirklees Council Single Status Salary Grades

Appendix B

Grade	SCP	Salary		Grade	SCP	Salary
Apprentice	Year 1	£19,640		14	40	£46,549
Apprentice	Year 2	£20,103		14	41	£47,573
1	1	£20,258		14	42	£48,587
2	2	£20,441		15	43	£49,590
3	3	£20,812		15	44	£50,478
4	4	£21,189		15	45	£51,412
4	5	£21,575		16	46	£52,288
5	5	£21,575		16	47	£53,203
5	6	£21,968		17	48	£54,100
6	7	£22,369		17	49	£55,011
6	8	£22,777		17	50	£55,924
6	9	£23,194		18	51	£56,854
6	10	£23,620	Not used	18	52	£57,605
6	11	£24,054		18	53	£58,746
Unused	12	£24,496		19	54	£59,718
Unused	13	£24,948		19	55	£60,715
7	14	£25,409		19	56	£62,080
7	15	£25,878		19	57	£66,484
7	16	£26,357	Not Used	20	58	£74,395
7	17	£26,845		20	59	£79,677
Unused	18	£27,344		20	60	£85,356
8	19	£27,852		21	61	£84,992
8	20	£28,371		21	62	£91,061
8	21	£28,900	Not Used	21	63	£97,548
8	22	£29,439		22	64	£93,327
9	23	£30,151		22	65	£100,209
9	24	£31,099		22	66	£107,087
9	25	£32,020		23	67	£127,320
9	26	£32,909		23	68	£130,366
10	27	£33,820		23	69	£133,590
10	28	£34,723		23	70	£136,724
10	29	£35,411		23	71	£139,860
10	30	£36,298		24	72	£160,633
11	31	£37,261		24	73	£165,925
11	32	£38,296		24	74	£171,213
11	33	£39,493		24	75	£176,504
12	34	£40,478		24	76	£181,794
12	35	£41,496		24	77	£187,087
12	36	£42,503				
13	37	£43,516				
13	38	£44,539				
13	39	£45,495				

*Revised Pay spine Implemented 1st April 2019

** 2023 Salaries are still to be confirmed salary band based on 2022 salaries

*** Apprenticeship rates of pay are increased in accordance with the national minimum wage and national living wage requirements (rates shown are from 01.04.2023).

Range of Kirklees Policies

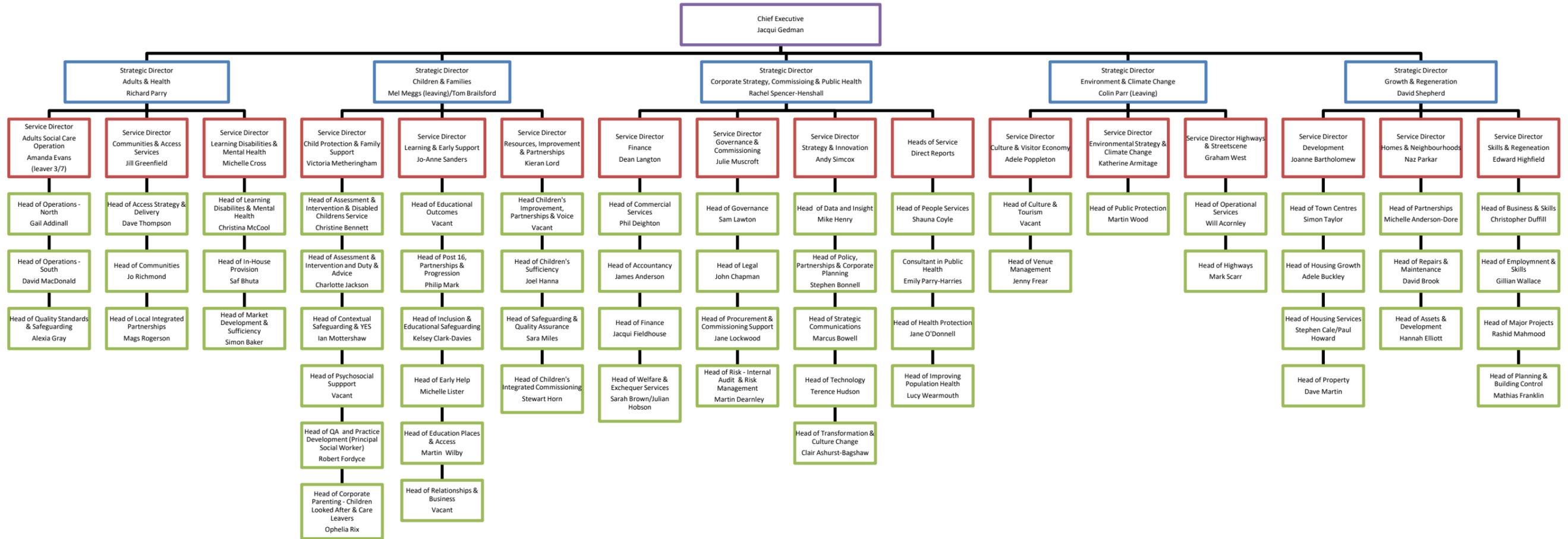
Appendix C

Aspect of Chief Officer Remuneration	Authority Policy
Recruitment	The post will be advertised and appointed to at the appropriate approved salary for the post in question level unless there is good evidence that a successful appointment of a person with the required skills, knowledge, experience, abilities, and qualities cannot be made without varying the remuneration package. In such circumstances a variation to the remuneration package is appropriate under the authority's policy and any variation will be approved through the appropriate authority decision making process.
Pay Increases	The authority will apply any pay increases that are agreed by relevant national negotiating bodies and/or any pay increases that are agreed through local negotiations. Following the implementation of Single status, all Chief officers are paid in accordance with the Council's pay spine including national pay awards. The authority will also apply any pay increases that are as a result of authority decisions to significantly increase the duties and responsibilities of the post in question beyond the normal flexing of duties and responsibilities that are expected in senior posts.
Additions to Pay	The authority would not make additional payments beyond those specified in the appropriate policies i.e., Market Rate Supplement, Recruitment and Retention, Acting Up or Honoraria payments.
Performance Related Pay (PRP)	The authority does not operate a performance related pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed rigorously by utilising the Performance Management system.
Earn-Back (Withholding an element of base pay related to performance)	The authority does not operate an earn-back pay system as it believes that it has sufficiently strong performance management arrangements in place to ensure high performance from its senior officers. Any areas of under-performance are addressed rigorously.
Bonuses	The authority does not pay bonus payments to senior officers.

Aspect of Chief Officer Remuneration	Authority Policy
Termination Payments	The authority applies its normal redundancy payments arrangements to senior officers and does not have separate provisions for senior officers. The authority also applies the appropriate Pensions regulations when they apply. The authority has agreed policies in place on how it will apply any discretionary powers it has under Pensions regulations. Any costs that are incurred by the authority regarding senior officers are published in the authority accounts as required under the Accounts and Audit (England) Regulations 2015.
Transparency	The authority meets its requirements under the Localism Act, the Code of Practice on Data Transparency and the Accounts and Audit Regulations in order to ensure that it is open and transparent regarding senior officer remuneration.
Re-employment of staff in receipt of a Local Government Pension Scheme Pension or a redundancy/severance payment	<p>The authority is under a statutory duty to appoint on merit and has to ensure that it complies with all appropriate employment and equalities legislation. The authority will always seek to appoint the best available candidate to a post who has the skills, knowledge, experience, abilities, and qualities needed for the post.</p> <p>The authority will therefore consider all applications for candidates to try to ensure the best available candidate is appointed. If a candidate is a former employee in receipt of an LGPS pension or a redundancy payment this will not rule them out from being re-employed by the authority. Clearly where a former employee left the authority on redundancy terms then the old post has been deleted and the individual cannot return to the post as it will not exist.</p> <p>The authority will apply the provisions of the Redundancy Payments Modification Order regarding the recovery of redundancy payments if this is relevant. Pensions Regulations also have provisions to reduce pension payments in certain circumstances to those who return to work within the local government service.</p>

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Kirklees Council – Senior Management Structure Chart



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Name of meeting: Council

Date: 12 July 2023

**Title of report: Council Financial Outturn and Rollover Report 2022/23;
 incorporating General Fund Revenue, Housing Revenue Account,
 Capital and Treasury Management**

Purpose of report

To receive information on the Council's 2022/23 financial outturn position for General Fund Revenue, Housing Revenue Account and Capital Plan, including proposals for revenue and capital rollover from 2022/23 to 2023/24. The report also includes an annual review of Council Treasury Management Activity.

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 report includes proposals to roll forward capital underspend from 2022/23 to 2023/24 to spend against specific activities.
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?)	Yes
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer Henshall
Is it also signed off by the Service Director for Finance IT and Transactional Services?	Dean Langton
Is it also signed off by the Service Director for Legal Governance and Commissioning Support?	Julie Muscroft
Cabinet member portfolio	Councillor Paul Davies Councillor Shabir Pandor

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public report

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

1. **Summary**

The appended report was submitted to the meeting of Cabinet on 27 June 2023 for consideration, and for Cabinet to make a recommendation to Council.

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

(see appended report)

3. **Implications for the Council**

(see appended report)

4. **Consultees and their opinions**

(see appended report)

5. **Next steps**

Subject to approval, capital rollover proposals and the update of the year 5 capital plan will be incorporated into in-year financial monitoring in 2023/24 and reported quarterly to Cabinet from Quarter 1 onwards.

6. **Recommendation of Cabinet**

- 1) That, in regards to General Fund; (i) the revenue outturn position 2022/23 including Cost of Living impacts be noted (ii) the use of the Council's flexible receipts strategy to the value of £2.9m applied against eligible transformation related costs in 2022/23 as approved in the 2023/24 Annual Budget report in March 2023, be noted (iii) the Government's £13.5m funding contribution on 31 March 2022 towards the Council's Dedicated Schools grant (DSG) deficit be noted (iv) the year end position on corporate reserves and balances be noted (v) re-affirm the proposed use of pre-existing reserves and endorse the proposed use of new reserves as set out in section 1.9 in the appended report (vi) the arrangement for regular monitoring and review of corporate reserves in 2023/24, to be reported to Cabinet within the quarterly financial monitoring cycle, be noted.
- 2) That the year-end position on the Collection Fund be noted.
- 3) That the Housing Revenue Account outturn and reserves position 2022/23, be noted.
- 4) That, in regards to Capital; (i) the outturn position 2022/23, be noted (ii) approval be given to the £34.5m capital rollover from 2022/23 to 2023/24 (iii) approval be given to the revised capital plan for the period 2023-2028, having taking into account rollover, the re-phasing of schemes and changes to grant assumptions.
- 5) That £0.9m for replacement parking ticket machines (£0.3m 2023/24, £0.6m 2024/25) be approved.
- 6) That £0.5m for the land acquisition and development of new burial provision in North Kirklees for (£0.1m feasibility 2023/24, £0.4m land acquisition 2024/25) be approved.

- 7) That an additional £0.5m funding for the existing New Street Public Realm project be approved, in order to complete the landscaped public space contributing to the delivery of the Huddersfield 'Blueprint'.
- 8) That a £1m top slice of the Cultural Heart programme for internal fees, transfer of £1.7m from Huddersfield Southern Corridors to manage the overspend for the A62 Smart Corridor, and £60k for Accessibility to Public Spaces and Places project, all with net nil borrowing additionality be approved.
- 9) That, in regards to treasury management, the review of treasury management activity for 2022/23 be noted.

7. Contact officer

James Anderson, Head of Accountancy

james.anderson@kirklees.gov.uk

Sarah Hill, Finance Manager

sarahm.hill@kirklees.gov.uk

8. Background Papers and History of Decisions

Cabinet Report – 27 June 2023 (attached)

9. Service Director responsible

Dean Langton, Service Director – Finance.

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Name of meeting: Cabinet

Date: 27 June 2023

Title of report: Council Financial Outturn & Rollover Report 2022/23 incorporating General Fund Revenue, Housing Revenue Account, Capital and Treasury Management

Purpose of the Report

To receive information on the Council's 2022/23 financial outturn position for General Fund Revenue, Housing Revenue Account (HRA) and Capital Plan, including proposals for revenue and capital rollover from 2022/23 to 2023/24. This report also includes an annual review of Council Treasury Management activity.

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

Electoral wards affected: All
Councillors Consulted: None

Public or private: Public

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

1. Summary

1.1 General Fund

- 1.1.1 The Council's revised General Fund controllable (net) revenue budget for 2022/23 was **£350.5m**. The budget included planned (net) revenue savings in-year of £2.5m.
- 1.1.2 The revised budget is net of a number of planned transfers to and from reserves during the year, with the most significant being £2.7m from Specific Risk reserves, £2.1m from COVID reserves, £2.1m from Development Funding reserves, £1.4m from the Demand reserve and £1.3m from the Social Care reserve.
- 1.1.3 Council spend was £377.5m in 2022/23, which reflects an overspend of £27.0m; equivalent to 7.7%. This was attributable in part to specific Cost of Living pressures above budgeted assumptions that are set out in detail in this report.
- 1.1.4 The revenue outturn position is summarised at Appendix 1 and in Table 1 below. Headline variances are described in more detail in sections 1.2 to 1.8.

Table 1 - Overview of 2022/23 General Fund revenue outturn position

	Revised Budget	Outturn	Total variance	Variance split:	
				Cost of Living	Other
	£000	£000	£000	£000	£000
Children & Families	97,321	103,844	6,523	2,875	3,648
Adults & Health	116,709	118,153	1,444	-	1,444
Environment & Climate Change	38,556	48,549	9,993	915	9,078
Growth & Regeneration	20,905	23,484	2,579	-	2,579
Corporate Strategy, Commissioning & Public Health	52,091	54,168	2,077	712	1,365
Central Budgets	24,898	29,300	4,402	10,553	(6,151)
General Fund Total	350,480	377,498	27,018	15,055	11,963

1.2 Cost of Living Pressures - Context

- 1.2.1 The 2022/23 budget plans were approved on 16 February 2022 and reflected the Administration's priorities and Council ambition in the Council Plan, including acknowledgement of the impact of the global pandemic and emerging global recovery, global supply issues, pent up consumer demand pressures on cost inflation, and labour supply recruitment and retention issues across all sectors of the economy.
- 1.2.2 Based on prevailing national and international macro-economic forecasts, it was anticipated that a number of these pressures would be transitory rather than structural in nature and this was factored accordingly into Council forward budget plans.

- 1.2.3 However, the Russian invasion in Ukraine in February 2022 delivered a further global shockwave with significant structural global and national macro-economic and societal impacts that are continuing to have an impact.
- 1.2.4 As at April 2023, Consumer Price Index (CPI) inflation was 8.7%; by far in excess of the Government's 2% target. The Bank of England bank rate also increased by 0.25 percentage points to 4.5% on 11 May 2023; the twelfth rise recorded since December 2021. This has pushed the rate to its highest since 2008. There is potential for further rises in the remainder of 2023 to attempt to counteract inflationary pressures in the economy.
- 1.2.5 A finance update report to Corporate Scrutiny Panel (CSP) on 5 July 2022 set out an early review of a number of key macro-economic factors that were likely to impact on the Council's in-year financial position, including significant price uplifts to gas and electricity, fuel and food.
- 1.2.6 The report presented to CSP also recognised the significant impact of Cost of Living pressures on residents, households, communities and businesses, and made reference to a range of current national government and Council 'hardship' support measures for the district's residents and businesses.
- 1.2.7 Subsequently, the Quarterly Financial Monitoring reports to Cabinet and the MTFS Update report and annual Budget Report to Cabinet and Council have set out projected impacts from the range of Cost of Living pressures on the Council's bottom line; whilst also recognising the ongoing volatility of forecasts in the current economic environment. The final cost of living impacts in 2022/23 amounted to a total of £15.1m as per Table 1. The pressures are considered in more detail below.

Pay award +£8.6m

- 1.2.8 The local government sector national employer representatives agreed a pay award for 2022/23 of a flat rate £1,925 to directly employed Council employees. This resulted in an overspend of £8.6m when compared to the budgeted uplift level of 2%.

Energy inflation +£5.6m

- 1.2.9 Unprecedented inflationary increases in energy prices resulted in an overspend of £2.0m for Council direct costs, shown within Central Budgets. Initial in-year projections were greater than this, but forecasts gradually reduced over time to year-end reflecting the relative stabilisation of the energy market, the impact of the Government's Energy Bill Relief Scheme on estimated bills, and a review of energy consumption estimates including in-year management actions to reduce energy consumption across a number of Council buildings.
- 1.2.10 There was a further overspend of £2.9m within Children & Families (Learning Services) due to costs borne by the Council in excess of annual RPI relating to energy charges for PPP 1 and 2 contracts with 19 schools. While there is a base budget available, the unprecedented energy price uplift in 2022/23 significantly increased these costs.
- 1.2.11 There was also a £0.7m energy pressure on Kirklees Active Leisure (KAL) budgets; aligned to Corporate Services (Sports and Physical Activity). The Council has provided extensive support to KAL through the pandemic period 2020-22 and also in 2022/23, with earmarked Government COVID funding totalling £9.5m to date, alongside a Sports England grant of around £1m.

Fuel/Food inflation +£0.9m

- 1.2.12 Within Environment & Climate change, there was a catering pressure of £0.3m due to increasing food costs, and a further £0.6m pressure on Transport services due to high fuel prices.
- 1.2.13 In addition to the Cost of Living pressures noted above, there were other pressures across Directorates in 2022/23. These are summarised in sections 1.3 to 1.8 below.

Directorate Outturn Overview

- 1.2.14 In addition to the Cost of Living pressures noted above, which affected directly the Council's own cost base, there were other similar pressures across Directorates in 2022/23 which resulted in an overspend of c£12m. Some of these pressures were:-
- i) also related to the broader impact of the Cost of Living crisis on residents ability to afford to use Council services or which created additional demand for those services;
 - ii) a consequence of the continuing recovery from the impacts of the COVID Pandemic. This was particularly the case with car parking where, in addition to there being less capacity, there was less than anticipated use;
 - iii) due to the additional costs of transformation where the Council is taking action to reduce costs in the longer term but which require short term additional costs. An example of this is in relation to the Corporate Landlord where the Council is taking action to reduce its longer term property costs but is incurring additional holding costs pending the disposal of properties.
- 1.2.15 In recognition of the expectation that some of these pressures would persist into the current financial year, additional budget provision was made as part of the approved Budget for 2023/24. At the same time, action was taken in advance of the budget to increase various fees and charges which, at this stage, appear to be delivering additional income in line with budgeted levels. These matters aside, however, there remain various structural budget issues that will need to be considered in the development of the Council's budget for 2024/25.
- 1.2.16 Further detail of the variances by each Directorate is provided in sections 1.3 to 1.8 below.

1.3 Children & Families +£3.6m

High Needs

- 1.3.1 There was an in-year spend on High Needs spend in excess of the Dedicated Schools Grant (DSG) funding allocation of £13.6m (equivalent in-year deficit in 2021/22 was £12.8m). The overall DSG Deficit was £28.8m at 31 March 2023. This is off track with the Safety Valve modelled projections by £5.8m. The increase in costs was mainly due to rising complexity and demand in mainstream schools. The latest 5 year management plan projection still reflects an overall in-year balanced budget position by 2026/27 with a projected remaining balance of DSG deficit now at £1.4m; significantly reduced from the baseline starting point £35m deficit projection at year end 2021/22 prior to the Council's participation in the Safety Valve Round 2

Programme in February 2022.

- 1.3.2 Quarterly reports are submitted to the ESFA to highlight the progress towards the safety valve planned position and the Council continues to have regular meetings with the ESFA Safety Valve Team to track progress. The management plan also allows for some flexibility to review spend and funding profiles over the lifetime of the Plan, with appropriate DfE Safety Valve agreement where circumstances permit.
- 1.3.3 Costs continue to increase in relation to High Needs expenditure. The two main areas with additional cost pressures are Mainstream Top-Ups and Independent School Places. Mainstream top ups have increased by £1.5m due to increases in complexity and top up rates to reflect pay awards. The vast majority of Education, Health & Care Plans (EHCP) awarded are now at Band A or Band A exceptional which is the highest level of funding provided. Independent School Places costs are increasing by approximately £0.5m due to rising numbers and placement costs; including an element of placement costs that relates to Cost of Living impacted inflationary increases.
- 1.3.4 As part of the signed DSG deficit agreement, and the Council's continuing contribution towards the in-year DSG deficit savings target, £1.4m of costs that would otherwise have been recharged from Learning & Early Support to the High Needs block have instead been absorbed. Due to the timing of the management agreement, the 2022/23 costs have been offset from demand reserves drawdown, and the intention is to build the additional cost absorption into subsequent service budget development for 2023/24 onwards.

Learning +£2.3m

- 1.3.5 The School Improvement Grant reduced significantly in 2022/23 (£429k 21/22, £175k 2022/23). To mitigate the impact of this, the service is developing a new Challenge and Support approach with the Education and Learning Partnership Board and exploring ways to maximise income generation.
- 1.3.6 Traded Service income has reduced since the pandemic. The service is looking to redesign its offer.
- 1.3.7 Post 16 Transport continues to be a pressure. Additional budget of £0.6m was invested for 2022/23, but the activity was still £0.8m overspent in-year. Increases in fuel costs contributed in part to this overspend position. At the end of March 2023, 388 children use the service; an increase of 174, or 81%, since the end of March 2022. The increase in Post 16 Transport costs has been netted off from vacancy management across the service.
- 1.3.8 There was an overspend of £0.7m in the Special Educational Needs and Disability Assessment and Commissioning Team (SENDACT). This was primarily due to the use of agency staff to cover vacancies and sickness absence. It should be noted that agency usage is now at a minimum and has ended in March 2023 as the substantive posts have now been successfully recruited to.
- 1.3.9 There was also an overspend of £0.8m on Special Educational Needs and Disability Inclusion Fund (SENDIF). The overspend was a result of the continued increase in the numbers of children accessing the system and a rising complexity of need in these cases. Work is ongoing within the service to redesign the approach to SENDIF which will be co-produced with partners.
- 1.3.10 Educational services for Vulnerable Children (Education Psychologists) overspent by

£0.3m at year end. This was due to the use of Locum Educational Psychologists to cover substantive vacancies and provide additional support to help manage the increasing workload for this team as a result of the continuing increase in the number of requests for EHCP assessments.

Family Support & Child Protection +£1.0m

- 1.3.11 The £1.0m overspend within Child Protection and Family Support was largely a result of increased volumes and complexity of need on demand led Children with Disability Service (CDS) Agency Homecare Packages. The main area of this budget relates to Demand Led Sufficiency. Costs also increased because of Orchard View being unavailable at the moment and alternative placements needing to be utilised. The service is also experiencing increasing numbers of UASC (Unaccompanied Asylum Seeking Children).
- 1.3.12 The service continues to ensure that children only become looked after when this is necessary resulting in the number of looked after children (LAC) reducing during 2022/23 from 610 to 603. This is testament to the quality of practice from early support services, social work interventions and other creative and innovative practice. It is important to note that LAC numbers have been maintained at the same position as they were 12 months ago at 63.3 per 10,000 which must be seen in the context of significant demand increases being experienced in many local authorities currently. Kirklees performance remains strong as highlighted in our 12-month average rate which is 62.9 per 10,000 compared to Statistical Neighbours (SN) rate of 92 and England at 70.
- 1.3.13 It is also important to note that decision making about children entering care continues to be overseen by senior managers providing scrutiny and challenge to children's plans. In addition, there is robust oversight of children's permanence plans which prevents children remaining in care unnecessarily. Over the previous 12 months the Council continued to see a large number of children living with carers through special guardianship orders and Kirklees performance, when compared to SN and England, above average.
- 1.3.14 The service also achieved an in-year vacancy management saving of £1.4m; this has helped to mitigate other in year pressures across the service.

Resources, Improvements & Partnerships +£0.3m

- 1.3.15 There was an overspend of £0.3m within Resources, Improvements and Partnerships. This was a result of increased costs in Internal Residential Homes due to staff shortages, sickness and the use of agency, casual bank and overtime to manage these shortages. In-year measures were put in place to manage this situation and the costs were reduced demonstrated by a lower overspend than anticipated earlier in the year. The service will continue to look at ways to reduce the use of agency and overtime to control the overspend with a view to significantly reducing this in 2023/24. In addition to these increases in costs, an uplift to foster carer payments is included in the figures.

1.4 Adults and Health +£1.4m

- 1.4.1 The overall position for Adults was an overspend of £1.4m. Variances have been seen across key demand-led headings, notably on Independent Sector Home Care, on Independent Sector Residential & Nursing Placements, and on Self Directed

Support.

- 1.4.2 One of the main headline demand led variances was around Self-Directed Support, with an underspend of £3.4m. Significant elements of this related to Older People (£1.5m under), predominantly on Direct Payments, and also on Learning Disability (£1.9m under), largely on commissioned services. Against these, the Physical Disability client group was overspent against its budget by £0.5m, mainly on Direct Payments.
- 1.4.3 An overspend was seen on Independent Sector Residential & Nursing placements of £1m. This was mainly on the Learning Disability cohort at £0.7m (due to higher prices), and on the Older People cohort (£0.6m) around increased volumes. Work continues with providers in the care home market around key pressures, and trends in the short and long term. Working with partners continues to be important.
- 1.4.4 Independent Sector Home Care also overspent by £1.1m. Within this variance Learning Disability was £0.4m over (due to activity levels and on unit costs) and Older People was £0.7m over (higher unit costs).
- 1.4.5 Other headline variances were around employees (with an overspend of £1.4m). Pressures have continued in relation to recruitment and retention in the workforce, resulting in the use of agency staff where necessary. There were also smaller variances across a number of other headings, and an overspend of £0.8m due to the need to cover an increase in the level of bad debts being seen.
- 1.4.6 There has been significant work carried out as part of the Market Sustainability and Fair Cost of Care national programme, which was focused on the markets for Home Care and for Independent Sector Residential and Nursing Placements. Work around this will continue into next year.
- 1.4.7 The year also saw activity and spend around discharge funding. This has been a programme undertaken with Health partners to enable more timely discharge from hospitals. Work around this also continues into 2023/24.
- 1.4.8 There is also work being undertaken to understand the timing and impact of the national Charging Policy Reforms, and to ensure best use of the national funding allocations for Social Care. Alongside the increased Cost of Living impacts on providers there is a sustained impetus for working collaboratively in a strategic manner, ensuring that the Council continues to address the issues in the market, whilst bringing the best outcomes for the residents of Kirklees.

1.5 Environment and Climate Change +£9.1m

Environmental Strategy and Climate Change +£3.3m

- 1.5.1 There was an overspend of £2.9m on Schools Transport in the main linked to an increase in the number of routes to out of area schools and increased costs. A further £3.2m was built into Schools Transport base budgets as part of the approved 2023/24 Budget Report to Council to address these pressures. It should be noted that this additional budget also relates to the Post 16 elements of Schools Transport; referred to at paragraph 1.3.7.
- 1.5.2 There was also a £0.3m overspend within Licensing resulting from a shortfall

income.

Highways and Streetscene +£3.2m

- 1.5.3 There was an overspend of £1.2m within Highways, with approximately £0.6m of the additional costs relating to hired vehicles, materials and subcontractors within Highways operations. The remaining £0.6m pressure was on General Maintenance reactive works.
- 1.5.4 There were also pressures of £1.1m within parking largely due to multi storey and other site closures and lower than budgeted parking fees and fines income. Adverse Weather budgets were overspent by £0.6m due to above average gritting, night patrol actions and snowfall.
- 1.5.5 Within Waste services there was a net underspend of £0.2m. This was attributable to an underspend in the waste contract due to reduced tonnage sent to landfill, offset in part by additional costs for hired staff and external hire vehicles for recycling and waste strategy initiatives. Transport Services had an overspend of £0.5m due to the increased costs of running an aging fleet.

Culture and Visitor Economy +£2.6m

- 1.5.6 Within Catering there was a pressure of £1.2m due to a shortfall in income.
- 1.5.7 There were also overspends of £0.8m in Markets, £0.3m in Town & Public Halls and £0.3m in Bereavement largely due to reduced income. It should be noted that the income base budget for Markets was adjusted downwards by £0.3m as part of the approved 2023/24 Budget Report to Council.
- 1.5.8 Caretaking and Cleaning had an underspend £0.4m; mainly because of additional ad hoc and specialist cleaning.

1.6 Growth and Regeneration +£2.6m

Development +£2.2m

- 1.6.1 Within Development, there was an overspend of £2.5m on Property. This included overspends in Corporate Landlord due to greater than expected cost of repairs (£0.2m), cleaning of council buildings (£0.2m) and compliance inspections (£0.1m). There are also some residual costs related to COVID, including the PPE store (£0.3m) and homemaker furniture (£0.1m).
- 1.6.2 A further £0.9m of the overspend relates to Commercial Properties. This includes rents that are unachievable (£0.7m), greater than expected NNDR charges (£0.3m) & repairs (£0.1m).

Skills & Regeneration +£0.4m

- 1.6.3 There was a £1.0m overspend in Planning and Building control due to lower than expected demand for planning and inspections. This was largely offset by smaller underspends elsewhere within Skills & Regeneration including Major Projects (£0.3m) and Employment and Skills (£0.4m).

1.7 Corporate Strategy, Commissioning and Public Health +£1.4m

Strategy & Innovation (break-even)

- 1.7.1 There was an overspend of £0.5m within IT. This related to annual application and infrastructure contract inflation, plus inflation on other spend areas; offset in part by temporary underspending on staffing.
- 1.7.2 There was also an overspend of £0.5m within Intelligence and Performance, relating to hired staff costs and consultancy spend to cover some vacancies.
- 1.7.3 The 2023/24 Annual Budget report noted proposals to implement a Council flexible capital receipts policy from 2022/23 onwards. This included the anticipated use of in-year capital receipts against 2022/23 transformation related base budget costs, thereby releasing equivalent revenue resource. This was actioned at year end, resulting in a £0.9m underspend within Transformation.

Public Health & People +£0.9m

- 1.7.4 There was an overspend of £0.9m within People Service. This largely related to staffing overspends within both HR, with regards to succession planning, and HD-One, for specific projects.

Governance & Commissioning -£0.2m

- 1.7.5 Within Governance and Commissioning, there was an underspend of £0.5m in relation to increased charges to capital and reduced external costs. This was offset in part by directorate savings targets unachieved.

Finance -£0.2m

- 1.7.6 Within Finance there was a £0.4m underspend in Welfare and Exchequer. This included underspends on grant payments, due to alternative sources of funding, and lower than budgeted staffing costs.

Benefit Payments +£0.9m

- 1.7.7 There was a £0.9m overspend on subsidy benefit payments relating to homelessness. The underlying cost pressure of £2.3m was offset by £1.4m of Homelessness Grant.

1.8 Central Budgets -£6.2m

- 1.8.1 The 2022/23 Annual Budget Report included a provision of £4.0m, reducing by £1.0m per annum over the subsequent 2 years, reflecting the protracted recovery of service income from sales fees and charges and commercial rents as a result of COVID over the medium term. The full £4.0m contingency was released from central budgets in-year to offset service losses held within Directorates.
- 1.8.2 There was also a pressure of £0.5m from a review of central budget income targets. This was offset in full by a £0.5m underspend resulting from the mini budget announcement in September of the reversal in the National Insurance 1.25% uplift from 6 November 2022.
- 1.8.3 As part of the Final Local Government Finance Settlement on 6 February 2023, it was announced that £100m would be distributed across councils from the 2022/23 business rates levy account. Kirklees' allocation was £0.7m, and this income is

recognised in central budgets in 2022/23.

- 1.8.4 The Council's revenue budget includes estimates of various un-ringfenced grants from government which can be used to support overall general fund spend priorities. A surplus of £0.6m of these grants was received in 2022/23 compared to the budgeted estimates. This surplus is held within central budgets.
- 1.8.5 There was also an underspend of £0.8m in relation to anticipated returned levy funding from the Leeds City Region business rates pool and a £0.3m surplus on the Insurance Fund that was transferred to general fund at year end.
- 1.8.6 Within Joint Committees, there was an overspend of £0.3m. In the main, this related to pressures within the Coroners budget.
- 1.8.7 In line with last year's closedown process, an exercise was conducted to capitalise £1.3m of costs previously allocated to revenue in-year, within allowable accounting rules and existing Council policies. This released revenue within Central Budgets, which was then transferred into earmarked reserves. (see also paragraph 1.12.14).

Flexible Capital Receipts

- 1.8.8 The Council's flexible capital receipts strategy was applied in relation to £2.9m of transformation related spend (see also paragraph 1.12.15). These costs met the criteria for qualifying expenditure of *funding the cost of service reconfiguration, restructuring or rationalisation (staff or non-staff), where this leads to ongoing efficiency savings or service transformation*, set out at paragraph 3 of the Flexible Capital Receipts strategy which can be found at Appendix 10.

1.9 General Fund Reserves

- 1.9.1 General Fund reserves and balances have decreased through 2022/23 by £70.2m; from £166.8m at the start of the year to £96.6m as at 31 March 2023. This compares to a projected year end figure of £98.8m assumed in the 2023/24 Annual Budget Report; equating to a difference of only £2.2m.
- 1.9.2 The difference from the Budget Report projections reflects additional net drawdowns of £5.5m in-year, including £3.8m from School balances, offset by a lower than anticipated revenue overspend. Estimates in the budget report assumed an overspend of £30.3m, in line with Quarter 2 projections. The final overspend position of £27.0m reflects a £3.3m reduction from this estimate; thereby reducing the impact on general balances by this amount.
- 1.9.3 Of the £70.2m in-year reduction in General Fund Reserves, £27.7m relates to transfers approved in the 2022-27 Annual Budget report. The remaining £42.5m balance of movement is broken down as follows:
- i) £11.4m planned net drawdowns from reserves during the year, including the £3.8m from Schools Balances as noted in 1.9.2 above. The most significant drawdowns to support Directorate spending were £2.7m from Specific Risk reserves, £2.1m from COVID reserves, £2.1m from Development Funding reserves and £1.3m from the Social Care reserve.
 - ii) Drawdown of £1.4m from the demand reserve to offset annual General Fund

costs previously recharged to High Needs block, now absorbed by Learning Services as part of the Council contribution to the overall Safety Valve funding agreement (paragraph 1.3.4).

- iii) Drawdown of £2.7m from Specific Risk reserves to fund the creation of a bad debt provision with regards to KSDL, as currently negotiations are taking place between shareholders regarding restructuring.
- iv) Transfer of the 2022/23 overspend of £27.0m against unallocated reserves at year end.

1.9.4 The reserves summary, as set out in Appendix 2, also reflects the re-direct in year of £27.0m from existing earmarked reserves into unallocated reserves to offset the in-year overspend.

1.9.5 The unallocated reserves balance at 31st March 2023 was £47.1m; equivalent to 12.6% of the 2023/24 net revenue budget. There is also a further planned drawdown of £24.6m of unallocated reserves in 2023/24 to balance the overall budget position; approved in the Annual Budget report to Cabinet and Council in February and March 2023 respectively. This leaves a remaining unallocated reserves balance of £22.5m, or 6.0%, of the 2023/24 net revenue budget.

1.9.6 Unallocated reserves within the range of 5% to 10% are considered adequate from an external auditor's perspective, to manage a typical range of budget risks relative to a Council's size and complexity. However, over-reliance on one off revenue reserves to support annual balanced budgets over the medium term is not a financially sustainable strategy and the significant depletion in reserves over time leaves the Council very exposed to financial risks.

1.9.7 The s151 Officer's view is that 5%, or £18.7m, has to be considered the absolute minimum level of unallocated reserves for this council to hold at any one time. For a Council of this size and complexity, every opportunity must be taken over the next couple of years to replenish unallocated reserves further, thereby reducing the council's exposure to financial risks over the medium term.

1.10 Collection Fund

1.10.1 The Collection Fund accounts separately for council tax and business rates income and payments. Table 2 below summarises the financial performance of the Collection Fund in 2022/23.

Table 2 – Collection Fund Summary

Collection Fund Outturn (Council Share)	Council Tax	Business Rates	Total
	£000	£000	£000
(Surplus)/Deficit at 1 April 2022	744	13,398	14,142
Re-payments to/(from) General Fund 22/23	(1,026)	(15,135)	(16,161)
In year Financial Position	1,729	490	2,219
(Surplus)/Deficit at 31 March 2023	1,447	(1,247)	200
Planned Repayments to general fund 23/24	282	1,737	2,019
Adjusted (Surplus)/Deficit	1,729	490	2,219

- 1.10.2 The in-year Council Tax performance was a £1.7m deficit (0.8% of budgeted income). This position was largely due to reduced income because of higher than budgeted exemptions and Single Person Discounts. There was also an increased bad debt provision requirement, resulting from slower than anticipated debt repayments linked to Cost of Living pressures on residents.
- 1.10.3 The local Council Tax Reduction (CTR) scheme supports some of the borough's households on low incomes, is means tested and eligible claimants receive up to 80% discount from their full council tax liability. The local scheme only applies to those of working age. The national pension age scheme means there is no such minimum payment and eligible pensioners can receive up to 100% discount.
- 1.10.4 At the end of March 2023 the working age CTR claimant numbers were in the region of 23,400. This represents a reduction of 1,100 since 31 March 2022, however this is also an increase since January 2023; where the numbers had dipped to around 23,100. CTR figures remain volatile going forwards into 2023/24, with the potential of a further rise over time as prevailing economic conditions are likely to mean increased unemployment rates and further growth in households eligible for CTR.
- 1.10.5 The in-year Business Rates performance was a net £0.5m deficit (1.0% of budgeted income).
- 1.10.6 Budget plans assumed an element of post-COVID recovery in Business Rates income in 2022/23. However, this estimated growth was not seen in-year, with Kirklees' total non domestic rateable value increasing by only 0.1% between 31 March 2022 and 31 March 2023. Approximately £1.5m of additional budgeted Business Rates income was therefore not achieved. Moving forwards, the 2023/24 Business Rates budget does not include this element of growth, and so this pressure is not expected to wash through to next financial year.
- 1.10.7 Furthermore, there was a requirement at year end to add an additional £0.4m (Kirklees share) into the appeals provision in relation to a reduction in RVs for museums. Similar reductions are expected to be happening nationwide, in response to a successful precedent case against the Valuation Office.
- 1.10.8 Government continued to provide further expanded reliefs in 2022/23 due to the economic impacts of COVID on specific business sectors. Eligible occupied retail, hospitality and leisure properties received a 50% relief, up to a cash limit of £100,000 per business. The overall amount of reliefs awarded in-year, including these expanded reliefs, was less than budgeted; thereby resulting in an underspend on this element of in the region of £1.5m for Kirklees. This offset, in part, the pressures outlined in the paragraphs above.
- 1.10.9 Charges to the General Fund each year from the Council (the billing authority) for Council Tax and Business Rates, and to the major precepting authorities (Fire & Rescue Authority, West Yorkshire Mayor Police and Crime Commissioner) are based on estimates. Actual income collected year on year will vary. These timing differences result in actual surpluses or deficits which are rolled forward year on year through the Collection Fund, and 'settled' over following years, through relevant payment adjustments to the General Fund/major precepting authorities.
- 1.10.10 The approved 2023/24 revenue budget included a repayment of £2.0m from the Collection Fund to General Fund in 2023/24; based on the estimated Collection Fund performance in 2022/23, as outlined in the above paragraph.

1.10.11 The net effect of the above adjustments leaves a Collection Fund deficit of £2.2m at the start of 2023/24.

1.11 Housing Revenue Account

1.11.1 The Council's Housing Revenue Account (HRA) accounts for all Council housing related revenue expenditure and income in a separate statutory (ring-fenced) account.

1.11.2 The HRA is reporting a deficit of £1.7m after a transfer from reserves of £4.5m. The deficit follows a review of inflationary pressures, where there was an increase in the contribution from HRA reserves by £1.8m and a commitment to in-year efficiency savings of £3m.

1.11.3 The main variances are as follows:

- i) Repairs and Maintenance – Deficit of £1.7m (Deficit of £2.5m less in year budget increase of £936k for inflation).
- ii) Homes and Neighbourhoods Management costs underspend of £2.2m (Surplus of £1.4m following in year budget increase of £736k for inflation)
- iii) Special services overspend of £1.3m which includes sheltered heating, communal cleaning, and concierge where charges should be passed on to tenants and leaseholders as part of a service charge. This is being reviewed further.
- iv) Overspend for depreciation where the forecast is £1.1m more than initially budgeted for. This is based on the increased valuation of HRA properties and the increased cost of asset replacements.
- v) Increased loss of rental income due to void properties of £832k. This is due to the time properties are left empty, but a piece of work is being carried out to assess how much of the void rent loss relates to properties where tenants have been decanted for the purpose of future demolition.

1.11.4 HRA reserves balance at 31 March 2023, which includes providing for business risks and investment needs, is £44.4m. A summary of the HRA outturn and reserves position can be found at Appendix 3.

1.12 Capital

1.12.1 The Council's revised capital budget programme for 2022/23 totalled **£179.3m** across a range of schemes and programmes.

1.12.2 The nature of capital programmes and funding means that with some schemes, there is greater potential for variations in-year; for example timing of external funding being secured, or the size and complexity of specific schemes meaning longer lead in times than originally profiled in capital budget plans. In recognition of this, Council Financial Procedure Rules (FPR's) allows greater in-year flexibility for Cabinet to amend existing Programme and scheme allocations between years.

1.12.3 A revised budget of £184.2m was reported as part of the Quarter 3 Corporate Financial Monitoring Report on 14 March 2023. Subsequent application of the FPR flexibility in-year through quarterly financial monitoring reporting largely contributed to a revised capital budget of £179.3m. The budget has decreased by £4.9m since Quarter 3 due to budget being re-profiled into latter years of the plan (-£10.7m) offset by increased

grants and contributions (+£5.8m). A breakdown of the budget changes including the re-profiling requests since Quarter 3 can be found in Appendix 5.

- 1.12.4 The 2022/23 capital outturn was £146.2m, which is about £18m higher than equivalent capital outturn spend in 2022/23 of £128.2m. The variance at year end is £33.1m.
- 1.12.5 The capital outturn position is summarised in Table 3 below and Appendix 4. Headline variances are described in more detail in sections 1.12.8 to 1.12.13. Of the total £146.2m actual spend, £72.6m relates to strategic priorities, £67.2m relates to baseline capital spend, the balance of £6.4m to projects of a one-off nature.

Table 3 – Capital Outturn 2022/23

By Category	Revised Capital Budget £000	Outturn £000	Variance £000
Aspire & Achieve	14,886	11,464	(3,422)
Best Start	1,504	991	(513)
Independent	5,992	3,413	(2,579)
Sustainable Economy	114,953	90,193	(24,760)
Well	3,612	3,257	(355)
Safe & Cohesive	5	0	(5)
Clean & Green	5,097	4,601	(496)
Efficient & Effective	4,580	5,191	611
General Fund	150,629	119,110	(31,519)
Strategic Priorities	9,395	8,842	(553)
Operational	19,320	18,260	(1,060)
Housing Revenue Account	28,715	27,102	(1,613)
Total Capital Budget	179,344	146,212	(33,132)

- 1.12.6 Capital expenditure at year end was funded by the following sources of finance; borrowing £67.2m (46%), grants and contributions £48.1m (33%), capital receipts at £7.7m (5%), General Fund Reserves at £0.3m, Major Repairs Reserve (HRA) at £18.8m (13%) and HRA reserves/revenue contributions at £4.1m (3%). This is shown in more detail at Appendix 7 (a).
- 1.12.7 Actual borrowing costs incurred in 2022/23 are largely consistent with treasury management budget assumptions. Treasury management budgetary assumptions are reviewed annually as part of the annual budget refresh and take account any changes in the profiling and quantum of capital spend to be funded from borrowing over the periodically refreshed multi-year capital plans.

Sustainable Economy -£24.8m

- 1.12.8 Headline rollover proposals relate to underspends mainly within Sustainable Economy. The majority of this relates to Strategic Priority schemes. The Cultural Heart programme underspent by £8.5m due to Gateway 3 being pushed back from January 2023 to June 2023 and consequently the expenditure profile has been slower than the original forecast and approved budget.
- 1.12.9 Huddersfield Town Centre Action Plan underspend of £6.1m, was made up of various under and overspends, the largest underspends being £3.5m on the Huddersfield

Station Gateway and £1.9m on Estate Buildings HAZ scheme. Dewsbury Town Centre Action Plan's (£2.5m) largest variance was on Sustainable Transport which is funded by grant. The underspend of £1.3m was due to awaiting payment now anticipated in April. The Transforming Cities Fund underspend of £2.7m is a result of significant slippage on achieving planning consent and the subsequent development of full business case on the Heckmondwike Bus Station scheme (£0.6m).

- 1.12.10 Underspends within Baseline Capital plans are largely found within the Highways Capital Plan which is funded mainly via CRSTS grant. Highways underspent by £2.5m, with the majority of slippage within the Principal Roads programme area. Corporate Landlord Asset Management baseline plan experienced delays in the programming of several schemes due to longer lead in times from material shortages in the market and limited internal and external design and delivery resourcing availability, leading to an underspend of £2.2m.

Aspire and Achieve -£3.4m

- 1.12.11 An underspend of £1.1m relates to New Pupils Places in Primary/Secondary Schools linked to delays in programme delivery on Manor Croft, an outstanding final account agreement on King James's Academy Schools and denied lender consent on the Thornhill Community Academy PPP scheme. Also disputes in final accounts, holding retention payments on contracts and lack of resources both internally and in the external market has led to the deferral of schemes from the Capital Maintenance programme leading towards an underspend of £2.1m.

Independent -£2.6m

- 1.12.12 Slippage on the Knowl Park House new build scheme of £1.4m contributed towards the overall underspend within the Adults capital plan. There were also delays on the Carephones Digital Switchover (£0.6m) and Carefirst System Replacement (£0.4m) projects, requiring these underspends to be rolled forward into the following financial year.

Housing Revenue Account -£1.6m

- 1.12.13 There was an underspend within Compliance of £0.6m due to slippage but all works are contractually committed. The Adaptations programme underspend of £0.5m was due to delays in not clearing out the backlog as quickly as anticipated. The Remodelling/High Rise variance of £0.4m underspend was due to the commencement of the Harold Wilson Court scheme being delayed, with the start on site now projected for June 2023. Council House Building however overspent by £0.4m as a result of works being completed sooner than anticipated.
- 1.12.14 In line with last year's closedown process, an exercise was conducted to capitalise £1.3m of costs previously allocated to revenue in-year, within allowable accounting rules and existing Council policies. The funding released revenue resources, thereby helping to offset in-year pressures and maximise the roll forward earmarked reserves for use in 2023/24 and beyond (see paragraph 1.8.7). Funding of this additional capitalisation year end spend was met via un-ringfenced capital receipts.
- 1.12.15 Under the flexible capital receipts policy, £3m for Transformation Capitalisation was set aside in the budget for transformation costs. At year end £2.9m revenue transformation costs were capitalised, an underspend of £0.1m. These were funded from in-year capital receipts (see also paragraph 1.8.8).

1.12.16 Capital rollover proposals total £34.5m. The £1.4m difference between the £34.5m capital rollover requested and the overall outturn variance of £33.1m relates to the in-year revenue capitalisation exercise (£1.3m), the underspend on the Capitalisation Transformation line (£0.1m) and grant schemes funded by resources in year whereby the overspend is not rolled forward. The Revenue Capitalisation and Capitalisation Transformation expenditure were met via uncommitted capital receipts corporately, they do not affect original service rollover proposals.

Capital Rollover Proposals

1.12.17 When the Council approved the Capital Investment Plan on 8th March 2023 for the multi year period from 2022/23 to 2030/31, it made provision for a level of investment of £1.1bn within the Annual Budget Report (£829.8m General Fund, £273.3m HRA) for the period 2023/24 to 2030/31.

1.12.18 The proposal is to effectively re-profile planned spend totalling £34.5m from 2022/23 to 2023/24; £32.9m General Fund and £1.6m HRA. This largely reflects deferred spend against existing schemes rolled forward into future years.

1.12.19 The capital plan has now been updated to take account of the capital rollover totalling £34.5m from 2022/23 and changes in the estimated levels of resources available. The revised multi-year capital plan for 2023-24 to 2030/31 set out in this report, including re-profiled planned spend, stands at £1.2bn.

1.12.20 The draft capital plan 2023/24 including slippage, rephasing and any new planned investment, is shown at Appendix 7(a) and 8(b) and summarised in Table 4 below:

Table 4 – Updated Capital Plan 2023/24-2030/31

Capital Plan – Primary Outcomes	23/24 £m	24/25 £m	25/26 £m	26/27 £m	27/28 – 30/31 £m	Total £m
Aspire & Achieve	21.0	22.4	25.0	11.0	4.3	83.7
Best Start	2.9	0.0	0.0	0.0	0.0	2.9
Independent	8.1	2.8	4.5	4.7	1.3	21.4
Sustainable Economy	154.6	156.5	130.2	71.0	200.7	713.0
Well	5.3	2.6	1.7	0.7	0.0	10.3
Clean & Green	12.5	10.4	11.1	0.1	8.4	42.5
Efficient & Effective	6.8	6.0	1.0	1.0	0.9	15.7
General Fund	211.2	200.7	173.5	88.5	215.6	889.5
HRA - Independent	48.7	51.1	63.4	58.3	90.6	312.1
Council Total	259.9	251.8	236.9	146.8	306.2	1201.6

** categorisation here by primary outcome for illustrative purposes, acknowledging that in many instances capital investment delivers multiple outcomes.*

1.12.21 Updated Capital budget plans include significant investment within the Sustainable Economy outcome (£713m). This reflects the Council’s ambition to regenerate and celebrate the heritage of Huddersfield Town Centre as part of the Cultural Heart programme (£254m). Progress on the Cultural Heart is regularly reviewed by Cabinet through the gateway process with key milestones for progressing the programme. There is also significant investment on transport schemes totalling £101m, of which £95m is funded via the West Yorkshire plus Transport Fund (WY+TF) alongside Council underwrite of existing and forthcoming schemes such as the A62 Smart Corridor, Huddersfield Southern Corridor and Holmfirth Town Centre Access Corridor Improvement Programme.

- 1.12.22 As part of Round 2 of government's flagship Levelling Up Fund to create jobs and boost the economy, the government pledged £5.6 million for a public-private sector regeneration which will see the derelict former textile mill in Marsden turned into retail, office and apartments complex. Plans include retaining the mill's façade with the remainder of the building being partially demolished to create a new building, which would support both local businesses and the town centre. The additional funding is reflected in the Regeneration of Smaller Town Centres Capital Plan which stands at £28m overall.
- 1.12.23 In October 2022, Cabinet approved a package of funding known as UK Shared Prosperity Fund (UKSPF) from the Mayoral Combined Authority to Kirklees Council to deliver local communities, and place and business initiatives. In addition to last year, a total of £0.9m has been added across the Capital Plan (£0.2m 2023/24, £0.7m 2024/25) to support schemes for Safe and inclusive Town Centres, St Peters Garden, Digital Hub investment, Playzone Ravensthorpe, Town Centre Business Advisor Programme and New English project.
- 1.12.24 In November 2022 the Department for Education announced an additional £447m in capital allocations for Energy Efficiency for schools on top of the Devolved Formula Capital (DFC) already allocated to eligible establishments in 2022-23. Kirklees received an additional £1.68m in 2022/23 which is now built into the revised 2023/24 DFC Capital Plan.
- 1.12.25 The Changing Places Fund is intended to invest up to £30 million nationally over 3 financial years from 2021/22 to increase the number of Changing Places toilets in existing buildings that are accessible to the public and small-scale infrastructure which are not covered by new building rules introduced in 2020. As part of the government's plans to increase the provision of Changing Places toilets, Kirklees was awarded £0.3m funding (£89k as part of Round 1 and £0.2m as part of Round 2) toward toilet provision to meet the needs of disabled children and adults with complex care needs who need carer support, appropriate equipment and more space, allowing all disabled people being able to take part in everyday activities with the same dignity as everyone else.
- 1.12.26 The Department for Education allocates funding each year to help maintain and improve the condition of school buildings and grounds. The school condition allocations (SCA), with funds paid to eligible bodies responsible for maintaining school buildings, have been announced with the Council receiving an additional £0.2m this financial year. The government grant allocations built into the 5 year Capital Plan approved by Council in March 2023 have been reviewed. Previously indicative annual grant assumptions for Capital Maintenance grant allocations have been revised from 2024/25 onwards within the updated Plan (+£0.1m p.a.). The principle to be adopted in applying the Capital Plan is that annual expenditure must be within the confirmed grant allocation (once received) rather than the current indicative Capital Plan figure.
- 1.12.27 A part of the Budget 2023, the Department of Transport (DfT) announced £200m for highways maintenance for the financial year 2023/24. £6.5m was allocated to the West Yorkshire Combined Authority and Kirklees was awarded £1.3m from this allocation. The additional Pot-hole funding is reflected in the updated Highways Plan in 2023/24, under Local Community Roads.
- 1.12.28 The Housing Revenue Account (HRA) multi-year capital plan stands at £312.1m, split £121.6m strategic priorities and £190.5m baseline allocations. The main elements of the multi-year HRA capital plan are:

High Rise	£56.1m
Additional Council Houses	£49.4m (Council Housing and Housing Growth)
Housing Capital Plan	£74.6m (Inc Estate Improvements & Fuel Poverty)
Building Safety	£98.7m (Inc six storeys, Low rise and RLS)
Ashbrow	£9.6m

- 1.12.29 To help address growing demand for affordable housing needs in Kirklees, the capital plan supports a Council House Building and Housing Growth programme (£49.4m). This programme has been reprofiled to address capacity and delivery. The Local Authority Housing Fund, for the provision of Refugee Housing accommodation for families with housing needs who have arrived in the UK via Ukrainian and Afghan resettlement and relocation schemes is shown separately within the Plan at £4.7m.
- 1.12.30 The capital baseline includes the revised building safety investment of £98.7m overall, reflecting the Councils commitment to safe and compliant housing stock delivered in accordance with regulatory requirements within the HRA. A report was taken to Cabinet on 11 April 2023 seeking approval for a revised approach to the procurement and delivery of fire safety remedial works to 6-storey (£36m), low rise (£25m) and retirement living scheme blocks (£25m) and to endorse the direct award of contract for Hebden Court and Buckden Court to Fortem Solutions Limited.
- 1.12.31 The HRA plan also includes Adaptations at £17.3m; to give disabled people better freedom of movement into and around their homes and to give access to essential facilities within the home. It enables people to live safely and independently and prevents or delays the need for residential care. The balance of baseline funding supports a range of life cycle investment in existing housing stock in line with longer term HRA business plan requirements. Continued investment in a new replacement assets and maintenance system at £1.8m is also included in the overall plan.

Additional Borrowing Proposals

- 1.12.32 The Council's Capital Assurance Board acts as a strategic group, overseeing all capital projects to ensure sound governance and project management is applied to both initial development of proposals and delivery of schemes. This report includes a number of specific capital schemes reviewed by the Board which are recommended for Cabinet approval in line with Council Financial procedure Rules. All the proposals detailed below request additional borrowing.

Parking Machines +£0.9m

- 1.12.33 Approval and investment are sought to replace the bulk of the Council's estate of parking ticket machines, to protect an income stream, reduce costs, enhance capabilities and functionality and reduce carbon emissions. Kirklees Council operates an estate of around 140 parking ticket machines in pay and display on and off-street parking areas in Huddersfield, Dewsbury and Holmfirth. This tangible asset has not had an overall refresh for many years, rather machines have been replaced and repaired ad-hoc often with second-hand parts. Consequently, the Council operates 10 different types of machines.
- 1.12.34 It is proposed to upgrade and replace our machine estate of approximately 140 parking machines in 10 tranches, over the next 2 years, at a cost of £910k. This would involve the immediate replacement of 24 obsolete machines which are no longer supported and for which parts are no longer available as well as the replacement of a further 26 machines for which parts are becoming very difficult to source. Further tranches would

involve subsequent replacement of machines lacking functionality such as coin payment only, solar powered, no data management software. Further expansion of pay and display machines will be identified as part of the Parking Strategy. An Executive Summary is appended to this report (Appendix 8).

- 1.12.35 Cabinet is requested to approve £0.9m for replacement parking ticket machines (£0.3m 2023/24, £0.6m 2024/25). The replacement of parking machines is seen in the context of the Huddersfield and Dewsbury Blueprints for regeneration, as well as the development of a broader parking strategy for Kirklees.

Burial provision in North Kirklees +£0.5m

- 1.12.36 An Immediate pressure point has been identified at Dewsbury Cemetery which will be full to new muslim burials by the end of 2023. The construction of a new burial ground is required to ensure the Council is able to continue to provide burial services within the north of the district for its residents. The development of a new burial ground will help to meet the identified shortfall in Burial capacity in the north of the district, to meet the burial needs of residents and communities.
- 1.12.37 The initial investment required for planning Authority fees and development support is needed in stages as the project progresses. Drawdown of this funding will be controlled via gateway decisions from a project board under delegated authority. The income received from a new cemetery is not additional income, but a continuation of existing income which is already part of the budget. An Executive Summary is appended to this report (Appendix 9).
- 1.12.38 Cabinet is requested to approve £0.5m for the land acquisition and development of a new cemetery in North Kirklees (£0.1m feasibility 2023/24, £0.4m land acquisition 2024/25). Provision of a new cemetery will bring some certainty to communities that there is a provision for loved ones and a facility that respects cultural values and requirements.

New Street Public Realm +£0.5m

- 1.12.39 The improvement to New Street (Ramsden Street to Cloth Hall Street), was identified in the recently published 'Huddersfield Blueprint' as the street is considered to be strategically important to the regeneration of the town centre. The main objectives of the scheme are to enhance the public space by creating a safe, modern and vibrant street to encourage shoppers and retail activity. Improvements include the introduction of new CCTV cameras, decorative lighting, high quality granite paving, bespoke street furniture, as well as trees and landscaping with works being delivered by the Highway Operations team.
- 1.12.40 The New Street Public Realm scheme is currently on site with an original allocation of £5.3m in the Capital Plan. The initial scheme did not include decorative lighting, the inclusion of which was agreed to after the initial budget had been approved by Cabinet in October 2018. Also, the rise in inflation has seen a significant increase on the costs of materials which is contributing to the current budget pressure of £0.5m required to complete the scheme. The final scheme which is currently being constructed on site has been consulted on and agreed with key stakeholders and businesses within the town centre. The scheme will significantly enhance this town centre public space with the provision of new granite paving, decorative lighting, new CCTV cameras and bespoke street furniture including landscaped planters and trees.

- 1.12.41 Cabinet is requested to approve the additional £0.5m funding for the existing project, in order to complete the landscaped public space on New Street contributing to the delivery of the Huddersfield 'Blueprint'.
- 1.12.42 A number of amendments to the Capital Plan which have no additional borrowing attached, were also approved by the Capital Assurance Board. These are noted below:
- i) As part of the Cultural Heart programme, Kirklees traded services provide technical support to the external consultants, ensuring that when the scheme is transferred back to the Council, the Council can maintain and operate it. The proposal is to top slice £1m (£0.4m 2023/24, £0.3m 24/25, £0.3m 25/26) from the overall programme to address internal fees.
 - ii) The A62 Smart Corridor is predicted to overspend by £1.7m overall. In order to manage this, sufficient borrowing will be diverted from the Huddersfield Southern Corridors scheme within the WYTF plan to ensure scheme project completion.
 - iii) £60k was released from the Asset Strategy Plan towards an Accessibility to Public Spaces and Places scheme in Kirklees. The scheme involves 90 accessibility reviews conducted over a three-year contract period, the production of a set of Design Principles specific to Kirklees Council and a consultant based future skills programme.
- 1.12.43 Cabinet is requested to approve the £1m top slice from the Cultural Heart programme for internal fees, transfer of £1.7m from Huddersfield Southern Corridors to manage the overspend for the A62 Smart Corridor, and £60k for Accessibility to Public Spaces and Places project, all with net nil borrowing additionality.
- 1.12.44 Officers will continue to review capital budget profiles in year, and any further re-profiling movements between years will be reported to Cabinet as part of the quarterly financial monitoring arrangements through 2023/24, in accordance with Financial Procedure Rules 3.10-3.15. This approach acknowledges the growing complexities and challenges over the upcoming years in delivering to this scale of ambition.
- 1.12.45 Future multi-year capital plan updates will also be presented periodically to Council as part of the annual budget strategy update and annual budget approval reports to Cabinet and Council as a matter of course as part of the annual planning cycle. All schemes will be reviewed in respect of deliverability, priorities, financial risk and other risks and opportunities as appropriate.
- 1.12.46 While provision has been made in the Revenue Budget to cover the expected costs of borrowing, as with other aspects of the Council's Strategy, this will continue to be reviewed as revenue resources are themselves under considerable pressure, and close scrutiny will be essential to ensure borrowing fulfils the criteria of being affordable, prudent and sustainable.

2 Information required to take a decision

- 2.1 The Appendices accompanying this report provide a more detailed breakdown of the outturn financial monitoring position, as follows:

Appendix 1 summarises, by service area, the General Fund revenue outturn position in 2022/23;

Appendix 2a summarises the General Fund reserves and balances movements in-year;

Appendix 2b details the purpose of each reserve;

Appendix 3 summarises the HRA revenue outturn position including movements in HRA reserves in-year;

Appendix 4 summarises by Council priority Outcome, the capital outturn position in 2022/23

Appendix 5 sets out the key capital budget changes between Quarter 3 financial monitoring report and outturn, for 2022/23

Appendix 6 provides a schedule of prudential indicators for 2022/23, applicable to affordability and prudence;

Appendix 7a summarises the updated capital plan 2023/24, taking into account rollover, grant changes and additions. A funding summary is also included;

Appendix 7b shows the detailed capital plan updated for 2023/24 including rollover, by Council Priority Outcome;

Appendix 8 sets out the proposal for £0.9m additional borrowing to be added to the Capital Plan for procurement of the replacement parking ticket machines;

Appendix 9 sets out the proposal for £0.5m additional borrowing to be added to the Capital Plan for new burial provision within North Kirklees;

Appendix 10 details the Council flexible capital receipts strategy;

Appendix 11 is the Annual Report on Treasury Management activity to Corporate Governance and Audit Committee, 16 June 2023.

3 Implications for the Council

3.1 The report provides summary information on the overall financial performance against annual Council revenue and capital budgets in 2022/23, incorporating as well an overall updated capital plan for 2023-24. These budgets support the overall delivery of the following Council objectives and Priorities within available resources:

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

3.2 Working with People

3.3 Working with Partners

3.4 Place Based working

3.5 Climate Change & Air Quality

3.6 Improving Outcomes for Children

3.7 Financial Implications for the people living or working in Kirklees

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

- 3.8.1 The Council has a statutory duty to balance its budget under section 31A of the Local Government and Finance Act 1992 and to take any necessary steps in-year to ensure this. Section 151 of the Local Government Act 1972 requires the Council to make proper arrangements for the administration of its financial affairs including budgetary control.
- 3.8.2 As outlined in section 1.2 of this report, a number of key assumptions incorporated into the budget plans for 2022/23 and key spend and funding assumptions for future years were impacted by the volatile global and national economic conditions. Significant inflationary pressures affected both revenue and capital budgets, and the Cost of Living crisis and its impacts on local residents and businesses was notable in the in-year performance of the Collection fund.
- 3.8.3 The external crises of 2022/23 also compounded long-running structural challenges for the council. This included historic central government underfunding, when compared to local authorities with similar characteristics and challenges to Kirklees. The 2023/24 Local Government Financial Settlement, finalised in February 2023, continues to leave Kirklees at a relative disadvantage and failed to mitigate many of the Cost of Living cost increases faced by the Council. Government expectation is that Councils use their reserves to mitigate these pressures.
- 3.8.4 While the Council has transferred £27.0m from existing earmarked reserves into unallocated reserves to offset the in-year overspend, over-reliance on “one-off” revenue reserves to support annual balanced budgets over the medium term would not be financially sustainable, and any significant depletion in reserves over time would leave the Council very exposed to financial risks.
- 3.8.5 The approved 2023/24 budget includes sustainable savings of £18.6m, plus the utilisation of £24.6m in unallocated reserves as a short-term stability measure largely to address the unprecedented Cost of Living pressures.
- 3.8.6 The Council must ensure that it delivers the £18.6m savings proposals in 2023/24, alongside maintaining overall plans within the approved budget envelopes. This will be supported by appropriate and robust member and officer stewardship, monitoring and review, and will form the basis of overall in-year financial reporting in the corporate member arena through established annual Council planning cycle and governance processes.
- 3.8.7 Preparation must also begin early to formulate further budget proposals for 2024/25. The approved 2023/24 Annual Budget report included a forecast £25.2m budget gap for 2024/25, in addition to £11.5m of identified savings in view.
- 3.8.8 An updated baseline position for both revenue and capital multi-year plans will be incorporated into the Council’s medium term financial strategy (MTFS) report to be presented to Council later in the year. This will then provide the financial planning framework for the development of subsequent budget proposals to inform 2024/25 and future years.
- 3.8.9 The Equality Act 2010 creates the Public Sector Equality Duty (PSED). The Council

utilises Integrated Impact Assessments to address these duties and these form part of the annual Council Budget Setting report. This report reflects the outturn position and as such, further reference is not required at this stage.

4 Consultees and their opinions

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

5 Next Steps

Subject to member approval, capital rollover proposals and the update of the 5 year capital plan will be incorporated into in year financial monitoring in 2023/24, and reported quarterly to Cabinet from Quarter 1 onwards.

6 Cabinet portfolio holders recommendations

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

7 Officer recommendations and reasons

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

General Fund

- 7.1 note the revenue outturn position for 2022/23 including Cost of Living impacts;
- 7.2 note the application of the Councils flexible capital receipts strategy to the value of £2.9m applied against eligible transformation in 2022/23; as approved in the 2023/24 Annual Budget report in March 2023;
- 7.3 note the Government's £13.5m funding contribution on 31 March 2022 towards the Council's Dedicated Schools grant (DSG) deficit;
- 7.4 note the year end position on corporate reserves and balances;
- 7.5 re-affirm the proposed use of pre-existing reserves and endorse the proposed use of new reserves as set out in section 1.9 in this report
- 7.6 note the regular monitoring and review of corporate reserves in 2023/24 to be reported to Cabinet as part of the Quarterly financial monitoring cycle;

Collection Fund

- 7.7 note the year end position on the Collection Fund;

HRA

- 7.8 note the HRA revenue outturn and reserves position 2022/23;

Capital

- 7.9 note the Council capital outturn position for 2022/23;
- 7.10 approve the £34.5m capital rollover from 2022/23 to 2023/24;

- 7.11 approve the revised capital plan for the period 2023/24 onwards after taking into account rollover, the re-phasing of schemes and changes to grant assumptions;
- 7.12 approve £0.9m for replacement parking ticket machines (£0.3m 2023/24, £0.6m 2024/25).
- 7.13 approve £0.5m for the land acquisition and development of new burial provision in North Kirklees for (£0.1m feasibility 2023/24, £0.4m land acquisition 2024/25).
- 7.14 approve an additional £0.5m funding for the existing New Street Public Realm project, in order to complete the landscaped public space contributing to the delivery of the Huddersfield 'Blueprint'.
- 7.15 approve £1m top slice of the Cultural Heart programme for internal fees, transfer of £1.7m from Huddersfield Southern Corridors to manage the overspend for the A62 Smart Corridor, and £60k for Accessibility to Public Spaces and Places project, all with net nil borrowing additionality.

Treasury Management

- 7.16 note the Review of Treasury Management activity for 2022/23

8 Contact Officer

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Safaira Majid, Senior Finance Officer

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9 Background papers and History of Decisions

Annual budget report 2023-28 to Budget Council, March 2023

Budget Strategy Update Report to Council, September 2022

SEND transformation plan update Report to Cabinet, 26 July 2022

CIPFA's Treasury Management in the Public Services Code of Practice and Cross-Sectoral Guidance Notes 2021 edition

CIPFA's Prudential Code for Capital Finance in Local Authorities 2021 edition

Public Works Loan Board Website.

Local Authorities Property Fund & Factsheet

10 Service Director responsible

Dean Langton, Service Director Finance.

