

Public Document Pack



**Service Director – Legal, Governance and
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Monday 9 October 2023

Notice of Meeting

Dear Member

Cabinet

The **Cabinet** will meet in the **Meeting Room 3 - Town Hall, Huddersfield** at **3.00 pm** on **Tuesday 17 October 2023**.

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

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

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

Julie Muscroft

Service Director – Legal, Governance and Commissioning

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

Cabinet Members:-

Member	Responsible For:
Councillor Cathy Scott	Leader of the Council
Councillor Paul Davies	Deputy Leader and Corporate
Councillor Elizabeth Reynolds	Learning and Aspiration
Councillor Graham Turner	Finance and Regeneration
Councillor Viv Kendrick	Children' Services (Statutory responsibility for Children)
Councillor Masood Ahmed	Housing and Highways
Councillor Jackie Ramsay	Health & Social Care (Statutory responsibility for Adults)
Councillor Mussarat Pervaiz	Communities
Councillor Yusra Hussain	Culture and Greener Kirklees

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of Cabinet

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

2: Declaration of Interests

1 - 2

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

3: Admission of the Public

Most agenda items take place in public. This only changes where there is a need to consider exempt information, as contained at Schedule 12A of the Local Government Act 1972. You will be informed at this point which items are to be recommended for exclusion and to be resolved by the Committee.

4: Deputations/Petitions

The Cabinet 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.

5: Questions by Members of the Public

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.

6: Questions by Elected Members (Oral Questions)

Cabinet will receive any questions from Elected Members.

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

7: Special Educational Needs and Disabilities (SEND) - Increasing Special School Places

3 - 22

To consider creating additional school places at Woodley School and College.

Wards affected: all

Contact: Martin Wilby, Head of Education Places and Access

8: Ad Hoc Scrutiny Building Panel - health and safety compliance in residential housing stock

23 - 42

To consider progress and next steps.

Wards affected: all

Contact: Sarah Thistlethwaite, Service Development Manager

9: Kirklees Local Plan Review and Update

43 - 82

To consider the outcome of a review of the Kirklees Local Plan.

Wards affected: all

Contact: Jo Scrutton, Planning Policy Team Leader – Planning Policy Group

10: Update on proposals for the redevelopment of Sycamore Grange, Golcar, Huddersfield. 83 - 102

To consider the redevelopment of Sycamore Grange in Golcar, Huddersfield.

Wards affected: Golcar

Contact: James Hinchliffe, General Manager – Development, Homes and Neighbourhoods.

11: Re-Profile of Kirklees Resource & Waste Strategy 2021-2030 103 - 166

To consider the Kirklees Resource & Waste Strategy 2021-30.

Wards affected: all

Contact: Natalie Clark, Programme Manager

12: Kirklees Stadium and Kirklees Stadium Developments Ltd - Further revisions to the previously agreed approach 167 - 172

To consider proposals for Kirklees Stadium Development Ltd.

Wards affected: Dalton

Contact: David Shepherd, Strategic Director – Growth & Regeneration

13: Exclusion of the Public

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business, on the grounds that it involves the likely

disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

14. Kirklees Stadium and Kirklees Stadium Developments Ltd - Further revisions to the previously agreed approach

173 -
176

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. And where information is subject to an obligation to confidentiality.

To consider the exempt information in relation to Agenda Item 12.

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

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

(b) either -

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

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



Name of meeting: Cabinet
Date: 17th October 2023
Title of report: Special Educational Needs and Disabilities (SEND) – Increasing special school places

Purpose of report:

To seek authority to progress plans to create additional special school places at Woodley School and College ahead of, and leading up, to the completion of construction on a new and larger school building.

Key Decision – A key decision is an executive decision to be made by Cabinet which is likely to result in Council spending or saving £500k or more per annum, or to have a significant positive or negative effect on communities living or working in an area comprising two or more electoral wards. Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.	Yes – this will have a significant effect on two or more electoral wards because of the reach of SEND provision.
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	Key Decision – Yes Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name.	14 September 2023, Tom Brailsford – Strategic Director, Children & Families
Is it also signed off by the Service Director for Finance?	6 October 2023, Isabel Brittain – Service Director, Finance
Is it also signed off by the Service Director for Legal Governance and Commissioning?	5 October 2023, Julie Muscroft – Service Director, Legal, Governance and Commissioning –
Cabinet member portfolio	Elizabeth Reynolds – Learning and Aspiration Cllr Viv Kendrick – Children's Services

Electoral wards affected: All

Ward councillors consulted: SEND provision serves children from across the district, all Ward Councillors have had the opportunity to engage with and respond to a non-statutory consultation about a proposed increase to 194 pupil places gradually over time, using satellite provision to enable this in the first instance.

Public or private: Public

Has GDPR been considered? Yes, personally identifiable data is not present in this report.

1. Summary

1.1 Improving the outcomes for our children with special educational and additional needs is at the heart of our agreed 'Inclusive Ambitions' (see Appendix 1) to tackle key inequality issues in Kirklees. By investing in and working with our children and young people and their families at the earliest opportunity, this will support us to help them to achieve their best possible outcomes.

Kirklees wants:

- All our children and young people to have the best start in life
- Our children and young people to be proud to come from Kirklees
- Our children and young people with Special Educational Needs and Disabilities (SEND) to live and be educated in Kirklees
- Our children and young people with Special Educational Needs and Disabilities to make good educational progress, have high aspirations and good life opportunities.

1.2 Kirklees has a comprehensive SEND Transformation Plan (STP) with robust governance. The STP has, at its core, a sufficiency strategy which focuses on enabling more children and young people to secure places and thrive in local educational settings. One part of that strategy is to rebuild of two existing special schools, Joseph Norton Academy, and Woodley School and College. Not only is the plan to provide modern facilities for existing pupils but they will also be built to accommodate more pupils to meet the needs of our local learners.

1.3 Kirklees Council is undertaking a four-week non-statutory consultation with interested stakeholders on the proposals to increase pupil places to 194 at Woodley School and College, gradually over time, using satellite provision ahead of, and leading up to, the completion of construction on a new and larger school building. The consultation started on 29 September 2023 and will end on 27 October 2023 (see Appendix 2). This is providing an opportunity for stakeholders to review the proposals and comment on them.

1.4 In time, the proposed 194 places will include 180 places in the planned new school rebuild and up to 14 places in the existing Woodley Post-16 provision based in a shop in Huddersfield town centre.

1.5 To ensure timely progress of these proposals, Members are asked to approve delegated authority for the Strategic Director for Children's Services, to take account of the outcome the non-statutory consultation and publish statutory proposals to increase pupil places at Woodley School and College.

1.6 Following the publication of the statutory proposals and the outcome of the representation period, the increase in pupil places at Woodley School and College will be subject to a further report and a final decision by Cabinet.

1.7 To ensure timely progress of future proposals, Members are also asked to approve delegated authority for the Strategic Director for Children's Services to publish statutory proposals to create additional special school places, taking account of the outcome of future non-statutory consultations. The final decision will continue to be made by Cabinet who can also take account of the non-statutory consultation and representations made during the representation period.

2 Information required to take a decision

The following areas will provide key context and background:

- Transformation plan
- The rebuild of Woodley School and College
- Special School Satellite provision
- The process required to increase pupil places in a special school

Transformation plan

2.1 Our partnership across Education, Health and Social Care aims to improve the lives and life chances of children and young people (aged 0-25) with SEND. We shape and co-produce this together with our parents and carers.

2.2 A comprehensive SEND Transformation Plan (STP) has been established and implementation of the multi-year programme is well underway. It is noted that work is founded on outcome / financial trajectories and the plans will continue to evolve over the lifetime of the 5-year programme in order to harness emerging best practice and capitalise on opportunities for innovation, all with the aim of improving the outcomes for our learners and their families.

2.3 The STP focuses on early identification of needs, key strategic investment to flexibly increase capacity and sufficiency, effective transitions for our children as they grow into adulthood, and a focus on inclusivity across all our settings and provision.

2.4 A key strand of the SEND Transformation Plan is 'Commissioning and Sufficiency', which includes improving local sufficiency of places across a graduated approach of specialist provision (see Appendix 2, page 2).

The rebuild of Woodley School and College

2.5 In October 2021, Kirklees Cabinet agreed an ambitious plan to rebuild two existing special schools, Joseph Norton Academy, and Woodley School and College. Not only will the plan provide modern facilities for existing pupils, but the schools will also be built to accommodate more pupils to address growing demand.

2.6 The rebuild of two special schools continues to compliment and deliver on the Councils 2023/24 priorities:

- Addressing the financial challenges – saving money on expensive independent provision
- Transforming services – improving outcomes for children and young people
- Working with people, partners and places on the cost of living – providing local high quality school places to limiting the travel parents need to make
- Continuing to invest in the future – a new build special school will serve Kirklees residents for decades to come

2.7 For Woodley School and College, the agreed plan is to build a 180-place new school building on Fernside Avenue, Almondbury. It takes time to design and build a new school, so it is not expected to be complete until around Autumn 2026.

Special School Satellite Provision

2.8 Special school satellite provision is where a special school increases its capacity by expanding onto an additional site. The additional site may be on the site of a mainstream school which provides some physical space for satellite purposes, or it could be a suitable building not occupied by another school. Pupils attending a special school satellite provision remain on the roll of the special school. The satellite provision remains under the leadership and governance of the special school, and its staff are employees of the special school.

2.9 Existing examples of special school satellite provision in Kirklees include:

- Ravenshall Special School hosted by Headfield CE (VC) Junior School
- Ravenshall Post-16 provision based in a former library building
- Southgate Special School hosted by Newsome Academy
- Woodley Post-16 provision based in a shop in Huddersfield town centre

2.10 Admissions to special schools are made through the Kirklees SEND decision-making groups. These groups include representation from the Special Educational Needs & Disabilities Assessment and Commissioning Team, Educational Psychology, School Head Teachers/Special Educational Needs & Disabilities Co-ordinators, and other multi agency professionals. It is then for the special school to work with parents to identify which children might benefit from the environment provided on a satellite site.

2.11 Ahead of, and leading up to, the completion of a new, larger school building for Woodley School and College, the local authority, working with the Governing Body of Woodley School and College, believe there are opportunities to establish a further satellite site to enable a gradual increase in the number of pupil places.

The process required to increase pupil place in a special school

2.12 The Education and Inspections Act 2006 and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 (the 2013 Regulations) require a statutory process to be followed for establishing, removing or altering special educational needs provision at a mainstream school.

2.13 DfE statutory guidance [Making significant changes \(prescribed alterations\) to maintained schools](#) states that governing bodies and local authorities can increase the number of pupil places at maintained special schools by up to 10%; or 20 pupil places, (whichever is the smaller) without the need for a statutory process.

2.14 To date, the size and growth of the existing special school satellite provision in Kirklees has been within these limits. The scale of the planned increase in pupil places at Woodley School and College is, however, likely to exceed these limits.

2.15 Table 1 is extracted from the DfE statutory guidance [Making significant changes \(prescribed alterations\) to maintained schools](#) and sets out who can propose to change the number of pupil places in a community special school and what process must be followed:

Table 1.				
Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community	Increase by 10% or 20 pupils (5 for boarding special) or decrease numbers	Statutory process	LA	CofE Diocese RC Diocese
Governing body of community special	Increase by 10% or 20 pupils (5 for boarding special) or decrease numbers	Statutory process	LA	CofE Diocese RC Diocese

2.16 The DfE Guidance explains that, as the Proposer, the LA must follow the four-stage statutory process set out below:

Table 2. The four-stage statutory process			
Stage	Description	Timescale	Comments
Stage 1	Publication (statutory proposal/notice)		
Stage 2	Representation (formal consultation)	Must be 4 weeks	As set out in the 'Prescribed Alterations' regulations

Table 2. The four-stage statutory process			
Stage	Description	Timescale	Comments
Stage 3	Decision	LA must decide a proposal within 2 months otherwise it must be referred to the Schools Adjudicator	Any appeal to the adjudicator must be made within 4 weeks of the decision
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker

2.17 There is no statutory requirement to carry out a ‘pre-publication’ consultation for altering provision at community or voluntary controlled schools. However, Kirklees is undertaking a non-statutory consultation which started on 29 September 2023 and will end on 27 October 2023. This is providing an opportunity for stakeholders to review the proposals and comment on them.

3. The Proposal

3.1 To ensure timely progress of these proposals, Members are asked to approve delegated authority for the Strategic Director for Children’s Services to publish statutory proposals to create additional special school places at Woodley School and College, taking account of the outcome of a non-statutory consultation. The final decision will be made by Cabinet who can also take account of the non-statutory consultation and representations made during the representation period.

Additional proposal

3.2 To ensure timely progress of future proposals to establish special school satellite provision, Members are also asked to approve delegated authority for the Strategic Director for Children’s Services to publish statutory proposals to create additional special school places, taking account of the outcome of future non-statutory consultations. The final decision will continue to be made by Cabinet who can also take account of the non-statutory consultation and representations made during the representation period.

4 Implications for the Council

4.1 Working with People

With a focus on early intervention and supporting co-production and design, the approach we are developing illustrates our organisational commitment to working with families, partners, stakeholders and communities. This is highlighted in the development and agreement of a shared set of ‘Inclusive Ambitions’ across the Kirklees SEND partnership.

Integral to those ambitions and our approach is working with, not ‘doing to’ our children, young people and families - ensuring voices are heard and valued and

views are used to shape provision and support. We want to create a truly person-centred approach to supporting children and young people and their families with a commitment of: “No decision about me is made without me.”

In producing change and transformation of outcomes, we are seeking to improve the life experiences and chances of a cohort of young people who consistently benchmark below their peers in relation to educational attainment and employment prospects. Should the proposals in this report be approved, we are committed to working with our families as we progress the delivery of additional places at Woodley School and College.

There will be the opportunity to listen to a range of views and take account of them during the non-statutory consultation and the planned representation period.

4.2 Working with Partners

The transformation of the SEND system to deliver better outcomes and on a sustainable financial basis is reliant on a strong partnership approach with Kirklees internal and external partners.

The opportunity for expanding places for Kirklees children and young people with SEND, cannot be realised without good relationships and collaboration with our education providers, local elected members and communities. Ensuring that we maximise opportunities for the next stages to be shaped by partners will be crucial to ensure that services are joined up and well understood.

4.3 Place Based Working

One of the cornerstones of our SEND transformation plan is building provision within Kirklees to ensure there is sufficient capacity locally to meet need wherever possible. We recognise that some children may need to receive support outside of Kirklees, but we want to ensure that is kept to a minimum through better integration of provision and support across partners.

We are passionate about ensuring services are accessible to our Children and Young People and their families and plan to move towards a place-based approach of joined up working with services across Education, Health and Care.

4.4 Climate Change and Air Quality

The aspiration for our SEND strategy is that fewer young people will leave or travel outside of Kirklees. Having services more local and accessible to where people live can have a positive impact on their mode of travel and in doing so, we will contribute to the Council's net zero ambition.

4.5 Improving outcomes for children

The whole of the SEND Transformation Plan focuses on improving outcomes for children. The proposals in this report are integral to successful achievement of our ambition.

Across the partnership, Kirklees have taken significant action to improve SEND services for children and young people aged 0 to 25. This is now captured as part of a clear Inclusion strategic plan.

With the development of our 'Inclusive Ambitions', the direction for us is to work towards shared vision and equal partnership with a clear pathway of improvement across a range of partners, striving for the best outcomes for children and young people with SEND. In modelling the proposals, meeting the needs of children and young people and their preparation for adulthood, has been our key underlying principle and is intrinsic in the proposed delivery of Additionally Resourced Provision.

'Our Kirklees Futures' is our Learning strategy which describes our ambitions for learners in Kirklees. From engagement, three 'obsessions' emerged that would be our areas of relentless focus:

- Inclusion: Children, young people and learners of all backgrounds learn and grow side by side, to the benefit of all.
- Resilience: The ability and support to overcome adversity.
- Equity: Everyone gets the support they need

These obsessions are at the heart of everything we do when planning services for education of children and young people.

The updates and proposals contained in this report contribute to our inclusive ambitions which will lead to improved outcomes for children.

4.6 Financial implications for the people living or working in Kirklees

Providing suitable school places nearer to where families live not only supports place-based working and outcomes for children, but it can also save families time and money because they can travel smaller distances to school events such as parents' evenings.

4.7 Financial – Revenue and Capital

4.7.1 The Council is currently involved in the High Needs Block Safety Valve Programme and has been successful in securing £33.5m of revenue funding and £8.2m of capital funding. As part of the Safety Valve plan to reduce the historic deficit position work is ongoing to increase local capacity through the development of Additionally Resourced Provisions (ARP's), Special School Satellite Provisions and the building of 2 new special schools. As noted earlier in the report, Woodley School and College is one of the schools to be re-built and as a result of this, it is proposed that pupil numbers will increase from around 150 to 194 (180 at the school and 14 at the post-16 shop satellite site).

4.7.2 By developing the local capacity, there is an assumption that the number of children educated at Non Maintained Independent Special Schools (NMIS) will reduce. The current average cost of these placements is £60K and the current average cost of a place at Woodley is £28K – a difference of £32K per year. Saving assumptions have

been factored into the Safety Valve for this from Autumn 2026 when the Woodley rebuild is expected to be completed. Increasing places before this time has the potential to improve upon the Safety Valve position.

4.7 Legal Implications

Statutory proposals and Significant Changes to Academies

Details of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 applying to the requirement for a statutory process to be followed for establishing, removing or altering special educational needs provision at a mainstream school are included in the main body of the report.

4.8 Governance and statutory compliance

The SEND Programme Board oversees the implementation of the SEND Transformation Plan. This work would feature as one of the projects within that plan.

As the work progresses a project team would be created to include school representatives, partners as well as Council Officers to design, plan and deliver all activity to successfully deliver the required outcomes and outputs.

4.9 Integrated Impact Assessment

As highlighted in this report, the proposals are intended to have positive impact. An integrated impact assessment has been undertaken and will continue to be review in the lead up to cabinet being asked to make a final decision.

5. Consultees and their opinions

5.1 Kirklees are carrying out a four-week non-statutory consultation with interested stakeholders on the proposals. This is providing an opportunity for stakeholders to review the proposals and comment on them. The consultation closes on 23rd October 2023. The outcome of this consultation will be taken into account before publishing statutory proposals.

6. Next steps and timelines

All feedback from the non-statutory consultation described above will be published on the council's website in a consultation outcome report. This will inform a decision by the local authority on whether to move to the next stage. Moving to the next stage would mean the publication of a statutory proposal followed by a representation period. The representation period would provide another chance for interested parties to comment on the proposal before a final decision is made by Cabinet.

The following table shows the next steps involved in the process. Dates are subject to change and would be dependent on Cabinet approvals requested in this report.

Milestone	Date
Non-statutory consultation	September/October 2023
Publication of consultation outcome report	October/November 2023
Publication of statutory proposals/notices and representation period	November 2023
Final decision by Cabinet (within 2 months)	January 2024
Implementation	Gradually from January 2024

7. Officer recommendations and reasons

7.1 Based on the content of this report, Officers make the following recommendations to Cabinet. Members are asked to:

- a. Authorise the Strategic Director for Children’s Services, to:
 - i. take account of the outcome of a non-statutory consultation on proposals to create additional special school places at Woodley School and College and the relevant statutory guidance.
 - ii. arrange for the Council to publish related statutory proposals to create additional special school places at Woodley School and College as prescribed in the 2013 Regulations. Cabinet shall consider and determine the published proposals following the end of the representation period.
- b. Authorise the Strategic Director for Children’s Services, to:
 - i. take account of the outcome of a future non-statutory consultation on proposals to create additional special school places and the relevant statutory guidance.
 - ii. arrange for the Council to publish related statutory proposals to create additional special school places as prescribed in the 2013 Regulations. Cabinet shall consider and determine the published proposals following the end of a representation period.

8. Cabinet Portfolio Holder’s recommendations

This report continues to affirm Kirklees ambition to make a difference for and with the people of Kirklees. This is founded on engagement, working with and creating local provision for local children and their families.

We would like to place on record our thanks to the Governors, leadership team and the staff at Woodley School and College for their dedication and creativity. Working together with our special schools, we can see the opportunities that addition places bring, to educate Kirklees children locally in high quality provision that meets their specific needs.

These proposals illustrate our commitment to removing barriers and addressing inequalities – this is about doing the right thing a pace for children and their families

both now, and for years to come. It is for these reasons that we support the officer recommendations in this report.

Contact officer

Martin Wilby – Head of Education Places and Access
01484 221000 martin.wilby@kirklees.gov.uk

9. Background Papers and History of Decisions

- SEND Code of Practice 2015
- 16th March 2021 Kirklees Council Cabinet Report - Proposed changes to top-up funding allocations for children in mainstream schools with an Education Health & Care Plan (EHCP) from 1st April 2021
[210227 Mainstream Funding Top Ups Cabinet report V4.pdf \(kirklees.gov.uk\)](#)
- 16th March 2021 Kirklees Council Cabinet Report - Procuring an External Business Partner - SEND
[Cabinet report SEND Transformation FINAL V2.pdf \(kirklees.gov.uk\)](#)
- 5th October 2021 Kirklees Council Cabinet Report -
[Capital investment and rebuild of 2 Special Schools](#)
- March 2022 Kirklees Safety Valve Agreement - [Kirklees SV agreement \(publishing.service.gov.uk\)](#)

10. Service Director responsible

Jo-Anne Sanders – Service Director for Learning and Early Support 01484 221000 jo-anne.sanders@kirklees.gov.uk

Tom Brailsford - Service Director- Resources, Improvement and Partnerships
01484 221000 tom.brailsford@kirklees.gov.uk

11. Appendices

Appendix 1 – Our Kirklees Inclusive Ambitions
Appendix 2 – Non statutory consultation

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Appendix 1

Kirklees Inclusive Ambitions (Developed in Workshops Autumn/Winter 2020)

1. We will have a renewed focus on responsive and holistic early intervention for children and young people, refocusing resources to produce a varied multi agency offer including the use of the community and assistive technology and building the skills of the workforce to work preventatively.

2. Families and carers feel empowered and supported. They have strong knowledge of the support available and there is a clear culture of trust between professionals and families. This will enable a shared understanding of needs; the joint support required to meet them and a clear focus on aspirations.

3. Children and young people feel included across the community and within education settings. Schools are celebrated and held accountable for their pupil centred inclusive practice, and the contribution of individuals with additional needs is better understood across the system. This will mean that more children are able to be supported in mainstream settings across Kirklees.

4. Children and young people are able to thrive within their education settings and are supported to access an education that is flexible and empathetic to their needs. Needs are addressed in a proactive and individual way. Schools focus on and measure an individual's holistic outcomes, recognising success outside of purely academic achievements.

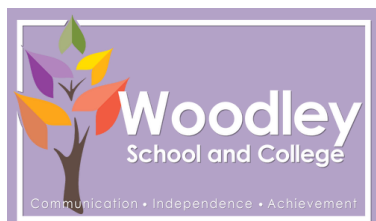
5. The system works in an integrated way, using its resources to take a holistic and targeted approach to needs whilst creating a seamless journey for children, young people and their families. This means that bureaucracy is reduced, and that children and young people are able to receive the right support at the right time.

6. Professionals are empowered to meet the needs of children and young people and support them to achieve their aspirations. This is achieved through embedding a shared culture of proactivity; holistic skills and knowledge across the workforce; and creating clear pathways for meeting needs.

7. Children and young people are supported to have clear aspirations for the future, with a focus on independence and preparing for adulthood. Throughout a young person's journey, they are supported to achieve their aspirations through the support they receive. Ultimately, this will mean more young people enter education, employment and training as they progress into adulthood.

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Appendix 2



Proposals to expand Woodley School and College

Consultation on the proposal to expand the number of special school places at Woodley School and College ahead of, and leading up to, the completion of a new, larger school building.

Introduction and Background

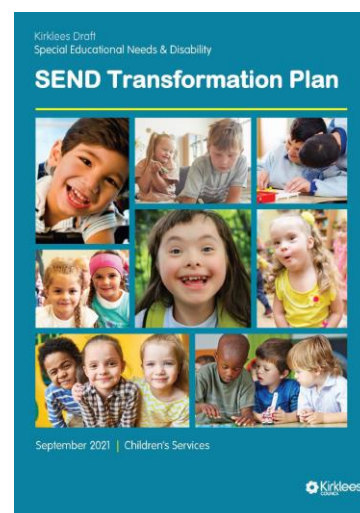
Our vision for children and young people in Kirklees is that they have the best start in life. Our aspirations for children and young people with SEND are no different to those we hold for all children.

Our partnership across Education, Health and Social Care aims to improve the lives and life chances of children and young people (aged 0-25) with SEND. We will achieve this through delivering our [SEND Transformation Plan](#) which focuses on early identification of needs, key strategic investment to flexibly increase capacity and sufficiency, effective transitions for our children as they grow, and a focus on inclusivity across all our settings and provision.

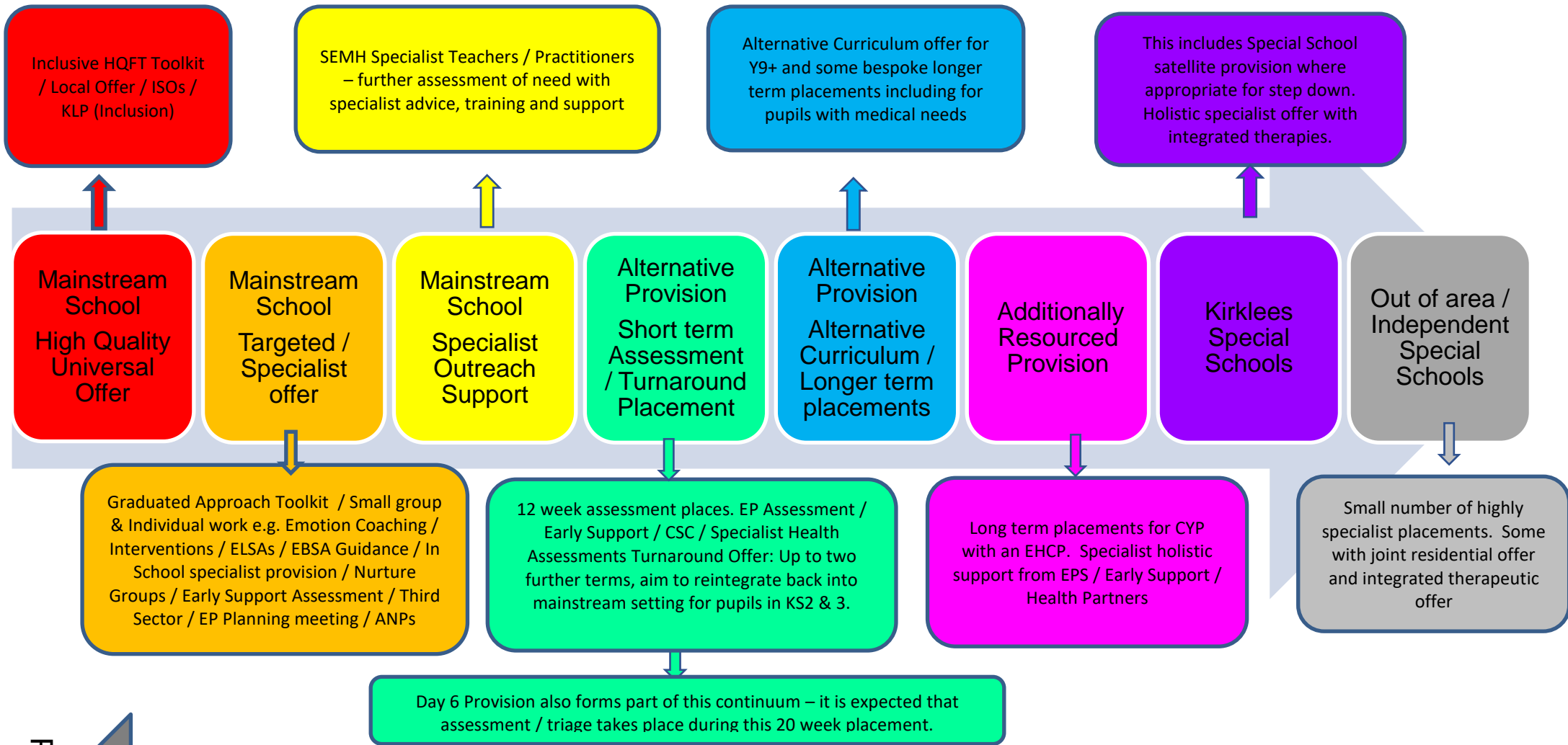
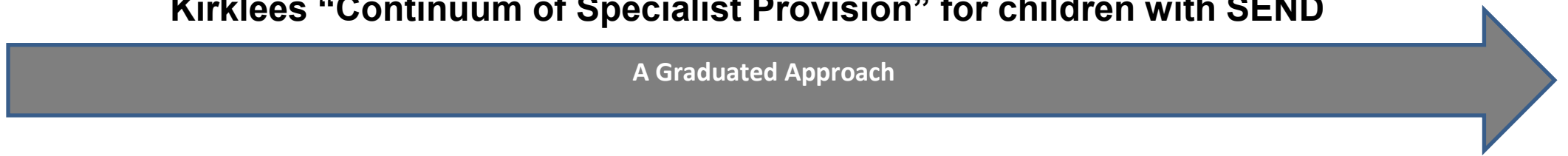
Within our SEND Transformation Plan we have worked with stakeholders across Kirklees to develop our 'Inclusive Ambitions', which are:

- Responsive and holistic early intervention
- Culture of trust with parents and families
- Inclusive practice in the community and within education settings
- Children and young people thriving in education settings and celebrating more holistic outcomes and achievements
- An integrated system
- Embedding a shared culture of proactivity, holistic skills and knowledge
- Supporting children to have clear aspirations with a focus on preparing for adulthood

A key strand of the SEND Transformation Plan is 'Commissioning and Sufficiency', which includes improving local sufficiency of places across a graduated approach model.



Kirklees “Continuum of Specialist Provision” for children with SEND



Day 6 Provision also forms part of this continuum – it is expected that assessment / triage takes place during this 20 week placement.

Provision is fluid and can move both ways

Woodley School and college

Woodley School and College is a Kirklees Local Authority aspirational, inclusive and outward looking special school in Huddersfield for children aged 5-19 with complex autism. There are currently 153 pupils on roll.

The school is rated as 'Good' by Ofsted (March 2023), holds Advanced Autism Accreditation and is the Autism Education Trust licensed training provider for Kirklees schools and Post-16. This recognises the highest standards of autism expertise and practice and underpins the school's important role as a schools training hub.

Further details can be found on the school website: <https://www.woodleyschool.org.uk/>

Special School Re-build

In October 2021, Kirklees Cabinet agreed an ambitious plan to rebuild two existing special schools, Joseph Norton Academy and Woodley School and College. Not only would the plan provide modern facilities for existing pupils, but the schools would also be built to accommodate more pupils to address the growing demand.

For Woodley School and College, the agreed plan is to build a 180-place new school building on Fernside Avenue, Almondbury. It takes time to design and build a new school, so it is not expected to be complete until around Autumn 2026.

Further information is available in the Cabinet report: <https://democracy.kirklees.gov.uk/documents/s43155/210924%20Special%20Schools%20-%20Cabinet%20Report.pdf>

Satellite opportunities

Special school satellite provision is where a special school increases its capacity by expanding onto an additional site. The additional site may be on the site of a mainstream school which provides some physical space for satellite purposes, or it could be a suitable building not occupied by another school. Pupils attending a special school satellite provision remain on the roll of the special school. The satellite provision remains under the leadership and governance of the special school, and its staff are employees of the special school. Examples already in Kirklees include:

- Ravenshall Special School hosted by Headfield CE (VC) Junior School
- Ravenshall Post-16 provision based in an old library building
- Southgate Special School hosted by Newsome Academy
- Woodley Post-16 provision based in a shop in Huddersfield town centre

Ahead of, and leading up to, the completion of a new, larger school building for Woodley School and College, the local authority, working with the Governing Body of Woodley School and College, believes there is an opportunity to establish a further satellite site to enable a gradual increase in the number of pupil places.

This opportunity would support the planned strategy of enabling more children and young people to secure places and thrive in local education settings.

Pupil placements at special school satellite provision

Admissions to special schools are made through the Kirklees SEND decision-making groups. These groups include representation from the Special Educational Needs & Disabilities Assessment and Commissioning Team, Educational Psychology, School Head Teachers/Special Educational Needs & Disabilities Co-ordinators, and other multi agency professionals. It is then for the special school to work with parents to select which children might benefit from the environment provided on a satellite site.

The proposal

The places available at Woodley School and College be increased to 194 pupil places gradually over time, using satellite provision, ahead of and leading up to the new school rebuild.

The proposed 194 places include 180 places in the planned new school rebuild, and up to 14 places in the existing Woodley Post-16 satellite provision based in a shop in Huddersfield town centre.

What happens next?

This consultation is open between **29 September and 27 October 2023**. During this time, we are inviting feedback on the proposals outlined in this consultation. You can express your views online, by email, or in person at a consultation event.

Once the consultation has finished, all feedback will be published in a consultation outcome report. This will inform a decision by the local authority on whether to move to the next stage. Moving to the next stage would mean the publication of legal notices and another chance to view the proposals and comment on them before a final decision is made. The following table shows the next steps involved in the process. Dates are subject to change and would be dependent on approval to move to each stage.

Milestone	Date
Publication of consultation outcome report	October/November 2023
Publication of statutory notices and representation period	November 2023
Final decision by Cabinet (within 2 months)	January 2024
Implementation from	Implementation will be gradual from January 2024

Have your say

Online: You can take part in the consultation by completing the online consultation form on our website at:

www.kirklees.gov.uk/schoolorganisation

In person: If you would like to talk through the proposals you can attend a drop-in session at Woodley School and College. Details will be published on the following website:

www.kirklees.gov.uk/schoolorganisation

Email: Please note that you can contact us via email should you have any queries regarding these proposals. Please send emails to: school.organisation@kirklees.gov.uk

Please make sure you respond by **Friday 27 October 2023** to ensure that your views are heard.

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Name of meeting: Cabinet

Date: 17 October 2023

Title of report: Ad Hoc Scrutiny Building Panel – health and safety compliance in residential housing stock detail of progress and next steps

Purpose of report: To provide a progress update on the Ad Hoc Scrutiny Panel Residential Stock Health and Safety Compliance report and recommendations.

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? Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.	Not Applicable
Key Decision - Is it in the <u>Council’s Forward Plan (key decisions and private reports)?</u>	Key Decision – No Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	No
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	David Shepherd 9 August 2023. Isabel Brittain - Service Director Finance (S151 Officer) 6 October 2023 Julie Muscroft - Director for Legal 4 October 2023
Cabinet member portfolio	Cllr Masood Ahmed (Housing)

Electoral wards affected: All

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? There are no GDPR implications arising from the report.

1. Summary

- 1.1 At a meeting held on 18 March 2021, the Overview and Scrutiny Management Committee agreed to establish an Ad Hoc Scrutiny Panel to consider health and safety compliance for the Council's residential housing stock considering the changing regulatory landscape and the housing management and maintenance functions which transferred back to the Council on 1 April 2021. The Panel considered the Council's policies, procedures and arrangements for managing the health and safety of its residents and its residential portfolio, with a particular focus on high rise and multiple occupancy blocks.
- 1.2 Between July 2021 and July 2022, the Panel used a range of methods to gather evidence to inform the Ad Hoc Scrutiny Panel [Health and Safety Compliance in Residential Housing Stock Report](#). The report also included an action plan and a set of seventeen recommendations. The report was presented to Cabinet in December 2022 where the recommendations and action plan were agreed.
- 1.3 The recommendations have since been aligned to actions and recommendations from previous audits and independent reviews including the RMS 'Robust Management System' review ('the RMS Compliance Review') and the Mazars Audit.
- 1.4 The action plan is managed by the Building Safety and Assurance Board (BSAB) and members are asked to provide bi-monthly updates on progress. Building Safety management and progress is also overseen by the recently established Homes and Neighbourhoods Improvement Board (HNIB).
- 1.5 The action plan has made significant progress since presentation at Cabinet in December 2022. An appendix report (Appendix 1) has been provided to detail progress and where actions have been completed.
- 1.6 Of the seventeen recommendations, two have been identified as complete, and six have been identified as 'ongoing' actions that will always require consideration as part of good practice. Steps have been taken within the 'ongoing' actions to ensure Ad Hoc Scrutiny recommendations have been incorporated. Mechanisms for monitoring and review have also been implemented to ensure that processes are being adhered to and are fit for purpose. All other actions have made good progress, with the remaining nine actions being 50% complete or higher.
- 1.7 A priority activity which has incorporated multiple recommendations is the Management Plans project. Homes and Neighbourhoods commissioned Savills in Spring 2023 to complete a series of Management Plans across three priority areas of the 'big 6' – fire, asbestos and lifts. This has progressed well, with the Management Plans now completed and redesigns/implementations identified for completion between October 2023 and January 2024. The project has a defined scope and assurance – reporting via BSAB and the H&N Improvement Programme to the Homes and Neighbourhoods Improvement Board (HNIB). The Management Plans also report into the change governance structures – providing regular reports to the H&N Improvement Programme Board which reports into Transformation Portfolio Board. The commission also included a data validation exercise to support H&N to review data quality and integrity across its building safety compliance activities. This will be further supported by Corporate Data and Insight through August 2023.
- 1.8 Further progress has also been made in relation to skills, capabilities and resources. A Service Manager for Programme and Performance was recruited and in post in April 2023, whilst a dedicated Project Manager has also been assigned to the Management Plans. An Assurance Manager (risk) is expected to be in role by October 2023. The Assets Team is also developing a PMO, to create rigorous governance and control programme/project management approaches for planned works and capital delivery.

This will also be reviewing what additional project and performance resource is required. A skills and competencies framework across Building Safety, including an organisational structure of roles and responsibilities and a skills gap analysis, is due to be completed by October 2023. This will address competencies required at three levels – strategic, operational and delivery.

1.9 The Fire Safety Resident Engagement Team (FSRE) has completed a number of Person-Centred Fire Risk Assessments with vulnerable residents, in collaboration with the Fire Service and Building Safety Team. The team, alongside Housing Management Officers, have spent considerable time building and maintaining relationships with residents who require additional support in relation to hoarding. The team now has appropriate plans in place to support resident safety in relation to fire risks and these relationships continue to be maintained with residents through regular check-ins and engagement. In addition to this, 17 Fire Safety champions are in place; residents living in high-rise properties, they support the Council and Fire Service in delivering safety messages to their fellow residents.

1.10 Officers have identified a series of next steps and timelines (detailed in the appendix and point 6 below) and it is recommended that completed actions be removed from the action plan.

2. Information required to take a decision

2.1 In December 2022, Cabinet requested to be kept abreast of progress with an annual follow-up report at Cabinet. Cabinet is asked to review and note progress and provide challenge and direction across planned next steps.

2.2 Where actions are identified as ‘ongoing’ and appropriate measures have been actioned, Cabinet is asked to consider the frequency and level of reporting on these actions. It is proposed that updates be provided quarterly to Building Safety Assurance Board for 12 months after which time reporting requirements be reviewed.

3. Implications for the Council

3.1 Working with People

3.1.1. The Tenant Advisory and Grants Panel (TAGP) and Tenant Voice Panel (TVP) continue to be consulted with on developments from BSAB, and TVP is also represented on the HNIB via the acting chair of TVP attending HNIB.

3.1.2 There is a dedicated Fire Safety Resident Engagement Team that works in conjunction with the Fire Service. The team provide regular updates to residents living in high-rise blocks to ensure they are informed and able to challenge and support plans to mitigate risks to their homes.

3.1.3 Person Centred Fire Risk Assessments (PCFRAs) have been undertaken for and with vulnerable residents in high rise blocks and where referrals have been received and are now being undertaken in 6-storey blocks. In cases where hoarding is identified, PCFRAs are completed with residents with support from Housing Management Officers (HMOs) who dedicate regular time to building relationships with residents and ensuring additional support is in place where required. They and the Fire Safety Resident Engagement (FSRE) Team assist residents to declutter their properties. HMOs maintain relationships with residents through regular checking in to ensure any additional concerns are identified and managed early. Many residents enter into voluntary agreements about how they will manage their homes in future.

- 3.1.4 Previously, consultation has been undertaken with residents at Harold Wilson Court in relation to the implementation of major fire safety works prior to a decision being made by Cabinet. Engagement will continue with residents throughout the duration of the works and post completion to ensure resident safety and involvement.

3.2 Working with Partners

- 3.2.1. Officers continue to work closely with WYFRS and carry out engagement days in a number of different settings, these are usually driven by partnership concerns e.g. increases in secondary fires. Where WYFRS request to carry out training in our buildings e.g last year at Buxton House this is supported and used as an opportunity to engage with tenants.
- 3.2.2. West Yorkshire Fire and Rescue Service (WYFRS) is involved in managing and mitigating ongoing risks to Council homes and buildings. Meetings are held on-site with WYFRS monthly to discuss risks, issues and actions. The impact of remedial works on the safety of buildings will reduce and change these risks and WYFRS will help the development of proposals through advice and guidance on best practice and designing to support their response to incidents. Homes and Neighbourhoods Improvement Board (HNIB) has requested that a protocol be put in place with WYFRS in relation to working together and sharing information and intelligence – for example where residents have PCFRAs or are known to be hoarders.

3.3 Place Based Working

- 3.3.1 The approach to engagement with residents is place-based. As part of the approach to taking intelligence-led decisions, data sources are currently being explored to identify reoccurring concerns within particular property types or particular streets/communities to allow resources and cyclical plans to be directed accurately.

3.4 Climate Change and Air Quality

- 3.4.1 The recommendations set out in the Ad-Hoc Scrutiny Action Plan do not have specific implications for climate change and air quality. Work on project delivery relating to building safety is looking at the climate impacts of activity and how to manage and reduce these.

3.5 Improving outcomes for children

- 3.5.1. The provision of safe, good quality, decent homes and neighbourhoods will help to contribute to improving outcomes for children. All officers who attend residential homes undertake mandatory safeguarding training and report any concerns through appropriate channels where a child (or person) is considered to be at risk from harm.

3.6 Financial Implications for the people living or working in Kirklees

- 3.6.1. The recommendations set out in the Ad-Hoc Scrutiny Action Plan do not have specific financial implications for people living or working in Kirklees. Work on project delivery relating to building safety continues to assess financial viability of investments and the impact of these on the HRA.

3.7 Other (eg Integrated Impact Assessment (IIA)/Legal/Financial or Human Resources) Consultees and their opinions

- 3.7.1. The Council has numerous statutory duties and obligations as a registered housing provider and must comply with regulatory standards relating to the health and safety of its tenants/leaseholders. Failure to comply could compromise tenant safety and result in a breach of regulatory standards and enforcement action against the Council. Any procurement relating to new IT systems will be in accordance with the Council's Contract Procedure Rules (2023) and the Public Contracts Regulations 2015/new Procurement bill when in force.
- 3.7.2. Where actions arising from the plan result in changes to the service delivered, i.e. a new Management Plan process changes the frequency of an inspection or reporting regime, then an IIA will be undertaken.

4. Consultation

- 4.1 Not applicable.

5. Engagement

- 5.1 Engagement is on-going with residents and councillors where particular wards and/or buildings are undergoing changes or planned activities. As noted above, H&N continues to make significant developments in building relationships with residents in relation to fire safety. Further planned activities for engagement and co-design are also underway within the service's redesign of damp, mould and condensation processes.

6. Next steps and timelines

- 6.1 A detailed break-down of next steps and timelines has been provided in the appendix document. The following provides a high-level view of the priorities activities expected to be completed over the next six months.

Management Plans

- 6.1.1 The majority of the Savills commission is now complete, with Management Plans and gap analysis' completed for fire and lifts. The asbestos Management Plan and gap analysis is due by September 2023. All processes across fire, lifts and asbestos are expected to be resigned and embedded by January 2024.

Assets System Implementation

- 6.1.2. Currently, the focus in Homes and Neighbourhoods is on the development and implementation of a new housing management IT system (Cx). This is planned for implementation in late 2023 (to early 2024). Upon completion of this, the next steps are to develop system specifications for the replacement repairs system with a view to procure/implement the new system for repairs between 2024 and 2026. User requirements for the repairs IT system will be gathered during a planned repairs process redesign activity in October 2022. The replacement asset system is scheduled for procurement and implementation following the procurement of the repairs system. Assets continue to explore options for the procurement or development of an IT system dedicated to compliance.

Data Validation

- 6.1.3. The output from the commissioned Savills data validation exercise is expected imminently. The commission explored data and reports held within IT systems in relation to compliance activities (e.g. certificates and reports on cyclical checks – gas, electric etc) plus data aligned to upgrade programmes. It is noted within the H&N Risk Register that data integrity remains a high risk to the service.

A second piece of work is also currently in scope with the corporate Data and Insight Team to thoroughly understand data management and quality across the six areas of building safety compliance, through a series of data flow maps. This is expected to commence through August 2023.

Resource and Competencies

- 6.1.4. Resource within the service remains a risk. This is resource across operational and strategic delivery, but also change/project resource and resource and capabilities dedicated to data and performance. A review of the service's Improvement and Assurance Team is currently underway to better understand what roles and skills are required within the team to provide capacity to improvement projects. This is being reviewed in conjunction with the development of a Programme Management Office (PMO) within Assets and is exploring existing data and change resource across the service. The structures are expected to be defined by October 2023, with any formal team restructures estimated for completion in Spring 2024.
- 6.1.5. In addition to change resource competencies, Building Safety continue to review and develop a framework and skills gap analysis in relation to competencies and responsibilities required for different roles involved in delivering works and inspections. This is expected to conclude in October 2023.

Fire Safety

- 6.1.6. As noted above, the Fire Safety Resident Engagement Team have completed a series of Person-Centred Fire Risk Assessments (PCFRAs) and are now progressing on to Personal Emergency Evacuation Plans (PEEPs). These will focus initially on residents in high-rise buildings, followed by Retirement Living Schemes, 6-storey blocks and low-rise buildings. Timescales for completion of these is currently being scoped. Building and fire safety in relation to leaseholders is currently being scoped within a new project. Other actions identified within fire safety are within scope of the fire Management Plans.

7. Officer recommendations and reasons

- 7.1 Officers recommend that actions identified as 'ongoing' be reported on less frequently to Building Safety Assurance Board (BSAB) (please see paragraph 1.6 and additional information in the appendix). This is because the change has now been embedded and officer feel it can be reported on less but should still provide regular assurance. Cabinet is asked to acknowledge progress made in these actions and confirm that this is sufficient for these to form part of ongoing good practice (business as usual). The actions identified primarily relate to ongoing engagement and assurance across councillors and residents.
- 7.2 Officers recommend a further update be brought to Cabinet in the next twelve months. In order to provide assurance and demonstrate progress made and seek further decisions on ongoing actions as appropriate.

8. Cabinet Portfolio Holder's recommendations

- 8.1 The report was presented to the (former Housing and Democracy) Portfolio Holder on 8 August 2023.
- 8.2 The Portfolio Holder said the report was good as it recognised the progress made to date and to keep up the momentum and continue delivering. The Portfolio Holder is pleased with progress made to date and agrees with officer recommendations in paragraph 7.

9. Homes and Neighbourhoods Improvement Board recommendations

- 9.1 Homes and Neighbourhoods Improvement Board (HNIB) has been in place since June 2023 and provides robust challenge and support for the delivery of housing activity and strategy. Part of the role of HNIB is to advise and make recommendations on and escalate items and issues to Cabinet.
- 9.2 HNIB considered and discussed this paper on 18 September 2023 and agreed with the officer recommendations set out in section 7 above.

10. Background Papers and History of Decisions

- 10.1 The final report of the Ad Hoc Scrutiny Panel – Housing Stock Health and Safety Compliance was presented to Cabinet on Wednesday 21 December 2022. The report can be found [here](#). In addition, Cabinet was also presented with a full report, detailing the background, context, recommendations and actions. This can be found [here](#). Additional further reading and texts to note are:
- The Ministry for Housing, Communities and Local Government (MHCLG) Social Housing White Paper 'The Charter for Social Housing Residents' published on 17 November 2020: [Social Housing White Paper](#)
 - The Decent Home Standard is defined by guidance from the Department for Communities and Local Government updated in 2006: [Decent Home - Definition and Guidance](#). The Decent Homes Standard underwent a review and consultation through 2022
 - The Consumer Standards, which include The Safety and Quality Standard, are anticipated to be in force from April 2024. At the time of writing, the Consumer Standards are currently out to consultation (closing October 2023). Further information is available [here](#).

11. Contact officers

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1. Summary

Below is a summary of all identified actions/recommendations and the progress made across these. Next steps or actions due to be completed shortly have also been noted. Where previous audits have been aligned to the Ad Hoc Scrutiny recommendation, this has been noted within the table – including the Robust Management System Review (RMS) and Mazars (MA).

2. Overview of Progress

Please note, a RAG (red, amber, green) rating has been added to the ‘Current Position’ column. This has been added to show likelihood of the action achieving completion (red – at risk, amber – potential for delay, green – on track).

Ad Hoc Scrutiny Recommendation	Current Position (and RAG)	Progress Updates (Dec 22 – July 23)	Actions Outstanding/Next Steps
<p>1. <i>The acquisition of suitable IT systems should be a top priority to ensure that the data collected is of good quality and can provide the necessary assurance in respect of compliance.</i></p>	<p>In progress</p> <p>RMS - R9 & R10 (91% complete)</p> <p>RMS - R31 (85% complete)</p> <p>(Amber due to the potential of slippage across IT system implementations)</p>	<p>H&N is currently replacing its housing management system with a planned implementation date of December 2023 – February 2024. Upon completion, scoping definition will begin across Assets and Repairs for user requirements for system replacements across both areas. Capital expenditure has been allocated for both systems. This is reliant on additional resource being recruited within the Improvement & Assurance Team (Business Analyst role to be recruited to). Repairs system scoping will begin in October 2022, as part of the planned repairs process redesign. Repairs & Assets systems are planned for implementation within 2-3 years following the implementation of Cx (housing management system).</p>	<p>Repairs replacement IT system user requirements scoping October 2023. This will also incorporate requirements from Assets aligned to repairs.</p> <p>Define options for an IT system dedicated to compliance (RMS actions R9 & R10). C365 currently being explored.</p> <p>Implement asset on/off protocols (RMS action R31). Implement controls to ensure that the status of properties where H&N have management responsibility are regularly checked with the Housing Management System and servicing and inspection programmes fulfil landlord requirements. In particular, the 411 properties from the core list not accounted for in the programmes should be validated.</p>
<p>2. <i>The policies for all six compliance areas should be updated, at the earliest opportunity.</i></p>	<p>In progress</p>	<p>H&N recently commissioned Savills to produce Management Plans for fire, lifts and asbestos, with the H&N Assets Team working through plans for water, gas and electric. The</p>	<p>Progress and completion dates as taken from the Savills Management Plans Project Scope.</p> <p>Fire</p>

RMS – R3 1. Fire Procedures & workflows (90% complete)

Data Validation (Savills) (90% complete)

Fire Safety – reviewing assurance requirements between internal and external suppliers (70% complete)

Management plans will be followed by redesigned processes and procedures, and these will be used to strengthen reporting and assurance to the Council. A project has been initiated to oversee progress, with a dedicated Project Manager. The commission has also incorporated a data validation exercise – reviewing data held across compliance and the accuracy/quality of data.

(RMS R.3.3) Asbestos ‘as is’ process maps have been collated and BSAB have approved the format for policies and procedures across Building Safety. Asbestos and Water are currently being designed in the new format. Plans in place for auditors to meet with front-line engineers to discuss how to complete electrical paperwork.

Quality control processes to be implemented for Lift Management (RMS – R3.2) with sample inspections to be conducted by a third party and quality process maps to be created. Overall assurance and reporting is being reviewed.

Fire Safety Management Plans have identified review standards for reporting and accreditation of internal and external contractors. Overall reporting is being reviewed and competencies are also being reviewed within the competency framework.