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Corporate Revenue Budget Monitoring 2022/23 – Outturn

	Annual					Variance breakdown:	
Strategic Director portfolio responsibilities	Controllable Budget (Net)	Planned use of reserves	Revised Budget	Outturn	Variance	Cost of Living Pressures	Business as Usual
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Child Protection & Family Support	43,838	176	44,014	45,057	1,043		1,043
Resources, Improvements & Partnership	17,827	309	18,136	18,391	255		255
Learning & Early Support & Schools	29,642	5,529	35,171	40,396	5,225	2,875	2,350
Sub Total (Children & Families)	91,307	6,014	97,321	103,844	6,523	2,875	3,648
Customers and Communities	9,904	(2,792)	7,112	7,168	56		56
ASC - Older People and Physical Disabilities	14,944	2,643	17,587	19,983	2,396		2,396
ASC - Learning Disabilities and Mental Health	78,083	244	78,327	78,769	442		442
Adults Sufficiency	12,741	942	13,683	12,233	(1,450)		(1,450)
Sub Total (Adults & Health)	115,672	1,037	116,709	118,153	1,444	-	1,444
Environmental Strategy & Climate Change	7,798	628	8,426	11,728	3,302		3,302
Highways & Streetscene	32,565	1,062	33,627	37,441	3,814	624	3,190
Culture & Visitor Economy	(3,908)	411	(3,497)	(620)	2,877	291	2,586
F&CC Management & Support	-	-	-	-	-		-
Sub Total (Environment & Climate Change)	36,455	2,101	38,556	48,549	9,993	915	9,078

Corporate Revenue Budget Monitoring 2022/23 – Outturn

Strategic Director portfolio responsibilities	Annual					Variance breakdown:	
	Controllable Budget (Net)	Planned use of reserves	Revised Budget	Outturn	Variance	Cost of Living Pressures	Business as Usual
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Skills & Regeneration	3,447	2,908	6,355	6,755	400		400
Homes & Neighbourhoods	-	-	-	-	-		-
Development	14,368	188	14,556	16,729	2,173		2,173
Management & Support	(6)	-	(6)	-	6		6
Sub Total (Regeneration & Growth)	17,809	3,096	20,905	23,484	2,579	-	2,579
Strategy & Innovation	17,103	290	17,393	17,405	12		12
Public Health & People	8,106	689	8,795	10,404	1,609	712	897
Governance & Commissioning	13,960	652	14,612	14,410	(202)		(202)
Finance	7,331	2,173	9,503	9,291	(212)		(212)
Benefit Payments	1,787		1,787	2,657	870		870
Former KNH Resources	-	-	-	-	-		-
Sub Total (Corporate Strategy, Commissioning & Public Health)	48,287	3,804	52,091	54,168	2,077	712	1,365
Central	25,469	(571)	24,898	29,300	4,402	10,553	(6,151)
General Fund Total	334,999	15,481	350,480	377,498	27,018	15,055	11,963

Revenue Reserves Summary

	Reserves position as at 1st April 2022	Budget report Approved Movements	Revised reserves position at 1st April 2022	MTFS Approved Transfers	Planned Net Drawdown in-year	Unplanned use of Reserves (Forecast Variance)	Transfer to unallocated reserves	Reserves position as at 31st March 2023
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Statutory (School Reserves)								
Schools Balances	(15,503)	-	(15,503)		3,836	-	-	(11,667)
Public Health	(1,442)	-	(1,442)		538	-	-	(904)
Total Statutory	(16,945)	-	(16,945)	-	4,374	-	-	(12,571)
Earmarked								
Ward Based Activity	(1,286)	-	(1,286)		47	-	-	(1,239)
Active Travel	(2,000)	-	(2,000)		15	-	1,900	(85)
Mental Health	(639)	-	(639)		460	-	-	(179)
Place Standard	(1,000)	-	(1,000)		41	-	-	(959)
Sub Total (member led)	(4,925)	-	(4,925)	-	563	-	1,900	(2,462)
Apprenticeship Levy	(2,915)	-	(2,915)		(216)	-	-	(3,131)
Transformation	(4,166)	-	(4,166)		(548)	-	875	(3,839)
Demand Reserve	(17,352)	-	(17,352)		1,400	-	5,202	(10,750)
Development Funding	(12,186)	4,641	(7,545)	(1,500)	2,149	-	6,048	(848)
Revenue Grants	(18,821)	-	(18,821)	-	616	-	8,869	(9,336)
Stronger Families Grant	(1,524)	-	(1,524)		384	-	-	(1,140)
Social Care Reserve	(1,285)	-	(1,285)		1,285	-	-	-
Other	(3,645)	-	(3,645)	-	652	-	1,297	(1,696)
Specific Risk Reserves	(5,860)	1,000	(4,860)	-	2,700	-	2,160	-
COVID Reserves	(30,062)	22,033	(8,029)	1,500	2,122	-	667	(3,740)

	Reserves position as at 1st April 2022	Budget report Approved Movements	Revised reserves position at 1st April 2022	MTFS Approved Transfers	Planned Net Drawdown in-year	Unplanned use of Reserves (Forecast Variance)	Transfer to unallocated reserves	Reserves position as at 31st March 2023
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
<i>Earmarked reserves sub-total</i>	<i>(102,741)</i>	<i>27,674</i>	<i>(75,067)</i>	-	<i>11,107</i>	-	<i>27,018</i>	<i>(36,942)</i>
<i>Unallocated reserves</i>	<i>(47,108)</i>	-	<i>(47,108)</i>	-	-	<i>27,018</i>	<i>(27,018)</i>	<i>(47,108)</i>
<i>Total usable reserves (excludes statutory)</i>	<i>(149,849)</i>	<i>27,674</i>	<i>(122,175)</i>	-	<i>11,107</i>	<i>27,018</i>	<i>(0)</i>	<i>(84,050)</i>
<i>Grand Total All Reserves</i>	<i>(166,794)</i>	<i>27,674</i>	<i>(139,120)</i>	-	<i>15,481</i>	<i>27,018</i>	<i>(0)</i>	<i>(96,621)</i>

Appendix 2b

RESERVE	DESCRIPTION
School Balances	Statutory reserves relating to both individual schools' balances/deficits carried forwards.
Public Health	Timing issues on Public Health grant spend commitments (Public health grant is statutorily ring-fenced)
Ward Based Activity	Set aside reflecting timing issues on ward-based activity spend commitments
Place Partnership	To encourage Place specific local initiatives
Mental Health (including Domestic abuse)	To support a number of local area based mental health initiatives.
Place Standard	Set aside to support the resourcing of emerging Place Standard action plans.
Apprenticeship Levy	Set aside to fund future payments into the Apprenticeship levy
Transformation	Set aside for strategic transformation developments over the next 12 to 24 months.
Demand Reserve	Set aside to mitigate the impact/volatility of a range of potential demand risks on statutorily provided service activity
Development Funding	To address the scale of development costs required to support targeted development and the upscaling of capital investment activity and major project activity over the MTFP.
Revenue Grants	Represents grants and contributions recognised in the Comprehensive Income and Expenditure Statement before expenditure has been incurred.
Stronger Families	Set aside reflecting timing issues on expenditure commitments supporting a range of Stronger Families activity, funded from external grant.
Social Care	Set aside to cover phased rollout of a range of social care expenditure commitments as agreed at Cabinet, August 2018.
Specific Risk Reserves	Set aside to manage specific risks, including the potential risk of future loan defaults and managing the volatility surrounding treasury management budgets with respect to both potential changes in interest rates and the level of delivery of the capital plan.
COVID Reserves	Specific reserve set aside to cover the costs of the Council's COVID response including specific COVID grants recognised in the Comprehensive Income and Expenditure Statement before expenditure was incurred.
Other	A range of smaller reserves earmarked for specific purposes.
Unallocated Reserves	General reserve to support Council working capital and cashflow requirements, and unbudgeted/financial resilience risks highlighted in the Council's corporate risk register.

Appendix 3

HOUSING REVENUE ACCOUNT 2022/23 - OUTTURN

	Annual		
	Revised Budget	Forecast	Variance
	£'000	£'000	£'000
Repairs & Maintenance	28,458	30,966	2,508
Housing Management	42,355	42,550	195
Other Expenditure	26,692	27,332	640
Total Expenditure	97,505	100,848	3,343
Rent & Other Income	(94,804)	(94,590)	214
Revenue Contribution to Capital Funding	0	4,020	4,020
Planned transfer from HRA Reserves	(2,701)	(8,590)	(5,889)
Total	0	1,688	1,688

HRA RESERVES

	Balance at 31 March 2022	Approved Movement in Reserves	Balance at 31 March 2023
	£'000	£'000	£'000
Set aside for business risks	(4,000)		(4,000)
Forecast in Year Surplus/Deficit		1,688	1,688
To support the Capital Investment Programme		0	0
Planned Drawdown from reserves		8,590	8,590
Set aside to meet investment needs (as per HRA Business Plan)	(49,200)		(49,200)
Working balance	(1,500)		(1,500)
Total	(54,700)	10,278	(44,422)

	Revised Budget £'000	Outturn £'000	Variance £'000	Variance %
<u>General Fund</u>				
Aspire & Achieve	14,886	11,464	(3,422)	(23%)
Best Start	1,504	991	(513)	(34%)
Independent	5,992	3,413	(2,579)	(43%)
Sustainable Economy	114,953	90,193	(24,760)	(22%)
Well	3,612	3,257	(355)	(10%)
Safe & Cohesive	5	0	(5)	(100%)
Clean and Green	5,097	4,601	(496)	(10%)
Efficient & Effective	4,580	5,191	611	13%
GENERAL FUND TOTAL	150,629	119,110	(31,519)	(21%)
<u>Housing Revenue Account</u>				
Strategic Priorities	9,395	8,842	(553)	(6%)
Baseline	19,320	18,260	(1,060)	(5%)
HOUSING REVENUE TOTAL	28,715	27,102	(1,613)	(6%)
CAPITAL PLAN TOTAL	179,344	146,212	(33,132)	(18%)

Breakdown of Capital Budget Changes since Q3

Appendix 5

	£'000	£'000	£'000
QUARTER 3 CAPITAL BUDGET			184,185
Increase in Grants/Contributions/Other			
General Fund:			
Sustainable Economy			
Highways	1,409		
UKSPF Digital Hub	20		
Clean & Green			
Trees for Climate	4,298		
Well			
Play Strategy S106	140		
Total		5,867	
Re-profiling / Virements between Years			
General Fund:			
Aspire & Achieve			
Children and Families SEND	(550)		
Sustainable Economy			
Dewsbury Riverside	116		
Property Investment Fund - 103 New Street	(540)		
Vehicle Replacement Programme	(1,468)		
Housing Growth - Site Development	(149)		
Highways	(2,392)		
Leeds City Region Revolving Fund	(300)		
SURP	(245)		
Clean & Green			
Waste Strategy	(160)		
Trees for Climate	(4,524)		
Climate Emergency - Green Travel	(100)		
Huddersfield Heat Network	(100)		
Well			
Play Strategy-Playable Spaces/S106	(230)		
Efficient & Effective			
One Venues (One Venues Development)	(20)		
One Venues (Sustainability of Major Town Halls - Service funded)	(46)		
Total Re-profiling		(10,708)	
Total Change in Budget			(4,841)
CAPITAL OUTTURN BUDGET			179,344

Breakdown of Capital Budget Changes since Q3 (cont'd)

Appendix 5

	£'000	£'000	£'000
Change in Budget - Funding Breakdown:			
Borrowing		(3,214)	
Borrowing (self-financed)		(46)	
Revenue Reserves		(245)	
Grant (Grants & contributions/S106)		(1,336)	
Change in Budget			(4,841)

Capital Expenditure, Capital Financing Requirement and External Debt

The table below draws together the main elements of Capital Plan expenditure and financing arrangements. The table also shows the Capital Financing Requirement (CFR), which is the Council’s underlying external indebtedness for a capital purpose, compared with the expected borrowing position.

	2021/22	2022/23	
	Actual	Strategy Estimate*	Actual
	<u>£000s</u>	<u>£000s</u>	<u>£000s</u>
Capital Expenditure			
General Fund	106,005	199,900	119,110
HRA	22,217	53,200	27,102
Sub-total (excl. PFI)	128,222	253,100	146,212
General Fund - PFI	1,675	1,800	1,834
HRA – PFI	201	300	336
Total	130,098	255,200	148,382
Financed by -			
Borrowing	57,316	122,700	67,239
PFI	1,876	2,100	2,170
Other	70,906	130,400	78,973
Total	130,098	255,200	148,382
CFR as at 31 March			
General Fund excl PFI	556,100	610,700	616,977
General Fund PFI	39,400	35,500	35,483
HRA excl PFI	166,000	177,300	168,015
HRA PFI	45,200	42,700	42,670
Total CFR	806,700	866,200	863,145
External debt as at 31 March			
Borrowing (excl interest accrued)	468,900	586,600	613,802
Other LT Liabilities	88,300	81,800	81,700
Total debt	557,200	668,400	695,502

*From 22/23 strategy.

The difference between the CFR and total debt reflects the amount of internal balances that are being “borrowed” to finance capital indebtedness.

Limits to Borrowing Activity

The first key control over the Council’s borrowing activity is a Prudential Indicator to ensure that over the medium term, net borrowing will only be for a capital purpose. Net external borrowing should not, except in the short-term, exceed the total CFR. This allows some flexibility for limited early borrowing for future years. As can be seen from the table above, the Council kept its total debt within the CFR and this has also been the case in previous years.

A further two Prudential Indicators control overall level of borrowing. These are the Authorised Limit and the Operational Boundary. The Authorised Limit represents the limit beyond which borrowing is prohibited. It reflects the level of borrowing which, while not desired, could be afforded in the short-term, but is not sustainable. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3(1) of the Local Government Act 2003.

The Operational Boundary is based on the probable external debt during the course of the year. It is not a limit and actual borrowing could vary around this boundary for short times during this year.

	2021/22	2022/23	
	Actual (max) £m	Limits/ Boundary £m	Actual (max) £m
<u>Authorised limit for external debt (per strategy)</u>			
Borrowing	726.7	804.4	804.4
Other Long Term Liabilities	93.3	86.8	86.8
Total	820.0	891.2	891.2
<u>Operational boundary for external debt</u>			
Borrowing	468.9	784.4	613.8
Other Long Term Liabilities	88.3	81.8	81.7
Total	557.2	866.2	695.5

The Council was well within its Authorised limit and Operational Boundary for the year.

There is also a limit on HRA indebtedness set by the Department for Communities and Local Government under the recent HRA self-financing reform. The limit is set at £247.6 million for the HRA CFR, excluding PFI liabilities. The actual HRA CFR excluding PFI liabilities as at 31 March 2023 is £168.0 million which is well within the limit.

Affordability Prudential Indicators

Ratio of financing costs to net revenue stream

This indicator identifies the cost of capital (borrowing costs net of investment income) against the net revenue stream. The net revenue stream for General Fund is defined as the amount to be met from un-ringfenced government grants and local taxpayers, and for HRA it refers to the total HRA income (rent, other income and grant).

	2021/22	2022/23	
	Actual	Estimate	Actual
<u>Ratio of financing costs to net revenue stream</u>			
General Fund	5.63%	6.52%	6.60%
General Fund excl PFI	3.42%	4.67%	4.65%
HRA	32.15%	31.25%	31.70%
HRA excl PFI	30.96%	30.26%	30.74%

The actual for the General Fund in 2022/23 compared to 2021/22 is significantly larger due to an increase in financing costs from the additional borrowing in the capital plan with the net revenue stream remaining on a similar level to the previous year.

Capital Plan Expenditure Summary

Capital Plan Expenditure Summary	Outturn 2022/23 £'000	Revised Capital Plan					2027/28- 2030/31 £'000	Total £'000
		2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000			
General Fund:								
Aspire & Achieve	11,464	20,970	22,434	25,022	11,000	4,250	83,676	
Best Start	991	2,890	50	0	0	0	2,940	
Independent	3,413	8,105	2,797	4,550	4,650	1,322	21,424	
Sustainable Economy	90,193	154,668	156,498	130,158	71,005	200,695	713,024	
Well	3,257	5,312	2,539	1,693	725	0	10,269	
Clean & Green	4,601	12,502	10,351	11,075	100	8,444	42,472	
Efficient & Effective	5,191	6,787	5,993	982	980	900	15,642	
General Fund Capital Plan	119,110	211,234	200,662	173,480	88,460	215,611	889,447	
Housing Revenue Account:								
Independent - Strategic Priorities	8,842	21,420	17,298	31,379	25,550	25,937	121,584	
Independent - Baseline	18,260	27,302	33,855	32,010	32,760	64,610	190,537	
HRA Capital Plan	27,102	48,722	51,153	63,389	58,310	90,547	312,121	
TOTAL EXPENDITURE	146,212	259,956	251,815	236,869	146,770	306,158	1,201,568	

Capital Plan Funding Summary

Appendix 7 a)

General Fund Funding Summary	Outturn 2022/23 £'000	Revised Capital Plan					Total £'000
		2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	
<i>Direct / Earmarked Contributions to Schemes</i>							
Capital Grants/Contributions	46,931	98,503	111,425	85,024	38,207	33,618	366,777
Earmarked Capital Receipts	3,387	7,021	7,540	7,990	9,591	990	33,132
Service Funded Prudential Borrowing	1,213	13,340	8,050	7,626	100	2,050	31,166
Revenue Contributions	255	348	349	0	0	0	697
<i>Pooled Resources</i>							
Non-Earmarked Capital Receipts	1,298	4,000	4,000	4,000	4,000	4,000	20,000
Corporate Prudential Borrowing	66,026	88,022	69,298	68,840	36,562	174,953	437,675
GENERAL FUND FUNDING	119,110	211,234	200,662	173,480	88,460	215,611	889,447

Housing Revenue Account Funding Summary	Outturn 2022/23 £'000	Revised Capital Plan					Total £'000
		2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	
Capital Grants/Contributions	1,159	6,041	1,488	3,446	3,896	5,746	20,617
Earmarked Capital Receipts	3,037	4,728	4,144	7,240	4,500	1,835	22,447
Reserves / Revenue Contributions	4,020	21,685	20,902	22,479	23,507	61,385	149,958
Reserves - MRR	18,886	14,258	19,417	19,724	20,017	20,269	93,685
Corporate Prudential Borrowing	0	2,010	5,202	10,500	6,390	1,312	25,414
HRA FUNDING	27,102	48,722	51,153	63,389	58,310	90,547	312,121

GENERAL FUND CAPITAL PLAN				Revised Capital Plan				
	Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	Total £'000
ASPIRE & ACHIEVE								
Strategic Priorities								
New Special School for Woodley @ Almondbury	B/G	216	2,334	3,250	11,184	5,000	500	22,268
New Special School for J.Norton @ Deighton	B/G	251	1,349	9,378	3,485	500	0	14,712
District Sufficiency	T	467	3,683	12,628	14,669	5,500	500	36,980
Additionally Resourced Provisions / Satellite Provisions								
	G	0	2,100	1,950	4,150	0	0	8,200
Brambles Primary Academy	G	1,753	600	0	0	0	0	600
King James High School	G	579	260	0	0	0	0	260
Scissett Middle School	S10 6	92	116	0	0	0	0	116
Birkby Junior Expansion	G	4	6	0	0	0	0	6
Beaumont Academy	G	80	16	0	0	0	0	16
North Huddersfield Trust School	G	146	2,024	700	150	0	0	2,874
Manor Croft Academy	G/ Cont	2,255	780	0	0	0	0	780
Thornhill Community Academy	G	105	567	0	0	0	0	567
Secondary Places Basic Need	G/B	0	0	702	1,500	1,500	0	3,702
<i>New Pupil Places in Primary/Secondary Schools</i>	T	5,014	4,369	1,402	1,650	1,500	0	8,921
Libraries & Public Buildings								
Almondbury Library	B	290	372	1,954	303	0	0	2,629
<i>Libraries & Public Buildings</i>	T	290	427	1,954	303	0	0	2,684
Strategic Priorities Total		5,771	10,579	17,934	20,772	7,000	500	56,785

GENERAL FUND CAPITAL PLAN			Revised Capital Plan						Total £'000
			Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	
ASPIRE & ACHIEVE									
Baseline									
	Basic Need	G	432	562	500	500	500	500	2,562
	Capital Maintenance	G/B	3,785	6,774	3,300	3,100	2,900	2,700	18,774
	Devolved Formula Capital	G	837	2,453	700	650	600	550	4,953
	Baseline Total		5,054	9,789	4,500	4,250	4,000	3,750	26,289
One Off Projects									
	SEND Provision	G	639	602	0	0	0	0	602
	One Off Projects Total		639	602	0	0	0	0	602
ASPIRE & ACHIEVE TOTAL			11,464	20,970	22,434	25,022	11,000	4,250	83,676
BEST START									
Strategic Priorities									
	Homes for Children	B	0	1,049	0	0	0	0	1,049
	Homes for Children (Magdale House)	B	257	18	0	0	0	0	18
	Childrens Home - Healds Road	B	105	145	0	0	0	0	145
	Our Space Grant Scheme	B	519	452	0	0	0	0	452
	Young Peoples Activity Team Reprovision - Ravensthorpe	B	24	1,226	50	0	0	0	1,276
	Strategic Priorities Total		905	2,890	50	0	0	0	2,940
One Off Projects									
	Liquid Logic Portal	B*	86	0	0	0	0	0	0
	One Off Projects Total		86	0	0	0	0	0	0
BEST START TOTAL			991	2,890	50	0	0	0	2,940

GENERAL FUND CAPITAL PLAN				Revised Capital Plan					Total
	Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	£'000	
INDEPENDENT									
Strategic Priorities									
Commissioning Option Appraisals to facilitate outcomes of Specialist Accommodation Strategy	B	1	10	24	0	0	0	34	
Cherry Trees	B	11	0	0	0	0	0	0	
Knowl Park House	B	1,978	5,172	223	0	0	0	5,395	
Red Laithes Court	B	5	95	0	0	0	0	95	
Havelock St, Ravensthorpe	B	3	0	0	0	0	0	0	
In-house Residential Old People homes	B	124	0	0	0	0	0	0	
Day Services Support for Vulnerable Adults	B	128	500	2,500	4,500	4,500	1,322	13,322	
Strategic Priorities Total		2,250	5,777	2,747	4,500	4,500	1,322	18,846	
One Off Projects									
Adults Assistive Technology / IT	G/B	62	290	50	50	150	0	540	
Carefirst System Replacement	B/R/G	782	967	0	0	0	0	967	
Carephones - Digital Switchover	B	310	1,071	0	0	0	0	1,071	
Highfields	B	1	0	0	0	0	0	0	
Infection Prevention Control	B	8	0	0	0	0	0	0	
One Off Projects Total		1,163	2,328	50	50	150	0	2,578	
INDEPENDENT TOTAL		3,413	8,105	2,797	4,550	4,650	1,322	21,424	



GENERAL FUND CAPITAL PLAN			Revised Capital Plan					
	Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	Total £'000
SUSTAINABLE ECONOMY								
Strategic Priorities								
West Yorkshire plus Transport Schemes:								
A62 to Cooper Bridge Corridor Improvements	G	484	5,086	12,689	38,313	18,573	0	74,661
A653 Leeds to Dewsbury Corridor (M2D2L)	G	459	3	0	0	0	0	3
A629 Halifax Road Phase 5	G/B	669	1,834	5,218	1,853	0	0	8,905
UTMC Urban Traffic Management	G	39	78	0	0	0	0	78
Huddersfield Southern Corridors	G/B	1,430	7,716	280	0	66	0	8,062
North Kirklees Orbital Route (NKOR)	G	4	0	0	0	0	0	0
A641 Bradford Road Area 5 / Hudds Station Gateway Phase 1	G	60	0	0	0	0	0	0
Corridor Improvement Programme:								
Holmfirth Town Centre Access Plan	G/B	505	4,092	1,900	16	5	6	6,019
A62 Smart Corridor	G/B	11,789	2,148	963	0	0	0	3,111
Fenay Lane	G	246	0	0	0	0	0	0
CityConnect:								
CityConnect Cooper Bridge	G	206	9	0	0	0	0	9
CityConnect Huddersfield Town Centre	B	4	60	0	0	0	0	60
WYTF Rolling Fund	B	0	55	0	0	0	0	55
<i>West Yorkshire plus Transport Schemes</i>	T	15,895	21,081	21,050	40,182	18,644	6	100,963

GENERAL FUND CAPITAL PLAN			Revised Capital Plan						Total £'000
			2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000		
	Funding	Outturn 2022/23 £'000							
SUSTAINABLE ECONOMY									
Strategic Priorities									
Emergency Active Travel	G	934	691	0	0	0	0	691	
Transforming Cities Fund:									
<i>Rail-Bus Better Connected Stations:</i>									
Huddersfield Rail Station Access	B	37	452	0	0	0	0	452	
<i>TCF Main scheme:</i>									
Heckmondwike Bus Station	G	606	2,000	1,908	0	0	0	3,908	
Dewsbury/Cleckheaton Sust Travel Corridor	G	1,027	1,000	8,000	1,454	0	0	10,454	
Dews TC Walking & Cycling Imps	G/B	774	750	6,500	3,521	0	0	10,771	
Dewsbury Bus Station	G	36	0	0	0	0	0		
Huddersfield Rail Station Access	G/B	459	750	7,500	6,661	0	0	14,911	
A629 Wakefield Rd Sust Travel Corridor	G	295	158	0	0	0	0	158	
Huddersfield Bus Station	G	238	600	4,000	2,412	0	0	7,012	
Dewsbury/Batley/Tingley Sus Travel Corridor	G/B	397	1,000	4,000	1,103	0	0	6,103	
TCF SOC Development/Other	G/B	(214)	0	0	0	0	0	0	
<i>Transforming Cities Fund</i>	T	3,664	6,710	31,908	15,151	0	0	53,769	
Integrated Transport & Active Travel									
Transpennine Route Upgrade (Network Rail)	G	106	684	475	0	0	0	1,159	
Other WYCA Schemes	G	301	0	0	0	0	0	0	



GENERAL FUND CAPITAL PLAN			Revised Capital Plan					
	Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	Total £'000
SUSTAINABLE ECONOMY								
Strategic Priorities								
	Aspirational Regeneration of Major Town Centres - Feasibility	B	5	138	0	0	0	138
<i>Regeneration of Strategic Town Centres - Huddersfield :</i>								
	Holding pot	B	0	90	0	0	0	90
<u>Huddersfield Town Centre Schemes</u>								
	Huddersfield TC - Shop Front Grants	B	50	302	400	31	0	733
	The Northumberland Street Regeneration Project	B	1,221	685	0	0	0	685
	Huddersfield Market LUF match funding	R	0	2,000	0	0	0	2,000
	Huddersfield TC Design Framework	B	661	62	0	0	0	62
	Cultural Interventions - Growing Seeds	B	0	9	0	0	0	9
		T	1,932	3,058	400	31	0	3,489
<i>The George Hotel HAZ Scheme</i>								
	The George Hotel	B/G	3,382	116	322	0	0	438
	The George Hotel	B*	0	12,455	7,750	0	0	20,205
	Estate Buildings HAZ Scheme	B/G	1,759	3,791	0	0	0	3,791
	HAZ Complementary Initiatives	B/G	75	0	0	0	0	0
		T	5,216	16,362	8,072	0	0	24,434
<u>Huddersfield Public Realm Works</u>								
	New Street Public Realm Development	B	1,441	3,186	13	0	0	3,199
*	New Street Public Realm Development	B	0	500	0	0	0	500
	Huddersfield Town Centre Cameras	B	23	69	25	0	0	94
	Refurb of 2 New Street, Huddersfield	B	2	16	0	0	0	16



GENERAL FUND CAPITAL PLAN			Revised Capital Plan					
	Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	Total £'000
SUSTAINABLE ECONOMY								
Strategic Priorities								
	Huddersfield Public Realm Works	T	1,466	3,771	38	0	0	3,809
	Public Realm - Golden Route	B/G	120	950	65	27	0	1,042
	Huddersfield Town Centre	T	8,734	24,231	8,575	58	0	32,864
<i>Regeneration of Strategic Town Centres – Dewsbury:</i>								
	Better Spaces Strategy:		171					
	BS Phase 2 - Town Park	B/R/G	202	1,676	4,280	7,995	0	13,951
	BS Phase 2 - Public Art	B	87	21	0	0	0	21
		T	460	1,697	4,280	7,995	0	13,972
	Town Fund Accelerated Grant (TFAG)	G	6	0	0	0	0	0
	Heritage Action Zone	B/G	837	3,108	0	0	0	3,108
	Daisy Hill Neighbourhood	B/R/G	0	1,189	1,000	1,000	1,900	5,089
	Dewsbury Market Upgrade	B/R/G	682	0	7,275	5,215	0	12,490
	The Arcade	B/G	286	2,619	3,289	0	0	5,908

GENERAL FUND CAPITAL PLAN			Revised Capital Plan					
	Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	Total £'000
SUSTAINABLE ECONOMY								
Strategic Priorities								
<i>Regeneration of Strategic Town Centres - Dewsbury</i>								
Fibre Capability	G/R	2	296	0	0	0	0	296
Construction Skills Village	G/R	3	197	2,050	0	0	0	2,247
Creative Culture	G	0	816	459	309	0	0	1,584
Sustainable Transport	G	7	1,318	0	0	0	0	1,318
Building Revival	G/B	148	2,270	1,180	708	0	0	4,158
Dewsbury Town Centre	T	2,431	13,510	19,533	15,227	1,900	0	50,170
<i>Town Centre Action Plans</i>	T	11,170	37,879	28,108	15,285	1,900	0	83,172
<i>Smaller Towns & Villages</i>								
Batley Smaller Towns & Villages	B/G	102	5,898	8,359	0	0	0	14,257
Cleckheaton Smaller Towns & Villages	B	141	89	1,365	0	0	0	1,454
Holmfirth Smaller Towns & Villages	B	58	127	240	1,055	0	0	1,422
Heckmondwike Smaller Towns & Villages	B	45	215	300	935	0	0	1,450
Marsden New Mills Redevelopment Scheme	G	0	100	2,000	3,504	0	0	5,604
Other - Our Local Centres	B	167	0	0	0	0	0	0
<i>Regeneration and Greening of Smaller Towns and Villages</i>	T	513	6,649	12,514	6,494	1,000	1,380	28,037

GENERAL FUND CAPITAL PLAN			Revised Capital Plan					
	Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	Total £'000
SUSTAINABLE ECONOMY								
Strategic Priorities								
Cultural Heart	B	9,403	12,151	18,500	25,300	22,727	175,556	254,234
Strategic Acquisition Fund	B	2,608	1,989	0	0	0	0	1,989
Property Investment Fund:								
103 New Street	B**	2,220	542	0	0	0	0	542
Kingsgate Phase 2	B**	0	5,702	1,800	0	0	0	7,502
<i>Property Investment Fund</i>	T	2,220	6,244	1,800	0	0	0	8,044
Start Up and Retention Policy Capital Grants	Res	255	349	349	0	0	0	698
Dewsbury Riverside	B	1,158	2,920	2,000	2,000	600	0	7,520
Site Development	G/R cont	26	500	300	200	0	0	1,000
Public Realm Improvements	B	26	107					107
* Car Park Meters	B	0	320	590	0	0	0	910
Strategic Priorities Total		48,440	99,034	117,770	104,788	45,047	177,118	543,757



GENERAL FUND CAPITAL PLAN			Revised Capital Plan						Total £'000
			Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	
SUSTAINABLE ECONOMY									
	Baseline								
	Housing Private	G/R	4,096	3,854	4,151	4,151	4,292	4,150	20,598
	Highways								
	Maintenance								
	Principal Roads	B/G	1,862	9,693	6,678	3,678	3,678	3,678	27,405
	Roads Connecting Communities	G	1,327	1,389	1,096	1,096	1,097	1,096	5,774
	Local Community Roads	B/G	8,170	7,481	5,483	4,453	4,453	5,012	26,882
	Structures	G	1,073	2,001	1,200	1,200	1,200	1,200	6,801
	Active Travel / PROW	B/G	150	0	0	0	0	0	0
	Streetlighting	B*/ G	1,864	1,354	1,000	1,000	1,000	0	4,354
	Locality Based U Roads Improvements	B	7,216	1,603	3,000	3,000	2,878	1,531	12,012
	<i>Highways Maintenance</i>	T	21,662	23,521	18,457	14,427	14,306	12,517	83,228
	Integrated Transport								
	Network Management	B/G	824	1,169	815	815	815	815	4,429
	Safer Roads	B/G	1,556	2,171	1,175	1,175	1,175	1,175	6,871
	Flood Management and Drainage Improvements	B/G s278	735	632	450	450	450	450	2,432
	Developer Funded Schemes	s278	1183	623	0	0	0	0	623
	<i>Highways Integrated Transport</i>	T	4,298	4,595	2,440	2,440	2,440	2,440	14,355
	<i>Highways Total</i>	T	25,960	28,116	20,897	16,867	16,746	14,957	97,583

GENERAL FUND CAPITAL PLAN			Revised Capital Plan						Total £'000
			Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	
SUSTAINABLE ECONOMY									
	Baseline								
	Corporate Landlord Asset Investment	B	8,811	9,865	8,083	1,000	933	1,020	20,901
	Corporate Landlord Compliance	B	340	1,996	1,450	1,000	1,000	1,000	6,446
	<i>Corporate Landlord</i>	T	9,151	11,861	9,533	2,000	1,933	2,020	27,347
	Corporate Landlord Suitability Programme	B	438	897	1,995	1,000	1,000	1,000	5,892
	Sustainability of Huddersfield Town Hall - Conditions	B	241	2,259	200	700	100	0	3,259
	<i>Corporate Landlord Asset Strategy Review</i>	T	679	3,156	2,195	1,700	1,100	1,000	9,151
	Bereavement	B	352	295	0	0	0	0	295
*	Burial Provision	B	0	100	400	0	0	0	500
	Vehicle Replacement Programme	B	838	4,433	66	0	1,250	1,250	6,999
	School Catering	B	90	494	200	200	200	200	1,294
	Baseline Total		41,166	52,309	37,442	24,918	25,521	23,577	163,767
	One-Off Projects								
	UKSPF Digital Hub / New to English / Business Advisor	G	20	24	72	0	0	0	96
	Housing (Regeneration)	R	500	24	0	0	0	0	24
	Strategic Asset Utilisation	B	2	1,027	55	15	0	0	1,097
	Operational Services Asset Mngt	B	0	1,008	276	276	276	0	1,836
	Asset Management Property Database	B	10	135	61	61	61	0	318
	Changing Places	G	0	189	122	0	0	0	311



GENERAL FUND CAPITAL PLAN			Revised Capital Plan						Total £'000
			Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	
	Funding								
SUSTAINABLE ECONOMY									
One-Off Projects									
Leeds City Region Revolving Fund	B	0	661	550	0	0	0	1,211	
School Catering - Compliance Essential Works	B*	55	241	150	100	100	0	591	
Ward Based Activity	B	0	16	0	0	0	0	16	
One-Off Projects Total		587	3,325	1,286	452	437	0	5,500	
SUSTAINABLE ECONOMY TOTAL									
		90,193	154,668	156,498	130,158	71,005	200,695	713,024	
WELL									
Strategic Priorities									
Spensborough Valley Leisure Centre	B	1,865	0	0	0	0	0	0	
Huddersfield Leisure Centre	B	13	4	0	0	0	0	4	
Dewsbury Sports Centre Priorities	B	0	54	185	0	0	0	239	
Strategic Priorities Total		1,878	58	185	0	0	0	243	
Baseline									
Kirklees Active Leisure	B*/ B	(1)	331	150	0	0	0	481	
Play Strategy	B/G S106	1,380	4,923	2,204	1,693	725	0	9,545	
Baseline Total		1,379	5,254	2,354	1,693	725	0	10,026	
WELL TOTAL									
		3,257	5,312	2,539	1,693	725	0	10,269	

GENERAL FUND CAPITAL PLAN			Revised Capital Plan					
	Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	Total £'000
CLEAN AND GREEN								
Strategic Priorities								
Depot Works	B	4	0	0	0	0	0	0
Waste Strategy	B	14	1,062	25	25	0	0	1,112
Waste Management Plant/ Infrastructure	B	1,633	2,911	2,100	2,774	0	0	7,785
Climate Emergency - Green Travel	B	45	987	0	0	0	0	987
Air Quality	B	47	278	0	0	0	0	278
Huddersfield Heat Network	G/B/ B*	221	1,076	7,200	7,526	0	2,050	17,852
Trees for Climate Programme	G	2,527	5,805	926	650	0	6,294	13,675
Strategic Priorities Total		4,491	12,119	10,251	10,975	0	8,344	41,689
Baseline								
Environment & Strategic Waste	B	99	101	100	100	100	100	501
Baseline Total		99	101	100	100	100	100	501
One Off Projects								
Electric Vehicle Charge Points	G	11	282	0	0	0	0	282
One Off Projects Total		11	282	0	0	0	0	282
CLEAN AND GREEN TOTAL		4,601	12,502	10,351	11,075	100	8,444	42,472

GENERAL FUND CAPITAL PLAN			Revised Capital Plan					
	Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	Total £'000
EFFICIENT AND EFFECTIVE								
Baseline								
Information Technology	B	1,148	909	900	900	900	900	4,509
One Venue Development	B	19	670	250	0	0	0	920
Sustainability of Major Town Halls - Service Development	B*	116	306	0	0	0	0	306
Baseline Total		1,283	1,885	1,150	900	900	900	5,735
One Off Projects								
Transformation Capitalisation	R	2,873	4,000	4,000	0	0	0	8,000
Information Technology (Digital)	B	1,035	902	843	82	80	0	1,907
One Off Projects Total		3,908	4,902	4,843	82	80	0	9,907
EFFICIENT AND EFFECTIVE TOTAL		5,191	6,787	5,993	982	980	900	15,642
GENERAL FUND CAPITAL PLAN TOTAL		119,110	211,234	200,662	173,480	88,460	215,611	889,447

FUNDING KEY:

B = Borrowing

B* = Service funded Borrowing

B** = Borrowing for provision of loans for development projects, covered by repayments

G = Grant

R = Capital receipts

S106 = Section 106 developer contributions

*= Borrowing Addition

			Revised Capital Plan					
HOUSING REVENUE ACCOUNT CAPITAL PLAN	Funding	Outturn 2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28- 2030/31 £'000	Total £'000
INDEPENDENT								
Strategic Priorities								
Housing Growth	H / R	2,835	2,260	1,138	600	600	2,400	6,998
LAHF - Refugee Housing	H / G	0	4,700	0	0	0	0	4,700
New Build Phase 1 - Ashbrow Extra Care	H/R/ Cont/ S106	1,472	6,210	3,390	0	0	0	9,600
Remodelling / High Rise	H/G	850	4,400	3,500	12,600	14,300	21,350	56,150
IT System (Universal Housing Replacement)	H	388	500	600	679	0	0	1,779
Council House Building	B/R	3,297	3,350	8,670	17,500	10,650	2,187	42,357
Strategic Priorities Total		8,842	21,420	17,298	31,379	25,550	25,937	121,584
Baseline								
Housing Capital Plan	H	12,800	12,450	12,650	12,812	12,812	12,812	63,536
Estate Improvements (Neighbourhood Investment)	H	422	958	990	1,100	1,100	1,100	5,248
Building Safety	H	1,787	3,613	2,263	2,263	2,263	2,263	12,665
Six Storey Blocks	H / G	0	4,518	8,382	5,500	5,500	12,100	36,000
Low Rise Blocks	H	0	500	2,500	2,500	2,500	17,000	25,000
Retirement Living Schemes	H	0	0	1,500	3,750	4,500	15,250	25,000
Fuel poverty	H	255	1,465	1,849	825	825	825	5,789
Adaptations	H	2,996	3,798	3,721	3,260	3,260	3,260	17,299
Baseline Total		18,260	27,302	33,855	32,010	32,760	64,610	190,537
HRA CAPITAL PLAN TOTAL		27,102	48,722	51,153	63,389	58,310	90,547	312,121

FUNDING KEY:

H = HRA revenue contribution/major repairs reserve
R = Capital receipts

S106 = Section 106 developer contributions
Cont = Other external contributions

B = Borrowing
G = Grant

Executive Summary

Procurement of Parking Machines

Background

- The Council's estate of around 140 parking machines in Huddersfield and Dewsbury is largely obsolete; in many cases machines are no longer supported by manufacturers and cannot be repaired, whilst in many others machines lack basic functionality including the facility to take contactless payments. Most machines are mains powered which has ongoing cost and carbon emission implications.
- The condition of the machines means that a major income stream is at risk and many of our machines can no longer take payment. This is in the context of an increased demand for parking revenue generation.
- As part of the developing parking strategy, and in order to both generate required additional income and realise other benefits around air quality and town centre design, it is likely that within the next 4 years the extent of the Council's pay & display areas will expand into new areas requiring further parking machine procurement and infrastructure

Through discussions with the Capital Assurance Board, £910k has been allocated for the purpose of procuring new parking machines. It is anticipated that a spend of £320k in 2023/24 and £590k in 2024/25 would be entailed.

Short Term Approach

Replacement of existing parking machines will take place over a two-year period commencing at the end of June 2023. Based on the Parking Services Operations Team's capacity to receive, install and commission machines we expect to take delivery in around 10 tranches of 14 machines at intervals.

Outcomes

- Replacement of existing machines will protect and maintain a primary income stream
- Intended replacement machines have improved functionality enabling users to make contactless payments whilst retaining the option to pay by cash in all locations
- New machines will also communicate data to the back office team alerting them to faults and issues, thereby making the overall parking operations function more efficient
- Intended replacement machines will be solar powered thereby reducing carbon emissions – currently most machines are mains powered
- The wider expansion of pay & display will enable the Service to fulfil its requirements for additional revenue in the current financial climate

Impact/Risk

- Within the current estate of obsolete parking machines there are around 50 which are either defunct or failing. These machines, if functional, would account for income of around £550k per annum so income to that amount is now being lost or is at immediate risk

- The overall income from the existing estate is around £1.5 million per annum. As the estate becomes progressively more derelict this entire income stream is ultimately at risk
- There is an expectation that Parking Services will deliver an *additional* £1.7 million by the end of 2024/25. Expansion of the pay & display estate is one of the most likely mechanisms to achieve this target, which will not be deliverable without the necessary investment in machines and infrastructure

Timescales

The following aspirational timeline is based around the approach to replace to existing estate of parking machines in Huddersfield and Dewsbury and thereafter to expand pay & display to other areas in line with the developing parking strategy

<p>2023/24</p>	<p>Securing funds to progress</p> <p>Procurement and installation of initial tranches of parking machines to replace those currently inoperative or about to fail (approximately 50 machines in batches of 14 – 4 batches)</p> <p>Ongoing development of parking strategy and identification of further pay & display areas; consideration of any further required expansion of pay & display machines</p>
<p>2024/25</p>	<p>Procurement of further 6 batches of machines (approximately 90 machines) to replace those lacking required functionality</p> <p>Ongoing development of parking strategy and identification of further pay & display areas; consideration of any further required expansion of pay & machines.</p>

Financial

The scope for this proposal is as previously outlined i.e. total capital investment of £910k. Breakdown of the investment is as follows:

- 2023/24 - £320k for initial tranches of parking machines
- 2024/25 – £590k for remaining tranches of parking machines

Executive Summary

Development of a New Burial Provision within the Dewsbury Locality

Background

- Dewsbury Cemetery is now approximately 12 months from reaching capacity on muslim burials.
 - Christian and other faith burials have between 10-15 years capacity based on current burial rates.
- In 2022 the Council sold off a parcel of land (adjacent to Dewsbury Cemetery) to the North Kirklees Muslim Burial Committee to help facilitate future muslim burial capacity within the Dewsbury locality.
 - Estimates would indicate that this parcel of land may provide up to 600 muslim burials, giving around 6 years of capacity.

Through discussions with the Capital Assurance Board, it has been agreed that the Council should initially consider providing alternative burial space within the Dewsbury locality, by first utilising a smaller site of around 1 hectare, facilitating up to 1,500 muslim only burials, which at current burial rates would secure around 10 years of additional capacity. Longer term there would still be a need to develop a much larger site in the North of the District, which may require the Council to acquire land in the absence of suitable Council owned land.

Short Term Approach – To develop a smaller parcel of land within the Dewsbury locality of around 1 hectare in size by 2024-26. Estimated cost: £500,000. Two sites identified (both sites would need detailed investigation to determine suitability):

- Dewsbury Crematorium, 0.6 Hectares (1.5 acres) & Long Lane, Dewsbury, 0.76 Hectares (1.87 Acres)

Note: This would be to a Muslim only burial provision, each individual site would provide around 1,500 burial plots (giving around 10+ years capacity at current burial rates).

Outcomes

- Provision of any new /additional burial capacity/cemetery irrespective of its size would bring some certainty to communities and demonstrate that the Council's commitment to future burial provision and a facility that respects cultural values and requirements.
- All aspects of this project (from inception to delivery) would be developed together with colleagues across other Directorates to enhance service delivery and deliver improved outcomes for communities, as well as providing work for internal Council services.
- This project fits with the Council's strategic asset strategy objectives to provide operational assets that would enable the delivery of effective and efficient services, working closely with partners and residents to deliver the best outcomes possible for our communities.
- A Cemetery is viewed as an essential requirement in many localities, with communities looking to the Council to provide such facilities. It is therefore important to provide a good quality environment and service to the customers choosing to use this service.

Impact/Risk

- Dewsbury Cemetery is within 12 months of capacity for Muslim burials, the implications of not been able to provide additional burial capacity would mean that Dewsbury based Muslims would have to travel to one of the Councils other cemeteries (Batley, Heckmondwike or Hey Lane all have dedicated Muslim burial sections), potentially having a detrimental impact on the Councils Environmental aspirations to achieve net zero, as it would be effectively increasing car journeys across the North of the district.

Timescales

The following aspirational timeline is based around the approach to develop a smaller site prior to progressing to a larger site a point in the future.

2023/24	Securing funds to progress Identification/narrowing of options = Preferred site/s. Land acquisitions (if required) Environmental RA and other necessary requirements to navigate.
2024/25	Designs/layout/planning and ALL approvals secured. Commencement of works on site.
2025/26	New smaller site opens to Muslim only burials.
2026/27	Back in scope: Determine feasibility of a larger site within North Kirklees.

Financial

The scope for this proposal has changed from the initial bid seeking over £1.5m funding for a large multi faith Cemetery to now seeking a smaller amount of £500,000 to provide a much-reduced burial provision specifically for Muslims, due to the immediate pressure identified. Breakdown of the £500,000 investment requested is as follows:

- 2023/24 - £100,000 (to cover: Site investigation works, suitability analysis, design, fees, and some approvals)
- 2024/25 - £400,000 (to cover: construction, fees, materials, and contingencies)

On average around 135 burials are undertaken in Dewsbury Cemetery per year of all faiths, generating around £310,000. Muslim burials account for around £250,000 of this figure.

- A Capital allocation of £500,000 is estimated to be required to enable the development/creation of a basic, yet practicable small (1 hectare) Muslim burial provision within the Dewsbury locality.
- By investing £500,000 in additional Muslim burial capacity would enable the Council to recover £750,000 over 3 years.

FLEXIBLE USE OF CAPITAL RECEIPTS STRATEGY

1. Government guidance allows the capitalisation of certain types of qualifying revenue expenditure in-year, funded from the flexible use of 'in-year' generated capital receipts. The original DCLG guidance covered the 2016-19 period, but this was subsequently extended by a further 3 years, to 2021/22, following the Autumn Statement announcement on November 17th, 2017. The Local Government Finance Settlement for 2021/22 extended these capital receipts flexibilities for a further three years, which will cover the period up to and including 2024/25.
2. Local authorities are given the power to use capital receipts from the sale of general fund land and buildings received in the years in which this flexibility is offered, to spend up to 100% of their fixed asset receipts (excluding Right to Buy receipts) on the revenue costs of qualifying projects.
3. Government has provided a definition of expenditure which qualifies to be funded from capital receipts. This is: "Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners. Within this definition, it is for individual local authorities to decide whether or not a project qualifies for the flexibility."
4. The extent to which capital receipts will actually be applied in-year will take into account the following factors: i) the amount of capital receipts actually generated in-year; ii) the amount of qualifying capitalisable revenue expenditure in-year; iii) the affordability of borrowing to fund the capital plan in-year, where current funding assumptions include use of in-year capital receipts to part fund the Councils annual general fund capital plan.
5. The Council will use the powers under the DCLG guidance on the flexible use of capital receipts to fund up to £3m qualifying transformation expenditure in 2022/23 and £4m in 2023/24 on the projects summarised in the table below. The proposals set out are 'in principle' and allow officers the flexibility to consider a range of funding options in-year that meet the intended objectives set out in the Council's budget strategy.
6. The capital receipts described above are not built into the Council's current/proposed capital programme and so the utilisation of these receipts for capital receipts flexibility will not have a detrimental impact on the Council's prudential indicators, as set out in the Council's Treasury Management Strategy. All schemes which are eventually deemed to qualify for capitalisation would have the required costs funded through capital receipts rather than revenue.
7. It is intended that officers will update members as part of the annual budget report to full Council each February, and finalised proposals for the flexible use of capital receipts to be incorporated into an annual early closedown review report for Cabinet consideration early April.

Table - Flexible Use of Capital Receipts Strategy

Project	Project Description	Service Transformation / Savings	Directorate	Actual Use of Receipts 2021/22 (£k)	Planned Use of Receipts 2022/23 (£k)	Planned Use of Receipts 2023/24 (£k)
Transformation Project Team	Delivery of Transformation Programme for Adult Social Care to achieve the medium term financial plan savings and bring about sustainable change in the way adult social care is delivered by the council.	Service transformation and efficiency savings	Adults	287	375	400
Demand & Capacity	Restructuring and reconfiguring of Adult Social Care services to meet current and forecast levels of demand.	Service transformation and cost reduction	Adults	220	100	150
Replacement of Adult Social Care case management system	Implementation of integrated customer-led social care case management system, delivering efficiency improvements and improved data, thereby achieving more positive results for service users.	Service transformation and efficiency savings	Adults	63	102	100
Occupational therapy & Moving and Handling staff	Funding for additional staff to reduce demand for more costly social care support over long term	Cost reduction	Adults	0	0	150
SEND Transformation - salary and consultancy costs	Implementation of SEND Transformation Plan. A comprehensive SEND Transformation Plan has been established and implementation of the multi-year programme is well underway. Work is founded on outcome / financial trajectories and the plans will continue to evolve over the lifetime of the 5 year programme.	Service transformation and cost reduction	Childrens	1,041	656	700
Resources and Waste Strategy - staff costs	Development of the council's Waste Strategy transformation agenda over the medium term.	Environmental improvements	Environment & Climate Change	129	140	200

Project	Project Description	Service Transformation / Savings	Directorate	Actual Use of Receipts 2021/22 (£k)	Planned Use of Receipts 2022/23 (£k)	Planned Use of Receipts 2023/24 (£k)
School Transport Transformation	Delivery of Transformation programme to achieve cost savings in delivery of School Transport	Efficiency savings	Environment & CC	0	0	150
Transformation Team Costs	Funding for Transformation and Culture Change team, providing council wide support in the delivery of service transformation and financial savings aligned to existing improvement programmes and the delivery of service reviews.	Transformational activity and efficiency savings	Corporate	1,090	1,570	1,700
Digital Transformation - staff costs, IT software & equipment	Identify opportunities to improve the efficiency of Information Government systems, including scanning of documents (procurement and training), development of new online resources to deliver thematic IG training, SAR digitalisation project, and other additional IG activity	Efficiency savings	Corporate	88	36	400
New Council Programme	Staff coaching in the delivery of Organisational Change	Transformational activity	Corporate	31	12	20
Business Transformation Partnership	Commissioning of consultants to support transformation projects, in particular the broader transformation and investment proposals in relation to SEND	Transformational activity	Corporate	143	0	0
The Knowledge Academy	Project Management training - transformation projects	Transformational activity	Corporate	34	0	0
NDC Capitalisation - pension costs		Cost reduction	Central	24	14	30
NDC Capitalisation - severance costs		Cost reduction	Corporate	11	0	0
				3,161	3,005	4,000



Name of meeting: Corporate Governance and Audit Committee

Date: 16 June 2023

Title of report: Annual Report on Treasury Management 2022/23

Purpose of report

Financial Procedure Rules (Section 9.5) require that the Council receives an annual report on Treasury Management activities for the previous financial year. The report to this committee reviews borrowing and investment performance before it is considered by Cabinet and Council.

Key Decision - Is it likely to result in spending or saving £500k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Key Decision - Is it in the Council's Forward Plan (key decisions and private reports)?	Yes
The Decision - Is it eligible for "call in" by Scrutiny?	Yes
Date signed off by Service Director	Dean Langton 8 June 2023
Is it also signed off by the Service Director - Finance?	As above
Is it also signed off by the Service Director for Governance and Commissioning Support?	Julie Muscroft 8 June 2023
Cabinet member portfolio	Cllr Paul Davies

Electoral wards affected: Not applicable

Ward councillors consulted: Not applicable

Public or private: Public

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

1. Summary

- 1.1 The Council's treasury management operation for the year has followed the strategy approved by Council on 16 February 2022. Investments averaged £61.1 million and were largely deposited in instant access accounts earning an average interest rate of 1.92%.
- 1.2 Total external borrowing at 31 March 2023 increased by £144.9 million to £613.8 million (£468.9 million as at 31 March 2022). The Council took £70.0 million new Government long term loans from the Public Works Loan Board (PWLB) (see paragraph 2.6.3 for more detail) and an additional £35.0 million Local Authority medium term 2 to 3 year loans (see paragraph 2.6.4 for more detail). Temporary borrowing increased for the year by £60.5 million to £82.0 million (£21.5 million 31st March 2022). The average long-term borrowing rate for 2022/23 relating to all long-term debt on the balance sheet was 3.67%. Short-term borrowing rates averaged 1.34%.
- 1.3 In 2017/18 the Council approved a revision to its Minimum Revenue Provision (MRP) policy, which relates to the amount of revenue resources set aside each year to provide for its outstanding debt repayments over the longer term. This was done by updating its approach to Supported Borrowing from 2007/08 onwards, moving from a 4% reducing balance to an annuity basis in its repayment of debt.
- 1.4 In updating the approach the Council effectively over-provided in previous years the repayment of debt to the sum of £91.1 million. Within the Treasury Management Strategy 2018/19 the Council set out its approach to unwind this over-provision at £9.1 million each year over the next 10 years, starting from 2017/18 onwards.
- 1.5 Following approval within the 2018/19 Treasury Management Strategy there was a further increase in the un-winding in the General Fund MRP for 2022/23. The maximum amount of un-wind in any one year cannot be more than the overall annual MRP calculation, as otherwise the Council would end up in a negative MRP position, which is not allowable under accounting rules. The calculation estimated for 2022/23 was £13.7 million. The actual MRP calculation for 2022/23 was £17.2 million and hence the maximum unwind allowable. However, in 2022/23 the actual unwind was in-line with the budget at £13.7 million.
- 1.6 Treasury management costs incurred in the year include £10.8 million on net interest payments. The Council complied with its treasury management prudential indicators in the year.

2. Information required to take a decision

2.1 Background

- 2.1.1 The Council has adopted the CIPFA Treasury Management in the Public Services: Code of Practice and operates its treasury management service in compliance with this Code and various statutory requirements. These require that the prime objective of the activity is to secure the effective management of risk, and that borrowing is undertaken on a prudent, affordable and sustainable basis.
- 2.1.2 Council Financial Procedure Rules require that the Council receives an annual report on Treasury Management activities for the year. Cabinet is responsible for the implementation and monitoring of the treasury management policies. Corporate Governance and Audit Committee undertake a scrutiny role with regard to treasury management.

- 2.1.3 In reviewing 2022/23 performance, reference will be made to the Treasury Management Strategy Report approved by Budget Council on 16 February 2022.

2.2 Borrowing and Investment Strategy 2022/23

- 2.2.1 The Council's overall Treasury Management Strategy prioritises security and liquidity of its investments before seeking a higher rate of return. which was adhered to in 2022/23. The Council aims to invest externally, balances of £30 million, largely for the purpose of managing day-to-day cash flow requirements. The investment strategy is designed to minimise risk and the Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.
- 2.2.2 As outlined in the Treasury Strategy, the Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing lower interest costs and achieving cost certainty over the period for which funds are required, with flexibility to renegotiate loans should the Council's long-term plans change being a secondary objective. The borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio. The Council pursued its strategy of keeping borrowing and investments below their underlying levels, known as internal borrowing.

2.3 The Economy and Interest Rates

- 2.3.1 The war in Ukraine continued to keep global inflation above central bank targets and the UK economic outlook remained relatively weak with the chance of a mild recession. The economic backdrop during the January to March period continued to be characterised by high energy and commodity prices, high inflation, and the associated impact on household budgets and spending.
- 2.3.2 Central Bank rhetoric and actions remained consistent with combatting inflation. The Bank of England, US Federal Reserve, and European Central Bank all increased interest rates over the period, even in the face of potential economic slowdowns in those regions.
- 2.3.3 Starting the financial year at 5.5%, the annual CPI measure of UK inflation rose strongly to hit 10.1% in July and then 11.1% in October. Inflation remained high in subsequent months but appeared to be past the peak, before unexpectedly rising again in February. Annual headline CPI registered 10.4% in February, up from 10.1% in January, with the largest upward contributions coming from food and housing. RPI followed a similar pattern during the year, hitting 14.2% in October. In February RPI measured 13.8%, up from 13.4% in the previous month.
- 2.3.4 The labour market remained tight albeit with some ongoing evidence of potential loosening at the end of the period. The unemployment rate 3mth/year eased from 3.8% April-June to 3.6% in the following quarter, before picking up again to 3.7% between October-December. The most recent information for the period December-February showed an unemployment rate of 3.7%. The inactivity rate was 21.3% in the December-February quarter, slightly down from the 21.4% in the first quarter of the financial year. Nominal earnings were robust throughout the year, with earnings growth in December-February at as 5.7% for both total pay (including bonuses) and 6.5% for regular pay. Once adjusted for inflation, however, both measures were negative for that period and have been so

throughout most of the year.

- 2.3.5 Despite household budgets remaining under pressure, consumer confidence rose to -36 in March, following readings of -38 and -45 in the previous two months, and much improved compared to the record-low of -49 in September. Quarterly Gross Domestic Product was soft through the year, registering a 0.1% gain in the April-June period, before contracting by (an upwardly revised) -0.1% in the subsequent quarter. For the October-December period was revised upwards to 0.1% (from 0.0%), illustrating a resilient but weak economic picture. The annual growth rate in Q4 was 0.6%.
- 2.3.6 The Bank of England increased the official Bank Rate to 4.25% during the financial year. From 0.75% in March 2022, the Monetary Policy Committee (MPC) pushed through rises at every subsequent meeting over the period, with recent hikes of 50bps in December and February and then 25bps in March, taking Bank Rate to 4.25%. March's rise was voted by a majority of 7-2, with two MPC members preferring to maintain Bank Rate at 4.0%. The Committee noted that inflationary pressures remain elevated with growth stronger than was expected in the February Monetary Policy Report. The February vote was also 7-2 in favour of a hike, and again with two members preferring to keep Bank Rate on hold.
- 2.3.7 Uncertainty continued to be a key driver of financial market sentiment and bond yields remained relatively volatile due to concerns over elevated inflation and higher interest rates, as well as the likelihood of the UK entering a recession and for how long the Bank of England would continue to tighten monetary policy. Towards the end of the period, fears around the health of the banking system following the collapse of Silicon Valley Bank in the US and purchase of Credit Suisse by UBS caused further volatility. Over the period the 5-year UK benchmark gilt yield rose from 1.41% to peak at 4.70% in September before ending the financial year at 3.36%. Over the same timeframe the 10-year gilt yield rose from 1.61% to peak at 4.51% before falling back to 3.49%, while the 20-year yield rose from 1.82% to 4.96% and then declined to 3.82%. The Sterling Overnight Rate (SONIA) averaged 2.24% over the period.
- 2.3.8 Arlingclose reduced its recommended maximum duration limit for unsecured deposits for all UK and Non-UK banks/institutions on its counterparty list to 35 days as a precautionary measure. No changes were made to the names on the list. As market volatility is expected to remain a feature, at least in the near term and, as ever, the institutions and durations on the Council's counterparty list recommended by Arlingclose remains under constant review.
- 2.3.9 Local Authorities remain under financial pressure, but Arlingclose continues to take a positive view of the sector, considering its credit strength to be high. Section 114 notices have been issued by only a handful of Authorities with specific issues. While Arlingclose's advice for Local Authorities on its counterparty list remains unchanged, a degree of caution is merited with certain Authorities.

2.4 Investment Activity

- 2.4.1 CIPFA published a revised Treasury Management in the Public Services Code of Practice and Cross-Sectoral Guidance Notes on 20th December 2021. These define treasury management investments as investments that arise from the organisation's cash flows or treasury risk management activity that ultimately represent balances that need to be invested until the cash is required for use in the course of business.

- 2.4.2 The Council's treasury management investments totalled £44.0 million as at 31 March 2023 (£78.9 million 31 March 2022). The Council invested an average balance of £61.1 million externally during the year (£37.9 million 2021/22). Interest income of £0.983 million was generated through these investments (£0.034 million 2021/22) and £0.379 million dividend income from the CCLA Property Fund (£0.349 million 2021/22). Appendix 1 shows where investments were held at the beginning of April 2022, the end of September 2022 and the end of March 2023, by counterparty, by sector and by country. The Council's average lending rate for the year was 1.92% (0.12% 2021/22).
- 2.4.3 The majority of investments were placed in liquid instruments such as instant access bank deposit accounts, DMO (Debt Management Office) and Money Market Funds (MMFs). MMFs offer greater diversification of counterparties, thus lowering risk as well as instant access.
- 2.4.4 The bank rate has increased from 0.75% at the beginning of the year to 4.25% at the end of March 2023. Short-dated cash rates, which had ranged between 0.7% to 1.5% at the beginning of April, rose by around 3.5% for overnight and 7 day maturities and 3.3% for 6 to 12 month maturities. By the end of March 2023, the rates on DMO deposits ranged between 4.05% and 4.15%.
- 2.4.5 The Council continues to hold £10 million investment in the Local Authorities Pooled Investment Fund (LAPF). The Local Authorities Property Fund was established in 1972 and is managed by CCLA Fund Managers. As at March 2023 there are assets under management of £1,203 million. The Fund aims to provide investors with regular revenue income and long-term price stability and it is an actively managed, diversified portfolio of UK commercial property. It principally invests in UK assets but may invest in other assets.
- 2.4.6 The fund returned a gross dividend yield of 3.09% in 2022/23 (3.25% 2021/22), which compares favourably with an average 1.92% on other short-term investments (see paragraph 2.4.2 above). Net income of £0.379 million was received by the Council in 2022/23 (£0.349 million in 2021/22).
- 2.4.7 Rapid rises in yields caused damage to property fund valuations with tighter financial conditions and challenges in some segments of commercial estates such as offices and high street shops which saw commercial property values fall during 2022, with a large fall in the final quarter.
- 2.4.8 Strategic fund investments are made in the knowledge that capital values will move both up and down over time. Unrealised cumulative capital losses of £1.1 million will not have an impact on the General Fund as the Council is utilising a Government statutory override for pooled investment funds. Under the Regulations, gains and losses resulting from unrealised fair value movements, that otherwise must be recognised in the income and expenditure account under IFRS9, are not currently charged to the revenue account, and must be taken into an unusable reserve account.
- 2.4.9 The DHLUC published a consultation on the IFRS9 pooled investment fund statutory override for English Authorities which was due to expire with effect from 31 March 2023. The override will be extended for two years and therefore remain in place for the 2023/24 and 2024/25 financial years.

2.5 Borrowing Update

- 2.5.1 CIPFA's 2021 Prudential Code is clear that Local Authorities must not borrow to invest primarily for financial return and that it is not prudent for Local Authorities to make any investment or spending decision that will increase the Capital Finance Requirement (CFR) and so may lead to new borrowing, unless directly and primarily related to the functions of the Council. PWLB loans are no longer available to buy investment assets primarily for yield unless these loans are for refinancing purposes.
- 2.5.2 Borrowing is permitted for cashflow management, interest rate risk management, to refinance current borrowing and to adjust levels of internal borrowing. Borrowing to refinance capital expenditure primarily related to the delivery of a Local Authority's function but where a financial return is also expected is allowed, provided that financial return is not the primary reason for the expenditure. There are no aspects of the Council's current multi-year plan that are expected to be in breach of the Code.
- 2.5.3 The cost of both long and short-term borrowing rose dramatically over the year, with rates at the end of March 2023 over 3.0pp higher than those at the beginning of April 2022. Rate rises have been driven primarily by inflation and the need for central banks to control this by raising interest rates. PWLB rates remain volatile and well above historical norms. The PWLB 10 year maturity certainty rate stood at 4.33% at 31 March 2023, 20 years at 4.70% and 30 years at 4.66%.
- 2.5.4 A new HRA PWLB rate of gilt yield plus 0.4% (0.4% below the currently available certainty rate) was announced on 15 March 2023. The discounted rate is to support Local Authorities borrowing for Housing Revenue Accounts and the delivery of social housing and is expected to be available from June 2023, initially for a period of one year.

2.6 Borrowing Activity

- 2.6.1 In terms of borrowing, long-term loans maturing greater than one year totalled £512.8 million and short-term loans maturing within 12 months (excluding interest accrued) totalled £101.0 million (£442.3 million and £26.6 million 31 March 2022), an overall increase of £144.9 million. Appendix 2 details repayments of long-term loans during the year and short-term loans outstanding as at 31 March 2023.
- 2.6.2 The Council has an increasing CFR due to the capital programme and an estimated borrowing requirement as determined by the Liability Benchmark, which also takes into account usable reserves and working capital. The Council's chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required. Having considered the appropriate duration and structure of the borrowing need based on realistic projections, it was decided to take a combination of short-term borrowing and longer-term repayment loans.
- 2.6.3 The Council borrowed £70.0 million of new long-term EIP loans from the PWLB in 2022/23. These loans were taken throughout the year.

	Amount £m	Rate %	Start date	Maturity date
PWLB (538379)	20.0	2.60	9 Aug 22	9 Aug 42
PWLB (594601)	15.0	4.10	31 Jan 23	31 Jan 38
PWLB (594848)	15.0	3.99	1 Feb 23	1 Feb 37

PWLB (608189)	20.0	4.15	21 Mar 23	21 Mar 38
Total	70.0			

An EIP loan pays back principal over the life of the loan, and the interest associated with the loan goes down as the principal outstanding reduces.

- 2.6.4 As the bank base rate rose significantly during the period along with PWLB rates, the Council took advantage of medium-term loans over a 2 to 3 year time frame, achieving slightly lower interest rates for the period compared to the PWLB and securing the funds needed. The table below shows £35.0 million of loans taken during 2022/23, there is a further 3 year loan of £5.0 million taken in 2021/22 still outstanding at 31 March 2023.

	Amount £m	Rate %	Start date	Maturity date
Crawley Borough Council	5.0	0.50	1 Apr 22	2 Apr 24
South Yorkshire Mayoral Combined Authority	10.0	1.50	1 Apr 22	1 Apr 25
Leicester City Council	5.0	0.75	13 Apr 22	12 Apr 24
Leicester City Council	10.0	2.00	15 Jul 22	15 Jul 25
Oxfordshire County Council	5.0	2.00	15 Aug 22	15 Aug 25
Total	35.0			

- 2.6.5 Fixed rate loans account for 88.02% of total long-term debt (see also Appendix 5) giving the Council stability in its interest costs. The maturity profile for all long-term loans is shown in Appendix 3 and shows that no more than 6.44% of all debt is due to be repaid in any one year. This is good practice as it reduces the Council's exposure to a substantial borrowing requirement in any one particular future year, when interest rates might be at a relatively high level.
- 2.6.6 The primary source of the Council's borrowing is from the Governments PWLB representing 71.27% of total external borrowing.
- 2.6.7 The Council continues to hold £61.5 million of LOBO (Lender's Option Borrower's Option) loans which represents 11.56% of total external borrowing. LOBO loans are where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. No banks exercised their option to propose an increase in the interest rates during the year.
- 2.6.8 The table below sets out the actual external borrowing requirement against estimated requirements;

	2021/22 £m actual	2022/23 £m forecast	2022/23 £m actual
General Fund CFR - Non PFI	556.1	618.0	617.0
PFI	39.4	35.5	35.5
HRA CFR - Non PFI	166.0	175.3	168.0
PFI	45.2	42.7	42.7
Total CFR	806.7	871.5	863.2
Less: PFI debt liabilities	84.6	78.2	78.2
: Other deferred liabilities	3.6	3.6	3.5
Borrowing CFR	718.5	789.7	781.5
External borrowing:			
PWLB Loans	313.3	358.9	379.0
LOBOs	61.5	61.5	61.5
Loan Stock (Fixed Rate)	7.0	7.0	7.0
Other LT Loans (Fixed Rate)	45.6	44.3	44.3
Other MT Loans (Fixed Rate)	20.0	40.0	40.0
Temporary borrowing	21.5	74.0	82.0
Total External borrowing	468.9	585.7	613.8
Internal borrowing *	249.6	204.0	167.7
Investments	78.9	30.0	44.0

* This is the amount the Council still needs to borrow to fund its capital programme (and which is currently being funded from internal resources such as reserves and working capital)

2.6.9 In terms of debt rescheduling, the premium charge for early repayment of PWLB debt remained relatively expensive for the loans in the Council's portfolio and therefore unattractive for debt rescheduling activity in 2022/23.

2.6.10 The average long-term borrowing rate for 2022/23 for the Council's long-term loans outstanding was 3.67% (3.84% 2021/22).

2.7 Trends in treasury management activity

2.7.1 Appendix 4 shows the Council's borrowing and investment trends over the last 6 years. This highlights the current trend of borrowing shorter and longer term to fund cashflow.

2.8 Risk and Compliance Issues

2.8.1 The Council reports that all treasury management activities undertaken during the year complied fully with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy, including the prudential indicators. Details can be found in Appendix 5. Indicators relating to affordability and prudence are highlighted in this appendix.

- 2.8.2 When the Council has received unexpected monies late in the day, officers have no alternative but to put the monies into the Barclays Business Reserve Account overnight. The largest daily amount deposited in this account overnight as a result of unexpected late receipts was £2.1 million. Whilst this is not an ideal situation, the Council is still within investment limits as per the Treasury Management Strategy which is set at £10.0 million per counterparty.
- 2.8.3 In line with Council Treasury Management Strategy, the Council has not placed any direct investments in companies as defined by the Carbon Underground 200.
- 2.8.4 The Council is aware of the risks of passive management of the treasury portfolio and, with the support of the Council's consultants (Arlingclose), has proactively managed the debt and investments over the year.
- 2.8.5 The CIPFA Code of Practice requires that treasury management performance be subject to regular member scrutiny. The Corporate Governance and Audit Committee performs this role and members have received reports on strategy, half yearly monitoring and now the outturn for the year 2022/23. Training was provided to Members in November 2022.

Looking ahead – Treasury Management developments in 2023/24

2.9 Re-financing/re-payment of current Long-Term Borrowing

- 2.9.1 As outlined within the Council approved Treasury Management Strategy 2023/24, the Council will continue to look to repay existing long-term debt when the opportunity arises where it becomes beneficial for the Council to do so.
- 2.9.2 Council officers will liaise with the Council's external Treasury Management advisors, Arlingclose, to review lender options, and proceed if they are considered to be in the longer-term best interests of the Council.

2.10 Loan Funding Sources

- 2.10.1 The Council may be presented with additional sources of long-term funding at certain points in time, beyond those currently listed in the Council's current Treasury Management Strategy. These may be at preferential rates of interest and therefore the Service Director Finance (Section 151 Officer) will look to maximise the use of source funds when it is preferential to do so.

2.11 Investment Opportunities

- 2.11.1 The Service Director Finance, supports the approach that the borrowing and investment

strategy for 2023/24 continues to place emphasis on the security and liquidity of the Council's balances.

- 2.11.2 The investment in the CCLA property fund (see paragraphs 2.4.5 to 2.4.9) is part of a longer-term investment strategy to mitigate against any short-term market volatility or risk. As this fund has no defined maturity date its performance and continued suitability in meeting the Council's investment objectives is regularly reviewed. Strategic fund investments are made in the knowledge that capital values will move both up and down on months, quarters and even years; but with the confidence that over a longer period total returns will exceed cash interest rates.

2.12 New Borrowing

- 2.12.1 As mentioned previously, the Council has an increasing CFR due to the capital programme. The Council's current approach to fund the capital plan is to use a combination of short and longer-term borrowing. Unfortunately borrowing rates remain high and are likely to continue to rise in the near term. As short and medium-term rates remain slightly lower over a shorter time frame compared to longer-term, the Council will continue to borrow this way to minimise borrowing costs, although resulting in a higher proportion of debt that is not fixed over longer periods.
- 2.12.2 The base rate is expected to continue to rise during 2023/24. Long-term PWLB loans will be taken if gilt yields drop and the opportunity to take those fixed rate loans are presented.
- 2.12.3 The Council's borrowing decisions are not predicated on any one outcome for interest rates and a balanced portfolio of short and long-term borrowing will be maintained considering the appropriate duration and structure of the borrowing need based on realistic projections, and with ongoing consultation with Arlingclose.
- 2.12.4 As noted in the recent 2023/24 Treasury Management Strategy report, the Council will also consider the opportunity to arrange forward starting loans (with alternative lenders as these are not available through the PWLB), where the interest rate is fixed in advance but the cash is received in later years. This would enable certainty of cost to be achieved without suffering a cost of carry in the intervening period. Again, this would only be undertaken after having considered the appropriate duration and structure of the borrowing need based on realistic projections, and with ongoing consultation with Arlingclose.

3. Implications for the Council

3.1 Working with People – N/A

3.2 Working with Partners – N/A

3.3 Place Based Working – N/A

3.4 Climate Change and Air Quality – N/A

3.5 Improving outcomes for children - N/A

3.6 Financial Implications for the people living or working in Kirklees – N/A

3.7 Other (e.g. Legal/Financial) – Any changes in assumed borrowing and investment requirements, balances and interest rates will be reflected in revenue budget monitoring reports during the year.

4. Consultees and their opinions

This report was considered and endorsed at Corporate Governance and Audit Committee on 16 June 2023 and will be submitted to Cabinet for consideration on 27 June 2023. Arlingclose, the treasury management advisors to the Council, have provided the economic context commentary contained in this report.

5. Next steps and timelines

5.1 Following consideration at Cabinet, this report will be presented to Council on 12 July 2023.

6. Officer recommendations and reasons

6.1 Having read this report and the accompanying Appendices, Cabinet are asked are asked to note the treasury management performance in 2022/23 as set out in this report, prior to its submission to Council;

7. Cabinet portfolio holder's recommendations

The Cabinet portfolio holder notes the borrowing and investment performance as detailed in this report.

8. Contact officer

James Anderson	Head of Accountancy
Rachel Firth	Finance Manager

9. Background Papers and History of Decisions

CIPFA's Treasury Management in the Public Services Code of Practice and Cross-Sectoral Guidance Notes 2021 edition
CIPFA's Prudential Code for Capital Finance in Local Authorities 2021 edition
Public Works Loan Board Website.
Treasury Management 2022/23 Strategy Report approved by Council on 16 February 2022.

10. Service Director responsible

Dean Langton	01484 221000
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APPENDIX 1

Kirklees Council Investments 2022/23											
Counterparty	Credit Rating Mar 2023*	1 April 2022				30 September 2022			31 March 2023		
		£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment	
Specified Investments											
Barclays	Bank	F1/A+	0.0	N/A	Instant Access	0.0	N/A	Instant Access	0.5	3.57%	Instant Access
Aberdeen Standard	MMF**	AAAmf	8.9	0.51%	Instant Access	10.0	2.14%	Instant Access	0.2	4.06%	Instant Access
Aviva	MMF**	Aaa-mf	10.0	0.51%	Instant Access	10.0	1.94%	Instant Access	8.3	4.12%	Instant Access
Deutsche	MMF**	AAAmf	0.0	0.49%	Instant Access	0.0	1.78%	Instant Access	10.0	4.16%	Instant Access
Goldman Sachs	MMF**	AAAmf	3.3	0.48%	Instant Access	7.3	1.97%	Instant Access	0.0	4.01%	Instant Access
PCC for Devon & Cornwall	Local Authority		10.0	0.60%	Local Authority	0.0	N/A	Local Authority	0.0	N/A	Local Authority
PCC for Dorset	Local Authority		10.0	0.60%	Local Authority	0.0	N/A	Local Authority	0.0	N/A	Local Authority
Leeds City Council	Local Authority		0.0	N/A	Local Authority	5.0	2.00%	Local Authority	0.0	N/A	Local Authority
PCC for West Yorkshire	Local Authority		0.0	N/A	Local Authority	3.0	2.20%	Local Authority	5.0	4.65%	Local Authority
Northamptonshire Council	Local Authority		0.0	N/A	Local Authority	0.0	N/A	Local Authority	5.0	4.50%	Local Authority
PCC for West Mercia	Local Authority		0.0	N/A	Local Authority	0.0	N/A	Local Authority	3.0	4.60%	Local Authority
PCC for Warwickshire	Local Authority		0.0	N/A	Local Authority	0.0	N/A	Local Authority	2.0	4.60%	Local Authority
Debt Management Office	Cent Govt		26.7	0.55%	Cent Govt	36.0	2.02%	Cent Govt	0.0	N/A	Cent Govt
CCLA	Property Fund		10.0	N/A	Property Fund	10.0	N/A	Property Fund	10.0	N/A	Property Fund
			78.9			81.3			44.0		
Sector Analysis											
			£m	%age		£m	%age		£m	%age	
Bank			0.0	0%		0.0	0%		0.5	1%	
MMF**			22.2	28%		27.3	34%		18.5	42%	
Local Authorities/Cent Govt			46.7	59%		44.0	54%		15.0	34%	
Property Fund			10.0	13%		10.0	12%		10.0	23%	
			78.9	100%		81.3	100%		44.0	100%	
Country analysis											
			£m	%age		£m	%age		£m	%age	
UK			56.7	72%		54.0	66%		25.5	58%	
MMF**			22.2	28%		27.3	34%		18.5	42%	
			78.9	100%		81.3	100%		44.0	100%	

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

Key – Fitch’s credit ratings:

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

Appendix 2

Long-term loans repaid and short-term loans outstanding 31 March 2023

Long-term loans repaid during 2022/23

	Amount £000s	Rate %	Date repaid
Repayments on annuity loans			
PWLB (496956)	404	4.58	29 Sep 22
PWLB (496956)	413	4.58	29 Mar 23
Repayments on EIP loans			
PWLB (340221)	250	1.63	27 Apr 22
PWLB (439173)	250	1.66	17 May 22
PWLB (373440)	250	1.46	12 Jul 22
PWLB (487385)	250	2.28	22 Aug 22
PWLB (313112)	250	1.64	5 Sep 22
PWLB (493145)	250	1.98	9 Sep 22
PWLB (340221)	250	1.63	27 Oct 22
PWLB (439173)	250	1.66	17 Nov 22
PWLB (373440)	250	1.46	12 Jan 23
PWLB (538379)	500	2.60	9 Feb 23
PWLB (487385)	250	2.28	21 Feb 23
PWLB (313112)	250	1.64	6 Mar 23
PWLB (493145)	250	1.98	9 Mar 23
Total	4,317		

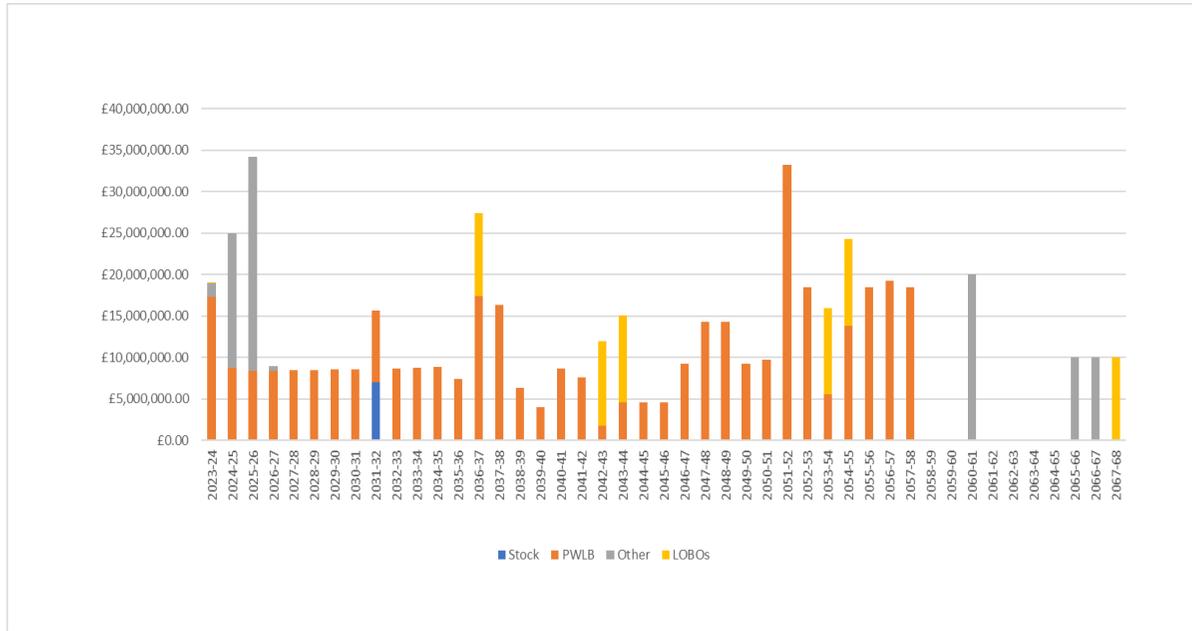
Short-term loans outstanding 31 March 2023

	Amount £000s	Rate %	Length (days)
Temporary borrowing from the Money Market			
West Yorkshire Combined Authority	10,000	0.80	276
West Sussex County Council	5,000	4.05	365
East Suffolk Council	5,000	3.60	182
South Lanarkshire Council	5,000	3.45	121
West Yorkshire Combined Authority	5,000	4.00	350
Spelthorne Borough Council	5,000	3.55	90
West Yorkshire Combined Authority	5,000	3.70	181
Warwickshire County Council	5,000	4.00	364
Rotherham Metropolitan Council	5,000	4.25	33
Ashfield District Council	5,000	4.55	92

Warwickshire County Council	5,000	4.50	364
Portsmouth City Council	5,000	4.50	61
Medium-term loans due to mature in the next twelve months	15,000		
Local lenders/Trust Funds	2,027		
Total Temporary borrowing	82,027		
Long-term loans due to mature in the next twelve months	18,997		
Total	101,024		

Kirklees Council Loan Maturity Profile (All Debt)

Appendix 3



Appendix 4

Kirklees Council - Borrowing and Investment Trends

At 31 March	2023 £m	2022 £m	2021 £m	2020 £m	2019 £m	2018 £m
Investments	44.0	78.9	37.1	52.0	39.1	36.1
ST Borrowing (excl interest accrued)	101.0	26.6	50.0	53.2	11.8	20.8
LT Borrowing	512.8	442.3	375.8	373.7	384.1	392.4
Total Borrowing	613.8	468.9	425.8	426.9	395.9	413.2
Net debt position	569.8	390.0	388.7	374.9	356.8	377.1
<u>Capital Financing Requirement (excl PFI)</u>						
General Fund	617.0	556.1	500.1	461.6	436.6	420.3
HRA	168.0	166.0	170.3	175.3	175.3	182.8
Total CFR	785.0	722.1	670.4	636.9	611.9	603.1
Less deferred liabilities (non PFI)	3.5	3.6	3.6	3.7	3.9	4.1
Borrowing CFR	781.5	718.5	666.8	633.2	608.0	599.0
Balances “internally invested”	167.7	249.6	241.0	206.3	212.1	185.8
Ave Kirklees’ investment rate for financial year	1.9%	0.1%	0.1%	0.7%	0.7%	0.3%
Ave Base rate (Bank of England)	2.3%	0.2%	0.1%	0.7%	0.7%	0.3%
Ave LT Borrowing rate (1)	3.8%	1.9%	2.3%	2.4%	2.5%	2.5%

(1) Based on average PWLB rate throughout the year on a 25 to 30 year loan (less 0.2% PWLB certainty rate) repayable on maturity

APPENDIX 5

Treasury Management Prudential Indicators

Interest Rate Exposures

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

	Limit Set 2022/23	Actual 2022/23
Interest at fixed rates as a percentage of net interest payments	60% - 100%	88%
Interest at variable rates as a percentage of net interest payments	0% - 40%	12%

The interest payments were within the limits set.

Maturity Structure of Borrowing

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

Amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate	Limit Set 2022/23	Actual Levels 2022/23
Under 12 months	0% - 20%	4%
12 months to 2 years	0% - 20%	5%
2 years to 5 years	0% - 60%	11%
5 years to 10 years	0% - 80%	11%
More than 10 years	20% - 100%	69%

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

Total principal sums invested for periods longer than 364 days

The Council has not invested any sums longer than 364 days.

Name of meeting: Council (Reference from Cabinet)

Date: 12 July 2023

Title of report: Our Council Plan – July 2023 – January 2024

Purpose of report:

‘Our Council Plan’ (provided at **Appendix 1**) provides an extension to the existing 2021 – 2023 Council Plan, setting out our ongoing commitment to our vision and shared outcomes, and providing an update in the context of the economic and financial challenges currently facing the Council and the borough. The Plan sets out the Council’s current priorities and will be updated again in January 2024.

For Council to:

- Consider and approve the Plan for adoption (subject to Cabinet recommendations or amendments made by Council) presented at **Appendix 1**.

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 Has a significant effect on all electoral wards.
Key Decision - Is it in the <u>Council’s Forward Plan (key decisions and private reports)</u>?	Yes Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer-Henshall, Strategic Director for Corporate Strategy, Commissioning and Public Health 30.06.23
Is it also signed off by the Service Director for Finance?	Dean Langton, Service Director - Finance 29.06.23
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft – Legal, Head of Corporate, Legal, Governance and Commissioning 30.06.23
Cabinet member portfolio	Leader of the Council

- **Electoral wards affected:** All.
- **Ward councillors consulted:** Overview and Scrutiny Management Committee have been consulted in the development of this Plan.
- **Public or private:** Public.
- **Has GDPR been considered?** The Council Plan contains no personal information relating to individuals. Pictures are GDPR compliant.

1. Summary

'Our Council Plan' (provided at **Appendix 1**) provides an extension to the existing 2021 – 2023 Council Plan, setting out our ongoing commitment to our vision and shared outcomes, and providing an update in the context of the economic and financial challenges currently facing both the Council and the borough. The Plan sets out the Council's current priorities and will be updated again in January 2024. The purpose of this paper is:

For Council to:

- Consider and approve the Plan for adoption (subject to Cabinet recommendations or amendments made by Council) presented at **Appendix 1**.

2. Information required to take a decision.

2.1 Annual Business Planning Cycle and Background

In 2022, work progressed to develop an annual update for the existing (2021/23) Council Plan, which was due for sign-off at Council in January 2023, reflecting the approach to timescales agreed through the 'Annual Business Planning Cycle'.

The Council's 'Annual Business Planning Cycle' sets out how each year, after local elections, political leadership priorities are developed for inclusion within the annual revision of the Council Plan every January. Priorities set out within the Council Plan are then implemented through the setting of the annual Budget which follows in February/March.

As significant economic and financial challenges emerged over the course of 2022, the Leader, and Cabinet Portfolio Holders, in consultation with senior officers and Leading Members took the decision to delay the January 2023 update, as the related uncertainty meant that it would be difficult to articulate our priorities and the achievability of any deliverables included in the Plan. It was agreed that we would produce a shorter update to the Plan in July 2023, which would then be followed by a more comprehensive revision in January 2024, bringing the Plan back into alignment with the Annual Business Planning Cycle.

The July 2023 update will extend the (2021/23) Council Plan (approved at Council on the 13 October 2021) and cover an approximate period of 6 months up until January 2024.

2.2 Structure of the Plan

The priorities within the Council Plan set out what is most important for us to achieve going forward and have been developed because of the current economic and financial challenges facing the Council and our citizens, communities and partners. They apply to everything that we do, although some elements may be delivered from within specific services or more collaboratively across the whole Council.

The July update (provided at **Appendix 1**) is shorter than normal iterations, to provide more time to allow for the development of more detailed information about the priorities and their delivery in the next version of the Plan, which will be presented to Council in January 2024.

The structure of the Plan can be summarised as follows:

- Brief **statements** from the Leader and Chief Executive
- A short **statement/narrative** setting out the current economic/financial challenges facing the council and communities – presented as 'an inclusive economic and financial recovery'.
- **Graphic presenting the key elements of the Council Plan**, including our vision, outcomes, and approach.
- Confirming our **approach** – that our vision, approach (People, Partners, Place), values and behaviours and outcomes remain the same.

- Outlining **four key Council Priorities**:
 - Addressing the financial challenges facing the council – including the budget setting principles we’re working to.
 - Transforming services to become more efficient and effective.
 - Helping residents and local organisations with the cost-of-living.
 - Continuing to invest in our future – by focusing on regeneration and improvements to infrastructure.

2.3 Performance and Impact Reporting – Our Council Plan 2021/23

Monitoring and report of the performance and impact of the priorities and deliverables in the current Council Plan, has been done through twice yearly ‘Performance and Impact’ reports, with the next report (against the existing 2021/23 Plan) due to be signed off by Cabinet on 15 August 2023. This will be the last report against the priorities and deliverables in the current Plan.

For the period 2021/23 a total of 97 deliverables were set to monitor the progress against the 2021/23 Council Plan. To the end of 2022/23 a total of 50 (51.5%) deliverables had been completed and 16 (16.5%) deliverables were defined as ‘ongoing’, with progress continuing to be made against these deliverables. A total of 28 (28.9%) deliverables were classified as partly completed (either delayed or on track for the remaining actions), and the remaining 3 (3.1%) deliverables were incomplete or delayed. Due to external factors and the focus on our finances, (as outlined in the July Council Plan attached at Appendix 1) the Council has had to re-prioritise activities resulting in some of the deliverables being delayed or completed in part.

2.4 Performance and Impact Reporting – Our Council Plan – July 2023 – January 2024

Going forward, performance and impact reporting against the priorities and any deliverables included in the Council Plan will continue to be reported through twice yearly ‘Performance and Impact’ reports, provided to Cabinet for approval.

The next Performance and Impact report will feature information relating to the priorities introduced in the July version of the Council Plan, if adopted by Council. It will also include information on the new ‘measuring our impact’ measures for each of the outcomes in the Council Plan, defined following consultation undertaken in 2022 with key strategic partnerships. These new measures will be introduced as part of the January 2024 version of the Plan.

2.5 Communicating the Plan

The Council Plan will be communicated internally and externally – to ensure the vision, outcomes, priorities, and our approach is understood by staff, partners, and residents. The Council Plan will be included on the Council’s external website. Supporting content, including case studies, will continue to be developed on an ongoing basis to support a wider understanding of the plan, and to help make the connection between the plan and council delivery.

3. Implications for the council

3.1 Working with People

Our focus on working with people and partners, and place-based working remains central to the Council Plan, as it has in previous iterations. Through a focus on our values, restorative practice, and work related to our People Strategy and the ‘Shaped by People’ outcome, we will continue to ensure we put the way in which we work with people (both internally and externally) at the heart of what we do.

3.2 Working with Partners

The Council Plan includes outcomes and the four key strategies which are shared with our partners. Changes to the population indicators associated with the shared outcomes (which will be introduced

in the January 2024 edition of the Council Plan) were defined collaboratively across key partnership boards, including the Partnership Executive.

3.3 Place Based Working

Our approach to place-based working is captured as part of our overarching strategic approach set out within the Council Plan. Further information and examples of how we're working in a place-based way will be included in the January 2024 version of the Plan.

3.4 Climate Change and Air Quality

The Council Plan includes the 'Clean and Green' outcome and refers to the development of a new partnership-led 'Environmental Strategy'.

3.5 Improving outcomes for children

While there are specific outcomes within the Council Plan that are more fundamentally dedicated to outcomes for children (Best Start, Aspire and Achieve), all other outcomes also impact on the improvement of outcomes for children and young people – for example good jobs and progression for parents, lifelong learning, better health and wellbeing, a cleaner and safer environment, and a Council that works more efficiently and effectively.

3.6 Financial implications for the people living or working in Kirklees

The Council Plan acknowledges and makes specific reference to the financial challenges currently being experienced by the people living and working in Kirklees. Supporting residents and businesses with the increasing costs of living is one of the four key priorities set out within the Plan.

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

The Council Plan is included in the Policy Framework for the Council, as set out in Part 2, Article 4 of the Council's Constitution, and as such, Council must approve and adopt any changes to the Council Plan.

The 'Annual Business Planning Cycle' sets out how the Council Plan is aligned to the setting of our Annual Budget. The Council Plan sets the strategic context for the allocation of resources, all of which is informed by political priorities, and internal/external engagement. The Council Plan also includes 'addressing the financial challenges facing the council' as one of its four key priorities going forward.

The Council Plan includes a reference to the People Strategy, and the value of our staff in helping to deliver the Plan. The January 2024 iteration of the Council Plan will include more detailed information relating to the Strategy.

The Council Plan has an associated IIA (Integrated Impact Assessment), which can be found on the Council's website. Any activity referred to within the Plan will also be subject to individual IIAs as required.

4. Consultees and their opinions

Members of the Overview and Scrutiny Management Committee (OSMC) were consulted on the approach to developing the Plan, and on the draft contents of the Plan itself, at an informal meeting 6 June 2023.

The feedback from OSMC has been considered, with points developed in the final version of the plan, including:

- Making the vision and shared outcomes more prominent in the document.

- Including more specific references to the value of staff and acknowledging the impact that changes will have on them.
- Acknowledging the impact of the economic and financial challenges on our partners.
- Making it clearer how the priorities are connected to the longer-term vision and outcomes.
- Ensuring the approach to measuring performance and impact is clear.
- Ensuring the reasons behind the brevity of the document are stated and that it is clear that a fuller version of the Plan will be developed for January 2024.

5. Next steps and timelines

If the Council Plan is adopted by Council, it will be published on the council website, replacing the current version of the Council Plan. [Our Council Plan 2021/23 | Kirklees Council](#)

A further revision of the Council Plan will be brought to Council for adoption in January 2024, which will include more detail around priorities and the activity to support implementation.

6. Officer recommendations and reasons

- 1) That the Council Plan be adopted and included in the Policy Framework for the Council, setting the overarching strategic direction for the services and activities relating to the business of the Council. (The Plan is attached at Appendix 1)
- 2) That any required amendments arising out of the consideration of the report at the meetings of Cabinet and Council be delegated to the Service Director, Strategy and Innovation, in consultation with the Leader of the Council.

7. Cabinet Portfolio Holder's recommendations

That 'Our Council Plan' be adopted by Council.

Cllr Shabir Pandor
Leader of the Council

8. Contact officer

Stephen Bonnell, Head of Policy, Partnerships and Corporate Planning
Stephen.bonnell@kirklees.gov.uk

Michelle Hope, Programme Manager, Policy, Partnerships and Corporate Planning
Michelle.hope@kirklees.gov.uk

9. Background Papers and History of Decisions

The previous (2021/23) Council Plan was approved by Council on the 13 October 2021.
[Agenda for Council on Wednesday 13th October 2021, 5.30 pm | Kirklees Council](#)

Integrated Impact Assessment (IIA)
[Integrated Impact Assessments - IntegratedImpactAssessment \(kirklees.gov.uk\)](#)

10. Service Director responsible

Andy Simcox, Service Director for Strategy and Innovation

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Kirklees Council

Our Council Plan

July 2023 - January 2024



Kirklees Council

Our Council Plan

July 2023 - January 2024



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Introductions



Introduction from the Leader

I'm pleased to present the Council Plan for 2023. It builds on the work we began following the pandemic, with the same values and priorities at its heart, but takes account of changes in circumstances and new challenges that we must address.

We know life at the moment is very difficult for many people in our communities. With rising food, fuel and energy costs disproportionately affecting those on lower incomes, existing inequalities within our district have become starker. That is why this plan – which will guide our decision making and help us to prioritise our resources – is so important for the communities we serve.

It focuses on the things which we know we will need to do to address the challenges ahead. It is ambitious and offers appropriate support for local people and communities, to protect and grow business and jobs, to meet the needs of a changing population and to secure a sustainable future for our district. It's more important than ever that we continue to sow the seeds of future growth, alongside addressing the significant financial challenges facing our communities and the Council. This is what our plan does.

Cllr Shabir Pandor

Leader of the Council



Introduction from the Chief Executive

Our Council Plan sets out our key priorities for the rest of 2023, as well as re-affirming the longer-term outcomes we are continually striving to achieve for the people of Kirklees. We will continue to focus on the delivery of those outcomes, despite the challenges we clearly face.

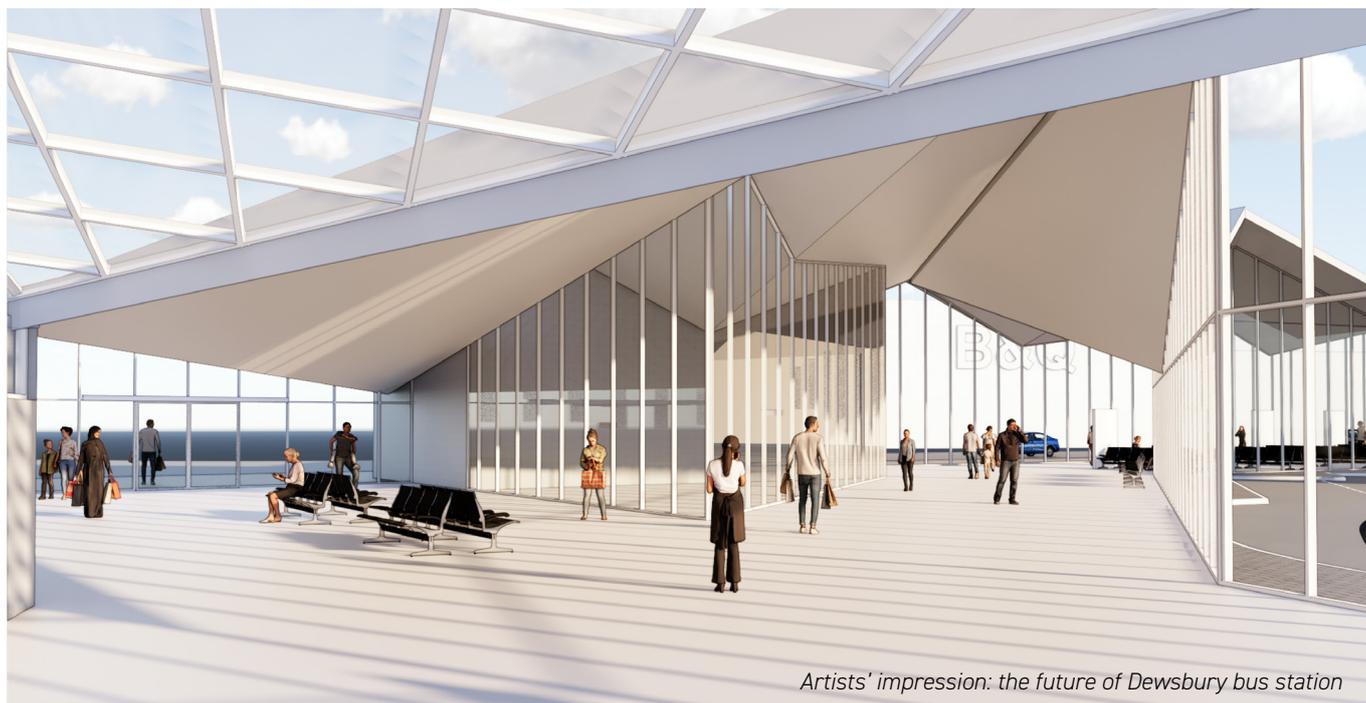
I never cease to be amazed by the skill, determination, flexibility and dedication of our workforce. Our response to the pandemic showed exactly what we can do. When times are tough, we pull together and deliver. Over the past few years, we've faced some very challenging times, and more challenges lie ahead. The cost-of-living crisis and surrounding national political turbulence creates uncertainty for us as a Council. Just as in our own households, we will be faced with tough decisions about how we spend our money.

The Council cannot meet these challenges working on its own. Working with our partners and communities must be a key part of how we respond to this newest wave of challenge. Everyone has a role to play in handling the challenges over the next year and achieving our ambitions for the future.

Jacqui Gedman

Chief Executive

An Inclusive Economic and Financial Recovery



Artists' impression: the future of Dewsbury bus station

As countries around the world started to recover from the global pandemic, a new set of challenges began to emerge. As with many other countries, pressures on global supply chains and the war in Ukraine brought significant economic challenges. Unfortunately, these pressures will remain throughout the coming year and beyond, so we know challenging times are ahead for the borough and our communities.

We know that the situation is worst for those who were already facing difficulties, whether that's lower-income households or marginalised communities. Much like the pandemic, the cost-of-living crisis is making existing inequalities worse. This is why we continue to focus on achieving inclusion and tackling inequalities, across everything that we do as a Council. In the context of economic and financial recovery, our recovery will only be successful if it benefits those who have been hit hardest.

The Council is also facing significant pressures on its budgets due to rising costs for energy, fuel and food. We will need to continue to try and understand what is most important for the people and communities of Kirklees, as we prioritise our resources on what matters the most to them. We also need to focus on what will have the greatest impact on the longer-term outcomes we want to achieve. But we know actions now will support our future recovery.

As a Council, our focus in 2023 will be to work together with people, with partners, and in our places, to address not only the impacts of the rising cost-of-living, but to achieve a more inclusive economic and financial recovery.

A graphic with a blue background. On the left, the text 'Cost of Living' is in large, bold, yellow letters, and 'SUPPORT' is in white letters below it. To the right of 'SUPPORT' are three circular icons: a fork and knife, a plug, and a pound sterling symbol (£). On the right side of the graphic is an illustration of a wooden desk with a red desk lamp, a pink piggy bank, a yellow shopping bag, a potted plant, and a clock on the wall. Below the graphic, the website address 'www.kirklees.gov.uk/cost-of-living' is written in white text.

Our Vision

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

Our four key strategies

**Inclusive
Economy
Strategy**

**Kirklees Health
and Wellbeing
Strategy**

**Environment
Strategy**

**Inclusive
Communities
Framework**

Our shared outcomes



Shaped by People

We make our places what they are



Aspire and Achieve

People in Kirklees have aspiration to achieve their ambitions through education, training employment and lifelong learning



Best Start

Children have the best start in life



Sustainable Economy

Kirklees has sustainable economic growth and provides good employment for and with communities and businesses



Well

People in Kirklees are as well as possible for as long as possible



Safe and Cohesive

People in Kirklees live in cohesive communities, feel safe and are protected from harm



Independent

People in Kirklees live independently and have control over their lives



Clean and Green

People in Kirklees experience a high quality, clean, sustainable and green environment



Efficient and effective: Kirklees Council works smart and delivers efficiently and effectively

People — Partners — Place

We will work with people and partners using a place-based approach.

How we'll achieve our vision

Our Approach

Our vision and outcomes

Our vision and outcomes remain the same. Alongside our partners, we will continue to work towards achieving the vision we have set for the borough and our shared outcomes. We will continue to track and monitor progress towards our outcomes so we know the scale of the challenge we are facing and can design services and delivery accordingly. The Council will continue to work towards achieving its own outcome 'Efficient and Effective' – ensuring that the Council delivers and manages its own business as efficiently and effectively as possible.

Delivering our four key partnership-led strategies

This plan sets out our current cross-service priorities for the Council. It does not provide details about everything that we do to achieve the vision and outcomes we have set, or the day-to-day delivery of essential services we continue to provide. Our outcomes can also only be achieved by working together with our partners. The economic and financial pressures make it even more important that we have a shared understanding across partners of the challenges and opportunities this brings to different organisations. We are committed to playing a strong role in delivering the ambitions of our four key partnership-led strategies, which set out how we will work together to achieve our outcomes for Kirklees.



Working with people, partners and in our places

We will continue to work with people, with and alongside our partners, and in our places to achieve our ambitions. This is the approach we take to everything that we do, and all that we deliver.

Our values and behaviours

Our core values guide the way we think and act, and we continue to work by these: we are kind, we are inclusive, and we work with pride. Our supporting behaviours also remain unchanged: we are honest, positive, flexible, respectful, communicative, and supportive.

Our People Strategy

Our staff are essential for delivering the priorities and changes that will be required going forward, and we acknowledge the impact that changes will have on them. We will continue to develop our organisation and ensure our staff are valued, supported by the delivery of our People Strategy. Our People Strategy sets out how we will achieve our outcomes by having people with the right skills, values and behaviours, and working in partnership in our places.

Councillors as local place leaders – at the heart of what we do

We will continue to make sure that councillors are at the heart of everything that we do. Councillors work in partnership with local communities and organisations, to improve services and the quality of life for citizens, and to represent local views and priorities. With difficult decisions ahead, it will be critically important that we continue to work closely with councillors as local place leaders, to make sure we can make the best use of resources and deliver services that meet the needs of local communities. Only by working closely with councillors, will we be able to prioritise resources on what matters the most to people.

Council Priorities

The Council priorities are our current areas of focus for delivering our vision, four key partnership-led strategies and our outcomes. In the context of the challenges facing the Council and our communities, our key cross-council priorities are:

1. Addressing the financial challenges facing the Council

All councils must achieve a balanced budget, and because of the impact of rising costs, the Council is having to make some difficult decisions to achieve this. The Council is focusing on developing plans to deliver services within available budgets, without impacting on the longer-term outcomes we are still aiming to achieve. We are working to some important principles while we do this, and will make sure that we:

- learn lessons from the past – for example from our approach to responding to the pandemic
- identify opportunities for working in a place-based way
- continue to support communities with the cost-of-living crisis
- continue to focus on services that deliver prevention and intervention early on before issues become worse for people
- safeguard key regeneration activity to support longer-term inclusive economic growth
- make sure we maintain appropriate risk and governance practices
- prioritise transformation of services and consider collective, Council-wide approaches
- consider commercial opportunities and identify alternative sources of funding where possible
- understand the total impact of any changes.

2. Transforming services to become more efficient and effective

It is not just about doing less, but about doing things differently, for now and for the longer-term. We will deliver significant changes to the way we do things, and not just within specific services, but collaboratively across a broader range of services and functions within the Council. We will also need to respond to any potential upcoming national policy changes and review services accordingly. We will make processes and systems more effective, harness new technology, and work differently with partners to reduce costs, and improve outcomes at the same time.

We will look to re-design ways of working so that services are as efficient and effective as they can be and are reflective of changing circumstances and the current environment.

3. Working with people, partners, and places on the cost-of-living

The Council has a Cost-of-Living Plan that sets out three priorities:

- 1. emergency response:** our focus now for people already in crisis
- 2. resilience:** our focus now to build places where people look after each other
- 3. prevention:** acting now to address the medium- and long-term challenges and minimise the impact of future economic crisis.

Council services, partners and local place-leaders are working together across all of these priorities for the benefit of local people and places.

4. Continuing to invest in our future

We will continue to invest and attract partner investment into the regeneration of our towns and villages, so that our economic recovery is as quick and secure as possible. Plans for the Huddersfield Cultural Heart, the Dewsbury Blueprint and investments in Heckmondwike, Cleckheaton, Batley, Marsden and Holmfirth will remain a key priority, as will delivering major transport improvements, improving and maintaining our roads, supporting housing growth, investing in employment and skills support, and supporting the growth of new and existing businesses.

ACHIEVING INCLUSION

Agenda Item 12:

COUNCIL MEETING

Wednesday 12th July 2023

AGENDA ITEM 12 – WRITTEN QUESTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 12

1	<p>Question from Councillor Taylor to the Cabinet Member for Environment – Councillor Ahmed</p> <p>“What is the road sweeping & maintenance regime for A roads across Kirklees?”</p> <p>The Cabinet Member to respond</p>
2	<p>Question from Councillor Taylor to the Cabinet Member for Culture and Greener Kirklees – Councillor Mather</p> <p>“How should residents dispose of DIY waste?”</p> <p>The Cabinet Member to respond</p>
3	<p>Question from Councillor Taylor to the Leader of the Council – Councillor Pandor</p> <p>“Does the Council value volunteer groups and should it focus on making it easy for them to assist the Council delivering services at a time of strained finances?”</p> <p>The Leader of the Council to respond</p>
4	<p>Question from Councillor Greaves to the Leader of the Council – Councillor Pandor</p> <p>“What is the population of the 6 valley wards that make up the rural part of Kirklees?”</p> <p>The Leader of the Council to respond</p>
5	<p>Question from Councillor Greaves to the Leader of the Council – Councillor Pandor</p> <p>“Which is the largest settlement in South Kirklees after Huddersfield?”</p> <p>The Leader of the Council to respond</p>
6	<p>Question from Councillor Greaves to the Leader of the Council – Councillor Pandor</p> <p>“How much capital funding remains for Towns and Villages after funding Batley, Cleckheaton, Heckmondwike and Holmfirth?”</p> <p>The Leader of the Council to respond</p>

7	<p>Question from Councillor Bellamy to the Cabinet Member for Regeneration – Councillor Turner</p> <p>“How much money from 106 contributions has been received from developers in Holme Valley North ward for education over the last 5 years?”</p> <p>The Cabinet Member to respond</p>
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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Wednesday 21st December 2022

Present: Councillor Shabir Pandor (Chair)
Councillor Paul Davies
Councillor Eric Firth
Councillor Viv Kendrick
Councillor Musarrat Khan
Councillor Naheed Mather
Councillor Carole Pattison
Councillor Cathy Scott
Councillor Will Simpson
Councillor Graham Turner

Observers: Councillor Bill Armer
Councillor John Lawson
Councillor Andrew Marchington
Councillor Mohan Sokhal
Councillor John Taylor
Councillor Lesley Warner

102 Membership of Cabinet

All Cabinet Members were present.

103 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting of Cabinet held on 16 November 2022 be approved as a correct record.

104 Declarations of Interest

In respect of Agenda Item 11 (i) Councillor Scott declared an ‘other’ interest on the grounds that she is an employee of Chickenley Community Centre and (ii) Councillor E Firth declared an ‘other’ interest on the grounds that he is a Board Member of the Community Interest Company. Both Members left the meeting during the consideration and determination of this item.

105 Admission of the Public

Cabinet noted the submission of exempt information, as set out at Agenda Items 24,25,26,27,28 and 29 (Minute No.s 125 to 130 refer).

106 Deputations/Petitions

No deputations or petitions were received.

107 Questions by Members of the Public

No questions were asked.

108 Questions by Elected Members (Oral Questions)

Under the provision of Executive Procedure Rule 2.3, Cabinet received the following questions;

Question from Councillor Warner

“With regards to the decision to close pools across Kirklees, the first we as Councillors were made aware was at the same time the public were informed. When these difficult decisions have to happen with regards to budget constraints, there should be the opportunity for some collaboration and discussion. Can we please have more collaboration when difficult decisions have to be made?”

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

Question from Councillor Warner

“What is the latest situation with the Year of Music?”

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

Question from Councillor Marchington

“With regards to Colne Valley Leisure Centre, there is a willingness from residents to cooperate. What we need from Cabinet is some mechanism for raising funds, or if there is some way of supporting the leisure centre, particularly the pool, as we have done with the libraries. There needs to be some co-ordination from Cabinet, we are willing to work with the steering group.”

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

Question from Councillor J Taylor

“At Council I asked for an update on progress being made to tackle the in-year projected overspend of £34m. You advised that you had put a freeze on recruitment in place, but also said that each recruitment was being reviewed, so has there been a freeze on recruitment and how many potential vacancies have we left unfilled, and how many are proceeding to recruitment?”

A response was provided by the Leader of the Council.

Question from Councillor Marchington

“With regards to Slaithwaite pool, there are benefits of having a local pool, to save travel and for health. Can we look at the benefits of having local sports facilities and their contribution to health and wellbeing and the Council’s priorities, and how KAL

deliver those? We need a better understanding of how we can secure facilities that have wider community benefits.”

A response was provided by the Leader of the Council.

Question from Councillor J Taylor

“What are the administration doing to ensure that we can engage, effectively, with communities when we are doing public consultations? We seem to be failing to reach people. What is the administration doing to improve the responses to public consultation?”

A response was provided by the Leader of the Council.

109 Housing Revenue Account (HRA) rent and service charge setting report and key housing challenges

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

Cabinet gave consideration to a report which set out the financial context and basis for the annual setting of rents and service charges, and the Housing Revenue Account Budget, to be considered by Cabinet during February 2023. It was noted that the annual rent and service charges increases for 2023-2024 would form part of the budget proposals.

The report set out the rationale for a proposed increase of rent and service charges by 7% for the 2023/2024 financial year and provided context in terms of the key challenges for the Housing Revenue Account. An appendix to the report set out the full schedule of proposed weekly dwelling rent, service and other charge increases to Council tenants for 2023/2024.

It was noted that the increase of 7% would be applied from 3 April 2023 and that notification would be issued to tenants in accordance with the statutory four week notice period.

RESOLVED –

- 1) That approval be given to increase the rents by an average of £5.19 per week (7%) and service charges payable by between 0.03p and £1.30 per week (7%) for social housing from 3 April 2023.
- 2) That approval be given to the charges for Extra Care Services – Intensive Housing Management to increase by between £1.07 and £4.44 (7%) and Extra Care Services – Night Care Service to increase by £1.35 per week (7%) due to increases to the National Living Wage.
- 3) That the national and local financial challenges outlined within the report in preparation for the HRA budget discussions in January 2023 be noted.

110 2022/23 to 2026/27 Council Capital Plan - Proposed allocation of capital funding from the Directorate for Children's Achieve and Aspire Strategic Priorities and Basic Need funding sections of the Capital Plan.

Cabinet gave consideration to a report which provided information regarding individual school related capital projects funded from the Directorate for Children's Services Achieve and Aspire Section of the capital plan. Cabinet were asked to give consideration to a project relating to the permanent expansion of 150 places at North Huddersfield Trust School to address secondary school pressures, and also to support schemes for the expansion of SEND provision.

Paragraph 2.9 of the report set out the rationale for the expansion of North Huddersfield Trust School and advised that initial feasibility work had indicated that the package of works would be £3m. It was noted that, subject to approval, site works were expected to commence in summer 2023 prior and complete prior to the September 2024 intake.

RESOLVED –

- 1) That approval be given for the proposed £3.0M budget (consisting of £2.9M Basic Need grant capital and £100K borrowing) for the implementation of building work at North Huddersfield Trust to enable the permanent provision of 150 additional secondary school places and an interim modular build solution for September 2023.
- 2) That authority be delegated to the Service Director for Development and the Service Director for Learning and Early Support to increase or decrease the budget allocations to facilitate the delivery of the tendered schemes, providing that the total resources allocated to the programme areas is not exceeded.
- 3) That authority be delegated to the Service Director for Learning and Early Support to manage the implementation of identified works up to a maximum of £500K per year for 2023/24 and 2024/25 from the High Needs Capital Grant allocation. Delegated powers would include the authority to (i) add new urgent projects to the programme without Cabinet approval within the £500K limit per year (ii) slip or delete projects in response to operational need and reallocate the budget between projects.

111 Final report of the Ad Hoc Scrutiny Panel - Residential Housing Stock Health and Safety Compliance

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

Cabinet received the final report of the Ad Hoc Scrutiny Panel on Residential Housing Stock and Health and Safety Compliance. It was noted that the Panel had been established in March 2021 to consider health and safety compliance of the Council's residential housing stock in response to changing regulatory requirements and the transfer of management and maintenance functions back to the Council.

The report set out a list of issues and information to which the Panel had given consideration, and included an Action Plan, at Appendix 2, which summarised seventeen recommendations made by the Panel. It was noted that the Overview

Scrutiny and Management Committee would receive a progress report in 12 months in order to monitor the implementation of the actions.

RESOLVED –

- 1) That the recommendations of the Ad Hoc Scrutiny Panel – Residential Housing Stock Health and Safety Compliance be accepted subject to the amendment of recommendation 12 to reflect monthly, in place of weekly, reporting.
- 2) That approval be given to the responses included in the Action Plan, as set out at Appendix 2 of the report.

112 Community Asset Transfer of Ashworth Lodge, Moorlands Road, Dewsbury
Cabinet gave consideration to a report which sought approval of the community asset transfer of Ashworth Lodge, Moorlands Road, Dewsbury, to Ashworth New Lodge Community Interest Group.

The report explained that the freehold of the site was owned by the Council, as illustrated at Appendix A to the report, and that the building was in good condition although in need of a programme of modernisation and maintenance. Cabinet were advised that the property was currently vacant, having previously been occupied by Ashworth Tenants and Residents Association.

The report proposed that the building be transferred to Ashworth New Lodge Community Interest Group (CIC) on a 125 year lease. It was noted that the CIC was a not for profit organisation that had been registered in 2021.

RESOLVED –

- 1) That authority be delegated to the Service Director Development to negotiate and agree terms for the grant of a 125 year lease of Ashworth Lodge, Moorlands Road, Dewsbury, WF13 2LD.
- 2) That authority be delegated to the Service Director - Legal, Governance and Commissioning to execute and enter into all necessary documentation in connection with the grant of a 125 year lease of Ashworth Lodge, Moorlands Road, Dewsbury to Ashworth New Lodge Community Interest Company and enter into a Polling Station Agreement.

113 Half Yearly Monitoring report on Treasury Management activities 2022/23 (Reference to Council)

Cabinet gave consideration to a report which provided an overview of treasury management operational activity for the mid-year period 1 April to 30 September 2022.

The report advised that external investments, including £10m invested in the Local Authorities Pooled Investment Fund, averaged £69.7m during the period at an average rate of 0.66%, and that investments had ranged from a peak of £111.1m in August and a low of £34.7m in June.

Cabinet were advised that balances had been invested in line with the approved treasury management strategy, in instant access accounts or short term deposits, and that the treasury management budget was £26.7m. It was noted that in-year treasury management performance was in-line with the treasury management prudential indicators set for the year, as detailed at Appendix 4 of the report.

The report provided an overview of information in regards to (i) economic context (ii) investment performance (iii) borrowing performance (iv) revenue budget monitoring (v) prudential indicators and (vi) future treasury management strategy.

RESOLVED – That the half-year treasury management performance in 2022/23 be noted.

114 Establishing an Integrated Care Partnership for West Yorkshire

Cabinet gave consideration to a report which sought approval to establish a statutory West Yorkshire Integrated Care Partnership as a joint committee. The report explained that a West Yorkshire Integrated Care Partnership was now required to be established as a statutory joint committee of the West Yorkshire Integrated Care Board and the five West Yorkshire Local Authorities. It was noted that the West Yorkshire Integrated Care Partnership would be known as the West Yorkshire Health and Care Partnership Board.

The report set out an overview of the principal features of the arrangements and explained that the West Yorkshire Integrated Care Partnership would provide a forum for NHS leaders and Local Authorities to interact with stakeholders and agree shared objectives and joint challenges. It was noted that it would replace and develop upon the work of Harrogate Health and Care Partnership which had formed in 2016. The report set out the requirements for the membership of the board and explained that the main statutory function of an integrated care partnership would be to publish an integrated care strategy. The approved terms of reference of the board were set out at Appendix 1 of the report.

RESOLVED -

- 1) That approval be given to the establishment of the West Yorkshire Integrated Care Partnership as a joint committee.
- 2) That the Terms of Reference, as attached at Appendix 1, and the proposal for the West Yorkshire Integrated Care Board to act as Secretariat to the West Yorkshire Integrated Care Partnership, be endorsed.
- 3) That the authority delegated to the Service Director Legal, Governance and Commissioning, in consultation with Group Business Managers, to make the nominations to West Yorkshire Integrated Care Partnership in accordance with the terms of reference namely, the Leader of the Council and the Chair of the Health and Wellbeing Board be noted.
- 4) That it be noted that the Chief Executive will be a member of the West Yorkshire Integrated Care Partnership, and that the membership will also include one representative of Directors of Public Health, and one representative of Directors of Adult Social Care in West Yorkshire.

115 Employment West Yorkshire

Cabinet received a report which provided an update on Employment West Yorkshire and detailed proposals to utilise the Employment West Yorkshire gainshare funding that had been allocated, extending the Works Better programme when the current ESIF funding streams end in December 2023. The report also sought approval to enter into a funding agreement with West Yorkshire Combined Authority to receive funding to the value of £2.3m to deliver Employment West Yorkshire in Kirklees between April 2023 and March 2025.

It was noted that, subject to approval, the next steps would be (i) reviewing and entering into the Funding Agreement to receive Employment West Yorkshire funding from West Yorkshire Combined Authority (ii) to set up the Programme Steering Group as a subgroup of the Employment and Skills partnership (iii) commence the implementation of the programme and (iv) commission the Year 1 programme, including finalisation of project specification and commencement of related procurement activities.

The report set out information in regards to (i) the Works Better Programme and current programme performance (ii) Employment West Yorkshire (iii) Employment West Yorkshire in Kirklees and (iv) UK Shared Prosperity Fund.

RESOLVED –

- 1) That approval be given for work to commence on the implementation and delivery of the Employment West Yorkshire programme in Kirklees.
- 2) That approval be given to accept external funding of £2.3 million from the West Yorkshire Combined Authority to support delivery of the Employment West Yorkshire Programme in Kirklees, and for the Council to act as Accountable Body for the grant.
- 3) That authority be delegated to the Strategic Director Growth and Regeneration and the Service Director Legal, Governance and Commissioning to finalise and execute all necessary legal agreements with the West Yorkshire Combined Authority and the Council's project delivery partners.
- 4) That authority be delegated to the Strategic Director Growth and Regeneration to implement the Employment West Yorkshire programme in Kirklees, including the commencement and award of any related procurement exercises.
- 5) That authority be delegated to the Strategic Director Growth and Regeneration and the Service Director Finance, to submit grant claims and to undertake related project monitoring and reporting.

116 Alternative Provision (AP) Education in Kirklees

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Marchington and J Taylor).

Cabinet gave consideration to a report which provided an overview of plans to refresh and expand 'alternative provision' education, creating additional specialist alternative provision places to support the needs of children who require an alternative education. The report provided an outline of (i) the overview of the SEND

transformation plan and safety valve agreement (ii) alternative provision definition (iii) the current context in Kirklees and (iv) proposals for the future Kirklees alternative provision offer.

Cabinet noted that the proposals in the report were intended to ensure the provision of high quality and sufficient alternative provision to meet the needs of children and young people, achieved through commissioning a wide range of clearly defined provision through a robust procurement process. The report advised that alternative provision was a fundamental element of Kirklees' strategy to improve outcomes for children, parents. The proposed changes were set out at paragraph 3.2 of the report. Cabinet were asked to give approval to the design of a procurement strategy to procure and award alternative education provision contracts, enabling statutory duties to be met, whilst creating an enhanced offer. It was noted that the contract start date was proposed as September 2023.

RESOLVED –

- 1) That approval be delegated to (i) the Strategic Director for Children's Services to design a procurement strategy to procure and award Alternative Education provision contracts for 3 years with an option to extend for a further 2 years and (ii) the Service Director for Legal Governance & Commissioning to finalise, enter into and execute any agreement where appropriate together with any ancillary documents in relation to the Alternative Provision commissions.
- 2) That approval be delegated to the Service Director for Learning and Early Support to work with partners to progress applications to the Department for Education for an Alternative Provision Free School in Kirklees.

117 Proposals for the redevelopment of Sycamore Grange and tenant engagement (Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors J Lawson and Marchington).

Cabinet gave consideration to a report which set out proposals for the redevelopment of Sycamore Grange, a retirement living scheme in Golcar, to address building safety issues, and to support formal engagement with tenants and stakeholders on future planning, commencing January 2023. The report advise of the proposal to demolish and redevelop the site to address identified building safety issues. It indicated that it was anticipated that it would take a period of u to 12 months to rehouse remaining tenants and that they would have the option to return to the redeveloped site.

Cabinet were advised that, subject to approval, a financial appraisal would be submitted to Cabinet by summer 2023 and that, following the demolition, a further 18 to 24 months would be required to redevelop the site. A location plan of the current two storey retirement living scheme was attached at Appendix 1 to the report.

RESOLVED –

- 1) That approval be given to demolish Sycamore Grange and redevelop the full site, within the Housing Revenue Account, and as detailed on the location plan as set out at Appendix 1.
- 2) That approval be given to enter into formal engagement with affected tenants as set out at paragraphs 2.5.1. and 2.5.2. of the report.
- 3) That authority be delegated to the Service Director (Homes and Neighbourhoods) to carefully consider responses from the formal engagement, and any resulting mitigating steps before implementing the next stage of the redevelopment proposals, namely the application of the decant plan.
- 4) That the Integrated Impact Assessment at Appendices 3 and 4 be noted, and that it also be noted that Human Rights issues have been considered.
- 5) That authority be given to officers to serve Initial Demolition Notices followed by final Demolition Notices pursuant to the Housing Act 1985, for Sycamore Grange at the appropriate time, as may be required in order to suspend Right to Buy rights.
- 6) That authority be given for officers to seek a Possession Order under the Housing Act 1985 for Sycamore Grange if required (following the grant of planning permission for redevelopment of the site).
- 7) That a further report be submitted by summer 2023, setting out the final redevelopment proposals informed by further public consultation, including a robust financial appraisal.

118 Future Management of Kirklees Stadium - Update

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors J Lawson, Marchington and J Taylor).

Cabinet gave consideration to a report which set out a review of current arrangements for the standalone stadium management and development business Kirklees Stadium Development Limited (KSDL), which manages the Stadium for the benefit of two professional sports clubs and wider the community. The report provided an overview of the changes to the operating model of the club following the identification of the need for additional investment in 2020-2021, and the subsequent development of a Community Trust operating model to deliver several objectives included financial stability over the longer term and the delivery of longer-term stadium operational investment requirements. Cabinet were advised that, whilst reasonable progress had been made, issues had arisen regarding a change in the ownership of Huddersfield Town AFC, whereby it had reverted to the control of the previous owner, and matters relating to historical liability. The report set out a solution which had been reached within the past year, to which all parties were in broad agreement.

Paragraph 2.2 of the report provided an update on the development of proposals and highlighted that the consequence of not acting on this matter would result in KSDL entering administration which could impact upon operational issues and suppliers, and incurring administration fees. Cabinet noted that KSDL had not been viable for some time, and had been in receipt of various loans from the Council.

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Information regarding the incurred debt and other prospective liabilities was set out within the exempt appendix to the report.

The report set out five options for consideration, and emphasised the importance of the need to resolve some historical issues and create a potentially sustainable solution. It proposed the negotiation of a revised operating arrangement with Huddersfield Town AFC as the major existing stadium occupier, whereby they take on full responsibility and offer the opportunity of a continued use by Huddersfield Giants. It was noted that achieving such a solution would involve the Council, and other debtors, agreeing to write off historical liabilities. Cabinet noted that discussions on the matter had taken place at the meeting of Overview and Scrutiny Management Committee on 21 December 2022, and the Cabinet Member acknowledged the matters raised.

(Cabinet gave consideration to the exempt information at Agenda Item 24 (Minute No. 125 refers).

RESOLVED – That approval be given to the Strategic Director (Growth and Regeneration) in consultation with the Chief Executive, Service Director (Finance), Service Director (Legal, Governance and Commissioning), Cabinet Members for Regeneration and the Cabinet Member for Corporate Services to:-

- 1) Conduct negotiations with the current principal occupier- Huddersfield Town Association Football Club (HTAFC), with a view to HTAFC taking full operational control of the facility.
- 2) Conduct negotiations with other current leaseholders, etc as necessary
- 3) Agree terms that involve an element of debt write off (as detailed in the exempt appendix to the report) to facilitate such an agreement.
- 4) Enter into such any agreements on the Council's behalf necessary to give effect to such an agreement if they are satisfied with such outcomes.

119 **Station to Stadium Enterprise Corridor Masterplan**

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

Cabinet gave consideration to a report which sought endorsement of the Station to Stadium Enterprise Corridor Masterplan, and set out the rationale, long term vision and principles of the plan. The report advised that, following the appointment of a consultant team in 2021, work had been undertaken with key landowners and stakeholders in the Station to Stadium Enterprise Corridor area to develop and refine the plan, prior to a period of public consultation. The plan was attached at Appendix 1 of the report.

The report set out five principles that would support the delivery of the Station to Stadium Corridor vision which were (i) innovative and high value employment (ii) connected and integrated (iii) raised aspirations, skills and education (iv) attractive and vibrant environment and (v) sustainable and clean growth.

Cabinet were advised that the site at Gasworks Street works formed part of the masterplan area and represented a significant development opportunity in the

corridor adjacent to the University Health Innovation Campus site and that it would be integral for the plan to develop. Exempt appendices to the report set out the strategic outline business case in regards to Gasworks Street, along with details of an alternative proposal for the site.

It was noted that the public consultation exercise would commence early in 2023, and that the masterplan would then be updated if required.

(Cabinet gave consideration to the exempt information at Agenda Item 25 (Minute No. 126 refers).

RESOLVED –

- 1) That the proposals as set out at Appendix 2 (exempt) not be incorporated in the consultation draft Station to Stadium Enterprise Corridor Masterplan.
- 2) That approval be given to the Station to Stadium Enterprise Corridor Masterplan as contained in Appendix 1 of the report.
- 3) That authority be delegated to the Service Director for Skills and Regeneration to undertake a wider public consultation exercise to further inform the masterplan process.
- 4) That once consultation has been completed, the Strategic Director for Growth and Regeneration, in consultation with the Cabinet Member for Regeneration, be authorised to make all necessary changes to the masterplan and formally agree the plan.
- 5) That once finalised, the plan be published on the Council's website to form the basis for informing investment decisions in the masterplan area.
- 6) That authority be given to officers to continue to develop the masterplan, its principles and the propositions as set out in the report with a particular emphasis on the next steps set out in section 5 of the considered report.
- 7) That approval be given for officers to begin work to put in place the appropriate planning framework for the area.

120 The Arcade, Market Place Dewsbury

(Cabinet gave consideration to the exempt information at Agenda Item 26 (Minute No. 127 refers).

Cabinet gave consideration to a report which sought approval for (i) a funding package for The Arcade, Dewsbury (ii) the submission of a grant application and (iii) the acceptance of any grant offer from the Heritage Lottery Fund (iv) a revised Heads of Terms for the lease and (v) the endorsement of the proposed arrangements for delivering the project.

The report advised that the delivery of the project was dependent upon the approval of a stage 2 grant from the Heritage Lottery Fund and that, if approved, the work should commence during 2023, with completion in Autumn 2024. The report provided details on the property and the strategic context within which the refurbishment of the Arcade would enhance its historic context and maximise the opportunity for its physical and financial sustainability. It was noted that the proposed reopening of the Arcade was scheduled for October 2024.

RESOLVED -

- 1) That approval be given to the submission to the Heritage Lottery Fund of a Stage 2 application, and if it should be successful, the acceptance of any offer of grant from the Heritage Lottery Fund be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Legal, Governance and Commissioning) to agree and complete any related grant or any other associated legal agreements.
- 2) That approval be given to the granting by the Council of an agreement for lease and lease of the Arcade to the Arcade Group/Arcade Company under the Heads of Terms contained in the Appendix 3 (exempt) and that authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Legal, Governance and Commissioning) to agree and complete the lease once preconditions outlined in the Agreement for Lease have been met and all other legal documentation.
- 3) That approval be given to allocate £500,000 for the Arcade project from the Dewsbury Town Centre Action Plan programme part of the approved capital plan, subject to the resources being available.
- 4) That the intention to seek tenders for the project prior to all funding being confirmed be noted.
- 5) That it be noted that, subject to approval of a grant from Heritage Lottery Fund, the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Legal, Governance and Commissioning) has delegated authority to let the construction works contract.

121 Homes and Neighbourhood Governance Review by David Tolson Partnerships (DTP)

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

Cabinet gave consideration to a report which set out the findings of a review undertaken by David Tolson Partnerships (DTP) on the Homes and Neighbourhoods Governance arrangements. The report sought approval to implement proposed new governance arrangements and the introduction of an Improvement Board, supported by a Tenants Voice Panel.

The report summarised that the recommendations of the findings, that (i) the current Board should be reconstituted into a Homes and Neighbourhood Improvement Board, with greater political oversight, supported by independent sector expertise and with more specific Terms of Reference and (ii) consideration be given to the establishment of a separate Tenants Voice Panel, with a more focused remit. The proposed terms of reference for both the Homes and Neighbourhood Improvement Board and Tenants Voice Panel were set out in the report.

Cabinet were advised that the DTP report had set out eight separate recommendations, broadly relating to structure and purpose, and administration, and the report provided a commentary as to potential consequential changes and next steps. In terms of timeframe, it was proposed that Cabinet determine the establishment of the Housing and Neighbourhood Improvement Board and Tenants

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Voice Panel at the end of 2022, prior to the new governance structure coming into effect in April 2023.

The report of DTP was provided as an exempt appendix to the report.

(Cabinet gave consideration to the exempt information at Agenda Item 27 (Minute No. 128 refers).

RESOLVED –

- 1) That the recommendations of David Tolson Partnerships be noted.
- 2) That approval be given to establish a Homes and Neighbourhoods Improvement Board.
- 3) That the Terms of Reference for the Homes and Neighbourhoods Improvement Board, as set out at Appendix 2, be approved.
- 4) That approval be given to establish a new Tenants Voice Panel.
- 5) That the Terms of Reference for the Tenants Voice Panel, as set out at Appendix 3, be approved.
- 6) That the Homes and Neighbourhoods Board Member and Independent Chair role profiles, as set out at Appendices 4 and 5, be approved.
- 7) That authority be delegated to the Service Director (Homes and Neighbourhoods) to recruit and appoint non-elected members to the Homes and Neighbourhoods Improvement Board and Tenants Voice Panel.
- 8) That authority to delegate the remuneration for the Independent Chair for the Homes and Neighbourhoods Improvement Board, in conjunction with the Cabinet Member for Housing and Democracy, be given to the Service Director (Homes and Neighbourhoods).
- 9) That it be noted that the appointment of Elected Members to the Homes and Neighbourhoods Improvement Board will be in accordance with the Council's Constitution.

122 Strategic Acquisition of a property in relation to the rationalisation of Corporate Stores

Cabinet gave consideration to a report which sought approval to purchase a property. The report advised that the property was an existing warehouse facility on the outskirts of Huddersfield Town Centre which had become available and that its purchase would provide efficiency to the Council's operations and enhance its strategic landholding.

Cabinet were advised that the rationalisation of office accommodation, and changes in storage requirements, brought into focus the need to provide a long-term base for corporate storage and logistics. It was noted that the acquisition would be met from the strategic acquisition fund allocation within the capital plan. The revenue implications of the proposals were contained within the exempt appendix.

(Cabinet gave consideration to the exempt information at Agenda Item 28 (Minute No. 129 refers).

RESOLVED –

- 1) That approval be given for the strategic acquisition, as detailed in the red line boundary set out at Appendix B (exempt).
- 2) That approval be given for the required capital funding from the Strategic Acquisitions Fund as identified in the Council's Capital Plan.
- 3) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter and execute any agreements or instruments relating to the acquisition.

123 Strategic Acquisition of a property in relation to the Huddersfield Blueprint Cultural Heart

Cabinet gave consideration to a report which set out an opportunity to acquire a strategic long leasehold asset in Huddersfield Town Centre, in line with the Huddersfield Town Centre Masterplan. The report advised that the purchase of the property would enable further control and ownership of the proposed Cultural Heart, and support the implementation of the Masterplan, in addition to previous acquisitions including the Piazza. The report proposed that the Council acquires the strategic long leasehold asset, subject to existing tenancies. An exempt appendix to the report provided information on the site red line boundary, the agreed Heads of Terms, and the valuation report.

(Cabinet gave consideration to the exempt information at Agenda Item 29 (Minute No. 130 refers).

RESOLVED –

- 1) That approval be given to the strategic acquisition, as detailed in the red line boundary set out at Appendix B (exempt), and in line with the Agreed Heads of Terms at Appendix C (exempt) for the purchase price outlined in the Valuation Report in Appendix E (exempt).
- 2) That approval be given for the required capital funding from the Strategic Acquisitions Fund for Huddersfield Town Centre as identified in the Council's Capital Plan.
- 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.
- 4) That authority be delegated to the Service Director (Development) to undertake the strategic and operational management, in conjunction with the Service Director (Legal, Governance and Commissioning) to agree relevant leases and management agreements as required.

124 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 involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

125 Future Management of Kirklees Stadium - Update

(Exempt information relating to Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 namely that it contains information relating to the financial and business affairs of a third party. It is considered that the disclosure of the information would adversely affect KSDL 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 17 (Minute No. 118 refers), which included matters raised by the meeting of Overview and Scrutiny Management Committee at its meeting of 20 December 2022.

126 Station to Stadium Enterprise Corridor Masterplan

(Exempt information relating to Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 namely that it contains information relating to the financial and business affairs of the Council and a third party. It is considered that the disclosure of the information would adversely affect the commercial interests of a third party 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 in the Authority's decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 18 (Minute No. 119 refers), which included a verbal representation from Mr K Davey.

127 The Arcade, Market Place Dewsbury

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

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 19 (Minute No. 120 refers).

128 Homes and Neighbourhood Governance Review by David Tolson Partnerships (DTP)

(Exempt information relating to Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 namely that it contains information relating to the financial and business affairs of third parties (including the Authority holding that information). It is considered that the disclosure of the information would adversely affect those third parties including

the Authority and therefore the public interest in maintaining the exemption, which would protect the rights of an individual or the Authority, outweighs the public interest in disclosing the information and providing greater openness and transparency in relation to public expenditure in the Authority's decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 20 (Minute No. 121 refers).

129 Strategic Acquisition of a property in relation to the rationalisation of Corporate Stores

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

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 21 (Minute No. 122 refers).

130 Strategic acquisition of a property in relation to the Huddersfield Blueprint Cultural Heart project

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

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 22 (Minute No. 123 refers).

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 17th January 2023

Present: Councillor Shabir Pandor (Chair)
Councillor Paul Davies
Councillor Viv Kendrick
Councillor Naheed Mather
Councillor Carole Pattison
Councillor Cathy Scott
Councillor Will Simpson
Councillor Graham Turner

In attendance: Councillor Bill Armer

Apologies: Councillor Eric Firth
Councillor Musarrat Khan

131 Membership of Cabinet

Apologies for absence were received from Councillors E Firth and Khan.

132 Declarations of Interest

No interests were declared.

133 Admission of the Public

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

134 Deputations/Petitions

No deputations or petitions were received.

135 Questions by Members of the Public

No questions were asked.

136 Questions by Elected Members (Oral Questions)

No questions were asked.

137 Fraud Prevention, Anti Bribery and Anti Corruption Policy

Cabinet gave consideration to a report which introduced an updated and revised Fraud Prevention, and Anti-Bribery and Anti Corruption Policy. The report advised that the revised report included sections on preventing and mitigating the risk of fraud with a key message that any fraud, bribery or corruption would not be tolerated, and that action would be taken in response to any such activity.

The report advised that the revised policy, based upon national advice, placed greater emphasis on the areas of culture, governance and prevention and that the

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Cabinet Member for Corporate Services would take responsibility to act as a champion for the objectives of the updated documents. Cabinet noted that the Council faced a continuous threat of bribery and corruption and that it was vital for arrangements to be in place to prevent and mitigate attempted fraud or corrupt actions.

RESOLVED –

- 1) That approval be given to the Fraud Prevention and Anti Bribery and Anti Corruption Policy.
- 2) That the responsibilities of the Cabinet Member for Corporate Services, in their capacity as Anti-Fraud (Bribery and Corruption) Champion, be noted.
- 3) That authority be delegated to Officers to make any amendments to the overall policy, and other information associated with the implementation of this policy, subject to consultation with the Cabinet Member for Corporate Services.

138 Domestic Abuse Strategy 2022 - 2027

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

Cabinet received the Domestic Abuse Strategy 2022-2027 along with a report which set out an overview of the policy, including information relating to new approaches to delivery and commissioning arrangements to deliver the strategy.

Cabinet were advised that the strategy set out a commitment to (i) provide domestic abuse training to support employees to respond appropriately to people who report domestic abuse, including arrangements for routine and/or targeted enquiries and (ii) implement a domestic abuse policy and guidance for how the Council will respond to employees who are victims, survivors or perpetrators of domestic abuse. It was noted that the Domestic Abuse Strategic Partnership would monitor compliance with the commitments and was currently working to develop guidance as to how employees can be supported.

RESOLVED - That the Domestic Abuse Policy be adopted.

139 2022-23 Mid-Year Corporate Performance and Impact Report

Cabinet received the 2022-2023 Mid Year Corporate Performance and Impact Report, which provided an overview of performance in relation to the 2021-2023 Council Plan deliverables, and highlighted significant issues and challenges facing the Council and its partners.

The report set out an overview of progress made on each of the deliverables and provided information on activities undertaken, including the quality and impact of activities where data was available. It was noted that an update of headline indicators for the Council's shared outcomes was provided, along with updates on the impact of the pandemic and inequalities.

The report, which was appended to the report, demonstrated progress in relation to 95 deliverables and provided a high level overview of the impact that was being

made in the areas of (i) working with people (ii) working with partners (iii) place based working (iv) climate change and air quality (v) improving outcomes for children and (vi) financial implications for people living or working in Kirklees.

RESOLVED - That the 2022-2023 Mid Year Corporate Performance and Impact Report be noted.

140 Kirklees School Funding Arrangements for Financial Year 2023-24

Cabinet gave consideration to a report which set out the Kirklees schools funding arrangements for 2023-2024 in regards to (i) specific funding factors to be used and the relative weightings and value of the funding factors (ii) exceptions applications to the Education and Skills Funding Agency and approvals given (iii) central budget provision within the Dedicated Schools Grant Schools Block of funding, the Central School Services Block, and the Early Years Block and (iv) de-delegation arrangements for mainstream maintained schools. It was noted that consultation on the arrangements had taken place with the School Forum and constituent groups for the funding of local schools and academies for the 2023-2024 funding year.

The report advised that, based upon the ESFA funding timeline, it was expected that maintained schools would be informed of their budget shares by 28 February 2023 and that academies would be advised of their allocations by 31 March 2023.

RESOLVED –

- 1) That approval be given to the recommendations of the Schools Forum, following the consultative process undertaken, to determine the ongoing local approach to the distribution of DSG Schools Block funding 2023-2024.
- 2) That the exceptions application made to the ESFA, and subsequently approved, be noted.
- 3) That approval be given to the submission of the schools funding formula to the ESFA for 2023-2024.
- 4) That approval be given to proposals for central budgets and de-delegated budgets 2023-2024, as set out in the report.

141 Making Changes to Provision for Pupils with Special Educational Needs

Cabinet gave consideration to a report which sought approval on changes to SEN provision through the establishment of additionally resourced provision at three maintained schools on the Netherhall Learning Campus, and the removal of two other registered provisions which had not been operational for two years due to an alternative localised delivery model.

The report advised that statutory proposals had been published on 31 October 2022 to (i) establish new additionally resourced provision for complex communication and interaction needs at Netherhall St James CE (VC) Infant and Nursery School, Netherhall Learning Campus Junior School and Netherhall Learning Campus High School and (ii) remove the additionally resourced provision for five transitional places associated with physical impairment at Netherhall St James CE (VC) Infant and Nursery School and Netherhall Learning Campus Junior School. The report set out the statutory process that had been undertaken by the proposer, the rationale for the proposals and the outcome of the formal representation period. It advised

that, subject to approval of the recommendations, support would be given to finalise the arrangements for pupils, parents, staff and stakeholders in order to ensure effective plans are put in place to implement the proposals.