Management Plan – Complete
 Gap Analysis – Complete
 Process Redesign – Expected completion October 2023
 Process Launch – Expected completion August 2023
 New Process Embedded – Expected completion November 2023

Lifts

Management Plan – Complete
 Gap Analysis – Complete
 Process Redesign – Expected completion August 2023
 Process Launch – Expected completion August 2023
 New Process Embedded – Expected completion November 2023

Asbestos

Management Plan – Complete
 Gap Analysis – Expected completion September 2023
 Process Redesign – Expected completion October 2023
 Process Launch – Expected completion October 2023
 New Process Embedded – Expected completion January 2024

Water

Management Plan – Expected completion July 2023
 Gap Analysis – Expected completion July 2023
 Process Redesign – Expected completion August 2023
 Process Launch – Expected completion September 2023

			<p>New Process Embedded – Expected completion October 2023.</p> <p>Gas Scoping commenced in July 2023</p> <p>Electrical Scoping commenced in July 2023</p> <p>Data Validation Results from Savills exercise expected imminently (August 2023). To be followed by a data flow mapping exercise supported by Corporate Data & Insight through August 2023 to understand data management and data integrity across all six areas of compliance plus damp, mould and condensation.</p>
<p><i>3. There should be clear delineation between those officers that produce the performance data and the Compliance Team to demonstrate independence and better ensure integrity of data. Consideration should also be given to the addition of sampling of data, by an independent source, to the validation process to add another layer in respect of quality assurance.</i></p>	<p>In progress.</p> <p>Implementation of independent '3 lines of defence' assurance mechanisms (90% complete)</p>	<p>This recommendation also incorporates Mazars action MA1 – Carry out regular reconciliation of communal areas, plus RMS action R11 – cleansing of system information.</p> <p>Internal audit was completed in March 2023 and this issued 'adequate assurance'.</p> <p>Savills have recently been commissioned a data validation exercise which will address most recommendations raised, the results are due shortly. As mentioned above, this will be followed by a 'deep dive' data flow exercise across all 6 areas of Building Safety. Savills have identified properties with communal areas that will require a survey. Further output is due (checks whether reports are present and recorded on the system). A landlord compliance data management plan is also expected from Savills, with data elements then being</p>	<p>Savills Data Validation exercise due to be completed August 2023.</p> <p>Data & Insight data flow mapping exercise due completion September 2023.</p> <p>Staff structures and capabilities in relation to data focused capacity are also being explored within Assets, Building Safety and the Improvement and Assurance Team.</p>

		incorporated into the Management Plans identified above.	
<i>4. The Building Safety Assurance Board should consider using the effective compliance system matrix and should ensure that the policies are regularly reviewed to ensure that they remain fit for purpose.</i>	Completed	Compliance system matrix was presented to BSAB and this was adopted.	Completed.
<i>5. That consideration be given to the need for wider political oversight of the work being undertaken by Housing Advisory Board.</i>	Completed	<p>The H&N governance arrangements have been reviewed by David Tolson Partnerships. The review recommended the establishment of a H&N Improvement Board, with this board including a political constituent to strengthen the political oversight of the service.</p> <p>Board has been established and a Chair recruited. The Board has its first meeting in June 2023, and now has a regular monthly reporting cycle and assurance activities aligned. The Board recently completed a 'strategy away day' in July 2023.</p>	Completed.
<i>6. That progress updates be provided to the Cabinet on a regular basis whilst the current compliance recovery programme is ongoing.</i>	In progress (on-going action).	Progress report provided to Cabinet (this report) in October 2023 (report written in August 2023). Regular progress updates continue to be provided to BSAB and the H&N Improvement Board (monthly) which has councillor representation and feeds into Cabinet.	Ongoing action.
<i>7. Whilst it is recognised that there is a balance to be achieved between the transparency required for</i>	In progress (on-going action).	There is currently an activity ongoing focused on enabling wider Councillor visibility on progress and actions, with suggestions this would be	In progress (ongoing action)

<p><i>scrutiny and the maintenance of confidentiality in certain circumstances, consideration be given to the wider visibility of the work of both the Building Safety Assurance Board and the Housing Advisory Board.</i></p>		<p>more appropriate for Ward Members as opposed to senior leaders in the Groups.</p> <p>Further consideration to be given to how visibility is most appropriately delivered. Options to consider:</p> <p>Existing Cllr Newsletter; Specific periodic briefings on progress, whether reporting to the Cabinet suffices.</p>	
<p><i>8. That consideration be given to whether the Authority currently has sufficient project management and risk management expertise for the scale of the recovery programme and to a more systematic and detailed assessment of risk likelihood.</i></p>	<p>In progress (50% complete)</p> <p>(Amber due to uncertainty within recruitment in current financial climate)</p>	<p>H&N have reviewed the resource across Building Safety in relation to risk, project management and operational/strategic oversight.</p> <p>A risk manager (Assurance Manager) was seconded from the service and this secondment has recently ended. The position is currently out to permanent recruitment with the role expected to be appointed in September/October 2023.</p> <p>A Service Manager for Programme and Performance in Building Safety was successfully recruited and has been in post since 3 April. The first round of recruitment for a General Manager position (Quality and Compliance) was unsuccessful. A second round has been undertaken and an offer made to an internal candidate, pre-appointment checks are now being made.</p> <p>A Project Manager has been recruited within the Improvement and Assurance Team, with this resource primarily focused on the Management Plans and Voids Redesign.</p>	<p>Assurance (risk) Manager recruitment – expected completion October 2023.</p> <p>General Manager recruitment – at pre-employment checks stage.</p> <p>PMO Development – expected completion September 2023, with any recruitment expected in September/October 2023.</p> <p>Improvement & Assurance Team restructure (including project, change and data resource) – expected completion – Spring 2024.</p>

		<p>Further exploration is currently underway to design and implement a PMO within Assets – implementing a project/programme approach to capital delivery plans. This will also include cyclical programmes of work aligned to Building Safety. It is likely that additional recruitment of project-focused roles will be required.</p> <p>The resource required to strengthen data and performance is also being reviewed and will potentially include a restructure of roles already in place within H&N. This is being reviewed in collaboration with the Corporate Data & Insight Team.</p>	
<p><i>9. That the Authority should ensure it remains cognisant of the ongoing risks to work programmes associated with the pressure on supply chains and challenges in recruitment and retention and regularly reviews its priorities accordingly.</i></p>	<p>In progress (on-going action)</p>	<p>This is aligned to RMS Action - Evaluate training, qualifications and accreditations for Competent Persons and establish controls.</p> <p>The H&N Assets and Building Safety teams are regularly reviewing supply chain challenges and adjusting programmes accordingly. They are also developing an approach to engage contractors in a regular forum where pipelines and the council's approach can be shared.</p> <p>The most recent rounds of recruitment have generally yielded higher numbers of applications and suitable applicants. The current recruitment activity will be reviewed to look at success rates and quality of applicants.</p> <p>Officers are aware of the pressures on supply chains and are monitoring these on a project-by-project basis, as well as across the wider sector. The implementation of a PMO and governance structure for capital projects will provide oversight of the pipeline of procurement and</p>	<p>Ongoing</p> <p>The Capital Programme Board will commence meeting in September 2023. The Board will continually review the procurement strategy to ensure it is fit for purpose, as pipelines and scheme details are developed.</p>

		<p>delivery activity and provide strategic management of this. A procurement strategy is being developed and the Capital Programme Board will have representation from Procurement, Finance and Risk to ensure that delivery of this can be achieved.</p>	
<p>10. <i>Mandatory training in respect of implementing and maintaining a robust compliance regime and the responsibilities arising from this, for all Cabinet Members, other Councillors, and existing and new members of staff within the relevant disciplines, refreshed at regular intervals. Appropriate training for members of the Tenants Advisory & Grants Panel and the Housing Advisory Board.</i></p>	<p>In progress (50% complete)</p>	<p>New and existing staff are required to undertake a range of compulsory building safety and health and safety compliance training dependant on their job role. Training is delivered to statutory requirements and at recommended intervals.</p> <p>A wider review of competencies required across the whole of Homes and Neighbourhoods to deliver the building safety agenda and ensure compliance has started and is looking first at fire safety requirements. The Savills' training video has been uploaded to MyLearning and Councillors are encouraged to view this.</p> <p>An overarching skills and competencies framework has been developed to manage activity across three levels (strategic, operational and delivery). Once agreed, the framework will be used to develop assessments for each role in the building safety management chain. All roles have been assigned a set of overarching requirements for specific competencies required.</p>	<p>Skills and competencies framework and organisational structure of roles and responsibilities is expected to be reviewed in August 2023 by the Head of Service, Service Managers and General Managers. This will be followed by a skills gap analysis.</p> <p>Expected completion – October 2023.</p> <p>Mazars Recommendation – MA2 – Central filing system to be developed for all certifications. This is still required and awaiting completion by the Learning & Organisational Development Team.</p>
<p>11. <i>The importance of the pivotal role of Councillors within their communities should be recognised and stronger communication links established to ensure that they are aware of any</i></p>	<p>In progress (on-going action).</p>	<p>H&N recognises the role that ward councillors play in both representing their communities and the council's services of which H&N is a part. Wherever major building safety projects or initiatives are planned H&N will engage with councillors as key community stakeholder and representatives of the Council to ensure a</p>	<p>In progress (on-going).</p>

<p><i>issues in their ward, in particular any works proposed, scheduled or ongoing to any Council-owned social housing. Consideration should also be given to the introduction of pre-commencement briefings, for significant projects of work, involving ward councillors, tenants, contractors and housing officers.</i></p>		<p>constructive and active communication is established in a timely manner.</p> <p>Ward Councillors continue to receive copies of the newsletters distributed to all residents living in high rise buildings.</p>	
<p><i>12.Data in respect of no access properties should be fed into the reporting structure to ensure visibility. A weekly report focusing on overdue cases and how long they have been outstanding will aid in workload management.</i></p>	<p>Action complete. Monitoring in line with recommendation is on-going action</p>	<p>A fully detailed report on no-access properties across all building safety compliance workstreams is now part of the BSAB composite report, this was put into place from April 2023. Further work is required to ensure consistency of reporting across each of the big 6 areas.</p> <p>No-access information for gas and electrical inspections is now provided as an Appendix to the BSAB report. No-access information for fire safety delivery and asbestos removals is being reviewed and reformatted for inclusion.</p>	<p>Monitoring in line with recommendation continues as an ongoing activity.</p>
<p><i>13.Independent audit/assessment should be undertaken to confirm completion of the Mazars and RMS recommendations, and an independent external audit of the compliance framework should be programmed at a regular frequency to ensure that</i></p>	<p>In progress</p> <p>Recommendations from Mazars and RMS (79% completed)</p>	<p>79% of the recommendations made by RMS and Mazars are complete. As previously mentioned, an internal audit into the data validation and compliance reporting framework identified in the RMS consultant's report was completed and 'adequate assurance' provided. Additionally, a data validation has recently been completed by external consultants Savills, with results expected shortly.</p> <p>Many of the outstanding RMS/Mazars actions have also now been incorporated into the Ad</p>	<p>In progress.</p>

<p><i>compliance levels remain high and that current best practice is being followed.</i></p>		<p>Hoc Scrutiny action plan to ensure these remain visible and are included within activities.</p>	
<p><i>14. That a 'Service Level Agreement' be established with the Corporate Landlord and Property Team to ensure clarity on roles and responsibilities and to ensure compliance with the relevant health and safety guidance in respect of lifts.</i></p>	<p>In progress (50% complete)</p>	<p>The service is working with colleagues in Corporate Landlord service and has agreed a set of Service Standards for the delivery of passenger lift servicing and repair.</p> <p>A workshop was completed between H&N and Corporate Landlord on 30 June to review contracts and SLAs and further workshops are taking place regularly. As part of this work, the responsibilities for contract ownership and management are being reviewed and separated out between H&N and Corporate Landlord.</p> <p>The SLAs/KPIs are being tailored to align with the new Management Plans for fire, lifts and asbestos. New SLAs/KPIs will be reported on during the next reporting cycle.</p>	<p>In progress.</p> <p>SLAs/KPIs have now been completed in relation to fire, lifts and asbestos and are due to be reported on in the next reporting cycle.</p> <p>Remaining SLAs/KPIs in relation to water, gas and electric will be incorporated in the Management Plans project.</p> <p>Completion expected – December 2023.</p>
<p><i>15. That the effective communication and engagement with tenants be maintained throughout the ongoing programmes of work.</i></p>	<p>In progress (on-going action).</p>	<p>Communication with tenants is crucial to the effective delivery of our compliance programme along with our wider housing management and maintenance services. A dedicated tenant engagement team has been formed to support our fire remediation programme supported by the wider tenant engagement team.</p> <p>The Fire Safety Resident Engagement Team regularly re-engage with tenants living in blocks (door knocking, leaflet drops and short survey). The aim of this work is to reaffirm residents' understanding of the importance of fire safety doors and their role in enabling the council to remain compliant (along with the opportunity to re-assess the impact of the cost of living,</p>	<p>In progress (ongoing action).</p>

		<p>support available etc). There are currently 17 Fire Safety Champions in place. Champions are residents living in high-risk residential buildings and support staff engagement and reinforce important messages about building safety to all residents. Fire Safety Champions also have a key role in identifying and raising issues of concern to the council to be dealt with.</p>	
<p>16. That updates in respect of the information set out below be submitted for scrutiny by an appropriate governance body</p> <p>i. The amended policies, including the full range of Key Performance Indicators and underlying procedural documents at the earliest opportunity.</p> <p>ii The implementation plan and timescales for the installation of smoke and carbon detectors in all properties, to include confirmation that the Regulator has been/will be informed if the Authority will not be compliant by the time the regulations come into force on 1st October 2022.</p> <p>iii The detailed programme of works to the low rise buildings.</p>	<p>In progress</p>	<p>(i) Updates on the development and implementation of amended plans and policies, supporting processes and KPI performance are reported regularly to the Building Safety Assurance Board, that provides officer oversight of the compliance related programme including potential risks to their delivery and recommendations for remedial action. If the Board has any concerns in relation to any programme it currently escalates these to both the Corporate Health and Safety Oversight Group and the Homes and Neighbourhoods Improvement Board (HNIB). HNIB is now established and receives regular updates on progress and issues.</p> <p>These arrangements feed into both the Cabinet Assurance Board and the Cabinet itself and add additional layers of oversight and assurance.</p> <p>(ii) The Regulator has been informed of non-compliance and accepts there are challenges with no access properties. The Regulator has been informed on progress on the installation of CO detectors and the full programme will be completed by June 2023, aligning with the Gas Servicing</p>	<p>(ii) Installation of CO detectors is almost completed. At time of writing (4th August), only five are outstanding and these are due to repeated no-access issues. The team are engaging with tenants who are refusing access and plan are in place to install the remaining CO detectors imminently. This work is expected to be completed before the end of August 2023.</p> <p>(iii) Person Centred Fire Risk Assessments (PCFRAs) for vulnerable residents in high-rise blocks are now complete, with the Fire Service actively involved in this activity. The team is now progressing on to Personal Emergency Evacuation Plans (PEEPs). The activity will prioritise high-rise buildings followed by:</p> <ul style="list-style-type: none"> • Residential Living Schemes • Six-storey blocks • Low rise buildings <p>These are also being completed with support from the Fire Service and this collaboration is working well.</p>

regime which allows for future servicing and access route through EPA if required.

- (iii) Packages of known FRA (Fire Risk Assessment) actions for the low-rise blocks are being developed for tender. Tenders are due to be issued in August 2023, with a start on site of April 2024. (RMS recommendation – Undertake a PCFRA for identified vulnerable residents in our high rise blocks to ensure the fire service is fully aware of which residents to prioritise in the event of a rescue).

21 Person Centred Fire Risk Assessments (PCFRAs) were completed during May and June 2023, which included 38 follow up visits. These are predominantly with tenants who hoard and involve on-going relationship building and engagement with tenants through the Fire Safety Engagement Team and Housing Officers. The visits also include support in de-cluttering properties. Housing Officers continue to regularly check in with tenants to ensure any reoccurring concerns are addressed early and to ensure relationships are maintained.

- (iv) There are currently 17 Fire Safety Champions in place. Champions are residents living in high-risk residential buildings and support staff engagement and reinforce important messages about building safety to all residents. Fire Safety Champions also have a key role in identifying and raising issues of concern to the council to be dealt with.

<p>17. That the Authority ensures that a robust procurement strategy is in place for the remaining packages of fire safety works</p>	<p>In progress (50% complete)</p>	<p>Action is also aligned to RMS action – R3.1</p> <p>A procurement strategy has been developed to deal with fire safety remedial works to high-rise, 6-storey, low-rise and RLS blocks. Development of specifications and requirements is ongoing for long term contracts to deal with future actions as they occur. H&N have reviewed the existing contracts register and are working with Procurement to procure works, services and schemes. The strategy will be managed by the Capital Programme Board going forward.</p> <p>Where fire safety works are in relation to leaseholders, the following activities have been identified as priority:</p> <ul style="list-style-type: none"> • Obtaining gas and electrical inspection certificates for leaseholders in high priority blocks. This is an ongoing process. • Amend the leaseholder agreement to ensure it is the responsibility of the leaseholder to provide these annually (gas) and every 5 years (electric). 	<p>The leaseholder agreement has been amended and in use with new leaseholders since March 2023.</p> <p>The development of processes and procedures relating to gaining assurance of leaseholder compliance is part of the Management Plan work and will be completed concurrently with the timescales set out above.</p>
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Name of meeting: Cabinet

Date: 17th October 2023

Title of report: Local Plan Review and Update

Purpose of report: To seek Cabinet ratification on the outcomes of a review of the Kirklees Local Plan. It is a statutory requirement to review and publish the outcomes on whether the Local Plan is fit for purpose within 5 years from the date of the plan adoption. For Kirklees, this process is required to be completed by February 2024.

Subject to ratification by Cabinet of the review outcomes, the officer recommendation is for Cabinet to recommend to Full Council that it endorses the commencement of a full update of the Kirklees Local Plan.

<p>Key Decision – A key decision is an executive decision to be made by Cabinet which is likely to result in Council spending or saving £500k or more per annum, or to have a significant positive or negative effect on communities living or working in an area compromising two or more electoral wards. Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.</p>	<p>Yes</p> <p>Affects all wards.</p> <p>Subject to Cabinet ratification of the review outcomes, and Council approval to commence an update of the Local Plan, the cost of updating the Plan will exceed £500K.</p>
<p>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u></p>	<p>Key Decision – Yes</p> <p>Private Report/Private Appendix – No</p>
<p>The Decision - Is it eligible for call in by Scrutiny?</p>	<p>Yes</p>
<p>Date signed off by <u>Strategic Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p>	<p>David Shepherd Strategic Director for Growth and Regeneration (2nd October 2023)</p> <p>Isabel Brittain Service Director Finance (S151 officer) (5th October 2023)</p> <p>Julie Muscroft Service Director Legal, Governance and Commissioning) (5th October 2023)</p>
<p>Cabinet member portfolio</p>	<p>Cllr Graham Turner</p>

Electoral wards affected: All Wards

Ward councillors consulted: N/A

Public or private: Public

Has GDPR been considered? Yes, no personal information is recorded in the report.

1. Summary

The Kirklees Local Plan was adopted in February 2019. A formal 'review' of whether the Local Plan remains fit for purpose must be published within 5 years of Local Plan adoption (by February 2024).

The Local Plan is a statutory development plan, and its purpose is to set out a spatial development strategy identifying how much development is required over a plan period, where it will be located and designations for the protection of land. It also contains a suite of planning policies which facilitate the development strategy and against which planning applications for development will be assessed.

The report sets out the process which has been undertaken to review the Local Plan and the outcomes of the review. There is no prescribed method for plan review, but a review of a Local Plan against a standardised template produced by the Planning Advisory Service is being promoted nationally as good practice and forms the basis of the Kirklees assessment.

There are three potential outcomes of a review:

- No changes are required to the plan and the council publishes a statement to that effect setting out the reasons for the decision; or
- Changes are required, and work commences on a partial update to the plan; or
- More substantial changes are required, or the changes are interdependent on other areas of the plan and work commences on a new plan/full update.

Cabinet are being asked to ratify the outcomes of the Local Plan review and to recommend to Full Council to commence a full update of the Local Plan.

2. Information required to take a decision.

Local Plan Review Process

Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended, states that local planning authorities must review their plans every five years from the date of adoption. Section 17 of the Planning and Compulsory Purchase Act 2004 (PCP Act) requires them to publish their reasons if they consider that no update is necessary.

The National Planning Policy Framework (NPPF) (March 2023), Para 33 states that "Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary".

A formal decision to start the 'review' was carried out under powers delegated under the Council's Constitution to the Strategic Director Growth and Regeneration, David Shepherd. The Significant officer Decision Notice can be viewed at: [Issue details - Kirklees Local Plan Review \(Statutory requirement\) | Kirklees Council](#)

To raise public awareness of the Local Plan review an article was placed in Kirklees Together, press releases and all social media platforms (see Section 5 Engagement).

To assist all local planning authorities with the process of plan review, the Local

Government Association has worked with the Planning Advisory Service to produce advice, and an assessment toolkit. This includes standardised templates and questions to assess whether the plan is “fit for purpose”. Kirklees officers used the PAS template to assess and record the outcomes of the Local Plan review. The use of the template was considered to provide a transparent and consistent approach to the process, allowing the opportunity to benchmark against other authorities and to consider good practice.

Planning policy has consulted internally with other council Services to gain their views based on their experience and judgements on applying Local Plan policies in the consideration of their own work areas and to support the delivery of their own strategies or projects. Services include:

- Climate Change
- Conservation
- Development Management
- Economy and Skills
- Education
- Environmental Health
- Environmental Strategy
- Housing Growth
- Landscape
- Major Projects
- Public Health
- Public Protection
- Strategic Partnerships
- Transport Strategy and Policy
- Waste

The Planning Officers Society (POS) was appointed as a critical friend for the Local Plan review process to further increase the robustness of the process. This action was undertaken following advice from officers at Barnsley Council who have recently completed a Local Plan review. The Planning Officer’s Society remit is to provide independent advice and guidance to local planning authorities and to lobby at a national level for good practice.

The process for reviewing the Local Plan was presented to Scrutiny on 25th September 2023.

To undertake an update of the Local Plan requires a Full Council decision and could take place in November 2023.

Outcomes of the Local Plan Review

The Kirklees Local Plan was assessed against 14 questions outlined in the PAS template. Officers found the plan to be out of date against the following questions:

- A3 the council does not have a 5-year supply of housing.
- A4 the council is not meeting its housing delivery targets.
- A5 (ii) the assessment has identified issues relating to the achievement of sufficient jobs across the district to meet the 23,000 jobs target set out in the Local Plan including concerns about achieving sufficient jobs from remaining

employment allocations and issues around the spatial distribution of employment opportunities.

- A6 the council's employment delivery and land supply is borderline and there are concerns that the delivery of potential 1,782 jobs that may be delivered from employment/mixed-use allocations are yet to enter the planning process.
- A8 key site allocations are unlikely to deliver housing/employment targets within the Plan period which will impact on the delivery of the Kirklees spatial strategy.
- A14 the Local Plan was adopted prior to the council declaring a climate change emergency in 2019. It is considered an update of the Local Plan provides an opportunity develop a planning framework that supports the council's ambition of being net zero and climate ready by 2038.

The completed PAS template is attached at Appendix 1 where detailed responses are outlined for each question.

A summary table is provided below for reference.

Summary table of the outcomes (PAS template)

A	Plan Review Factors	Outcomes
A1	The plan policies still reflect current national planning policy requirements.	Agree
A2	There has not been a <u>significant</u> change in local housing need numbers from that specified in your plan (accepting that there will be some degree of flux).	Agree
A3	<p>You have a 5-year supply of housing land. Government guidance (the National Planning Policy Framework) requires local planning authorities to identify and update annually a supply of specific, deliverable sites sufficient to provide a five-year supply of land against their housing requirement. The latest five-year housing land supply position published by the council is 2023-based and states that the council can demonstrate 3.96 years supply of deliverable housing land. This calculation took account of under-delivery since the Local Plan base date and a 5% buffer compared to the deliverable housing capacity, windfall allowance, lapse rate and demolitions. If a local planning authority is unable to demonstrate a five-year supply, the policies related to the supply of housing are considered out-of-date. As such, the presumption of sustainable development (the tilted balance) is triggered as set out in paragraph 11d of the NPPF and footnote 8.</p>	Disagree
A4	<p>You are meeting your housing delivery targets.</p> <p>A4. /A.8 Housing Delivery Test / delivery of strategic sites – The number of homes built between 31st March 2022 – 1st April 2023 was 987 against a Local Plan target of 1730. The Local Plan relies on housing delivery from three strategic housing sites which have yet to start on site due to the complexity of granting planning permission and delivering such large sites. Whilst each of the sites is now within the planning application process (at least in part), there is under delivery of Local Plan targets.</p> <p>This question has been considered in the light of the ongoing work being undertaken by Housing Growth to progress strategic sites such as work on Bradley Park outlined in the report to Cabinet on 27th June</p>	Disagree

A	Plan Review Factors	Outcomes
	2023 on Housing Delivery Updates: 230615 Cabinet report Housing Delivery FINAL.pdf (kirklees.gov.uk)	
A5 (ii)	<p>Your plan policies are on track to deliver other plan objectives including any (i) affordable housing targets including requirements for First Homes; and (ii) commercial floorspace/jobs targets over the remaining plan period.</p> <p>The assessment has identified issues relating to the achievement of sufficient jobs across the district to meet the 23,000 jobs target set out in the Local Plan including concerns about achieving sufficient jobs from remaining employment allocations and issues around the spatial distribution of employment opportunities.</p>	Disagree A5 (ii) in relation to commercial floorspace/job targets over the remaining plan period.
A6	<p>There have been no significant changes in economic conditions which could challenge the delivery of the Plan. Including the policy requirements within it.</p> <p>Employment delivery and land supply – borderline performance information at present but significant employment land supply issues anticipated during the remainder of the plan period. The assessment has raised concerns about the delivery of potential 1,782 jobs that may be delivered from employment/mixed-use allocations yet to enter the planning process and would count towards the Local Plan aspiration of achieving 23,000 additional jobs over the plan period.</p>	Disagree
A7	There have been no significant changes affecting viability of planned development.	Agree
A8	<p>Key site allocations are delivering, or on course to deliver, in accordance with the local plan policies meaning that the delivery of the spatial strategy is not at risk.</p> <p>See A4.</p>	Disagree
A9	There have been no significant changes to the local environmental or heritage context which have implications for the local plan approach or policies.	Agree
A10	No new sites have become available since the finalisation of the adopted local plan which require the spatial strategy to be re-evaluated.	Agree
A11	Key planned infrastructure projects critical to plan delivery are on track and have not stalled / failed and there are no new major infrastructure programmes with implications for the growth / spatial strategy set out in the plan.	Agree
A12	All policies in the plan are achievable and effective including for the purpose of decision-making.	Agree
A13	There are no recent or forthcoming changes to another authority's development plan or planning context which would have a material impact on your plan / planning context for the area covered by your local plan.	Agree
A14	<p>There are no local political changes or a revised / new corporate strategy which would require a change to the approach set out in the current plan.</p> <p>Climate emergency – although the Local Plan was assessed and determined as sustainable, the Council has declared a climate emergency and there is therefore the need to reflect the climate emergency.</p>	Disagree

Feedback from internal service users

In terms of the Local Plan policies, it is considered that whilst most Local Plan policies remain fit for purpose, an update of the Local Plan provides an opportunity to consider additional policy coverage particularly in the light of emerging guidance across several topic areas. Areas for consideration could include air quality, energy security, renewable energy, a wider range of health-related policies, and a review of sustainable transport policies. This list is not exhaustive and subject to Full Council endorsing an update of the Local Plan, Regulation 18 (1) of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires the local authority to invite representations about what the local plan should contain. This would involve engagement with a range of statutory and non-statutory bodies, residents, businesses, and members.

It should be noted that the Government is proposing to prepare National Development Management Policies which would also set a context for updated policy.

An update of the Local Plan provides an opportunity to realign the Plan's vision and objectives with a revised council plan (January 2024), and the following council strategies: Inclusive Economy Strategy, Health and Well-being Strategy, Environmental Strategy, and Inclusive Communities Framework. However, no issues were identified, that would indicate a potential failing of the current Local Plan to deliver the wider corporate objectives contained in these strategies.

As outlined earlier in the report, the Local Plan was adopted prior to the council declaring a climate change emergency in 2019. It is considered an update of the Local Plan provides an opportunity develop a planning framework that supports the council's ambition of being net zero and climate ready by 2038.

Planning Officers Society (POS) (critical friend feedback)

POS provided some initial thoughts on the process for the council to consider in taking forward outcomes from the review in relation to partial or full review.

a) "A partial review must follow the same processes and stages as the preparation of a new plan or full plan update and the amount of work, costs and resources involved should not be under-estimated".

b) Partial reviews generally are only suitable where there is a specific part of the plan that is considered out of date. Due to the inter-relationships between the spatial strategy and the policies and between policies themselves, a full review is likely to be of most benefit. Additionally, advice from the Planning Officers Society based on cases elsewhere in the country, is that partial reviews have resulted in confusion for the public where different parts of the Local Plan were updated at different times.

POS concurred with the officers' view that the review raises concerns in relation to meeting housing and employment targets, and the delivery of strategic sites. POS commented:

"In theory the Council could initiate a partial review with the aim of allocating further sites to swell the land supply and delivery. However, it must be likely that to seek to bring forward further site allocations would have knock-on effects on other aspects of the plan. Consequently, it could prove very difficult to retain the narrow focus of the plan review,

without finding that wider changes became necessary which could make the review process more akin to a full plan update”.

POS agreed with officers that the plan policies still reflect current national policy requirements. It acknowledged that whilst there had been some changes to legislation, national policy and practice guidance since the Plan was adopted, “the objectives and policies of the local plan remain relevant overall.

Further to this, POS concluded that based on the officers’ review assessment and the evidence provided for each question, that the conclusions were supported.

Other considerations

Officers are aware of the current uncertainties relating to proposed national planning system changes and planning reforms. However, evidence to support the Local Plan and early engagement are key to both the current and proposed reforms. Both the Department of Levelling Up Housing and Communities and the Planning Advisory Service are advising local authorities carry on with the process of producing Plans or updates.

Conclusions on the review outcomes

Officers consider that the plan requires an update for the reasons set out under questions A3, A4, A5 (ii), A6, A8 and A14 of the PAS template (see earlier in the report, outcomes of the Local Plan Review and Appendix 1.

Questions A17 and B4 of the PAS template requires the local authority to outline its position on whether a review is required and whether it should be partial or full. In the opinion of the officers, a full review of the Local Plan is required based on the inter-relationships between the spatial strategy and Local Plan policies. A partial review is not considered suitable as the proposed updates are not specific to one area of the plan and could lead to the potential for further updates and costs.

3. Implications for the Council

3.1 Working with People

The Local Plan review is a technical assessment based on a standard Planning Advisory Service template and is not subject to public consultation. The Local Plan 2 process would potentially include consultation on a revised Statement of Community Involvement as well as three stages of public consultation. The legal regulations state that at least two stages of consultation are required, however, it is the view of officers that three stages should be undertaken to ensure meaningful engagement and more certainty to meet the regulations. Undertaking just two stages of consultation on the Local Plan would raise significant risks of undermining the early engagement process and that significant risks could be raised late in the Local Plan process.

3.2 Working with Partners

Officers have liaised with Barnsley Council where its Local Plan review has recently been undertaken. The conclusions of the review were subject to a critical friend assessment from the Planning Officers Society to ensure a second opinion was sought on the review outcomes.

The Local Plan review process also includes adhering to the Duty to Co-Operate

requirements, part of which will include meeting with adjoining authorities in relation to the review outcomes. The Local Plan 2 process will involve working with other services within the council as well as partners (such as those relating to infrastructure provision) and the Duty to Co-operate will need to be satisfied through the plan preparation process. A series of public consultations throughout the preparation of Local Plan 2 will enable a range of partners to engage further in the process.

3.3 Place Based Working

The Local Plan 2 process will take account of the range of different characteristics and communities across Kirklees, for example assessing housing needs. It will also seek the views of communities from the inception of the plan-making process through early engagement exercises and throughout the process. Consultation proposals would be set out in an updated Statement of Community Involvement and would embrace council approaches such as the Inclusive Communities Framework.

3.4 Climate Change and Air Quality

The draft Local Plan review sets out the Climate Emergency as one of the key factors indicating a Local Plan update is required. Although the current Local Plan was assessed as sustainable during the Local Plan process, it doesn't specifically set out how developments will contribute to the net zero targets by 2038. A revised Local Plan provides the opportunity to take account of the Kirklees Climate Change Action Plan and consider how planning policy interventions can contribute towards reducing carbon emissions and ensuring resilience against climate change.

3.5 Improving outcomes for children

The Local Plan review is a technical exercise to be undertaken stating whether the Local Plan remains up to date. Local Plan 2 would need to consider the needs of children through ensuring sufficient education facilities are available to meet the needs of new developments but also links to health outcomes by protecting valuable open spaces close to where children live and providing housing to meet local needs.

3.6 Financial Implications for the people living or working in Kirklees

A new Local Plan will include identifying and meeting the needs for housing and employment across Kirklees.

3.7 Other (e.g., Integrated Impact Assessment/Legal/Financial or Human Resources)

- Financial - Costs to prepare a new Local Plan will be considerable, estimated to be up to £2m over the life span of the project (based on discussions with authorities who have recently been through the process). This would be refined as the process evolves and includes consideration of areas of work across the council such as the Transport Model which can also be used for other work areas. Local Plan costs are identified as the first call on the Kirklees share of the Leeds City Region business rates pool.
- Staff resources - The Local Plan timetable has been set out in the context of existing resources within Planning Policy but would also require commitment from a range of service areas to assist with this process. Consultancy support will also be required in relation to some specialist topic areas (such as Sustainability Appraisal, viability).
- Legal/Governance – governance advice has been taken in relation to the decision-making process to inform the options in this report. Planning Policy will liaise with Legal Services as the review process progresses.

The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) govern

the review, preparation, consultation, examination, and adoption of Local Plans. In preparing a local plan, the council amongst other things must ensure that the plan is prepared in accordance with the council's Local Development Scheme, have regard to national policies/guidance, comply with the council's Statement of Community Involvement and the duty to co-operate with other Local Planning Authorities.

The Council must comply with its public sector equality duty under the Equality Act 2010 and produce an Integrated Impact Assessment as required.

- Integrated Impact Assessment (IIA) – an IIA will be undertaken dependant on a decision by Full Council to proceed with an update of the Local Plan where the impact of a plan update can be fully considered.

4. Consultation

There are no statutory requirements for consultation on a Local Plan review (assessment of whether it is fit for purpose). The decision to commence a review has however, been publicised through the mediums outlined in Section 5. There are statutory consultation requirements for an update of the Local Plan. These are outlined under the Local Plan 2 potential timetable.

Section 15 of the Planning and Compulsory Act 2004 (as amended) requires the production of a Local Development Scheme (a timetable setting out the different stages of plan preparation including key stages of consultation etc). Following a Full Council decision to start Local Plan 2, there would need to be a Cabinet decision to approve an updated Local Development Scheme. The council is also required to produce a Statement of Community Involvement which sets out who, when and how consultation on the Local Plan will take place. This is for Cabinet to adopt.

The process for reviewing the Local Plan was presented to Scrutiny on 25th September 2023: [2023-09-25 Scrutiny Local Plan Review and Update.pdf \(kirklees.gov.uk\)](#)

5. Engagement

The launch of the Local Plan review was communicated through the following ways:

- Kirklees Together: [We're reviewing the Kirklees Local Plan - Kirklees Together](#)
- All social media platforms
- Local press: Examiner Series, Dewsbury Reporter

At the point that an update of the Local Plan is approved, statutory requirements (as outlined at Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012) require early engagement of "specific" and "general" consultation bodies, residents, and businesses.

6. Next steps and timelines

Officers recommend the following next steps:

- 1) Cabinet ratifies the findings and recommendations of the internal officer review of the fitness of the Kirklees Local Plan (as outlined in Appendix 1 of the report) and the council's reasons and decisions are published in its website.
- 2) Cabinet recommends to Full Council that a full update of the Kirklees Local Plan commences (following current statutory local plan processes with the process to be reviewed following confirmation of the government's proposed planning

reforms).

- 3) Cabinet authorises the Strategic Director to commence work on a Local Development Scheme and Statement of Community Involvement in accordance with recommendations outlined in sections 6 and 7.

Section 15 of the Planning and Compulsory Act 2004 (as amended) requires the production of a Local Development Scheme (a timetable setting out the different stages of plan preparation including key stages of consultation etc). Subject to a Full Council decision to start Local Plan 2, there would need to be a Cabinet decision to approve the Local Development Scheme.

The likely timescales for Local Plan 2 are as follows:

Local Plan preparation stage	Consultation periods	Timescale
Local Development Scheme (LDS) (local plan timetable) approved by the Cabinet		January 2024
Statement of Community Involvement (SCI) – setting out how we will consult the community	6-week consultation on a draft. The final document will be presented to Cabinet for adoption.	March 2024
Early engagement about spatial strategy, broad ideas about scale of growth and Call for Sites.	Period of engagement at least 6 weeks	August 2024
Draft Local Plan – showing spatial strategy, draft site allocations and policies)	6-week consultation	September 2025
Publication Draft Local Plan – showing the final version of the plan supported by the Council which is then submitted for independent examination)	6-week consultation (representations period)	September 2026
Submission to the Secretary of State followed by an independent examination in public	The plan would then have a formal Examination in Public	March 2027

The Plan will also be subject to examination and a process of adoption. The full timetable will be reviewed in the light of a Full Council to commence an update, planning reforms and changes to current legislation.

The timeline for the preparation of an update of the Local Plan allows for public consultation on a Statement of Community Involvement (a document which sets out how communities will be consulted during the Local Plan process). This consultation is no longer mandatory, but many authorities still consult on the document to allow communities to have their say on different consultation methods. Compliance with an up-to-date LDS and SCI are issues which will be assessed at the independent Local Plan examination stage. Officers recommend that consultation is undertaken on a revised Statement of Community Involvement and request Cabinet approves a six-week period of consultation with a final document presented to Cabinet for approval and publication.

The legal regulations state that there must be a minimum of 2 stages of public consultation (early engagement and a final Publication Draft Local Plan which is then submitted to the Secretary of State for examination). To follow such an approach is a high-risk strategy because the process moves from early engagement about the potential

scope of the plan straight to a final Publication plan (which includes sites and policies) and risks accusations of a done deal and that consultation did not shape the plan in a meaningful way.

As such, 3 consultation stages are recommended with consultation on a Draft Local Plan (the first-time site allocations and policies are set out) between the Early Engagement stage and the final Publication Draft consultations. The most controversial aspect of Local Plan preparation is normally this Draft Local Plan stage as this is the point where the draft site allocations are first published (housing allocations, employment allocations etc). Having this stage ensures meaningful consultation and allows issues raised in the consultation to be rectified through changes or further evidence gathering which minimises risks of significant new issues being raised at the Publication Draft stage (as that stage articulates the council's view of the final Local Plan). This approach is widely accepted as best practice to de-risk the process and was the approach followed in the production of the current Local Plan.

As outlined earlier, it should be noted that the government is currently proposing changes to the plan-making system as part of the Levelling Up and Regeneration Bill and associated consultations. A new plan-making process would need to react to such changes as they emerge.

6. Officer recommendations and reasons

It is recommended that Cabinet:

- 1) Ratifies the findings and recommendations of the internal officer review of the fitness of the Kirklees Local Plan (as outlined in Appendix 1 of the report) and the council's reasons and decisions are published on its website.

Reason: To comply with Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended, which states that local planning authorities must review their plans every five years from the date of adoption.

- 2) Cabinet recommends to Full Council that a full update of the Kirklees Local Plan commences (following current statutory local plan processes with the process to be reviewed following confirmation of the government's proposed planning reforms).

Reason: Officers consider that the plan requires an update for the reasons set out under questions A3, A4, A5 (ii), A6, A8 and A14 of the PAS template (see earlier in the report, outcomes of the Local Plan Review and Appendix 1).

In the opinion of the officers, a full update of the Local Plan is required based on the inter-relationships between the spatial strategy and Local Plan policies. A partial review is not considered suitable as the proposed updates are not specific to one area of the plan and could lead to the potential for further updates and costs.

- 3) Cabinet authorises the Strategic Director of Growth and Regeneration to prepare a Local Development Scheme (programme to produce development plan documents) with a completed LDS presented to Cabinet at a future meeting for approval and publication.

- 4) Cabinet authorises the Strategic Director Growth and Regeneration to commence the preparation of a revised Statement of Community Involvement, with authorisation to consult on a draft document, with a final Statement of Community Involvement presented to Cabinet at a future meeting for approval and publication.

Reason: Compliance with an up-to-date LDS and SCI are issues which will be assessed at the independent Local Plan examination stage. Early production of these documents allows community involvement on the methods of consultation and transparency of process through the publication of a timetable outlining key stages of plan preparation and timings. Both the SCI and LDS will form future items for consideration by Cabinet.

7. Cabinet Portfolio Holder's recommendations

The Cabinet Portfolio holder agrees with the officer recommendations outlined in Section 6 of the report.

8. Contact officer

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9. Background Papers and History of Decisions

Kirklees Local Plan adopted 27th February 2019: (www.kirklees.gov.uk/localplan)

Significant Officer's Decision Notice: [Issue details - Kirklees Local Plan Review \(Statutory requirement\) | Kirklees Council](#)

Planning Advisory Service (PAS) Local Plan Route Mapper Toolkit Part 1: Local plan Review Assessment: [TOOLKIT PART 1 LOCAL PLAN REVIEW OCT 2019.docx \(live.com\)](#)

10. Service Director responsible

David Shepherd
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Appendix 1 - PAS LOCAL PLAN ROUTE MAPPER TOOLKIT: Kirklees Local Plan review (Cabinet Report 17th October 2023)

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A	PLAN REVIEW FACTORS		
A1.	<p>The plan policies still reflect current national planning policy requirements.</p> <p>PROMPT: As set out above in the introductory text, in providing your answer to this statement consider if the policies in your plan still meet the 'content' requirements of the current NPPF, PPG, Written Ministerial Statements and the National Model Design Code (completing Part 2 of the toolkit will help you determine the extent to which the policies in your plan accord with relevant key requirements in national policy).</p>	AGREE	<p>The aims and objectives of the Local Plan remain relevant overall as do the suite of planning policies within the Local Plan. There have been changes to the law, national planning policy and planning practice guidance since the adoption of the Kirklees Local Plan which would require changes at the point the Local Plan update starts but these are not considered to be so significant that they would render the Local Plan out of date.</p> <p>Examples include:</p> <ul style="list-style-type: none"> - Environment Act – including the introduction of 10% biodiversity net gain and Local Nature Recovery Strategies. Local Plan policy LP30 (Biodiversity and Geodiversity) states that development proposals are required to minimise the impact on biodiversity and provide net biodiversity gains but does not specify a percentage. The approach to achieving net gains overall is consistent with the Act. Kirklees Council has been implementing 10% biodiversity net gain since June 2021 through a Biodiversity Net Gain Technical Advice Note. - Use Class Order changes - changes to use classes order have implications for Local Plan Policy LP14 and the removal of references to primary and secondary shopping frontages in the latest NPPF. The council would seek to reflect the latest Use Class Order requirements at the point the Local Plan is updated and would also determine whether there is sufficient evidence to continue to set out primary and secondary shopping frontages. - Permitted Development – There have been changes to permitted development rights. The Local Plan will continue to be monitored to assess whether there are implications for the Local Plan policies.

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<ul style="list-style-type: none"> – Affordable housing definitions – the introduction of First Homes and move away from Starter Homes are changes in circumstances. LP11 (affordable housing and housing mix) is sufficiently flexible to allow implementation of First Homes when considered alongside the Kirklees Affordable Housing and Housing Mix SPD as well as the First Homes Position Statement. - Custom and Self-Build – Local Plan policy LP11 states that the council will encourage proposals for custom/self-build homes where consistent with other policies in the Local Plan. The council would consider the latest evidence of need and the latest government guidance at the time of a Local Plan update to determine whether an amended policy approach is required. - Nationally Described Space Standards – although the council encourages consistency with such standards, and achieves them in most cases, the evidence base, to implement such standards through a Local Plan policy will need to be considered at the relevant time. - Design Guides and Codes – The Levelling Up and Regeneration Bill seeks to require local planning authorities to adopt authority-wide design codes. At the point of updating the Local Plan, the council will consider the latest guidance relating to design guides and codes. At the current time Kirklees Local Plan LP24 (Design) is supported by the following: <ul style="list-style-type: none"> ○ the council has implemented a suite of ‘Quality Places’ Supplementary Planning Documents (SPDs) setting out design expectations to ensure high quality design as the Local Plan is implemented: <ul style="list-style-type: none"> ▪ Highway Design Guide SPD ▪ Housebuilder Design Guide SPD ▪ House Extensions and Alterations SPD ▪ Open Space SPD ▪ Hot Food Takeaway SPD ▪ Affordable Housing and Mix SPD. ○ Local Plan (policy LP5) requires masterplans for site delivery in certain circumstances. <p>The council is also aware of the Levelling Up and Regeneration Bill and associated national planning reforms. Such reforms are currently within the consultation stage and therefore further</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
			<p>details are awaited. The consultation documents stated that the new Local Plan system would be effective from November 2024 and is likely to include:</p> <ul style="list-style-type: none"> - Streamlined Local Plans and reduced plan preparation times. - Changes to the methodology for calculating housing requirements. - Changes in relation to potentially further restricting the use of green belt to meet housing needs through the Local Plan process. - National Development Management Policies to replace some local policies which are common to many areas. - A new Infrastructure Levy to replace CIL and Section 106 developer contributions. - Replacement of the Duty to Co-operate (the process where strategic issues such cross-boundary issues are set out) with a revised process. - Replacement of Sustainability Appraisals with Environmental Outcome Reports. - Replacement of Supplementary Planning Documents (SPD) (guidance) with a new process of Supplementary Plans (SP) which, as set out in the draft changes, would have the same weight as the Local Plan and will be subject to a written representation's examination.
A2	<p>There has not been a <u>significant</u> change in local housing need numbers from that specified in your plan (accepting there will be some degree of flux).</p> <p>PROMPT: Look at whether your local housing need figure, using the standard methodology as a starting point, has gone up significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan).</p> <p>Consider whether your local housing need figure has gone down significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan). You will need to consider if there is robust evidence</p>	AGREE	<p>There has not been a significant change in local housing needs numbers since the Local Plan was adopted. The local plan sets a housing requirement of 31,140 new homes during the period (2013-2031), equating to 1,730 new homes per annum. This reflected the Objectively Assessed Need for Housing as required at that time including consideration of economic aspirations.</p> <p>The Standard Method for calculating Local Housing Needs has since been introduced and sets out the minimum number of homes required in an area. This includes consideration of household projections and the application of an Affordability Ratio. It should be noted that the Standard Method still uses the 2014-based household projections as a starting point (which is consistent with the Local Plan evidence base) as set out in the latest Planning Practice Guidance.</p> <p>The Local Housing Need methodology indicates a minimum requirement of 1,686 dwellings per annum for Kirklees.</p> <p>Although lower than the Local Plan requirement, officers consider this to be broadly in line with the Local Plan requirement (1,730 dwellings per annum) especially as there can be some degree of flux each year as the affordability ratios change. It should also be recognised that the Local</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
	to demonstrate that your current housing requirement is deliverable in terms of market capacity or if it supports, for example, growth strategies such as Housing Deals, new strategic infrastructure investment or formal agreements to meet unmet need from neighbouring authority areas.		<p>Housing Needs figure is the minimum number of homes required which may require an uplift to reflect economic aspirations in the district.</p> <p>The full housing needs calculation would be updated using an updated evidence base to support the preparation of the next Local Plan. The planning reforms may change the way Local Housing Needs are calculated and potential changes to the NPPF state that such housing needs only represent a starting point. The council will need to react to the methodology in place at the time a new Local Plan is prepared including considering economic factors as necessary.</p>

	<p>A3 You have a 5-year supply of housing land</p> <p>PROMPT: Review your 5-year housing land supply in accordance with national guidance including planning practice guidance and the Housing Delivery Test measurement rule book.</p>	DISAGREE	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The latest five-year housing land supply position published by the council is 2023-based and states that the council can demonstrate 3.96 years supply of deliverable housing land. This calculation took account of under-delivery since the Local Plan base date and a 5% buffer compared to the deliverable housing capacity, windfall allowance, lapse rate and demolitions. If the 2022 Housing Delivery Test results, when released, determine that Kirklees should include a 20% buffer, the five-year supply figure would need to be revised accordingly.</p> <p>At this stage the outcome of the National Planning Policy Framework consultation (December 2022) is awaited. The proposed changes stated that a buffer would no longer need to be added to the five-year supply calculation and proposed that Local Plans adopted in the past five years may no longer need to demonstrate five years supply of deliverable housing land. The Kirklees Local Plan reaches the fifth anniversary of adoption in February 2024.</p> <p>Housing land supply is a key criterion when determining whether the housing aspects of a Local Plan are up to date and therefore whether the plan should be updated in whole or in part.</p>
A4.	<p>You are meeting housing delivery targets.</p> <p>PROMPT:</p>	DISAGREE	<p>Since the Local Plan base date, the number of new homes built (net), set against the Local Plan housing requirement of 1,730 per annum, are as follows:</p>

Use the results of your most recent Housing Delivery Test, and if possible, try and forecast the outcome of future Housing Delivery Test findings. Consider whether these have/are likely to trigger the requirement for the development of an action plan or trigger the presumption in favour of sustainable development. Consider the reasons for this and whether you need to review the site allocations that your plan is reliant upon. In doing so you need to make a judgement as to whether updating your local plan will support delivery or whether there are other actions needed which are not dependent on changes to the local plan.

Year	Net additional dwellings
2013/14 (Local Plan base date)	1,036
2014/15	666
2015/16	1,143
2016/17	983
2017/18	1,330
2018/19	1,550
2019/20 (Local Plan adopted February 2019)	1,131
2020/21	1,021
2021/22	704
2022/23	987

Delivery has been lower than the Local Plan requirement throughout this period although it should be noted that the Local Plan was not adopted until February 2019. At the point of adoption, significant areas of land were allocated for development, many of which are currently proceeding through the planning applications process. Since 2020, the pandemic and economic circumstances are likely to have impacted on delivery rates.

The Local Plan relies on housing delivery from three strategic housing sites which have yet to start on site due to the complexity of granting planning permission and delivering such large-scale sites. As set out in criteria A8, the later than expected delivery of such sites has impacted on the deliverable housing land supply, housing completions to date and expected completions of these sites by the end of the plan period. Each of these sites is now within the planning applications process (at least in part) therefore delivery is expected to start in the next few years to boost housing delivery:

- HS61 - Dewsbury Riverside (1,869 dwellings during plan period): outline application for 350 dwellings on part of the site delegated by Strategic Planning Committee for approval (2021/93689)

		<ul style="list-style-type: none"> - HS11 - Bradley, Huddersfield (1,490 dwellings during plan period): Full application for 277 dwellings on part of the site delegated for approval by Strategic Planning Committee (2021/92086) - MXS7 - Chidswell (1,535 dwellings): two planning applications covering the whole site delegated for approval by planning committee (2020/92331 for 1,354 dwellings and 2020/92350 for 181 dwellings) <p>The government has yet to publish the 2022 Housing Delivery Test results. Consultation on changes to the NPPF included an option that the 2021 results may be rolled forward due to the uncertainty around the planning reforms. The outcome of the consultation is not yet known.</p> <p>The Housing Delivery Test result for 2022 cannot be estimated due to uncertainty whether there may be an adjustment to the calculations to reflect the recent economic uncertainty (as applied by the government during the pandemic).</p> <p>The latest available result is therefore from the 2021 Housing Delivery Test which showed that housebuilding in Kirklees met 87% of needs identified through the test over a three-year period. As this result is above 75% decisions in Kirklees continue to be plan-led from a Housing Delivery Test point of view. However, there are significant concerns that the 2022 and 2023 Housing Delivery Test results would fall below 75% once published.</p> <p>The July 2022 Housing Delivery Test Action Plan (July 2022) (https://www.kirklees.gov.uk/beta/planning-policy/pdf/housing-delivery-test-action-plan.pdf) sets out a series of actions. This has included implementation of Supplementary Planning Documents to add further certainty to the planning applications process. The council now has 4 such SPDs related directly to housing:</p> <ul style="list-style-type: none"> • Highway Design Guide SPD • Housebuilder Design Guide SPD • Open Space SPD • Affordable Housing and Housing Mix SPD <p>Other actions the council is undertaking relate to providing pre-application advice, ensuring master planning of larger sites, continuing to progress council-owned housing allocations and</p>
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			further work on housing brokerage approach (offering technical planning and funding advice to landowners/developers or housing allocations).																		
A5 (affordable housing)	<p>Your plan policies are on track to deliver other plan objectives including any (i) affordable housing targets including requirements for First Homes;</p> <p>PROMPT: Use (or update) your Authority Monitoring Report to assess delivery.</p>	AGREE	<p><u>Affordable Homes</u> Local Plan policy LP11 states that 20% of housing sites should be provided as affordable housing and sets out an indicative affordable housing trajectory (figure 8) but the plan does not contain an affordable housing target therefore the performance against the Local Plan cannot be assessed directly.</p> <p><u>Affordable Housing policy performance</u> Analysis of the details of viability appraisals since the adoption of the Local Plan show that most policies have been implemented in full despite viability appraisal challenges in some cases (18 viability appraisals received for housing with 7 viability appraisals not accepted). LP11 (Housing Mix and Affordable Housing) is the policy most subject to challenge, specifically the requirement for 20% affordable housing on proposals of more than 10 dwellings. Of these approximately half of viability appraisals were accepted (in full or in part).</p> <p><u>Overall affordable housing needs</u> The SHMA (2016) showed an annual net imbalance of 1,049 affordable dwellings per year. This assumes the clearance of the overall shortfall over 5 years but would be lower if the shortfall is cleared over the whole plan period (an approximate imbalance of 108 dwellings per annum). As set out below, the Authority Monitoring Report indicates that the lower imbalance figure is being achieved in most cases. Completions show an average of 150 affordable homes completed since the start of the plan period (2013).</p> <table border="1" data-bbox="938 1054 1794 1393"> <thead> <tr> <th>Financial year</th> <th>Affordable homes built</th> </tr> </thead> <tbody> <tr> <td>2013/14</td> <td>320</td> </tr> <tr> <td>2014/15</td> <td>180</td> </tr> <tr> <td>2015/16</td> <td>155</td> </tr> <tr> <td>2016/17</td> <td>121</td> </tr> <tr> <td>2017/18</td> <td>100</td> </tr> <tr> <td>2018/19</td> <td>118</td> </tr> <tr> <td>2019/20</td> <td>155</td> </tr> <tr> <td>2020/21</td> <td>89</td> </tr> </tbody> </table>	Financial year	Affordable homes built	2013/14	320	2014/15	180	2015/16	155	2016/17	121	2017/18	100	2018/19	118	2019/20	155	2020/21	89
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2021/22

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A new affordable housing approach (First Homes) was introduced by the government in Dec 2021 with the requirement for 25% of affordable homes to be provided as First Homes. The requirements, eligibility criteria and a local connections test are set out in the council's First Homes Position Statement, but it is too soon to fully understand the impacts of the changes in national planning policy. Local Plan policy LP11 (affordable housing and housing mix) is sufficiently flexible to allow implementation of First Homes when considered alongside the Kirklees Affordable Housing and Housing Mix SPD as well as the First Homes Position Statement.