RESOLVED –

- 1) That it be noted that (i) the advice of Kirklees SOAG in regards to the proposals for Netherhall St James CE (VC) Infant and Nursery School and Netherhall Learning Campus Junior School to remove the provision of five transitional places for children with physical impairment and for newly additionally resourced provision to be established at Netherhall St James CE (VC) Infant and Nursery School, Netherhall Learning Campus Junior School and Netherhall Learning Campus High School for children with complex communication and interaction needs is valid and (ii) the required statutory processes have been carried out.
- 2) That it be agreed that the decision regarding the proposals will be taken within the statutory timeframe.
- 3) That the outcomes and recommendations of the meeting of Kirklees SOAG, held on 9 December 2022, and associated officers recommendations, be noted.
- 4) That the financial implications of approving the proposals be noted.
- 5) That it be confirmed that, in meeting the obligations of the Equality Act 2010 and Public Sector Equality Duty 2011, full regard has been given to the Equalities Impact Assessment throughout the statutory process for the proposal.
- 6) That approval be given to the establishment of a new additionally resources provision for complex communication and interaction needs at Netherhall St James CE (VC) Infant and Nursery School, Netherhall Learning Campus Junior School and Netherhall Learning Campus High School; (i) Netherhall St James CE (VC) Infant and Nursey School – up to 12 places from 17 April 2023 (ii) Netherhall Learning Campus Junior School – up to 12 places from 1 September 2023 and (iii) Netherhall Learning Campus High School – up to 20 places from 17 April 2023.
- 7) That approval be given to the removal of additionally resourced provision for five transitional places associated with physical impairment at Netherhall St James CE (VC) Infant and Nursery School, and Netherhall Learning Campus Junior School, from 31 January 2023.

142 Calculation of council tax base 2023-24 (Reference to Council)

(Cabinet were reminded of, and noted, the requirements of the Local Government and Finance Act 1992, Section 106, in relation to voting upon this matter).

Cabinet gave consideration to a report seeking approval for the various taxbases, which would apply to the Kirklees area in the financial year 2023-2024, in relation to council tax. The report provided an explanation of the council tax calculation and the need to calculate a taxbase for both the whole of Kirklees, and each town and parish council area. Paragraph 2 of the report set out the factors which were applied to the valuation bandings and the council tax calculation.

The report recommended that, in order to meet the requirements of Section 67(2) of the Local Government Finance Act 1992, Cabinet approve the council taxbase as

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set out in the report. The report also proposed that, from 2024-2025 onwards, the council taxbase calculation be delegated to the Council's S151 Officer, in consultation with the relevant Cabinet Member.

RESOLVED –

- 1) That approval be given to the 2023/2024 taxbase for the whole Kirklees area, and the Council taxbases for the five Parish and Town Council areas as follows;
Whole of Kirklees £123,215.79
Denby Dale £6,093.41
Holme Valley £10,482.86
Kirkburton £9,229.12
Meltham £2,997.86
Mirfield £6,904.95
- 2) That the calculation of the Council taxbase for 2024/2025 onwards be delegated to the Section 151 Officer, in consultation with the relevant Cabinet Member.

143

Adults and Health's Commission for External Consultancy to support a Comprehensive Diagnostic and subsequent Change Programme

Cabinet received a report which set out a proposed approach to understanding demand and financial pressures, and opportunities to mitigate such pressures through transformative activity. The report advised that the Council was seeking to better understand the overall financial pressures facing Adult Social Care from future demand over the next five years, which presented a uncertain and volatile landscape for local authorities.

The report explained that an initial piece of research had been undertaken to learn from other local authorities undertaking similar transformation activities and an initial market testing exercise had been undertaken to test out interest in a tender opportunity and explore aspects of tender, including the appetite for a risk and reward type approach. The report provided an overview of the procurement exercise approach, which would set out a four phase approach. Cabinet were advised that, given the uncertainties around both cost pressures and the scale of the adult social care budget, it was important that the modelling phase identified future pressures, a clearly quantified set of saving opportunities and an upfront analysis of the cost of securing savings in order to enable future budgets to be set at an appropriate level and contribute to the savings programme over future years.

RESOLVED –

- 1) That the activity undertaken to date, and the proposed approach with four phases and two decision points, be noted.
- 2) That the decision to evaluate and award a call off contract following a mini competition using Lot 7 of the Crown Commercial Service Management Framework Agreement be delegated to the Strategic Director of Adults and Health, in consultation with the Strategic Director of Corporate Strategy, Commissioning and Public Health, the Section 151 Officer and Cabinet

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Members for Health and Social Care, and Corporate Services, in order to implement Phases 1 to 3 at pace.

- 3) That, pursuant to (ii) above, the delegation shall include decisions relating to Phase 1 (modelling exercise), Phase 2 (presentation of findings) and Phase 3 (production of change programme plan).
- 4) That it be noted that a further report outlining progress will be submitted at the end of Phase 3.

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

CABINET

Tuesday 14th February 2023

Present: Councillor Shabir Pandor (Chair)
Councillor Paul Davies
Councillor Eric Firth
Councillor Viv Kendrick
Councillor Naheed Mather
Councillor Carole Pattison
Councillor Graham Turner

Observers: Councillor Martyn Bolt
Councillor David Hall
Councillor John Lawson

Apologies: Councillor Musarrat Khan
Councillor Cathy Scott
Councillor Will Simpson

144 Membership of Cabinet

Apologies for absence were received on behalf of Councillor Cathy Scott, Councillor Musarrat Khan and Councillor Will Simpson.

145 Minutes of Previous Meetings

RESOLVED – That the Minutes of the Meetings held on 21 December 2022 and 17 January 2023 be approved as a correct record.

146 Declarations of Interest

No interests were declared.

147 Admission of the Public

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

148 Deputations/Petitions

No deputations or petitions were received.

149 Questions by Members of the Public

No questions were asked.

150 Questions by Elected Members (Oral Questions)

Under Executive Procedure Rule 2.3, Cabinet received the following questions;

Question from Councillor Bolt

Cabinet - 14 February 2023

“We have been told that the Council only knew of the proposed temporary closures of pools by Kirklees Active Leisure a week before it took place. However, I have been informed that the Council knew some time before this, and that following a discussion with officers, KAL took the decision to remove Dewsbury Sports Centre from the list of temporary closures. Can I ask when the decision was taken to close Batley and Slaithwaite instead of Dewsbury?”

A response was provided by the Leader of the Council.

Question from Councillor David Hall

“My question is not about the decision, but about the manner in which the decision was taken. We have been told that KAL had a discussion with the Council. Which officers were having these discussions with KAL?”

A response was provided by the Leader of the Council.

Question from Councillor Bolt

“I’m looking forward to the detailed response we will be given regarding the temporary closures at KAL. Will it include a timeline of what took place between KAL and Cabinet?”

A response was provided by the Leader of the Council.

Question from Councillor John Lawson

“I recently met with residents at Oakenshaw regarding the cross that has been removed for repair. When will residents see action being taken on the replacement of the cross?”

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

Question from Councillor Bolt

“We have been told that the replacement of Oakenshaw cross is not taking place due to safety concerns. Can the safety audit that was used to provide this advice be made available to the public, and did the audit include a Swept Path Analysis?”

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

Question from Councillor David Hall

“How much of the in year savings of £34m that we were told about in November have been averted by actions been taken since then?”

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

Question from Councillor John Lawson

“In relation to the Oakenshaw Cross, can the archaeological site report that the Council commissioned be made available to the public, or at least to ward councillors so that we can understand how important the site is archaeologically?”

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

Question from Councillor Bolt

“Where officers are procuring legal advice to inform a decision, such as Northorpe Lane in Mirfield or the Amazon site in Cleckheaton why is this advice not contained within the planning report, and why isn't it made available to elected members and the public who are making representations about the decisions? Why is it that members of the Planning Committee who request that legal advice are told that they should take it on trust that it has been read and the precis they have been given is correct?”

A response was provided by the Leader of the Council.

Question from Councillor John Lawson

“At a previous Cabinet, I asked a question about the Huddersfield Market bid and if there was a plan B should that bid be unsuccessful. Do we have a plan B in view?”

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

Question from Councillor Bolt

“At the last Council meeting, questions were asked of Cllr Sokhal as the appointed representative of Council on KAL. He is appointed by the Council, not KAL, as the spokesperson. Cllr Sokhal's advice from KAL was that he could not comment on any matters relating to KAL. What is the point of having a spokesperson, appointed by Kirklees Council, who cannot speak on the subject on which he is appointed?”

151 Admission arrangements for community and voluntary controlled schools in 2024/25

Cabinet gave consideration to a report which sought to determine admission arrangements for all Kirklees Community and Voluntary Controlled Schools for the 2024-2025 year. It was noted that arrangements needed to be determined by 28 February 2023, in order to comply with the requirements of the Schools Admission Code.

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Cabinet noted that a small number of proposed changes to the admission arrangements for community and voluntary controlled schools had been consulted upon and those changes could be found at section 2.4 of the considered report.

The report advised that there were no proposed changes to the co-ordinated admission schemes for 2024-2025 and confirmed the outcome of the statutory consultation process that had taken place between 11 November 2022 and 23 December 2022. Appendices to the report set out (i) how the published admission numbers were derived (ii) the admission arrangements for community and voluntary controlled schools for 2024-2025 and (iii) the published admission numbers for community and voluntary controlled schools for 2024-2025.

RESOLVED –

- 1) That the Kirklees co-ordinated admission schemes for 2024/25 including in year admissions as outlined in Appendix 2, be approved.
- 2) That the admission arrangements for Kirklees community and voluntary controlled schools as set out at Appendix 1C be approved.
- 3) That approval be given to amend the PAN's for each community and voluntary controlled school as outlined in Appendix 1D to include (i) Westmoor Primary School PAN to increase from 45 to 60 in 2024/25, (ii) Oak CE (VC) Primary School PAN to decrease from 120 to 60 in 2524/25, (iii) Netherhall St James C of E (VC) I & N Schools PAN to decrease from 90 to 55 in 2024/25 and (iv) Netherhall Learning Campus Junior School PAN to decrease from 90 to 75 in 2024/25.
- 4) That approval be given to amend the admission limits for community and voluntary controlled schools as noted in Appendix 1D to include (i) St John's CE (C) Primary School's admission limit be 30 from 1 March 2023 for year groups 1 to 6, (ii) Westmoor Primary School's admission limit be 60 from 1 March 2023 for year groups 1 to 6 and (iii) and Oak CE (VC) Primary's admission limit be 60 from 1 March 2023 for year groups 1 to 6.

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

CABINET

Tuesday 21st February 2023

Present: Councillor Shabir Pandor (Chair)
Councillor Paul Davies
Councillor Eric Firth
Councillor Viv Kendrick
Councillor Naheed Mather
Councillor Carole Pattison
Councillor Cathy Scott
Councillor Will Simpson

Observers: Councillor John Lawson
Councillor Lesley Warner

Apologies: Councillor Musarrat Khan
Councillor Graham Turner

152 Membership of Cabinet

Apologies for absence were received on behalf of Councillor Musarrat Khan and Councillor Graham Turner.

153 Declarations of Interest

No interests were declared.

154 Admission of the Public

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

155 Deputations/Petitions

No deputations or petitions were received.

156 Questions by Members of the Public

157 Questions by Elected Members (Oral Questions)

Under the provision of Executive Procedure Rule 2.3, Cabinet received the following questions;

Question from Councillor John Lawson

“At the last meeting of Cabinet there were a series of questions relating to Kirklees Active Leisure. As part of the response, it was explained that there would be an upcoming governance review of KAL. Can I ask when that will take place and what the scope of that review will be?”

Cabinet - 21 February 2023

A response was provided by the Leader of the Council.

Question from Councillor Warner

“I recently attended a consultation event at Nields J I & N School regarding a possible move to academy status with Colne Valley High School. The event included the views of a private consultant who appeared to provide a one sided view of academy conversion. Can I ask what the Council is doing to provide parents with information about conversions to academy status?”

A response was provided by the Cabinet Member for Learning, Aspiration and Communities (Councillor Carole Pattison).

Question from Councillor Warner

“Councillor Warner expressed some concerns on behalf of residents regarding a matter dealt with by the planning committee.”

A response was provided by the Leader of the Council.

158

Council Budget Report 2023/24 and future years; incorporating Capital, Treasury Management, General Fund Revenue and Housing Revenue Account (The report gave notice to Cabinet Members of the requirements of Section 106 of the Local Government and Finance Act 1992 in relation to voting and participation in the meeting).

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillor John Lawson).

Cabinet gave consideration to the Council Budget Report 2023/24 and future years, prior to its submission to Council on 8 March 2023. The report (i) reviewed the general fund revenue budget strategies over the medium term financial plan and budget proposals to achieve a balanced General Fund revenue budget in 2023/24, and indicative revenue budget forecasts for the following four years (ii) incorporated the Government’s announcement on the Local Government Finance Settlement for 2023/24, and considered the level of General Fund revenue budget needed for Treasury Management and Central Contingencies (iii) reviewed the current levels of General Fund revenue reserves and balances and made recommendations on the level of reserves (iv) incorporated Housing Revenue Account (HRA) budget proposals to achieve a balanced HRA in 2023/24, and indicative revenue budget plan for the following four years, informed by the HRA 30 year business plan; (v) reviewed the current levels of Housing Revenue Account reserves, and made recommendations on the level of reserves (vi) reviewed the multi-year plan for capital investment (vii) reviewed and approved the 2023/24 Treasury Management Strategy, Investment Strategy and Capital Strategy (viii) made recommendations on the Council Tax requirement for 2023/24 and (ix) incorporated a statement of assurance from the Council’s statutory s151 officer in relation to the robustness of budget estimates and adequacy of General Fund and HRA reserves.

Cabinet - 21 February 2023

Having considered the content of the report and the accompanying appendices, it was agreed that the proposal budget be submitted to the meeting of Council for determination.

RESOLVED - That the Motion be submitted to the Meeting of Council on 8 March 2023 with a recommendation that;

(i) General Fund Revenue

- the draft Revenue Budget for 2023-2024, as attached at Appendix A, be approved
- the forecast spending and funding plans for the 2024-2028 period, as set out at Appendix A, be noted
- the forecast levels of statutory and other council reserves, as set out at Appendix Cii, be noted
- the strategy for the use of balances and reserves (paragraph 2.16 refers) be approved
- the Council's participation in the Leeds City Region Business Rates Pool for 2023-2024 be noted and that authority be delegated to the Chief Executive and Service Director (Finance), in consultation with the Leader and Cabinet Member (Corporate Services), to agree the governance arrangements for 2023-2024, to be approved by the Business Rates Joint Committee (paragraph 2.6.4 refers)
- it be noted that discussions regarding the uplifts on the rates paid to external providers for demand-led activities are ongoing, and that authority be delegated to the Strategic Director (Adults and Health) to agree the final uplifts to rates for 2023-2024 (paragraph 2.10.3 refers)
- the Council's anticipated Housing Support Fund Round 4 allocation, and Council Tax Support Fund for 2023-2024 be noted, and that authority be delegated to the Strategic Director (Corporate Strategy, Commissioning and Public Health), in consultation with the Cabinet Member (Corporate Services), the Cabinet Member (Learning, Aspiration and Communities) and Service Director (Finance) to agree the mechanism for how the funding will be used (paragraph 2.13.7 refers)
- approval be given to the Council's flexible capital receipts policy for 2022-2023 and 2023-2024 (paragraphs 2.14.8 to 2.14.11 and Appendix E refer)
- approval be given to the Council Tax requirement for 2023-2024 (Appendix H refers)
- the Council's Statutory 151 Officer's positive assurance statement as to the robustness of the forecasts and estimates and adequacy of financial reserves be noted (paragraphs 3.3.1 to 3.3.16 refer)
- authority be delegated to the Council's statutory s151 Officer to amend how the finally approved precepts are recorded in the Council's revenue budget in line with the final notifications received following decisions by the West Yorkshire Mayor Police and Crime Commissioner, the Fire and Rescue Authority and the Parish Councils, should these be received after 8 March 2023 (paragraph 3.1.3 refers)

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(ii) Treasury Management

- the borrowing strategy be approved (paragraphs 2.17 to 2.26 of Appendix I refer)
- the investment strategy be approved (paragraphs 2.27 to 2.35 of Appendix I, Appendices A and B refer)
- the policy for provision of repayment of debt (minimum revenue provision) be approved (paragraphs 2.36 to 2.39 of Appendix I and Appendix C refer)
- the treasury management indicators be approved (Appendix D refers)
- the investment strategy (non treasury investments) be approved (Appendix E refers)

(iii) Capital

- the updated Capital Plan 2022-2028 be approved (Appendix A refers)
- the Capital Strategy (including prudential indicators) be approved (Appendix F refers)

(iv) Housing Revenue Account

- the draft Housing Revenue Account Budget for 2023-2024 be approved (Appendix A refers)
- the strategy for the use of the Housing Revenue Account reserves be approved (paragraph 2.18.6 refers)

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 14th March 2023

Present: Councillor Shabir Pandor (Chair)
Councillor Paul Davies
Councillor Eric Firth
Councillor Viv Kendrick
Councillor Musarrat Khan
Councillor Naheed Mather
Councillor Carole Pattison
Councillor Cathy Scott
Councillor Graham Turner

Observers: Councillor Bill Armer

Apologies: Councillor Will Simpson

159 Membership of Cabinet

Apologies for absence were received on behalf of Councillor Simpson.

160 Minutes of Previous Meetings

RESOLVED – That the Minutes of the Meetings held on 14 and 21 February 2023 be approved as a correct record.

161 Declarations of Interest

No interests were declared.

162 Admission of the Public

It was noted that exempt information was submitted in respect of Agenda Items 18 and 19 (Minute No.s 176 and 177 refer).

163 Deputations/Petitions

Cabinet received a deputation from Nick Willock in respect of Agenda Item 11.

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

164 Questions by Members of the Public

No questions were asked.

165 Questions by Elected Members (Oral Questions)

No questions were asked.

166 Affordable Housing and Housing Mix Supplementary Planning Document (SPD)

Cabinet gave consideration to a report which sought the adoption of the Affordable Housing and Housing Mix Supplementary Planning Document, and the revocation of the Affordable Housing Supplementary Planning Guidance (2008) and Interim Affordable Housing Policy (2020).

The report advised that the Supplementary Planning Document (SPD) provided guidance on the implementation of the Kirklees Local Plan 'Housing Mix and Affordable Housing' Policy (LP11) (Appendix 1) which seeks to ensure provision of affordable housing in new housing developments and ensure that the housing mix (bedroom numbers) meets local needs. It was noted that the SPD would be used as a material planning consideration for housing planning applications including seeking to ensure a mix of new homes to meet local needs and when securing affordable housing as part of the determination of planning applications, and that it would replace the guidance as set out in the Council's Interim Affordable Housing Policy, as approved by Cabinet on 14 January 2020) and SPD2 (Affordable Housing) which was adopted in 2008.

Cabinet noted that the document would provide consistency, greater clarity and improve certainty for housebuilders, developers, agents and affordable housing providers in the planning application process. The report advised that the document would assist applicants in the early design and layout of residential development to identify key matters likely to be raised at pre application stage, and would assist in the delivery of policy compliant schemes and ensure an improved mix of house sizes for Kirklees residents to reflect local need.

RESOLVED –

- 1) That the Affordable Housing and Housing Supplementary Planning Document be adopted.
- 2) That the Affordable Housing Supplementary Planning Guidance (2008) and Interim Affordable Housing Policy (2020) be revoked.
- 3) That authority be delegated to the Strategic Director (Growth and Regeneration) to make any further minor modifications to the documents that relate exclusively to factual updates, grammatical and formatting corrections for the purposes of publishing the documents.

167 Building Community and Voluntary Capacity through Integrated Approaches - Grant Funding Distribution to Anchor Organisations

Cabinet gave consideration to a report which provided information on the current Community Anchor provision and requested an extension of the current £180,000 funding level for a twelve month period in order to allow work to combine existing Voluntary and Community Sector contracts to take place.

The report advised that a place based model, bringing together Primary Care Networks, the Council, and the voluntary, community and social enterprise (VCSE) sector to develop local support arrangements to promote independence, health and wellbeing of local residents had been developed to achieve closer integration between health and social care. Cabinet noted that a contract to strengthen the VCS

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network had been approved on 27 July 2021, enabling a grant distribution of £360,000 over a two year period, and that this had commenced on 1 September 2021 with a robust VCSE led selection process to identify the key lead anchors across Kirklees, who had commenced work on 1 October 2021. The report advised that the current provision was due to end on 31 March 2023 and approval was therefore sought to continue existing arrangements to make a grant payment of £180,000 over an additional twelve month period to enable the current community anchors to further develop the offer that supports the PCNs as part of the integrated model. The report advised that the model had attracted national attention as an example of good practice and had proved to be invaluable in reaching and supporting vulnerable individuals.

Cabinet noted that, subject to approval, the contract would be extended with effect from 1 April 2023 and that a report would be submitted to Scrutiny during September 2023 to report on the outcomes of a further period of delivery.

RESOLVED –

- 1) That approval be given to the continued distribution of grant funding and that a total of £180,000 for the period April 2023 to March 2024 be made available to anchor organisations in Kirklees.
- 2) That authority be delegated to the Service Director (Communities and Access Services) to manage the financial and performance arrangements and ensure clear financial oversight.

168

Educational Outcomes - Academic Year 2021/2022

Cabinet received a report which provided an overview of statutory outcomes for learners during the 2021-2022 academic year. The statistics provided in the report set out information on the attainment and progress of learners who took assessments in the academic year 2021-2022. The appendices to the report provided a detailed breakdown of the data for learners within ethnic and gender groups, and those defined as disadvantaged by free school meal status, those in receipt of SEND support and those with an ECHP.

Cabinet were advised that while the outcomes had declined from the last set of national data in Key Stage 1, Phonics and Key Stage 2, this was in line with the national trend. The report indicated that Key Stage 4 outcomes were making good improvement, meeting national or above national performance across most metrics.

It was noted that analysis of the data had demonstrated the need for continued alignment to the Kirklees Learning Strategy with the SEND Transformation Plan to support quality first teaching provision within schools and identify, train and resource support in mainstream schools. Cabinet were informed that work was also ongoing to link and strengthen the Learning Strategy with the Learning Skills and Employment Plan to ensure economic prosperity for residents.

The report advised that it was imperative that the Council and wider partners work together to ensure the provision of educational opportunities that support children, young people and their families to realise their full potential.

RESOLVED – That the Kirklees Annual Educational Quality and Standards Report be received and noted.

169 Asset Rationalisation Savings

Cabinet gave consideration to a report which set out proposals for the rationalisation of council assets and the relocation of services to enable the reutilisation or disposal of assets.

The report outlined the rationalisation that had taken place across a number of assets in 2022/2023 as part of the current realignment of working patterns to assist with changes for the future operation on the Council. The report also outlined proposals for the closure of assets in 2023/2024 to ensure better utilisation of existing assets and to facilitate the delivery of the Corporate Landlord Facilities Management savings target for asset rationalisation during 2023/2024. It was noted that the proposed demolition of old and inefficient buildings, and investment in remaining stock, would contribute towards reducing the Council's carbon footprint and commitment towards net zero by 2030. Cabinet were advised that options for additional asset reutilisation changes to meet further savings targets for 2024/2025 would be developed and submitted to a future meeting of Cabinet if considered to be feasible.

Cabinet were advised that rationalisation schemes in regards to Huddersfield Library, Queensgate Market, Perseverance House and the former West Town Family Centre, Dewsbury, had been undertaken in 2022/2023. The report advised that, in order to deliver significant revenue savings in 2023/2024, rationalisation proposals in regards to Kirkgate Buildings, Riverbank Court and Flint Street North would assist in creating a core Civic Campus in Huddersfield.

RESOLVED –

- 1) That the decisions taken previously with regards to the closures of Huddersfield Library and Queensgate Market, as part of the preparation work for the delivery of the Cultural Heart, be noted.
- 2) That the demolition of Perseverance House and West Town Family Centre, previously authorised as part of the Corporate Landlord Baseline capital programme, be noted.
- 3) That approval be given to proposals in relation to Flint Street North Offices, Kirkgate Buildings and Riverbank Court, as detailed in the report, to achieve savings targeted for 2023/2024.
- 4) That authority be delegated to the Service Director (Development, Growth and Regeneration) to implement the closures and undertake any works required to achieve the stated proposals and savings.
- 5) That authority be delegated to the Service Director (Development, Growth and Regeneration) in relation to the use of the Strategic Asset Utilisation Investment Capital Programme line of the Council's approved capital plan, as set out at paragraphs 2.16 to 2.18 of the considered report.
- 6) That officers be authorised to investigate and develop the proposals for 2024/2025, as detailed in the report, and subsequently submit the proposals to Cabinet later in the year.

170 2023/2024 Proposed allocation of funding from Children's Directorate Achieve & Aspire baseline section of the Capital Plan

Cabinet gave consideration to a report which identified projects to be funded from the Achieve and Aspire Capital Maintenance Baseline section of the Capital Plan. Cabinet were asked to give approval to the projects to enable project delivery in 2023/2024.

The report advised of a total budget of £4.35m, with a further reprofiling of £150k as part of Quarter 3 financial monitoring, resulting in an overall budget for 2023/2024 of £4.5m. Paragraph 2.6 of the report set out the proposed distribution of the allocation, which included essential fire safety works, essential physical adaptations and urgent condition needs based projects. Appendix A to the report set out a business case which outlined the process for identifying the condition needs of individual schools and how the condition programme would be designed, procured, and implemented. A prioritised list of urgent condition works required to be undertaken in schools during 2023/2024 were set out at Appendix B.

RESOLVED –

- 1) That approval be given to the business case, as set out at Appendix A to the report, which outlines the rationale for the schools' condition works programme, the availability of funding, the selection process and the main categories of work, thereby enabling the projects to be designed, procured and implemented.
- 2) That approval be given to the detailed list of proposed works in schools for 2023/2024, as attached at Appendix B.
- 3) That approval be given to the delegation of authority to officers, as set out at paragraphs 2.12 to 2.14 of the considered report.

171 Highways 2 year detailed Capital Plan allocation 2023/24 and 2024/25 City Regional Sustainable Transport Settlement funds, all other funding for Highways including council borrowing and any additional grant monies
(Under the provision of Council Procedure Rule 36(1), Cabinet received a representation from Councillor Armer)

Cabinet gave consideration to a report which advised of the 2023/2024 and 2024/2025 City Regional Sustainable Transport Settlement funding availability, details of the performance of the road network and the proposed highways capital plan programmes for 2023/2024 and 2024/2025. The report also set out planned works for all highway assets groups and measures to improve road safety or create better places through improvement works. It was noted that the highways capital plan for 2023/2024 and 2024/2025 was a detailed programme of works to be implemented in 2023/2024, with provisional schemes identified for 2024/2025.

The report provided a breakdown of information on (i) funding incomes (ii) budget areas and scheme identification (iii) maintenance of structures, streetlighting and he locality based unclassified roads programme and (iv) integrated transport network management, safe roads, flood management and drainage. Appendix A to the report set out the scheme list for the highways year 2 detailed capital plan

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2023/2024 and 2024/2025, Appendix B set out highways resourcing statement outturn for 2023/2024.

RESOLVED –

- 1) That approval be given to the budget and scheme allocations as set out within the detailed two year capital plan to the sum of £24, 408,044 and £19, 736,576 for 2023/2024 and 2024/2025 respectively, as set out at Appendices A and B, to enable the spend on the schemes identified to improve the highway network and increase road safety.
- 2) That authority be delegated to the Service Director (Highways and Streetscene) in consultation with the Cabinet Member (Environment), and any other Cabinet Member deemed to be relevant by the Strategic Director (Environment and Climate Change), to enable any amendments to be made to identified schemes, the addition of future schemes and funding allocations (within £24,408,044) for those schemes (in accordance with Financial Procedure Rules), for the purposes of expediting efficient delivery of the programme and spend of the available budgets and to allow the anticipated outcomes and achievements to be realised.
- 3) That approval be given to accelerate spend of the City Regional Sustainable Transport Settlement borrowing and accelerate the two year forward programme through delegation to the Service Director (Highways and Streetscene) in consultation with the Cabinet Member (Environment).
- 4) That authority be delegated to (i) the Service Director (Highways and Streetscene) in consultation with the Service Director (Legal, Governance and Commissioning) to agree and negotiate terms and (ii) the Service Director (Legal, Governance and Commissioning) to enter into any funding agreements and other documentation to enable individual projects and schemes to proceed.

172 Corporate Financial Monitoring Report, Quarter 3, 2022/23

Cabinet received the Corporate Financial Monitoring Report Quarter 3, 2022/2023. The report set out the Council's current budget position, summarising the significant cost of living pressures at £17.1m and an overall forecast overspend of £29.4m, reflecting an overall reduction in overspend of £4.9m compared to Quarter 2.

The report advised that (i) the Council's revised General Fund controllable (net) revenue budget 2022/2023 was £343.6m, and the budget included planned (net) revenue savings in-year of £2.5m (ii) the revised budget is net of a number of planned transfers from reserves during the year, with the most significant being £6.4m from revenue grants reserve, £1.3m from development funding reserves and £1.2m from covid reserves (iii) there is a forecast overspend of £29.4m against the £343.6m revised budget at Quarter 3, equivalent to 8.6% and (iv) there has been a reduction of £4.9m in the forecast overspend position since Quarter 2.

The report provided information in regards to (i) cost of living pressures (ii) budget information for directorates (iii) general fund reserves (iv) collection fund (v) housing revenue account (vi) capital and (vii) 2022/2023 budget proposals. Appendices 1 to 7 provided a breakdown of the outline financial monitoring position.

RESOLVED –

- 1) That, in regards to the General Fund; (i) the forecast revenue outturn position at Quarter 3 be noted (ii) the forecast year end position on corporate reserves and balances at Quarter 3 be noted (iii) it be noted that regular monitoring and review of corporate reserves in 2022/2023 will be reported to Cabinet within the quarterly financial monitoring cycle (iv) approval be delegated for the proposed temporary operational measures, as set out at paragraph 3.7.7, to the relevant Strategic Director in consultation with the relevant Cabinet Member/s, having taken account of relevant powers and duties and an obligation to consult and engage (v) it be agreed that if a decision is made in relation to fees and charges which amends a previous Cabinet decision, as set out at paragraph 3.7.10 of the report, such a decision would have the effect of changing any previous decision and (vi) it be noted that the Council would continue to work collaboratively with KAL to support KAL's financial sustainability over the medium term.
- 2) That the forecast position on the Collection Fund as at Quarter 3 be noted.
- 3) That the Quarter 3 forecast Housing Revenue Account position and forecast year-end reserves position be noted.
- 4) That, in regards to Capital; (i) the Quarter 3 forecast capital monitoring position for 2022/2023 be noted (ii) approval be given to the re-profiling of the 2022/2023 capital plan as set out in the report (Appendix 5 refers) (iii) approval be given to £250k retrospectively for urgent building and repair works at Healds Road Childrens Homes (iv) approval be given to £40k traffic calming measures outside Magdale House Childrens Home and for funding to be transferred from the Best Start Capital plan into the Highways Capital Plan for implementation (v) approval be given to £80k from the play strategy playable spaces programme line towards funding the shortfall in repairing an existing sand based pitch at Storthes Hall (vi) approval be given to £1.265m grant funding from Network Rail allocated towards funding Council staff to cover the Trans-Pennine Route Upgrade (vii) approval be given to £500k section 106 funding towards the delivery of affordable homes at Kenmore Drive and (viii) approval be given to £2.3m Local Authority Housing Fund to provide accommodation for families with housing needs who have arrived in the UK via Ukrainian and Afgan resettlement/relocations schemes, with £2.4m match-funding funded from the 2023/2024 Housing Revenue Account Capital Plan, to be incorporated into the next iteration of the capital plan at outturn.

173 6-10 Westgate, Dewsbury - Dewsbury Revival Grant Scheme (DRGS) Grant Offer

Cabinet gave consideration to a report which sought grant support from the Dewsbury Revival Grant Scheme in respect of property at 6-10 Westgate, Dewsbury. The report advised that Saleem Holdings Ltd, who owned the freehold to the property wished to apply for a grant of £671k towards its refurbishment, the creation of two commercial units and three residential apartments. It was noted that, if approved, the property would be the first to receive grant funding for residential conversion through the Dewsbury Revival Grant Scheme and that the development

would create a good example of the restoration of a heritage building and the use of vacant upper floor space to create good quality town centre living.

The report advised that the project was part of a larger long term plan to introduce new high quality housing into the Daisy Hill area with the aim of creating a new residential area to deliver improvements, enhance the town's heritage assets and support the town centre economy. Cabinet were informed that, due to the abnormal costs of converting a heritage building and also relatively low property values, the project would not be viable without the grant support.

It was noted that, subject to approval, on site construction would commence during April 2023, with completion scheduled for February 2024.

Cabinet gave consideration to the exempt information at Agenda Item 18 (Minute No. 176 refers) prior to the determination of this item.)

RESOLVED –

- 1) That approval be given to providing, in principle, a Dewsbury Revival Grant Scheme grant to Saleem Holdings Limited of £671k as owner towards the redevelopment of 6-10 Westgate project, as detailed in the exempt Appendices 5 and 6 of the report) and that details of the subsidy be published on the national transparency database,
- 2) That authority be delegated to the Strategic Director (Growth and Regeneration), in consultation with the Service Director (Legal, Governance and Commissioning) to agree the grant agreement and other documentation necessary to enable the project to proceed and for the Service Director (Legal, Governance and Commissioning) to enter into the documentation on behalf of the Council.

174 Proposed Acquisition of Affordable Homes off Owl Lane and Chidswell Lane, Dewsbury

Cabinet gave consideration to a report which sought authority to acquire new build homes from a development site at Shaw Cross, Dewsbury, in order to enable the provision of additional affordable homes. The report set out the business case for the acquisition of fourteen one bedroom new build flats from Barratt Homes on a site off Owl Lane, Shaw Cross, to be owned by the Council and managed by the Homes and Neighbourhoods Service.

The report explained that the homes would be acquired using funds from the Housing Revenue Account Capital Plan Council Housebuilding Budget and managed within the Housing Revenue Account. It advised the Section 106 planning obligation relating to this site required the developer to provide affordable housing and that registered providers were enabled to acquire the stock at a significant discount to the open market value and build costs.

An exempt appendix to the report set out information regarding the financial and negotiating position. It was noted that, subject to approval, negotiations would progress with the aim of completing the purchase by the end of June 2023.

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Cabinet gave consideration to the exempt information at Agenda Item 19 (Minute No. 177 refers) prior to the determination of this item.)

RESOLVED –

1) That approval be given to the acquisition of fourteen flats (as detailed in the report) (or similar types as may be submitted) at Shaw Cross, Dewsbury, and that authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Legal, Governance and Commissioning) to negotiate, draft and enter into contract with the vendor, and complete their purchase.

2) That authority be delegated to the Strategic Director (Growth and Regeneration), in consultation with the Service Director (Legal, Governance and Commissioning) to seek agreement from the Secretary of State or Homes England, as appropriate, to enable the Council to charge LHA rates in these properties, within the scope of the definition of Affordable Rent.

3) That it be agreed that, where agreement from the Secretary of State of Homes England is not granted, the Council shall charge target (social) rent for the dwellings.

4) That approval be given to the new dwellings vesting within the Housing Revenue Account and for the properties to be let at target rents of LHA rates within the scope of Affordable Rent.

175 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 involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

176 6-10 Westgate, Dewsbury - Dewsbury Revival Grant Scheme (DRGS) Grant offer

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

The exempt information was noted prior to the consideration of Agenda Item 15 (Minute No. 173 refers).

177 Proposed Acquisition of Affordable Homes off Owl Lane and Chidswell Lane, Dewsbury

(Exempt information in accordance with Schedule 12A Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 namely it contains information relating to the financial and business affairs of any particular person (including the Authority holding that information). It is

Cabinet - 14 March 2023

considered that the disclosure of the information would adversely affect those third parties including the Authority and therefore the public interest in maintaining the exemption, which would protect the rights of an individual or the Authority, outweighs the public interest in disclosing the information and providing greater openness and transparency in relation to public expenditure in the Authority's decision making.)

The exempt information was noted prior to the consideration of Agenda Item 16 (Minute No. 174 refers).

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

CABINET

Tuesday 11th April 2023

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

Observers: Councillor John Taylor

Apologies: Councillor Naheed Mather

178 Membership of Cabinet

Apologies for absence were received on behalf of Councillor N Mather.

179 Declarations of Interest

No interests were declared.

180 Admission of the Public

Cabinet noted the submission of exempt information, as set out at Agenda Item 10 (Minute No 187 refers).

181 Deputations/Petitions

No deputations or petitions were received.

182 Questions by Elected Members (Oral Questions)

Under the provision of Executive Procedure Rule 2.3, Cabinet received the following questions:

Question from Councillor J Taylor

“Do you believe we have an adequate housing supply for the next five years?”

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

Question from Councillor J Taylor

“I have been attempting to get answers about the use of some Section 106 money in Highburton that was handed over by the developer. I’ve had confirmation from the legal department that there is no legal objection to the money being released. I’ve met with officers from Children’s Services and School Planning who have confirmed that there is no need for further school places in the local area. The legal team have informed me that the money can be used for other purposes by the schools specifically named in the Section 106 agreement. In 2024 the money will be given back to the developer if it hasn’t been used. Please can you get an answer as to when this money will be released?”

A response was provided by the Cabinet Member for Learning, Aspiration and Communities (Councillor Pattison).

Question from Councillor J Taylor

“I have a question on the Council’s policy on public transport. The provision in the housing estate in Highburton was that they would be provided with one metro card per household for one year and the money for that was handed over by the developer to Metro. On that estate, only one household came forward who wanted two metro cards. However, they were told they could only have one and the rest of the money was subsequently handed back to the developer. Due to the nature of the housing estate, it was never going to be a sustainable use of those funds. This is a Kirklees policy, rather than a national one, can I ask that you look at this policy again?”

A response was provided by the Cabinet Member for Resources (Councillor Turner).

183

Safe and Inclusive Community Fund

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

Cabinet gave consideration to a report which sought approval for the Safe and Inclusive Community Fund; a grant scheme which invested in community activities, delivered by individuals and community organisations, to meet the council and its partners’ shared outcome within the Kirklees Communities Partnership Plan 2022 - 2027.

The report advised Cabinet that funding was often received at short notice for specific outcomes and directed priorities. External funding had already been received this year (2022/23) from the Home Office, Safer Streets, and the Violence Reduction Unit. Similar programmes were expected in the future to also include violence against women and girls. The intention would be that where appropriate, these additional funds would be used in accordance with the grants scheme as set out in the report rather than setting up a new scheme each time funds were received, which was inefficient and time consuming.

Cabinet noted that grants between £200 and £50,000 would be made available to individuals and community organisations in the Kirklees Voluntary, Community, and

Social Enterprise sector who were working to meet the shared outcomes and priorities within the Kirklees Communities Partnership Plan 2022 – 2027. The total grant awards would not total more than £1,000,000 in any financial year. However, the actual amounts could be lower dependent on the availability of external sources or exceeded under certain circumstances.

RESOLVED –

- 1) That approval be given to the establishment of the Safe and Inclusive Community Fund that supports the delivery of the Kirklees Communities Partnership Plan 2022-2027.
- 2) That approval be given to the Service Director, Communities and Access Services, in consultation with the relevant Portfolio Holder, to award grants in accordance with the process set out in the considered report via the Panel mechanism.
- 3) That authority be delegated to a service manager or above to make decisions in relation to the fund.
- 4) That authority be given to amend the fund rules as appropriate to ensure effective administration, review, and monitoring in accordance with the relevant council procedure rules and external fund criteria and guidelines.

184 Grant Offer to St Peter’s Church for the Development of Multi-Functional Event Space in St Peter’s Gardens

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

Cabinet gave consideration to a report which provided an update on St Peter’s Gardens scheme and a request to provide St Peter’s Church with a grant for the delivery of a multi-use event space in St Peter’s Gardens, Huddersfield.

Cabinet noted that the ambitious Huddersfield Blueprint regeneration vision which launched in June 2019 was a ten-year vision to create a thriving, modern-day town centre that would be accessible, busy, inclusive, family-friendly, sustainable and a safe environment that will stay open longer.

St Peter’s Gardens sat within the St Peter’s key area and its redevelopment was included as one of the key projects of the Blueprint, edged by an aspiration to build and create modern co-working spaces and studios in the surrounding area.

Cabinet was asked to consider granting to St Peter’s Church, a registered charity, the sum of £121,900 which was currently allocated in the ‘Golden Routes Capital Programme’ and £350,000 from WYCA’s UK Shared Prosperity Fund to enable delivery of a multi-functional event space in St Peter’s Gardens. A total grant of £471,900 would be used to deliver Phase A which consisted of the approved multi use events space adjacent to the Church and within the gardens.

RESOLVED –

- 1) That approval be given to grant to St Peter's Church £121,900 to deliver a multi-use event space in St Peter's Gardens.
- 2) That approval be given to grant to St Peter's Church £350,000 from Kirklees' UKSPF programme to deliver a multi-use event space in St Peter's Gardens.
- 3) That approval be given for the capital allocation of £45,000 from the Golden Routes Capital Programme to fund the delivery of highway improvement works on Byram Street as detail in section 2.4 of the considered report.
- 4) That authority be delegated to the Strategic Director, Growth and Regeneration, in consultation with the Service Director, Legal Governance and Commissioning, to agree the grant agreement and other documentation necessary to enable the project to proceed and for the Service Director Legal, Governance and Commissioning to enter into the aforementioned documentation on behalf of the Council.

185 Procurement of fire safety remedial works to Council Housing 6-storey, low-rise and retirement living scheme blocks

Cabinet gave consideration to a revised approach to the procurement and delivery of fire safety remedial works to 6-storey, low rise and retirement living scheme blocks and to endorse the direct award of contract for Hebden Court and Buckden Court to Fortem Solutions Limited.

Cabinet was advised that following its approval for the contract award for fire safety improvements to low-rise residential blocks on 5 April 2022 and following contract negotiations at pre-contract stage, it was mutually agreed not to proceed because the contract changes requested would have resulted in material changes outside the original scope of procurement.

The report proposed that the packages of work under the previous tender be taken forward under three distinct and separate programmes, one for each of the block types, to support an approach that enabled risks, costs, and delivery to be well managed. The three programmes were at differing stages and needed to be decoupled from one another and dealt with separately. The three programmes would be (i) 6-storey blocks (ii) Retirement Living Scheme blocks and (iii) Low-rise blocks.

Cabinet was advised that following approval, the council would need to formally engage with tenants about the plans and how this would affect them. Details of the proposed engagement were contained within paragraphs 4 and 5 of the considered report.

RESOLVED –

- 1) That approval be given to the direct award of fire remedial works to two 6-storey blocks to Fortem Solutions Ltd.
- 2) That approval be given to the packaging and delivery of the remaining ten 6-storey blocks, retirement living schemes and low-rise blocks.
- 3) That approval be given to enter into formal engagement with affected residents as set out in section 5 of the considered report.

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- 4) That authority be delegated to the Strategic Director Growth and Regeneration and the Service Director, Finance to sign off and agree the final costs prior to contract award for the direct award to Fortem Solutions Limited.
- 5) That authority be delegated to the Strategic Director Growth and Regeneration in consultation with the Service Director, Legal and Governance to award future tenders for packages, subject to the production of a robust and affordable business case.
- 6) That the results of the Stage 1 Integrated Impact Assessment be noted.

186 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 item of business, on the grounds that it involves the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

187 Procurement of fire safety remedial works to Council Housing 6-storey, low-rise and retirement living scheme blocks

(Exempt information relating to Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 namely that it contains information relating to the financial and business affairs of the Council and a third party. It is considered that the disclosure of the information would adversely affect the commercial interests of a third party 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 in the Authority's decision making).

RESOLVED - The exempt information was noted prior to the consideration of Agenda Item 8 (minute no 185 refers)

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Contact Officer: Jodie Harris

**KIRKLEES COUNCIL
CABINET COMMITTEE - LOCAL ISSUES
MONDAY 19th DECEMBER 2022**

Present:

Councillor Graham Turner
Councillor Paul Davies
Councillor Naheed Mather

In Attendance:

Councillor Vivien-Lees Hamilton

Phillip Waddington, Group Engineer
Ken Major, Principal Engineer – Environment Services
Dean Barker, Principal Road Safety Engineer
Elizabeth Cusick, Operational Manager – Highways and Streetscene

Ms Janet Gibson
Mr Mohammed Abid

Apologies: N/a

1. Membership of the Committee

No apologies were received

2. Minutes of the Previous Meeting

To approve the Minutes of the meeting of the Committee held on the 2nd November 2022

RESOLVED: That the Minutes of the meeting of the Committee held on the 2nd November 2022 be approved as a correct record.

3. Interests

There were no interests declared.

4. Admission of the Public

All agenda items were considered in public session

5. Deputations/Petitions

The Committee considered two deputations which were received in relation to item 8 - Proposed Casualty Reduction Scheme, Saville Arms Crossroads, Mirfield.

The deputations highlighted concerns over the removal of the loading bay as part of the proposals noting issues related to the receipt of deliveries (including

heavy items) and parking access for residential use and disabled visitors to both the nearby Paradise Takeaway and residential property.

RESOLVED: The Committee noted the deputations in relation to item 8 - Proposed Casualty Reduction Scheme, Saville Arms Crossroads, Mirfield.

6. Public Question Time

No public questions were received.

7. Member Question Time

No member questions were asked.

8. Objections to Proposed Casualty Reduction Scheme, Saville Arms Crossroads, Mirfield

The Committee considered a report in respect of the objections received to the Proposed Casualty Reduction Scheme, Saville Arms Crossroads, Mirfield presented by Dean Baker, Principal Road Safety Engineer.

It was explained that Saville Arms Crossroads formed at the junction of Water Royd Lane, Old Bank Road, Kitson Hill Road, and Lee Green, in central Mirfield. The Personal Injury Collision [PIC] record of the crossroads had been monitored by Highway Safety over many years, and the junction had been the subject of previous improvements to reduce PIC numbers and severities. The improvements had been partly successful, but the PICs continued to occur at the junction involving vehicles emerging from the side roads conflicting with those on the main road. Whilst average long-term frequency of junction emergence PICs was low, the proportion of Killed and Seriously Injured [KSI] Casualties remained high at 50%. Following requests from Ward Councillors, Highway Safety agreed to revisit the site to introduce further improvements.

Plan P02 was circulated to Members, however ward councillors did not agree to support the proposals without the removal of the loading layby, as it inhibited visibility to the left and it was felt that this was dangerous. At the time, the Scheme Designer understood the professional concerns about retention of the loading layby and was happy to support the consensus and remove it; however, it was also pointed out to Members that its removal could be very unpopular, as there was no alternative place to stop on-street nearby. It was suggested that if strong objections to the removal of the layby were received that the Council's position could be reconsidered after formal advertisement.

Orders associated with the scheme for loading and waiting restrictions (Kirklees Council Traffic Regulation [No. 12] Order 2022), and notices associated with proposed road humps and relocation of the zebra crossing, were then advertised between 28th July 2022 and 25th August 2022. During advertisement 5 objections to the scheme were received. Four of these related to the removal of the loading layby, and Objection 5 focussed on the zebra crossing.

Following receipts of the objections, Highway Safety revisited the design to ascertain whether a loading facility could be retained without causing significant collision risk which resulted in the production of plan P05. The P05 version of the scheme retained a loading layby designed for vehicles up to 7.5t (as used for deliveries to the takeaway). For the P05 layout, the visibility splay plan evidenced significant improvements in views to the left for drivers emerging from Lee Green over the existing layout.

Regarding the unresolved related issue of the loading layby. The Committee were asked to consider Objections, and the other related information provided, to reach a decision on whether a scheme was to be implemented without a loading layby as supported by the Ward Members (P04), or if a scheme was to be implemented including a loading layby in support of the Objectors (P05).

Councillor Vivien-Lees Hamilton, Ward Member for Mirfield highlighted the safety concerns about the retention of the loading layby. Councillor Hamilton expressed understanding for the needs of the Paradise Takeaway and residents but stressed the importance of a traffic calming scheme in the area.

The concerns of Ward Councillors for Mirfield regarding the proposals were also circulated to Committee members by email for background information and context, alongside the objection report.

In considering the information presented both verbally and in writing the Committee expressed reassurance that ward members concerns had been fully noted by the Committee. The Committee noted that it was satisfied that the objections had been responded to, and that the P05 scheme balanced the need to improve safety as well as supporting residents and businesses. It was also highlighted that any scheme once implemented would be reviewed for a period of 2 years to monitor effectiveness. It was agreed that:

RESOLVED: the objections 1 to 4 be upheld, and that the scheme will be implemented on site as per Plan 25-65869-P05.

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Contact Officer: Leigh Webb

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 2nd December 2022

Present: Councillor Yusra Hussain (Chair)
Councillor Ammar Anwar
Councillor Kath Pinnock
Councillor Harry McCarthy
Councillor Elizabeth Reynolds
Councillor Joshua Sheard
Councillor John Taylor

In attendance: Julie Muscroft – Service Director, Legal, Governance and Commissioning
Martin Dearnley- Head of Internal Audit
Samantha Lawton – Head of Governance
Chris Read – Corporate Customer Standards Officer
Councillor Paul Davies (Ex-Officio)
Councillor Jo Lawson (Ex-Officio)
Councillor Elizabeth Smaje (Ex-Officio)
Councillor Cathy Scott
Councillor Mohan Sokhal

1 Membership of the Committee

No apologies for absence were received.

2 Declarations of Interest

There were no declarations of interest from any members of the Committee.

3 Admission of the Public

All agenda items were to be considered in public.

4 Deputations/Petitions

There were no deputations or petitions.

5 Public Question Time

There were no questions from members of the public.

6 Corporate Customer Standards Annual Report 2021-22

The Committee received a report on Corporate Customer Standards 2021-22. 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 2022. The report incorporated information about third

Corporate Governance and Audit Committee - 2 December 2022

stage complaint handling during 2021/22, and a summary of the Whistleblowing concerns that had been received. The report also contained reports on Children's Services, and Housing Services complaints which were handled through a different process.

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 2021-22 there were no formal reports issued against Kirklees Council.

The Local Government Ombudsman published details of every complaint six weeks after they were formally made which enabled Kirklees to compare performance against other West Yorkshire Councils. Kirklees Council was approximately 20.3% of the West Yorkshire total which was around the number anticipated.

Learning from complaints was noted, the Committee was informed that the complaints process appeared robust given that 47% of the Kirklees cases formally investigated were upheld.

It was noted that in 2020/21 the Ombudsman was closed for new enquiries for approximately 3 months of the year, and the period 2021/22 featured "catch up" from the Ombudsman.

There was a total of 1045 third stage complaints passed through Corporate Customer Standards Section in 2022/23, compared to 857 cases in 2020/21. 2022/23 figures indicated that the Customer Standards Section could receive 10% fewer contacts this year.

During discussion the Committee asked how Kirklees compared with other Local Authorities regarding their Children's Services complaints. It was noted that children's complaints were dealt with via the children's complaints process and not the corporate complaints process.

RESOLVED – That the report be noted.

7 Proposed Change to Council Budget Meeting Date 2023

The Committee received a report which proposed a change to the date of the Council Budget Meeting 2023.

Council Procedure Rule 2 (1) advised that the dates of ordinary Council Meetings in each Municipal Year were determined by the Council following recommendations made by the Corporate Governance and Audit Committee.

The Corporate Governance and Audit Committee considered a report setting out dates for 2022-23 at its meeting on 11 March 2022 and recommended the proposed schedule of meetings be approved by Council. The dates were subsequently approved by Council.

As a result of the economic circumstances this financial year, and the lateness of receiving the finance settlement, it was helpful for Officers and Members to have

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more time to consider the impact of the current challenging conditions to prepare and/or consider the draft budget. As a result of that and following discussions with Group Leaders it was proposed to change the date of the Council's Budget Meeting from 22 February to 8 March 2023.

RESOLVED- That the report be considered at the meeting of Council on 7 December 2022 with a recommendation to change the date of the Council's Budget Meeting from 22 February to 8 March 2023, along with the consequential changes in respect of the schedule of outstanding Council meetings, as set out in the report.

8 Committee System Proposal - Democracy Commission Report

The Committee received a report on the Committee System Proposal from the Democracy Commission.

On 24th September 2021, Council approved the appointment of the Local Government Advisor (LGA) Mark Edgell who advised and worked with Councillors on the governance review process. Council further approved that the Corporate Governance and Audit Committee be tasked with determining the next steps of the proposal for a committee system arrangement.

An information session was arranged on 13th October 2021 with Corporate Governance and Audit to receive further advice from the LGA and discuss the approach to the review of different governance models.

On 4th November 2021 an all-Councillor committee system session was held to discuss the issues together, in a balanced, neutral way and to capture the views of all members.

On 26th November 2021 Corporate Governance and Audit resolved that the Democracy Commission be convened to undertake this work. The Terms of Reference for the review were set and agreed by Corporate Governance and Audit on 21st January 2022 which were:

- 1) To review the advice, conclusions, and recommendations of the LGA Independent Advisor.
- 2) To consider evidence from other Local Authorities operating under alternative models of governance such as those who had changed from:
 - Leader and Cabinet model to a Committee System.
 - Committee System to Leader and Cabinet model.
 - Leader and Cabinet and changed to Committee system and back to a Leader and Cabinet model
- 3) To review the current model in light of evidence from other Councils/Models and consider whether more inclusive decision making could be achieved through:
 - Strengthening the impact of scrutiny – Increased member involvement and focus on pre-decision scrutiny
 - Increased understanding of evidence, openness, and transparency in relation to Cabinet Decision Making

Corporate Governance and Audit Committee - 2 December 2022

- Improved flow of information and processes in place
- 4) To submit a report to Corporate Governance and Audit Committee setting out findings and recommendations arising from the review.
- 5) The Commission to report back to Corporate Governance & Audit committee at every meeting.

During discussion the Committee suggested that the Democracy Commission undertake a review of the implementation of the recommendations and report back to the Corporate Governance and Audit Committee by March 2024. The Committee also noted the wording on point 4 of the recommendations and requested that Cabinet increased dialogue on key strategic issues with Members to increase transparency and develop both formal and informal engagement with Members.

RESOLVED- That the Committee recommends that:

1. The Council supports the retention of the current model of governance (Cabinet Strong Leader Model) with the suggested improvements set out below: -
2. The Council recognises the key role of the scrutiny function, including key strategy formation in engaging non cabinet members in the decision-making process, which can be further developed through the following suggested enhancements:
 - (i) Improvements to enhance and improve pre-decision scrutiny to include reviewing the current scrutiny panels
 - (ii) Clear guidance as far as reasonably practicable in defining pre-decision scrutiny and associated timelines
 - (iii) Annual training and work programme briefings provided to all Members of the Council's Scrutiny Panels.
 - (iv) Providing clear information to Members and officers on the benefits of pre decision scrutiny and to ensure there is an understanding of the requirements to engage in early pre-decision scrutiny to enhance good decision making
3. The Council recognises that good scrutiny and decision making relies on the provision of transparent, accessible information in a timely manner and supports the development of sharing information to raise awareness, increase understanding of and ensure clarity for Members and Officers around scrutiny, Access to Information Rules and the sharing of information.
4. That Cabinet be requested to increase dialogue on key strategic issues with Members to increase transparency and develop both formal and informal engagement with Members.
5. That consultation be undertaken with Group Business Managers and Members, to identify any potential barriers preventing some Members being appointed to Committees/Panels such as timing, frequency, location, format of meetings and any actions appropriately co-ordinated.

Corporate Governance and Audit Committee - 2 December 2022

6. That information be communicated to all Members (across different roles) in relation to engagement with the decision-making process, including access to information rules, scrutiny, raising a notice of concern, speaking and questioning rights at committees.
7. That work is considered to explore enhancing training and development for Councillors to help understand and carry out their roles.
8. To note and thank Mark Edgell and the Local Government Association for the advice, report and recommendations which has provided the panel with an independent starting point for the review by the Commission.
9. To note and thank the Local Authorities and stakeholders who gave their time and shared their experiences with the Commission.
10. That the Democracy Commission undertake a review of the implementation of the recommendations and report back to the Corporate Governance and Audit Committee by March 2024.

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Contact Officer: Leigh Webb

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 10th February 2023

Present: Councillor Yusra Hussain (Chair)
Councillor Kath Pinnock
Councillor Harry McCarthy
Councillor Elizabeth Reynolds
Councillor John Taylor

In attendance: Peter Jackson – Head of Internal Audit, City of Doncaster Council
Aaron Gouldman – Grant Thornton
Stephen Nixon – Grant Thornton
Eamonn Croston – Service Director, Finance
James Anderson – Head of Accountancy
Rachel Firth – Finance Manager
Martin Dearnley – Head of Internal Audit
Simon Straker – Audit Manager
Terence Hudson – Head of Technology

Ex-officio Members: Councillor Paul Davies (Virtual)

Apologies: Councillor Ammar Anwar
Councillor Joshua Sheard

1 Membership of the Committee

Apologies for absence were received on behalf of Councillors Ammar Anwar, Joshua Sheard, Jo Lawson (Ex-Officio) and Elizabeth Smaje (Ex-Officio).

2 Minutes of Previous Meetings

RESOLVED – That the minutes of the meetings held on 25 November and 2 December 2022 be approved as a correct record.

3 Declarations of Interest

No interests were declared.

4 Admission of the Public

The committee noted the submission of exempt information, as set out at Agenda Items 16 and 17.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 Public Sector Internal Audit Standards Five Yearly External Review

The Committee received the Public Sector Internal Audit Standards Five Yearly External Review.

The Committee was advised that the Council's internal audit are required to be provided in accordance with a set of arrangements called the Public Sector Internal Audit Standards. An obligation of these standards was that every 5 years an external review of the operation takes place to determine if the requirements of the standard are being met.

The Committee noted that this external review was undertaken by Peter Jackson, Head of Internal Audit, City of Doncaster Council. Mr Jackson presented his Assessors report and the action plan appended to it.

The Committee was advised that the review had concluded with a rating of 'generally compliant' which was the highest standard, but there were some opportunities for improvement set out in an Action Plan. The Committee determined that it would like to review progress against the Action Plan and requested quarterly monitoring reports to be provided.

RESOLVED –

- 1) That the Assessors report be noted.
- 2) That the Action Plan be approved.
- 3) That monitoring reports be received by this committee on a quarterly basis.

8 Treasury Management Strategy and Investment Strategy 2023/24

The Committee received the Treasury Management Strategy 2023/2024 and associated appendices, in accordance with the CIPFA Code of Practice on treasury management. The report provided information regarding (i) the outlook for interest rates and credit risk, and a recommended investment strategy (ii) the current and estimated future levels of Council borrowing (internal and external) and a recommended borrowing strategy (iii) methodologies adopted for providing for the repayment of debt and a recommended policy for calculating minimum revenue provision (iv) other treasury management matters including the policy on the use of financial derivatives, prudential indicators, the use of consultants and the policy on charging interest to the housing revenue account and (v) a recommended an annual investment strategy in line with Department for Levelling Up Housing & Communities (DLUHC) guidance.

The Committee was advised that the report would be submitted to the meeting of Council (Budget) on 8 March 2023.

RESOLVED - That the Treasury Management Strategy 2023/24 incorporating (i) the borrowing strategy, (ii) the investment strategy, (iii) the policy for provision of repayment of debt (Minimum Revenue Provision) (iv) the treasury management prudential indicators and (v) the investment strategy (non-treasury investments) be referred to the meeting of council on 8 March 2023.

9 Annual Governance Statement 2021/22

The Committee received a report seeking the approval of the 2021/22 Annual Governance Statement. The Statement covered 2021/22 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. Since last September, the Council's financial position had come under sharp focus, and the Service Director of Finance had revised the draft to reflect this significant change of circumstance.

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. The report highlighted a number of 'Significant Governance Issues'. Several of the Issues from the 2020/21 Statement were brought forward, which reflected the wide-ranging nature of the issues and action required. Consideration had also been given to a number of potential new Issues and one, the impact of the Cost of Living Crisis had been incorporated, coupled with the serious financial position of the Council.

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 and this Committee during 2023/24.

RESOLVED –

- 1) That approval be given to the Annual Governance Statement 2021/22, subject to amendment of Section 1 of the Action Plan to note the publication date of the next revision of 'Our Council Plan'.
- 2) That authority be delegated to the Leader of the Council and the Chief Executive to make necessary minor amendments to the statement.

10 Audit Findings

The Committee received the External Audit Findings Report (Year Ending 31 March 2023) from Grant Thornton, the councils External Auditor.

The report presented the findings and observations arising from the auditors work that they wished to draw to the attention of those charged with governance, as a part of the financial reporting process. It was noted that the external auditors had substantially completed the audit of the Council's financial statements and subject to outstanding tasks being resolved, Grant Thornton anticipated issuing an unqualified audit opinion. The outstanding tasks included (i) completion of the quality review procedures including final Engagement Lead review, (ii) review of the final set of financial statements; and (iii) receipt of the management letter of representation.

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

11 Approval of the Council's final accounts for 2021/22

Corporate Governance and Audit Committee - 10 February 2023

The Committee received a report on the final accounts and audit processes for 2021/22 which sought Committee approval of the Council's Statement of Accounts for 2021/22 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, the DLUHC extended the statutory deadlines for local authorities to approve and publish their accounts for the 2020/21 and 2021/22 financial years. The revised deadlines applicable to local authorities were to have them signed by the section 151 Officer by 31 July and published with an Audit Certificate by 30 September. The 2021/22 deadline for the published Audit Certificate was then further extended to 30 November.

The draft accounts were completed and signed by the Council's Service Director - Finance on 29 July 2022. There were no queries or objections raised in the six week public inspection period. Grant Thornton advised that almost all issues were now completed, but the audit could not be finalised until confirmation of the position by the external auditor of the West Yorkshire Pension Fund (WYPF). When this was received, they would formally complete their audit, which could then be approved on behalf of the Council.

The Committee discussed the delay in completing the accounts but acknowledged that this was an issue with a third party, and not a reflection of the council's officers, or its auditor.

RESOLVED –

- 1) That the Statement of Accounts 2021/22 incorporating the Annual Governance Statement be approved.
- 2) That authority be delegated to the Chair of Corporate Governance and Audit Committee and the Service Director - Finance to sign the final accounts and letter of representation upon completion of the audit.
- 3) That enquiries be made of Bradford MBC/WYPF and their external auditors as to what actions were being taken to prevent the repeat of delays experienced in finalising the accounts.

12 Dates of Council Meetings - 2023 to 2024 Municipal Year (Reference to Council)

The Committee received a report which set out a provisional schedule of Council meeting dates for the 2023-2024 municipal year. The report sought endorsement of the schedule for submission to the meeting of Annual Council on 24 May 2023.

The Committee voiced some concerns that a date had yet to be confirmed for the West Yorkshire Mayor to attend Council and that there would be no planned meetings between February 2024 and July 2024 apart from the meetings solely for consideration of the Budget and the AGM.

RESOLVED –

Corporate Governance and Audit Committee - 10 February 2023

- 1) That the schedule of Council meetings for the 2023-24 municipal year be submitted to the meeting of Council on 22 February 2023 with a recommendation of approval.
- 2) That the requirements of Council Procedure Rule 5(6) will be complied with either by adding an additional meeting date or being included within one of the meetings listed.

Under the provision of Council Procedure Rule 24(5) Councillor Kath Pinnock and Councillor John Taylor asked that their vote against the motion be recorded.

13 Risk Management Update

The Committee received a report which provided information on the Council's Risk Management Statement and its arrangements for Corporate Risk Management.

It was noted that the Corporate Risk Matrix which was appended to the report, identified the ongoing risks and issues, many of which were common to many large local authorities and many types of corporate organisation. The Corporate Risk Matrix remained largely stable in terms of its content but had recently been restructured by grouping risks into 10 Key Corporate Risks, with trend analysis and responsibility holders along with some symbolic information.

The report explained the Emerging Risks and Challenges Report listed items of note or concern that did not feature in the Corporate Risk Matrix but currently could present a threat to achievement of the council's objectives. Actions in place to monitor and / or address these emerging risks were detailed. These risks are aligned to the 10 Key Corporate Risks and were appended as a private appendix to the report.

RESOLVED – That the risk management report be received and noted.

14 IT Audit Controls Update

The Committee received a report which provided an update on IT audit controls, following the external auditors expressing some concerns as part of their audit review. The Committee was advised that internal audit had reviewed arrangements and found that with the exception of one minor issue, strong progress had been made.

RESOLVED –

- 1) That the report be received and noted.
- 2) That the committee was satisfied with the IT controls.

15 Primary Care Networks

Councillor John Taylor expressed concern that a report on Primary Care Networks had not been considered by this Committee, despite being previously agreed that it would be submitted 6 months from the setting up of the PCN's in May 2022. The Chair acknowledged that the update had slipped and reported that it would be considered at the next meeting of the Committee.

RESOLVED - That following an informal scoping session to outline the required content, a report on Primary Care Networks be considered at the next meeting of this Committee.

(Note: This item, which did not appear on the agenda for the meeting, was allowed by the Chair to be considered as a matter of urgency in order to ensure the delayed report could be submitted to the Committee at the earliest opportunity).

16 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 stated in the undermentioned minutes.

17 Risk Management Update

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

18 IT Audit Controls Update

The committee noted the exempt information, which was an appendix to Agenda Item 14.

Contact Officer: Leigh Webb

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 10th March 2023

Present: Councillor Yusra Hussain (Chair)
Councillor Harry McCarthy
Councillor Elizabeth Reynolds
Councillor John Taylor

In attendance: Richard Parry – Strategic Director for Adults and Health
Julie Muscroft – Service Director, Legal, Governance and commissioning
Emily Parry-Harries, Head of Public Health
Samantha Lawton – Head of Governance
Martin Dearnley – Head of Internal Audit
Erin Wood – Information Governance Manager and DPO
Aaron Gouldman – Grant Thornton
Councillor Habiban Zaman
Councillor Paul Davies (Ex-Officio)
Councillor Elizabeth Smaje (Ex-Officio)
Councillor Jo Lawson (Ex-Officio)

Apologies: Councillor Ammar Anwar
Councillor Joshua Sheard

1 Quorum

Due to adverse weather the meeting was inquorate. A number of Members had been able to attend virtually and it was agreed that the meeting would go ahead informally with any potential recommendations or decisions reported to the next scheduled meeting for ratification.

2 Membership of the Committee

Apologies for absence were received on behalf of Councillors Ammar Anwar and Joshua Sheard. Councillor Paola Davies substituted for Councillor Kath Pinnock.

3 Minutes of Previous Meeting

That the minutes of the meeting held on 10th February 2023 be noted and submitted to the next Committee meeting.

4 Declarations of Interest

Councillor Yusra Hussain and Councillor Jo Lawson declared an other interest in respect of item 10, Primary Care Networks and Local Health Improvement, as NHS employees.

5 Admission of the Public

It was noted that Agenda item 11 would be considered in private session.

6 Deputations/Petitions

No deputations or petitions were received.

7 Public Question Time

No questions were asked.

8 Annual Report - Information Governance

The Committee received a report providing an update on the Information Governance service, outlining key events and activities over the year.

Information Governance connected all the relevant standards, requirements, and best practice for appropriate and legal information handling, which allowed the Council to manage information in an appropriate way that balanced the importance of maintaining confidentiality and privacy for individuals, whilst ensuring openness and transparency for the organisation. The Information Governance Board held the Information Governance Team and their practices to account, ensuring that personal data was processed to the highest standards, and in line with legislation.

The report set out how the Council had performed in key areas; Organisational Culture Change, Legal Compliance, Information Sharing and Processing, and Records Management. It was important that the Council continued to have a strategic approach to information governance that ensured legislative compliance whilst realising the opportunities and benefits of best practice. The report also outlined the next steps and future plans for information governance in service and across the Council, supporting compliance and service delivery.

RESOLVED: That the Information Governance Annual Report be noted.

9 Quarterly Report of Internal Audit Quarter 3 2022-23 October 2022 to December 2022

The Committee received a report which set out the activities of the Internal Audit Quarter 3 of 2022/23.

The report provided information regarding nineteen audits and two investigations completed during the period. The routine audits for eleven schools were substantial or adequate, with the work in respect of other financial systems and business processes less satisfactory. Two had adequate assurance, the others relating to catering income at a residential facility, school exclusions, employee attendance management and lone working were all rated as having limited assurance. The two follow up audits still had limited assurance, although in both areas some progress had been made. The investigations related to two direct payment frauds.

Internal Audit continued with its activity to support several governance areas and had reviewed certain grant and payment regimes, work had also been done to review IT access controls on core systems.

The Council's Fraud Investigation Team had been party to denying 7 Right to Buy applications with a further 16 Right to Buy investigations ongoing. The Council Cabinet had approved a new Counter Fraud Strategy, which restated the expectation that everyone acted with integrity when dealing with the Council, the arrangements and systems looked to prevent and detect fraud, with action being taken against offenders.

The Committee acknowledged that there had been no Regulation of Investigatory Powers Act activity during the period quarter 3 2022/23.

RESOLVED: That the Internal Audit Quarter 3 2022-23 report be noted.

10 Lead Councillor Role - Primary Care Networks and Local Health Improvement

The Committee received a report on the learning, experience, and accountability to date of the role of Lead Councillor – Primary Care Networks and Local Health Improvement.

Annual Council at its meeting on 25th May 2022 approved the incorporation of the role of Lead Councillor – Primary Care Networks and Local Health Improvement into the Members Allowance Scheme. Annual Council determined that a review of the new role profile be undertaken after 6 months and that the review included the accountability of those in lead roles, having regard to any learning from the Place Based working role and that a report be submitted to this committee.

The report captured key points from discussion with the Lead Councillors at their meeting in January 2023 in terms of that they thought had gone well so far, and what they thought had gone less well along with recommendations going forward.

During discussion the Committee raised concerns with regards to the Lead Councillor role and the work that had been undertaken with Place Partnerships as well as questioning whether the new roles had added any significant value since being introduced. It was also noted that Overview and Scrutiny Management Committee had submitted recommendations in progressing the Lead Councillor role and the need for engagement with all relevant Ward Councillors. Councillor Smaje, Chair of Scrutiny, outlined details of the recommendations at the meeting.

Richard Parry, Strategic Director for Adults and Health suggested that following a discussion with Governance to map out reporting lines in relation to the issues and points discussed. A conversation with the Chairs of Scrutiny and Corporate Governance and Audit would take place to determine a timeline to when the report should be considered by this Committee.

Councillor John Taylor expressed his disappointment that the Cabinet Member for Health and Social Care and The Leader was not present at the meeting. The Chair advised that the Cabinet Member for Health and Social Care was unwell and that The Leader had an engagement which meant he was unable to attend the meeting.

RESOLVED: That the Lead Councillor Role – Primary Care Networks and Local Health Improvement report be noted.

11 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.

12 Quarterly Report of Internal Audit Quarter 3 2022-23 October 2022 to December 2022

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).

RESOLVED: That the Committee noted the exempt information, which was an appendix to Agenda item 8.

Contact Officer: Leigh Webb

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 21st April 2023

Present: Councillor Yusra Hussain (Chair)
Councillor Harry McCarthy
Councillor Elizabeth Reynolds
Councillor John Taylor

In attendance: Chris Jones – Independent person
Councillor Paul Davies (Ex Officio)
Councillor Elizabeth Smaje (Ex Officio)
Councillor Jo Lawson (Ex Officio)

Julie Muscroft – Service Director, Legal, Governance and Commissioning
Martin Dearnley – Head of Risk & Internal Audit
Aaron Gouldman – Grant Thornton
Helen O’Sullivan – Acting General Manager, Business Assurance

Apologies: Councillor Kath Pinnock

1 Membership of the Committee

Councillor John Taylor was appointed as interim chair of the meeting and presided during consideration of items 2 to 7 inclusive, at which point Councillor Hussain took the Chair.

Chris Jones was welcomed by the Committee as the Independent Person appointed.

Apologies for absence were received on behalf of Councillor Kath Pinnock.

2 Minutes of Previous Meetings

RESOLVED: That the minutes of the meeting held on 10th February 2023 be approved as a correct record. The Committee noted the minutes/notes of the meeting held on 10th March 2023.

3 Declarations of Interest

No interests were declared.

4 Admission of the Public

It was noted that Agenda item 10 would be considered in private session.

5 Deputations/Petitions

There were no deputations or petitions received.

6 Audit Progress

The Committee received a verbal update from Grant Thornton, external auditor regarding their Audit of the 2021/22 Financial Statement and the Value for Money Report. It was noted that the Audit of 2021/22 Financial Statement was near completion. There was a national issue where the triennial evaluations of pensions of Local Government Pension funds had been published at the beginning of April 2023, which realigned the actuarial position for all pension funds back to 31st March 2022. This provided new information about the position as at last year and once all firms nationally had considered the impact, it was hoped that a resolution would be provided, and completion be confirmed.

The Value for money report would be finalised after conclusion of the financial audit. A draft version of the report was under discussion with the Finance Director and his team, with the aim that this Committee considers the report in May 2023.

RESOLVED: That the update be noted.

7 Quarterly Report of Internal Audit Q4 2022/23 January 2023 to March 2023

The Committee received a report which set out the activities of the Internal Audit Quarter 4 of 2022/23 from the Head of Internal Audit.

The report provided information regarding eighteen audits completed during the period. There were seventeen planned pieces of work including four into aspects of financial management of social care, reviews of two stores systems and routine audits at five schools. There was limited assurance relating to a review of part of the business rates system and in relation to adoption arrangements. In the corporate area, there was adequate assurance relating to corporate risk management and whistleblowing. There was limited assurance as regards corporate complaints handling and the communications service was rated as having adequate assurance. One follow up audit had the unusual 'no assurance' rating which related to a continued failure of the service to make proper arrangements or procurement of services, this matter should be addressed by summer 2023.

The proportion of activity that was reviewed in the period found to offer no or limited assurance was 33%, and cumulatively in the year 29%, if schools were excluded the cumulative in year results suggest that 33% of financial process and 58% of business processes required improvements. The Executive Team recognised that this was an issue that needed to be addressed.

The Council's Fraud Investigation Team had continued activity on Right to Buy applications, other aspects of tenancy fraud and other areas of fraud. Sixty-two referred cases of Blue Badge Misuse had led to prosecution and warning letters. The Committee acknowledged that there had been no Regulation of Investigatory Powers Act activity during the period quarter 4 2022/23.

RESOLVED: That the Internal Audit Quarter 4 2022-23 report be noted.

8 Annual Report of Internal Audit 2022/23 & Issues for 2023/24

The Committee received a report from the Head of Internal Audit which provided information on Internal Audit activity in the year to 31st March 2023 and provided an opinion on the adequacy and effectiveness of the council's framework of risk management, governance, and internal control arrangements, and advised on compliance with the requirements of the Public Sector Internal Audit Standards and Code of Ethics. The report also set out suggested internal audit activity planned for 2023/24.

It was noted that 2022/23 was more normal than the previous two years with 83 formal tasks completed. From the beginning of the year, the internal audit function took on customer counter fraud activity. The year also involved a more structured approach to risk management. Overall assurance from audit work was at 71%. This was masked by high performance from schools on financial systems and controls, but poor assurance outcomes on business controls and from follow up audits.

It was suggested that the Audit Plan for 2023/24 be split into a Spring/Summer (Q1,Q2) plan and a provisional Autumn/Winter (Q3,Q4) plan which could be adjusted based on council need and the internal and external environment creating changed assurance priorities.

During discussion, the committee raised concerns regarding the number of follow up audits required by the audit team and suggested that proactive checks were carried out to remind services of audit follow ups by the risk manager, in liaison with the strategic directors. Concerns were also expressed in relation to limited assurance on business controls.

RESOLVED:

1. That the Committee was content with the (i) effectiveness of its Internal Audit function, noting its conformance with Public Sector Internal Audit Standards and Code of Ethics (ii) effectiveness of the Council's overall system of internal control (iii) effectiveness of the broader control environment, risk management and governance arrangements of the Council (subject to the observations contained within the report). (iv) finding from internal audit activity in 2022/23 (v) the proposed Audit Mission, Strategy & Charter (vi) the proposed Audit Plans for 2023/24,
2. That authority be given for the Head of Internal Audit to vary the proposed audit plan as is considered necessary, subject to reporting back as a part of the quarterly review process,
3. That the Chair of the Committee liaised with the Head of Risk regarding the number of follow up audits and limited assurances in respect of business controls.

9 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

Corporate Governance and Audit Committee - 21 April 2023

Part 1 of Schedule 12A of the Act, as specifically state in the undermentioned minute.

10 Quarterly Report of Internal Audit Q4 2022/23 January 2023 to March 2023

RESOLVED: That the Committee noted the exempt information, which was an appendix to Agenda item 7.

Contact Officer: Leigh Webb

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 12 May 2023

Present: Councillor Yusra Hussain (Chair)
Councillor Ammar Anwar
Councillor Adam Gregg
Councillor Harry McCarthy
Councillor Kath Pinnock
Councillor Elizabeth Reynolds
Councillor John Taylor

In attendance: Councillor Paul Davies (Ex Officio)
Councillor Elizabeth Smaje (Ex Officio)

Julie Muscroft – Service Director, Legal, Governance and
Commissioning
Samantha Lawton – Head of Governance
Eamonn Croston – Service Director, Finance
James Anderson – Head of Accountancy
Aaron Gouldman – Grant Thornton
Jane Lockwood – Head of Procurement (Virtual)

Apologies: Councillor Joshua Sheard
Chris Jones – Independent person

1 Membership of the Committee

Apologies for absence were received on behalf of Councillor Joshua Sheard, with Councillor Adam Gregg attending as substitute.

2 Minutes of Previous Meetings

RESOLVED: That the minutes of the meeting held on 21 April 2023 be approved as a correct record.

3 Declarations of Interest

No interests were declared.

4 Admission of the Public

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

5 Deputations/Petitions

There were no deputations or petitions received.

6 Public Question Time

There were no public questions.

7 Changes to the Council's Constitution (Reference to Annual Council)

The Committee received a report which set out a number of proposed changes to the constitution, along with details of amendments made since 2022, both on the authority of the Council and by the Monitoring Officer using delegated powers.

The report set out the changes from each section of the Constitution which included a proposed re-focussing of the Policy Framework to focus on the highest level strategies, policies and plans which set the context time direction for delivering our shared outcomes, other strategic plans and programmes as well as continuing to include plans that by law must be adopted by full Council. Full details of the proposed new Policy Framework were appended to the report. The report also highlighted a number of proposed amendments in relation to the Council Procedure Rules (CPR's) which were highlighted in detail within the report and appendices. These changes included a number of amendments to deadlines. In addition, the report highlighted proposed changes to value thresholds in relation to Key Decisions and asset management functions.

During consideration of this item, Councillor John Taylor moved an amendment, seconded by Councillor McCarthy, in relation to a number of proposed changes to the recommendations set out in the report. On being put, this amendment was carried.

During further discussion of this item, Councillor Kath Pinnock raised the issue of the appropriateness of Cabinet Members being appointed to planning committees, with particular reference to the Strategic Planning Committee. Councillor Pinnock moved an amendment, seconded by Councillor Anwar, to restrict Cabinet Members from being appointed to sit on the Strategic Planning Committee. On being put, the amendment was lost.

RESOLVED: That the Corporate Governance and Audit Committee:

- a. Notes the changes made to the Constitution in 2022-2023 listed in Appendix 1.
- b. Approves the proposed changes to the Councils constitution as set out in paragraphs 2.07, 2.13, 2.15, 2.21 – 2.42, 2.44 and 2.46 and the accompanying relevant Appendices subject to the following agreed amendments to Appendix 3 and relevant paragraphs:

- (i) CPR 10 (2) para: 2.24 - Deadline for receipt of deputation to be changed to 3 clear working days notice.
- (ii) CPR 10 (4) Suitability of a Deputation shall be determined by the Chief Executive in consultation with the Mayor and redraft the second part of the paragraph below for clarity
- (iii) CPR 10 (5) Remove (5) with consequential amendment to 10 (6) (which becomes 10(5)) and the sub paragraphs to be renumbered accordingly.
- (iv) CPR 10 (8) Remove as provision exists within the current constitutional arrangements and renumber accordingly.

Corporate Governance and Audit Committee - 21 April 2023

- (v) CPR 10 (9c) re-draft wording to tighten up, specifically highlighting deputations will not be heard where an issue is to be considered at committee/panel with a published agenda. In relation to planning, licensing and other regulatory matters this sub paragraph is to continue to cover the merit of application and so does not require there to have been a published agenda.
- (vi) CPR 11(1) para 2.28 - Deadline for receipt of public questions to be changed to 3 clear working days.
- (vii) CPR 12 Written questions – para 2.33 be amended to 3 clear working days notice.

c. Notes the changes set out at paragraphs 2.16, 2.17, 2.43, 2.48 and 2.49.

d. Notes that work will continue to keep the Council's Constitution under review.

e. Notes the proposed further work in relation to the Member Officer protocol in paragraph 2.65

f. Recommends to Council that they note and approve (as applicable) the above recommendations and delegate authority to the Service Director – Legal, Governance and Commissioning to make appropriate amendments to the constitution which may be agreed by Council as well as any consequential amendments to the constitution to reflect the changes agreed.

8 **Proposed Amendments to Overview and Scrutiny (Reference to Annual Council)**

The Committee received a report from the Head of Governance setting out proposed amendments to the Overview and Scrutiny structure along with an update on the implementation of the recommendations of the Kirklees Democracy Commission in relation to the review of governance models.

The proposals set out in the report included the creation of a new standing Panel to consider issues falling within the Growth and Regeneration Department and the disestablishment of the Corporate Panel, with the remit being transferred largely into the Overview and Scrutiny Management Committee. In terms of the rationale for the proposed changes it was highlighted that the proposed new structure did more closely align with the current departmental structure and Cabinet portfolio areas.

With regard to the implementation of the recommendations of the Democracy Commission's work, the report highlighted the development of a protocol to assist in the development of more pre-decision scrutiny and outlined plans for the delivery of annual scrutiny training.

RESOLVED:

1. That Corporate Governance and Audit committee recommends to Annual Council the changes as set out in paragraph 3 of the report
2. That the Committee recommend to Council that the Service Director Legal, Governance and Commissioning be delegated with authority to make appropriate changes to the Constitution to reflect the agreed changes to the scrutiny arrangements.

3. That a report reviewing the workings of the new scrutiny arrangements be submitted to this Committee in March 2024.

9 Proposed Revisions to the Financial Procedure Rules (Reference to Annual Council)

This Committee received a report setting out information on proposed changes to Financial Procedure Rules for the year 2023/24. The proposed changes related to the revenue and capital budgeting and budgetary control arrangements and minor proposed changes regarding income, and grants. It was reported that the sections affected are most of FPR2, a part of FPR3 and the first clause of FPR 11, and later clauses of section 22. All the text changes were highlighted within Appendix 1 by a table showing them as now and as proposed against each paragraph. The changes proposed in the report were intended to enable the implementation of revenue budget changes in line with the longer-term medium term financial plan, rather than addressing these annually only, starting from the approval of the next year's budget (FPR section 2). Additionally, they will enable greater flexibility in capital planning (FPR section 3) and in changing fees and charges or setting new charges (FPR section 11). It was highlighted that additional reference was also included in order to recognise the requirements of the new Subsidy Control Act 2022.

During discussion of this item the Committee suggested minor changes to wording in the introductory part of section 2 to recognise capital investment.

RESOLVED:

1. That the proposed changes to Financial Procedure Rules, as set out in the report, be recommended to Annual Council, subject to the inclusion of the minor amendments set out above relating to the introductory part of Section 2.
2. That authority be delegated to Monitoring Officer to make any consequential changes to Financial Polices and/or constitutional rules.

10 Proposed Revisions to Contract Procedure Rules (Reference to Annual Council)

The Committee received a report setting out information on proposed changes to Contract Procedure Rules for the year 2023/24. The Contract Procedure Rules ensured that the Council was acting in line with current legislation and other developments in public law when conducting procurements. The proposed changes within the report related to bonds and guarantees and some additions in relation to Rule 10 executing contracts. It was reported that a more fundamental review of the Contract Procedure Rules would be undertaken at the appropriate time in line with any legislative changes relating to the Procurement Bill.

RESOLVED: That proposed changes to Contract Procedure Rules, as set out in the report, be recommended to Annual Council for approval.

11 Informing the Audit Risk Assessment

The Committee received a report, requested by the External Auditors, Grant Thornton asking that council officers complete 'Informing the Audit Risk Assessment for Kirklees Council 2022/23' which was attached to the report at Appendix A.

Corporate Governance and Audit Committee - 21 April 2023

Grant Thornton had also requested that officers complete the 'Accounting Estimate Management Summary Letter' (Appendix B) which covered the use of accounting estimates across key accounting areas.

The Head of Accountancy provided a verbal update in respect of statutory deadlines for producing draft accounts. It was reported that Department for Levelling Up Communities (DLUC) had moved the deadline to 31st May. Following discussion with Grant Thornton it has been agreed that Kirklees would work to the original deadline of 30th June for producing the draft accounts.

RESOLVED – That the Committee is satisfied the assertions to be true (or had no reason to believe they were untrue) and agree to submit the risk assessment document to the external auditors.

12 External Audit Progress Report

The Committee received the Audit Progress report up to the period May 2023 from the External Auditors, Grant Thornton. The report included a summary of emerging national issues and developments that may be relevant to the council and included several 'challenge questions' in respect of these emerging issues.

RESOLVED – That the External Progress Report April 2022 be noted.

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Contact Officer: Jodie Harris

KIRKLEES COUNCIL

CORPORATE PARENTING BOARD

Tuesday 15 November 2022

Present	Councillor Viv Kendrick (Chair) Councillor Elizabeth Reynolds Councillor Karen Allison Councillor John Lawson Councillor Richard Smith Councillor Andrew Marchington (ex-officio) Jo-Anne Sanders, Service Director – Learning and Early Support Colleen Kenworthy - Kirklees Fostering Network Louise Hallas, Virtual School Head Teacher Anna Gledhill, Service Manager Quality Assurance and Safeguarding Ophelia Rix, Head of Service for Children in Care, Care Leavers and Looked After Children Gill Addy, Designated Nurse for Looked After Children Sara Miles, Head of Service – Resources, Improvement and Partnership Elaine McShane, Service Director - Family Support and Child Protection
In Attendance	Rahila Habib, Service Manager – Family Support and Child Protection Krissy Podgorski, Team Manager – Children Looked After Independent Service Joel Hanna, Head of Service for Sufficiency for Children and Young People
Apologies:	Tom Brailsford, Service Director (Resources, Improvement and Partnerships) Stewart Horn, Head of Childrens Integrated Commissioning

1. Membership of the Board/Apologies

Apologies had been received from Tom Brailsford, Service Director (Resources, Improvement and Partnerships) and Stewart Horn, Head of Childrens Integrated Commissioning.

2. Minutes

The Board considered the minutes of the last meeting held on 27 September 2022.

RESOLVED: That the minutes of the previous meeting be approved as a correct record.

3. Interests

No interests were declared.

4. Admission of the Public

It was agreed that all agenda items would be held in public session.

5. Deputations/Petitions

No deputations or petitions were received.

6. Public Question Time

No public questions were received.

7. Children's Performance Highlights Report

The Board considered the latest reports giving key highlights on Performance Monitoring data for Children's Services. Rahila Habib, Service Manager – Children in Care Service presented the key highlights in relation to Children Entering Care, Children in Care and Placement Stability and explained that:

- There was a continued fluctuation in the number of children coming into care from 607 to 621.
- It was important to note the work undertaken in respect of Connected Carers and Special Guardianship Orders (SGO's) in respect of this data.
- 3 further SGO's had been made in September and work continued to increase these numbers in the best interest of children and young people.
- There had been an increase in unaccompanied asylum-seeking young people through the national transfer scheme.
- Following the recent opening of adult accommodation there had been an increased volume of referrals to Children's Services from adults claiming to be children.

Ophelia Rix, Head of Service for Children in Care, Care Leavers and Looked After Children added that the data showed that children did continue to become looked after, but there had also been an increase in placements with parents and connected cares which should be considered alongside the data.

Ophelia Rix referenced the Children's Act and its emphasis on keeping children with their families and connected communities where it was safe to do so. It was explained that this was the key principle underpinning the SGO's and it was important to make sure that where children wanted to and could return home that there was the correct structure to facilitate this. The approach prevented children from remaining looked after, and Kirklees offered a support plan to enable this, but it was important to note that this was only the case where it was safe and appropriate to do so.

The Ex-officio noted the update and the explanation of the data in relation to children entering care and expressed that this was positive and reassuring. In relation to the data around unaccompanied asylum-seeking children showed a slight downward trend and it was important to monitor this going forwards.

The Board noted it was satisfied by the continued good work in relation to kinship carers and SGO highlighting that this together with the Councils investment in early support helped contribute to preventing children from becoming looked after. The Board further noted that it would be helpful to receive comparative data including learning points and long-term outcomes to evidence this.

Ophelia Rix presented the data in relation to Care leavers and highlighted that:

- There had been an increase in the performance indicator for Children in Care (aged 17 years) with an allocated Personal Advisor.
- The increase was from 96.0% in August 2022 to 97.9% in September 2022, but the target was 100%.
- There had been an increase in the percentage of Care leavers in Employment, Education and Training (EET) but this was a key area for improvement.
- A programme of work was to be produced along with education, housing, and businesses in relation to improving EET opportunities for care leavers.
- There had been an increase in staying put arrangements (post 18), and the new financial policy was successful in enabling this.
- The number of young people with a pathway plan had increased but a key priority was to improve the timeliness of updating the plans.

The Board noted the data in respect of Care Leavers, and it was agreed that an update in relation to improving EET opportunities be provided to a future meeting of the Board.

Louise Hallas, Virtual School Head Teacher presented the data in relation to Children Looked After Educational Outcomes, and it was highlighted that:

- Work continued with education and social care providers to make sure all young people had at least one Personal Education Planning (PEP) meeting each term.
- 100% of PEPs had been completed within the Summer Term in-line with the termly processes.
- 100% of initial PEPs had been completed within 10 school days of the child coming into care since 01/09/2022.
- Persistence Absences continued to be key area for improvement, and in September there was a decreasing trend.
- There continued to be a strong focus on pupils not in full-time education and reducing the number of school moves.

Responding to a question from the Board around the decreasing trend in Persistence Absence for September, Louise Hallas explained that previous absence data could be a result of Covid-19 absences. The Board were informed that some measures around persistent absence had been actioned, but it was too early to identify if these had impacted on the decreasing trend.

The Ex-Officio, highlighted the educational outcomes as positive, especially the work around PEP's highlighting this was an example of strong partnership working achieving good outcomes for young people.

Gill Addy, Designated Nurse for Looked After Children presented the data in relation to Children Looked After Health and it was highlighted that:

- Kirklees Local Authority (LA) rolling 12-month data showed that 80.5% of Initial Health Assessments were completed in the statutory 20 working day timescale.
- Locala monthly data for September showed that 16 Initial Health Assessments were completed 'in house' and 100% were completed within timescales.
- For Review Health Assessments (RHA), Kirklees's 12-month data showed that 89% of the 'Developmental' assessments (under 5 years old) and 93.7% of 'Annual' assessments (over 5 years old) were completed in statutory timescales.
- Locala monthly data for September showed that 85% of under 5-year-olds and 63% of over 5-year-olds RHA's were completed in timescales.
- There were 12 in-house breaches, 9 were in relation to capacity, 2 due to holiday, and 1 was re-arranged.
- In relation to breaches it was reported that other Local Authorities reported similar issues.
- A Business Case had been delivered to senior managers and Locala to request additional nursing resources to mitigate capacity and KPI issues.
- For Dental Checks, Kirklees rolling 12-month data showed that 61.6% of children aged 1+, at the point of their RHA had attended the dentist.
- Locala monthly data showed that 91% and 97% of children aged 18 months - under 5 years, and 5-18 years, had attended the dentist at the point of their RHA.
- Locala data showed that 93% and 100% of children aged 18 months to 4 years and 5 years+ at the point of their RHA, were registered with a dentist.
- The use of the 'Flexible Commissioning Project' had supported Children Looked After and Care Leavers to register with a dentist.
- The Designated Nurse attended the 'Kirklees Oral Health Advisory Group', to advocate for vulnerable children and care leavers.
- In relation to substance misuse, 6 young people (1.26%) admitted to, or were known to use substances when asked at their last RHA.
- All cases had been discussed with the local Substance Misuse Outreach worker, to ensure support had been offered.
- If a young person declined their RHA, a check was made with the social worker to ascertain if substance use was an issue.
- Any young person misusing substances at any level was offered support.

In relation to increased pressure on health services and the requirement to hold extra clinics, the Board agreed that additional support should be prioritised and progressed.

RESOLVED: The Board noted the Children's Performance Highlights Report, and it was agreed that:

1. The data for unaccompanied asylum-seeking children continued to be monitored and reviewed going forwards.
2. The Board receive comparative data, in respect of the Councils investment in early support, learning points and long-term outcomes.
3. A programme of work was to be produced along with education, housing, and businesses in relation to improving EET opportunities for care leavers.
4. Additional support to alleviate the pressure on health services should be prioritised and progressed.

8. Kirklees Looked After Annual Health Report

The Board considered the Kirklees Looked After Annual Health Report (March 2021-April 2022) presented by Gill Addy, Designated Nurse for Looked After Children. It was highlighted that:

- During 2021-22 alternative hybrid methods of working were necessary to comply with Covid-19 restrictions in Initial Health Assessment clinics.
- There was a rise in demand for support related to increased child health complexities, unaccompanied asylum-seeking children (UASC), and involvement with children accommodated in Kirklees by other local authorities.
- There had also been an increased amount of telephone and IT communication.
- The increased number of agencies using the electronic child health record System-One amplified the number of communications via tasks, and the volume of information available to inform assessments.
- The wealth of material was an asset but added significantly to the time taken in the preparation of assessments.
- A Business Case related to the team capacity and resource has been submitted to the joint commissioner for consideration and discussions had been held with senior managers. This was still ongoing.
- Completion of the Review Health Assessments (RHA's) within statutory timescales continued to present a challenge.
- To alleviate pressure, a temporary 6-month measure was introduced to complete the RHA's in the month they were due, but Statutory guidelines were reintroduced in March 2022.
- An audit looking at reasons for breach in Quarter 1 of 2022, illustrated that children and their families were at the heart of the planning, prioritising family, work, school, and outside activity commitments before timescales.
- Dental access had improved from the time of the pandemic and was supported by the 'Flexible Commissioning' programme.
- Immunisation rates averaged 91.5% across all ages. Teenage boosters remained the most common outstanding immunisations.
- The manual return rates of 'Strength and Difficulty Questionnaires' (SDQ's) had remained low.
- It was noted that this was a time consuming but statutory task and the electronic portal was unable to facilitate any system improvement.
- The redevelopment of the Local Authority Placement Support Service (PSS) provided a multi-agency approach alongside the SDQ's.
- The inclusion of a trauma screening assessment for UASC by a Local GP, added a valuable dimension to the support options.

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- The Ages and Stages Social and Emotional (ASQ–SE) questionnaire, continued to provide a resource to measure the emotional health of children and babies under 4 years old.
- Liaison with the sexual health, and substance misuse outreach workers continued, reinforcing the collaborative working model. Drop-in's had also resumed recently.
- Medical reports continue to be completed by the Medical Advisors, and all adoption panels in Kirklees and Calderdale had a Medical Advisor present for advice and support.
- The 'Health Outcome Audit' project enabled data collection to continue.
- This measured the health needs of children as they entered care and a comparison of improvements to their health for those who remained in care, at the point of their first Review Health Assessment (RHA). A re-audit was planned during 2022-23.
- A recent review identified that it was not possible to resume pre-pandemic levels of performance.
- The service had required modification to meet the needs of a changed society and vulnerable group of children.
- Further adjustments may be needed, as challenges in relation to changes to practice and demands on the service continued.
- During the reporting period 741 RHA's were completed including requests from other authorities.
- 236 adult medical reports for foster and special guardianship orders, 77 adult and 69 child medical reports for adoption plans and 26 meetings with prospective adopters, were carried out by the Medical Advisor

The Board welcomed the report as very comprehensive. Responding to a question from the Board in relation to the assessments of UASC and follow up work, Gill Addy advised that there was a shortage of this specialist work. Referrals were currently submitted through the placement support service and picked up by wellbeing team to identify where support may be available. The Board noted value in identifying where there may be capacity to support young people's needs. Gill Addy further added care leavers were now included in the screening assessment mad by the GP, and the Board welcomed that this work was being undertaken at an early stage.

RESOLVED: The Board noted the Kirklees Looked After Annual Health Report

9. Virtual School Headteacher Report

The Board considered the Virtual School Headteacher Report for the 2021-22 academic year presented by Louise Hallas, Virtual School Head Teacher and it was highlighted that:

- Kirklees Virtual School now worked with all young people in the care of Kirklees Council from the age of 2 through to age 18 (end of Year 13 with consent).
- Following self-assessment, the Virtual School rated the service as good overall with some outstanding features, and some areas for development.
- Most recent national indicators showed that Kirklees Virtual School was in Quartile A in 5 of the indicators and Quartile B in 1 of the indicators.

- The team was experienced and effective and worked with all young people to monitor their educational progress and to provide the best for young people.
- The Virtual School collaborated well with other professionals including Social Workers, Designated Teacher's, Carer's, and Education Psychologists.
- There were robust systems and processes which provided accurate data linked to the Virtual School's priorities and statutory duties.
- Most of all children in care accessed free early education and continued to be placed with an education provider judged 'Good' or 'Outstanding'.
- Year 1 phonics screening was above the national average for children and young people in care in 2022.
- The percentage of KS1 pupils reaching expected or a higher standard for Reading, Writing and Maths and Reading/Writing combined was above the national average for 2022.
- Improvements in KS2 results in 2022 highlighted that Kirklees were above national averages for Reading, Writing and Maths individually and just below national averages for combined.
- This was a significant improvement for KS2 outcomes for Kirklees Council.
- Most young people who achieved national expectations at the end of KS1/2 progressed on the trajectory to expected outcomes at the end of KS2 and KS4.
- Participation and progression remained strong in Post 16 education despite the remaining challenges following the Covid-19 pandemic.
- There had been no permanent exclusion of a child and young person in care since the establishment of the Virtual School.
- The electronic Personal Education Plan (PEP) system enabled the Virtual School to monitor the completion and quality of PEPs and allowed for systematic application, authorisation, and monitoring of Pupil Premium Plus funding for individual pupils.
- 100% of PEP's were completed within the termly timescales.
- Initial PEP completion in 10 school days of notification was 98% in 2021/22 an increase from 97% in 2020/21 within 10 working days.
- The Virtual School Team Managers had oversight of school changes and ensured that new schools were at least 'good' and met the curriculum needs of the young person.
- In July 2022, 81% of children and young people in care were attending good or outstanding schools.
- There was a clear understanding of the 19% in attendance at education provisions judged as requires improvement / inadequate at their last Ofsted visit, or those providers with no inspection report (13%).
- When a schools Ofsted judgement was inadequate, extra monitoring and support was in place to ensure that educational needs were being met.
- 89% of school moves took place with no break in learning and 92% of these took place within 20 days.
- The Virtual School commissioned multi-agency support working across the Education Psychology Service.
- This included dedicated Educational Psychologist support, inclusion workers supporting complex young people, and nationally recognised work with schools through the Timpson Project.
- Additional resources were commissioned for the Childrens Emotional Wellbeing Service which enhanced the offer to young people in care.

- There were commissioned programmes of work from the Kirklees Early Years Outcomes Team.
- These provided opportunity for parents/carers and Early Years Practitioners to work together around school readiness (START programme) and language development (50 things to do before you're 5 programme).
- The structure of the Virtual School had been developed to ensure that young people with SEND had specialist and timely support.
- The Virtual School had an established Governing Body that met regularly with a cross section of representatives to hold the Virtual School to account through supportive and challenging meetings.
- The Virtual Schools key areas for improvement to reach outstanding included:
 - Reducing the number of suspensions for all young people with a particular focus on secondary education.
 - Consistent improvement in early years development and consistent progress across all key stages
 - Improvements to persistent and unauthorised absence.
 - Ensuring that Covid-19 recovery and school led tutoring around the impact on pupil progress was embedded in all PEP meetings.
 - Focussing on school stability, minimising changes, especially during Key Stage 4 and supporting any necessary school moves.
 - Enhanced provision to support UASC young people for the full year.
 - Embedding the work for children and young people with a social worker so that it becomes system led and system wide throughout the authority and education system.

The Board welcomed and noted the report. In the discussion to follow the Ex-Officio advised that in attending a meeting in respect of understanding the work of the Virtual School was helpful. It was also noted that the Governing body was giving an appropriate level of challenge and support and the structure was working well. Providing additional support for parents in meetings was also raised as a key idea.

Responding to a question about the increase in demand the additional duty placed on the Virtual School and the impact of this, Jo-Anne Sanders, Service Director – Learning and Early Support provided reassurance to the Board that the extended duties had been in place to give the virtual school oversight of any child with a social worker. The Executive Virtual School Headteacher was working alongside the Virtual School Headteacher, social work teams and designated teachers to raise the profile of any child with a social worker. This was a systematic change but there was no expectation that PEP's to be put in place, but some of the expertise and learning from these may be utilised. There was a small amount of additional funding received with the new duty and an innovative and joined up approach had been taken. The Board noted the response and it was agreed that the Executive Virtual School Headteacher provide a report to a future meeting of the Board around work undertaken in response to the Virtual School's new duty and the key outcomes.

The Ex-officio added that it would be difficult to replicate the structure of the Virtual School for the new numbers of children under the additional duty and in order to achieve the desired outcomes appropriate resources to replicate detailed areas of work and processes were required. The Board agreed that the new challenge was

been approached in the best way possible, but it was important that this was properly resourced.

The Board reiterated that the briefing around understanding the work of the Virtual School was helpful in understanding sharing ideas and recommended that this be repeated to allow other Board members to attend. Louise Hallas responded to agree that the workshops could be replicated on a 1:1 basis for any interested Board Members.

The Board noted that in 2022 Kirklees was above the 2019 national Children Looked After data for GCSE outcomes but were yet to obtain the fully validated results or national comparators for 2022. Louise Hallas responded to advise that the validated data should be available in January 2023, and it was agreed for the Board to be provided with this information when appropriate.

RESOLVED: The Board noted the Virtual School Headteacher Report for the 2021-22 academic year and it was agreed that:

1. The Executive Virtual School Headteacher provide a report around work undertaken in response to the Virtual School's new duty and the key outcomes to a future meeting of the Board.
2. The new duty had been approached in the best way possible, but it was important that this was properly resourced to replicate effective processes going forwards.
3. Briefings around understanding the structure and work of the Virtual School be offered to any interested Board Member.
4. The validated data for GCSE outcomes be provided to the Board when available.

10. Children's Voice, Participation and Corporate Parents Presentation

The Board received a presentation in respect of Children's Voice, Participation and Corporate Parents presented by Krissy Podgorski, Team Manager – Children Looked After Independent Service.

It was highlighted that the Children's Rights Team wanted to work with the Board to ensure that the views of children in care and care leavers were a consistent and influential feature of the Board. Ideas for participation included:

- Themes and patterns from advocacy be reported to the Board on a regular basis
- Children and young people are enabled to regularly share the key issues and themes that affect them with the Board.
- A young person friendly meeting of the Corporate Parenting Board be held once or twice per year to enable and encourage attendance.
- The use of video's or presentations be used as an additional method of communicating with the Board.
- Progress being measured by the Board through hearing directly from young people and through visiting the groups periodically throughout the year.

In relation to the child's voice shaping policy, it was highlighted that Children's Services should be involving young people in discussions around policy changes and work around key priorities through the Children in Care Council and the Care leavers Forum as well as the wider group of Children Looked After and Care leavers to gather a broad representation of views. This engagement could be facilitated through the Children's Rights Team, with support from other services. Krissy Podgorski, requested to hear the Boards thoughts on the ideas presented and asked for any other suggestions.

In response, the Board welcomed the idea of video submissions, and other methods of communication with Children Looked After and Care leavers (e.g.- voice recordings or written statements). The Board also requested that the details of upcoming meeting dates of the Children In Care Council and the Care Leaver Forum, and for an invitation to attend these meetings be shared with Board members.

The Board welcomed the idea of video submissions and requested that the details of upcoming meeting dates of the CIC and CLF, and an invitation to attend these meetings be shared with Board members. The Board also recommended that some meetings of the Corporate Parenting Board be set at a time appropriate to enable the attendance of young people with a young person friendly agenda.

The Ex-officio noted the importance of meeting children and young people in their environment as well as ensuring the agenda was appropriate and relevant to allow young people to engage and participate. It was also important to make sure there was a feedback loop to acknowledge ongoing positive work across Children's services. The Board agreed and further noted there was a skill development opportunity for the young people in being able to present to Board members.

The Board highlighted the Total Respect Training as positive, as well as asking Foster Carers questions via voice recording for presentation to the Board. The Board also supported the idea of hearing directly from young people of their experiences and for them to have the opportunity to ask board members questions but highlighted that the formality of the meeting may be intimidating so agreed with the idea of making the conversation more informal or sharing the questions to CIC and CLF to answer during the meeting beforehand.

The Board expressed enthusiasm for the ideas presented, there need to be direct contact where possible, but video and written submissions would also be welcomed. It was also important for the young people to understand why their voice was important.

The Board suggested taking a 'you said, we did' approach to create the feedback loop perhaps by sharing a video from Board members to communicate back actions to children to demonstrate the impact that they are having, and how their feedback is linked through the Board into discussions around policy. The Ex-officio added it was important to manage expectations and set parameters whilst acknowledging the importance of knowing what young people need.

The Board also suggested that 1:1 drop-in slot with councillors be held with young people for direct contact and feedback.

Anna Gledhill, Service Manager Quality Assurance and Safeguarding agreed to share the dates for the CIC and CLF and put together a proposal around the suggestions made by the Board and create the feedback loop to communicate back the responses from the Board. Rahila Habib, Service Manager – Family Support and Child Protection highlighted an upcoming meeting with the children in care council and care leavers forum and in respect of the corporate parenting Strategy and suggested asking them for their ideas for participation.

Jo-Anne Sanders, Service Director – Learning and Early Support highlighted the SEND transformation plan and Kirklees futures, and capturing the live experience, this was about taking a planned and co-ordinated approach to the suggestions made.

The Board highlighted the upcoming Foster carers celebration and requested that future invitations be extended to all Board members. The Board also noted the invitation to meet Foster Carers, and hear their views directly, at weekly Thursday morning meetings, and it was agreed that the Kirklees Fostering Network representative would provide the relevant details.

RESOLVED: The Board noted the Children’s Voice Presentation, and it was agreed that:

1. Anna Gledhill would share the dates of upcoming meetings of the Children in Care Council and Care Leavers Forum with an invitation to Board members to attend.
2. Rahila Habib would communicate the ideas around participation to the Children in Care Council and Care Leaver’s Forum as well as asking the young people to provide their own ideas for participation for inclusion.
3. A proposal around the discussed ideas for participation be created and that a plan for implementation be made.
4. The proposal should be centred around a feedback loop to communicate responses from the Board to young people to demonstrate impact.
5. Members of the Board be invited to a future meeting of the Kirklees Fostering Network and the Kirklees Fostering Network representative provide the relevant meeting details.
6. Future invitations to the foster carers celebration be extended to all Board members.

11. Virtual School Governing Body Update

Louise Hallas, Virtual School Head Teacher presented a verbal update in respect of the Virtual School Governing Body, and it was noted that:

- At the last meeting the Virtual School Governing Body were presented with the Annual Virtual School Headteacher report.
- This was followed by an analysis of persistent and unauthorised absences and action points were shared with the Governing Body.
- It was agreed that at the next meeting the Governing Body would receive a presentation from the new SEND Lead.
- This would include an analysis report in respect of young people with SEND and the action plan.

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- The Governing Body also planned to consider an update on the Virtual School's new duty to include all young people with a social worker.

RESOLVED: The Board noted the Virtual School Governing Body Update.

12. Update from Board Members on Interaction with Services

The Board noted verbal updates from Members in respect of interactions with Services and it was highlighted that:

- The Ex-officio noted the link between children looked after and adoption (particularly around children with SEND) and requested that the Board considers this pathway going forwards.
- The Ex-officio noted that the Children's scrutiny panel visited a Dewsbury cluster team meeting and highlighted that participation was found to be useful.
- The Chair noted attendance at a number of events including; the Kinship Carers event (Greenwood Centre), the Kinship carers Halloween party, Homestats AGM, the Kirklees Together Partnership Board, the Children's Partnership Event and the Kirklees Children's Safeguarding Board.
- The Chair had been interviewed by a representative from the LGA in respect of the West Yorkshire view of Children's social care.
- The Chair also visited Fairfield's School and presented the 'Democracy Friendly School Awards'
- It was highlighted that the students were to be invited to the Council Chamber in the New Year to learn about voting.
- The Chair had also attended the Mockingbird Project Celebration Event and the launch of 'Constellation', and the positive feedback received from Foster Carers was highlighted.
- The Board noted attendance at 'Woven' where the Board met the co-ordinator of the care leavers quilts exhibition in the piazza.
- This was highlighted as important work and Board members were encouraged to view these on exhibition.

RESOLVED: The Board noted the update on Interactions with Services.

13. Corporate Parenting Board Agenda Plan 2022/2023

The Board considered its agenda plan for 2022/23. It was noted there were a few items arising from the meeting to be added to the Plan.

RESOLVED: The Board noted the agenda plan for 2022/23 and it was agreed that:

1. The items highlighted during the meeting be added to the document for the Boards consideration.
2. The link between Children Looked After and Adoption (particularly around children with SEND) and this pathway be added to the work programme as highlighted under item 12.

Contact Officer: Jodie Harris

KIRKLEES COUNCIL

CORPORATE PARENTING BOARD

Tuesday 24 January 2023

- Present
- Councillor Viv Kendrick (Chair)
 - Councillor Elizabeth Reynolds
 - Councillor Karen Allison
 - Councillor John Lawson
 - Councillor Richard Smith
 - Councillor Andrew Marchington (ex-officio)
 - Colleen Kenworthy - Kirklees Fostering Network
 - Louise Hallas, Virtual School Head Teacher
 - Anna Gledhill, Service Manager Quality Assurance and Safeguarding
 - Ophelia Rix, Head of Service for Children in Care, Care Leavers and Looked After Children
 - Sara Miles, Head of Service – Resources, Improvement and Partnership
 - Elaine McShane, Service Director - Family Support and Child Protection
 - Tom Brailsford, Service Director (Resources, Improvement and Partnerships)
 - Stewart Horn, Head of Childrens Integrated Commissioning
- In Attendance
- Joel Hanna, Head of Service for Sufficiency for Children and Young People
 - Michelle Rawlings, Interim Head of One Adoption West Yorkshire
 - Nicola Steele, Service Delivery Manager – One Adoption West Yorkshire
 - Adele Lakey, Service Manager – Family Support and Child Protection
 - Vicky Metherringham, Service Director - Family Support and Child Protection
 - Helen Sanderson, Complaints and Represent Manager, Family Support and Child Protection
- Apologies:
- Jo-Anne Sanders, Service Director – Learning and Early Support
 - Gill Addy, Designated Nurse for Looked After Children

1. Membership of the Board/Apologies

The Board thanked Elaine McShane, Service Director - Family Support and Child Protection for her contributions to the Board and welcomed Vickey Metherringham as a Board member as the new Service Director - Family Support and Child Protection.

The Board noted that apologies had been received from Jo-Anne Sanders, Service Director – Learning and Early Support and Gill Addy, Designated Nurse for Looked After Children.

2. Minutes of the Previous Meeting

The Board considered the Minutes of the last meeting held on 15 November 2022.

RESOLVED: That the Minutes of the previous meeting be approved as a correct record.

3. Interests

No interests were declared.

4. Admission of the Public

It was agreed that all agenda items would be held in public session.

5. Deputations/Petitions

No deputations or petitions were received.

6. Public Question Time

No public questions were received.

7. One Adoption West Yorkshire Annual Report

The Board considered the One Adoption West Yorkshire Annual Report which was presented by Michelle Rawlings, Interim Head of One Adoption West Yorkshire (OAWY). Michelle summarised the work and developments of OAWY from April 2021 to March 2022 as set out in the report. It was highlighted that:

- OAWY had experienced some change during the reporting period, including interim appointments within the management and senior management team.
- This created some instability, but staff retention and recruitment remained positive, and staff sickness levels were low.
- Hybrid working arrangements had been implemented following consultation with staff and this was working well.
- OAWY continued to build on a strong working relationship with Kirklees Council; with Kirklees representatives as members of OAWY management Boards and operational leads meetings.
- There were also regular joint meetings between the Council and OAWY at a service manager/team manager level to maintain effective communication.
- During the reporting period there had been considerable change in the Multidisciplinary Team staffing which had impacted capacity.
- The Clinical Psychology Lead left the team in early 2022 and a new Psychology Lead had now been appointed.

- Discussions were ongoing with commissioners around the future of the Multidisciplinary Team and funding arrangements.
- Challenges relating to Medical Advisor capacity (not within Kirklees but in other authorities) and the issues around GP's progressing medicals for prospective adopters continued. These challenges had been escalated and raised in the relevant platforms.
- In terms of performance, 112 adopters were approved during the reporting period, which was a slight decrease from the previous year.
- Across West Yorkshire 197 children had an adoption plan, and 17 were in Kirklees.
- OAWY approved 27 households for sibling groups and 19 households who were open to offering early permanence.
- There were also 143 children across West Yorkshire with a placement order.
- OAWY continued to have challenges around sufficiency in West Yorkshire and there were more children with an adoption plan than approved families.
- 73% of children were placed with OAWY approved adopters which was an increase on 66% in the previous year.
- There was an improvement in the timeliness of children coming into care and being placed for adoption and from placement order to being matched with adopters.
- Continuing to improve performance in relation to timeliness in this area was a key priority.
- In relation to front door arrangements for prospective adopters, 2 team managers had oversight of all enquiries which improved the consistency of decision making.
- During the reporting period OAWY had a 'mystery-shopper exercise' and the feedback, which was very positive, highlighted that OAWY were very open and welcoming to prospective adopters and actively sought to remove any barriers.
- Adoption Panels continued online and had increased to 8 panels per month. 2 Panel Chairs had also been recruited which increased flexibility and improved capacity.
- Online Adoption Panels also increased diversity in Panel membership.
- The adoption support offer had been increased and both online and in person support options were available.
- 624 applications were made to the Adoption Support Fund (ASF) during the reporting period, and £2.5m was secured to support families in West Yorkshire.
- An additional £51,000 was secured in match funding from local authorities to support families whose needs exceeded the limit set by the ASF.
- OAWY offered a range of different support workshops and training opportunities such as 'Stay and Play' Groups, Therapeutic Parenting sessions, a specific group for single father's, single adopters and adopters who had adopted a child of different ethnicity, culture, or religion to themselves.
- During the reporting period there were 330 requests for access to records.
- This figure was increasing year on year, and OAWY had an appointed archivist to respond to these requests, whose work had recently received national recognition.
- There were 8 disruptions during the reporting period, but none were Kirklees Children.

- Internally there had been a range of audits undertaken including joint audits with Kirklees.
- The feedback from the audits had reassured OAWY around quality of their practice as well providing insight into key areas for development.
- In terms of the budget, had been a slight overspend during the reporting period but this had been covered by reserves.

The Board noted the update and were invited by the Chair to ask any questions. In the discussion to follow the Board highlighted that the report indicated that there was a shortage of perspective adopters in West Yorkshire from more diverse backgrounds to adopt and requested further explanation.

Michelle Rawlings responded to highlight that this was reflective of national challenges in recruiting adopters from more diverse backgrounds, and reassured the Board, that children were not only placed with adopters of same background and that ethnicity was a consideration but not overriding factor in respect of matching. However, it was important to encourage a more diverse cohort of adopters as it could help introduce different skills, knowledge and experiences amongst the cohort that could help children to better understand their identity, which included their ethnic and religious background. It was beneficial to seek adopters who had the relevant skills to meet all a child's support needs including helping them understand their identity, which was crucial to trauma experienced young people, and all these factors should be taken into consideration when matching children. It was also highlighted that regionally children did not wait longer for adoption because of ethnicity but there were national challenges.

The Board (ex-officio) highlighted that in Kirklees there was high number of Special Guardianship Orders (SGO's) and wanted to know if this had an impact on the number of children placed for adoption, and how this compared with other Local authority areas.

Michelle responded to agree that the decrease in adoption figures in Kirklees correlated with increasing SGO's. It was further advised that across West Yorkshire, there were different patterns in different areas and the data in relation to this was variable and dependent on those Local Authorities offers and priorities in relation to connected carers.

The Board highlighted that during the pandemic there were challenges in obtaining timely decisions from the courts and wanted to know if this had now improved or stabilised?

Michelle responded to advise that there had been significant improvements in the timeliness of the decisions from courts, and there were no longer delays in prioritising decision making around children planning and adoption orders. The Board welcomed the response as positive and reassuring.

The Board were interested to know if there was any research available in relation to the disconnect between the number of adopters and the number of children requiring adoption in West Yorkshire as opposed to the national picture.

In response, Michelle advised that this may partly be due to the demographic of the area and the impacts regionally of the Covid-19 pandemic. In West Yorkshire there was a high number of adopters recruited, but there was also still a higher number of children requiring adoption.

The Board noted the response and asked for the figures in terms of the number of adopters specifically for Kirklees. Michelle responded to advise that as OAWY are a regional agency that they did not breakdown the data by local authority area.

RESOLVED: The Board noted the One Adoption West Yorkshire Annual Report and thanked officers from One Adoption West Yorkshire for their update.

8. Children's Performance Highlights Report

The Board considered the latest Children's Performance Highlights Report giving key highlights on Performance Monitoring data for Children's Services. Ophelia Rix, Head of Service for Children in Care, Care Leavers and Looked After Children presented the key highlights in relation to Children Looked After Reviews and Missing and it was highlighted that:

- There had been a slight decline in relation to the performance data for Visits, and the service, continued to maintain oversight of this.
- The decline was partly due to delays in the recording of information or declined visits where there were no safeguarding concerns.
- Declined visits were a result of some children living with connected carers, who wanted the Council to afford them normal family life.
- Where this was the case, the service ensured there was clear oversight and no safeguarding concerns.
- The service also worked to ensure that children were safe through clear connections with the fostering service and schools.
- Some delayed visits were also planned, i.e.- where a social worker was off work the visit was delayed by a day, to allow a young persons regular social worker to visit and maintain consistency where it was safe to do so.

The Board noted the update and asked in respect of Children Looked After Reviews and Missing and in the discussion to follow asked a number of questions.

Responding to a question from the Board about the number of foster carers for out of area placements and whether the figure presented in the report (55) related to in house or IFA's foster carers, Tom Brailsford, Service Director (Resources, Improvement and Partnerships) agreed that the data would be provided to the Board to follow.

Responding to points highlighted by the Ex-officio, including staffing challenges in social work and continuing to keep children safe whilst managing the additional pressure on staff, Ophelia Rix reassured the Board that social worker vacancies were being managed through recruiting other practitioners who could bring additional skills to provide a network of support to children and young people. This included Family Support Workers and Youth Engagement Officers who would work alongside social workers to ensure that children were visited, and that the service continued to build good quality relationships with young people. In relation to education, employment and training, work was undertaken to ensure that there was a network of practitioners not

just within social work but within the wider Council who could continue to build those relationships and ensure children and young people were seen in a variety of settings, including the home, and schools.

Responding to a question from the Board about the number of foster carer vacancies, Tom Brailsford advised that this information was managed on a weekly basis through the new Dashboard and agreed that this information would be provided to the Board to follow.

Ophelia Rix, presented the monitoring data in relation to Care Leavers and highlighted that:

- Areas of concern related to the timeliness and quality of pathway planning.
- Pathway Planning was about ensuring young people were able to access further education employment and training.
- Work was being undertaken to understand how we work across the council to develop different opportunities for young people including working with the virtual school and our post 16 provision.
- There was a clear plan in development, and a commitment from the Council to drive this piece of work forward.
- The impact of these changes, would be presented to the Board to follow.

The Board agreed it was essential to individualise pathway plans and agreed to receive the data around impact of the work undertaken. The Board also asked if staff had dedicated time to complete admin work, and in response Ophelia Rix confirmed that all practitioners had protected dedicated time to record information on the system.

Louise Hallas, Virtual School Head Teacher presented the data in relation to Children Looked After Educational Outcomes, and it was highlighted that:

- 100% of PEPs had been completed within the Autumn Term with 100% initial PEPs completed withing 10 school days.
- The Virtual School was currently leading on all PEPs which were virtually held meetings.
- The Virtual School continued to work closely with social care to improve young people's educational experiences.
- 73% of school moves since the start of the academic year were carefully planned across the service to ensure a smooth transition with no break in provision.
- Attendance was key area of focus, which had reduced but there had been a lot of illness in the past month in addition to other reasons.
- Reducing the number of unauthorised absences in both frequency and duration was also a key priority of the Virtual School.
- There had been a reduction in the number of suspensions, and in the number of young people who are classed as PA (Persistent Absenteeism (90%).
- Not in full time education was another key area which impacted on attendance.
- School moves were very low in December but some of this was planned to ensure school moves were in line with the start of the new school term.

Stewart Horn, Head of Childrens Integrated Commissioning presented the data in relation to Children Looked After Health and it was highlighted that:

- Workload for the Children Looked After Nursing Team continued to be high but there was an improving picture in due to a temporary increase in staffing.
- Initial health assessments (IHA):
 - LA rolling 12-month data shows that 76.8% were completed in the statutory timescale.
 - Locala monthly data for November showed that 28 IHA's were completed + 3 for OLA, 100% in timescales.
 - The number of IHA's had doubled from the previous month and sees the largest increase since 2017.
- Review Health Assessments (RHA):
 - Kirklees rolling 12-month data shows that 86.9% and 91% of the 'Developmental' assessments (under 5yrs old) and 'Annual' assessments (over 5 yrs. old) were completed in statutory timescales.
 - Locala monthly data showed that 54% of under 5-year-olds and 62% of over 5-year-olds RHA's were completed in timescales.
 - This showed a continuing downward trend.
 - There were 19 inhouse breaches, with capacity and carer arrangements being the most common reasons.
 - A Business Case has been presented to the Commissioners to request additional nursing resources.
- Dental Checks (attended) within last 12 months:
 - Kirklees rolling 12-month data shows that 61.5% of children aged 1+, at the point of their RHA had attended the dentist.
 - 100% children over the age of 5 had registered with a dentist at the point of their last RHA.

In response to the Boards suggestion around increasing the accuracy of data in relation to dental checks through taking into account the information from foster carers (at 4-6 weekly visits from supervising social workers) Stewart Horn agreed to discuss this with Gill Addy, Designated Nurse.

The Board acknowledged that the team had been under pressure for a sustained period, and that a business case had been put forward to help resolve this. The Board further asked about the future of the flexible commissioning project highlighting its value and impact. The Board also requested to receive feedback from the Oral advisory group via the Designated Nurse. Stewart Horn agreed to bring information in response to the Boards comments to a future meeting of the Board.

RESOLVED: The Board noted the Children's Performance Highlights Report, and it was agreed that:

1. The breakdown of IFA and in-house foster carers for out of area placements be provided to the Board.
2. Data in relation to the number of Foster carer vacancies be provided to the Board.
3. An update in relation to the impact of improvements made to the timeliness and quality of pathway planning be provided to the Board.

4. Information relating to the future of the Flexible Commissioning Project be provided to the Board by the Designated Nurse.
5. Feedback from the Oral Advisory Group in relation to supporting children in Kirklees be provided to the Board by the Designated Nurse.
6. The possibility of including data in relation to dental checks from foster carers when reported to their supervising social worker by included in the monitoring figures. To be discussed with the Designated Nurse.

9. Childrens Services Annual Complaints Report.

The Board considered the Childrens Services Annual Complaints Report which was presented by Sara Miles, Head of Service – Resources, Improvement and Partnerships.

The Board noted the annual report set out the compliments and complaints regarding Children’s Social Care during the period of 01 April 2020 to 31 March 2022 and that:

- During 2021-22, 60 contacts (of 261) were made to team relating to 3 service areas of Care Leavers, Children Looked After and the Fostering Service
- Of the 60 contacts, 41 were complaints and 7 were made by children and young people (C&YP)
- All complaints made by C&YP were resolved to their satisfaction though the local resolutions process.
- This was positive for both the C&YP and in terms of learning how best to engage C&YP.
- C&YP were supported by the Children’s Rights Team through the process of raising a complaint.
- Section 9 of the report detailed the nature of the complaints raised, with effective communication being one of the main areas where a complaint was raised by C&YP.
- Section 10 highlighted the outcomes of the complaints, (i.e., upheld, partial upheld or not upheld).
- Section 12 of the report highlighted the learning from any complaints, around information sharing, implementation of new policies and the timeliness of decisions.
- The Children’s rights team worked closely with the responding managers across the 3 services areas to ensure responses were strengthened and to learn from the voice of C&YP.
- There was an action plan around areas for development going forward. Alongside this the team were looking to hold a practice learning day to further strengthen learning.

In response to a question from the Board around any significant thematic complaints, Helen Sanderson, Complaints and Represent Manager, Family Support and Child Protection advised that a key element was managing C&YP’s expectations about what can practically be achieved through the complaints system. The Complaints Team had been working closely with the Children’s Rights Team to address how to manage expectations from the start of the process.

The Board welcomed news of a practice learning day and noted the value in hearing the voices of children and young people noting previous Board discussions around this.

Ophelia Rix, Head of Service for Children in Care, Care Leavers and Looked After Children responded to advise that a plan was being developed in relation to the inclusion of C&YP's voice in the work of the Corporate Parenting Board, which was to be presented to the Board at the appropriate time. This involved working in collaboration with partner organisations and the Children's Rights Team to find a variety of avenues (such as a 'takeover week') to enable this, including arranging meetings at a time that was convenient to enable C&YP's participation. Linking into complaints, it was important to set clear expectations and appropriate timescales around the approach.

In response, the Board acknowledged comment about timescales but highlighted that the Board would be willing to be flexible about times of meetings to progress the work. The Board also highlighted the further work undertaken by the children's social work team around listening to and responding to C&YP as positive and suggested that this piece of work be reported on to share the learning and best practices across Children's Services.

RESOLVED: The Board noted the Childrens Services Annual Complaints Report, and it was agreed that:

1. The plan in respect of the inclusion of C&YP's voice in the work of the Corporate Parenting Board be presented to the Board at the appropriate time.
2. The work undertaken around learning from complaints and engaging with C&YP be reported on to share the learning and best practices across Children's Services

Virtual School Governing Body Update

The Board considered the Virtual School Governing Body Update, which was introduced by Councillor Carole Pattison, who highlighted the continuous positive work of the Virtual School Team and the resulting above average statistics. The appointment of a new Virtual School Team Manager had allowed for the Virtual School Head Teacher to focus on the virtual school action plan; and the consideration of the new dashboard, and the post-16 pupil premium plus pilot were noted as key highlights of the last meeting of the Governing body.

Louise Hallas, Virtual School Head Teacher presented a verbal update in respect of the Virtual School Governing Body, and it was noted that:

- At the last meeting of the Virtual School Governing Body, the new virtual school dashboard was considered.
- This was highlighted as positive in giving clarity to areas of focus, and sharing this information with Governors to enable their support and challenge.
- The action plan was the Virtual School Head Teachers key pieces of work to improve the education for children in care.

- An area welcomed by the Governing Body was the good relationship between the Virtual School and social care and the joint work undertaken around improving education for children in care.
- Unauthorized absence and persistent absence were key areas of focus as well as reducing number of children not in full time education.
- Another area discussed was finance and new commissions including the new post 16 pupil premium pilot.
 - This included a programme embedded with Kirklees College around helping college age children achieve their English and Maths qualifications as well as how to use these skills practically.
 - Kirklees College had committed to be a trauma informed college; the council had delivered training around emotional coaching in the college.
 - Pupil Premium was also being given directly to young people where needed in post-16 whilst the pilot was in place.
- Around improving aspirations for care leavers work was being undertaken around supporting young people into employment, further education and training.
- This included the commissioning of a careers event for younger children and their carers.

The Board noted the update and in respect of the Post-16 Pupil Premium Pilot highlighted it would be interesting to follow the cohort of children who were a part of this to monitor its impact in the long-term. The Board also asked about how the pilot funding could be accessed for children?

In response, Louise Hallas advised that the funding could be accessed through the electronic PEP system as in the same way as it was for statutory school age children. Though funding would be discussed at termly PEP's, Louise further highlighted that the Virtual School was also working with providers to discuss potential funding if required in between PEP's.

RESOLVED: The Board noted the Virtual School Governing Body Update, and it was agreed that consideration be given to following the cohort of children who were a part the Post-16 Pupil Premium Pilot to monitor its impact in the long-term.

10. Children's Ambition Board Update

The Board considered a verbal update in respect of the Children's Ambition Board which was presented by Tom Brailsford, Service Director (Resources, Improvement and Partnerships) who advised that 3 key improvement strategies were discussed, the Improvement Strategy for Social Care, the SEND Improvement Plan and the Kirklees Futures Learning Strategy. Service Directors presented the key data points both positive and areas of concern before considering the Kirklees Futures Learning Strategy in more depth.

RESOLVED: The Board noted the Children's Ambition Board update and it was agreed that the Minutes of the meetings of the Board be circulated to the Corporate Parenting Board.

11. Update from Board Members on Interaction with Services

The Board noted verbal updates from Members in respect of interactions with Services. The Chair of the Board reported attendance at:

- (17th November 2022) Childrens Emotional Wellbeing Partnership Event.
- (18th November 2022) Foster Carer Celebration Event.
- (25th November 2022) Online conference - Supporting fathers separated from children, and single fathers.
- (1st December 2022) Kirklees Families Together meeting.
- (2nd December 2022) a visit to the Rainbow baby bank to discuss the development of a new hub to form a drop-in centre for parents.
- (12th December 2022) a meeting of the Childrens Ambition Board.
- (13th December 2022) a meeting of the Yorkshire and Humber Lead member network as the Chair.
- (14th December 2022) a meeting of the Yorkshire and Humber Children's Improvement Board as the Chair.
- (20th December 2022) the Kinship Carers Christmas event.
- (6th January 2023) a meeting with Locala in respect of the Children's Nursing Team.
- (9th January 2023) a meeting of the Schools Organisation Advisory Group (SOAG).
- (17th January 2023) a virtual meeting of the Children's Assurance Panel
- (18th January 2023) Training with the LGA.

Councillor Elizabeth Reynolds also reported attendance at the Foster Carer Celebration Event and had been invited to attend a Mockingbird meeting in the coming weeks. Tom Brailsford, Service Director (Resources, Improvement and Partnerships) reported a visit to the Independent Visitors who gave a presentation around how they developed relationships with young people. Tom further suggested it would be helpful to invite the Independent Visitors to share this presentation with the Board. In response the Board added that Board members would welcome invitations to visit the Independent Visitors team also. The Chair of the Board further welcomed suggestions of other areas to visits from Board Members.

RESOLVED: The Board noted the update on Interactions with Services, and it was agreed that

1. Independent Visitors be invited to share their presentation around developing relationships with young people with the Board.
2. Board members visit the Independent Visitors Team.

12. Corporate Parenting Board Agenda Plan 2022/2023

The Board considered its agenda plan for 2022/23. It was noted there were new items arising from the meeting to be added to the Plan.

RESOLVED: The Board noted the agenda plan for 2022/23 and it was agreed that:

1. The items highlighted during the meeting be added to the document for the Boards consideration.
2. The child's voice report be presented at the next meeting of the Board.
3. The plan around the inclusion of the child's voice be brought forward and added to the agenda plan as soon as possible.

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Contact Officer: Jodie Harris

KIRKLEES COUNCIL
CORPORATE PARENTING BOARD

Tuesday 28th March 2023

Present: Councillor Viv Kendrick (Chair)
Councillor John Lawson
Councillor Carole Pattison
Councillor Elizabeth Reynolds
Councillor Andrew Marchington (ex-officio)
Gill Addy, Designated Nurse for Looked After Children and Care Leavers
Tom Brailsford, Service Director (Resources, Improvement and Partnerships)
Louise Hallas, Virtual School Head Teacher
Colleen Kenworthy, Kirklees Fostering Network
Mel Meggs, Strategic Director for Children's Services
Sara Miles, Head of Service - Resources, Improvement and Partnerships
Ophelia Rix, Head of Service for Children in Care, Care Leavers and Looked After Children

In attendance: Anna Gledhill, Head of Children's Improvement, Partnerships and Voice
Vicky Metherington, Service Director – Family Support and Child Protection
Krissy Podgorski, Team Manager – Children Looked after Independent Service
Zoe Prince, Service Manager - Resources, Improvement and Partnerships

Apologies: Councillor Richard Smith

1 Membership of the Board/Apologies

Apologies were received from Councillor Richard Smith.

2 Minutes of Previous Meeting

Gill Addy provided an update in respect to the Flexible Commissioning Project; each dental practice in the Yorkshire and the Humber region had now been contacted about this initiative, which was proving to be of real benefit in assisting with access to dental services for a number of vulnerable groups. The numbers of practices involved had increased overall and an updated list had been requested.

RESOLVED –

That the Minutes of the meeting of the Board held on 24 January 2023 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

All items took place in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Children's Performance Highlight Report

The Board considered the latest Children's Performance Highlights Report in respect of the performance monitoring data for Children's Services.

Ophelia Rix, Head of Service for Children in Care, Care Leavers and Looked After Children highlighted the following points:

- The data indicated an improving picture.
- Collaborative and creative work across the services was continuing. This included working alongside the Virtual School to ensure that these children and young people had access to education and were supported to remain in education.
- It was considered essential that feedback from young people was used to help shape services and strategy for the future and an engagement session had been scheduled for May. Further reports would be submitted to the Board in due course.
- The number of Special Guardianship Orders (SGOs) had increased, and the service was working to ensure appropriate support was provided to all SGO carers.

In response to questions and comments, it was explained that:

- An item would be scheduled on the Board's forward plan to provide comparative data in respect of accommodation and outcomes, including education outcomes, for those children being cared for under SGOs and those who were adopted or fostered.
- In terms of the improvement of timelines for transitional payments to foster carers adopting the child in their care; agreed transitional arrangements were in place across West Yorkshire. It was considered that these payments did assist with stability and transition and the process was therefore being reviewed to ensure the right outcomes.

Louise Hallas, the Virtual School Head Teacher explained that no new national benchmarking data was available in respect of education outcomes at this point in time. Personal Education Plans (PEP) continued to run at 100% up-to-date with a 99% figure for initial PEP completion within the relevant timescale. This figure had been impacted by issues with just one PEP.

Gill Addy, the Designated Nurse for Looked After Children and Care Leavers updated the Board in relation to the health data, which provided both twelve- month rolling and monthly figures:

- The rates for initial health assessments completed on time had improved to 85.9% since January.

Corporate Parenting Board - 28 March 2023

- A hybrid telephone/face-to-face model was still in use and this was proving to be successful.
- Those aged 16+ and Unaccompanied Asylum Seeking Children were seen face to face for initial assessments to aid engagement and understanding.
- Team capacity was a continuing challenge. A temporary part-time bank nurse was supporting the team. This had helped to ease some of the pressure and the data in respect of the review of health assessments indicated significant improvement.
- Background was given in respect of the breaches that had occurred in January and February, which were associated with capacity issues or flexibility to accommodate carer's arrangements amongst other things.
- The data on dental checks was skewed due to one of the systems automatically identifying a child as being 'out of date' upon reaching the age of one year but some dental practices not registering children until they were one, there had also been a number of large sibling groups.
- The monthly data was indicating positive figures for review of health assessments and registration with a dentist.
- Substance misuse that had a significant impact on daily life stood at 0.87%. If issues were identified, then a referral was made to the outreach service. Monthly review meetings took place to ensure that all young people had access to, or had been offered, appropriate support.

The report was noted.

7 Sufficiency Needs Assessment and Strategy

The Board considered the Sufficiency Needs Assessment and Strategy, January 2023 to March 2025, which aimed to establish a framework to assess, understand and forecast placement demand to ensure the provision of high-quality homes and care environments for those children and young people cared for by Kirklees.

Tom Brailsford, Service Director (Resources, Improvement and Partnerships) introduced the report with the following points being highlighted:

- The numbers of children looked after had reduced since 2020.
- Long-term placement stability (in current home for two and a half years or longer) was above the regional and national average.
- Placement stability for children with three or more moves in twelve months had increased since the last report, associated with capacity challenges, but was in line with regional and national averages.
- The majority of the children looked after by Kirklees were in family-based care settings, which was positive.
- The Authority needed to recruit further foster carers and increase its residential provision over the next three years to meet demand.

In response to questions, it was explained that the 'satellite' model would involve a maximum of six places, within a reasonable distance, being overseen by one manager of a registered children's home; this would facilitate increased capacity and would allow a flexible response if young people were in crisis or needed assessment.

The importance of for planning for the future was acknowledged and the report was welcomed.

8 **Annual Fostering Report**

The Annual Fostering Report, covering the period October 2021 to September 2022 was submitted to the Board.

Anna Gledhill, Head of Children's Improvement, Partnerships and Voice introduced the report and commented that:

- The next report would cover the six-month period between October 2022 and March 2023 to re-align the reporting period with financial reporting periods and to enable the service to provide comparative data from national and regional service reporting in future reports.
- There had been a significant reduction in the number of children looked after under the age of 1 year and a significant rise in the numbers over the age of 16 years, which impacted on sufficiency in terms of the foster carer profile.
- Between April 2021 and March 2022, 33 new fostering families had been approved and 26 had resigned or de-registered.
- Exit interviews were undertaken where possible, to establish if there was any learning to take on board from those resigning or being de-registered.
- The aim was to increase the number of initial enquiries and the conversion rate.
- An increase in the levels of allowance payable had been agreed for 2022/23 and consideration was being given to the figures for 2023/24.
- There had been an increase in the number of Special Guardianship Orders which was welcomed.
- 132 cases had been considered by the Fostering Panel.

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

- The refreshed Recruitment Plan included weekly performance meetings to review the figures, including the source of enquiries, and to achieve an understanding of the reasons why they had not progressed to the next stage including tracking the timescales and ensuring timely responses. Consideration was also being given to a targeted marketing plan, as achieving the right kind of enquiry would improve the conversion rate.
- The detail in each case was important, for example if it was just not the right time for one person, perhaps they could be contacted at a later stage. The panel was assured that enquiries were tracked and followed-up as appropriate.
- The Panel should maintain scrutiny in terms of the diversity of the Authority's foster carer profile.
- The work undertaken by the Authority's foster carers was invaluable and the significant level of work being undertaken by the Fostering Panel was recognised and appreciated.
- The Fostering Network had not been involved in the discussion around the allowances for 2022/23 but had been assured that this would happen for future years.

9 **Voice of the Child Report**

Corporate Parenting Board - 28 March 2023

The Board considered a report which aimed to represent the voice and key messages, themes and feedback from the Authority's children and young people, with a specific focus on those living in Kirklees children's homes.

Zoe Prince, Service Manager Safeguarding, Quality Assurance and Homes for Children introduced the report explaining that scoping work was being undertaken to establish how best children and young people might be facilitated to present their views to the Board. This would include consultation with the Children in Care Council and the wider looked after population, including those who were subject to Special Guardianship Orders.

The report was noted.

10 **Virtual School Governing Body Update**

The Board received an update from Councillor Carole Pattison, the Chair of the Virtual School Governing Body, and Louise Hallas, the Virtual School Head Teacher. They explained that:

- The Governing Body met every half term, with the last meeting having taken place on 28th February when a comprehensive and positive update had been provided by the Virtual School Head Teacher.
- Each meeting now included a focus on a particular issue in detail. At the February meeting this had been suspensions and exclusions. The Governing Body had been assured that the Virtual School was providing the necessary support. The Virtual School continued to have nil permanent exclusions; this was a key focus with the aim being to do everything possible to ensure the right thing for that child at that time.
- In response to a question about sharing learning from the Virtual School's approach, it was explained that this was a very complex area involving a significant amount of work in each individual case and dealing with a wide range of children and schools. It therefore might be difficult to identify any particular best practice but this would of course be done wherever possible.

The update was noted.

11 **Children's Ambition Board Update**

Tom Brailsford, Service Director (Resources, Improvement and Partnerships) updated the Board in relation to the work of the Children's Ambition Board including:

- A continued focus on the data associated with the improvement of the three key areas: family support and child protection, learning and early support and resources, improvement and partnership.
- Updating the three key strategies.
- A report on the quality and timeliness of Education Health and Care Plans.