One of the parameters applied as part of the Housing Delivery Test calculation is an Affordability Ratio (median house price to median workplace earnings). In the absence of a Local Plan affordable housing target, the Affordability Ratio provides a broad indication of housing affordability in Kirklees.

The table below sets out the housing Affordability Ratio for Kirklees since the Local Plan base date. This shows that affordability has become slightly worst since the start of the Local Plan period. There was a significantly higher affordability ratio shown in which may be due to the economic uncertainty following the pandemic, but this stabilised in 2022.

Year	Affordability Ratio (Kirklees)
2013 (Local Plan base date)	5.36
2014	5.35
2015	5.75
2016	5.68
2017	5.69
2018	5.76
2019 (Local Plan adopted)	5.84
2020	5.82
2021	6.76
2022	5.82

			<p>Changes to the need for affordable housing in Kirklees can only be fully understood through a Strategic Housing Market Assessment which would consider all factors. This would be undertaken to inform the preparation of a Local Plan. An up-date to the Local Plan and associated evidence base would be beneficial to ensure the Local Plan affordable housing policy is in accordance with national planning policy.</p>										
<p>A5 (employment)</p>	<p>Your plan policies are on track to deliver other plan objectives including any (ii) commercial floorspace/jobs targets over the remaining plan period.</p>	<p>DISAGREE</p>	<p>Employment The Local Plan set out to achieve 23,000 additional jobs over the plan period from 2013-31 with the additional intention of securing a 75% employment rate (in accordance with the Kirklees Economic Strategy).</p> <p><u>Jobs targets</u> During the Local Plan period from 2013, it was expected that 23,200 jobs would be delivered, of which 6,920 jobs were expected from Local Plan employment/mixed use allocations and 11,039 were from planning permissions, completions, and Priority Employment Areas. The remaining jobs were expected from non-floorspace generating uses (i.e., those which don't require B use class floorspace (storage/distribution, heavy /light industry)). These include retail, working from home, jobs from extensions to existing businesses, construction. The jobs also include windfall sites which could be B use classes (not allocated for employment and not within Priority Employment Areas).</p> <p><u>Specific progress towards employment and mixed-use allocations (6,920 jobs target)</u> The jobs information below has used the same jobs to floorspace ratio as the Local Plan for different sectors to set out expected job creation from Local Plan employment and mixed-use allocations.</p> <table border="1" data-bbox="938 1067 2076 1326"> <thead> <tr> <th data-bbox="938 1067 1794 1139"></th> <th data-bbox="1794 1067 2076 1139">Jobs assumed using Local density assumptions (2013-31)</th> </tr> </thead> <tbody> <tr> <td data-bbox="938 1139 1794 1179">Assumed jobs from completed/built allocations</td> <td data-bbox="1794 1139 2076 1179"></td> </tr> <tr> <td data-bbox="938 1179 1794 1219">Assumed jobs from allocated land with planning permission</td> <td data-bbox="1794 1179 2076 1219"></td> </tr> <tr> <td data-bbox="938 1219 1794 1291">Assumed jobs from allocated land with current pending planning applications</td> <td data-bbox="1794 1219 2076 1291"></td> </tr> <tr> <td data-bbox="938 1291 1794 1326">Total provided or within the planning system</td> <td data-bbox="1794 1291 2076 1326"></td> </tr> </tbody> </table>		Jobs assumed using Local density assumptions (2013-31)	Assumed jobs from completed/built allocations		Assumed jobs from allocated land with planning permission		Assumed jobs from allocated land with current pending planning applications		Total provided or within the planning system	
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Assumed jobs from allocated land with planning permission													
Assumed jobs from allocated land with current pending planning applications													
Total provided or within the planning system													

This shows that approximately 5,820 jobs have been provided or are in the process of being provided from employment or mixed-use allocations. A further 1,782 jobs may also be delivered from employment / mixed use allocations yet to enter the planning process and therefore not displayed in the table above. This indicates that overall, the 6,920 jobs required from Local Plan allocations could still be achieved but there is significant doubt about the delivery of all of the potential 1,782 jobs on employment sites not yet in the planning process. There are also concerns about the remaining spatial distribution of job opportunities which would benefit from an updated evidence base through a new Local Plan process.

To explore the overall provision of jobs during the Local Plan period, the NOMIS information (provided by Office for National Statistics) below shows the numbers employed in jobs in Kirklees at 2013 (the start of the Local Plan period) and 2022 (the latest available monitoring period). At the mid-point of the Local Plan period, the trend shown by the number of additional jobs occupied appears to indicate that the overall Local Plan target of 23,000 new jobs is unlikely to be achieved. However, the information does not show whether the lower-than-expected progress in job numbers is due to job vacancies or whether this is due to a lower-than-expected creation of jobs. It should be noted that such overall figures can mask variations in each sector and locations across Kirklees and can change over time as employers and numbers of vacant jobs change within the district.

Progress towards overall jobs target (23,000) (using NOMIS 'employment by occupation')

Kirklees jobs (2013)	Kirklees jobs (2022)	Change since Local Plan base date
188,100 jobs	198,800 jobs	10,700 jobs

There are concerns that the scale of additional jobs growth initially expected from within existing Priority Employment Areas (PEAs) may not come forward as expected. This is likely to lead to issues in the availability of employment land during the latter part of the Local Plan period. In relation to the provision of employment land in the future, the council has received enquiries from a range of existing employers wishing to expand in the area as well as prospective employers. Such issues will need to be considered in the next Local Plan.

Employment rate

The following table sets out the NOMIS trend figures showing those who are economically active in employment based on financial years.

Financial year	Employment rate (%)
Apr 2013 – Mar 2014	69.3%
Apr 2014 – Mar 2015	69.8%
Apr 2015 – Mar 2016	69.4%
Apr 2016 – Mar 2017	71.1%
Apr 2017 – Mar 2018	69.3%
Apr 2018 – Mar 2019	72.4%
Apr 2019 – Mar 2020	73.2%
Apr 2020 – Mar 2021	70.8%
Apr 2021 – Mar 2022	73.9%

This shows that progress was being made towards the 75% employment rate prior to the pandemic in March 2020 before a slight decline but that the employment rate progressed towards 75% in 2021/22. In the absence of the 2022/23 employment rate figures, exploring the calendar year figures for 2022 shows an expected reduction in the employment rate in Kirklees which is likely to lead to a lower employment rate in the 2022/23 figures once published.

There is no way of directly linking this to employment allocations in the Local Plan, but the availability of employment land provided by the Local Plan provides economic benefits for the district in terms of attracting new employers to the area. Recent planning permissions on strategic employment sites should therefore impact on the employment rate over the next few years.

Overall, there are issues relating to the achievement of sufficient jobs across the district to meet the 23,000 jobs target set out in the Local Plan including concerns about achieving sufficient jobs from remaining employment allocations and issues around the spatial distribution of employment opportunities.

A6.	<p>There have been no significant changes in economic conditions which could challenge the delivery of the Plan, including the policy requirements within it.</p> <p>PROMPT:</p>	DISAGREE	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>As set out earlier in this report, there have been economic uncertainties such as those caused by the pandemic which are likely to have affected the employment rate and the number of homes built in the early part of the plan process. The short-, medium- and long-term impacts of Brexit are also unclear.</p>
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<p>A key employer has shut down or relocated out of the area.</p> <p>Unforeseen events (for example the Covid-19 Pandemic) are impacting upon the delivery of the plan.</p> <p>Up-to-date evidence suggests that jobs growth is likely to be significantly more or less than is currently being planned for.</p> <p>Consider if there is any evidence suggesting that large employment allocations will no longer be required or are no longer likely to be delivered.</p> <p>You will need to consider whether such events impact on assumptions in your adopted local plan which have led to a higher housing requirement than your local housing need assessment indicates.</p> <p>Consider what the consequences could be for your local plan objectives such as the balance of in and out commuting and the resultant impact on proposed transport infrastructure provision (both capacity and viability), air quality or climate change considerations.</p>		<p>There have also been challenges achieving projected delivery rates on strategic sites as such sites have taken longer to progress to delivery than originally anticipated. Despite this, most of the larger strategic development sites are now progressing through the planning process (in whole or in part) which should improve housing delivery (e.g., Bradley in Huddersfield, Dewsbury Riverside and Chidswell to the north-east of Dewsbury) and employment delivery (e.g., former North Bierley Waste Water Treatment Works at Junction 26 of the M62 and Chidswell to the north-east of Dewsbury) over the coming years. In addition to this, as set out earlier in this report, the employment rate remains higher than at the base date of the Local Plan although there are aspirations for this to increase further. This situation will need to be kept under review but delays due to the pandemic do not in themselves warrant an update to the Local Plan in Kirklees as there remains significant capacity for new developments on land allocated in the Local Plan. As set out in A2, the Local Housing Need outcomes using the current methodology remain similar to the Local Plan housing requirement of 1,730 per annum. The actual implications of the pandemic will not be known until detailed work is undertaken such as assumptions relating to home working, employment needs and population growth.</p>
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<p>A7.</p>	<p>There have been no significant changes affecting viability of planned development.</p> <p>PROMPT: You may wish to look at the Building Cost Information Service (BCIS) All-in Tender Price Index, used for the indexation of Community Infrastructure Levy (CIL), or other relevant indices to get a sense of market changes.</p> <p>Consider evidence from recent planning decisions and appeal decisions to determine whether planning policy requirements, including affordable housing, are generally deliverable.</p> <p>Ongoing consultation and engagement with the development industry may highlight any significant challenges to delivery arising from changes in the economic climate.</p>	<p>AGREE</p>	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>If specific schemes have viability issues, this is assessed through the planning applications process where a viability assessment is submitted by developers and the council commissions an independent assessment to validate the outputs. Analysis of the details of viability appraisals since the adoption of the Local Plan show that most policies have been implemented in full despite viability appraisal challenges in some cases (18 viability appraisals received for housing with 7 viability appraisals not accepted). LP11 (Housing Mix and Affordable Housing) is the policy most subject to challenge, specifically the requirement for 20% affordable housing on proposals of more than 10 dwellings. Of these approximately half of viability appraisals were accepted (in full or in part). There were limited viability challenges in relation to sustainable travel (LP20), education contributions (LP49) and open space contributions (LP63).</p> <p>The council has recently undertaken a viability appraisal to ensure a revised Affordable Housing and Housing Mix SPD would not place unacceptable viability pressures on developers which demonstrated that scheme typologies remain viable. Compliant schemes are being achieved in most cases but the viability approach, as set out in the Local Plan and NPPF, provides flexibility where this can be justified.</p>
<p>A8.</p>	<p>Key site allocations are delivering, or on course to deliver, in accordance the local plan policies meaning that the delivery of the spatial strategy is not at risk.</p> <p>PROMPT: Identify which sites are central to the delivery of your spatial strategy. Consider if there is evidence to suggest that lack of</p>	<p>DISAGREE</p>	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>There have been challenges achieving projected delivery rates on strategic sites as such sites have taken longer to progress to delivery than originally anticipated as such some delivery expected during the plan period may not occur beyond 2031. The council is still confident that significant delivery on such sites can occur in the period to 2031 and will need to consider this situation at the point the Local Plan is updated.</p> <p>Employment:</p>

	<p>progress on these sites (individually or collectively) may prejudice the delivery of housing numbers, key infrastructure or other spatial priorities. Sites may be deemed to be key by virtue of their scale, location or type in addition to the role that may have in delivering any associated infrastructure.</p>		<ul style="list-style-type: none"> - Chidswell (MXS7) – indicative employment is capacity expected to be delivered during the plan period. An outline application which includes the employment aspects of this mixed-use allocation has been delegated by Strategic Planning Committee for approval) - Cooper Bridge (ES9) – indicative capacity expected to be delivered during the plan period - Slipper Lane, Mirfield (MXS3) – this site is now completed and has delivered 5,990 sq.m. greater than the indicative capacity. - Lindley Moor (MXS3) – the employment aspects of this site have been partly built. The remaining employment area is currently subject to a planning application for a mix of uses. If approved, overall, there would be an anticipated loss of approximately 12,000 sq.m. compared to indicative site capacity. Despite this, if approved, there would be some alternative employment generating uses on part of the site such as retail/restaurant/cafe which are not included in the jobs assessment in indicator A5. - Whitechapel Road, Cleckheaton (ES6) – potential significant increase in floorspace compared to indicative site capacity through recent planning application, but recent refusal of planning application means the situation on this site is unclear at present - Former North Bierley Waste Water Treatment Works (ES7) – all of this site is now subject to either planning approval or has been delegated for approval by the Strategic Planning Committee. This includes a number of employment units at varying stages of the process (some complete, some outline and some reserved matters) which overall show almost 8,000 sq.m. additional floorspace compared to the indicative capacity. <p>Housing:</p> <ul style="list-style-type: none"> - Chidswell (MXS7) - Outline applications covering the whole site (one for housing/employment and one for housing) have been delegated by the Strategic Planning Committee for approval. Although the site is expected to deliver the number of new homes set out in the indicative site capacity overall, it is now likely that approximately 500 fewer homes will be delivered during the plan period (to 2031).
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			<p>This site will, however, remain an important ongoing source of new housing beyond the plan period.</p> <ul style="list-style-type: none"> - Dewsbury Riverside (HS61) – Outline application under consideration for the first 350 dwellings which has been delegated for approval by the Strategic Planning Committee. The site is now expected to deliver around 600 fewer dwellings than expected delivered during the plan period to 2031. This site was already anticipated to continue delivery into the next plan period and will continue to be an ongoing source of new housing. - Bradley (HS11) – Full application for part of the site (277 dwellings) has been delegated by the Strategic Planning Committee for approval. The site is now expected to deliver 100 fewer dwellings than anticipated during the plan period (to 2031). This site was already anticipated to continue delivery into the next plan period and will continue to be an ongoing source of new housing. - Blackmoorfoot Road (HS23) – Outline planning permission has been granted for this whole housing allocation, but it is now expected that approximately 150 fewer dwellings will be delivered on this site during the plan period than anticipated. This site is therefore expected to continue to deliver new homes beyond the plan period. <p>In conclusion, whilst the delivery from strategic employment sites is close to that expected, there are likely to be issues with the delivery of housing from strategic sites as many of the sites are now likely to deliver a lower than expected number of new homes during the plan period (to 2031). Delivery will therefore continue beyond the plan period. In relation to implications for the spatial strategy, delivery will still occur on these sites but at a slower rate than originally anticipated.</p>
A9.	<p>There have been no significant changes to the local environmental or heritage context which have implications for the local plan approach or policies.</p> <p>PROMPT:</p>	AGREE	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The current Local Plan was subject to Sustainability Appraisal which was independently assessed through the Local Plan examination in public and the council has no reason to consider why this would not continue to be the case.</p>

<p>You may wish to review the indicators or monitoring associated with your Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) / Habitats Regulations Assessment (HRA).</p> <p>Identify if there have been any changes in Flood Risk Zones, including as a result of assessing the effects of climate change.</p> <p>Consider whether there have been any changes in air quality which has resulted in the designation of an Air Quality Management Area(s) or which would could result in a likely significant effect on a European designated site which could impact on the ability to deliver housing or employment allocations.</p> <p>Consider whether there have been any changes to Zones of Influence / Impact Risk Zones for European sites and Sites of Special Scientific Interest or new issues in relation to, for example, water quality.</p> <p>Consider whether there have been any new environmental or heritage designations which could impact on the delivery of housing or employment / jobs requirements / targets.</p> <p>Consider any relevant concerns being raised by statutory consultees in your area in relation to the determination of individual planning applications or planning appeals which may impact upon your plan - either now or in the future.</p>		<p>Since the adoption of the Kirklees Local Plan the council declared a Climate Emergency including the 'net zero and climate ready target by 2038. For the purposes of this Local Plan review, this has been addressed under indicator A14 (Political changes and corporate strategy) to avoid duplication.</p> <p>There have been changes to flood risk zones and associated National Planning Practice guidance which will require updated evidence as part of an updated Local Plan. Amendments are also proposed to some of the Air Quality Management Areas which will be reflected in the next Local Plan. There have been no changes to the Special Protection Areas / Special Areas of Conservation.</p> <p>The Environment Act has also been brought into force since the Local Plan was adopted which will impact on policies and approaches. This includes biodiversity net gain, Local Nature Recovery Strategies and additional requirements in relation to Particulate Matter which will all need to be considered when the Local Plan is updated. In relation to biodiversity net gain, the Local Plan already specifies that net gain should be achieved from new development. Although the policy doesn't specific a percentage net gain (such as 10% set out in the Environment Act), the policy is not inconsistent with the Act. The council is already implementing the 10% biodiversity net gain requirements through a Biodiversity Net Gain Technical Advice Note in advance of the Environment Act regulations on this matter coming into force. This process may lead to a Supplementary Planning Document to add further clarity. Further work will also be required to ensure synergies with Local Nature Recovery Strategies.</p>
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<p>A10.</p>	<p>No new sites have become available since the finalisation of the adopted local plan which require the spatial strategy to be re-evaluated.</p> <p>PROMPT:</p> <p>Consider if there have been any new sites that have become available, particularly those within public ownership which, if they were to come forward for development, could have an impact on the spatial strategy or could result in loss of employment and would have a significant effect on the quality of place if no new use were found for them.</p> <p>Consider whether any sites which have now become available within your area or neighbouring areas could contribute towards meeting any previously identified unmet needs.</p>	<p>AGREE</p>	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>There are no sites which have become available which require the Local Plan spatial strategy to be re-evaluated, either within Kirklees or in the adjoining authorities.</p>
<p>A11.</p>	<p>Key planned infrastructure projects critical to plan delivery are on track and have not stalled / failed and there are no new major infrastructure programmes with implications for the growth / spatial strategy set out in the plan.</p> <p>PROMPT:</p> <p>You may wish to review your Infrastructure Delivery Plan / Infrastructure Funding Statement, along with any periodic updates, the Capital and Investment programmes of your authority or infrastructure delivery partners and any other tool used to monitor</p>	<p>AGREE</p>	<p>Reason (with reference to plan policies, sections and relevant evidence sources)</p> <p><u>Local Plan Transport Schemes</u></p> <ul style="list-style-type: none"> • TS1 A62/A644 Huddersfield to M62 J25 - Larger scale interventions replaced with more localised changes. Consultation has occurred on revised proposals. A full business case for the A62 to Cooper Bridge proposals are likely to be submitted in December 2024. • TS2 New Motorway junction 24a on M62 - Not currently in any programme but has not directly impacted on delivery of Local Plan sites. • TS3 Huddersfield Southern Gateways - Full Business Case likely to be submitted in October 2023. • TS4 A629 Halifax Road (Huddersfield to Halifax Corridor) - a planning application was submitted in May 2023. • TS5 Mirfield to Dewsbury to Leeds and North Kirklees Growth Zone – planned submission of Full Business Case in July 2023.

<p>and prioritise the need and delivery of infrastructure to support development.</p> <p>Check if there have been any delays in the delivery of critical infrastructure as a result of other processes such as for the Compulsory Purchase of necessary land.</p> <p>Identify whether any funding announcements or decisions have been made which materially impact upon the delivery of key planned infrastructure, and if so, will this impact upon the delivery of the Local Plan.</p>	<ul style="list-style-type: none"> • TS6 Highway Network Efficiency Programme / TS9 Strategic Road Network Improvements - various improvements to the Strategic Road Network by National Highways – to be taken into account in Local Plan update highway modelling. • TS7 Public Transport Improvement Schemes - various schemes progressing including A62 – A644 Bus enhancements (to be taken into account in Local Plan update). • TS8 Walking and Cycling Improvement Schemes - various schemes progressing (to be taken into account in Local Plan update). <p><u>Other schemes</u></p> <p>Trans Pennine Route Upgrade – the Transport and Works Act Order has been approved and this process is progressing through the planning process and construction has started in part. Other key activities include progress on discharging planning conditions and listed building conditions, various technical highway approvals in progress, and applications for environmental section 61 consents.</p> <p>Bus stations – proposals for improved bus stations at Huddersfield, Dewsbury and Heckmondwike are progressing. Opportunities to reference Kirklees Blueprints (Huddersfield, Dewsbury, Heckmondwike, Batley, Cleckheaton and Holmfirth) as part of a Local Plan update but this is not preventing the schemes from progressing.</p> <p><u>Section 106 developer contributions</u></p> <p>The council continues to successfully secure developer contributions through the planning applications process as set out in the annual Infrastructure Funding Statement as follows.</p> <p>Table 1 – s.106 monies unallocated March 2021</p> <table border="1"> <thead> <tr> <th>Infrastructure Type</th> <th>s.106 monies available (£)</th> </tr> </thead> <tbody> <tr> <td>Public Open Space</td> <td>£897,436.67</td> </tr> <tr> <td>Affordable Housing</td> <td>£2,345,736.06</td> </tr> <tr> <td>Highways</td> <td>£2,519,183.29</td> </tr> <tr> <td>Education</td> <td>£3,935,176.41</td> </tr> <tr> <td>Drainage</td> <td>£36,500.00</td> </tr> <tr> <td>Miscellaneous^[1]</td> <td>£31,500.00</td> </tr> </tbody> </table>	Infrastructure Type	s.106 monies available (£)	Public Open Space	£897,436.67	Affordable Housing	£2,345,736.06	Highways	£2,519,183.29	Education	£3,935,176.41	Drainage	£36,500.00	Miscellaneous ^[1]	£31,500.00
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			Total	£9,765,532.43
			Table 2 - s.106 contributions received 2021/22	
			Infrastructure Type	s.106 monies received (£)
			Public Open Space	£1,117,936.44
			Affordable Housing	£34,924.88
			Highways / Sustainable Transport	£432,642.49
			Education	£843,789.81
			Miscellaneous	£727,500.00
			Total	£3,156,793.62
			Table 3 - s.106 contributions spent 2021/22	
			Infrastructure Type	s.106 monies spent (£)
			Public Open Space	£1,360,662.18
			Affordable Housing	£560,000.00
			Highways	£370,406.88
			Education	£1,280,227.51
			Other ^[2]	£1,205,730.34
			Total	£4,777,026.91
			Table 4 - Total s.106 amount available to spend March 2022	
			Net total as of March 2021	£9,765,532.43
			s106 income received 21/22	£3,156,793.62
			S106 allocated not spent 20/21	£1,054,631.20
			Sub Total	£13,976,957.25
			Minus monies spent	£4,777,026.91
			Total	£9,199,930.34

<p>A12.</p>	<p>All policies in the plan are achievable and effective including for the purpose of decision-making.</p> <p>PROMPT: Consider if these are strategic policies or those, such as Development Management policies, which do not necessarily go to the heart of delivering the Plan’s strategy.</p> <p>Identify if there has been a significant increase in appeals that have been allowed and /or appeals related to a specific policy area that suggest a policy or policies should be reviewed.</p> <p>Consider whether there has been feedback from Development Management colleagues, members of the planning committee, or applicants that policies cannot be effectively applied and / or understood.</p>	<p>AGREE</p>	<p>Reason (with reference to plan policies, sections, and relevant evidence sources):</p> <p>Since the adoption of the Local Plan (February 2019), the appeals record is as follows:</p> <p>Appeals performance.</p> <table border="1" data-bbox="943 312 1865 533"> <thead> <tr> <th></th> <th>Total appeals</th> <th>Upheld</th> <th>Part upheld / part dismissed</th> <th>Dismissed</th> </tr> </thead> <tbody> <tr> <td>2019/20</td> <td>84</td> <td>18</td> <td>2</td> <td>64</td> </tr> <tr> <td>2020/21</td> <td>79</td> <td>13</td> <td>1</td> <td>65</td> </tr> <tr> <td>2021/22</td> <td>87</td> <td>22</td> <td>1</td> <td>64</td> </tr> </tbody> </table> <p>Overall, the policies remain effective and specific policy monitoring indicators are set out in the annual Authority Monitoring Report (AMR). There are some specific examples where policies may not necessarily be out of date, but which have been identified as benefitting from an updated position either in the context of local circumstances (such as the Climate Emergency) in addition to the examples referred to in A1 of this template. Examples include:</p> <table border="1" data-bbox="943 788 1989 1315"> <thead> <tr> <th>Policy</th> <th>Issues</th> </tr> </thead> <tbody> <tr> <td>LP7 (Housing density)</td> <td>Challenges securing 35 dwellings per hectare especially due to site configuration, topography, open space requirements, focus on quality design in recent SPDs and new requirements for biodiversity net gain.</td> </tr> <tr> <td>LP9 (Skilled and flexible workforce)</td> <td>Updates to be considered to maximise social value/social capital including in relation to apprenticeship schemes.</td> </tr> <tr> <td>LP11 (Housing Mix and Affordable Housing)</td> <td>Providing further clarity about the required housing mix (currently set out in a Supplementary Planning Document), and consideration of a policy relating to nationally described space standards for new homes.</td> </tr> <tr> <td>LP13, LP14 (town centre retail)</td> <td>Changes to the Use Classes Order will need to be considered as the Local Plan is updated.</td> </tr> </tbody> </table>		Total appeals	Upheld	Part upheld / part dismissed	Dismissed	2019/20	84	18	2	64	2020/21	79	13	1	65	2021/22	87	22	1	64	Policy	Issues	LP7 (Housing density)	Challenges securing 35 dwellings per hectare especially due to site configuration, topography, open space requirements, focus on quality design in recent SPDs and new requirements for biodiversity net gain.	LP9 (Skilled and flexible workforce)	Updates to be considered to maximise social value/social capital including in relation to apprenticeship schemes.	LP11 (Housing Mix and Affordable Housing)	Providing further clarity about the required housing mix (currently set out in a Supplementary Planning Document), and consideration of a policy relating to nationally described space standards for new homes.	LP13, LP14 (town centre retail)	Changes to the Use Classes Order will need to be considered as the Local Plan is updated.
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			LP17, LP18 (Huddersfield and Dewsbury town centres)	To reflect the focus on town centre regeneration in the Huddersfield and Dewsbury Blueprints, at the point of updating the Local Plan there will need to be a focus on Huddersfield and Dewsbury but also the blueprints (masterplans) for Batley, Cleckheaton, Heckmondwike and Holmfirth town centres.	
			Green belt policies	Consideration may need to be given to the approach to infill in the green belt to take account of appeal outcomes.	
			LP24 (Design)	Likely to require further consideration of the carbon impacts of development and other factors emerging from the Climate Emergency and Climate Change Action Plan	
			LP42 (Hydrocarbons)	To consider the latest position in relation to the environment and national planning policy approach.	
			LP63 (New Open Space)	Further clarity could be added to the policy in relation to specific types of open space, on-site vs off-site provision and how developer contributions are used.	

<p>A13.</p>	<p>There are no recent or forthcoming changes to another authority's development plan or planning context which would have a material impact on your plan / planning context for the area covered by your local plan.</p> <p>PROMPT: In making this assessment you may wish to:</p> <ul style="list-style-type: none"> ● Review emerging and adopted neighbouring authority development plans and their planning context. ● Review any emerging and adopted higher level strategic plans including, where relevant, mayoral/ combined authority Spatial Development Strategies e.g. The London Plan. ● Review any relevant neighbourhood plans ● Consider whether any of the matters highlighted in statements A1- A12 for their plan may impact on your plan - discuss this with the relevant authorities. ● Consider any key topic areas or requests that have arisen through Duty to Cooperate or strategic planning discussions with your neighbours or stakeholders - particularly relating to meeting future development and /or infrastructure needs. 	<p>AGREE</p>	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>Within Kirklees, the Holme Valley Neighbourhood Development Plan was 'made' in December 2021 which now forms part of the development plan for the relevant area alongside the Kirklees Local Plan. The Neighbourhood Development Plan is in conformity with the Kirklees Local Plan, but the content will be considered as part of a Local Plan update such as Local Green Space designations.</p> <p>Kirklees is now within a Mayoral Combined Authority. For a future Local Plan process this will include consideration of the Mayoral Pledges (such as those relating to affordable housing delivery, high quality jobs). The emerging Local Transport Plan 4 (LTP4) will also be a key consideration linked to the council's own Transport Strategy and future Local Plan.</p> <p>As part of the Devolution Deal, there is currently no proposal for a Spatial Development Strategy at the regional scale, but a Local Plan update would need to react to such changes should they occur.</p> <p>The council continues to actively engage with adjoining local authorities under the Duty to Co-operate process as their Local Plans emerge and no strategic cross boundary issues discussed have been significant enough to trigger a Local Plan review. In relation to this process, Statements of Common Ground remain between the Leeds City Region authorities that each authority will meet its own housing and employment needs within its own area. There are also proposals for a regional Mass Transit system which will need to be considered when the Local Plan is updated but in itself would not trigger an update.</p>
<p>A14.</p>	<p>There are no local political changes or a revised / new corporate strategy which would require a change to the approach set out in the current plan.</p> <p>PROMPT: In making this assessment you may wish to:</p>	<p>DISAGREE</p>	<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p> <p>The main change in relation to local politics and corporate strategies relates to the Climate Emergency (2019) and associated Climate Change Action Plan. These are directly linked to the emerging Kirklees Environment Sustainability Strategy. The council has declared a Climate Emergency in January 2019 and the associated Climate Change Action Plan sets out actions to</p>

	<ul style="list-style-type: none"> ● Review any manifesto commitments and review the corporate and business plan. ● Engage with your senior management team and undertake appropriate engagement with senior politicians in your authority. ● Consider other plans or strategies being produced across the Council or by partners which may impact on the appropriateness of your current plan and the strategy that underpins it, for instance, Growth Deals, economic growth plans, local industrial strategies produced by the Local Economic Partnership, housing/ regeneration strategies and so on. 	<p>facilitate the achievement of the net zero target by 2038. Although the current Local Plan does represent a sustainable approach, it does not specifically refer to developers and their developments directly contributing to the achievement of net zero therefore a policy approach would be needed to assist the council in delivery of the aspirations relating to climate change e.g. relating to whole life carbon, emissions, walking & cycling infrastructure, energy security, electric vehicle charging, Local Area Energy Plans and adapting / improving resilience to the potential impacts of climate change. These will need to be considered as the Local Plan is updated alongside other evidence such as viability evidence to determine the potential extent of the policy response to climate change.</p> <p>Other important factors to be considered include:</p> <p>Health and Wellbeing strategy (2022-2027) – this will be an important consideration in the preparation of a new Local Plan but does not require a fundamental change to the approach set out in the Local Plan.</p> <p>Forthcoming council documents (Economic Strategy / Transport Strategy / Air Quality Strategy) – Updated strategies will play a key role to influence the Local Plan process.</p> <p>Regeneration proposals - At the point the council updates the Local Plan, a range of emerging regeneration proposals will need to be considered but these do not represent such a significant change to the spatial development strategy to warrant a Local Plan update at this stage. Many such schemes are currently progressing using existing policies.</p> <p>Inclusive Communities Framework – this outlines the aims, objectives and approach in engaging with local communities. This will be important in relation to the preparation of a new Local Plan at the relevant time.</p>
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	ASSESSING WHETHER OR NOT TO UPDATE YOUR PLAN POLICIES	YES/NO (please indicate below)	
A15.	You AGREE with <u>all</u> of the statements above	No	<p>If no go to question A16.</p> <p>If yes, you have come to the end of the assessment. However, you must be confident that you are able to demonstrate and fully justify that your existing plan policies / planning position clearly meets the requirements in the statements above and that you have evidence to support your position.</p> <p>Based on the answers you have given above please provide clear explanation and justification in section A17 below of why you have concluded that an update is not necessary including references to evidence or data sources that you have referenced above. Remember you are required to publish the decision not to update your local plan policies. In reaching the conclusion that an update is not necessary the explanation and justification for your decision must be clear, intelligible and able to withstand scrutiny.</p>
A16.	You DISAGREE with one or more of the statements above and the issue can be addressed by an update of local plan policies	Yes	<p>If yes, based on the above provide a summary of the key reasons <u>why</u> an update to plan policies is necessary in section A17 below and complete Section B below.</p>
A17.	<p><u>Decision:</u> Update plan policies</p> <p>Reasons for decision on whether or not to update plan policies (clear evidence and justification will be required where a decision not to update has been reached):</p> <p>The assessment has identified that the Local Plan is considered to require an update to address the following issues:</p> <ul style="list-style-type: none"> - A3. Housing land supply – Government guidance (the National Planning Policy Framework) requires local planning authorities to identify and update annually a supply of specific, deliverable sites sufficient to provide a five-year supply of land against their housing requirement. The latest five-year housing land supply position published by the council is 2023-based and states that the council can demonstrate 3.96 years 		

	<p>supply of deliverable housing land. This calculation took account of under-delivery since the Local Plan base date and a 5% buffer compared to the deliverable housing capacity, windfall allowance, lapse rate and demolitions. If a local planning authority is unable to demonstrate a five-year supply, the policies related to the supply of housing are considered out-of-date. As such, the presumption of sustainable development (the tilted balance) is triggered as set out in paragraph 11d of the NPPF and footnote 8.</p> <ul style="list-style-type: none"> - A4. /A.8 Housing Delivery Test / delivery of strategic sites – The number of homes built between 31st March 2022 – 1st April 2023 was 987; against a Local Plan target of 1730. The Local Plan relies on housing delivery from three strategic housing sites which have yet to start on site due to the complexity of granting planning permission and delivering such large sites. Whilst each of the sites is now within the planning application process (at least in part), there is under delivery of Local Plan targets. - A5. /A6. Employment delivery and land supply – borderline performance information at present but significant employment land supply issues anticipated during the remainder of the plan period. The assessment has raised concerns about the delivery of potential 1,782 jobs that may be delivered from employment/mixed-use allocations yet to enter the planning process and would count towards the Local Plan aspiration of achieving 23,000 additional jobs over the plan period. Economic uncertainties such as those caused by the pandemic has impacted on the delivery of strategic sites. - A14 Climate emergency – although the Local Plan was assessed and determined as sustainable, the Council has declared a climate emergency and there is therefore the need to reflect the climate emergency. 		
	B. POLICY UPDATE FACTORS	YES/NO (please indicate below)	Provide details explaining your answer in the context of your plan / local authority area
B1	Your policies update is likely to lead to a material change in the housing requirement which in turn has implications for other plan requirements / the overall evidence base.	No	The standard method for calculating housing requirements indicates that the Kirklees housing requirement would be broadly similar to the existing requirement of 1,730 dwellings per annum. There are, however, concerns relating to housing delivery towards meeting the housing requirement and the ongoing availability of deliverable housing capacity.
B2	The growth strategy and / or spatial distribution of growth set out in the current plan is not fit for purpose and your policies update is likely to involve a change to this.	Yes	The spatial strategy remains fit for purpose overall but there are concerns about later delivery of strategic housing sites and the location of new employment opportunities to meet needs. Such issues should be explored through an updated Local Plan process.

B3	Your policies update is likely to affect more than a single strategic site or one or more strategic policies that will have consequential impacts on other policies of the plan.	Yes	Concerns relating to the capacity of new homes to be delivered from strategic sites within the plan period. This is due to sites such as Dewsbury Riverside, Chidswell, and Bradley expected to start delivering new homes later than originally anticipated. Such sites will continue to provide an important source of housing delivery beyond the plan period. The implications of the Climate Emergency also need to be considered in relation to implications for strategic policies.
	You have answered yes to one or more questions above.		You are likely to need to undertake a full update of your spatial strategy and strategic policies (and potentially non-strategic policies). Use your responses above to complete Section B4.
	You have said no to <u>all</u> questions (B1 to B3) above		If you are confident that the update can be undertaken without impacting on your spatial strategy and other elements of the Plan, you are likely to only need to undertake a partial update of policies. Complete Section B4 to indicate the specific parts / policies of the plan that are likely to require updating based on the answers you have given above.
B4	<p>Decision: Full Update of Plan Policies/ Partial Update of Plan Policies (delete as necessary)</p> <p>Reasons for scope of review:</p> <p>For the reasons set out in A17 in relation to housing land supply, delivery of strategic sites and the council’s Climate Change Emergency and associated Climate Change Action, it is considered that a review of the Local Plan is required.</p> <p>In terms of the Local Plan policies, it is considered that whilst most Local Plan policies remain up to date, many would benefit from being updated through a new Local Plan process particularly in the light of the comments made in relation to updated guidance, changes to the use classes order and permitted development rights.</p> <p>A full review of the Local Plan is proposed due to the interrelationship of the spatial strategy and the Local Plan policies.</p>		

Date of assessment:	17 th October 2023
Assessed by:	Kirklees Planning Policy Team
Checked by:	Planning Officer's Society (critical friend)
Comments:	17 th October 2023 consideration by Kirklees Cabinet

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Name of meeting: Cabinet Date: 17 October 2023

Title of report: Update on Proposals for the redevelopment of Sycamore Grange, Golcar, Huddersfield

Purpose of report: The report updates Cabinet on the progress of proposals for the redevelopment of Sycamore Grange a retirement living scheme in Golcar, Huddersfield.

The report seeks the approval of a scheme budget envelope, and delegated authority to submit a planning application, issue tenders and enter into contracts for the demolition of the existing building, and a design and build contract for a new retirement living scheme of apartments and bungalows.

Key Decision - Is it likely to result in spending or saving £500k or more, per annum, or to have a significant positive or negative affect on communities living or working in an area comprising two or more electoral wards.	Yes If yes give the reason why It will result in spending or savings of £500k or more.
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	Key Decision – Yes. A Key Decision Notice was published on 13/09/2023. Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	David Shepherd, 2 October 2023. Isabel Brittain, 6 October 2023 Julie Muscroft, 6 October 2023
Cabinet member, Housing and Democracy	Cllr Masood Ahmed 3/10/2023

Electoral wards affected: Golcar.

Ward councillors Consulted: Cllr Graham Turner, Cllr Elizabeth Reynolds, Cllr Andrew Marchington

Has GDPR been considered? Yes. GDPR was a key consideration in the application of the Decant and Engagement Plans previously considered at cabinet on 21 December 2022.

1. Summary

- 1.1. This report updates Cabinet on the progress made on actions approved at Cabinet on 21 December 2022. Cabinet considered compliance and risk issues affecting the Sycamore Grange Retirement Living Scheme, Golcar, and endorsed proposals to demolish and redevelop the existing building for a new Retirement Living Scheme. Cabinet also endorsed the decanting of the building and the engagement with tenants and residents in and around the existing scheme, in respect of decanting, and future proposals. The site is shown in **Appendix 1**.
- 1.2. An Integrated Impact Assessment was undertaken to support the Cabinet decision, and GDPR issues were considered in the Decant and Engagement Plans tabled.
- 1.3. The proposals brought to Cabinet have been shaped by tenant, stakeholder and resident engagement and feedback undertaken in April 2023, and housing management and Adult Services input to the project. The proposals were considered by the Tenant Voice Panel and the Homes and Neighbourhoods improvement Board in August and September 2023.
- 1.4. It is anticipated that vacant possession of the site will be achieved by March 2024, following which it is proposed that the building will be stripped of asbestos and salvageable materials, and demolished to minimise health, site, and management cost risks. The preferred strategy is for the Council to secure a detailed planning approval for the proposed scheme and to appoint a Design and Build contractor, to construct the approved scheme.
- 1.5. The report seeks approval for a budget envelope of £11.937m and to delegate authority to the Strategic Director of Growth and Regeneration, in consultation with the Portfolio Holder and Service Director for Legal, Governance and Commissioning to submit a planning application, and to issue tenders and enter into contracts to demolish the existing buildings and design and build the new development.

2. Information required to make a decision.

Background

- 2.1. On the 21st of December 2022, Cabinet authorised the demolition and redevelopment of the existing Sycamore Grange Retirement Living Scheme, and for work to continue to draw up plans and to decant residents from the site, pending its redevelopment. This began officially in April 2023, although tenants began to move from the scheme in January 2023 following tenant engagement on the proposals and their housing options.
- 2.2. Tenants and residents were visited and consulted during the week commencing 24th of April 2023 to capture their views on the scheme. The consultation material showed a scheme of 41 bed Retirement Living Scheme flats and 19 bungalows, houses and one bed flats. Ward Members were also consulted, and Cllr Turner made a written representation supporting the plans.
- 2.3. 40 responses were received: 10 from existing tenants, and 30 from residents in surrounding streets. Responses are summarised in **Appendix 2**. Overall, the scheme was well received, and 80% of the tenants responding said that they would be interested in returning to the new development.
- 2.4. Residents on adjacent streets were pleased with the neighbourhood and the proposed scheme, and how it broadly met local needs. However, the provision of more bungalows was suggested, and reference was made to issues arising with different housing needs.

being accommodated on the site. It is proposed that the entire scheme is designated as an older persons' scheme, and Adult Services are supportive of the proposals, and the inclusion of bungalows.

2.5. Following tenant and stakeholder engagement, the proposed scheme now comprises of:

- 41 retirement living apartments, 90% of which will be one bedroom.
- 9 one-bedroom bungalows
- 5 two-bedroom bungalows
- 4 one-bedroom cottage flats.

The draft proposed scheme plan and dwelling types are shown in **Appendix 3**.

2.6. The proposals respond to the current allocations policy and demand profile for the area, allowing sufficient flexibility to accommodate carers in the two-bedroom homes. The scheme will be designed to meet the requirements of the Dementia Design Guide and all the bungalows and ground floor flats in the Retirement Living scheme will meet Building Regulations M4(3) requirements to accommodate wheelchair access.

2.7. The proposed retirement living block comprises 2 wings: one 2-storey, and one 3-storey block, with a lift. One bed units are typically 58 sqm in area; 2 beds will be 82 sqm. In view of the climate emergency, low carbon heating and energy approaches are being proposed instead of gas, such as electric boilers, photo-voltaic panels, and a fabric first approach. This will reduce heat loss and reduce energy usage costs for tenants.

Rehousing of existing tenants and proposed demolition of existing buildings.

2.8. Continued progress is being made to support residents to find a suitable alternative home. Occupancy is expected to reduce further in the coming weeks, and it is estimated that vacant possession will be achieved before the end of March 2024, and potentially earlier.

2.9. In view of health risks, site management costs and the potential for break-ins/vandalism once the scheme becomes vacant, it is proposed to let a contract to remove asbestos, cabling and pipework and to demolish the building as soon as is practicable.

2.10. It is also recommended that this work includes the removal of foundations to reduce later abnormal cost escalation and foundation design in the subsequent redevelopment scheme. This process will require the submission of a Prior Notification of demolition application to the Council as Local Planning Authority, and Notice under the Building Acts, and this process can be started prior to vacant possession being achieved.

Scheme progress and next steps

2.11. The draft scheme shown in Appendix 3 has been through the pre-application planning process, involving consultation with the Cabinet Portfolio Holder and Ward Members.

2.12 Subject to Cabinet approval the next steps for the project will be:

- The submission of a detailed planning application for the proposed scheme (November 2023)
- The procurement of a contractor to demolish the existing Retirement Living Scheme and adjacent buildings on the site and cap off services (anticipated start of contract April 2024, subject to the rehousing of existing tenants)

- The procurement of a Design and Build contractor to construct the new scheme (anticipated start on site in September 2024)

The proposed scheme is expected to take 24 months to complete.

2.13 Cabinet also asked to approve a budget envelope, and to delegate authority to the Strategic Director for Growth and Regeneration to issue tenders, assess bids and enter into contracts to:

- Submit Prior Notification and building Notice of demolition.
- Submit a full planning application.
- Remove contaminants, terminate services and demolish the existing building.
- Tender for, assess bids and award contracts for the design and construction of the new development.

Financial Implications

Statutory Home Loss Payments and Rent/Council Tax revenue loss.

- 2.14. Each household is entitled to Statutory Home Loss Payments upon moving permanently. This was set by Government at £7,800 from October 2022 and increased in October 2023 to £8,100. The costs of furniture removals, discretionary payments for blinds, flooring and help with packing and unpacking has been offered, based on individual circumstances.
- 2.15. The total estimated cost of moving, per property, is estimated between £9,000 - £12,000 depending on adaptation requirements and support needs. Based on the number of tenants remaining at the scheme in December 2022, the maximum total relocation cost for this scheme is projected at £300,000.
- 2.16. Decanting tenants from the current scheme will also result in rental income and council tax income being lost. This loss, estimated at £142,000 [April 2023 to the end of March 2024] is in addition to the Home Loss and removal costs outlined above. This estimate has been refined in consultation with the Head of Finance. BTP's fees for designing the scheme up to RIBA Stage 2 and acting as client advisor to the Council through to RIBA Stage 7 are estimated at £190,000.

Scheme costs

- 2.17 The Council's appointed external Architect and Quantity Surveyor have advised that the estimated cost of constructing the new scheme will be £11,495,000 (including fees and contingency sum), based on an anticipated start on site in Quarter 2 of 2024 and the scheme being constructed to Part L Building Control standards, but utilising electric boilers and solar panels to heat the homes.
- 2.18. Cabinet is requested to approve an overall **£11,937,000** budget envelope for the scheme. This budget envelope is comprised of development and additional costs:
- £11,495,000 development costs, made up of:
 - Demolition of the existing building, and new build.
 - Professional and statutory fees.
 - Contingency.
 - £300,000 Home Loss and removal/relocation expenses.

- £142,000 Lost rental income and council tax burden costs.

£11,937,000 Total

- 2.18 The scheme will be financed from the HRA Capital Programme and potential grant funding available from Homes England.

Next Steps

Support Services and Agencies involved.

- 2.19 Given the age profile and potential degrees of tenants' vulnerability, the Council set out from the outset to handle decanting sensitively. Collaboration with colleagues in Adults including Occupational Therapy services and Aids and Adaptations is key to this process.
- 2.20 To help to fund the development, officers have been scoping the availability of Homes England funding which is accessible to the Council as a Registered Provider, and discussions are progressing to explore how the scheme can be part funded using grant from the Affordable Homes Programme. This will reduce the burden on the HRA.

3. Implications for the Council

Working with people

- 3.1. Putting tenants at the heart of the decisions affecting them remains central to this project. The redevelopment of the site at Sycamore Grange offers an improved response to building safety, meeting housing need, addressing affordability and reducing energy usage. The proposals have been shaped by the opinions of tenants and residents which are fundamental to achieving successful outcomes.
- 3.2. Due consideration has also been given to the way proposals will contribute to the council's strategic priorities and the anticipated impact the outcomes arising from the implementation of this report will have in the following areas:

Working With partners

- 3.3. A collaborative approach has informed the response to the building safety issues and the design of the proposed scheme and will continue as the proposals are progressed. Supporting older tenants over 60 and working with relevant council services, partners, tenants' family and/or carers has played a vital part in shaping this scheme and helping tenants to move into new accommodation. This has included the input and guidance from Adult Services in shaping the current proposals, and this will continue.

Place Based Working

- 3.4. The engagement of tenants and residents has been informed by intelligence and evidence gathered from previous successful place-based engagement programmes delivered by Homes and Neighbourhoods and other partner services. This has been informed by practice learned and used at the high-rise blocks at Berry Brow and Harold Wilson Court to inform regeneration and fire safety improvement programmes, working with ward members and tailored to the needs of the place and needs of its communities.

Climate Change and Air Quality

- 3.5. Redeveloping Sycamore Grange will remove the existing building heated by fossil fuel gas boilers, built to the building standards of the early 1970s. Removing the existing building, focussing on fabric first and combining new heat and power technologies, the future scheme is likely to deliver a net reduction in carbon emissions over its lifetime.

Improving outcomes for children

- 3.6. The opportunity to increase the council's supply of family homes has been carefully considered. Following stakeholder feedback, the scheme focusses on provision for older people. Increasing the offer of suitable accommodation for older people will help to release family homes which may be under-occupied by older people.

4 Financial Implications for the people living or working in Kirklees

Cost of Living

- 4.1. The cost-of-living crisis refers to the fall in 'real' disposable incomes (adjusted for inflation and after taxes and benefits) that the UK has experienced since late 2021. It has been caused by high inflation outstripping wage and benefit increases and was further exacerbated by tax increases.
- 4.2. The new development will provide affordable homes and address the cost of living. This will be achieved through fabric first design, and modern heating technologies and energy efficiencies will be designed or incorporated to minimise heating and running costs. Good practice and learning on this scheme will inform future developments.

5. Other (E.g., Integrated Impact Assessment/Legal/Financial or Human Resources)

Integrated Impact Assessment ('IIA')

- 5.1 This report updates on the progress made against actions which were previously authorised by Cabinet and supported by a stage 1 and stage 2 Integrated Impact Assessment. The report acknowledged the scheme impact on tenants, and mitigation was put in place through a Decant Plan and support for tenants, working with family members and carers. It is intended to obtain tenant feedback to establish how successful this has been against the mitigation plans. Eligible tenants who have lived in Sycamore Grange will be able to bid to return to the new scheme.

Legal: Demolition notice

- 5.2 Cabinet previously authorised the service of a Demolition Notice at the appropriate time, to suspend any Right to Buy applications and to secure vacant possession. The council has been working with and supporting residents to move to suitable accommodation consensually. With few remaining tenants and with continued support to secure suitable accommodation, the risk of applications being received is considered to be very low.
- 5.3 It is proposed that a Demolition Notice is issued as previously authorised by Cabinet, to ensure that the Vacant Possession of the existing stock is obtained, and that the demolition of the stock can be accounted for in the Housing Revenue Account. This will also support the progression of utility terminations and remove the burden on the HRA in paying council tax on empty properties once work renders the flats uninhabitable.

Financial

- 5.4 The development cost estimate has been undertaken by the Council's appointed architect and Quantity Surveyor and the budget estimates inform the proposed budget envelope. The budget envelope proposed for approval by Cabinet to project to Quarter 2 of 2024 is a total figure of £11,937,000. (Eleven million and nine hundred and thirty-seven thousand pounds). This includes the net development cost and professional and statutory fees, contingency, Home Loss and Council tax costs. A detailed financial appraisal will be presented to the S151 Officer (Service Director of Finance) for approval following planning permission and procurement, but before award of any contract and commencement of works.
- 5.5 Homes and Neighbourhoods Improvement Board ['HNIB'], recommend that no increase to this budget should be agreed under delegated powers and the issue would be reported to HNIB for consideration and Cabinet for approval if that occurred. It is considered that appropriate contingency has been factored into the scheme to minimise this risk, bearing in mind development and labour cost increase and fluctuation.

HRA and Homes England funding

- 5.6 The HRA 30-year business plan has made a prudent financial provision for the works and associated costs. This is expected to be supported by grant funding from Homes England and engagement has already taken place with Homes England. As a Registered Provider, the Council can access funding from the Homes England Affordable Homes Programme for 2021-2026. This will reduce the burden on the Council's HRA business plan. This figure is expected to be in the region of £4.6m.

6. Consultation

- 6.1 Ward Councillors: Comments received from Ward Councillors:

Cllr Graham Turner supports the proposals in providing much needed affordable housing in the ward.

Cllr Andrew Marchington requests that consideration is given to minimising the disruption caused to local residents from demolition and construction traffic. Cllr Marchington also suggests that there should be a plan to rectify any construction traffic damage to roads. He also advises that Sycamore Avenue is a key bus route.

7. Engagement

- 7.1 Engagement with tenants and residents is detailed in section 2 of the report and is central to shaping the proposals. This included home visits and one-to-one discussions about tenants' housing options and the emerging proposals. Tenants have been asked for their views and aspirations for the scheme, and their lived experience. Engagement has also included residents living adjacent to Sycamore Grange, and with the Tenant Voice Panel.
- 7.2 Collaborative engagement has also taken place with Adult Services to ensure that the proposed scheme will be effective in meeting a range of older peoples' needs.

Tenant Voice Panel – 30 August 2023

- 7.3 The Panel endorsed the scheme, commenting on ensuring tenants' ease of accessibility around the building, and ensuring that new heating technologies are easy to use and can offer cost of living savings. The panel wish to visit the scheme as it progresses.

7.4 The progress following the previous Cabinet approval on 21 December 2022 and subsequent consideration by governance meetings, Tenant Voice Panel and endorsement by Cllr Scott as previous Portfolio Holder were noted.

7.5 The Board endorsed the progression of the report to Cabinet, subject to Board observations to include feedback regarding the importance of renewable energy and high-level performance from the properties.

8. Next steps and Timelines

8.1 Subject to Cabinet approval of the proposals and a budget envelope, it is proposed to submit a full planning application for the proposed scheme in November 2023. Obtaining Planning Permission will inform the design and build procurement process in setting out the Council's requirements in tandem with Employer's Requirements and specifications.

8.2 It is intended that Prior Notification and Demolition Notices will be submitted under the Planning and Buildings Acts in advance of Vacant Possession. This will enable the demolition of the building, reduce site risk, and assist the removal of the building from the Housing Revenue Account, and manage the Council tax liabilities for empty homes.

8.3 It is proposed to issue tenders for the removal of asbestos, pipework, cabling and heating equipment and terminate services and the demolition of the building in November 2023.

8.4 It is expected that the preparation of tender documents for the subsequent design and build contract will be prepared and issued in November/December 2023, and that after assessment, the successful contractor will be appointed before the end of March 2024.

8.5 It is anticipated that development will be started during autumn 2024, and that development will be completed between 18 to 24 months following commencement.

8.6 The contractor will be required to support further resident engagement and briefing material for housing management and assets colleagues, and tenants.

8.7 It is expected that an allocations strategy and age designation shall have been agreed and in place as the scheme nears completion, for designation to older people.

9. Officer recommendations and reasons

That Cabinet:

9.1 Notes the re-development plans presented and endorse the approach to constructing the scheme outlined in the report.

9.2 Approve a maximum budget envelope of £11,937,000 to procure the demolition of the existing Sycamore Grange scheme, the construction of the new retirement living scheme, bungalows, and apartments, and fund the management of rehousing and revenue costs on the basis that a detailed financial appraisal is signed off by the S151 Officer (Service Director of Finance) following planning permission and procurement, but before award of any contract and commencement of works.