The update was noted.

12 **Updates from Board Members on Interaction with Services**

The Board noted updates from Board Members in relation to progress and key issues following interaction with services and partners to provide challenge in the role of the Corporate Parent.

Corporate Parenting Board - 28 March 2023

Councillor Reynolds reported that she had attended a Mockingbird meeting which had involved a wide range of carers and a number of interesting discussions. Councillor Marchington reported that the Children's Scrutiny Panel had undertaken a number of visits including to the Child Protection Team clusters which had identified issues in respect of increasing caseloads, recruitment and retention. He had also attended a referral and review meeting which involved partners in the scrutiny of data and 'deep-dives' on particular cases.

The Panel thanked the members of the Children's Scrutiny Panel for the feedback provided as a result of this work.

The Chair reported that she had:

- Received a briefing in respect of unregistered/unregulated homes.
- Met with colleagues in the Special Educational Needs and Disabilities (SEND) Team, which had included a discussion about the approach to some very challenging situations.
- Attended the Children Looked After Council where she had been made very welcome and discussed how they might share their views with this Board. She noted that the timeliness of response to any issues they raised was very important to them and had undertaken to provide them with an overview of the role of the Corporate Parenting Board, and that she would attend a future meeting of the Care Leavers Forum.

The updates were noted.

13 **Corporate Parenting Board Agenda Plan 2022/23**

The Board considered the agenda plan for 2022/23.

Resolved –

That items in respect of:

- The multi-agency local authority partnership,
- Comparative data for outcomes of those cared for under Special Guardianship Orders, be added to the work programme.

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 24th November 2022

Present: Councillor Viv Kendrick (Chair)
Councillor Carole Pattison
Councillor Kath Pinnock
Richard Parry
Carol McKenna
Stacey Appleyard
James Creegan
Christine Fox
Superintendent Jim Griffiths
Liz Mear
Sean Rayner
Catherine Riley
Dr Nick Hardiker
Alasdair Brown

In attendance: Phil Longworth, Senior Manager, Integrated Support
Alex Chaplin, Strategy and Policy Officer
Lorna Peacock, Locala
Jo Richmond, Head of Communities
Matt England, Mid Yorkshire NHS Trust
Jo Hilton-Jones, Kirklees Council
Cllr Jackie Ramsay, Lead Member Health and Adults
Social Care Scrutiny Panel
Emily Parry-Harries, Consultant in Public Health
Alexia Gray, Head of Quality Standards and Safeguarding
Partnerships

Apologies: Councillor Musarrat Khan
Mel Meggs
Rachel Spencer-Henshall
Karen Jackson
Ruth Buchan
Len Richards
Jacqui Gedman

24 Membership of the Board/Apologies

Apologies were received from Cllr Musarrat Khan, Karen Jackson, Len Richards, Mel Meggs, Ruth Buchan, and Jacqui Gedman.

Lorna Peacock attended as sub for Karen Jackson
Matt England attended as sub for Len Richards
Emily Parry-Harries attended as sub for Rachel Spencer-Henshall

25 Minutes of previous meeting

That the minutes of the meeting held on the 22 September 2022, be approved as a correct record.

26 Interests

No interests were declared.

27 Admission of the Public

All agenda items were considered in public session.

28 Deputations/Petitions

No deputations or petitions were received.

29 Public Question Time

No public questions were asked.

30 Inclusive Communities Framework

Jo Richmond, Head of Communities Kirklees, provided an update on the Inclusive Communities Framework (ICF). The Board was advised that the ICF initially started as a discussion regarding revisiting the cohesion strategy. From the discussions it became evident from talking to partners and listening to feedback from communities, there were questions about what does cohesion mean to people and what is the role in supporting cohesion as an outcome, rather than a problem to be fixed.

Cohesion was taking people down a singular lens, and the aim was to broaden that as communities and partners saw that in a much more holistic way. The conversations with communities became very much about feeling included and what needed to be in place for them to feel included. People talked about feeling safe, being able to participate, being able to get a job or training, having good schools, feeling heard and feeling wanted. They talked about being able to live a good life and being able to access services that they needed. It was very much about how people felt about their local place, their local environment, their connections with other people and with services. A piece of work was started across the system, involving many people who wanted to be involved on how to move from cohesion to inclusion.

It became clear that a framework would be much more useful because that was about doing, and although strategies are about doing, a strategy is also quite a focused piece of work in terms of cohesion and inclusion. It was important not just to have a strategy document that would be sat on a shelf, it was felt that a framework would be an active document that could be used with any piece of work in any organisation, large or small.

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The Board was informed that the framework has a number of core pillars within it, with a starting point that communities hold solutions and a belief that it is important to build a sense of belonging to encourage people to feel included

Believing, belonging, and care, became the underpinning pillars, and, in terms of the doing, that became about self-reflection. The approaches have been turned into a self-assessment which aims to build a sense of trust on how to include people, how to connect with people, communicating and celebrating and trying to keep it simple, because the tool is a document to enable reflection on what is being undertaken and the approach. The framework should prompt a conversation, and this has been tried during the development of the framework and in local places. It has also been tested out with other services and through self-assessment looking at ways that things can be done differently.

- The aim is to try this in local places with local services, people, and elected members
- Through self-assessment, find ways to work differently and build on what works
- Working alongside communities to identify ways to:
 - Connect
 - Communicate
 - Share power/equalise
 - Build trust
 - Celebrate alongside

The framework amplifies some good practice, and within the document there are examples of how people have done things that can be drawn on, and learned from. It aims to put in one place, all of the practice for example anti-oppressive practice, trauma informed practice, asset based and restorative practice. All of those practices are in one place within the document and people can link into those and have a look at what best fits with their organisation. It will then be reviewed in approximately 12 months to see what difference it has made, and if it is making the expected impact and that working alongside communities is more effective.

The Board was informed that the framework is currently being rolled out having been adopted by full council. There is a plan regarding how this will be disseminated through the organisation, and it will be incremental, it will grow and spread and will probably be tweaked as a result of learning along the way.

Board members were asked to consider if there was a way of using this framework within their respective organisations and be one of the early adopters?

In response to the information presented a number of questions were asked and comments made as follows:

- If an organisation wanted to explore this further or take this on, what should they do and how do they get hold of the documents?
- There have been conversations regarding the best way of taking this forward, disseminating it and using it and it was felt that the best route would be to take it through the Integrated Care Board Committee (ICB) with the recommendation that people endorse the approach, and the partners in the ICB Committee take it

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away and think about how they best use it within their organisations. This will be alongside the other approaches that they have to working with communities, it is not intended to replace a lot of the good work that goes on, but it is intended to complement and supplement it.

- It would be useful to have a further conversation regarding the role the VCS can play within this, particularly the mental and physical health impact and the preventative side
- An interesting aspect will be the feedback and for organisations to come back with examples

The Board was informed that any organisation who would like a copy of the framework or further discussions, should in the first instance contact Jo Richmond. Work is being undertaken to build a small team of people who will be able to come out and go through the self-assessment and provide assistance where necessary.

Cllr Carole Pattison, Chair of the Community Partnership Board (CPB), informed the Health and Wellbeing Board that it was the CPB that started this off, and it is heartening to see how all partners, are taking this framework on board and it will be good to receive feedback.

RESOLVED

That Jo Richmond be thanked for providing an update on the Inclusive Communities Framework.

31

Kirklees Health and Wellbeing Strategy implementation plan

Emily Parry-Harries, Alex Chaplin, Stacey Appleyard, and Jo Hilton-Jones provided an update on the implementation of the Kirklees Health and Wellbeing Strategy (KHWS). The Board was informed that the focus of the discussion, is the role that the Health and Wellbeing Board, and the individual organisations represented on the Board, will play in making the Health and Wellbeing Strategy into a strategy that is being practically used in formal and informal partnerships.

The Board was reminded that:

- the Health and Wellbeing Strategy was approved by the Board in September 2022
- the strategy is a high-level strategy, and it is the interdependencies with the other high level strategies that will bring this to life and give it the ability to be practically applied
- appended to the agenda papers is a timetable for when each of the individual strategies will come before the Health and Wellbeing Board

The Board was asked to consider when the strategy was going to be used, in order for it to become integral to how things are undertaken. It was explained that the discussion on the strategy was timely coming after the Inclusive Communities Framework, because these two together, form an important part of our vision and values.

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Emily Parry-Harries gave a special note of thanks to Phil Longworth for the work he has undertaken on the Health and Wellbeing Strategy, and more broadly on his last meeting of the Health and Wellbeing Board as he moves into semi-retirement.

Talking to the presentation, Alex Chaplin advised that when it comes to the delivery of the KHWS, delivery will be mainly through the actions on the following priorities:

- Mental wellbeing, delivered through the Kirklees all Age Mental Health Strategy and overseen by the Mental Health Alliance
- Healthy places, which would be arrangements for oversight of this priorities, which is still being developed
- Connected care and support, delivered through the emerging Kirklees Health and Care Plan, and overseen through the Kirklees Health and Care Partnership

There will be some work undertaken around raising awareness with people who live, work and study in Kirklees, regarding how to take care of their own health and wellbeing. The Health and Wellbeing Strategy sits alongside the Inclusive Communities Framework, the Environment Strategy, and the Inclusive Economy Strategy, which are some examples of the various strategies and plans that will sit alongside all of those top tier strategies.

Stacey Appleyard, Healthwatch, informed the Board that work is being undertaken to pull together a communications plan to raise awareness of the work that has been done on the strategy. The aim is to develop a suite of resources and toolkit for partners and stakeholders to share and spread the word even further.

Some of that work will be to produce plain English infographics, specifically to the people that were spoken to as part of an engagement. Approximately 12 months ago, Healthwatch spoke to people about what their future health and wellbeing aspirations were, and it is about closing that feedback loop with those people. Approximately 6000 people who live, work and study in Kirklees were part of the engagement and the aim is to go back to those people and close the feedback loop.

There are a couple of different ideas regarding raising awareness in terms of an interactive content website where people be it stakeholder, partners, or the public, can use the interactive website to highlight how they can use some of that in action, some of the 'I' statements and some of the priorities. A locality version of the strategy will be produced that connects local activity and plans and also be a self-assessment tool to support organisations identify how they can implement the health and wellbeing strategy locally.

The Board was informed that with the work being undertaken, it will be important to know if it has made any difference. At a previous meeting of the board, there was a discussion regarding shared outcomes which are a key element of the strategy. In refreshing the Health and Wellbeing Strategy, it has been made clear where the other top tier strategies pick up particular emphasis on the outcomes.

Work is underway to refresh of the basket of headline indicators that have been in place for several years, and an important consideration is how the indicators help the understanding of inequalities in Kirklees. They will indicate that things are going

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in the right direction and that the work is making a difference and in an accumulative fashion, it is having an impact on the health and well-being of the population of Kirklees.

In addition to these headline indicators each of the three KHWS priorities have also identified a range of 'success indicators'. This will be one of the tools to help people use the indicators in their planning, delivery and 'check and challenge' for their service, organisations, and partnerships.

The Board was informed that with regard to embedding the ways of working, the following are included in the strategy. The engagement activity that was undertaken to develop the strategy highlighted a range of issues about how work with individuals, families, communities and together as partners and various organisations. There are a set of clear values and other ways of working as follows:

- We work with communities and individuals, and don't do things to them
- We recognise that who you are, and where you live, work or study, impacts on your health, wellbeing, and inequalities
- We make the most of the diverse knowledge, experience and skills of our communities and colleagues
- We develop and strengthen skills and resources in local communities and organisations
- We have the courage to be creative and innovative
- We make sure our work is intelligence, evidence and insight driven
- We focus on prevention and early identification and intervention
- We build and maintain strong relationships with effective working partnerships and systems
- We provide high support and high challenge to partners and colleagues

Jo Hilton-Jones, Public Health Manager, advised that the check and challenge is the process that provides assurance for the Board that the partnership and partners are delivering what is set out in the Kirklees health and wellbeing strategy, tackling inequalities, and delivering against the vision and values.

The Board was asked to comment on, and support the proposed approach to the Kirklees Health and Wellbeing Strategy, and to consider how board members can support the different elements of the KHWS implementation plan.

In response to the information presented a number of questions were asked and comments made as follows:

- It will be important to keep an eye on tackling inequalities because with the current financial challenges being faced by people, and the cost-of-living crisis, this will have an impact on their health and their family's health, and it is going to be a challenge
- It will be good to have the one priority coming back to be reported on, and for a deep dive, however, would it also be possible to have an update on the other priorities even if it is just a summary
- When sending out surveys and engaging with communities, it can often be difficult to get responses from a diverse range of people, however it has to be

noted that the engagement reached communities who may not otherwise have engaged, and it is impressive that 6000 contacts were made, and it should be celebrated

RESOLVED

That

- a) the Board supports the proposed approach to implementing the Kirklees Health and Wellbeing Strategy
- b) Emily Parry-Harries, Alex Chaplin, Stacey Appleyard, and Jo Hilton-Jones be thanked for providing an update on the Kirklees Health and Wellbeing Strategy implementation plan

32 Future Commissioning Arrangements for Community Pharmacy, Optometry and Dental Services

Carol McKenna, Kirklees ICB Accountable Officer, updated the Board on future commissioning arrangements for Community Pharmacy, Optometry and Dental Services. The Board was informed that the aim is to provide an update on the changes in commissioning, while acknowledging the scale of some of the challenges that exists for example around access to dental services.

The Board was informed that dental services have been commissioned by NHS England since 2013, and previous to that, they were commissioned by Primary Care Trusts. When Clinical Commissioning Groups (CCGs) were established, that responsibility transferred to NHS England and that has been the case since then. It has been over nine years since these services were commissioned locally within Kirklees.

The establishment of Integrated Care Boards under the Health and Care Act earlier this year, has changed things. As part of that, there was the expectation that service commissioning for dental, community pharmacy and optometry, would be delegated from NHS England into Integrated Care Boards (ICB). The commissioning of general medical services, for example General Practice Services, was delegated from NHS England to CCGs some years ago, and that arrangement continued into the ICB, however this was not the case for the three independent contractors, which is now being changed.

The delegation of what are called 'POD' services, pharmacy, optometrists, and dentists, is included within the scope of delegation from NHS England to ICBs, and there have been some flexibility around when ICBs would take this on. It is the intention for the West Yorkshire ICB to assume delegation for pod services on the 1st of April 2023. The delegation of community pharmacies services include responsibility for GP dispensing services, and dental, includes primary, secondary, and urgent dental services. In order to manage this process and be prepared for the 1st of April 2023, there has been an assessment process undertaken. The ICB has been working with its places to pull together an assessment of where things currently are, and complete the assessment framework for consideration by NHS England which will demonstrate readiness to take on the delegation. This is known as the pre Delegation Assessment Framework, which was submitted to NHS England at the end of September 2022.

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It covers a range of areas including quality and transformation, governance and leadership, finance and capability and capacity. That was completed and submitted in accordance with the timescales. NHS England moderation panel met in October 2022, and West Yorkshire have been approved to take on responsibility for the delegation of these services from the 1st of April next year. That is subject to the final decision by the NHS England Board on the 1st of December, however, the recommendation that will be going to that board will be that West Yorkshire can take on this delegation.

The Board was informed that there are some risks that have been identified, and it appears that what has been described may appear to seem like a one-way process with the ICB having to demonstrate to NHS England, West Yorkshires ability to take on this delegation. There have however, been three particular risks that have been highlighted as part of this process from the ICB into NHS England.

- 1) There was the need for some assurance regarding the full transfer of the workforce capacity from NHS England. Those people who are currently working on this with NHS England, the resources needs be transferred to West Yorkshire to support that delivery
- 2) An assurance that there is sufficient funding to commission the service to a satisfactory standard
- 3) A full understanding of the service issues that will be taken on under delegation and a commitment from NHS England to work together to manage to best effect any future contractual flexibilities that will support addressing those issues, particularly with dental services

Some key risks have been identified from an ICB perspective, in addition to identifying a number of service issues and priorities. Healthwatch have previously spoken about this, and board members will also be aware that there are national and local issues relating to access to NHS dental services. The sort of issues highlighted and some of the challenges are similar to those across the health and care sector, such as workforce pressures due to the recruitment and retention issues for NHS dentistry, and also some challenges that result from the nature of the national dental contract.

West Yorkshire ICB are on track to take on responsibility for commissioning those services from the 1st of April and the intention behind that, is it is bringing it closer to the local population. That should make it easier to be able to identify solutions at both place and locality level.

In response to the information presented a number of questions were asked and comments made as follows:

- In respect of dental contracts, do different practices get paid different tariffs, as some dental practices find it difficult to make ends meet on the tariffs that they are on, whereas others are potentially making a profit on the tariffs they are on. Would the ICB have the power to make that more equal, particularly when considering inequality to promote a higher tariff in those areas where there are more oral hygiene, oral health issues

RESOLVED

That Carol Mckenna be thanked for providing an update on future commissioning arrangements for Community Pharmacy, Optometry and Dental Services.

33

Adult Social Care Reforms

Alexia Gray, Head of Quality Standards and Safeguarding Partnerships, provided the Board with an update on Adult Social Care Reforms. In summary, the Board was informed that the reform builds on existing social care legislation such as the 2014 Care Act, and two further white papers which put greater emphasis on personalisation, housing, technology enabled care, and carers. It is important to note that much of that was already being undertaken in Kirklees.

The Health and Care Act received royal assent on the 28th April 2022 and there are four key components:

- 1 A cap on the amount any individual can spend on their personal care over a lifetime, round £86,000
- 2 A more generous system of means testing
- 3 A 'fair' cost of care will be established to support providers; and
- 4 Enactment of section 18(3) of the Care Act which will mean all individuals can ask the local authority to arrange their care (self-funders). This would have implications around the numbers of people coming forward and the increased number of assessments that would be needed to be able to respond to that both financial and Care Act assessments

The original implementation date for these changes was October 2023. In the recent Budget Statement the Government deferred the implementation until 2025.

The Board was informed that the funding reforms were just part of a much wider programme of change, which includes a period of recovery from Covid, particularly around workforce recovery, backlogs of assessment and reviews, and the impact of the NHS recovery from the pandemic and much of that is still ongoing.

In addition to the components listed above there are also reforms in the assurance arrangements for local authority adult social care functions, introduction of liberty protection safeguarding in 2023 and the continued drive for health and social care integration. Delivering on these will also require transformation around systems and technology, new operator/delivery models and workforce development to support new models of care.

The Council has established a social care reform oversight group with various work streams to oversee this work. Two strands of this work were highlighted: market sustainability and the changes in CQCs remit.

The market sustainability exercise - a government programme that is aimed at local authorities preparing the adult social care market for reform and to support the move, to paying providers fair cost of care. It was aimed to determine what is a fair cost of care that is reflective of local circumstances with the idea being that it would

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help to shape future markets. The services that were in scope were standard and/or enhanced residential and nursing care (age 65+) and domiciliary care (age 18+).

The exercise has been completed in Kirklees, and that needed to be submitted on the 14th of October. The intention is that the Department for Health and Social Care will look at the submissions nationally throughout the course of November and feedback could be provided in December, and Kirklees could hopefully publish its market position statement in January.

The Health and Care Act 2022 puts CQC assessment of local authorities on a statutory footing. The CQC assurance framework is due to be introduced in April 2023. This includes:

- A duty for the Care Quality Commission (CQC) to independently review and assess local authority performance in delivering their adult social care duties from 2023/24
- Implementing an adult social care data framework to improve the quality and availability of data nationally, regionally, and locally
- New legal powers for the Secretary of State to intervene in local authorities to secure improvement
- An increase in improvement funding to support local authorities to improve and deliver reforms.

The CQC has also recently announced that it will be using a Single Assessment Framework for all health and care services. The Framework is based on five key questions underpinned by quality statements and will assess providers, local authorities, and integrated care systems with a consistent set of key themes, from registration through to ongoing assessment.

The assessment will be across 4 themes:

- working with people - that will touch on assessments and supporting people to live healthier
- providing support - the care provision partnerships and the community-based services and early interventions
- ensuring safety - safe systems, pathways and transitions and the role of the Safeguarding Board
- leadership and workforce - governance, management and sustainability, learning, improvement, and innovation

The Board was informed that in terms of the summary of key work to support adult social care transformation and the next step, these include

- Fair cost of care exercise submitted 14th Oct – await feedback from DHSC to inform Market Position Statement
- CQC readiness
- Working on the local account in conjunction with Association of Directors of Adult Social Service
- Modelling up number of self-funders in the community
- Exploring/implementing digital options (e.g. online Care Act Assessments)

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- Engagement with ICS/ICB structures to reinforce the scale and pace of reform and implications for local authorities
- Commissioning external support to undertake diagnostics (leading to a change programme) for increased volume demand and trajectories, including Social Care Reform implementation and identifying further potential efficiencies
- Considering impact on inclusion and inequalities (Gov impact assessments and local Integrated Impact Assessment)

In response to the information presented a number of questions were asked and comments made as follows:

- The sector has generally been underfunded for many years which means that the sector's got a lack of ability to reinvest into its own businesses and provide better services and quality and in its current format it is unsustainable. In Kirklees, approximately 8-9 care homes and services have left the market in the last 6-8 months and that is the tip of the iceberg. With the cost-of-living crisis, rising fuel costs, food cost, workforce costs and non-increasing income, and in real terms it is a reducing stream it means more providers may be on the edge

RESOLVED

That Alexia Gray be thanked for providing an update on Adult Social Care Reforms

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Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 19th January 2023

Present: Councillor Viv Kendrick (Chair)
Councillor Carole Pattison
Councillor Kath Pinnock
Richard Parry
Carol McKenna
Karen Jackson
James Creegan
Christine Fox
Superintendent Jim Griffiths
Liz Mear
Sean Rayner
Catherine Riley
Dr Nick Hardiker
Alasdair Brown
Dr Khalid Naeem

In attendance: Alex Chaplin, Strategy and Policy Officer
Rebecca Elliott, Public Health Manager
Paul Howatson, Programme Manager, Mental Health,
and Learning
Rachel Milson, Senior Strategic Planning and
Development Manager
Esther Ashman, Associate Director, Strategy
Diane McKerracher, Chair of Locala
Jo Hilton-Jones, Public Health Manager
Dawn Parkes, Mid Yorkshire Hospital

Observers: Councillor Elizabeth Raynor

Apologies: Councillor Musarrat Khan
Councillor Mark Thompson
Ruth Buchan
Jacqui Gedman

34 Membership of the Board/Apologies

Apologies were received from Cllr Musarrat Khan, Cllr Mark Thompson, Rachel Spencer-Henshall and Ruth Buchan.

Emily Parry-Harries attended as sub for Rachel Spencer-Henshall.

35 Minutes of previous meeting

That the minutes of the meeting held on the 24th November 2022 be approved as a correct record.

36 Interests

No interests were declared.

37 Admission of the Public

All agenda items were considered in public session.

38 Deputations/Petitions

No deputations or petitions were received.

39 Public Question Time

No public questions were asked.

40 Appointment of Deputy Chair

The Board nominated and seconded the appointment of Dr Nick Hardiker as the Deputy Chair of the Health and Wellbeing Board for 2022/23.

RESOLVED:

That Dr Nick Hardiker be appointed as Deputy Chair of the Board for 2022/23.

41 Implementing the Kirklees Health and Wellbeing Strategy Progress Report

Alex Chaplin, Strategy and Policy Officer, provided a progress update on implementing the Kirklees Health and Wellbeing Strategy (KHWS). The Health and Wellbeing Board (Board) was reminded that at the last meeting a schedule was agreed for the KHWS updates, and there would be a deep dive on one of the three KHWS priorities at each board meeting. The priority feature for the deep dive at today's meeting will be on 'Mental Wellbeing,' and then moving forward to March, the focus will be on 'Connected Care and Support,' and at a subsequent meeting, the focus will be on 'Healthy Places.' In addition, there will be summary updates on the other priorities.

The Board was informed that there has been some progress on the communication plan that has been put together by Healthwatch. Work has also been undertaken with Healthwatch to identify what the objectives are around raising awareness, to inspire people with the work, to help and show how the strategies unit plans are delivered and to identify the key audience. This is outlined in the strategy as people who live, work or study in Kirklees, which is the target audience. There is a general timeline for the communication plan, however further work is needed to finalise the plan and there will be a further detailed update at the next meeting.

In response to the information presented, the Board ask questions and made comments including some of the following:

- The previous minutes mentioned the development of a self-assessment tool kit, for organisations to check and challenge themselves against the strategy, has there been any progress on the toolkit?

RESOLVED:

That the progress report on implementing the Kirklees Health and Wellbeing Strategy be noted by the Board.

- 42 **Kirklees Health and Wellbeing Strategy Priorities - Mental Wellbeing Update**
Rebecca Elliot, Public Health Manager and Paul Howatson, Programme Manager provided an update on the Kirklees Health and Wellbeing Strategy priority on Mental Wellbeing. In summary, the Board was advised that the aim of the discussion will be to highlight the commitments made, highlight the success indicators, discuss the delivery on the 'I statements' and the local partner actions, touch on the recent successes and challenges currently being faced, and discuss the contribution that this priority makes to other top tier strategies, including the Kirklees outcomes and the ten ambitions of the Integrated Care Board.

Referring to a set of slides, the Board was reminded that the vision for the KHWS is:

“People who live, work or study in Kirklees live their best lives with good health and wellbeing, free from inequality, stigma, discrimination and barriers, so they can do and enjoy the things that matter to them.”

The information presented showed the links between the three main priorities of the KHWS and how they help to achieve the outcomes for Kirklees. In relation to mental wellbeing, a summary of the information presented is as follows:

- Best Start Outcome - there is an important link between parental mental health and the impact that has on a child's mental health. It is also important to support family wellbeing even before conception. It is recognised that half of lifetime mental illness starts before the age of 14.
- Well outcome - people with a diagnosed mental health condition, die on average 15 years earlier than those without, and protective factors such as being in good employment and being connected to other people and your place, plays an important part in keeping people with mental health conditions well.
- Independent Outcome – the aim is to overcome in Kirklees, the unfortunate shame and stigma that people with mental health conditions still experience, and to enable people with mental health conditions to live well and thrive, and that their mental health condition does not hold them back.

The commitment that was made and outlined in the KHWS for mental health in respect of the ambition, is that “everyone in Kirklees achieves good mental health and has a good quality of life with purpose and fulfilment throughout their lives.” The Board was directed to a list of the success indicators to be used throughout the duration of the KHWS to be able to monitor progress.

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The success indicators are a mix of qualitative and quantitative indicators which is particularly important when it comes to the mental health priority. The aim is to be able to not only look at numbers, trends, and data, but also to be able to understand the stories behind the data.

Success indicators include:

- % of people feeling happy
- % of people feeling life is worthwhile
- **% of people feeling lonely***
- Self-reported mental health
- **Adult emotional wellbeing***
- **Emotional wellbeing of 13/14 year olds***
 - Self-harm rate
 - Suicide rate

Qualitative

- News stories
- Testimonies with people with lived experience

(***bold** = shared outcome headline indicator)

The Board was informed that a number of 'I statements' were agreed for mental wellbeing priority including:

- "I would like support to help me take control of my own mental health"
- "I would like mental health care and support to be available with my own local community"

The Board was informed that much of the work is already being undertaken round the mental wellbeing priority, for example the development of training packages called 'Mental Health for You and Others,' which is being developed with Public Health and wellness colleagues. The aim is to promote the fact that "you can't help people with their own mental health unless you are able to recognise and support your own mental health and self-care." There is the Primary Care Community Health transformation work in Kirklees, aimed at increasing resources to communities and the integration of mental health into other social support, for example financial support and foodbanks.

There is the development of the 'Live Well Kirklees' website which also includes access to a mental health microsite for Kirklees and this is aimed at making access to knowing what is available as easy as possible for Kirklees residents. There is the mental health 24/7 support line, in addition to the recent development of the social prescribing link workers in Kirklees.

There are also mental health support teams in schools and whole school approaches that are being delivered across Kirklees schools which aims to provide easier access to children across the school network. There are other resources available for children and young people such as 'Kooth,' which is an

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online anonymous mental health support chat health, and senior mental health training being rolled out across schools in Kirklees.

Referring to a set of slides the Board was informed that local partners had agreed a number of actions as follows:

- “We will work together to promote the protective factors for mental health for all ages: connection to others, learning, being in work, good housing, physical activity, giving back and purpose,” - **individual placement and support and social prescribing offer.**

The Kirklees Employment Service, is for people with mental health problems to encourage and support them back into work, however for those with a more severe mental health problem, the individual placement and support service is commissioned through Southwest Yorkshire Partnership Foundation Trust (SWYFT). The Trust recently scored highly in their fidelity audit of the success of the placements and the success of the work they were undertaking. It was positive for a new service to score highly in their audit.

The social prescribing offer working out of Primary Care in GP surgeries, where people are encouraged to go for other activities. Supporting good mental health is not just about a prescription or some time off work, it is also encouraging people to overcome social isolation and loneliness. Another scheme is the ‘Get Set Goal Scheme,’ that is championed through the Health and Wellbeing Academy at Huddersfield University. There are many initiatives that are happening.

- “We will work together to raise awareness about mental wellbeing, create a positive culture, reduce stigma, and promote prevention, early intervention, and recovery throughout all we do across Kirklees” – **celebrating and supporting experts by experience to shape services and say what has been helpful to them.**

Within the Kirklees Mental Health Alliance, it is recognised that service users stories are important to really focus activities. During Covid, service users stayed away from meetings and some of that connection was lost. Since then, the alliance has developed a recruitment pack to promote service users to come and tell their story, not just their own story, to have that collective view regarding what is good about services locally and what could be improved. Work is currently being undertaken to get that lived experience voice back into meetings to help shape thinking.

- “We will provide opportunities to increase protective factors for children’s mental wellbeing, being active, eating well, connecting with peers and friends, learning a new hobby,” - **Family Together Model, Our Space, holiday activities and food programme.**

Colleagues from the Integrated Children’s Commissioning Team shared information on the ‘Families Together Model,’ ‘Our Space,’ holiday activities and food programme. At this time with the current economic crisis the food programme, it is important that children and young people are eating well, eating healthily, and eating regularly.

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The Board was informed that with regard to suicide prevention, undertaking training and reducing stigma, there is now a local training offer and increasing awareness of how to respond, in addition to the development of community conversation guides. There is a great deal of training available, and it is ensuring that as many people as possible have access to it and utilise the techniques from 'Safe Talk' or the suicide assist models which are nationally recognised. Experts in mental wellbeing, 'Touch Stone,' is one of the voluntary and community sector agencies for advocacy and there are also peer support workers that are working with the community teams in SWYFT helping people on discharge from hospital to build their personal resilience and help them back into communities.

It is important that services are where they can intervene early and are accessible and available to local communities. A programme of work, jointly being worked on by the Integrated Care Board and local authority is the Primary Care Community Mental Health Transformation Programme, which aims to recruit mental health specialist roles into Primary Care, to ensure that these workers are available in local communities.

The Board was informed that some of the recent successes include:

Inequalities - through the mental health programme, inequalities has always been a key theme to work towards, working across the different partner organisations within the Kirklees Mental Health Alliance to deliver inclusion across the mental health portfolio. Through a recent suicide prevention wave of funding and community grants project, it is ensuring that all projects focus on those who suffer inequity of access or inequalities by virtue of protected characteristics or other reasons.

Within Primary Care, there is the Physical Health and Wellness Team that are helping to undertake the annual health checks for people with severe mental illness. The team has had good success working with primary care colleagues to get people in for their annual screening and making sure they are doing all right and have a conversation with them which is just as important.

Shaped by People – Kirklees Mental Health Alliance is undertaking a recruitment exercise for new service user representatives.

Poverty – foodbanks, tackling poverty partnership and grant funded projects (taking a joined up approach to wellbeing and poverty, local welfare team)

Digital – embracing the technology, expansion of 'Kooth,' grief and loss service, and 24/7 mental health helpline.

Housing – specialist accommodation strategy and review of specialist accommodation for people with mental health needs. The mental health training for housing staff has been well received.

Climate emergency – opportunity for learning from raised anxiety and low mood from the Covid years, understanding the children and young people view.

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The Board was informed that the relevant ambitions from the Integrated Care Board Strategy (ICB), which are still key include:

- increasing the years of life that people live in good health in West Yorkshire
- achieving a 10% reduction in the gap in life expectancy between people with mental health conditions learning disabilities and/or autism
- reducing suicide by 10% across West Yorkshire by focusing health inequalities, achieving a greater understanding of impact of inequality on suicide, so that suicide prevention becomes everyone's business.

Embedding the 'I statements' within the Kirklees Mental Health Alliance (MHA) terms of reference and asking all partners to review these within their respective organisations, to ensure collective ownership of those statements. It is important to agree within the MHA, a systematic way of routinely monitoring delivery against the KHWS priority. Agree periodic check-ins with the Health and Wellbeing Board as a mechanism to monitor implementation and potentially looking towards a mental health inequalities event for Autumn 2023.

The Board was informed that in terms of some of the challenges:

- workforce and recruitment challenges
- impact of the pandemic
- cost-of-living crisis.
- central funding coming to an end, suicide prevention funding coming to an end.
- integrated partnership working efficiently.

The Health and Wellbeing Board was asked to comment on, and help shape the direction of delivery against the mental wellbeing priority, and consider how board members can support the delivery against the mental wellbeing priority.

In response to the information presented the Board made comment and asked a number of questions including some of the following:

- recruitment and retention is an issue across health and social care, and it is an area that needs to be worked hard on to promote these types of roles within the communities and 'grow our own' talent. By working with the universities, it may be possible to introduce training and courses which is needed in the community. In primary care, the Primary Care Networks (PCN) have been recruiting mental health workers, however for the past year they have struggled to get those that are trained and therefore there needs to be a workstream between the PCNs, SWYFT, the university and Kirklees Mental Health Alliance.
- Is work being undertaken with 'Core Twenty plus Five' who have allocated some funding for suicide prevention?
- Central funding for suicide will cease, and the statistics around Kirklees suicide rates have shown a reduction because of the focused work that has been undertaken compared to other areas across West Yorkshire and Kirklees is the only area where it had gone down. Where was the central funding coming from

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for example the government, or health and how can that programme continued to be supported?

- Do colleagues have a sense of what areas are not being achieved or delivered because of workforce challenges and has any thought been given in the MHA to how to work differently to attract and retain staff?
- With regard to the 'Get Set Goal' and the work on that initiative, work is being undertaken partnering with Kirklees around supporting the workforce, particularly in social care, the independent sector, and the voluntary and community sectors where they don't have large organisations to support them. It is good that there is partnership and working together and there will be a 'We care for you' roadshow, which will begin in March 2023.
- Poverty is often mentioned; however, it is not often mentioned about people who are working, yet living in poverty because of the inequalities that are across the system. The challenge is to ensure that the people working across the system who are not necessarily in the statutory sector or NHS are being treated equally around their conditions and pay.
- Good quality, affordable housing is important because of the impact on people's health. There is work that housing providers do to support their residents with health and wellbeing and there is a lot of work going on across the West Yorkshire Housing Partnership around how we are supporting people through the cost-of-living crisis. Work is also being undertaken around condensation, damp and mould, and this work has been ongoing for 12 months not prompted by the findings of a recent inquest. There is a lot of good work going on within housing that supports good mental and physical health.
- Nursing vacancies currently stands at approximately 47,000 nationally, and across the region there are approximately 6300 vacancies in the North-eastern Yorkshire region, and the mental health shortage rate is higher. It is good to see the strategy relying on other factors rather than just the statutory service, increasingly drawing on community resources will be vitally important. The other aspect is to do with expectations and the university has a responsibility to manage people expectations coming into the profession. Professional groups tend to be siloed and compartmentalised and it is important to continue to have creative discussions with partners on how to rethink professions and professional groups, and how to make them more adaptive.
- In response to this priority, Calderdale and Huddersfield Foundation Trust has undertaken a lot of work on inequalities within the waiting lists to ensure that people from different population groups receive their care within the same time frame. It has been successful regarding people living with learning disabilities and ensuring they get their care in an appropriate time frame. A mental health lead nurse has recently been appointed, to ensure that people living with mental health conditions receive their care in a timely way.

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- It would be useful if each Councillor in Kirklees and Board members were provided with further information on the Crisis Café and the Grief and Loss Service.

RESOLVED

That Rebecca Elliott and Paul Howatson be thanked for providing an update on Kirklees Health and Wellbeing Strategy priority, mental wellbeing.

43 **Kirklees Health and Wellbeing Strategy Priorities - Healthy Places**

Alex Chaplin, provided a summary update on the Kirklees Health and Wellbeing Strategy priority on Healthy Places. The Board was informed that Healthy Places aims to support an environment of people of all ages who live, work and study to maximise health opportunities to ensure that healthy choice is the easy choice.

Some of the recent successes under this priority includes:

- Adoption of the validation checklist for spatial planning
- Revised Parks Services vision almost complete with specific reference to contribution towards health and wellbeing.
- Revised Health Impact Assessment templates have been adopted, providing clear framework for developers to consider the impact of their developments on local places.
- Hot food takeaway SPD has been adopted.
- Behaviour change active travel officer roles has been successfully recruited to
- Playable spaces programme: 57 projects as of 12/10/22

Some of the challenges:

- There is a gap for the Everybody Active manager role.
- Capacity/budget constraints for parks/open spaces
- Temporary closure of a number of Kirklees Active Leisure sites, Deighton Sports Centre, Batley Baths, and the swimming pool at Colne Valley Leisure Centre

Upcoming milestones:

- Playing Pitch Strategy due to be completed in Q1.
- Replacement for 'Everybody Active Manager' with wider facilities role being discussed.
- Work commencing on updating the open space audit. This will be a major piece of work, but will assist in helping activate green spaces for recreational purposes.

The Board was informed that a wider update on this priority would be provided at the next meeting.

RESOLVED

That Alex Chaplin be thanked for providing a summary update on the Healthy Places priority.

- 44 Kirklees Health and Wellbeing Strategy Priorities - Connected Care & Support**
Rachel Milson, Senior Strategic Planning and Development Manager, provided a summary update on the Kirklees Health and Wellbeing Strategy priority, Connected Care and Support.

The Board was informed that the summary update would primarily focus on some of the key achievements. In terms of delivering the Connected Care and Support priority, there has been an agreement that a Health and Care Plan will be developed. This plan will outline how the health and care system will deliver the Connect Care and Support priority, with cross over into the other identified priorities and factors. While the focus will be on Connected Care and Support, it will also recognise the interdependencies with the Healthy Places and the Mental Wellbeing priorities across all of the factors that are described in the Health and Wellbeing Strategy. A group has been established that has membership from all of the key organisations across the health and care system.

A timeline for development has been agreed to align and support the development of the West Yorkshire five-year Strategic Plan and the West Yorkshire Integrated Care Board (ICB) Joint Forward Plan. The aim is to connect all the key strategic plans for health and care across the place and the West Yorkshire ICB.

There has been initial discussions with transformation leads across the system. A set of key principles had been agreed from the outset, in terms of the delivery, building on what was already in place. It started with getting an understanding of what people were working on and what their short, medium, and long term priorities or key changes will be over the coming years. That was themed to identified priority programmes and actions which has just started to be taken round to different groups and committees for feedback. Working with the 'I Statements' will be a key component of the development of the Health and Care Plan, and the aim is to respond to the 'I Statements' particularly those that are identified with the KHWS, predominantly focusing on the Connected Care and Support priority. Further thought will need to be given to how success is measured, linking with the KHWS outcomes framework and the West Yorkshire 10 Big Ambitions.

Currently the focus is on formulating, and the next stage will be to start putting some detail to some of the priorities, getting wider feedback and comments and also ensuring it is connected into the strategic work that is taking place across the West Yorkshire ICB. A further, more detailed update to the Board on this priority will be provided at a future meeting.

RESOLVED

That Rachel Milson be thanked for providing a summary update on the Connected Care and Support priority.

45 Refresh of the West Yorkshire Partnership's Five-Year Strategy - Working Draft and Joint Forward Plan Approach

Esther Ashman, Associate Director, Strategy, NHS West Yorkshire Integrated Care Board, provided the Health and Wellbeing Board with an update on the refresh of the West Yorkshire Partnership's Five-Year Strategy. The Board was informed that the process has been designed and conducted by a group of people, which reflected the entirety of the partnership and included colleagues from Kirklees. There has been some positive feedback from a number of formal and informal groups who have been presented with the draft strategy.

The Partnership Board considered the draft in December 2022, and just a reminder that the Partnership Board as the West Yorkshire Integrated Care Partnership owns this strategy, having considered the draft they are content with it. It is now being presented to all the Health and Wellbeing Boards, Joint Health Overview and Scrutiny and anyone else who would like to have comment on the strategy to get views. It will continue to be iterated before finalising in March 2023. There will also be a number of accessible versions that will be produced as part of this process.

Work is also being undertaken on developing the delivery plans, to set out how this strategy is going to be delivered. In West Yorkshire, the approach is to do this in conjunction with the development of more detailed operational plans for the coming year. The Board will be used to NHS England driving an operational planning process each year, and the aim is to ensure that all these things are tied in together. The two processes will be brought together to tell the story of how the strategy will be delivered.

The five-year strategy has been set, and the five-year plan is being developed including the detail of the first year. By bringing that first year detail in through the operational plan, it will ensure that the work is prioritised and phased in the right way over the coming five years. The refresh of the Joint Forward Plan has to be undertaken every year, and that will sit alongside the operational planning each year. There is a requirement to engage with the Board as part of that process each year.

The Joint Forward Plan is a national requirement and is a statutory duty of the Integrated Care Board to develop the Joint Forward Plan. It has a deadline for completion of the 30th June, however, given there will be an election period in mid-March, the aim is to get as near as possible a detailed draft by the end of March, to iterate and finalise by the end of June.

There are a number of requirements in the Joint Forward Plan guidance, including working and engaging with Health and Wellbeing Boards, which is already being done in West Yorkshire and will continue to bring updates and drafts to the Board for comments as it is developed. The Joint Forward Plan is designed to be fully aligned with a wider systems partnership ambitions, known in West Yorkshire as the 10 big ambitions, to support subsidiarity in making decisions and delivering services as close to the individual as possible, by building on existing local strategies and plans.

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The intention is to be delivery focus by working on specific objectives, trajectories, and milestones to be able to deliver against and monitor that delivery. The Board will be aware of the 10 Big ambitions and there is a need to work up the trajectories for those. As part of the forward plan, each place will also be developing their own plan for the next five-years, which most places are already on with. That will be led by and owned by the place committee of the ICB, for example the Kirklees Health and Care Partnership. This will set out delivery against four things:

1. The NHS England commitments, the must do's
2. The 10 Big Ambitions in the West Yorkshire Strategy
3. Those functions that have been delegated for the ICB, such as Primary Care and dental.
4. The local priorities for Kirklees, each place will have factors that are individual to the place, this is set out in the Kirklees Health and Wellbeing Strategy and built from the Joint Strategic Needs Assessments

There is a statutory requirement to consult with the public on the Joint Forward Plan, and the team at West Yorkshire and the local communication leads have been pulling together a process around consultation. It started on the 10th January 2023, and will run through until the 20th February and there has been a strong response rate. This is an important part of the work developing a plan, and Board members are asked to share the link to the consultation as widely as possible.

In response to the information presented the Board made comment and asked a number of questions including some of the following:

- One of the things that will be crucial in designing a plan to deliver the strategy, is to ensure that things happens differently, for example the way that resources flow and it has to happen at the top of the ICB level, otherwise the opportunity to make change may not happen.
- It is a very ambitious plan; Kirklees is quite a deprived area and funding is very important. There has been wider ICB programmes for example, cardiovascular, however, Kirklees does not appear to be getting its share or the benefits of that. Discussions have been taking place, and it is important to look at the funding allocation and work together to get the best for residents.

The Board was informed that timescale on feedback on the draft is within the next couple of weeks, purely because the aim is to get versions out and also get them in accessible forms by the end of the first week in February.

RESOLVED

That:

- Esther Ashman be thanked for providing an update on the refresh of the West Yorkshire Partnership's five-year strategy working draft and Joint Forward Plan approach.
- That the Board notes the work that has been undertaken across the Partnership as part of the refresh of the strategy

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- The Board supports the proposition to further build the 'integrated care experience' to deliver the strategy.
- The Board notes the timescale for providing comment on the current draft of the strategy, and notes the further work to be undertaken, and the development of a Joint Forward Plan to enable delivery of the strategy.

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Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 30th March 2023

- Present: Councillor Viv Kendrick (Chair)
Councillor Musarrat Khan
Councillor Carole Pattison
Councillor Mark Thompson
Councillor Kath Pinnock
Rachel Spencer-Henshall
Richard Parry
Carol McKenna
Karen Jackson
Stacey Appleyard
James Creegan
Christine Fox
Catherine Riley
Dr Nick Hardiker
Alasdair Brown
Dr Khalid Naeem
- In attendance: Alex Chaplin, Strategy and Policy Officer
Rob McCulloch-Graham, Chair KSAB
Jacqui Stansfield, Service Manager
Rachel Milson, Senior Planning Manager
Matt Whitaker, Senior Manager
Julie Hunneybell, Public Health
- Apologies: Mel Meggs
Nicola Goodberry Kenneally

46 Membership of the Board/Apologies

Apologies for absence were received on behalf of Mel Meggs and Nicola Goodberry Kenneally.

Matt England substituted for Len Richards and Rebecca Caplin substituted for Jim Griffiths.

47 Minutes of previous meeting

That the minutes of the meeting held on 19 January 2023 be approved as a correct record.

48 Interests

No interests were declared.

49 Admission of the Public

All agenda items were considered in public session.

50 Deputations/Petitions

No deputations or petitions were received.

51 Kirklees Safeguarding Adults Board Annual Report 2021 - 2022

Rob McCulloch-Graham, Independent Chair of the Kirklees Safeguarding Adults Board (KSAB) and Jacqui Stansfield, Service Manager, Commissioning Quality and Performance attended to present the KSAB Annual Report 2021-22.

Mr McCulloch-Graham advised the Board that the principle purpose of the Board's annual report was to identify progress made over the past 12 months against the intentions laid out in the Board's Strategic Plan (which was a rolling 3-year plan updated annually alongside the Board's annual report), which laid out the Board's work programme for the next 12 months.

The Board was advised that within the annual report there were two serious incident reviews, and a synopsis of the two reviews could be found within the considered report.

Mr McCulloch-Graham advised that from his experience of working on safeguarding boards across the country, Kirklees had a very effective partnership which had been in place for a number of years. The effectiveness of the KSAB was one that he had not experience in previous positions across different authorities. The challenges and risks pertinent to the vulnerable adults in Kirklees were as high as anywhere else in the country, but in Kirklees, services worked well together within the partnership.

The Board was advised that the partnership worked effectively due to the way actions were prioritised (i) leadership (ii) protection (iii) prevention (iv) learning and (v) assurance. KSAB had worked across all services in a recent development event to narrow the focus to work over four key areas which was (i) to build a confident workforce (ii) learning from the experience of covid (iii) improved communication across the partnership and (iv) active listening.

Mr McCulloch-Graham explained that KSAB had three sub-groups including the safeguarding adult review group who led on deciding whether a case required a review, who then would undertake that review. This sub-group would then ensure the dissemination of learning that came out of the review. Another sub-group was the quality and performance group which continued to look at the number of cases that KSAB had, and how quickly they were dealt with across services. The third sub-group was the learning and development group which currently had 28 individual sessions that were being delivered alongside learning bites held during lunch times.

The Board was advised that the take up of two major events that were delivered around dignity in care and trauma informing practice was incredibly high in Kirklees with over 100 attendees at each of the events.

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The Board heard that the Covid pandemic was still have a significant impact on services and the effects were still felt across communities. The impact was having a direct impact on the acuity of patients that services were dealing with. This complexity was much higher than during and prior to Covid and coupled with the challenge around the workforce with large numbers of staff either retiring or changing careers, made for a 'perfect storm' across the partnership.

In response to the information presented, the Board asked a number of questions and made comments including:-

- Whether there was a representative from the independent and / or voluntary community sector on the KSAB and whether the training was open to that sector.
- Confirmation that training was open to everyone and did not depend on what organisation or voluntary sector a person belonged to.
- A request that maps accurately reflect the geography of North Kirklees.
- A request for information around where the responsibility and final accountability lay if a serious incident had taken place.
- Confirmation that the chair was independent from health and police, and he could raise issues and speak freely reporting to the Chief Executive, Members of Boards or Trusts, but ultimately, he could go directly to the government or the CQC to escalate.
- Details that the criteria for a serious case review was that it would be one that would look at the service across a number of agencies, otherwise an individual agency would undertake their own review.
- A concern around the resourcing of an increased need, but confirmation that this was achieved through good partnership working.
- Preventative work was important but was difficult to achieve alongside the statutory duties with a fine balancing act needed in relation to resources.
- Details that a trend in excess deaths may be attributed to missed opportunities during lockdown, for example with the population not being diagnosed with high blood pressure, culminating in them presenting with major cardiovascular events that were very preventable.
- Confirmation that the Integrated Care Board was trying to focus on catching up with demand and promoting early health checks.
- A query as to whether when learning is identified following a serious case review, whether the KSAB does any follow up to ensure any learning points were implemented.
- Confirmation that after a serious case review, an action plan would be put in place which the KSAB follow through, but that past reviews should be revisited to check that the actions and learning from it was still in place.
- There was opportunity for shared learning across different safeguarding routes, and other areas of the country, bringing the circumstances of a case to each of the safeguarding boards to implement any required changes.
- A query as to whether the key learning points from serious case reviews could be distributed to a wider audience.
- Details of the learning provided by the KSAB, which was accessible to all, but a recognition that often many people didn't know what learning programmes were available to them.

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- Confirmation that following a serious case review, a two page learning briefing was produced which outlined the learning outcomes, and was published on the KASB website.

RESOLVED – That Rob McCulloch-Graham and Jackie Stansfield be thanked for attending the meeting and for providing the Kirklees Adult Safeguarding Annual Report 2021-22.

52 **Implementing the Kirklees Health and Wellbeing Strategy Progress Report** Alex Chaplin, Strategy and Policy Officer presented the Health and Wellbeing Strategy Progress Report which summarised the implementation of the strategy.

The report outlined recent successes including:

- The Mental Wellbeing update which was a wide-reaching and comprehensive update covering mental health, suicide prevention and wider partnership working around the priority.
- A meeting between Council UX Designer and Healthwatch communication representative which discussed public facing communication strategies.
- The collating of examples (e.g. service developments, initiatives, projects, systems changes, engagement etc.) that exemplify the strategy's ethos from across the Kirklees Partnership.
- Linking with the Inclusive Communities Framework site and implementation.

Ms Chaplin explained that work was continuing with the two other top tier strategies, being the Environmental Sustainability Strategy and the Economic Strategy. These were still in development and would be brought to the Board for consideration at a later date.

In relation to upcoming milestones, Ms Chaplin explained there would be:

- Phase 1 for the launching of the live website
- Healthy Places main progress update would be brought to the Board in June 2023.
- Continued partnership working with the three other Top Tier Strategies.

The Board was disappointed with the level of detail within the update report, given that it had been three months since the previous update, and explained that it would like to see smarter updates across the actions. The Board explained that they would like to see the RAG ratings included in the key areas for the strategy.

RESOLVED –

- 1) That Alex Chaplin be thanked for providing the update on the Kirklees Health and Wellbeing Strategy Progress Report.
- 1) That the Health and Wellbeing Strategy Progress Report be noted.
- 2) That further progress reports provided to the Board contain increased detail incorporating RAG ratings.

53 Kirklees Health and Wellbeing Strategy Priorities - Connected Care and Support

Rachel Milson Senior Planning Manager, Integrated Care Board attended the meeting, along with her colleagues Matt Whitaker, Senior Manager, Kirklees Delivery Collaborative and Julie Hunneybell, Kirklees Public Health to update the Board by means of a presentation on the Connected Care and Support priority.

Ms Milson explained the ambition for organisations and professionals across the health and care system, to work together to ensure that people were able to access the right care and support for their needs, when they needed it, making the best use of all available resources.

The presentation named the success indicators as (i) healthy birth weight (ii) healthy life expectancy (iii) social care support (iv) avoidable admissions (v) length of (hospital) stay (vi) patient / user satisfaction (vii) choice and dignity at end of life (viii) people's stories and (ix) workforce sufficiency.

The Board was advised that there was a significant amount of work across the Partnerships with organisations working on details within their organisations and collectively across the partnership to progress specific elements of the priority. The decision was therefore taken to bring those together into a delivery plan on how the connected care support priority would be delivered, recognising the interdependency with other priorities.

Ms Milson explained that at a West Yorkshire level, their integrated care strategy had been recently refreshed and a Joint Forward Plan with 10 Big Ambitions had been produced.

The Board was informed that the Design Team were ensuring that they built on the work already done, rather than starting afresh. The 'I Statements' had been key in influencing the development and construction of the priorities featured, along with principals for transformation within the Health and Care Plan.

The Board noted the three system-wide strategic themes and programmes which were in their infancy being (i) Starting Well (ii) Living Well and (iii) Ageing well. Mental well-being cut across those strategic themes, along with dying well, and those key elements would be built into the key elements in the 'wells'.

The Board was advised of the timescales for the development of the Health and Care Plan which were:

- Draft by the end of March 2023 for review
- Presentation of the draft in ICB Sub-Committees in April 2023
- Sign off via the ICB Committee in May 2023

The Board noted that the Health and Care Plan would be refreshed annually.

Mr Whitaker explained the development of the different 'well' programmes and how a collaborative approach would support the distributed leadership and delegated accountability and autonomy to deliver through the system, ensuring the power

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shifted to the providers and communities. The collaborative approach would reduce duplication, have the best use of resource platforms, service level challenge conversations, joint focus, economy of scale and shared data.

In the development of the Strategic Themes, the Board was advised that work and engagement with broader partners had commenced and was building on and mapping what was already identified, gaining an understanding of potential gaps to better connect what was already in place.

In relation to the next steps for the Strategic Themes of (i) starting well (ii) living well (ageing well) and (iv) dying well, the Board noted: -

- More system engagement.
- Ensuring partnership representation, leadership (managerial and clinical) and accountability to support all 'wells'.
- Generate recommendations on support structures and proposed changes.
- Consideration as to how to embed in the broader system – role of Delivery Collaborative to oversee.
- Condense and agree priorities.
- Aim for May 2023 sign off and implementation.

The Board was advised that there was an opportunity now to harness the power of partnership working by supporting all partners, not just in representing their organisation around the table, but by owning and leading the different work programmes.

Ms Milson outlined some of the challenges to overcome in delivering the connect care and support priority, which would not be resolved in the plan but addressed in it, in relation to the approach: -

- Workforce and recruitment challenges across all health and social care sectors.
- Growing demands and pressures on service including dentistry.
- Financial pressures on budgetary restraints would encourage the development of creative solutions to ensure resources were efficiently deployed.

The Board was advised of some of the recent successes from the Health and Care and Well-being strategy, highlighted by data, which in relation to cancer screening, saw a significant increase in the uptake of bowel screening by 10% in Kirklees between 2020 and 2022. The success of working in partnerships across different organisations had therefore helped to improved outcomes for local people.

Julie Honeybell explained that the partnership working was something that had been built on over the last two years to achieve the aims of the strategy. Ms Honeybell informed the Board that cervical screening for people aged between 25 and 64, although having a slight decline, it was above the average in Kirklees compared to the England and Yorkshire and Humber average. The focus needed to be the younger age group that often don't take up the screening, and the team had been working with a company called Caja who used behaviour science techniques to

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influence women to book and attend their screening. 15 GP practices in Kirklees had signed up to the programme with the first practice which went live showing an increase of 25% in their uptake of cervical screening within the first three months of the project.

Partnership was working well between Public Health, Homes and Neighbourhoods, Community Cohesion, Wellness teams and Pennine Screening in areas with low uptake of health screening services. Following a recent event with Homes and Neighbourhoods the team saw: -

- Over 80 bowel testing kits being sent to patients.
- Over 200 residents received key information about various screening programmes, spotting signs and symptoms and understanding when and how to seek help.
- Over 166 people engaged in conversations around cancer screening programmes as part of wider discussions on health and wellbeing.

The Board was advised of a recent initiative between Public Health, ICB and Primary Care where GP practices identified non-responders to bowel and cervical screening checks, contacting them via phone to explain the importance of the screening. The data showing the successfulness of this programme was expected at the end of April.

Ms Milson outlined the next steps in relation to the plan: -

- Continue to develop the Kirklees Health and Care Plan
- Support organisations to ensure alignment with the KHWS in their organisational plans / strategies.
- Agree the frequency of updates with the Board as a mechanism to monitor implementation. Consideration should be given to a 'deep dive' analysis on elements of the Health and Care Plan once the plan had been signed off.

In response to the information presented, the Board asked a number of questions and made comments including: -

- Details of the work done by the Mid-Yorkshire Hospital Trust who had been developing their new organisational strategy and had a key focus in ensuring a strong alignment to the objective and ambitions within their operational area, mapping them to the partnership strategy.
- A 'well done' from the Board on the work done with cancer screening and the inclusion of the 'I' statements from patients.
- A comment that the dying well element was good to acknowledge as this was not something that was part of the ageing well focus of work.
- A query as to whether there would be some benchmarking with a performance dashboard to see how progress was being made against the outcomes framework.
- Confirmation that Public Health had developed the outcomes framework which included different key elements which had a set of indicators to map the delivery of the different outcomes. Those would also be mapped to the West Yorkshire 10 ambitions to see a direct link to the local outcomes.

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- A note that if Kirklees saw the screening number for cancer going up, then the potential was there for cancer diagnosis increasing.
- Confirmation that it would be important to do a deep dive into areas of the dashboard to understand and have a clearer picture of what was happening within our communities.
- An understanding that the holistic approach in how partnerships support people was critical, in terms of resources, as the only way to meet some of the workforce challenges was reimagining how people would be supported.
- A query as to how the various strategic groups would fit in with the Young People's Partnership, the Youth Development Board, the Early Years Partnership to obtain their views.
- Confirmation that as the plan was at an early stage, there was work being completed on understanding what each group did and what delegated accountability they had.
- Details that the Covid Champions that were active during Covid would move to a broader role to connect within their communities.
- A note that the Board was pleased to see that mental health was featured across the four strategies and although the waiting lists for services were long, the voluntary sector diverted people initially away from services and provided some support, but the sector would need assisting in their role.

RESOLVED –

- 2) That Rachel Milson, Matt Whitaker and Julie Honeybell be thanked for providing the update on Connected Care and Support.
- 3) That the Health and Wellbeing Strategy Connected Care and Support update be noted.
- 4) That the strategy be considered at the June meeting of the HWB, following its sign off at the West Yorkshire ICB.
- 5) That updates on different elements of the strategy be provided at every other meeting of the HWB.

54 **Kirklees Health and Wellbeing Strategy Priorities - Healthy Places**

Alex Chaplin provided a summary update on the Kirklees Health and Wellbeing Strategy Priorities – Healthy Places. The Board was informed that Healthy Places aimed to support the physical and social infrastructure and environment of people of all ages who live, work and study to maximise health opportunities to ensure that health choice was the easy choice.

Some of the recent successes under this priority included:

- Installation of an analyser at a government air quality monitoring station at Dewsbury in 2022.
- Planning to support Mirfield Town Council with the development of design codes to protect the special characteristics of the place and to be used in the determination of planning applications.
- Implementation of Inclusive Communities Framework with early adopter organisations
- Habitat work on sites such as Spa Park, Honley Old Woods, Park Gate and Rotcher directly contributing to improved biodiversity and carbon reduction.

Some of the challenges included:

- Air Quality: Limited officer resource in reviewing air quality monitoring networks to meet local air quality management challenges.
- Planning: Current reforms to the national planning system may provide short-term uncertainty about the next steps in relation to planning policies and planning guidance.
- Leadtime on Playable Spaces equipment was longer than before Covid/Brexit at around 12 -16 weeks, which has affected the timeline of most playable spaces projects.

Upcoming milestones included:

- Submission of the 2023 Air Quality Annual Status Report to Defra by 30th June 2023.
- An emerging Affordable Housing and Housing Mix Supplementary Document was scheduled for a Cabinet decision on whether to adopt.
- Over the next few months and into spring 2023 a further 2 play areas currently on site will reach completion and a further 6 sites were expected to start on site (equipment lead times pending).

The Board was disappointed with the level of detail within the update report, given that it had been three months since the previous update, and explained that it would like to see smarter updates across the actions. The Board explained that they would like to see the RAG ratings in the key areas for the strategy.

RESOLVED –

- 1) That Alex Chaplin be thanked for providing a summary update on the Healthy Places priority.
- 2) That increased detail and RAG ratings be included in the next update.

55 Kirklees Health and Wellbeing Strategy Priorities - Mental Wellbeing Update

Alex Chaplin provided a summary update on the Kirklees Health and Wellbeing Strategy priority on Mental Wellbeing. The Board was informed that that the aim of Mental Wellbeing was for everyone in Kirklees to achieve good mental wellbeing and had a good quality of life with purpose and fulfilment throughout their lives.

Some of the recent successes for Public Health under this priority included:

- Increased investment locally to deliver suicide prevention training to those most likely to come into contact with those with risk factors for suicide.
- Local partnership working with wellness service to evolve a Mental Health for You and Others training package into Urdu.
- Self-harm awareness guide for anyone working with young people in development.
- Workshop delivered around suicide prevention on the railways in Kirklees; hoping to lead to a local campaign in partnership with Network Rail.

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The Board noted the challenge that Public Health had with limited financial resources to develop ideas.

Some of the upcoming Milestones for Public Health included:

- New National Suicide Prevention Strategy expected release in the first half of this year.
- Completion of suicide audit 2019-2021 data collection (in collaboration with Bradford and Calderdale LA) expected around summertime.
- New Samaritans contract launched across Yorkshire and Humber related to media portrayal of Mental Health and Suicide Prevention in local areas.

Some of the upcoming Milestones for the Mental Health Alliance included:

- To agree within the Mental Health Alliance a systematic way of routinely monitoring delivery against this KWHS priority.
- Develop mental health inequalities event for Autumn 2023.

The Board was disappointed with the level of detail within the update report, given that it had been three months since the previous update, and explained that it would like to see smarter updates across the actions. The Board explained that they would like to see the RAG ratings in the key areas for the strategy.

RESOLVED –

- 1) That Alex Chaplin be thanked for providing a summary update on the Mental Wellbeing priority.
- 2) That increased detail and RAG ratings be included in the next update.

56 Agenda planning for 2023/24

The Board considered the Agenda Plan for 2023/24. The following items were planned for consideration across the municipal year: -

- DPH (RSH)
- Environment Strategy
- WY Joint Forward Plan
- Health and Care Plan
- Healthy Places KWHS Update
- Mental Wellbeing Summary Update
- Connected Care Summary Update
- Gypsy and traveller Health needs assessment
- Economic Strategy
- KWHS Site and Self-assessment toolkit
- SEND Report
- ICF Update

RESOLVED – That the Agenda Plan for 2023/24 be noted.

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING AND SAFETY COMMITTEE

Wednesday 5th October 2022

Present: Councillor Amanda Pinnock (Chair)
Councillor Ammar Anwar
Councillor Carole Pattison
Councillor Moses Crook
Councillor James Homewood
Councillor Jo Lawson
Councillor Mohan Sokhal
Councillor Adam Zaman
Councillor Adam Gregg
Councillor Michael Watson
Councillor Paola Antonia Davies
Councillor Andrew Marchington

In attendance: David Stickley, Senior Legal Officer
Fiona Goldsmith, Public Protection Group Leader
Martin Wood, Head of Public Protection

12 Membership of the Committee

No subs were in attendance at the meeting.

13 Minutes of Previous Meeting

The minutes of the meeting held on the 6 July 2022 be amended as follows:

- 1) In relation to item 9, the Committee is asked to note that work with the Information Governance Team is still ongoing, and an update will be provided at a future committee meeting.
- 2) In relation to agenda item 10, question 10, to replace 'all committee members voted for option 1' with, that officers develop a specific policy in relation to stretch limousines and submit it for consideration at a future meeting of the Licensing & Safety Committee.

14 Interests

No interests were declared.

15 Admission of the Public

All agenda items were considered in public session.

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16 Deputations/Petitions

No deputations or petitions were received.

17 Public Question Time

No public questions were asked.

18 Hackney Carriage Fares

The Licensing & Safety Committee (Committee) considered a report which outlined the proposal to resolve a new fare card for the Hackney Carriage vehicles.

Fiona Goldsmith, Group Leader Licensing, advised the Committee that in February 2022, a request was received from the Hackney Carriage Association to carry out a review of the Hackney Carriage fare tariff. The request submitted was for all tariffs to have a £1 increase on the start price and that tariffs 2 and 4 commenced at 8pm instead of 10pm, as shown below:

The current start prices and times:

Tariff	Start Price	Times
Tariff 1	£2.50	6am – 10pm
Tariff 2	£3.00	10pm – 6am
Tariff 3	£3.00	6am – 10pm
Tariff 4	£3.50	10pm – 6am

The requested increase:

Tariff	Start Price	Times
Tariff 1	£3.50	6am – 8pm
Tariff 2	£4.00	8pm – 6am
Tariff 3	£4.00	6am – 8pm
Tariff 4	£4.50	8pm – 6am

The Licensing Service formally consulted on increasing the Hackney Carriage fares and also wrote to all Hackney Carriage proprietors and emailed Trade Representatives. The consultation ended on 31st March 2022, and 18 responses were received, which were as follows:

- 7 individuals were in favour of the fare increase.
- 10 individuals were against the fare increase and proposed alternatives.
- 1 petition signed by 92 licence holders against the fare increase, proposing an alternative.

The Committee was informed that due to the number of objections, and differing views put forward by the trade, a decision was taken under delegated authority by the Strategic Directors for Environment and Climate Change, to temporarily implement the fares consulted on, and commence an engagement exercise with the vehicle proprietors.

On the 17th June 2022, a letter was circulated to all the Hackney Carriage vehicle proprietors containing eight proposals put forward by the trade during the first formal consultation, and requested that vehicle proprietors select their favoured proposal.

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The eight proposals were shown / presented to members during the committee meeting.

The Committee was further advised that the Licensing Service received 57 responses out of the 224 Hackney Carriage vehicle licenses, summarised as follows:

- 17 in favour of proposal 1
- 33 in favour of proposal 2,
- 0 in favour of proposals 3, 4, 5, 7, 8
- 1 in favour of proposal 6
- One respondent ticked both proposal 2 and 4 and one respondent ticked all the proposals.

The Licensing department formally consulted a second time in relation to proposal 2, which was supported by the majority of those consulted. The proposal was as follows:

Tariff	Start Price	10p	Waiting Time	Times
Tariff 1	£3.50	105 yards	10p per 24 seconds	6am – 8pm
Tariff 2	£4.00	80 yards	10p per 24 seconds	8pm – 6am
Tariff 3	£5.50	70 yards	10p per 24 seconds	6am – 8pm
Tariff 4	£6.00	60 yards	10p per 24 seconds	8pm – 6am

The second consultation ended on 18th August 2022 and four representations were received, as follows:

Objection 1 - that the temporary measures in place were ok, and that the Committee consider this a delicate situation regarding the balance of keeping customers happy and earning a decent wage. The objector was not happy with tariff 3 and 4 and made no reference in relation to the reduction in yardage.

Objection 2 - that the proposal to increase fares would affect the trade in relation to the cost of living and losing customers.

Objection 3 - also referred to the cost of living and the unfairness of adding additional burdens onto customers, and that the interim fare should be kept.

Support 1 - voted for the increased proposal and agreed with the reduction in yardage and with the adjusted timings.

Fiona Goldsmith further advised the Committee that agreement had been sought with the Trade Representatives, and a review of the fares would be a set agenda item each year at the Hackney Carriage Trade Association meeting.

The Committee noted the cost of inflation to drivers, and suggested it would be useful to understand in more detail the balance between making a living, and the cost to customers, particularly in relation to the impact on the cost of journeys, increased fuel costs and data on earnings.

Representatives of the trade advised the Committee that the temporary structure was working well for both drivers and customers, and that it was important not to burden customers to a point where they were unable to afford taxis, which could result in a loss of trade and jobs.

RESOLVED:

- a) that the fares remain as they are currently set.
- b) that further information be provided at the next review in relation to cost implications to the trade.
- c) that a review of the fares be a standard agenda item annually for the Hackney Carriage Trade Association meetings, with an option for the trade to call a review sooner should circumstances change significantly.

19 Driver Training Policy

The Licensing and Safety Committee (Committee) was asked to consider a report containing a temporary change to the existing driver training policy which introduced a fast-track application process for new applicants.

Fiona Goldsmith advised the Committee that the driver training policy was adopted on the 1st August 2019, however, due to the pandemic, new driver applications were ceased.

The service re-opened to new driver applications in October 2021, and one of the requirements of the policy was that all new driver applicants were required to pass an English for Speakers of Other Languages (ESOL) entry level 3 English test, in speaking, reading, and listening. In January 2022, the Licensing Service saw an increase in the number of applications being received and noted there were a number of new applicants who had an existing qualification equal to entry level 3 or above.

The Committee was informed that applicants who already had existing qualifications were finding it difficult to book onto an ESOL course which caused delays and bottlenecks to occur. As a result, a decision was taken under delegated authority by the Strategic Director for Environment and Climate Change to make a temporary change to the existing policy and the requirement to pass the English test.

The temporary change implemented was that if an applicant produced evidence of an entry level 3 qualification or above, in the form of a certificate, and that the qualification had been achieved in the UK, then they were permitted to progress to the next stage of the application process which was a theory and knowledge test. This would enable applicants to pass through the application process much quicker and saved them financially, whilst maintaining an efficient and flexible approach for drivers.

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The Committee was also informed, that in addition to the new fast-track application process, the service was also looking to recruit a dedicated training officer, to deliver the training in house, with an option for one-to-one sessions.

RESOLVED:

- 1) that the report be noted.
- 2) that the temporary change in policy, “that if an applicant produces evidence that they had undertaken a qualification at Entry 3 level or above, in the form of a certificate, and that the qualification has been achieved in the UK then they are permitted to progress to the next stage of the application process which is the theory and knowledge training and test”, be made permanent.
- 3) that the fast-track application process for new applicants be adopted and that officers bring back further details of the fast-track system for consideration at a future meeting of the Licensing and Safety Committee.

20 **Review of Hackney Carriage and Private Hire Statement of Fitness and Suitability Policy**

The Licensing and Safety Committee (Committee) considered a report seeking approval to commence a consultation following a three-year review of the Hackney Carriage and Private Hire Statement of Fitness and Suitability policy.