- 9.3 Authorise the submission of Prior Approval notification and Notices under the Planning and Building Acts for the demolition of Sycamore Grange, and the submission of a planning application for the new development.
- 9.4 Authorise the Strategic Director of Growth in consultation with the Service Director for Legal, Governance & Commissioning, and Portfolio Holder to invite and assess tender submissions and enter into contract for the demolition of existing buildings on the site once Vacant Possession is achieved.
- 9.5 Authorise the Strategic Director of Growth in consultation with the Service Director for Governance & Commissioning and the Portfolio Holder to invite and assess tender submissions and draft and award contracts for the Design and Build of the new scheme within the agreed budget envelope.
- 9.6 Agree that the appointed contractor shall be responsible for finalising the design and costs and obtaining all approvals required to construct the scheme.
- 9.7 The reasons for these recommendations are to ensure that a budget is allocated for this scheme, and to manage project and financial risk, and ensure that procurement is undertaken in accordance with Financial Procedure, and Contract Procedure Rules.

10. Cabinet Portfolio Holder's Recommendations

- 10.1 The Cabinet Portfolio Holder recommends that Cabinet accepts and endorses the officer recommendations and reasons.

11. Contact officer

James Hinchliffe
General Manager, Development.
Homes and Neighbourhoods
Tel. 01484 221000 ext. 74695
Email: james.hinchliffe@kirklees.gov.uk

12. Background Papers and History of Decisions

Appendix 1 - Sycamore Grange Location Plan
Appendix 3 - Tenants and Residents' Feedback Summary
Appendix 3 - Revised Scheme Plan and draft dwelling types 3 August 2023

Link to 21 December 2022 Cabinet papers and agreed resolutions:

<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=139&MId=7065>

(See agenda item 16 and record of Decision)

13 Service Director responsible

Naz Parkar
Service Director of Homes and Neighbourhoods Tel:
01484 221000 ext. 75312.
Email: naz.parkar@kirklees.gov.uk

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Appendix 1: Sycamore Grange Location Plan

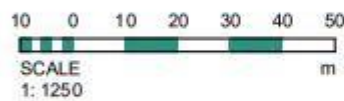


Location Plan

1 : 1250

Layout subject to confirmation of red line boundary, all statutory approvals including highways, planning and building regulations, relevant surveys and reports such as topographical, ecology, trees, ground investigation and flood risk.

— Site Edged Red



Rev	Date	Int	Description
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		Client:	Kirklees Council	Job No:	3944	Scale @ A4:	1 : 1250
		Project:	Sycamore Grange				

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APPENDIX 2: TENANT AND RESIDENT FEEDBACK SUMMARY

Current Tenants at Sycamore Grange

- There were only 10 responses to this questionnaire aimed at tenants.
- The general opinion was very positive towards the new development.
- 80% of respondents wanted to continue living in the new scheme – 10% didn't want to live there and 10% didn't know.
- Tenants liked Sycamore as an area and community, liked that it was near shops and bus routes and that the route into town was walkable.
- One tenant suggested that what they liked most about Sycamore Grange was the security and sheltered accommodation.
- Features that tenants liked about Sycamore Grange currently included open plan bedsits, the garden, the layout of their flats, the lounges, and the cosy atmosphere.
- Suggestions for what could be improved at Sycamore Grange included having baths, wider door openings for wheelchairs and walkers, and more activities for tenants.
- Suggestions for what should be included in the new scheme were walk in baths, a swimming pool and a gym.
- One tenant suggested that the current fire alarm was too loud and that this should not be replicated in the new scheme.
- Another suggested that the new retired living scheme should all be built at ground level.
- Tenants were positive about the new development beyond the retired living scheme and thought it 'looked nice' and was a 'really good idea'.
- One tenant highlighted the affordability of living at Sycamore Grange, as they said they liked the 'reasonable rent' currently and suggested that the new scheme should include one-bedroom properties and bungalows for social rent.
- A tenant suggested there needed to be an option for current occupants to stay or have the option to come back to the scheme.

Residents in the Wider Community

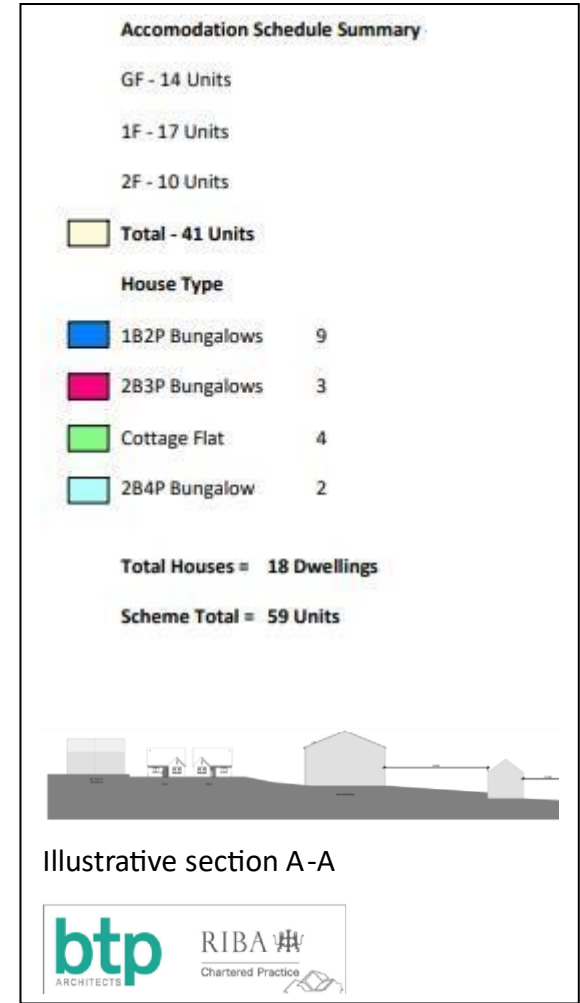
- There were 30 responses overall that captured the thoughts of residents in the wider community around Sycamore Grange.
- Comments were overwhelmingly positive towards the scheme, with many responses suggesting that no improvements needed to be made to the existing proposals.
- The proposed scheme was said to look more modern, have better use of space, and some residents approved of the level of greenery.
- Residents were pleased with or neutral towards the Retired Living Scheme elements and were pleased with the mixture of tenures.
- Residents consistently thought that plans met local need and mentioned the need for more housing generally.
- Sycamore Avenue and the surrounding area was judged to be a good place to live, with good green space and a fairly quiet neighbourhood with good neighbours.
- The central location of Sycamore Avenue was also important to existing residents, as it is quick to get to town and has good bus routes.
- Multiple residents commented that protecting and adding to green space was very important to them.
- There were some concerns around the impact of new houses for families being built next to a retired living scheme, as this 'could cause issues'.
- There were concerns around current security, and one resident suggested that the development should include better lighting around all pathways to combat potential violence against women.
- Residents consistently expressed a desire for more parking around the new development.

- One resident suggested that there was a lot of development being proposed for such a 'small area to build' with 'too many properties'.
- Residents wanted to confirm whether the new scheme included accessible homes, and whether homes would be allocated to disabled people.
- Suggestions for what else to include in the scheme were a fitness centre, provision for young people, increased provision for biodiversity net gain, and increased road maintenance.
- One resident suggested that the proposal for 'the white wash walls on the main building seems unmaintainable', and 'will it look dingy after a few years?'.
- One resident had 'concerns for local services and amenity with additional houses'.
- Another highlighted difficulty in getting a GP appointment at the local doctors, and worried that this would increase with more families.
- Another concern residents had was the impact of more traffic to the site on an already busy road, such as increased noise.
- One resident wanted more bungalows for the retired on the scheme.
- One resident had concerns around building work and access for residents when this was ongoing.
- Another resident suggested that the design choices for the scheme should blend in with existing buildings.
- One suggestion from a resident was to enhance vehicle access from Sycamore Avenue.
- A resident suggested that the scheme would meet local need if 'people who live there get priority to move back once completed'.

APPENDIX 3: DRAFT LAYOUT PLANS.

[Prepared by BTP architects for the Council]

Subject to planning permission. Please do not scale from these plans.



**DRAFT PROPOSED INTERNAL
PLANS: NEW SYCAMORE
GRANGE RETIREMENT LIVING
SCHEME**

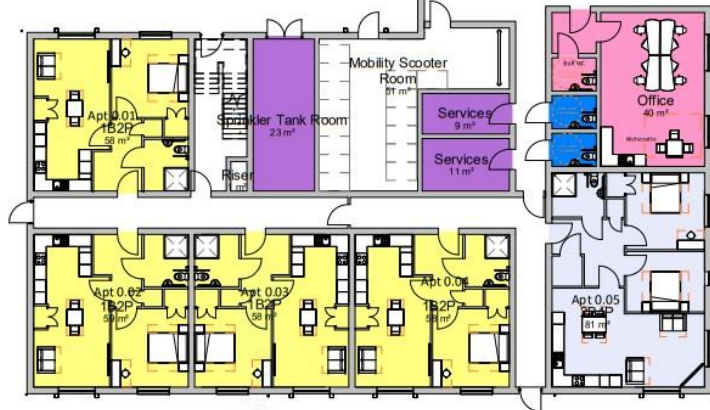
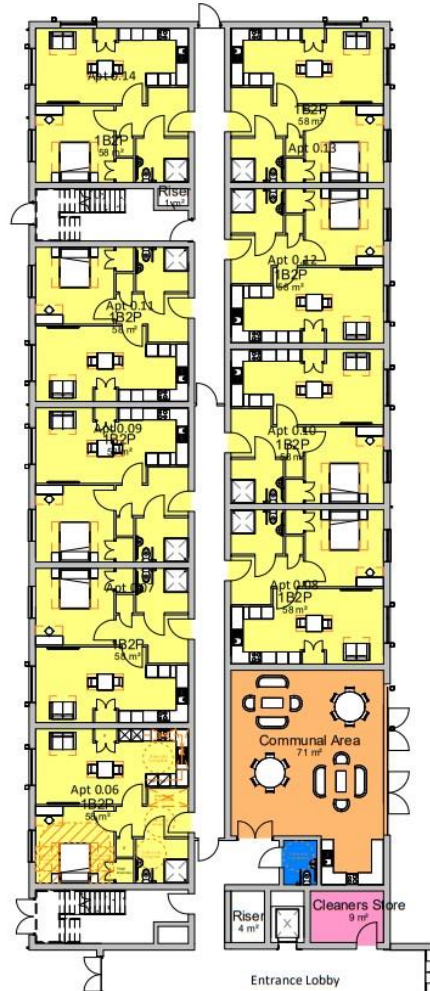
This drawing shows the proposed general ground floor arrangement.

The lobby is accessed from the car park or Sycamore Avenue. This provides access to the lift, communal area, office, toilets, and stores.

Yellow shaded apartments are one bed; the two-bed apartment type is light blue shaded.

Floors above have a similar layout.

Enlarged plans to the right show typical apartment types within the building, and circulation space in the apartments for residents who may use a wheelchair.



TYPICAL RETIREMENT LIVING SCHEME

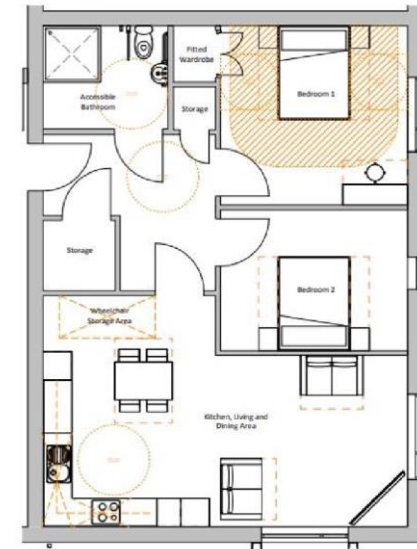
APARTMENT TYPE

Typical one-bedroom apartment [37 units]



Typical Apartment Layout - 1B2P M4(3) 58sqm

Typical two-bedroom apartment plan [4 units]



Typical Apartment Layout - 2B4P M4(3) 81sqm

ELEVATIONS AND MASSING: DRAFT PROPOSALS FOR THE NEW RETIREMENT LIVING SCHEME BUILDING.

Please do not scale.



Elevation 1
1 : 200



Elevation 2
1 : 200



Elevation 3
1 : 200



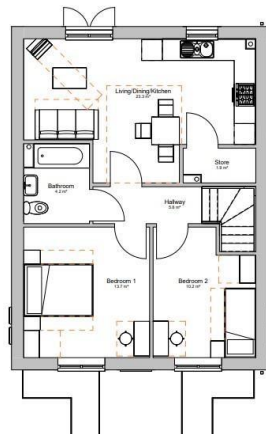
Elevation 4
1 : 200

DRAFT LAYOUTS AND ELEVATIONS OF COTTAGE FLATS – 4 UNITS .

Please do not scale.



1B2P Ground Floor - 51m² - M4(3)



2B3P First Floor - 62m²



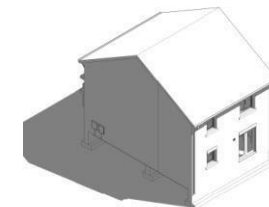
Front Elevation



Rear Elevation



Indicative Visual



Indicative Visual 2

Below: One bedroom bungalow-
9 units



1B2P Bungalow Plan - 51m²- M4(3)



Front Elevation
1:50



Rear Elevation
1:50

Below: Two-bedroom bungalow
3 units



2B3P Bungalow 61m² Plan



Front Elevation
1:50

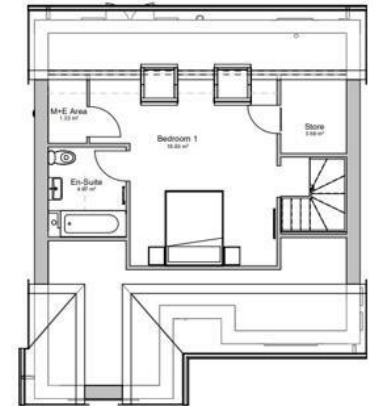


Rear Elevation

Below: two-bedroom bungalow and roofspace room
2 units



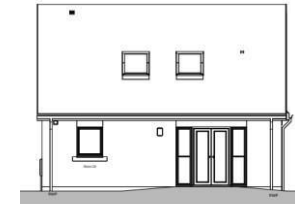
Ground Floor Plan - M4(3)



First Floor Plan



Front Elevation



Rear Elevation



Indicative Visual

One-bedroom bungalow- 9 units

Two-bedroom bungalow – 3 units

Two-bedroom bungalow - roof-space accommodation 2 units

SCHEMATIC ILLUSTRATIONS: NEW SYCAMORE GRANGE



(Subject to Consultation and Planning Approval)



(Subject to Consultation and Planning Approval)



(Subject to Consultation)

Schematic illustrations- subject to planning permission

[Note that external materials are not shown at this stage]

Top right: The main entrance lobby and communal room viewed from the Sycamore Avenue pedestrian access.

Top left: View of the scheme from the main vehicular access from Oak Avenue.

Left: View of the scheme from the junction of Oak Avenue and Beech Avenue, looking north-west.

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Name of meeting: Cabinet

Date: 17th October 2023

Title of report: Re-Profile of Kirklees Resource & Waste Strategy 2021-2030

Purpose of report: To inform Cabinet of the re-profile of the Kirklees Resource & Waste Strategy 2021-30 and seek approval for the revisions.

<p>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?</p>	<p>Yes</p> <p>This is an update of the 12 month and 5-year commitments within the original strategy. The update has been formulated with further internal engagement, public scrutiny, and discussions with DEFRA. This is primarily to reflect the changes to Central Government legislation and funding timeframes.</p>
<p>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u></p>	<p>Key Decision – Yes, published 13th September 2023</p> <p>Private Report/Private Appendix – No</p>
<p>The Decision - Is it eligible for call in by Scrutiny?</p>	<p>Yes</p> <p>Presented to Environment and Climate Change Scrutiny Panel 30th August 2023</p>
<p>Date signed off by <u>Strategic Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p>	<p>David Shepherd – 4th October 2023</p> <p>Isabel Brittain (Deputised) – 5th October 2023</p> <p>Julie Muscroft (Deputised) – 3rd October 2023</p>
<p>Cabinet member <u>portfolio</u></p>	<p>Culture and Greener Kirklees - Cllr Yusra Hussain</p>

Electoral wards affected: All

Ward councillors consulted: All – party briefings conducted throughout November/December 2020 for the original strategy and the reprofile has been presented to Members Reference Group 17th August 2023.

Public or private: Public

Has GDPR been considered? N/A

1. Summary

- 1.1 The Kirklees Resource & Waste Strategy 2021-30 was approved and adopted at full Council in September 2021.
- 1.2 Since the launch of the strategy, there are significant uncertainties around government legislation for waste management and the associated funding. This is more important than ever given the current financial landscape as the UK has entered a cost-of-living crisis meaning the Council is facing increased demands and financial pressures.
- 1.3 Given the above, a re-profiling of the Resources & Waste Strategy has been undertaken to revise the targets set out and the deliverables within, to allow time for more clarity and allow the Council to make sound choices, without losing the level of ambition.

2. Background

- 2.1 The Resources & Waste Strategy 2021-2030 is included alongside this report (Appendix One) which sets out how we aimed to achieve our vision of “a clean, green, sustainable future for Kirklees with zero waste to landfill and where waste is valued as a resource through re-use, recycling, and recovery.”
- 2.2 There have been many positive initiatives delivered as part of the strategy including but not limited to: introducing a recycling service to schools and businesses via our trade waste service, adding plastic pots, tubs and trays (PTTs) to our kerbside recycling collection service, offering a composting subsidy scheme to residents, offering a new bookable bulky waste collection service and launching a Reuse Shop in Huddersfield town centre.
- 2.3 The strategy replicates many aspects of those detailed in DEFRA’s national Resources and Waste Strategy for England, published in 2018. Cabinet were asked to note when approving the strategy in 2021 that ongoing delays to the government’s Environment Bill may pose a risk to the delivery of this strategy.
- 2.4 There has been significant delays to the expected funding from Central Government which has meant we are no longer able to deliver some of the larger-scale changes to collections within the timescales we had previously outlined, including rolling out kerbside glass and food collections.
- 2.5 Without the ability to implement the larger scale changes, the targets set out in the strategy require realignment. It is noted however that we have successfully met our diversion from landfill target and so this has been increased further inline with our ambition for zero avoidable waste to landfill.

3. Revised Targets

- 3.1 It is proposed to revise the strategy’s key targets in line with national targets as follows:
 - Achieve a recycling rate of at least 70% at our Household Waste & Recycling Centres by 2030.
 - Recycle at least 65% of municipal waste by 2035.
 - Achieve a 95% diversion from landfill rate by 2030.

4. 12 Month Pledge

- 4.1 Due to the level of uncertainty faced, the Resources & Waste strategy will now commit to initiatives on an annual basis, outlined in a 12 month pledge, with key aspirations for the following 5 years. The first 12 month pledge for 2023-24 can be found at Appendix Two. Further pledges and key decisions will be presented to Cabinet where appropriate.

4.2 The forecasted spend for this period under the original action plan was £2.9m, some of which is committed spend underway, and the revised initiatives will be at an estimated cost of around £1m (See Appendix Three) to be provided for within the Medium Term Financial Plan.

5. Contractual Arrangements

5.1 Kirklees' waste disposal contract is currently in place until 2025 with the option to extend by up to three years.

5.2 Arrangements for the waste disposal contract will be presented to Cabinet in the coming months and the re-profiled strategy aligns the deliverables under these contractual arrangements.

6.0. Reuse Shop Procurement

6.1 The current Reuse Shop Scheme is operating under a trial which will come to an end in June 2024.

6.2 As the current Reuse Shop Scheme will end in June 2024 the Public Contracts Regulations 2015 apply which means opportunity to run the Scheme has to be put out to competition. Officers from Operational Services are currently working with procurement and legal colleagues to plan a procurement exercise, with a view to undertake a procurement and to award a contract to the successful bidder. This requires authority to commence the procurement and delegated authority to award any contract as a result of the procurement.

7.0. Depot Requirements

7.1 There is limited capacity within our existing waste depots to accommodate the increased fleet and resources required to deliver the larger scale changes to the service.

7.2 Site surveys have been completed on land owned by Kirklees which have proved feasible for development of additional depot capacity.

7.3 Due to its proximity to the Household Waste & Recycling Centre, the Emerald Street Depot requires some improvements works for additional security to secure the equipment, vehicles and materials stored within. These include an electric gate, roller shutters, fencing and boundary works totalling £70,000.

8.0. Information required to take a decision

8.1 Enclosed with this report is a copy of the Kirklees Resources & Waste Strategy 2021-30 and the 2023 update.

9.0. Implications for the Council

- **Working with People**

A public consultation exercise was conducted in Autumn 2020 and the Resources & Waste Strategy incorporates the findings of this exercise. The revised targets and initiatives still align with the findings of this exercise and we will continue to place citizens at the heart of our decisions and will continue to conduct further public engagement as the revised initiatives from this strategy are implemented, as well as utilising trials where appropriate.

- **Working with Partners**

The overall Resources & Waste Strategy encapsulates how we will provide better waste management services for our residents and our businesses and the engagement we will undertake with partners to achieve our ambitions.

The current waste disposal contract offers very good value for money but does not deliver all the environmental ambitions, particularly regarding recycling, that we would expect from a more modern contract. The co engagement process will include Suez and other waste disposal

operators in the market to gain a full understanding of opportunities available to provide the best service possible for Kirklees residents. Arrangements for the waste disposal contract will be presented to Cabinet in the coming months.

We have formed new partnerships with the community sector through the trial of the reuse shop and will develop these new links further when we seek to procure a more permanent Reuse Shop Scheme and bulky waste reuse partner. The focus will be to enhance the great work that is already being carried out by these organisations.

- **Place Based Working**

The overarching strategy details how we intend to take a bold Place-based approach to deliver our services and also takes into account equality versus equity, where some communities may need additional resources and support. We will continue to work with communities and through a Place Partnership engagement approach we can prioritise local needs and Councillors, using the insight they have about the communities they represent, will be central to this activity.

As we deliver the strategy our engagement will include working with anchor community groups and making community connections via third sector leaders and teams such as the Active Citizens and community officers, especially throughout the development of our community grant scheme, and how best to include smaller town centres throughout the authority to access reusable items more easily.

- **Climate Change and Air Quality**

The overall strategy plays a key role in tackling climate change and improving air quality and the measures within the strategy will have a reduction upon both. Although the strategy will involve the expansion of our fleet, we will be seeking to ensure this is a green fleet wherever possible and ensuring the initiatives do not increase the number of vehicle movements where we can practically keep this low. Optimisation of collection rounds will be achieved using specialist software to minimise the mileage covered on a daily basis. A Strategic Environmental Assessment conducted when developing the Resources & Waste Strategy showed the impact of introducing the strategy provides a positive impact on the environment.

- **Improving outcomes for children**

The main strategy details how we will continue to provide an extensive engagement programme within schools and deliver meaningful educational resources to empower children to make a difference both now and in the future. For example, the improvement of litter bins gives us an opportunity to work with schools in the siting of litter bins, to engage with pupils to raise awareness of the issues that littering causes and to work with a range of schools to deliver workshops that link into our reuse and recycling aims.

We will also work with colleges and universities to support entrepreneurship and skills development in relation to waste management / circular economy; encouraging and enabling young people to explore, innovate and set up new sustainable businesses within the district.

- **Financial Implications for the people living or working in Kirklees**

An Integrated Impact Assessment was completed for the development of the Kirklees Resource & Waste Strategy 2021-2030. This assessment showed a positive impact overall in relation to the most vulnerable people in our district who may be in poverty or on a low income.

The Strategy commitments intend to enable all residents of Kirklees to make the most of community and personal resources by improving and expanding the services that promote reuse, repair, education, skill development and waste reduction.

We will continue to work with the voluntary and business community to offer access to waste reduction advice and affordable options to recycle, explore the reuse of materials and encourage employment opportunities.

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

The legal background was set out in the cabinet report dated 21 September 2022. Any procurement will be carried out in accordance with Contract procedure Rules (2023), Public Contracts Regulations (2015) and Financial Procedure Rules (2023).

- **Integrated Impact Assessment (IIA)**

An Integrated Impact Assessment was completed for the development of the Kirklees Resource & Waste Strategy 2021-2030 and can be found [here](#). The assessment did not identify specific issues with the strategy itself but such is the scope and scale of the transformation of waste services detailed within the strategy, further IIAs will be required for several of the specific proposals detailed within the strategy.

10.0. Consultation

10.1 A Public consultation took place from October 2020 – January 2021 and the Strategy incorporates the findings of this exercise.

11.0. Engagement

11.1 When formulating the Resources & Waste Strategy, an extensive engagement process was conducted in Autumn 2020 and the Strategy incorporates the findings of this exercise.

11.2 This is an update of the 12 month and 5-year commitments within the original strategy. The update has been formulated with further internal engagement, public scrutiny and discussions with DEFRA. This is primarily to reflect the changes to Central Government legislation and funding timeframes.

12.0. Next steps and timelines

12.1 The 2023 update to the strategy will be published on the Kirklees Website following approval from Cabinet and implementation of the 12-month pledge will commence. There will then be annual pledges made for the following 12-month deliverables until a new Resources & Waste Strategy is published.

12.2 If agreed, detailed planning will commence for works on the depot expansion with a further report to Cabinet outlining the timelines and financial requirements.

13.0. Officer recommendations and reasons

- Officers recommend that the 2023 Resources & Waste Strategy update is agreed and published.
- To approve delegated authority to the Strategic Director for Growth & Regeneration, in consultation with the relevant portfolio-holders and the Service Director for Finance, for expenditure of sums outlined in Appendix Three to support the development and implementation of the re-profiled Kirklees Resources & Waste Strategy 2021-30 and supporting infrastructure.
- To approve the undertaking of the procurement for the Reuse Shop Scheme, and to delegate authority to the Service Director for Highways and Streetscene, in consultation with the relevant portfolio-holders and the Service Director for Finance, to authorise the award of a contract to the successful bidder following the procurement.

14.0. Cabinet Portfolio Holder's recommendations

14.1 The Cabinet Portfolio Holder supports the officer recommendations and recommends that Cabinet accepts and endorses these.

15.0. Contact officer(s)

Natalie Clark, Programme Manager
Will Acornley, Head of Operational Services

16.0. Background Papers and History of Decisions

- Collection Consistency Framework – 2018-2020
- Party Briefings – November-December 2020
- Scrutiny Panel – December 2020
- Public Engagement – Autumn/Winter 2020/21
- Integrated Impact Assessment – August 2021
- Strategic Environmental Assessment – August 2021
- Full Council – September 2021
- Resources & Waste Strategy Published – September 2021
- Cabinet Update – 21 September 2022

17.0. Service Director responsible

Graham West – Service Director, Highways and Streetscene

Kirklees

Resources & Waste Strategy 2021-2030





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1.0 Foreword

Welcome and thank you for your interest in Kirklees Council's Resources and Waste Strategy.

In 2019 we declared a climate emergency and published our vision of a clean, green, sustainable future for Kirklees with zero waste to landfill. We aim to make Kirklees completely carbon neutral by 2038.