Fiona Goldsmith, Group Leader Licensing, reminded the Committee that at the Licensing and Safety Committee meeting held on the 6th July 2022, officers presented a report outlining concerns in relation to the Council’s statement of fitness and suitability policy relating to the licensing of Private Hire and Hackney Carriage drivers. The Committee resolved that officers be instructed to look at the concerns being raised and review the Private Hire and Hackney Statement of Fitness and Suitability Policy.

Fiona Goldsmith directed the Committee to appendix 1 of the report, which highlighted the proposed revisions to the policy, drawing the Committee’s attention to the main change to the policy, which was in relation to minor traffic convictions, as detailed below:

Minor traffic or vehicle offences do not include offences involving: -

- Loss of life
- Driving whilst under the influence of drink or drugs
- Driving whilst using a handheld telephone or device
- No insurance
- Offences which have resulted in injury to any person or damage to any property (including vehicles)

- 1) A licence will not normally be granted for new applicants where the minor motoring offences have resulted in 9 or more points being endorsed on their DVLA driving licence. Where an applicant has 7 or 8 current points on their DVLA driving licence, in exceptional circumstances, an application may be granted subject to the applicant completing an additional driver safety assessment as deemed appropriate by the Licensing Authority.

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- 2) For existing licensed drivers where the minor motoring offence(s) has resulted in 6 or less penalty points being endorsed on their DVLA driving licence and fail to notify the licensing authority a warning and advise letter will be issued.
- 3) Where, as a result of minor traffic or vehicle offences, an existing driver has 7 or 8 penalty points endorsed on their DVLA driving licence they will be required to pass a practical 'hackney carriage / private hire' driving test using one of the Council's approved testers and at their own cost. The driver will be given 3 opportunities to pass the test, failure to pass on the third attempt will result in a review of their hackney carriage / private hire drivers licence and it is likely that they will no longer be considered a 'fit and proper' person to hold a licence.
- 4) Where, as a result of minor traffic or vehicle offences, an existing driver obtains 9 or more penalty points on their DVLA driving licence, and has (this list is not exhaustive): -
 - Previously been required to attend and pass a 'hackney carriage / private hire' practical driving test, or
 - There are other compounding factors such as failure to declare any of the minor traffic convictions in question, in accordance with the conditions attached to the licence, or
 - Has received a warning for minor motoring convictions, or
 - Any other convictions, or
 - Any other detrimental information recorded against them, i.e. complaints from members of the public about their standard or driving or attitude, etc.

The Committee was advised that consideration will be given to the revocation of a licence unless there are any exceptional circumstances as to why revocation should not take place, however, each case will be considered on its own merits.

In all other cases where a driver obtains 9 or more penalty points on their DVLA driving licence, and none of the above applies, consideration will be given to send the driver on a 'hackney carriage / private hire' practical driving test. This test will be at the cost of the driver, and they will receive a final written warning that will remain on their file. Failure to pass the test first time, will normally result in the licence being revoked.

MS90 Offences – Offences under Section 172 of the Road Traffic Act 1988 – Failure to give information as to the identity of a driver, will be classed as a minor traffic offence, unless on the balance of probabilities, there is evidence to show the failure to give information was an intentional act to evade points being endorsed on the licence. Where such evidence exists, the offence will be classed as a major traffic offence.

When making the decision on the suitability of a driver who has committed an MS90 offence, the licensing authority will also take into account the underlying offence for which the MS90 was triggered.

Licensing and Safety Committee - 5 October 2022

In response to the information presented, the Committee asked a number of questions, including the following:

- What percentage of drivers have convictions?
- What was the number of drivers within Kirklees who have 12 points or more?
- Why a 7-point review threshold?
- Why was the onus on drivers to notify the Service of any conviction?

A representative of GMB advised of a system that would notify the Licensing Service directly of any convictions received by licence holders and commented that as the licence was held for a 3-year term, this provided a loophole for dishonest drivers.

In response, Fiona Goldsmith acknowledged that the 3-year license could be a loophole for dishonest drivers, however, the policy would strengthen the decision making around licenses.

The Committee acknowledged that the aim of the policy was to reinforce the standards in Kirklees.

RESOLVED:

- 1) that officers commence a three-month consultation on the proposed changes as outlined in the appended report.

21

Decision Making - Hackney Carriage and Private Hire Licensing

The Committee considered a report which outlined the result of the consultation undertaken for the Department for Transport Statutory (DfT) Standards, specifically relating to decision making for the Hackney Carriage and Private Hire Service.

Fiona Goldsmith reminded the Committee that at the Licensing and Safety Committee meeting held on the 6th July 2022, the Committee instructed officers to investigate possible options relating to decision making and the implications of those options, and present a more detailed report to the Committee.

The Committee was advised that currently, decision making for Hackney Carriage and Private Hire licensing is delegated to the Group Leader, Licensing. The guidance issued by the Department for Transport recommends that decision making should be the responsibility of a panel of suitably trained elected members. If the Committee chooses to deviate from the guidance, they are required to provide a clear reason for doing so.

Fiona Goldsmith, advised that the results of the consultation showed that many respondents agreed that decision making should not be the sole responsibility of one person, and a number of options had been identified from the consultation responses received, which were as follows:

- 1) A Members Panel
- 2) An Officer Panel
- 3) Decision to remain with the Group Leader for Licensing.

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The Committee was referred to appendix 1 of the report, Fiona Goldsmith outlined each process and the risks and benefits associated, as detailed below:

Option 1 - Members Panel

Benefits	Risks
Level of Impartiality	Delays in decision making in particular around existing licence holders
Addresses concerns raised as part of the consultation on DfT standards	Increased cost (to be borne by licence holder / applicant)
Complies with DfT Standards	Lobbying of Members by licence holders and applicants
	Increased resources required – Licensing, Legal, Governance, meeting room
	Out of step with other WY authorities

Option 2 - Officer Panel

Benefits	Risks
Impartiality	Delays in decision making in particular around existing licence holders
Addresses some, but not all of the issues raised as a result of the consultation on DfT standards	Cost (to be borne by licence holder / applicant)
	Does not comply with DfT Standards
	Out of step with other WY authorities
	Licensing, Legal, meeting room

Option 3 - Decisions stay at Group Leader Level

Benefits	Risks
Impartiality	Perception of impartiality – although there is impartiality in the decision making the perception is that it isn't impartial
Decision made in a timely manner	Does not address the concerns raised as a result of the consultation on DfT standards.
Reduced cost	
In line with other WY authorities	

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Fiona Goldsmith further advised that if options 1 or 2 was to be agreed by the Committee, the process would take effect from April 2023, to allow for processes and procedures to be put in place. If option 3 was to be agreed, there would be a full review of the current process to ensure the applicant was provided with an opportunity to address the decision maker before the decision is made.

In response to the information presented, the Committee made comments and asked a number of questions, including the following:

- What is the process across other West Yorkshire Councils?
- If DfT guidelines are not adopted, what are the consequences?
- If the decision-making stays with the Group Leader, is there an option for an appeal to be heard before members before appealing to the magistrates?
- How many decisions have gone to appeal?
- If a member panel was decided, what training would be provided?
- The current process is working, and the quality of decisions are still of a high quality. If a licence holder thinks the decision is wrong, they can go before the courts.
- Would it be sensible to have the Chair of the Panel involved in the decision making?
- There were issues previously with some of the decisions made by Member Panels, which is currently not the case, which would indicate the current system is working.
- An alternative option that could be considered is a decision-making panel consisting of officers and members, have officers explored this option?

Councillor Homewood put forward a proposal that officers investigate alternative options including having decision making panels which incorporates both members and officers. This proposal was seconded by Councillor Sokhal.

The committee members voted as follows:

Option 1 - A Members Panel – 1

Option 2 - An Officer Panel – 0

Option 3 - Decisions to remain with the Group Leader for Licensing - 4

Option 4 - That officers investigate and explore different options relating to how Members can be involved in the decision-making process - 7

RESOLVED:

- 1) that decisions remain with the Group Leader for Licensing, and for officers to undertake further work to investigate other possible options that would incorporate members in the decision making and bring this back for consideration at a future meeting of the Licensing and Safety Committee.

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Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Tuesday 20th December 2022

Present: Councillor Elizabeth Smaje (Chair)
Councillor Andrew Marchington
Councillor Jackie Ramsay
Councillor John Taylor

Observers: Councillor Andrew Cooper
Councillor Moses Crook
Councillor Susan Lee-Richards
Councillor Andrew Pinnock
Councillor Mark Thompson

42 Membership of Committee

Apologies were received from Councillor Yusra Hussain.

43 Minutes of Previous Meeting

Resolved –

That the minutes of the meeting of the Committee held on 1st November 2022 be agreed as a correct record.

44 Interests

No interests were declared.

45 Admission of the Public

All items were heard in public session.

46 Deputations/Petitions

No deputations or petitions were received.

47 Public Question Time

No questions were asked.

48 Regional Funding Update

A report was submitted in relation to regional funding activity, with a focus on the funds administered by the West Yorkshire Mayoral Combined Authority (WYMCA).

Edward Highfield - Service Director for Skills and Regeneration and Chris Duffill - Head of Business, Economy and Growth introduced the report which provided details on the main strategic economic development funding streams at regional level, including Gainshare and the UK Shared Prosperity Fund (UKSPF). It also gave an overview of the approach currently being taken including investment

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prioritisation, horizon scanning for future opportunities and overview/monitoring of all funding coming into Kirklees.

The following points were highlighted:

- The Council was taking a proactive approach in terms of the development of outline schemes so that it was able to react quickly when funding opportunities came forward. This was particularly important in light of the limited timescales associated with more recent funding and the element of competition.
- The West Yorkshire Investment Strategy set out the following six investment priorities:
 - Good Jobs and Resilient Businesses (including entrepreneurialism)
 - Skills and training for people
 - Creating Great Places and Accelerated Infrastructure
 - Tackling the Climate Emergency and Environmental Sustainability
 - Future Transport Investment
 - Culture and Creative Industries
- A number of priority/programme areas sat beneath each investment priority and established the focus for intervention over the period April 2021 to March 2024. The aim was to match the local priorities to these regional priorities.

A number of the Kirklees Councillors who were members of one of the WYMCA scrutiny committees were also in attendance at the meeting.

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

- The West Yorkshire devolution deal was for £38 million per annum for 30 years; it was possible for this to be used to secure borrowing to provide additional funding in the earlier years.
- The Sustainable Transport Settlement could and would be utilised towards bus prioritisation, in addition to walking and cycling initiatives, and sat alongside the Bus Service Improvement Plan. This funding would likely be focused on infrastructure improvements, such as improved journey times, pinch points and bus lanes, rather than core subsidy of operators.
- A successful economy required the necessary infrastructure and skills to be in place and it was important that contingency arrangements were established to ensure that improvements were delivered. Despite challenges associated with prioritisation and the current financial climate, the implementation of the thirty-year devolution deal would give greater local certainty, control and autonomy and it was believed that this would have a positive impact.
- Bus provision in some rural areas of the district was limited, particularly in the evening period; and more should be done to support residents of these areas to make the move towards more sustainable transport; a strategic approach was needed.
- The Sustainable Transport Settlement would deliver improved bus stations in Kirklees and whilst it was accepted that this in itself may not improve patronage the Bus Service Improvement Plan would take a more holistic view of what could be done in respect of modal shift.
- It was believed that information should be provided to all Councillors to ensure that they were aware of all ongoing consultations at Combined Authority level. It was also considered that there was a low level of awareness of consultations amongst the general public, at both regional and local level, and that a low

Overview and Scrutiny Management Committee - 20 December 2022

response rate impacted upon the validity of the results as a representation of the views of the local population.

- In terms of local consultation, this was an issue that was considered by officers and different approaches were being used. The issue of the provision of information to elected members about regional consultations had been raised with the Combined Authority.
- The Council should establish its key aspirations of the Combined Authority as this would assist those Councillors and officers who dealt with the Combined Authority to speak 'with one voice' and engage effectively. This was an area that the Authority was working on, one element of which was a commitment to meet with the members of the WYMCA Transport Committee to provide support and information in advance of its meetings.
- There was also increased interaction between scrutiny members at local and regional level.
- There was little visibility at district level of the work being undertaken at the Combined Authority by Kirklees representatives and there should be some mechanism whereby reports were made to Council. This would also provide a wider understanding of the aims of the Council and a mandate for those representatives.
- In terms of visibility of decisions at Combined Authority level for elected members, this could be challenging in some cases due to the nature of decision-making process and the limited timescales given for responses to the Government. It was suggested that a statement on such decisions could be announced at Cabinet to improve visibility to the wider Council.
- In respect of the status of schemes that had been paused; the position and timescale would depend on a number of factors including external funding.
- The capping of bus fares was a good initiative but there was also a need to track the services being provided over the three-year period, to assess whether communities were being served, over what period and how many had been withdrawn.
- There were risks associated with the element of competitive bidding, particularly in the current climate, and consideration also had to be given to capacity and the resource implications of delivery if a bid was successful. It was also important to try and ensure that work was led by local priorities rather than funding streams. Overall it was believed that the net benefits of devolution outweighed the challenges and risks.
- The UK Shared Prosperity Fund was split into two with a regional element and a local pot that was split between the constituent Councils; the percentage of funding awarded to Kirklees was broadly in line with what would be expected.
- Bradford, Calderdale and Kirklees all had substantial rural areas and could perhaps work together on common causes.
- Kirklees Councillors needed a local brief, alongside an understanding of the complexity of the district and the wider region, and an ability to communicate that, with the aim of achieving a better deal for everyone.
- In terms of the need for a 'place upwards' in addition to the 'strategic downwards' relationship; the aim was to move to a position where the Combined Authority was clear on what Kirklees priorities were. There was also a balance to be achieved between those activities that were best done at regional level and those placed at local level.

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- The Place Standard was an excellent resource that could be used to build a strong evidence base to establish, and argue for, local priorities.
- The fortnightly collaborative meeting between Combined Authority officers and officers from the constituent authorities was welcomed and would help to address some of the issues raised.

Resolved –

That officers be asked to give consideration to the following:

- The need to facilitate a wider awareness of the work of the Combined Authority for Kirklees Councillors.
- The provision of greater support for those Councillors representing Kirklees on the Combined Authority.
- The need for a strategic approach to bus services across the district.
- The use of the Place Standard to build a strong evidence base for local priorities.
- Feedback to the wider Council from Kirklees Combined Authority representatives.

49

Loneliness and Social Isolation in Kirklees

A report was submitted which provided background information to support a discussion about how best to develop local responses to identifying, signposting, and referring people who are lonely or isolated.

Jill Greenfield, Service Director, Customer and Communities, Mark Wearmouth, Service Manager, Local Integrated Partnerships and Helen Gilchrist - Project Manager, Local Integrated Partnerships attended to present the report and respond to Members' questions.

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

- It had been suggested that the guidance document be reviewed and co-produced with wider stakeholders. Committee members had undertaken visits to a number of local support groups to discuss the issues and it was considered that it would be beneficial for there to be wider discussion with individuals about their experiences and the challenges they faced in making connections.
- One of the issues that had been highlighted during the visits was the means by which information on provision/support was made available and the different ways people would choose, or were able to, access it.
- It was recognised that loneliness had a negative impact on mental wellbeing and the acceptance that there was no 'one size fits all' approach was welcomed. It was also noted that being alone did not necessarily equate to being lonely.
- There was significant support and opportunities to connect available within some communities, although it was acknowledged that this may not work as well in some areas. Greater signposting, mapping, and the provision of co-ordination and support to assist in delivery where necessary could bring about improvement.

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- The aim was to try and make loneliness everyone's business and to build on those networks that were already in place.
- The level of awareness of campaigns and events outside members of the partnership steering group.
- The issue of wider engagement with staff and stakeholders was being taken up with partners. It was hoped to encourage and reinvigorate support and accountability for the approach of making loneliness everyone's business.
- Kirklees Cares was an outward facing resource that was currently being soft launched. It had been set up primarily to improve access to information and training in respect of health and adult social care.
- Social prescribing was an excellent way of addressing this issue through the provision of gentle support and guidance.
- There were many opportunities provided by the Council and local communities that allowed and encouraged people to become involved and connect.
- The stories illustrating individual's experiences should be communicated more widely.
- Everyone had a duty to try and identify and communicate with those individuals who may be at risk of loneliness.

Resolved –

That the points raised by the Committee be taken into account in the further development of local responses to identifying, signposting, and referring people who are lonely or isolated.

50 Lead Members' Update

Updates were submitted on the work of the Economy and Neighbourhoods and Corporate Scrutiny Panels on behalf of Councillors Yusra Hussain and John Taylor, the Lead Members.

The updates were noted.

51 Work Programme 2022-23

The current version of the Committee's work programme for 2022-23 was submitted for Members' consideration and noted.

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Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 6th February 2023

Present: Councillor Elizabeth Smaje (Chair)
Councillor Andrew Marchington
Councillor Jackie Ramsay
Councillor John Taylor

52 Membership of Committee

Apologies were received from Councillor Yusra Hussain.

**53 Minutes of Previous Meeting
Resolved –**

That the minutes of the meeting of the Committee held on 20th December 2022 be agreed as a correct record.

The Chair updated the Committee as follows:

The final report of the Ad Hoc Scrutiny Panel on Residential Housing Stock Health and Safety Compliance, including the completed Action Plan, had been considered by Cabinet on 21st December 2022.

The seventeen recommendations made by the Panel had been accepted, subject to the amendment of recommendation twelve to reflect monthly reporting on no-access properties, rather than weekly.

A progress report on the implementation of the Panel's recommendations would be submitted to the Committee during the 2023/24 municipal year.

54 Interests

In the interests of openness and transparency, Councillor Marchington noted that a relative was a member of 'Cycle Kirklees'.

55 Admission of the Public

All items were heard in public session.

56 Deputations/Petitions

A deputation was received, on behalf of Cycle Kirklees, raising issues in relation to the report on the Strategic Intelligence Assessment and Communities Partnership Plan, in particular to the spotlight on road safety. This included, the impact of the public perception of safety on levels of cycling and walking, the approaches to reducing speeding traffic, long-term planning to assist in reducing car use and creating a safer environment; and targets for modal shift associated with climate change.

57 Public Question Time

No questions were asked.

58 Leader's Priorities - Update

Councillor Shabir Pandor, the Leader of the Council, attended the meeting to give an update on his priorities for 2022-23. He was accompanied by Jacqui Gedman, the Chief Executive.

Councillor Pandor gave a presentation focussed on the following headings:

Economic Growth and Sustainability; building a strong economy to protect against future cost of living crises. This included moving forward with the plans to regenerate Huddersfield, Dewsbury and Batley town centres, along with plans for Cleckheaton, Heckmondwike and Holmfirth.

Inclusion and Diversity; ensuring action in relation to; the cost of living, including the Household Support Fund and the introduction of 'warm spaces'; support for young people to ensure no child gets left behind; and supporting older people and people with disabilities.

Cleaner, Greener, Safer; a Climate Change Action Plan was in place and the ambition was to be carbon neutral by 2028. A significant number of pothole repairs had been completed in 2022 and 99.7% bin collections achieved. Work had been successfully undertaken, in collaboration with West Yorkshire Police, to address issues of community safety.

Challenges for the next twelve months and beyond; including balancing the Council's budget and sustaining public services, the cost of living, the economy, pressures on health and social care, and climate change.

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

- In terms of work at a regional level, Councillor Pandor explained that he was the Chair of the West Yorkshire Combined Authority's (WYCA) Business, Economy and Innovation Committee, the remit of which was to support businesses throughout West Yorkshire.
- In response to a question about which priorities were specific to the Leader's portfolio, he explained that he considered that these were his priorities. The Cabinet had a collective responsibility and his role included ensuring that the budget was in place, lobbying for funding and supporting the Cabinet Members to deliver on all priorities.
- There was a desire for the authority to do what it could to support communities and ease the burden of the increases in the cost of living.
- In relation to supporting young people, concern about the lack of youth services was raised at ward level on a regular basis.
- The appropriate Cabinet Members would be able to provide a more specific update in respect of the work being undertaken to support young people in achieving their aspirations and ambitions. His aspirations included ensuring that every child was safeguarded, that provision for those with special needs and disabilities was good and that every child was given the best opportunities for a good start in life.

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- The introduction of 'warm spaces' and the work undertaken to repair the district's roads was welcomed, although it was regrettable that there was need to fill potholes rather than being able to undertake resurfacing.
- In relation to the challenges of recruiting and retaining a stable workforce, particularly associated with lower paid roles, assurance was given that priority would be given to client-facing caring roles despite the budget pressures.
- The budget would be agreed in March and the work was in progress to ensure that the major regeneration projects and climate change work could continue within the tighter financial constraints, whilst still delivering public services and making the necessary savings.
- He had undertaken work, at national level, with the Local Government Association, an example of which was in respect of the exclusion of leisure centres from the grant to ease pressures associated with higher energy bills for energy intensive uses.
- He led discussions with the Cabinet, on a daily basis, and there were strong links with the Council's Executive Team. Consideration was being given to how savings could be made without putting services at risk and to ensure sustainability. Residents of the district would be consulted. Some of the Council's reserves would be utilised.
- Stability was very important; the Council's staff were valued and that there was a need to ensure that they were retained and supported.
- It was important that there was a broader view across the organisation and the work of partners to ensure that there was no duplication and that budgets were efficiently and effectively utilised.
- In terms of the work being undertaken at regional level and how the voice of Kirklees was being heard, work was in progress in respect of improvements to bus and train travel and lobbying was to be undertaken to achieve a model that worked, alongside the commitment to achieve the carbon zero target by 2038.
- The Council's Climate Change Action Plan had been approved by the Council and could be shared with members of the Committee.
- It was noted that the improvement of bus services needed to include reliable provision at sufficient frequency and timings to meet residents' needs; there were issues with affordability.
- The introduction of an integrated transport strategy for the north of England was needed and would be welcomed.

59 Domestic Abuse in Kirklees - Update

A report was submitted which provided a detailed update on activity to tackle domestic abuse in Kirklees, in line with the strategic aims and priorities of the 2022-2027 Domestic Abuse Strategy.

Jill Greenfield - Service Director Customer and Communities, Jo Richmond - Head of Communities and Chani Mortimer - Service Manager for Domestic Abuse were in attendance to present the report and answer questions.

Councillor Carole Pattison, the Cabinet Member for Learning, Aspiration and Communities was also present, as well as representatives of partner organisations:

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Inspector Catherine Shackleton - West Yorkshire Police, Gwen Clyde-Evans – West Yorkshire Integrated Care Board, and Catherine McKenzie - Yorkshire Children's Centre (Perpetrators Programme).

It was explained that:

- The 2021 Domestic Abuse Act had introduced a new statutory requirement for local authorities to support victims of domestic abuse and their children in safe accommodation.
- Associated grant funding, in the region of £900,000 per annum, was expected to be available for the period 2021/22 to 2024/25.
- The necessary arrangements to meet the statutory requirements had been established.
- The Strategy had been endorsed by Cabinet on 17th January 2023 and the contribution of the Committee in its development was acknowledged.
- An overview of the delivery/outcomes to date in respect of each of the commitments in the strategy was included in the report.
- The Strategy was designed to encompass all domestic abuse related activity and included the stated priorities of:
 - A whole family approach to domestic abuse,
 - Supporting perpetrators to change behaviour,
 - Partnership response to victims with multiple needs and/or protected characteristics,
 - Supporting victims to maintain or access safe and stable housing,
 - Multi-agency working arrangements,with the focus being placed on activity under the first two within the first year.

Gwen Clyde-Evans explained the Integrated Care Board's approach and the work being done to identify victims, and children of victims, of domestic abuse through emergency departments and the work of the independent domestic abuse advocates. Work was also ongoing to increase the awareness and recognition of people who may have suffered trauma through experiencing, witnessing or perpetrating domestic abuse, to manage the associated risks and to identify services that could provide support to victims and perpetrators.

Catherine Shackleton explained the work being undertaken alongside the Domestic Abuse Community Engagement Team on a project which aimed to raise awareness of domestic abuse with people working in the hair and beauty industry, including providing advice on how to respond. A website was in development that would facilitate signposting to different support agencies. The Police were also involved with the 'Safezones' partnership initiative which aimed to establish places in the district where advice, support and help could be sought. Training had been provided to significant numbers of staff from different organisations to assist them in identifying domestic abuse and how to signpost people to appropriate support. Many businesses were engaged with the scheme and over 100 locations were now registered. Quarterly newsletters were circulated to maintain knowledge and awareness.

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Catherine McKenzie outlined a long-term partnership behaviour change programme that was being provided for perpetrators which included an aim to amplify the voices of children. A pilot scheme had included sharing the work of local children, that explored and expressed the impact of domestic abuse through the mediums of art and poems, with perpetrators and had proved to be a very powerful and positive element in helping to educate them on the impacts of domestic abuse. This was to be further expanded and delivered for the children of perpetrators.

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

- The work being undertaken across the partnership was evident and was very positive; the work around prevention with perpetrators and children was welcomed.
- In terms of the place-based approach, domestic abuse had been identified as a priority for the previous 'Place Partnerships' initiative and the associated funding had allowed the trial of a different approach to engaging with local communities. This approach had now shifted to a focus on the Primary Care Networks and there were good links with colleagues in health.
- The grant funding had been focussed on key areas such as the impact of domestic abuse on children and victims with complex needs. It had been utilised for a number of specialist support initiatives, the vast majority of provision being through third sector organisations. All work had been informed by a needs assessment undertaken in collaboration with partners.
- Benchmarking against other local authorities in respect of the conversion rate of calls made to the Police could be provided for Members.
- The significant increase in reports of coercive controlling behaviour was partly due to increased awareness of this crime
- The 'safezone' scheme was broader than the 'safe spaces' scheme, providing somewhere for anyone who felt unsafe to go and access support; and there was an awareness of the need to minimise any confusion between the two. All libraries had signed up to the safezone scheme and training would be offered to staff. Targeted work would be undertaken to widen the provision of safezones, particularly in the rural and Batley and Spen areas.
- The national recognition of the significant impact of domestic abuse on children and young people was welcomed and the project to share the voice of young people with perpetrators was interesting.
- It was now compulsory for schools to address the issues of the development of healthy and positive relationships with young people and to foster and encourage appropriate attitudes. There was a working group on healthy relationships group which focussed on these issues and positive work was being undertaken in the district's schools. The Community Engagement Team had worked on a pilot project at a school in Dewsbury and the aim was to train the Designated Safeguarding Leads within all high schools to deliver this. Consideration was also being given to a similar age-appropriate package for primary schools.

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- The Place Partnerships funding had provided the opportunity to prove the value of community interventions and had also highlighted the importance of community resilience. A new approach to commissioning was being developed to enable more effective use of resources and this would include consideration of funding for place-based, community-based work on domestic abuse. The learning from this work would also be shared with other teams such as Community Plus and build into the core service.
- The project with hair and beauty industry would include training on how to offer support and signpost in a discrete manner.
- There was a dedicated team working across all the hospital sites to identify individuals who may need support and significant work and training being undertaken to improve awareness across the wider workforce.
- It was queried whether this service was mirrored in adjacent trusts as constituents on the edge of the district may cross the borders to attend their nearest hospital.
- The key issue was considered to be having a workforce that was skilled to recognise domestic abuse and communicate/link back to GPs where appropriate.
- In response to a question to Yorkshire Children's Centre, about whether the level of need for the behaviour change programme was being met, it was explained that this was very difficult to assess. It had taken a while to build the momentum of referrals and engagement. One of the challenges was that individuals who took part had to be willing to engage, have accepted some accountability and be motivated to change.
- An established working group was proactively looking at the issues of sustainable and safe accommodation. Work was being undertaken alongside third sector partners to help people stay safe in their own homes. It was acknowledged that there were no easy solutions in respect of access to stable housing but best practice in other areas was being examined and discussions undertaken with partners.
- The timescales for the community engagement activity were included within the delivery plan, as recommended by the Committee in March 2022.

Councillor Pattison stressed the importance of this work and welcomed the additional funding that had facilitated additional work and the adoption of a more detailed approach in terms of early intervention, as well as supporting victims, their families and the wider community.

Resolved -

- (1) That the officers and representatives of partners be thanked for their presentations.
- (2) That it be noted that work is to be undertaken to widen the provision of 'safezones', particularly in the Rural and Batley and Spen areas.
- (3) That further information be provided for Members in relation to:
 - (a) benchmarking against other local authorities in respect of the incident/crime conversion rate for reports made to the Police; and
 - (b) the approach being taken on a wider scale, in terms of the adjacent NHS Trusts that Kirklees residents may access due to their location towards the edges of the district.

60 Kirklees Strategic Intelligence Assessment and the Communities Partnership Plan

A report was submitted which set out the findings emerging from the annual refresh of the Kirklees Strategic Intelligence Assessment (SIA), including a spotlight on road safety and serious violence.

Jill Greenfield - Service Director Customer and Communities, Jo Richmond - Head of Communities, Chris Walsh and Lee Hamilton – Safer Kirklees Managers and Jaqui Theaker – Data and Insight Enablement Lead were in attendance to present the report and answer questions.

Councillor Carole Pattison, the Cabinet Member for Learning, Aspiration and Communities was also present, as well as representatives of partner organisations; Superintendent Helen Brear from West Yorkshire Police and Chris Bell from West Yorkshire Fire and Rescue who was the Chair of the Road Safety Partnership Group.

It was explained that the refresh of the SIA was undertaken on an annual basis to ensure that the themes within the Partnership Plan remained valid and to highlight any exceptions, trends or potential areas for future focus. A full review was undertaken every three years.

The SIA was subject to discussion with partners and theme groups prior to being finalised. The recommendation was that the existing themes should be retained with a continued focus on the existing priorities listed below:

- Violence and Exploitation;
including implementation of the new Serious Violence Duty and the response to the West Yorkshire Violence against Women and Girls Strategy; prevention of young people becoming involved in Urban Street Gangs and a focus on understanding the levels of repeat incidents of domestic abuse.
- Neighbourhood Crime and Anti-Social Behaviour;
Including the development of the Action Plan to supplement the Police response through a place lens.
- Inclusive and Resilient Communities;
Including ensuring robust and supportive services to meet needs and mitigate impact in respect of migration and asylum and prevention work associated with hate crime,
- Reducing Risk;
Including the establishment of a partnership body to steer delivery and oversight of effective prevention, treatment, recovery and enforcement in relation to drugs.

The report included the key findings from the refresh of the SIA with a specific focus on road safety, as a top priority for local people in respect of community safety, and serious violence, which was a key priority for the partnership.

In respect of road safety, the focus was on reducing the numbers of people killed or seriously injured and improving the perceptions of road safety associated with speeding vehicles and inconsiderate or dangerous parking.

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Chris Bell explained that the Partnership Road Safety Strategy and Action Plan aligned with the strategic aims of the Kirklees strategy and the Police and Crime Plan for West Yorkshire including 'Vision Zero' with the stated aim of reducing killed and seriously injured by 50% by 2030. Partners included Safer Kirklees, West Yorkshire Police, Highways, Health, the Safety Camera Partnership and Parking Enforcement and a range of different initiatives and engagement activity was being undertaken with local communities to reduce the risk and challenge the perceptions about the safety risk. A data-driven response was used to ensure that efforts and resources were focussed where they were most needed.

In respect of serious violence, the approach was based on prevention, early intervention, disruption and enforcement using data and intelligence to work with partners with a focus on identified wards.

Helen Brear assured the Committee that serious violence and road safety remained key priorities. Helen presented the statistics relevant to overall crime in the district, which included a reduction in the figures for incidents of serious violence and anti-social behaviour in Kirklees. There had been an increase in possession of weapons offences due to targeted activity.

She explained that the approach was intelligence-led policing involving collaborative and innovative working with partners and communities on specific projects and details were given of a number of initiatives that were yielding positive results.

In respect of road safety the aim was to produce a dataset intelligence document to inform the approach, along with consideration of national and regional good practice. The four main issues in terms of road safety were excessive speed, using a mobile phone whilst driving, driving without a seatbelt and drink driving.

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

Road Safety:

- Speeding was anti-social behaviour and should be recognised as such. Road safety was the issue that was consistently raised as a concern by residents. The Police online reporting system did not allow people to report speeding as a crime; this had been pointed out previously but not resolved. Superintendent Brear assured Members that road safety was a priority for West Yorkshire Police and undertook to consider and respond to the issue raised about reporting speeding via the website. She outlined other ways that issues could be reported, such as using the 101 telephone number and via the Neighbourhood Policing Teams. If a road safety problem was identified this would be dealt with by the police and partners through enforcement and education measures.
- As mentioned in the deputation, people's concerns about safety affects their willingness to walk and cycle. If analysis of the data gathered by devices to measure speed indicated that the 85th percentile speed was over the speed limit, then this was reality not perception.
- Work was undertaken with the Highways department and reference to traffic surveys to determine whether the issue was one of perception and would be followed-up by engagement with local communities about the findings.

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- It was queried how the data gathered from the Speed Indicator Devices (SIDs) was used.
- Collisions and damage to property from vehicles, in a particular location, on a regular basis, indicated a road safety issue and increased risk. The understanding was that the data on non-injury incidents could be extracted but this would be confirmed and an update provided for the Committee.
- The Road Safety Partnership Group was developing an intelligence package that would provide a wider picture than just data on collisions.
- The data from the SIDs would be analysed by Highways and implementation of appropriate measures prioritised according to the level of risk across the district.
- Work was being undertaken at regional level to identify those areas in priority need of works, intervention and education.
- Those who travelled at excessive speed were in the minority but enforcement was needed.
- Although the numbers were small and were reducing the data indicated that almost half of those killed or seriously injured were cyclists and it was questioned what was being done to address this.
- Further detail was given in respect of the statistics involving cyclists. The police were working closely with partners on this issue including promoting awareness of the new legislation, which afforded greater safeguarding for cyclists, and undertaking enforcement.
- The good work being undertaken by the partnership was acknowledged.
- The triangulation of the information and data was important and welcomed as it may be that some communities were not raising road safety issues due to other concerns being more of a priority.

Serious Violence

- It was interesting to hear the statistics were reducing significantly as there were perceptions about the numbers of young people carrying of knives. Perception of the level of serious crime could impact on people's confidence to go out.
- In respect of the numbers of people in treatment associated with drugs and alcohol, this was a complex area. A Drugs and Alcohol Strategy was in development and local providers were making significant efforts to ensure that there were more accessible points for entry into services. There had been a period when access to treatment had become more difficult and the pandemic had impacted people's ability to access services. Treatment and recovery provision were being built up and there were strong links with the housing, domestic abuse and other teams.
- The reasons for young people becoming involved in gangs were complicated and there were many different factors. Engagement was being undertaken by partners, including the third sector, to capture the voices of young people and to aim to deliver the services that they say they need.
- The work being undertaken with schools was welcomed. Young people should be provided with information on how to report issues if they felt unsafe and then be part of the solution.
- The Police were working alongside the voluntary sector and education partners to build the trust needed to be able to better engage with young people.

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- In respect of the involvement of ward councillors, the Safer Kirklees briefings were a source of information for local councillors on the issues in the ward including those in respect of serious violence or road safety and provided a forum to allow discussion of the priorities and proposed actions in each area.
- The Road Safety Partnership aimed to involve all partners where possible including engagement in specific areas where appropriate.
- In terms of police activities funded by particular wards a report on outcomes would be provided to the local councillors and the local communities. Such tailored initiatives were available to any other wards in the district. There was a need to ensure that the results and learning from such initiatives were fed back to the partnership to take forward.
- The figures for serious violence for Kirklees indicated that it was a safe place and it was acknowledged that there was a need to improve upon positive communication to improve perceptions, in a sensitive manner, and to promote the positive work being undertaken.

Resolved -

- (1) That the officers and representatives of partners be thanked for their presentations.
- (2) That it be noted that the issue raised in respect of not being able to report speed using the West Yorkshire Police online crime reporting portal is to be considered and an update provided.
- (3) That it is recommended that the importance of working and engaging with Ward Councillors on issues in their areas be embraced by all parties.
- (4) That further information be provided for Members in relation to:
 - (i) the responses made/action taken in response to the data gathered from speed indication devices and how this is shared with partners.
 - (ii) how data in respect of collisions not involving injury is collated and utilised.

61 Lead Members' Updates

Councillor Andrew Marchington, the Lead Member for the Children's Scrutiny Panel updated the Committee on the work being undertaken by this Panel and Councillor Jackie Ramsey provided an update on the work of the Health and Adult Social Care Scrutiny Panel.

The updates were noted.

62 Work Programme 2022/23

The current version of the Committee's Work programme for 2022-23 was submitted for Members' consideration and was noted.

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Tuesday 7th March 2023

Present: Councillor Elizabeth Smaje (Chair)
Councillor Yusra Hussain
Councillor Andrew Marchington
Councillor Jackie Ramsay

63 Membership of Committee

Apologies were received from Councillor John Taylor.

64 Interests

In the interests of transparency, Councillor Hussain advised that she was employed by a Health Trust outside Kirklees.

65 Admission of the Public

All items were considered in public session.

66 Deputations/Petitions

No deputations or petitions were received.

67 Public Question Time

No questions were submitted.

68 Lead Councillors, Primary Care Networks and Local Health Improvement - Progress Report

A report was submitted which provided the Committee with a progress update on the work of the Lead Councillors - Primary Care Networks and Local Health Improvement.

Richard Parry, Strategic Director for Adults and Health and Emily Parry-Harries, Consultant in Public Health attended to present the report, including the following points:

- The background to the introduction of Primary Care Networks (PCN) in 2019, as a result of a national requirement.
- Each PCN should cover a population within the range of 30,000 and 50,000 people and had to make sense geographically.
- There were nine PCNs in Kirklees.
- One of the challenges associated with this piece of work was that the areas they covered did not align with Council wards.
- The Fuller Review, which had considered the progress to date, and direction of travel, for PCNs had emphasised the potential for the development of the community health function of primary care.

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- The Lead Councillor – PCNs and Local Health Care Improvement initiative aimed to help develop PCNs connections with the communities they served through establishing relationships between them and the Lead Councillor. This would allow them to take advantage of the reach and local knowledge of elected members and to benefit from their starting point of how and where people live their lives.
- It was noted that the relationships were at a relatively early stage, but it was anticipated that opportunities would be realised as they became better developed.

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

- Prior to the initiative being introduced, a number of conversations had taken place with the Director of Primary Care for the Clinical Commissioning Group (now the Health and Care Partnership). The initial concept had been to allow the working relationships to develop organically, although it was now recognised that a focus on specific outcomes would be beneficial in the early stages. A more prescriptive approach, using the relevant data packs, was now being taken with the Lead Councillors.
- In the early stages PCNs had been seen as an opportunity to connect GPs to the wider capacity within communities although subsequent national and NHS requirements had moved them in a different direction. The challenge was working out how best to connect and collaborate.
- It was questioned whether a public health specialist should undertake the role rather than an elected member, who may not have the detailed knowledge of the wider area covered by a PCN and was likely to have constraints on their time. In response it was explained that it was considered that there was a role for both; elected members brought a specific knowledge of their area and how to/what would work with the communities within.
- It was acknowledged that it would be beneficial to engage with members of the wider teams delivering primary care, such as health visitors, in respect of the wider wellbeing and inequalities agenda.
- Engagement with Practice Managers was also proving to be helpful.
- It appeared that the feedback and learning from Place Standard work was helpful.
- There was a need for communication and engagement with ward councillors on the priorities for the local areas, as had been undertaken through the Place Partnerships role; this would assist the Lead Members, giving them a stronger foundation for their discussions with the PCNs.
- Feedback had been sought from all nine Lead Members. Additional support was being provided to those who wanted it and a series of workshops was scheduled for May/June.
- There may be a need for the authority to consider how it wanted to be able to engage with and influence the PCNs as they developed into being the point of access to the healthcare system for most people.
- The levels of operational pressure on the individual PCNs could differ and could impact on the level to which they were able to engage externally.
- It was considered possible that the PCNs could have been better aligned with the district's wards/geography.

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- There was a need for the Council to be assured of the return on the time and investment and to be clear on the outcomes that there was a desire to achieve.
- A formal evaluation of the initiative should be undertaken, including what added value was being achieved.
- One of the challenges to be considered was how to blend the increasing organisational delivery structure of the PCNs with local variations and having a sensitivity to place.
- A focus on early intervention and prevention was considered to be key in addressing health inequalities.
- A range of people, across the partners, were involved in working out where outcomes were not being delivered or people were not being reached in terms of early intervention and prevention. They would work together to influence how the whole range of resources could be used bring about improvement. The approach might be different in the case of each PCN.
- Within a ward there could be a number of communities or sub-communities and there was a need to invest in roles at a very local level, to achieve the necessary level of understanding and have an impact.
- The importance of continuity in the new municipal year was stressed. Assurance was given that there would be stability in terms of the officers who would be supporting the Lead Members which would assist if anyone new was appointed to the role for 2023/24.

Resolved-

- (1) That, in undertaking their review of the role of the Lead Councillors – Primary Care Networks and Local Health Improvement, the Corporate Governance and Audit Committee be requested to give consideration to:
 - The need for a formal evaluation of the role to be undertaken, including outcomes achieved and an assessment of the added value.
 - The need for more prescriptive guidance/support for Councillors undertaking this role.
- (2) That the following issues be taken on board in progressing the Lead Councillors - Primary Care Networks and Local Health Improvement initiative:
 - The need for engagement with all relevant ward councillors, as this will aid the Lead Members in assessing priorities for their area and assist in their discussions with the PCNs.
 - The benefits of engagement with the wider teams involved with the delivery of primary care to further the place-based approach to improving health outcomes.
 - The importance of place and the need for work to take place at very local level to ensure effective understanding of the needs of an area and how to address them.
 - The importance of the focus on early intervention and prevention.
 - The need for partners to work together to understand how the whole range of resources can be used effectively within each PCN.

69

Flood Risk Management Update

A report was submitted which considered progress against the Action Plan of the Kirklees Local Flood Risk Management Strategy and set out the process for the development of the new strategy, which was due to be adopted in late 2023.

Councillor Graham Turner, Cabinet Member and Portfolio Holder for Regeneration was in attendance at the meeting introduced the report.

Rashid Mahmood – Flood Manager, Planning and Development and Chris Johnson, Operational Manager, Highways, attended the meeting to present the report and answer questions. The report:

- Summarised the work undertaken within the last twelve months and ongoing projects
- Set out the process and anticipated timescales in respect of the development and launch of a new Flood Risk Management Strategy.
- Provided information on the implementation of the new approach in relation to Sustainable Urban Drainage Systems (SuDs).
- Provided an update in relation to the issues that had been raised by the Committee when flood risk management had last been considered.

The Committee also welcomed representatives of partners;

- Matt Snelling, on behalf of the White Rose Forest project, who gave an overview of the Landscapes for Water programme which was a local authority based joint venture to support tree planting across West and North Yorkshire, funded by the Department for Environment, Food and Rural Affairs, and aligned with the national England's Community Forests initiative. He explained that, the creation of woodland in targeted areas would provide significant natural flood management benefits and mitigate flood risk, and provided details on a number of specific projects.
- Rosie Holdsworth, from the National Trust, in relation to the Growing Resilience Natural Flood Management and Woodland Creation Project. This was a partnership project, led by Yorkshire Water and the National Trust, which aimed to reduce flood risk to downstream communities, through use of natural flood management solutions and sustainable drainage interventions, along with landscape restoration. The project had included community engagement, to raise awareness of the benefits of natural flood management, and volunteers had made a significant contribution to delivery. It also aimed to understand the impacts of the interventions and to share that learning.

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

- The engagement to establish community flood plans that would be owned by the local community, with support from officers, was at an early stage. Leads for five areas had been secured.
- The partners included the National Trust, Yorkshire Water, Woodlands Trust Moorlands for the Future and the Environment Agency.
- 'Green Streets' was the urban work undertaken by the White Rose Forest and, in Kirklees, this was undertaken alongside officers from Highways and Streetscene. These schemes came with 15 year funding to support delivery of planting and maintenance.

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- The National Trust worked in close partnership with a wide range of strategic organisations such as Kirklees, other local authorities, West Yorkshire Combined Authority, Yorkshire Water, the Woodland Trust, the Environment Agency and Natural England as well as a number of smaller community groups and volunteers. There were also strong relationships with the West Yorkshire Fire and Rescue Service and the Police in respect of issues such as moorland fires.
- The partnership working across a wide range of organisations was appreciated.
- The engagement with local communities and the building of resilience was welcomed but it was important that the community flood wardens were an addition to the current services not a replacement.
- Property flood resilience was one element of this and grants could be offered to householders to undertake improvements to their properties.
- The work being undertaken by the White Rose Forest and the National Trust, alongside partners, was excellent.
- In terms of the ongoing need to maintain the interventions, it was explained that they were designed so that relatively little, or no, maintenance would be needed, but the National Trust had a dedicated team of staff who, together with volunteers, were working to restore the moorland and ongoing maintenance and repairs would form part of that work.
- The Council was to commence a district-wide study to identify opportunities for further natural flood management interventions to be undertaken.
- It was hoped that agri-environment schemes would incentivise other landowners to take such schemes forward in the future.
- The woodland creation used UK native species that were specifically chosen, further to extensive surveys and design work, to be suitable for the site/area concerned.
- Assessing the impact of the intervention works on the water downstream and in reducing flooding was not straightforward. There were models that could try to recreate the situation, but this was a work in progress. A significant amount of research was ongoing to understand this better and work was being done with the University. The National Trust were also monitoring impacts. It was known that these interventions worked but quantifying the results was more difficult.

Resolved –

- (1) That the representatives of the White Rose Forest and the National Trust be thanked for attending the Committee and for their interesting and informative presentations on the ongoing work in relation to natural flood management.
- (2) That the strong partnership working arrangements be welcomed.
- (3) That the new Flood Risk Management Strategy be submitted to the Committee for pre-decision scrutiny in advance of it being presented to Cabinet.

70

Lead Members' Updates

Councillor Yusra Hussain, the Lead Member for the Economy and Neighbourhoods Scrutiny Panel, updated the Committee on the work being undertaken by this Panel, and an update on the work of the Corporate Scrutiny Panel was submitted on behalf of Councillor John Taylor, the Lead Member.

The updates were noted.

- 71 Work Programme 2022/23**
The current version of the Committee's Work programme for 2022-23 was submitted for Members' consideration and was noted.

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Tuesday 18th April 2023

Present: Councillor Elizabeth Smaje (Chair)
Councillor Andrew Marchington
Councillor Jackie Ramsay

Apologies: Councillor Yusra Hussain
Councillor John Taylor

72 Membership of Committee

Apologies were received from Councillors Yusra Hussain and John Taylor.

**73 Minutes of Previous Meeting
Resolved –**

That the minutes of the meetings of the Committee held on 6th February and 7th March 2023 be agreed as a correct record.

74 Interests

No interests were declared.

75 Admission of the Public

All items were considered in public session.

76 Deputations/Petitions

No deputations or petitions were received.

77 Scrutiny of Loneliness in Kirklees

A report was submitted which provided an update on the progress of the work of the Committee in looking at the issue of loneliness in Kirklees.

Members discussed the additional areas that they wished to cover, prior to giving consideration to their conclusions and recommendations. It was noted that:

- The evidence at both national and local level indicated the impact of loneliness was highest amongst young people; those aged 16 to 24 years, and people in the most deprived areas.
- It was considered that there was a need for some work to be undertaken in education settings to assist young people in being able to communicate effectively in respect of their wellbeing.

Resolved –

(1) That all those groups and individuals that had provided evidence to the Committee to date be thanked for taking the time to make a contribution to this piece of work.

(2) That further evidence be sought in respect of:

- (i) the views of young people in relation to:
 - What opportunities they have/ what provision is in place to allow them to make/maintain social connections.
 - How they find out about what is available.
 - If there are better ways to communicate that information.
 - The barriers to accessing provision.
 - What would they like to see/how could things be improved.
- (ii) What is done, or could be done, with young people, at an early age, to assist them in acquiring life skills on how to make and build connections, to better understand loneliness and to equip them to address it.

78 Lead Members' Updates

The Lead Members for the Children's Scrutiny Panel and the Health and Adult Social Care Scrutiny Panel updated the Committee on the work being undertaken by their panels and expressed thanks to all the members of their panels for their contributions during the last twelve months.

79 Work Programme 2022/23 and 2023/24

The Committee reviewed its Work Programme for 2022/23 and had an initial discussion about the work to be undertaken during 2023/24. It was noted that a work programming workshop was to take place on 6th June.

The Chair expressed her thanks to all the Lead Members, the members of the standing panels and the co-optees for their participation in, and valuable contributions to, scrutiny over the last twelve months.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Wednesday 24th May 2023

Present: Councillor Elizabeth Smaje (Chair)
Councillor Bill Armer
Councillor Andrew Cooper
Councillor Yusra Hussain
Councillor Jackie Ramsay

1 Admission of the Public

RESOLVED - It was determined that all agenda items would be considered in public session.

2 Appointment of Overview and Scrutiny Committees and Panels

RESOLVED –

- (1) That the appointment of the following Panels/Sub Committees be approved;
(i) Calderdale and Kirklees Joint Health Scrutiny Committee (ii) West Yorkshire Joint Health Overview and Scrutiny Committee (iii) Health and Adult Social Care Scrutiny Panel (iv) Children's Scrutiny Panel (v) Environment and Climate Change Scrutiny Panel (vi) Growth and Regeneration Scrutiny Panel.
- (2) That the Panels and Sub Committees as set out at (1) above shall not be in accordance with the requirements of Section 15 and 16 of the Local Government and Housing Act 1989.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL
PERSONNEL COMMITTEE

Thursday 23rd February 2023

Present: Councillor Shabir Pandor (Chair)
Councillor Eric Firth
Councillor David Hall
Councillor Charles Greaves
Councillor Naheed Mather
Councillor Cathy Scott
Councillor Mohan Sokhal
Councillor John Taylor

Apologies: Councillor John Lawson

1 Membership of the Committee

Councillor Sokhal substituted for Councillor P Davies.

Apologies for absence were received on behalf of Councillor J Lawson.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 14 October 2022 be approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

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

5 Public Question Time

No questions were asked.

6 Deputation/Petitions

No deputations or petitions were received.

7 Update on Senior Management Arrangements

The Committee received a report which provided an update on senior management arrangements and progress on recruitment.

The Chief Executive provided (i) an overview of vacancy management arrangements (ii) an update on the recruitment to the post of Service Director for Finance (Section 151 Officer) and (iii) an update in respect of the post of Service Director – Adult Social Care Operations.

Personnel Committee - 23 February 2023

The Committee were advised that recruitment to the post of Service Director for Finance commenced in November 2022 and that the final panel had taken place on 3 February 2023, with an offer now having been made. It was noted that the selected candidate was expected to be in post in May 2023.

The Committee were also advised of the intention of the Service Director for Adult Social Care Operations to retire during summer 2023. The Chief Executive provided the context as to why it was necessary to proceed with an appointment to this post in view of the current recruitment freeze and sought agreement to progress in a recruitment process in respect of this critical post.

The Head of People provided an update on the work of the People Panel and work that was in progress to help to shape a future workforce and create cross council opportunities and initiatives.

Discussion took place with regards to (i) the need to ensure that career progression can be facilitated, and create opportunities to encourage career progression (ii) the management of vacancy management and the need to move towards a more holistic approach (iii) internship opportunities and the need to attract younger people into the organisation (iv) the need for effective succession planning, utilising opportunities to learn from the expertise of experienced employees, and the potential for mentor opportunities.

RESOLVED –

- 1) That the progress of the recruitment to Service Director for Finance (Section 151 Officer) be noted.
- 2) That approval be given to the commencement of a recruitment process in respect of the post of Service Director for Adult Social Care Operations, and that a Member Appointment Panel be convened.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

PERSONNEL COMMITTEE

Thursday 30th March 2023

Present: Councillor Shabir Pandor (Chair)
Councillor Eric Firth
Councillor Steve Hall
Councillor John Taylor
Councillor John Lawson
Councillor Charles Greaves

Apologies: Councillor Paul Davies
Councillor Cathy Scott
Councillor David Hall

1 Membership of the Committee

Councillor S Hall substituted for Councillor Mather.

Apologies for absence were received on behalf of Councillors P Davies, D Hall and Scott.

2 Minutes of Previous Meeting

RESOLVED – That the Minutes of the previous Meeting be approved as a correct record, subject to the amendment of Minute 7 to reflect that discussion had taken place with regards to the submission of a report to a future meeting regarding recruitment and succession planning in Planning Services.

3 Interests

No interests were declared.

4 Admission of the Public

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

5 Deputation/Petitions

No deputations or petitions were received.

6 Update on Senior Management Arrangements

The Committee gave consideration to a report which provided an update on pending changes to the senior management arrangements within the Authority and sought approval for recruitment panels to be convened.

The report advised of the intention of both the Chief Executive and Strategic Director – Children and Families to retire from their statutory roles within the next twelve months.

Personnel Committee - 30 March 2023

The report recommended that an external recruitment process be commenced to replace the current Chief Executive, and that such a process was likely to take at least six months. It was noted that the Council's Constitution required the confirmation of any proposed appointment to be a decision of Council.

The Committee were advised that, in order to enable the incoming Chief Executive to have involvement in the post of Strategic Director, it was recommended that an internal acting up arrangement be put in place to alleviate the need for an immediate recruitment.

RESOLVED –

- 1) That a recruitment process for the post of Chief Executive and Head of Paid Service be commenced.
- 2) That a Member Recruitment Panel be convened to recruit to the post of Chief Executive.
- 3) That an internal recruitment process for the post of Acting Up – Strategic Director for Children and Families be commenced.
- 4) That a Member Recruitment Panel be convened to recruit to the post of Acting Up – Strategic Director for Children and Families.
- 5) That a recruitment process for the post of Strategic Director for Children and Families be commenced when appropriate.
- 6) That a Member Recruitment Panel be convened to recruit to the post of Strategic Director for Children and Families when appropriate.

Contact Officer: Leigh Webb

KIRKLEES COUNCIL
STANDARDS COMMITTEE

Thursday 23rd March 2023

Present: Councillor Jo Lawson (Chair)
Councillor James Homewood
Councillor Harry McCarthy
Councillor Alison Munro

In attendance: Julie Muscroft, Service Director, Legal, Governance and
Commissioning
Michael Stow – Independent Person

Apologies: Councillor Mohan Sokhal
Councillor Michael Watson

1 Membership of the Committee

Apologies were received from Councillor Sokhal and Councillor Watson.

2 Minutes of Previous Meeting

RESOLVED: That the minutes of the meeting held on 10th October 2022 be agreed as a correct record.

3 Interests

Councillor Munro declared an other interest in respect of item 6, Code of Conduct complaints update, as a Parish Councillor.

4 Admission of the Public

It was agreed that all agenda items would be held in public session.

5 Deputation/Petitions

No deputations or petitions were received.

6 Code of Conduct complaints update

The Committee received a report which provided an update on complaints that had been received since the previous meeting of the Committee on the 10th October 2022. The Committee was informed that the report looked at complaints received from 1st September 2022 to end of February 2023 and gave a breakdown. The report advised that since 1st September 2022 the Monitoring Officer had received 7 complaints relating to alleged breaches of the Code of Conduct. All complaints related to Kirklees Councillors. There were no complaints relating to Town or Parish Councillors. Of these 7, 1 had not progressed after the initial assessment process. The remaining 6 complaints were currently being considered under the initial

assessment process. One member complaint from the previous period had been referred to the Local Government Ombudsman but was dismissed.

In line with the decision of the Committee, published decisions on the website would only show complaints that had been upheld. Members were asked to consider whether it was appropriate to update the information when members had complied with any sanctions.

During consideration of the complaints update, Members of the Committee discussed whether it was appropriate for the published information to be updated to the record when members had complied with any sanctions.

RESOLVED:

- (i) That the report be considered and noted,
- (ii) That Kirklees website be updated when members had complied with any sanctions,
- (iii) That reports to the Committee include an appendix showing decisions taken through the decision-making process,
- (iv) That a workshop be arranged to understand difficulties Officers and Members faced relating to Planning applications.

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 or any existing standards boards. During discussion of a particular case relating to Brighton and Hove Council, Members sought clarification on the size and political make-up of the Council. The Monitoring Officer undertook to find out and report back to the Committee.

The report also provided an update on the work of the Committee on Standards in Public Life that followed on from the report on 'Ethical Standards in Local Government.

RESOLVED: That the report be received and noted.

8 Interim update on Member-Officer workshop sessions

The Committee received a brief interim update on the recent workshop sessions undertaken on the Member-Officer protocol.

Three sessions took place as part of the review in January and February 2023 which were split across North and South Kirklees. The sessions were run by an independent consultant whose background included extensive experience as a Monitoring Officer and in local authority law, both in the public and private sectors. The sessions were based on encouraging member and officer participation.

During discussion, committee members provided comments on their experience of attending the session, along with some observations about what might be helpful to do moving forwards to embed the corporate knowledge of the protocol and use it to

Standards Committee - 23 March 2023

work together effectively. They noted that a more comprehensive report would come back to this committee with any proposed changes to the protocol when the work was completed.

RESOLVED:

- (i) That the report be considered and noted,
- (ii) That Officers be thanked for arranging the workshops.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL
STANDARDS COMMITTEE

Wednesday 24th May 2023

Present: Councillor Moses Crook (Chair)
Councillor Itrat Ali
Councillor Martyn Bolt
Councillor James Homewood
Councillor Harry McCarthy
Councillor Alison Munro
Councillor Mohan Sokhal

1 Admission of the Public

RESOLVED –

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

2 Appointment of Standards Committee

RESOLVED -

1) That the appointment of the Standards Sub-Committee be approved.

2) That the Sub-Committee should not be in accordance with the requirements of Section 15 and 16 of the Local Government and Housing Act 1989 and that the membership shall be drawn from the membership of the Standards Committee.

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Contact Officer: Sheila Dykes or Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 8th December 2022

Present: Councillor Steve Hall (Chair)
Councillor Ammar Anwar
Councillor Carole Pattison
Councillor Mohan Sokhal
Councillor Mark Thompson
Councillor Andrew Pinnock

Apologies: Councillor Paul Davies
Councillor Bill Armer

1 Membership of the Committee

Councillor Anwar substituted for Councillor P Davies and Councillor Gregg substituted for Councillor Armer.

2 Minutes of the Previous Meeting

Resolved – That the minutes of the meeting of the Committee held on 3rd November 2022 be approved as a correct record.

3 Declaration of Interests and Lobbying

Councillors Gregg, Hall, Pattison, Pinnock, Sokhal and Thompson advised that they had been lobbied in respect of Applications 2020/92331 and 2020/92350.

Councillors Hall, Pinnock and Sokhal advised that they had been lobbied in respect of Application 2020/92307.

4 Admission of the Public

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

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

7 Site Visit - Application No. 2020/92307

Site visit undertaken.

8 Planning Application - Application No. 2020/92331

The Committee considered Application 2020/92331, an outline planning application for the demolition of existing dwellings and development of a phased, mixed use scheme comprising residential development (up to 1,354 dwellings), employment

Strategic Planning Committee - 8 December 2022

development (up to 35 hectares of B1(part a and c), B2, B8 uses), residential institution (C2) development (up to 1 hectare), a local centre (comprising A1/A2/A3/A4/A5/D1 uses), a 2 form entry primary school including early years provision, green space, access and other associated infrastructure (amended and further information received) on land east of Leeds Road, Chidswell, Shaw Cross, Dewsbury.

Under the provisions of Council Procedure Rule 36(3), the Committee received a representation from Councillor Aleks Lukic.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Mark Eastwood MP, Duncan Smith, Sally Naylor, Duncan Mounsey and Sandy Mounsey (local residents/Chidswell Action Group) and Nolan Tucker (on behalf of the applicant).

Resolved -

- 1) That, subject to the Secretary of State not calling in the application, approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:
 - a) complete the list of conditions, including those contained within the report and the update, as set out below:
 - 1) Standard outline condition (approval of reserved matters prior to commencement, including allowance for an infrastructure-only reserved matters application to be submitted).
 - 2) Standard outline condition (implementation in accordance with approved reserved matters).
 - 3) Standard outline condition (reserved matters submission time limits – first reserved matters application to be submitted within three years of outline approval, last to be submitted within 12 years).
 - 4) Standard outline condition (reserved matters implementation time limit – within two years of reserved matters approval).
 - 5) Development in accordance with plans and specifications.
 - 6) Details of phasing to be submitted.
 - 7) Floorspace of employment element to comprise a maximum of 65% B8 use and a maximum of 50% B1c and B2 uses, and all B1a floorspace to be ancillary to a B1c, B2 and/or B8 use.
 - 8) Floorspace of the local centre to include no more than 500sqm of A1 use.
 - 9) D1 floorspace within the local centre shall not be used as a museum or exhibition hall.
 - 10) Implementation of a traffic mitigation scheme at the Shaw Cross junction when required, in accordance with details (including road safety audits and arrangements for implementation under Section 278) to be submitted.
 - 11) Implementation of other junction improvement schemes when required, in accordance with details (including road safety audits and arrangements for implementation under Section 278) to be submitted.

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- 12) Submission of interim and final details of spine road (including road safety audits and arrangements for implementation under Section 38), and subsequent implementation.
- 13) Submission of interim and final details of Leeds Road and Chidswell Lane site entrances (including road safety audits and arrangements for implementation under Section 278), and subsequent implementation.
- 14) Primary school to be provided (or alternative provision made) prior to occupation of more than 700 dwellings.
- 15) Assessment of potential for decentralised energy scheme to be carried out prior to submission of Reserved Matters applications.
- 16) Flood risk and drainage – full site-wide scheme to be submitted.
- 17) Flood risk and drainage – detailed drainage proposals to be submitted for each parcel / phase.
- 18) Separate systems of foul and surface water drainage to be provided.
- 19) Ecological mitigation and enhancement details (including an Ecological Design Strategy, measures to address impacts on birds including ground-nesting farmland birds), and details of mitigation and delivery measures to be submitted.
- 20) Air quality mitigation measures to be submitted.
- 21) Further noise assessment and mitigation measures to be submitted.
- 22) Further odour assessment and mitigation measures to be submitted, and odour constraint on developable areas to be considered prior to submission of Reserved Matters applications.
- 23) Contaminated land – phase II intrusive site investigation report to be submitted.
- 24) Contaminated land – remediation strategy to be submitted.
- 25) Contaminated land – remediation strategy to be implemented.
- 26) Contaminated land – validation report to be submitted.
- 27) Coal mining legacy – details of intrusive site investigation (and, where necessary, remediation) to be submitted.
- 28) Archaeological site investigation.
- 29) Site-wide placemaking strategy to be submitted prior to Reserved Matters applications, and to include design principles, coding and other arrangements to ensure high quality, co-ordinated development that appropriately responds to existing guidance including Housebuilders Design Guide Supplementary Planning Document.
- 30) Bus stop infrastructure audit and improvement plan to be submitted, with timeframes for implementation.
- 31) Construction (Environmental) Management Plan to be submitted.
- 32) Tree protection measures to be approved and implemented.
- 33) Temporary (construction phase) drainage measures to be approved and implemented.
- 34) Site-wide open space strategy to be submitted prior to Reserved Matters applications (or with the first Reserved Matters application), and to include proposals for on-site provision with reference to existing local provision and the six open space typologies of the Open Space Supplementary Planning Document.
- 35) M62 junction 28 monitoring strategy to be submitted, approved and implemented, and mitigation to be implemented if monitoring demonstrates the need (condition to be worded to allow for an

Strategic Planning Committee - 8 December 2022

- alternative scheme to be approved, for a contribution to be made via a Section 106 agreement, and for the developer to implement phase 1 of the scheme).
- 36) M1 junction 40 monitoring strategy to be submitted, approved and implemented, and mitigation to be implemented if monitoring demonstrates the need (condition to be worded to allow for an alternative scheme to be approved, and for a contribution to be made via a Section 106 agreement).
- b) secure a Section 106 agreement to cover the following matters (with all contributions being index-linked):
- (i) Highway capacity / improvement / other works:
- a) Contribution towards M62 junction 28 mitigation (if details submitted pursuant to condition 35 demonstrate this is appropriate).
 - b) Contribution towards M1 junction 40 mitigation (if details submitted pursuant to condition 36 demonstrate this is appropriate).
 - c) Monitoring of left-turn movements into Chidswell Lane from spine road, Traffic Regulation Order and implementation of works if signed restriction proves ineffective (contributions totalling £23,500).
 - d) Contributions towards junction improvement schemes (applicable should schemes secured by condition prove to be more appropriately delivered via a Section 106 provision).
- (ii) Sustainable transport:
- a) Pump-priming of a Dewsbury-Leeds bus route along spine road, triggered by occupation of 1,000 homes across both sites, contribution to be agreed, duration of pump-priming to be agreed, and provision for contributions to cease if bus service becomes self-financing.
 - b) Bus stop upgrade contribution (applicable if bus stop audit demonstrates the need).
 - c) Framework Travel Plan (and subordinate plans) implementation and monitoring including fees – £15,000 (£3,000 for five years).
- (iii) Education:
- a) £700,000 contribution towards interim primary provision to be paid in two tranches (£350,000 upon first occupation, £350,000 upon occupation of 119 homes).
 - b) Primary school (including early years and childcare) provision cascade:
 - i) Applicant / developer to decide on whether to build school on site or pay contribution no later than point of occupation of 200 homes;
 - ii) If the former, applicant / developer to provide land and build school on site to the Council's specification for use no earlier than when required and no later than point of occupation of 700 homes;
 - iii) If the latter, contribution amount to be reviewed at the time of payment, contribution to be paid in instalments between the occupation of 229 and 919 homes, Council to put contribution towards on-site school or alternative provision.
 - c) Secondary education contribution of £2,257,029.00
- (iv) Open space, including sports and recreation and playspaces – contribution based on Open Space Supplementary Planning Document methodology /

Strategic Planning Committee - 8 December 2022

formulae, taking into account on-site provision (to be confirmed at Reserved Matters stage). Site-wide strategy required to ensure provision across all phases / parcels / Reserved Matters applications is co-ordinated.

- (v) Affordable housing – 20% provision.
 - (vi) Local centre (including community facilities) – arrangements to ensure buildings / floorspace is provided, and details of size, timing, uses and location to be clarified.
 - (vii) Air quality – contribution (amount to be confirmed, and subject to applicant / developer measures which may render contribution unnecessary) up to the estimated damage cost to be spent on air quality improvement projects within the locality.
 - (viii) Biodiversity
 - a) Contribution (amount to be confirmed) or off-site measures to achieve biodiversity net gain (only applicable if 10% can't be achieved on-site);
 - b) Securing other off-site measures (including buffers to ancient woodlands, and provision of skylark plots).
 - (ix) 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. May include street trees if not adopted.
 - (x) Drainage – management company to manage and maintain surface water drainage until formally adopted by the statutory undertaker. Establishment of drainage working group (with regular meetings) to oversee implementation of a site-wide drainage masterplan.
 - (xi) Ancient woodland – management plan (and works, if required) for public access to Dum Wood and Dogloitch Wood (outside application site, but within applicant's ownership).
 - (xii) Social value – requirement for applicant / developer, future developer partners and occupants of employment floorspace to provide package of training, apprenticeships and other social value measures.
 - (xiii) Masterplanning – No ransom scenarios to be created at points where new roads meet other development parcels / phases.
- 2) In the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution (or of the date the Secretary of State for Levelling Up, Housing and Communities confirms that the application will not be called in) 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 and, 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 Anwar, Hall, Pattison and Sokhal (4 votes)

Against: Councillors Gregg, Pinnock and Thompson (3 votes)

Strategic Planning Committee - 8 December 2022

The Committee considered Application 2020/92350, an outline application for residential development (Use Class C3) of up to 181 dwellings, engineering and site works, demolition of existing property, landscaping, drainage and other associated infrastructure (amended and further information received) on land south of Heybeck Lane, Chidswell, Shaw Cross, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Mark Eastwood MP, Duncan Smith, Sally Naylor, Duncan Mounsey and Sandy Mounsey (local residents/Chidswell Action Group) and Nolan Tucker (on behalf of the applicant).

Resolved –

- 1) That, subject to the Secretary of State not calling in the application, approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:
 - a) complete the list of conditions, including those contained within the report and the update, as set out below:
 - 1) Standard outline condition (approval of reserved matters prior to commencement).
 - 2) Standard outline condition (implementation in accordance with approved reserved matters).
 - 3) Standard outline condition (reserved matters submission time limits – first reserved matters application to be submitted within three years of outline approval, last to be submitted within five years).
 - 4) Standard outline condition (reserved matters implementation time limit – within two years of reserved matters approval).
 - 5) Development in accordance with plans and specifications.
 - 6) Details of phasing to be submitted.
 - 7) Implementation of junction improvement schemes when required, in accordance with details (including road safety audits and arrangements for implementation under Section 278) to be submitted.
 - 8) Submission of interim and final details of Heybeck Lane site entrance (including road safety audits and arrangements for implementation under Section 278), and subsequent implementation.
 - 9) Assessment of potential for decentralised energy scheme to be carried out prior to submission of Reserved Matters applications.
 - 10) Flood risk and drainage – full site-wide scheme to be submitted.
 - 11) Flood risk and drainage – detailed drainage proposals to be submitted for each parcel / phase.
 - 12) Separate systems of foul and surface water drainage to be provided.
 - 13) Ecological mitigation and enhancement details (including an Ecological Design Strategy, measures to address impacts on birds including ground-nesting farmland birds), and details of mitigation and delivery measures to be submitted.
 - 14) Air quality mitigation measures to be submitted.
 - 15) Further noise assessment and mitigation measures to be submitted.
 - 16) Contaminated land – phase II intrusive site investigation report to be submitted.
 - 17) Contaminated land – remediation strategy to be submitted.

Strategic Planning Committee - 8 December 2022

- 18) Contaminated land – remediation strategy to be implemented.
 - 19) Contaminated land – validation report to be submitted.
 - 20) Coal mining legacy – details of intrusive site investigation (and, where necessary, remediation) to be submitted.
 - 21) Archaeological site investigation.
 - 22) Site-wide placemaking strategy to be submitted prior to Reserved Matters applications, and to include design principles, coding and other arrangements to ensure high quality, co-ordinated development that appropriately responds to existing guidance including Housebuilders Design Guide Supplementary Planning Document.
 - 23) Bus stop infrastructure audit and improvement plan to be submitted, with timeframes for implementation.
 - 24) Construction (Environmental) Management Plan to be submitted.
 - 25) Tree protection measures to be approved and implemented.
 - 26) Temporary (construction phase) drainage measures to be approved and implemented.
 - 27) Site-wide open space strategy to be submitted prior to Reserved Matters applications (or with the first Reserved Matters application), and to include proposals for on-site provision with reference to existing local provision and the six open space typologies of the Open Space Supplementary Planning Document.
- b) secure a Section 106 agreement to cover the following matters (with all contributions being index-linked):
- (i) Highway capacity / improvement / other works:
 - a) contributions towards junction improvement schemes (applicable should schemes secured by condition prove to be more appropriately delivered via a Section 106 provision).
 - b) contribution towards Shaw Cross junction scheme.
 - (ii) Sustainable transport:
 - a) Bus stop upgrade contribution (applicable if bus stop audit demonstrates the need).
 - b) Framework Travel Plan (and subordinate plans) implementation and monitoring including fees – £15,000 (£3,000 for five years).
 - (iii) Education:
 - a) £300,000 contribution towards interim primary provision.
 - b) Secondary education contribution of £223, 957.
 - (iv) Open space, including sports and recreation and playspaces – contribution based on Open Space SPD methodology / formulae, taking into account on-site provision (to be confirmed at Reserved Matters stage). Site-wide strategy required to ensure provision across all phases / parcels / Reserved Matters applications is co-ordinated.
 - (v) Affordable housing – 20% provision.
 - (vii) Air quality – contribution (amount to be confirmed, and subject to applicant / developer measures which may render contribution unnecessary) up to the estimated damage cost to be spent on air quality improvement projects within the locality.
 - (viii) Biodiversity:

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- a) Contribution (amount to be confirmed) or off-site measures to achieve biodiversity net gain (only applicable if 10% can't be achieved on-site);
 - b) Securing other off-site measures (including buffers to ancient woodlands, and provision of skylark plots).
- (ix) 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. May include street trees if not adopted.
- (x) Drainage – management company to manage and maintain surface water drainage until formally adopted by the statutory undertaker. Establishment of drainage working group (with regular meetings) to oversee implementation of a site-wide drainage masterplan.
- (xi) Ancient woodland – management plan (and works, if required) for public access to Dum Wood and Dogloitch Wood (outside application site, but within applicant's ownership).
- (xii) Social value – requirement for applicant / developer, future developer partners and occupants of employment floorspace to provide package of training, apprenticeships and other social value measures.
- (xiii) Masterplanning – No ransom scenarios to be created at points where new roads meet other development parcels / phases.
- 2) In the circumstances where the Section 106 agreement has not been completed within three months of the date of the Committee's resolution (or of the date the Secretary of State for Levelling Up, Housing and Communities confirms that the application will not be called in) 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 and, 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 Anwar, Hall, Pattison and Sokhal (4 votes)

Against: Councillors Gregg, Pinnock and Thompson (3 votes)

10 **Planning Application - Application No. 2020/92307**

The Committee considered Application 2020/92307, an outline application, including the consideration of access, for the erection of residential development (up to 75 units) at Penistone Road/, Rowley Lane, Fenay Bridge, Huddersfield.

Under the provisions of Council Procedure Rule 36(3), the Committee received a representation from Councillor McGuin.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Alison Munro and Gerald Newsome (local residents), Steve Noble (Green Alert in Lepton) and Chris Creighton (agent).

RESOLVED –

1) That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

1. Standard OL condition (submission of Reserved Matters)
2. Standard OL condition (implementation of Reserved Matters)
3. Standard OL condition (Reserved Matters submission time limit)
4. Standard OL condition (Reserved Matters implementation time limit)
5. Full technical details of the proposed access to be submitted, approved and implemented
6. Full technical details of the proposed footway along the southside of Rowley Lane to be submitted, approved and implemented
7. Full technical details of the proposed highway improvements to the Rowley Lane / Penistone Road junction to be submitted, approved and implemented
8. Full technical details of internal road to adoptable standard to be submitted, approved and implemented
9. Structural details provided for retaining walls adjacent to the highway
10. Archaeology investigation works to be undertaken and details of how the findings have informed the design, to be submitted with layout and/or landscape
11. Contaminated land investigation and appropriate remediation pre-commencement conditions
12. Full drainage scheme to be provided prior to commencement
13. Overland flow routing plan to be provided prior to commencement
14. Temporary surface water drainage plan to be provided prior to commencement
15. Noise mitigation measures to be submitted with layout and/or appearance
16. Details of secure cycling to be provided at layout
17. Construction Environmental Management Plan
18. Construction Environmental Management Plan: Ecology
19. Construction Management Plan
20. EV Charging Points to be provided
21. Arboricultural Survey, Impact and Methodology assessments to be submitted with layout and/or landscape
22. Ecological Impact Assessment, to include 10% net gain, to be submitted with layout and/or landscape
23. Repeat Ecological Surveys for the stand-alone tree and north boundary to be submitted with layout and/or landscape
24. Fully detailed Travel Plan to be provided
25. Public sewer easement
26. Tree protection

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover (i) Affordable housing: 20% of dwellings to be affordable with a split of 55% social or affordable rent to 45% intermediate housing (inc. 25% First Homes) (ii) Open space: Contribution to off-site open space to be calculated at Reserved Matters stage based upon final number of units and the level of on-site provision at that time (iii) Education: additional places would be required at Rowley Lane Junior, Infant and Nursery School and King James's School with the contribution to be calculated at Reserved Matters stage based upon final number of

units and the projected student numbers at that time (iv) Bio-diversity: Contribution (amount to be confirmed) towards off-site measures to achieve bio-diversity net gain in the event that it cannot be delivered on site (v) Travel plan: Monitoring of £10,000 (£2,000 per year, for five years) (vi) Metro / Sustainable travel: £10,000 for Real Time Information display plus Residential Metro Cards (vii) Roundabout contribution: £285,000 with overage clause if the identifies cost is exceeded and (viii) Management and maintenance: POS, Drainage, and Ecological features.

3) That, pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Planning and Development shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted to determine the Application and impose appropriate reasons for refusal under delegated powers.

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

For: Councillors Anwar, Gregg, S Hall, Pattison, A Pinnock, Sokhal and Thompson (7 votes)

Against: (no votes)

11 Planning Application - Application No. 2021/90800

The Committee considered Application 2021/90800 relating to the redevelopment and change of use of a former mill site to form 19 residential units (within a Conservation Area) at Hinchliffe Mill, Water Street, Holmbridge, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Charles Pogson (in objection), Mark Lee and Alison Dumville (on behalf of the applicant)

RESOLVED -

1) That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

1. TCPA Standard 3 Year Time Limit for Commencement;
2. Development in Accordance with Approved Document List;
3. Restrictions on occupation of the development to ensure Mill Conversion is completed;
4. Material Samples, Fenestration Detailing, Heritage Feature Retention Report (Prior to Commencement);
5. Archaeological Recording (Prior to Commencement);
6. Boundary Treatment Plan;
7. Obscure Glazing for Protection of Privacy of Water Street Residents;
8. Installation of Heritage Information Boards ;
9. Environment Agency Flood Risk Mitigation Measures;
10. Detailed Foul and Surface Water Drainage Design (Prior to Commencement);
11. Exceedance Event Assessment and Overland Flow Routing (Prior to Commencement);

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12. Temporary Drainage Design (Prior to Commencement);
13. Lighting Design Strategy for Biodiversity;
14. Submission of a Phase II Intrusive Site Investigation Report for Contaminated Land (Prior to Commencement);
15. Submission of a Remediation Strategy for Contaminated Land (Prior to Commencement);
16. Implementation of Site Remediation for Contaminated Land;
17. Submission of Validation Report for Contaminated Land;
18. Protection of Private Water Supplies (Prior to Commencement);
19. Electric Vehicle Charging Points;
20. Construction Management Plan (Prior to Commencement);
21. Submission of Structural Retaining Wall Details (Prior to Commencement);
22. Submission of Highway Structure Details within the Carriageway (manholes etc) (Prior to Commencement);
23. Submission of Retaining Wall Facing Materials;
24. Submission of Tree Protection Plan;
25. Submission of Waste Management Plan;
26. Submission of Temporary Waste Management Plan;
27. Submission of Pre and Post Development Highway Condition Survey (Prior to Commencement);
28. Private Access Road Surfacing Details (Prior to Commencement);
29. Submission of the details relating to the Parking Layby proposed on Spring Lane/Dam Head (Prior to Commencement);
30. Parking Area Surfacing;
31. Construction Environmental Management Plan: Biodiversity (Prior to Commencement);
32. Landscape Ecological Design Strategy (Prior to Commencement);
33. Public Open Space Details;
34. Removal of Invasive Plant Species;
35. Protected Species Licence (Prior to Commencement);
36. PROW Alignment, Construction and Safety Details.

2) That authority be delegated to the Head of Planning and Development to secure a S106 Agreement to cover (i) financial contribution of £62,330 towards off-setting the loss of Biodiversity on the development site with supplementary management details in accordance with the Biodiversity Technical Advice Note (ii) the provision of management companies for the purpose of maintaining shared spaces and drainage infrastructure serving the site and (iii) to enter into a viability review no later than the point at which 75% of on-site units have been sold. The agreed developer profit is to be 15% of Gross Development Value and any profits in excess of this shall be paid to the council to meet identified planning policy contributions (Affordable Housing/Sustainable Travel/Public Open Space/ 10% BNG).

3) That, pursuant to (2) above, in circumstances where the S106 Agreement has not been completed within three months of this decision, the Head of Planning and Development shall be authorised to consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits that would have been secured, and would therefore be permitted to determine the Application and impose appropriate reasons for refusal under delegated powers.

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

For: Councillors Anwar, Gregg, S Hall, Pattison, A Pinnock, Sokhal and Thompson (7 votes)

Against: (no votes)

12 Planning Application - Application No. 2022/92718

The Committee considered Application 2022/92718 in respect of the demolition of fire training building, extension and landscaping of RTC yard, including erection of fuel pump and tank, bin store and dog kennels, recladding of the BA building and erection of an enclosed link between BA and TRTC, provision of a new sub-station and new boundary treatments, retaining and landscaping works at Oakroyd Hall, West Yorkshire Fire and Rescue Service Headquarters, Bradford Road, Birkenshaw.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Clare Plant (on behalf of the applicant).

RESOLVED - That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

- 1) In accordance with the approved plans
- 2) Commencement with 3 years
- 3) Development shall not commence until works to remediate shallow coal mine workings has been carried out.
- 4) Prior to the occupation of the development, a signed statement or declaration confirming that the site has been made safe shall be submitted.
- 5) Development in accordance with the submitted Flood Risk Assessment and foul and surface water drainage strategy
- 6) Prior to development commencing a Construction Environmental Management Plan (CEMP) to be submitted.
- 7) Development in accordance with the Arboricultural Method Statement contained within the arboricultural impact assessment
- 8) Submission of Remediation Strategy
- 9) Implementation of the Remediation Strategy
- 10) Submission of Verification Report relating to any site remediation prior to site being bought in to use (If applicable).
- 11) Noise from Fixed Plant & Equipment to be controlled to not exceed background sound level.
- 12) Before the installation of external artificial lighting commences a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority.
- 13) In accordance with BNG design stage report.
- 14) In accordance with landscape plans
- 15) Brick to link for BA room to match existing BA & Command building

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

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For: Councillors Anwar, Gregg, S Hall, Pattison, A Pinnock, Sokhal and Thompson
(7 votes)

Against: (no votes)

13 **Planning Application - Application No. 2022/92651**

The Committee considered Application 2022/9261 for the use of land as a 'glamping site' with 6 glamping pods with decking, alterations to access to Moor Lane with formation of access road and parking areas, change of use of stables to form gym and Class E shop and café, and installation of package treatment system at Moorgate Farm, Moor Lane, Netherthong, Holmfirth.

RESOLVED – That the application be refused on the grounds that;

1. The proposed development is inappropriate in principle within the Green Belt since buildings for holiday or visitor accommodation do not fall within the definition of "appropriate facilities for outdoor recreation" nor any of the other categories listed in paragraphs 149-150 of the National Planning Policy Framework (NPPF). It is considered that the development would cause significant harm to the openness of the Green Belt and undermine the purpose of including land within it as set out in paragraph 138(c) of the NPPF in that it would represent an encroachment of built development into open countryside. Very special circumstances that clearly outweigh the harm the development would cause to the Green Belt by reason of inappropriateness or other harm have not been demonstrated by the applicant. The development is therefore contrary to Chapter 13 of the NPPF, Policy 10 of the Kirklees Local Plan and Policy 7 of the Holme Valley Neighbourhood Development Plan.

2. The proposed visibility splay to the west crosses land that is outside the red line boundary and appears to be in third party ownership. It is therefore not possible to guarantee that a sufficient visibility splay to the west can be provided or retained in perpetuity. Consequently, the use of the access by the proposed development would give rise to a material increase in risks to highway users, and therefore due to impacts upon highway safety, the proposal is contrary to the aims of Policy LP21 of the Kirklees Local Plan and Policy 11(4&5) of the Holme Valley Neighbourhood Development Plan.

3. The application has not been supported by an Arboricultural Survey or Impact Assessment formally appraising the value of the trees on site, explaining how they would be affected and what mitigation or compensation could be undertaken. The provision of visibility splays as shown on drawing 220430-01-11 would appear to require the removal of a number of mature trees that are the subject an Area Tree Preservation Order, reference 66/92/g1. The development therefore does not accord with the aims of Policy LP33 the Kirklees Local Plan or those of Holme Valley Neighbourhood Development Plan Policy 2(3) which state that any significant trees should be retained.

4. The Kirklees Biodiversity Net Gain Technical Advice Note requires that a 10% net gain should be achieved on sites over 0.5ha. The proposal has not been supported by a baseline ecological survey or impact assessment. It is therefore not possible to assess the value of any existing semi-natural habitat that would be lost (including,

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but not restricted to, mature trees) nor establish how the appropriate biodiversity net gain would be achieved. The proposal therefore does not accord with the aims of Policy LP30(ii) of the Kirklees Local Plan and Policy 13 of the Holme Valley Neighbourhood Development Plan.

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

For: Councillors Anwar, Gregg, S Hall, Pattison, A Pinnock And Sokhal (6 votes)

Against: Councillor Thompson (1 vote)

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 14th December 2022

Present: Councillor Steve Hall (Chair)
Councillor Paul Davies
Councillor Carole Pattison
Councillor Mohan Sokhal
Councillor Mark Thompson
Councillor Andrew Pinnock
Councillor Adam Gregg

Apologies: Councillor Bill Armer

1 Membership of the Committee

Apologies were received from Councillor Bill Armer.

Councillor Adam Gregg substituted for Councillor Bill Armer.

2 Declaration of Interests and Lobbying

Councillors P Davies, Gregg, S Hall, Pattison, A Pinnock, Sokhal and Thompson declared that they had been lobbied on application 2021/91914.

3 Admission of the Public

All items on the agenda were taken in public session.

4 Public Question Time

No questions were asked.

5 Deputations/Petitions

No deputations or petitions were received.

6 Planning Applications

The following applications were considered.

7 Planning Application - Application No: 2021/91914

The Committee gave consideration to Planning Application 2021/91914 Demolition of one dwelling and erection of 44 dwellings with access and associated infrastructure (revised plans) rear of, 28, Northorpe Lane, Northorpe, Mirfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Dipika Kaushal, Lucy Ashen, Sarah Hirst, Dominic Bowen, Stephen Ashen, Jackie Ashen and John Fitzsimons (objectors) and Richard Mowat (on behalf of the applicant).

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. Complete the list of conditions including those contained within the considered report and the planning update including:
 1. TCPA Section 91 – Standard 3 Year Commencement Deadline
 2. Development in accordance with Approved Document Schedule
 3. Submission of retaining wall facing materials
 4. Highway Retaining Wall Structural Details (Pre-commencement)
 5. Non-highway Retaining Wall Structural Details (Pre-commencement)
 6. In highway structures' details (manholes etc) (Pre-commencement)
 7. Internal estate highway construction details to meet adoptable standards (Pre-commencement)
 8. Provision of off-site parking lay-by/widening works (Pre-commencement)
 9. Surfacing of parking areas
 10. Access junction layout (Pre-commencement)
 11. Submission of detailed Travel Plan
 12. Bin presentation points.
 13. Temporary waste management during development and occupation of dwellinghouses
 14. Pre & Post Highway Condition Surveys and remedial works (Pre-commencement)
 15. External materials specifications and samples.
 16. Soil & Vent Pipes to remain within external envelope.
 17. Submission of detailed hard and soft landscaping including street trees and management practices (Pre-commencement)
 18. 5 Year Landscape Replacement
 19. Construction Environmental Management Plan for Biodiversity (Pre-commencement)
 20. Ecological Design Strategy
 21. Detailed drainage design (Pre-commencement)
 22. Exceedance event/overland flow routing (Pre-commencement)
 23. Temporary drainage arrangements (Pre-commencement)
 24. Submission of Phase II Contaminated Land Survey (Pre-commencement)
 25. Submission of Remediation Strategy for Contaminated Land (Pre-commencement)
 26. Implementation of Remediation Strategy (Pre-commencement)
 27. Validation of Site Remediation (Pre-commencement)
 28. Submission of Air Quality Impact Assessment
 29. Electric Vehicle Charging Point Installation
 30. Construction Environmental Management Plan (Noise, Dust, Artificial Lighting, Complaint Handling) (Pre-commencement)
 31. Construction traffic and operative parking management (Pre-commencement)
2. Secure a Section 106 agreement to cover the following matters:

Strategic Planning Committee - 14 December 2022

- 1) Affordable housing – A 20% (20.51%) on-site contribution composed of 9 affordable First Homes with 30% market discount.
 - 2) Public Open Space – An off-site financial contribution of £80,318 to address shortfalls in specific open space typologies.
 - 4) Biodiversity – A financial contribution of £59,110 towards off-site measures to achieve biodiversity net gain.
 - 5) Sustainable Transport – Measures to encourage the use of sustainable modes of transport, including a £25,968.50 financial contribution towards a Sustainable Travel Fund for the purpose of providing Residential MCards for occupants of the development as well as £23,000 for Bus Stop Upgrades in the form of a New Shelter at Stop 16299 and a Real Time Display to be installed at Stop 16300. A further £10,000 towards Travel Plan monitoring is also required.
 - 7) 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 and foul drainage infrastructure until formally adopted by the statutory undertaker).
3. Pursuant to (2) above, 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 is 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: P Davies, S Hall, Pattison and Sokhal (4 votes).

Against: Councillors: Gregg, A Pinnock and Thompson (3 votes)

8 Planning Application - Application No: 2022/92557

The Committee gave consideration to Planning Application 2022/92557 Installation of a 1mW ground mounted solar array and all associated works Fox View, Dry Hill Lane, Denby Dale, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Sub Committee received a representation from Richard Corbett (on behalf of the applicant).

RESOLVED –

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

1. In accordance with the approved plans.
2. Development with 3 years.
3. Submission of details regarding the transformer details / locations

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4. Submission of a landscaping / planting scheme
5. Submission of noise impact assessment
6. Submission of a 'Glint and Glare' assessment
7. Reporting of unexpected contaminated land
8. No development within an appropriate buffer of the protected trees, as agreed with KC Trees
9. Submission of a biodiversity plan for a 10% biodiversity net gain
10. Notwithstanding approved plans, applicant to agree on method to fix panels to the ground with the LPA.
11. Submitted of an arboricultural method statement / tree protection plan
12. Submission of a landscape and ecological design (LEDS). The scheme shall provide the means of providing biodiversity enhancement, given the location, managed and maintained in perpetuity.

It was noted that the Committee supported a condition to replace the use of concrete pads as the method of fixing the solar panels to the ground with a less intrusion method.

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

For: Councillors: P Davies, Gregg, S Hall, Pattison, A Pinnock and Sokhal (6 votes).

Against: Councillor Thompson (1 vote)

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 26th January 2023

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Paul Davies
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Mohan Sokhal
Councillor Mark Thompson

1 Membership of the Committee

All members of the Committee were in attendance.

2 Minutes of the Previous Meeting Resolved –

That the minutes of the meetings of the Committee held on 8th and 14th December 2022 be agreed as a correct record.

3 Declaration of Interests and Lobbying

Councillors Armer, Hall, Pattison, Pinnock and Thompson advised that they had been lobbied in respect of Application No. 2022/91730.

4 Admission of the Public

All items were considered in public session.

5 Public Question Time

A question was asked in respect of whether an investigation was ongoing to determine if the installation of roller shutters at a property on Nelson Street, Birstall had been approved by the Council, what the status of that investigation was and when an outcome might be forthcoming.

An answer was given by the Head of Planning and Development.

6 Deputations/Petitions

No deputations or petitions were received.

7 Planning Application - Application No: 2022/91730

The Committee considered Application 2022/91730 relating to the demolition of a former dairy/snooker centre/storage and the erection of nine light industrial units on land adjacent to 60 Northgate, Cleckheaton.

Strategic Planning Committee - 26 January 2023

Resolved –

That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:

- (a) complete the list of conditions, including those contained within the report, as set out below:
1. Time limit (3 years).
 2. Development in accordance with the approved plans.
 3. Approval of samples of facing materials.
 4. Details of boundary treatments.
 5. Construction management plans for highway safety and residential amenity.
 6. Temporary drainage scheme for construction phase.
 7. Detailed drainage design and arrangements for the future maintenance and management of surface water infrastructure within the site.
 8. Submission of a noise report.
 9. Restriction on hours of operation to avoid night-time working.
 10. Details of external lighting to mitigate the impact on residential amenity.
 11. Updated intrusive site investigation report for land contamination.
 12. Site remediation and validation reports as necessary (informed by the updated intrusive site investigation report).
 13. Scheme for electric vehicle recharging points.
 14. Surfacing of the parking and turning areas within the site.
 15. Details of the proposed waste storage arrangements to mitigate potential fire risk.
 16. No building or other obstruction including landscape features shall be located over or within 3 metres either side of the centre line of the public. Furthermore, no construction works in the relevant area(s) of the site shall commence until measures to protect the public sewerage infrastructure that is laid within the site boundary have been implemented in full accordance with details that are to be submitted to and approved by the Local Planning Authority.
 17. Details of any highway retaining structures.
 18. Details of integrated bird boxes.
 19. Scheme for security measures to be incorporated into the development.
 20. Scheme of energy efficiency measures to be incorporated into the construction of the units to mitigate the impact on climate change.
 21. Separate foul and surface water drainage systems to be provided.
 22. No surface water pumping prior to the completion of surface water drainage works,

and subject to the inclusion of a requirement for engagement with local residents within the Construction Management Plans (Condition 5).

- (b) secure a unilateral undertaking to cover the following matter:
Financial contribution to deliver offsite habitat improvements (£30,130).

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

Strategic Planning Committee - 26 January 2023

For: Councillors Armer, Davies, Hall, Pattison, Sokhal and Thompson (6 votes)
Against: Councillor Pinnock (1 vote)

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Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 2nd March 2023

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Tyler Hawkins
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Mohan Sokhal
Councillor Mark Thompson

1 Membership of the Committee

Councillor Hawkins attended for Councillor Davies.

**2 Minutes of the Previous Meeting
Resolved –**

That the Minutes of the meeting of the Committee held on 26th January 2023 be approved as a correct record.

3 Declaration of Interests and Lobbying

Councillors Armer, Hall, Pattison, Pinnock and Thompson advised that they had been lobbied in respect of Application No. 2021/94029.

In the interests of transparency and probity, Councillor Sokhal advised that he had decided not to participate in respect of Application No. 2021/94029 and left the meeting whilst that application was considered and voted upon.

Councillors Hall, Hawkins and Pattison advised that they had been lobbied in respect of Application No. 2022/93248.

Councillors Hall, Pattison, Pinnock and Thompson advised that they had been lobbied in respect of Application No. 2021/94208.

Councillors Hall, Hawkins and Pattison advised that they had been lobbied in respect of Application No. 2022/92406.

4 Admission of the Public

All items were considered in public session.

5 Public Question Time

No questions were asked.

6 Deputations/Petitions

No deputations or petitions were received.

7 **Site Visit - Application No. 2022/92406**
Site visit undertaken.

8 **Site Visit - Application No. 2022/93230**
Site visit undertaken.

9 **Planning Application - Application No: 2021/94029**
The Committee considered Application 2021/94029 relating to the demolition of existing structures and erection of a foodstore (Class E) with associated access, parking, servicing areas and landscaping on the site of the former Spotted Cow Pub, New Hey Road, Oakes, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Inder Bhullar, John Barber, Malcolm Sizer and Mark Stringer (in objection), Robert Sleigh (in support) and Thomas Hanrey (on behalf of the applicant).

Resolved –

- 1) That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:
 - a) complete the list of conditions, including those contained within the report, as set out below:
 1. 3 year Time Limit for Permission Implementation (TCPA S91)
 2. Development to be carried out in accordance with approved plan and document schedule.
 3. Construction Environmental Management Plan (Pre-commencement)
 4. Implement agreed Dust Mitigation Scheme
 5. Gross and net floorspace, convenience and comparison goods sales restrictions.
 6. No internal or external sub-division of premises for separate use or retail entity.
 7. Electric Vehicle Charging Points
 8. Implement Agreed Noise Mitigation Measures
 9. Acoustic Barrier Details
 10. Noise Specification from Fixed Plant and Equipment
 11. Customers Time Restrictions
 12. Delivery Time Restrictions
 13. Reporting Unexpected Contamination
 14. External Lighting Design Strategy for Biodiversity and Residential Amenity
 15. Submission of details relating to the kitchen extraction system for the bakery
 16. Submission of detailed Travel Plan
 17. Areas to be Surfaced and Drained
 18. Junction Access Sightlines
 19. Closure of Existing Access
 20. Submission of Details for a Right Turn Lane on New Hey Road (Precommencement)
 21. Retaining Walls (Pre-commencement)

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22. Implementation of agreed drainage design
23. Drainage Attenuation and Flow Control Detail Submission (Pre-commencement)
24. Sample of external facing materials and sample panel of masonry, inclusive of retaining wall facing materials
25. Submission of detailed boundary wall specifications
26. Ecological Design Strategy for Implementing Biodiversity Off-Setting
27. Working restrictions in respect of nesting birds
28. Removal of invasive non-native species (Pre-commencement)

b) secure a Section 106 agreement to cover the following matters:

- (i) Biodiversity – A financial contribution of £44,620 towards off-site measures to achieve biodiversity net gain in accordance with the Biodiversity Technical Advice Note;
- (ii) Sustainable Travel Improvements – A financial contribution of £26,000 for the provision of 2 no. bus stop shelters on New Hey Road (stops 22485 & 22498) as well as a further £10,000 towards Travel Plan Monitoring;
- (iii) Management – The establishment of a management company for the management and maintenance of infrastructure (including surface water and foul drainage infrastructure) until formally adopted by the statutory undertaker).

- 2) 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 and, 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 Armer, Hall, Hawkins, and Pattison (4 votes)
Against: Councillors Pinnock and Thompson (2 votes).

10 **Planning Application - Application No. 2022/93248**

The Committee considered Application 2022/93248 relating to the demolition of existing Piazza shopping centre; part removal of Queensgate Market; demolition/retention of service tunnels; redevelopment of the site to form new public realm space (including public park and gardens, play areas, public square/outdoor event space); refurbishment and change of use of existing Queensgate Market Hall into food hall (Use Class E (b) sale of food and drink for consumption, mostly, on the premises); refurbishment and extension of existing library and art gallery building to form museum (Use Class F.1); change of use of part existing market hall building and extension to form public library (Use Class F.1); erection of indoor event venue incorporating multi-storey car park below (Sui-Generis); erection of public gallery building (Class F.1); associated infrastructure on land and buildings at Queensgate Market, Huddersfield Library and Art Gallery, and Piazza (and The Shambles) Shopping Centre (part Listed Building/part within a Conservation Area) Piazza Centre, Princess Alexandra Walk, Huddersfield.

Strategic Planning Committee - 2 March 2023

Under the provisions of Council Procedure Rule 36(3), the Committee received a representation from Councillor Adam Gregg.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Helen Roberts, James Sibson, Chris Calvert and David Glover (on behalf of the applicant).

Resolved -

1) That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:

a) complete the list of conditions, including those contained within the report, as set out below:

Timeframe and phasing

1. 5 year time frame to commence development
2. Development build in accordance with Plans
3. Submission of a Phasing Plan

Heritage

4. Details of all external materials for all new construction including samples of ceramic cladding and facing materials for sensitive locations
5. Landscaping details, materials, street furniture design, anti-social behaviour measures, a landscape strategy and a maintenance plan.
6. External lighting strategy and specifications in sensitive locations

Highways

7. Construction Environmental Management Plan (CEMP)
8. Events Management Plan
9. Service Management Plan
10. Full Travel Plan
11. Signing/Wayfinding Strategy
12. Highway Works – construction of new signalised access from A62 Queensgate to MSCP
13. Highway Works – construction of new service layby on Alfred Street
14. Multistorey Car Park (MSCP) Access Control System

Highway Structures

15. New retaining walls
16. Surface water attenuation tanks

Environmental Health

17. Air Quality Impact Assessment
18. Electric Vehicle Charging Points
19. Implement agreed Kitchen Extract Scheme
20. Submission of a Phase 2 Intrusive Site Investigation Report
21. Submission of Remediation Strategy (cont. land)
22. Implementation of the Remediation Strategy (cont. land)
23. Submission of Verification Report (cont. land)
24. Noise Report required for proposed noise generating use
25. Noise from Fixed Plant & Equipment
26. Entertainment Noise Inaudibility

Strategic Planning Committee - 2 March 2023

27. Installation of the Agreed External Artificial Lighting

28. Construction Environmental Management Plan

Drainage

29. Drainage Details (scheme detailing foul, surface water and land drainage)

30. Overland Flow Routing

31. Construction Phase Surface Water Flood Risk and Pollution prevention plan.

Ecology

32. Ecology Ecological Design Strategy (EDS)

33. Construction environmental management plan (CEMP: Biodiversity)

Coal Authority

34. Intrusive site investigations

35. Declaration prepared by a suitably competent person

Others

36. Sustainability- provisions of the Climate Change Statement to be implemented (and thereafter retained), along with a Post Construction Report

37. Details of waste collection provision

38. Tree protection plan

39. Landscape / tree planting details

b) secure an agreement to cover the following matters:

Sustainable Transport:- Framework Travel Plan (and subordinate plans) implementation and monitoring including fees – £15,000 (£3,000 for five years).

- 2) In the circumstances where the requisite 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 and, 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, Hawkins, Pattison, Pinnock and Sokhal (5 votes)

Against: Councillors Armer and Thompson (2 votes)

11 **Planning Application - Application No. 2021/94208**

Outline application for re-development of former waste water treatment works, including demolition of existing structures to provide employment uses (Use Classes E(g)(ii); E(g)(iii); B2 and B8) at the former North Bierley Waste Water Treatment Works, Cliff Hollins Lane, Oakenshaw.

Strategic Planning Committee - 2 March 2023

Under the provisions of Council Procedure Rule 36(3) the Committee received a representation from Councillor John Lawson.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Charlie Brown (in objection) and Matthew Sheppard (on behalf of the applicant).

Resolved –

That the application be refused for the following reasons:

- 1) the intensification of the access junction, and the impact on Cliff Hollins Lane and Mill Carr Hill Road and the junction with Bradford Road by the introduction of the predicted generation of traffic indicated in paragraph 10.37 of the officer's report is considered to be unacceptable as it would be detrimental to highway safety.
- 2) Notwithstanding the position of National Highways (as set out in paragraphs 8.1 and 10.6 of the officer's report), building upon safeguarded land (for highways improvements) would unacceptably remove potential future opportunities to improve the strategic highways network, namely connections between the M62 and M606, which in turn would benefit the local network at Junction 26 / Chain Bar Roundabout.

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

For: Councillors Hall, Pinnock and Thompson (3 votes)

Against: Councillors Hawkins, Pattison and Sokhal (3 votes)

Abstain: Councillor Armer

The Chair used his casting vote for the motion.

12 Planning Application - Application No. 2022/92406

The Committee considered Application 2022/92406 in relation to the erection of 10 affordable dwellings, with access from Chapelgate and associated works, including resident play zone on land adjacent to 67 Chapelgate, Scholes, Holmfirth.

Under the provisions of Council Procedure Rule 36(3) the Committee received representations from Councillors Moses Crook, Paul Davies and Donald Firth.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Rob Heels, Dean Killock and Carol Killock (in objection) and Tony Hood, Martyn Broadest and David Storrie (on behalf of the applicant).

Strategic Planning Committee - 2 March 2023

Resolved -

- 1) That, approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:
 - a) 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. Details of boundary treatments to be submitted and approved, and thereafter installed and retained.
 4. Materials samples, to include natural stone and slate, to be provided.
 5. Remove Permitted Development rights for extensions, outbuildings, and dormers.
 6. Retaining walls erected as per approved plans.
 7. Landscaping to be done in accordance with plan.
 8. Landscaping management and maintenance plan to be provided.
 9. Details of new village sign, to be provided and retained.
 10. Construction Environmental Management Plan (CEMP).
 11. Road to adoptable standard.
 12. Access, Sightlines, Footpath to acceptable standards.
 13. Cycle stores to be provided.
 14. Construction Traffic Management Plan (CTMP).
 15. Road Condition Survey.
 16. Drainage strategy.
 17. Flood routing strategy.
 18. Temporary drainage strategy for construction.
 19. Car parking crime mitigation measures.
 20. One Electric Vehicle Charging Point per dwelling.
 21. Contaminated land investigations.
 22. Invasive species management plan.
 23. An Ecological Design Strategy (including management and maintenance details) to demonstrate how the 0.68 habitat units will be delivered on site, to include; five bat boxes, five bird boxes, five log piles, provision of hedgehog holes in garden boundaries.
 24. A lighting designs strategy (ecology).
 25. Restrict site clearance to outside of bird breeding season (unless appropriate surveys are undertaken).
 26. Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity)
 - b) secure a Section 106 agreement to cover the following matters:
 - (i) Limit occupation of the dwellings to those with a local connection and in need of affordable housing.
 - (ii) The provision of 0.8 habitat units within the area, an off-site contribution (£18,538), or a mixture of the two. On-site habitat to be manged for 30 years.

Strategic Planning Committee - 2 March 2023

(iii) Management and maintenance of drainage infrastructure (prior to adoption) and ecological features.

- 2) 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 and, 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, Hawkins, Pattison, Pinnock and Sokhal (5 votes)

Against: Councillors Armer and Thompson (2 votes)

13 **Planning Application - Application No. 2022/93342**

The Committee considered Application 2022/93342 in respect of the demolition of an existing building and erection of engineering building with associated external works at David Brown Santasalo UK Ltd, Park Works, Park Road, Lockwood, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Hamish Gledhill (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. 3-year commencement timescale.
2. Development in accordance with the approved plans.
3. Phase I contaminated land assessment.
4. Phase II contaminated land assessment.
5. Contaminated land remediation strategy.
6. Implementation of contaminated land remediation strategy.
7. Contaminated land verification report.
8. Provision of highway retaining wall/structure.
9. Air Quality Impact Assessment.
10. Construction Environmental Management Plan.
11. Noise Impact Assessment.
12. Surface and foul water drainage strategy.
13. Separate foul and surface water drainage systems.
14. No piped discharge prior to completion of surface water drainage works.
15. Details of external materials.
16. Solar Panel Glint and Glare Assessment.
17. External lighting strategy.
18. Swift (Apus apus) nesting box.

19. Compliance with Bat Roost Survey Report.

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

For: Councillors Armer, Hall, Hawkins, Pattison, Pinnock, Sokhal and Thompson (7 votes)

Against: (no votes)

14 Planning Application - Application No. 2022/93230

The Committee considered Application 2022/93230 to deepen and extend Windy Ridge Quarry; increase the number of HGV movements permitted; excavate former landfill to recover recyclable materials (retrospective); temporarily store soils on part of the previously restored quarry area (retrospective); form new access; restore the site by infill with construction, demolition and excavation wastes; and recycle imported construction demolition and excavation wastes at Windy Ridge Quarry, Cartworth Moor Road, Cartworth Moor, Holmfirth.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Chris Ballam (on behalf of the applicant).

Resolved –

That the application be refused for the following reasons:

1. The proposals through the construction of a new access road will result in the encroachment of urban development into the countryside. This together with its use as proposed would constitute inappropriate development failing to preserve the openness of the green belt and would conflict with the purpose of including the land within the green belt. Very special circumstances (which clearly outweigh this inappropriateness and other harm) has not been sufficiently demonstrated. The proposal is therefore contrary to policies LP32 and LP36, Part 2 (a) of the Kirklees Local Plan and guidance in the National Planning Policy Framework.
2. The proposals will result in an intensified use in HGV movements on the surrounding highway network including Cartworth Moor Road. Consequently, this will result in the further structural failure of the unsealed, maintained in character only, section of Cartworth Moor Road, which in its current condition is considered unsuitable to serve the proposed intensified HGV movements. Cartworth Moor Road in part forms a core walking and cycling network. The intensified HGV's movements is likely to result in significant highway safety concerns from conflicts between HGV and other road users including vehicular, equestrian, cyclists and pedestrians, failing to safeguard and undermine the safety of all other users. The proposals as such are contrary to guidance in the NPPF and Kirklees Local Plan Policies LP21, LP23, and LP36 Part 2 (points c, d and f).

Strategic Planning Committee - 2 March 2023

3. The carrying out of the proposals will result in unacceptable noise nuisance to the occupants of the nearest noise sensitive receptor known as Moorfield Farm. It has not sufficiently been demonstrated how the detrimental impact from noise nuisance on the occupiers of Moorfield Farm can be mitigated against adequately. The proposals as such fail to comply with Kirklees Local Plan Policies LP36, Part 2(c) and LP52 and guidance in the National Planning Policy Framework.
4. The submitted information fails to demonstrate sufficiently how the proposals would avoid causing potential detrimental effects on the existing private water supplies serving a number of properties in the vicinity of the application site, to accord with Kirklees Local Plan policies LP34, LP36 Part 1 (c) and Part 2 (e) and guidance in the National Planning Policy Framework.

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

For: Councillors Armer, Hall, Hawkins, Pattison, Sokhal and Thompson (6 votes)

Against: Councillor Pinnock (1 vote)

15 **Planning Application - Application No. 2022/93465**

The Committee considered Application 2022/93465 in respect of the variation of Condition 30 (minerals) on previous permission 2000/90671 for extension of Carr Hill Quarry including the extraction of sandstone and clay, associated activities and its restoration by means of infill with inert wastes at Carr Hill Quarry, Barnsley Road, Upper Cumberworth, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Chris Ballam (on behalf of the applicant).

Resolved –

- 1) That, approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:
 - a) complete the rewording of condition 30, on receipt of accurate final site layout drawings showing appropriate contouring details.
 - b) secure a Section 106 agreement to cover the following matters:
to link the existing structures and their use on the application site, to the applicant's haulage business situated 240 metres to the west, on the A635 Holmfirth Road.
- 2) 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 and, if so, the Head of Planning and Development be authorised to determine the application and impose appropriate reasons for refusal under delegated powers.

Strategic Planning Committee - 2 March 2023

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

For: Councillors Hall, Hawkins, Pattison, Pinnock, Sokhal and Thompson (6 votes)

Against: (no votes)

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Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 15th March 2023

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Tyler Hawkins
Councillor James Homewood
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Mark Thompson

Apologies: Councillor Davies and Sokhal

1 Membership of the Committee

Councillor Hawkins attended for Councillor Davies and Councillor Homewood attended for Councillor Sokhal.

2 Declaration of Interests and Lobbying

Councillors Armer, Hall, Hawkins, Homewood, Pattison, Pinnock and Thompson advised that they had been lobbied in respect of Application 2021/92603.

3 Admission of the Public

All items were considered in public session.

4 Deputations/Petitions

No deputations or petitions were received.

5 Public Question Time

No questions were asked.

6 Planning Application - Application No: 2021/92603

The Committee considered Application 2021/92603 in respect of the erection of a storage and distribution unit (Use Class B8) with ancillary offices, car parking, servicing, landscaping and access at land west of the M62, south of Whitehall Road, Cleckheaton.

It was noted that site visits had taken place on Tuesday 14th March and Wednesday 15th March 2023.

Under the provisions of Council Procedure Rule 36(3), the Committee received representations from Councillor Kath Pinnock, Councillor John Lawson, Councillor Elizabeth Smaje and Councillor Andrew Cooper.

Strategic Planning Committee - 15 March 2023

Under the provisions of Council Procedure Rule 37, the Committee received representations from Kim Leadbeater MP, Bradford Councillor Sarah Ferriby, Nicola Gatenby, Dar Shivtiel, Ian Abbott, Alison Abbott, Judith Johnston, Max Rathmell, Matthew Beardsworth, Sharon Lewis, Barry Lewis, Ciaran Lewis, Bill Blackledge and Nick Willock (in objection) and David Benfell, Sally Miles, Ian Dix, Nigel Mann, Brett Coles and Neil Travis (on behalf of the applicant).

Resolved –

That the application be refused for the following reasons:

1. The design does not respect and protect the landscape character of the area and is therefore contrary to Policy LP32 of the Kirklees Local Plan and Paragraph 174 of the National Planning Policy Framework.
2. The proposal is contrary to the principles of Policy LP64 of the Kirklees Local Plan due to the size of the development.
3. There would be an unacceptable adverse impact on residential amenity, including local air quality (contrary to Policy LP51 of the Kirklees Local Plan), as a result of the size and scale of the development and the lack of a sufficient buffer zone to the houses on Whitechapel Road.
4. There would be an unacceptable adverse impact on the amenity of the adjacent cemetery.
5. There would be an unacceptable adverse impact on the local highway network.
6. A masterplan was not produced in accordance with the requirements of Policy LP5 of the Kirklees Local Plan.
7. A bio-diversity net gain cannot be achieved on the site or within the vicinity.

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

For: Councillors Armer, Hawkins, Pinnock and Thompson (4 votes)

Against: Councillors Hall, Homewood and Pattison (3 votes)

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 6th April 2023

Present: Councillor Steve Hall (Chair)
Councillor Paul Davies
Councillor Carole Pattison
Councillor Bill Armer
Councillor Mark Thompson
Councillor Andrew Pinnock

Apologies: Councillor Mohan Sokhal

1 Membership of the Committee

Apologies were received from Councillor Mohan Sokhal.

2 Minutes of the Previous Meeting

The minutes of the meeting held on 2 March 2023 were approved as a correct record.

3 Declaration of Interests and Lobbying

Councillors A Pinnock, Armer and S Hall declared that they had been lobbied on application 2022/91735.

Councillors A Pinnock and S Hall declared that they had been lobbied on application 2021/93567.

4 Admission of the Public

All items on the agenda were taken in public session.

5 Deputations/Petitions

No Deputations or petitions were received.

6 Site Visit - Application No: 2021/93567

Site visit was not undertaken due to time constraints.

7 Site Visit - Application No: 2022/91735

Site visit undertaken.

8 Planning Applications

The following applications were considered.

9 Planning Application - Application No: 2022/91735

The Committee gave consideration to Planning Application 2022/91735 Outline application, with access and layout, for the erection of 80 dwellings and associated work Land off, Hermitage Park, Lepton, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Steven Noble, David Ward, Maria Carthy (objectors) and Mark Johnson (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(3) the Committee received representations from Councillors Alison Munro, Bernard McGuin and Paola Davies (ward members).

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. Complete the list of conditions including those contained within the considered report and the planning update, as set out below:

1. Reserved Matters submission and timeframes.
2. Development to be carried out in accordance with the approved plans and specifications.
3. Notwithstanding submitted details, Reserved Matters of Landscape and Scale to include finished floor levels plan.
4. Condition for Construction Environmental Management Plan (C(E)MP).
5. foul water pumping station noise limited to background level.
6. Penistone Road / Rowley Lane improvements to be provided.
7. Rowley Lane / Hermitage Park improvements to be provided.
8. Details of barrier / method of preventing through traffic to phase 3.
9. Technical specifications of internal access road.
10. Construction Management Plan (CMP).
11. Cycle storage details per unit.
12. Reserved Matter (Landscape) to include treatment of PROW KIR/85/10 details.
13. Private drive communal bin stores to be provided.
14. Phases waste collection strategy.
15. Full technical details of the proposed swale to be provided.
16. Full technical details of surface water drainage system to be provided.
17. Surface water flood routing plan to be provided and implemented.
18. Details of temporary surface water drainage to be provided.
19. Development to be done in accordance with Tree Protection Plan.
20. Ecological Design Strategy to be provided.
21. Details of boundary treatment between site and Lepton Great Wood to be provided at Reserved Matters (landscape) stage.
22. Construction Environmental Management Plan: Ecology (CEMP: Biodiversity) to be provided.
23. Details of landscape to include lighting and crime mitigation strategy.
24. EVCP, 1 per dwelling.
25. Development done in accordance with proposed Dust Mitigation Strategies.

Strategic Planning Committee - 6 April 2023

26. Contaminated Land Investigation (Phase 2, Remediation, Validation stages).
27. Coal legacy mitigation works.
28. Landscape details to be in accordance with approved Public Open Space plan.

Planning update:

Following the outcome of a Stage 1 Road Safety Audit on the proposed Rowley Lane / Hermitage Park junction improvements, the proposal has been amended to include the provision of parking restrictions (yellow lining) on the junction radii. This would prevent vehicle parking affecting the sightlines. These proposals would be secured via condition but would also be subject to separate Traffic Regulation Order process that involves its own public consultation and assessment.

It has been raised by residents and ward members that the applicant's Ecological Impact Assessment does not include consideration of the impacts of the proposed highway improvement works at the Hermitage Park and Rowley Lane junction. To secure the required sightlines, the clearance of vegetation and regrading are proposed within a wooded area adjacent the highway.

It is proposed that the condition requiring the full technical details of the improvement works include an Ecological Impact Assessment. Ultimately, this will ensure the most up to date surveys (if required) are undertaken and inform the appropriate design features and/or mitigation. Given the small size of the area and its proximity to the highway, there is no reasonable grounds of prohibitive issues being raised.

2. Secure a section 106 agreement to cover the following matters:

- a) Affordable Housing: 16 units (20%) to consist of nine Affordable Rent (55%) and seven Intermediate Dwellings (45%), including four First Homes (25%).
- b) Open space off-site contribution: Delivery of on-site Public Open Space (amenity green space, natural and semi-natural green space, and parks and recreation) and an off-site contribution of £72,724, unless updated at Reserved Matters (Landscape) stage.
- c) Education: £225,821 towards education requirements arising from the development.
- d) Metro / sustainable travel: £50,920 towards Sustainable Travel measures (including £40,920 for MetroCard's and £10,000 towards Travel Plan Monitoring).
- e) Access to Masterplan Phase 3/4: £422,224 with overage clause if the identified cost is exceeded.
- f) Management and maintenance: Management and maintenance of on-site Public Open Space in perpetuity, drainage features in perpetuity (unless adopted by Yorkshire Water), and Biodiversity Net Gain measures for a minimum of 30 years.

Strategic Planning Committee - 6 April 2023

g) Footpath: Maintenance of public access to footpath along diverted claimed footpath route in perpetuity.

3. 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 and, 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 Paul Davies, S Hall, Pattison and Thompson (4 votes)

Against: Councillors Armer and A Pinnock (2 votes).

- 10 Planning Application - Application No: 2021/93567**
The Committee gave consideration to Planning Application 2021/93567 Erection of 180 dwellings with associated works Land off, Westgate, Cleckheaton.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from Matthew Heskith (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(3) the Committee received a representation from Councillor Kath Pinnock (ward member).

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. complete the list of conditions, including those contained within the report and the planning 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 for approval.
 4. Notwithstanding submitted details, plots 1 – 4 and 179 – 180 to be faced in natural stone.
 5. Retaining wall materials to be submitted and approved.
 6. Full technical landscaping strategy to be provided, to include assessment of avoiding potential tree impacts upon subterranean water infrastructure.
 7. Technical details of street tree planting to be provided.
 8. Construction Environmental Management Plan (C(E)MP).
 9. Details of the Local Equipped Area of Play to be provided, approved, and implemented.
 10. Acoustic Mitigation Measures to be implemented.

Strategic Planning Committee - 6 April 2023

11. Details of Ventilation Systems, for units with acoustic mitigation, to be provided and implemented.
 12. Parking spaces, both dwelling and visitor, to be provided.
 13. Waste collection points for shared drives to be provided.
 14. Details and implementation of improvements to x2 Zebra Crossings on Westgate.
 15. Details of cycle storage, per unit, to be provided.
 16. Phased delivery waste management strategy.
 17. Construction Management Plan (CMP).
 18. Development done in accordance with FRA climate change mitigation measures.
 19. Watercourse assessment of Blacup Beck.
 20. Drainage strategy details to be submitted and approved.
 21. Flood routing details to be submitted and approved.
 22. Temporary drainage arrangements during construction.
 23. No development to commence until a strategy for the protection and/or diversion of public sewers, to include the provision of appropriate stand-off distances, has been submitted and
 24. Detail and provision of connection points onto PROW SPE/93/20 (Brick Street) and Quarry Road.
 25. 1 EVCP per dwelling.
 26. Development done in accordance with Dust Mitigation Measures.
 27. Details of acoustic fencing for gardens to be provided and implemented.
 28. Contaminated Land Investigation (Phase 2, Remediation, Validation stages).
 29. Ecological Design Strategy (EDS) to be provided.
 30. Construction Management Plan: Ecology (CMP: Ecology).
 31. Invasive Species Protocol.
2. Secure a section 106 agreement to cover the following matters:
- a) Affordable Housing: 9 First Homes and 3 Affordable Homes (6.6% of total units).
 - b) Open space off-site contribution: £59,770.28.
 - c) Metro enhancements: £33,000 towards bus stop improvements.
 - d) Sustainable Travel: £10,000 towards travel plan monitoring.
 - e) Biodiversity: £199,916 towards off-site measures to achieve biodiversity net gain, with alternative option to provide on-site or nearby provision if suitable scheme identified.
 - f) Management and maintenance: POS, drainage (including culverts), and ecological features.
 - g) Viability Review Mechanism: An updated viability report to be provided to the LPA at 50% occupation, with additional Section 106 obligation to be provided in the event that a higher-than-expected profit is achieved

Strategic Planning Committee - 6 April 2023

It was noted that the Committee requested that the funds allocated to obligations b, c and d above be redirected to Education Provision as per the relevant KC Education Consultation Response.

3. 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 and, 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 Armer, Paul Davies, S Hall, Pattison, A Pinnock and Thompson (6 votes)

Against: (0 votes).

Contact Officer: Richard Dunne

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 11th May 2023

Present:

Councillor Paul Davies
Councillor Carole Pattison
Councillor Mohan Sokhal
Councillor Bill Armer
Councillor Mark Thompson
Councillor Andrew Pinnock
Councillor Eric Firth

Apologies: Councillor Steve Hall (Chair)

1 Membership of the Committee

Apologies were received from Councillor Steve Hall.

Councillor Eric Firth Substituted for Councillor Steve Hall.

In the absence of Councillor Steve Hall Councillor Carole Pattison was elected to chair the meeting.

2 Minutes of the Previous Meeting

The minutes of the meetings held on the 15 March 2023 and 6 April 2023 were approved as a correct record.

3 Declaration of Interests and Lobbying

Councillors A Pinnock, Armer and Pattison declared that they had been lobbied on application 2021/93006.

It was noted that Cllr Armer declared that he had attended community meetings relating to application 2021/93006 but had only provided advice on procedural matters.

Councillors A Pinnock and Armer declared that they had been lobbied on applications 2021/94061 and 2021/94208.

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 or petitions were received.

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7 Site Visit - Application No: 2021/93006

Site visit undertaken.

8 Site Visit - Application No: 2021/94061

Site visit undertaken.

9 Site Visit - Application No: 2021/94208

Site visit undertaken.

10 Planning Applications

The following applications were considered.

11 Planning Application - Application No: 2021/93006

The Committee gave consideration to Planning Application 2021/93006 Conversion of existing barn to form 8 dwellings, erection of 9 dwellings, demolition of redundant agricultural buildings and associated works (Listed Building within a Conservation Area) Yew Tree Farm, The Village, Farnley Tyas, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Richard Wood, Keith Bellwood and Malcolm Sizer (objectors), and Michael Powell (on behalf of the applicant).

RESOLVED –

1) That approval of the application and issue of the decision notice be delegated to the Head of Planning and Development in order to:

a) complete the list of conditions, including those contained within the report, as set out below:

1. TCPA Standard 3 Year Time Limit for Commencement.
2. Development in Accordance with Approved Document List.
3. Phase II Intrusive Site Investigation Report.
4. Remediation Strategy.
5. Implementation of Remediation Strategy.
6. Verification Report.
7. Submission of a Construction Environmental Management Plan.
8. Noise Report.
9. Electric Vehicle Charging Points.
10. Detailed Design Scheme detailing Foul Surface Water and Land Drainage.
11. Assessment of the Effects of 1 in 100 Year Storm Events.
12. Temporary Surface Water Drainage.
13. Site shall be developed with separate systems of drainage for foul and surface water on and off site.
14. No piped discharge of surface water from the development should be undertaken prior to the completion of surface water drainage works.
15. Arboricultural Method Statement.
16. Drainage and Surfacing of car parking spaces.
17. Installation of 11 bat boxes to provide a biodiversity net gain.

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18. Removal of Permitted Development Rights for extensions, outbuildings, alterations to the roof and boundary treatments.
19. Restrict Access to the south of the site (off of Farnley Road).
20. The existing farmhouse should be recorded prior to demolition to enable external detailing of the new 'replica' dwelling (plot 15).
21. Details and design of the garage door for the new 'replica' dwelling (plot 15) shall be submitted for approval and should be in timber.
22. The demolition of the farmhouse must not be allowed to proceed unless the larger development goes ahead.
23. Reclaimed natural stone slate roofing in diminishing courses must be specified, with a sample submitted for approval – farmhouse (plot 15).
24. Existing stone taken from the farmhouse shall be reclaimed and re-used where possible. Any replacement stone must match the existing in terms of stone type, tooling, coursing etc. with sample panels provided to show coursing and points, and ashlar stone samples submitted for approval. Tumbled and dyed stone will not be permitted.
25. External material samples for all new build dwellings are to be submitted for approval, including roof slates and ashlar stonework, with sample panel of external walling including pointing and mortar colour. Pitched faced or tooled stone shall be specified rather than tumbled and dyed stone.
26. Window and door details for all new builds shall be submitted for approval (scale 1:5 sections and 1:20 elevations).
27. Landscaping details shall be provided to the Council prior to their use on site, these details should include surface treatments.
28. Implementation of a programme archaeological and architectural recording, in accordance with a written scheme of investigation prior to works commencing on site.
29. Further details of the proposed hard and soft landscaping throughout the site shall be provided prior to occupation of the dwellinghouses. Most specifically details shall be provided in respect of the car parking area to the north of the site.
30. Obscurely glazed windows in the interests of residential amenity – Plot 4 first floor en-suite, Plot 12 first floor en-suite to rear, Plot 11 first floor en1suites and bathroom to the front.
31. Remove permitted development rights for the conversions of garages to additional residential accommodation.
32. Maintenance of all planted materials for five years.
33. Details of boundary treatments shall be submitted to the LPA for approval prior to their installation – most specifically relating to the stone wall adjacent to the PROW and timber fencing.
34. Details of temporary arrangements for the management of waste collection points to be submitted and approved by LPA.
35. Phased approach to ensure that all Listed Buildings are repaired/converted before all of the new build dwellings are occupied.

b) secure a Section 106 agreement to cover the following matters

1. Affordable Housing – Two affordable housing units (both to be intermediate/first homes) to be provided in perpetuity.
2. Open Space – £31,289 off-site contribution, and 285sqm on site contribution to the front of the site adjacent to the existing substation.

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3. 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).

4. Management agreement for the private road.

c) 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 and, 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: Paul Davies, E Firth, Pattison, Sokhal and Thompson (5 votes)

Against: Councillors Armer and A Pinnock (2 votes).

12 **Planning Application - Application No: 2021/94061**

The Committee gave consideration to Planning Application 2021/94061 Reserved matters application pursuant to outline permission 2022/91849 for variation condition 21 (highways and occupation) on previous permission 2021/94060 for variation condition 32 on previous permission 2016/92298 for outline application for re-development of former waste water treatment works following demolition of existing structures to provide employment uses (use classes B1(c), B2 and B8) to include the discharge of conditions 17 (site investigations), 29 (Noise attenuation) and 31 (electric vehicle charging points) Former North Bierley Waste Water Treatment Works, Oakenshaw.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Charlie Brown (Objector) and Andrew Windress (on behalf of the applicant).

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions including those contained within the considered 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. Cycle parking spaces to be provided.
4. Material samples.
5. Landscaping to be implemented prior to occupation, unless other phasing agreed.
6. Landscaping management and maintenance strategy to be provided.

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And discharge of conditions (pursuant to this phase only):

- Condition 6 (BEMP)
- Condition 17 (Coal Legacy)
- Condition 29 (Noise Mitigation)
- Condition 31 (Air Quality)

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

For: Councillors Paul Davies, E Firth, Pattison and Sokhal (4 votes)

Against: Councillor Thompson (1 vote)

Abstained: Councillors Armer and A Pinnock

13 Planning Application - Application No: 2021/94208

The Committee gave consideration to Planning Application 2021/94208 Outline application for re-development of former waste water treatment works, including demolition of existing structures to provide employment uses (Use Classes E(g)(ii); E(g)(iii); B2 and B8) Former North Bierley Waste Water Treatment Works, Cliff Hollins Lane, Oakenshaw.

Under the provisions of Council Procedure Rule 37 the Committee received representations from Charlie Brown, Cllr Matt Edwards (objectors) and Matthew Sheppard (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(3) the Committee received a representation from Councillor Kath Pinnock (ward member).

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. complete the list of conditions, including those contained within the considered 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. Reserved Matters (layout, scale, appearance, landscape) to include updated Sustainability Statement, built upon indicative provisions detailed in outline Sustainability Statement.
4. Building not to exceed 18m in height.
5. Construction Environmental management Plan (CEMP).
6. Noise impact assessment to be provided at RM stage.
7. Control on plant equipment noise level.
8. Development to be done in accordance with dust mitigation measures

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9. Limit on development floor area (max. 12,077m² GFA), with specific restriction on Parcel Distribution/'Last Mile Delivery' use (max. 6,000m² GFA).
 10. Design and the implementation of cycle / footway improvement on Cliff Hollins Lane and Mill Carr Hill Road.
 11. No development to be occupied, prior to completion of the site access and off-site highway improvements Bradford Road (approach to M62 Junction 26 Chain Bar, providing an improved alignment to the junction, changes to signage, and a third lane for direct access to the M606).
 12. Detailed Travel Plan to be submitted / implemented.
 13. Delivery and Servicing Management Plan (DSMP) to be submitted / implemented.
 14. Construction Traffic Management Plan (CTMP) to be submitted / implemented.
 15. Highway condition survey and remediation.
 16. Development be undertaken in accordance with the submitted FRA (and supporting document), specifically that the finished floor levels be set above (92.0mAOD).
 17. Detailed drainage strategy, to include management and maintenance arrangements, to be provided at Reserved Matters stage (layout).
 18. Surface water flood routing strategy to be provided at Reserved Matters stage (layout).
 19. Details of temporary surface water drainage arrangements, during construction (pre-commencement).
 20. Oil separator to be installed within hard surfaced areas / car park (pre commencement).
 21. No development within easement of sewers within the site (unless diversion agreed).
 22. Arrangement for ensuring permanent access to the Moorend Combined Sewer Overflow and the associated syphon sewer.
 23. Foul water arrangement details to be provided.
 24. Details of surface water outfall to be approved.
 25. measures to protect the public sewerage infrastructure that is laid within the site to be provided.
 26. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
 27. EVCP (1 per 10 spaces)
 28. Contaminated Land (Phase 2, Remediation, Validation).
 29. Arboricultural Reports to be provided at Reserved Matters (layout and landscape) stage.
 30. Ecological Design Strategy, to secure 10% net gain based on provided baseline.
 31. No site clearance within bird breeding season (unless survey undertaken).
 32. Lighting Strategy for Ecology.
 33. CEMP: Biodiversity.
 34. Invasive species management plan.
2. Secure a section 106 agreement to cover the following matters:
1. Traffic monitoring and £30,000 (£15,000 x 2) towards potential traffic management schemes at Cliff Hollins Lane and Mill Carr Hill Road
 2. £15,000 for Travel Plan monitoring (£3,000 x 5 years).

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Subject to securing a meaningful increase in contributions towards any potential traffic management schemes at Cliff Hollins Lane and Mill Carr Road.

3. 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 and, 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 Paul Davies, E Firth, Pattison and Sokhal (4 votes).

Against: Councillors Armer, A Pinnock and Thompson (3 votes)

14 **Planning Application - Application No: 2022/93932**

The Committee gave consideration to Planning Application 2022/93932 Change of use of Crown House to provide student-only living accommodation (sui generis) in the form of studios (198), with ancillary concierge and communal facilities including an open plan lounge, coffee bar and gym at groundfloor, with laundry, car parking, cycle store, parcel store and plant rooms at basement level and associated works including the installation of new cladding and fenestration to the elevations with a new roof garden atop the building Crown House, 12, Southgate, Huddersfield.

Under the provisions of Council Procedure Rule 37 the Committee received a representation from David Tye (on behalf of the applicant.

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. complete the list of conditions, including those contained within the considered 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. Full details of proposed materials (inc. cladding, panels, fenestration) and their colour to be submitted and approved.
4. Landscape strategy to be submitted and approved.
5. Binstore material and colour details.
6. Revised Noise Impact Assessment (to include assessment of master planned University Car Park).
7. Sound Insulation Assessment.
8. Noise Management Plan.
9. Student occupation only.

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10. Student use of gym / café only.
11. Car park management plan.
12. Waste management and maintenance plan.
13. Cycle parking to be provided as detailed.
14. CMP.
15. Protection of nesting birds.
16. Ecological Design Strategy to secure 10% net gain and other ecological mitigation / enhancements.
17. Removal of non-native species.
18. Air Quality Impact Assessment to be undertaken.
19. EVCP to be provided.
20. Crime mitigation measures to be detailed and implemented.

2. Secure a section 106 agreement to cover the following matters:

- a) Open space off-site contribution: £283,173.00 towards enhancement to local Public Open Space.
- b) Metro enhancements: £20,000 towards bus stop improvements.

3. 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 and, 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 Armer, Paul Davies, E Firth, Pattison, A Pinnock, Sokhal and Thompson (7 votes)

Against: (0 votes).

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Wednesday 24th May 2023

Present: Councillor Steve Hall (Chair)
Councillor Bill Armer
Councillor Moses Crook
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Mohan Sokhal
Councillor Mark Thompson

1 Admission of the Public

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

2 Appointment of Sub-Committees and Appointment of Chairs

RESOLVED –

(1) That the Planning Sub-Committees Heavy Woollen Area and Huddersfield Area be comprised of the Membership as set out at Agenda Item 13 of the Annual Council Agenda.

(2) That Councillor Lowe be appointed as Chair of Planning Sub Committee (Heavy Woollen Area) and (ii) Councillor Ullah be appointed as Chair of Planning Sub Committee (Huddersfield Area), for the 2023/2024 Municipal Year.

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Contact Officer: Richard Dunne

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 8th June 2023

Present: Councillor Steve Hall (Chair)
Councillor Moses Crook
Councillor Carole Pattison
Councillor Mohan Sokhal
Councillor Bill Armer
Councillor Mark Thompson
Councillor Andrew Pinnock

- 1 Membership of the Committee**
All members of the Committee were present.
- 2 Minutes of the Previous Meeting**
The minutes of the meetings of the Committee held on the 11 May 2023 and the 24 May 2023 were approved as a correct record.
- 3 Declaration of Interests and Lobbying**
No interests or lobbying was declared.
- 4 Admission of the Public**
All items were considered in public session.
- 5 Public Question Time**
No questions were asked.
- 6 Deputations/Petitions**
No deputations or petitions were received.
- 7 Site Visit- Application No: 2023/90024**
Site visit undertaken.
- 8 Site Visit - Application No: 2022/92097**
Site visit undertaken.
- 9 Site Visit- Application No: 2022/91789**
Site visit undertaken.
- 10 Planning Applications**
The following applications were considered.

11 Planning Application - Application No: 2023/90024

The Committee gave consideration to Planning Application 2023/90024 Partial demolition of Listed Building to facilitate refurbishment and extension of the George Hotel to form 90+ room C1 hotel with associated ancillary uses (including bar, restaurant, gym, conference room) (within a Conservation Area) George Hotel, St George's Square, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Simon Taylor (On behalf of the applicant).

Under the provisions of Council Procedure Rule 36(3) the Committee received a representation from Councillor Graham Taylor (Cabinet Member – Regeneration).

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. complete the list of conditions, including those contained within the considered report, as set out below:

1. Timescale – three years
2. Development in accordance with approved plans
3. Pre commencement condition for details for the proposed canopy to Block A – scaled drawings 1:20.
4. Pre-commencement condition for details of dropped kerb to be provided on John William Street adjacent to the hotel site into a full loading bay along with the footway being widened with a pedestrian crossing.
5. Pre-commencement condition for a waste management plan.
6. Prior to construction commencing, a schedule of the means of access to the site for construction traffic shall be submitted.
7. Pre-commencement condition for further / specific details of green roof (including substrate depth, watering details and confirmation that a sedum mat is not proposed).
8. Pre-commencement condition for the management of newly establishing trees.
9. Pre-commencement condition method statement regarding the protection of the existing trees and planting bed during the works.
10. Submission of a Travel Plan.
11. Pre-commencement condition for details of any works to retaining walls abutting the highway.
12. Pre-commencement condition for drainage scheme.
13. Pre-commencement condition for an Ecological Design Strategy (EDS) to ensure that a 15.80% biodiversity net gain is achieved.
14. Pre-commencement conditions for contaminated land investigation and remediation.
15. Pre-commencement conditions for intrusive site investigation with regard to the historic coal mining legacy.
16. Submission of a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development with regard to the coal mining legacy.

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17. Pre-commencement condition for a Construction Environmental Management Plan (CEMP).

18. No site clearance works shall take place between 1st March and 31st August inclusive due to bird nesting.

19. No operational use of the doors on John William Street outside the hours of 0700hrs and 2300hrs Monday to Saturday and 0900hrs to 2300hrs Sunday.

20. The combined noise from any fixed mechanical services and external plant and equipment shall not exceed the background sound level at any time.

An additional condition to establish a cycle storage facility for hotel employees.

2. To secure an agreement to cover the following matter:

Sustainable Transport - A financial contribution of £10,000 for a Travel Plan assessment and monitoring for five years.

3. In the circumstances where the requisite 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 is 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 Armer, Crook, Pattison, A Pinnock, Sokhal, Thompson and S Hall (7 votes).

Against: (0 votes)

12 **Planning Application - Application No: 2022/91789**

The Committee gave consideration to Planning Application 2022/91789 Erection of four industrial units for E(g)(iii) (light industry) use with associated parking and turning facilities with 10 storage units (within a Conservation Area) Land south of railway line, Scar Lane, Milnsbridge, Huddersfield.

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. complete the list of conditions, including those contained within the considered report, as set out below:

- 1) Time limit (three years).
- 2) Development in accordance with the approved plans.
- 3) Noise Impact Assessment.
- 4) Hours of use of the site (including deliveries and opening times).

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- 5) Contaminated land investigation conditions.
- 6) Submission of a Lighting Strategy – outlining hours of operation and candelas (Environmental Health).
- 7) Tree Protection – in accordance with the submitted Arboricultural Method Statement.
- 8) Implementation of Landscape Management Plan for a period of five years.
- 9) Submission of a Construction Environmental Management Plan (including a schedule of the means of access to the site for construction traffic), and engagement with residents prior to submission.
- 10) Submission of a Stage 1 Safety Audit and Designer's Response.
- 11) Submission of a scheme detailing foul, surface water and land drainage.
- 12) Site developed with separate systems of drainage for foul and surface water on and off site.
- 13) Submission of a drainage scheme to restrict the rate of surface water discharge from the site.
- 14) Submission of a drainage scheme which details temporary surface water drainage for the construction phase.
- 15) Submission of a Lighting Strategy (Biodiversity).
- 16) Submission and approval of samples of external materials.
- 17) No site clearance between 1st March and 31st August unless checked by a competent ecologist and approved by the Council.
- 18) 10% net gain to be achieved post-development in accordance with the Kirklees Biodiversity Net Gain Technical Advice Note.
- 19) Implementation of the submitted Ecological Design Strategy.
- 20) Conditions requested from Network Rail.
- 21) Provision of electric vehicle charging points.
- 22) Submission of details of hard landscaping throughout the site, including retention of stone setts to the entrance of the site.
- 23) Stone boundary wall at the site entrance to be retained (if this cannot be retained it should be rebuilt to match the layout and materials of the existing wall).

2. Secure a section 106 agreement to cover the following matter:

1. 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).

3. 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 and, 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:

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For: Councillors Armer, Crook, Pattison, A Pinnock, Sokhal, Thompson and S Hall (7 votes).

Against: (0 votes)

13 **Planning Application - Application No: 2023/90853**

The Committee gave consideration to Planning Application 2023/90853 Erection of catering pod North Huddersfield Trust School, Woodhouse Hall Road, Fartown, Huddersfield.

RESOLVED –

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to complete the list of conditions, including those contained within the considered report, as set out below:

1. Three years to commence development.
2. Approved plans and documents.

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

For: Councillors Armer, Crook, Pattison, A Pinnock, Sokhal, Thompson and S Hall (7 votes).

Against: (0 votes)

14 **Planning Application - Application No: 2022/92097**

The Committee gave consideration to Planning Application 2022/92097 Erection of two storey extension and alterations The Veterinary Hospital, 131, Somerset Road, Almondbury, Huddersfield.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Bryn Moore and Paul Sumner (objectors) and Martin Paterson (on behalf of the applicant).

Under the provisions of Council Procedure Rule 36(3) the Committee received a representation from Councillor Andrew Cooper.

RESOLVED-

Delegate approval of the application and the issuing of the decision notice to the Head of Planning and Development in order to:

1. complete the list of conditions, including those contained within the considered report, as set out below:

1. Standard three year commencement deadline.
2. Development in accordance with Approved Document Schedule.
3. Requirement that the materials of construction accord with the details submitted.

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4. Submission of a Construction Environmental Management Plan, and engagement with residents prior to submission.
5. Submission of a Travel Plan.
6. Submission of a lighting design strategy for biodiversity.
7. Submission of land quality assessment should unexpected contamination be encountered.

2. Secure a section 106 agreement to cover the following matter:

1. Financial contribution of £5,200 towards a Traffic Regulation Order to restrict on-street parking to mitigate the impacts of the development.

3. 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 and, 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 Crook, Pattison, Sokhal, Thompson and S Hall (5 votes).

Against: (0 votes)

Abstained: Councillors Armer and A Pinnock.