We are working in partnership with residents, not just delivering services to them, everyone in Kirklees has a part to play so that we can achieve our vision. The first stage of this partnership was the public consultation to aid in the development of our waste strategy, but it doesn't end there. Moving forward, we will continue to work with residents from across the borough through various initiatives.

The development of the waste strategy plays a huge part in our vision. Kirklees will be a place where waste is valued as a resource through re-use, recycling, and recovery. To achieve this, we all need to take responsibility for the waste we generate and make the best decisions on what to do with it.

Key to these outcomes have been our decisions to:

- Engage with residents, businesses and communities in a way that works for them, using a Place based approach which is engaging, straightforward and visible.
- Achieve a recycling rate of at least 70% at our Household Waste & Recycling Centres by 2025.
- Recycle at least 55% of municipal waste by 2025.
- Reuse or recycle as much of the resources collected via our bulky waste collections as possible.
- Ensure that the environment across the district delivers our vision of a clean, green, sustainable future for Kirklees.
- Lead by example and set a precedent of good practice to reduce waste, reuse materials, and increase recycling.

This Resources and Waste Strategy 2021 sets out our ambitions for the future in more detail. Together we can reach a carbon neutral Kirklees.



Cllr Mather



Cllr Simpson

2.0 Our Vision

Our overall vision for Kirklees is to be a district that 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.

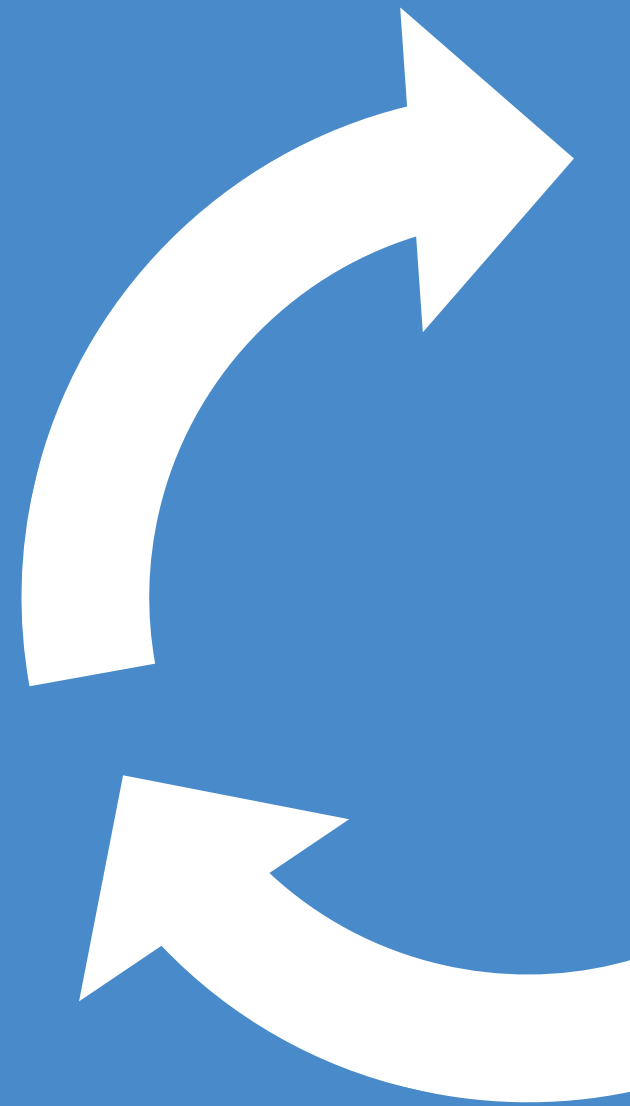
One of our shared outcomes to achieve our vision, is that people in Kirklees experience a high quality, clean and green environment. Our built and natural environment contributes to people's quality of life and makes the district a more attractive place in which to live and invest. We want to connect people and places, improve air quality and be resilient in the face of extreme weather, as well as helping people reduce waste and recycle more.

Tied into our corporate vision and outcomes, our vision for waste management is:

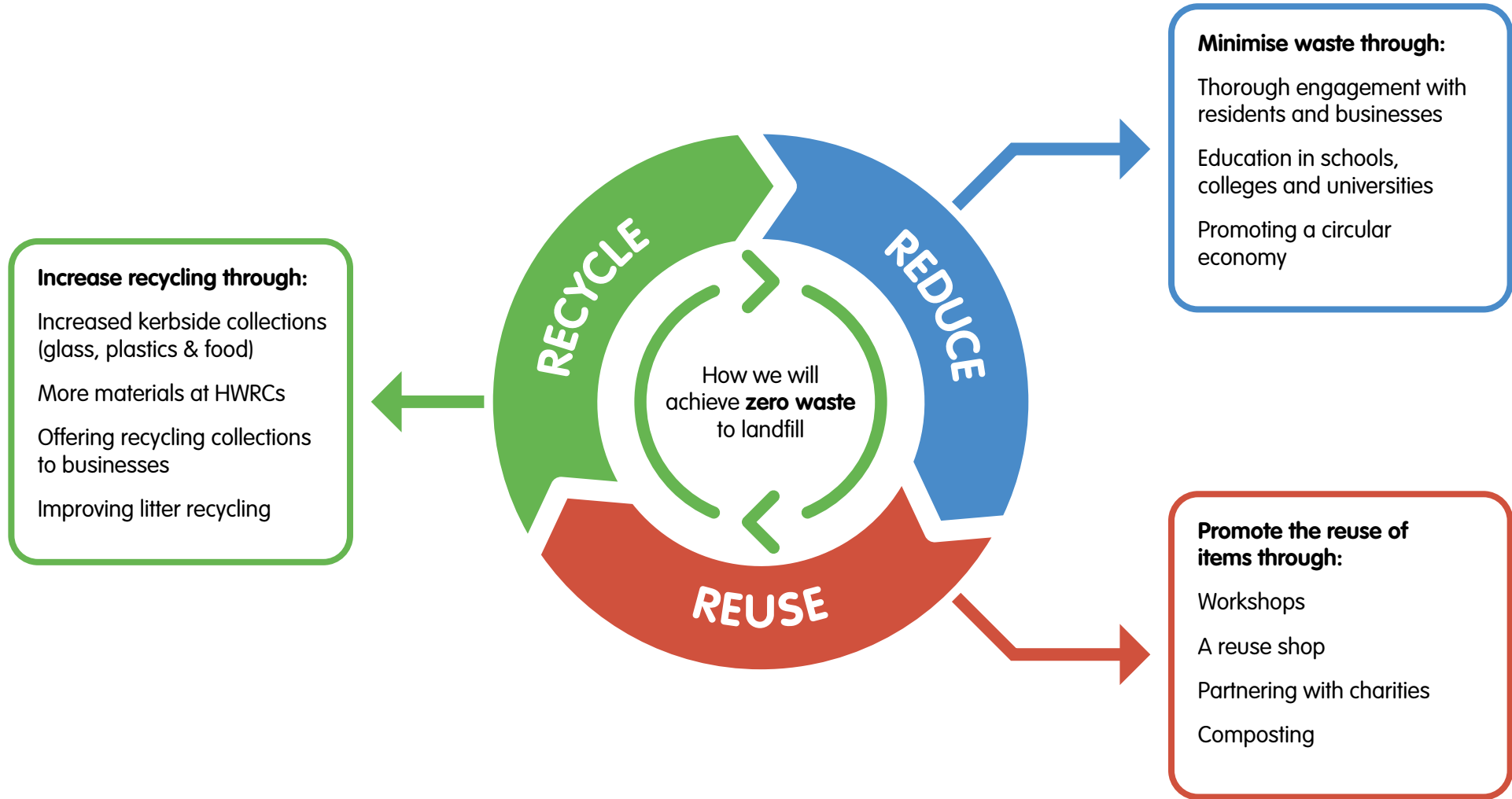
"a clean, green, sustainable future for Kirklees with zero waste to landfill and where waste is valued as a resource through re-use, recycling, and recovery."

Kirklees' ambition is to be at the forefront of the national drive towards tackling Climate Change, eliminating waste and valuing resources by empowering our residents to live sustainably. As a council, we will enable our residents and businesses to reduce, reuse, and recycle their waste. For us to achieve this, we will need to work together and take ownership and responsibility for the waste we generate and make more sustainable decisions on what we do with it.

We shared our vision with the people of Kirklees in 2020 and this strategy sets out our pathway to a zero-waste future, based on the views and ambitions shared with us by our communities.



3.0 Our Ambitions



3.1 Our 12 month and 5 year pledges

Within the **next 12 months** we will deliver the following...



Within the **next 5 years** we will deliver the following...



4.0 Our challenges

The UK Government has passed legislation to reach 'net zero' greenhouse gas emissions by 2050. It is recognised that specific policies will be required to address key areas of emissions across the economy, which includes how we approach and reduce waste.

The UK Government issued its plan for a 'Green Future' with the publication of its 25-year waste and resources strategy for England in December 2018.

This sets out the government's vision to minimise waste, promote resource efficiency and move towards a circular economy. The strategy has an overall vision of eliminating avoidable plastic waste by 2042 and eliminating avoidable waste of all kinds by 2050.

To achieve this, the strategy tackles issues through the full product life cycle from production, consumption and through to its end-of-life. The main aspects to the policy are outlined below which are all subject to further consultation, for which the outcomes may impact the direction of the Kirklees' strategy.

Polluter Pays

Currently packaging companies only pay 7% towards the estimated £1bn cost of dealing with the waste they produce. The government strategy aims to change this by transferring the full cost of recycling and waste management away from local authorities and diverted to those who produce and profit from the production of packaging.

Deposit Return Scheme

The scheme will see consumers charged a deposit up-front when purchasing a drink in a single-use container which can then be redeemed when the empty container is returned. The scheme is proposed to be rolled out in 2023 subject to further consultation.

4.0 Our challenges cont...

Consistent Recycling Systems

Due to the wide-variety of recycling methods in operations by local authorities, the strategy aims to roll out a consistent system across England. This will create a standardised set of recyclable materials which all local authorities would be expected to collect.

Food Waste

The strategy commits to providing all households with a weekly food waste collection. This is in an effort to reduce greenhouse gases produced in landfills, and to create a compost material. For similar reasons, the strategy also considers introducing free garden waste collections.

Waste Crime

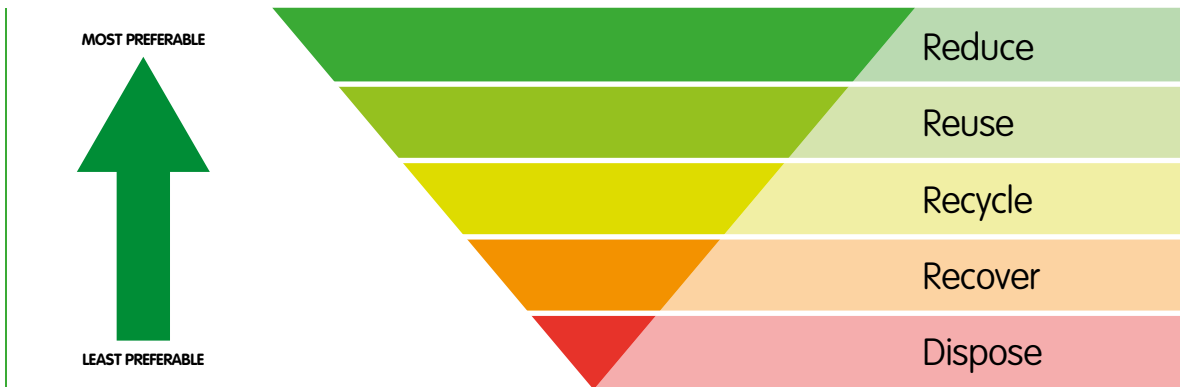
Fly-tipping is a national issue and the new strategy aims to crack down on this type of crime by improving the regulation and tracking of waste infrastructure.

The government strategy sets some ambitious targets, including the target to recycle **65% of municipal waste by 2035**. To achieve this, the strategy pushes for implementation of the waste hierarchy which places the largest focus on the prevention of waste and reuse of materials, with disposal being the least desirable solution as seen in the illustration.

Climate Emergency

Kirklees Council declared a 'climate emergency' in January 2019, recognising the scale of the climate challenge posed by a changing climate and this was followed by the council setting an ambitious 'net zero' carbon emissions target for the district, together with a new Air Quality Action Plan running to 2024.

The 'net zero' target aligns with the UK legislation for 'net zero' by 2050 and the Leeds City Region pledge for 2038. A modern waste strategy that prioritises the waste hierarchy is key in achieving these targets. This includes not only how we minimise and treat our waste, but also how we will seek to identify opportunities for sustainable energy generation resulting from our district's waste.



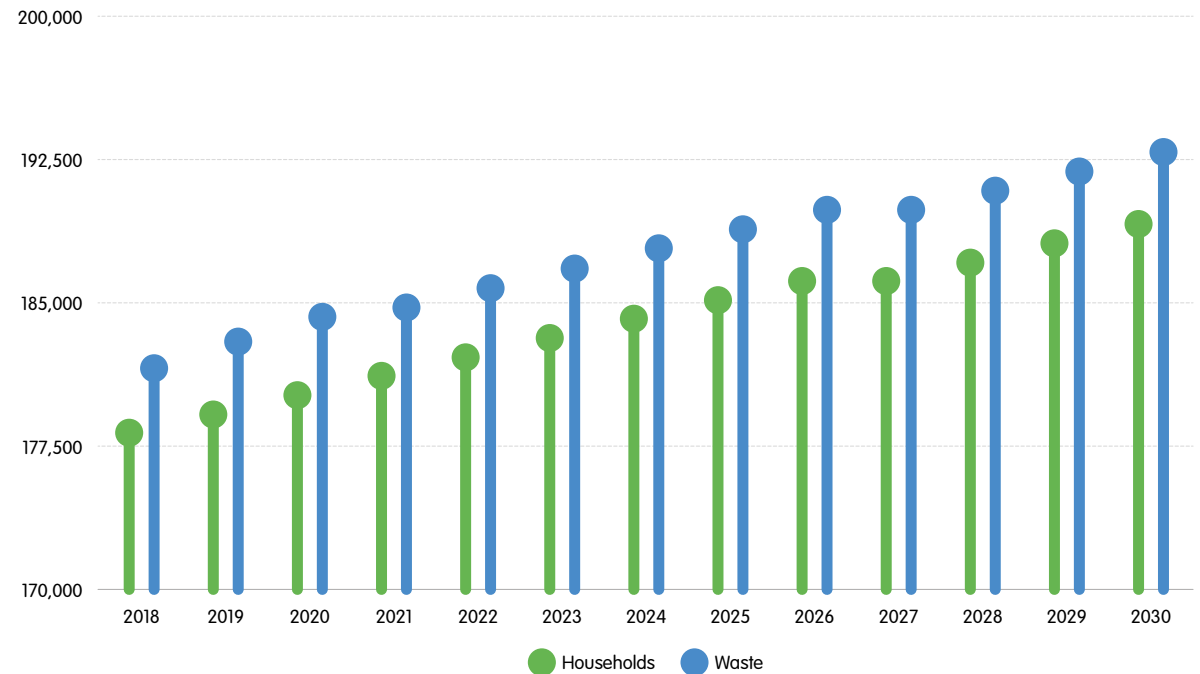
4.0 Our challenges cont...

In 2020, we produced around 186,660 tonnes of waste, of which 26.7% was recycled, with over nine million collections to 182,000 homes, and as a growing district this is set to increase further.

Placing items for recycling in the green bin unfortunately is not enough to reduce waste and tackle climate change. We want to generate understanding that waste reduction and reuse are key in tackling climate change and creating a sustainable future. So one of our key challenges is changing the perception, that recycling is the answer - we want to empower individuals to help them reduce their waste and reuse, and view recycling as last option.

Promoting and developing a local circular economy, along with the other measures outlined within this strategy, will help ensure that we achieve this.

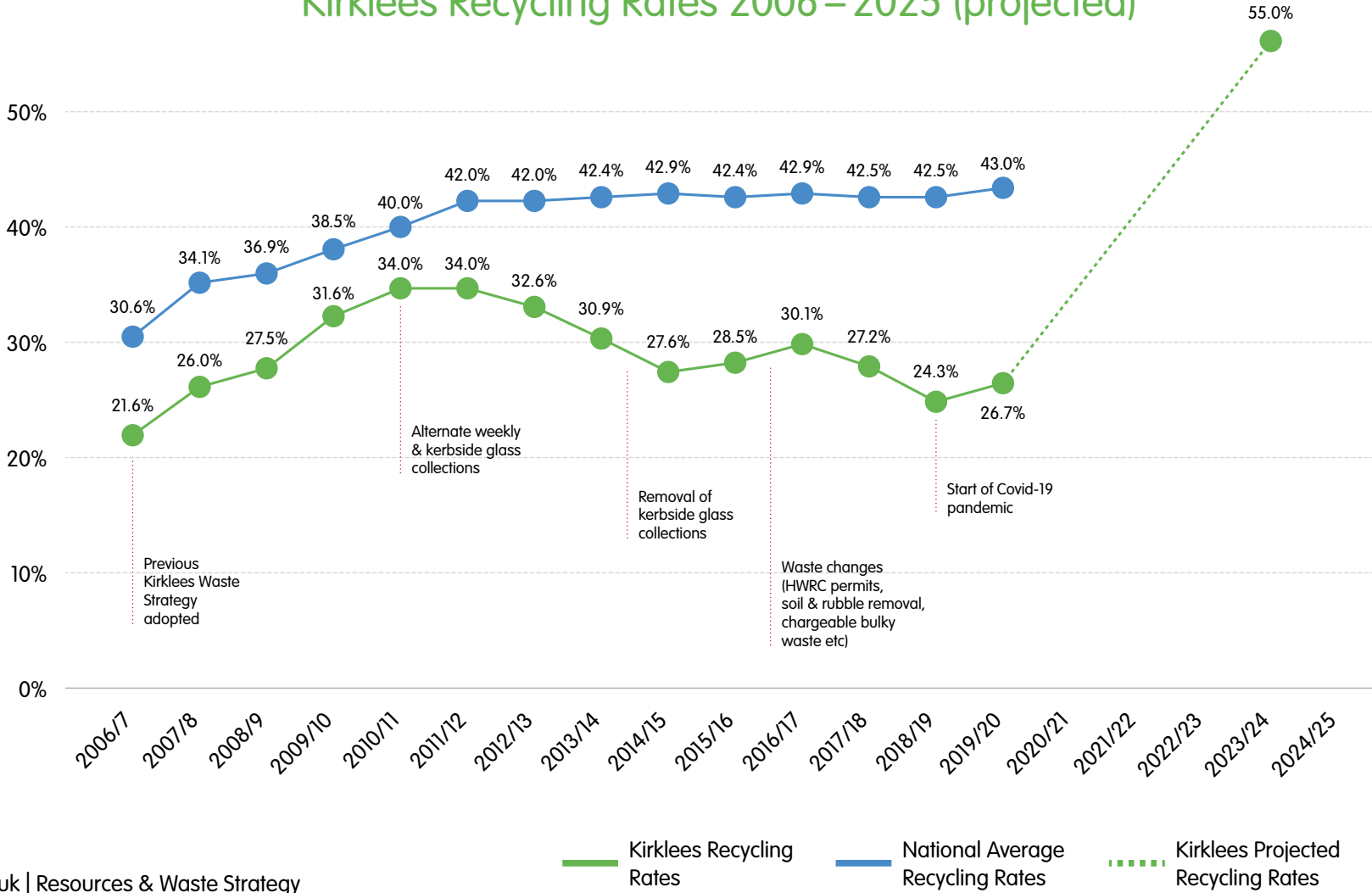
Kirklees Projected Households 2018 – 2030



Source: ONS 2018-based household projections

4.0 Our challenges cont...

Kirklees Recycling Rates 2006 – 2025 (projected)



5.0 **Delivering Modern, Sustainable Services**

We will enable our residents and businesses to reduce, reuse, and recycle as much of their waste as possible by delivering the modern, sustainable services set out here.

5.1 Engagement and Communication

We will actively engage with residents, businesses and communities in a way that works for them, using a place based approach which is engaging, straightforward and visible.

To minimise the amount of waste we produce and maximise recycling we must all work together.

A common and shared understanding of the Waste Hierarchy and our own roles and responsibilities within it is essential in the journey to achieve our Zero Waste ambitions. Clear, proactive, and on-going communication and engagement with our residents, communities, and businesses is paramount to enable a sustained change in mindset. Working with our people, partners, and places to deliver this strategy will enable us to continue to listen and learn from each other.

Workshops

Building on the success of our Food Waste Workshops we will expand our programme to provide advice and practical guidance to enable residents to save money, reduce waste, and reuse resources.

Feedback from residents during the Autumn 2020 engagement showed how popular the current workshops are, with a demand for a wider range of opportunities including:

- Repair workshops and cafés (support to fix broken electrical items, clothes, and furniture)
- Upcycling workshops (teaching how to transform and improve old furniture and other items)
- Clothing swap (exchange clothes and textiles)
- Drop-in advice sessions in your local community
- How to compost and the different types of products available.



5.1 Engagement and Communication cont...

Community Events

Recycling and Waste Advisors will attend Kirklees community events, providing advice and guidance in the very heart of our communities across the district.

We will develop a responsive 'recycling roadshow' to travel across the district to deliver messages in the community, listening to ideas on how we can achieve our Zero Waste ambition together.

Community Reward Scheme

We will develop and introduce a community reward scheme, which gives back to communities that achieve the highest or greatest increase in recycling, to enrich their local economy, environment, and wellbeing.

Recycling Champions

A network of volunteer Local Recycling Champions will help provide advice and guidance to their local community on reducing, reusing, and recycling waste. Our Recycling Champions will be supported by our Kirklees Waste Advisors.

Education

Climate Change and sustainable waste management are multi-generational issues and many of our young people are already passionate about what needs to change. Working with schools to develop and deliver meaningful educational resources will empower our children to really make a difference both now and in the future. We will build on our strong links with schools to encourage and promote a clean, green, and sustainable future for future generations.

We will also work with colleges and universities to support entrepreneurship and skills development in relation to waste management / circular economy; encouraging and enabling young people to explore, innovate and set up new sustainable businesses within the district.



5.1 Engagement and Communication cont...

Tackling Barriers

A focus will be placed on overcoming and addressing barriers which prevent residents from recycling. Talks with developers and managing agents will be undertaken and the Waste Management Design Guide will assist with ensuring properties are designed with appropriate facilities, as well as strengthening links with landlords across the borough.

A project to assess all shared bin storage areas will be undertaken, starting with Kirklees Homes and Neighbourhoods, and then expand to private tenants. This will be undertaken in conjunction with the council's place standard work to ensure the correct action is taken for what is important to communities.

Engagement with the business community will continue to identify and remove barriers to circular practises where possible to reduce waste production, and better reuse materials.

We will also be enhancing our customer care for those contacting the council in relation to waste related complaints and enquiries, therefore improving the service and experience for our residents.



5.1 Engagement and Communication

cont...

New Resident Pack

Knowing what can and cannot be recycled can be confusing, particularly for those moving into Kirklees from a different local authority. We will create a new resident's pack to make it easier for residents to know how our recycling service works.

Visitor Centre – Waste Disposal Facility

Improvements to the visitor's centre at the waste disposal facility will allow our residents and other interested parties to visit the site and see first-hand how their recycling is sorted and managed.

This will provide greater clarity and transparency on the recycling process and allow residents to follow the journey of their waste, reducing the ambiguity on what happens to materials after their bin is emptied.

We will offer more visits to schools and allow children to see waste being processed to stimulate further conversations at home. The visitor's centre will also be equipped with educational and take-home materials.

Staff Engagement

We recognise that to provide the best advice and guidance to our residents and businesses, we need to ensure that our staff, councillors, and MPs are aware of (and support) the work we are doing and receive the same engagement.

We will therefore provide training sessions for our staff to learn about the recycling process and circular economy principles, to better equip them to reinforce the messages to residents and businesses as well as tours of our facilities.



5.2 Recycling & Waste Collections

In line with our climate emergency declaration, we will aim to double our recycling rate and recycle at least 55% of municipal waste by 2025.

Increased Material Collections

Based on the views and ambitions shared with us by our communities in the Autumn 2020 public engagement, our residents want to be able to recycle more materials at the kerbside. We will modernise the kerbside collection service offered and increase the number of recyclable materials collected to include the items our residents told us they would most like to recycle which were glass, mixed plastics, and food waste. This will be implemented alongside campaigns to help our residents minimise and reduce waste creation in the first place.

Container Trials

An extensive options appraisal has been completed and the top scoring options were presented to residents for their feedback during the Autumn 2020 engagement. The scores from the options appraisal alongside the feedback from our residents has been consolidated and whilst there was strong overall support, there was

no clear indication of the preferred container for glass collections. This is a critical decision and to ensure our communities are engaged in the service changes and we fully understand any community or operational impacts, early trials will now be conducted to test viability and define the best option for delivering this across Kirklees.

Garden Waste

A chargeable garden waste collection service is available to residents via a 240 litre brown bin. This service was introduced in 2019 and has been steadily growing over the last two years. We are not proposing to make any changes to how we collect garden waste (unless national regulations change) but will be looking to explore the possibility of selling the compost we produce through our household waste and recycling centres, promoting a circular economy.



5.3 Waste Disposal

Waste Disposal Contract

In 1998, Kirklees was the second local authority in the UK to be awarded a waste treatment Private Finance Initiative (PFI) grant funding. The foundations and principles of the existing contract were set out over 20 years ago when the international and national focus was avoidance of landfill disposal.

Whilst visionary at the time, the current national waste strategy has since changed to focus on a circular economy, so the aims and performance indicators of the existing waste disposal contract are now outdated.

The current contract includes the following infrastructure:

- Energy from Waste (EfW) facility in Huddersfield.
- Materials Recycling Facility (MRF) in Huddersfield (the sorting technology is limited compared to modern standards).
- Two Waste Transfer Stations in Huddersfield and Dewsbury.
- 5 Household Waste and Recycling Centres (HWRCs) across the district.

- Composting facilities in Huddersfield.
- Monitoring of two closed landfill sites at Hollins Hey and Honley Wood.

All of the above sites and facilities are operated and maintained by the contractor, with ownership of fully operational and maintained assets to be handed back to Kirklees at the end of the contract on 31st March 2023 with an option to extend.

This provides an ideal opportunity to modernise services provided to Kirklees residents, as the kerbside recycling service has been operating within the limitations of the contract and associated facilities.

It is a priority for us to investigate all contract options available and give consideration to how current infrastructure will be best used to maximise diversion and sustainability.

5.3 Waste Disposal cont...

Future Waste Treatment

Our future waste flows (figure 3) will include additional materials collected from the kerbside including glass, additional plastics, and food waste. We are also keen to ensure that we maximise the potential for the district's waste streams to play their part in contributing to our 'net zero' carbon emissions journey.

This will require modernisation of the MRF and development of an anaerobic digestion facility to treat food waste.

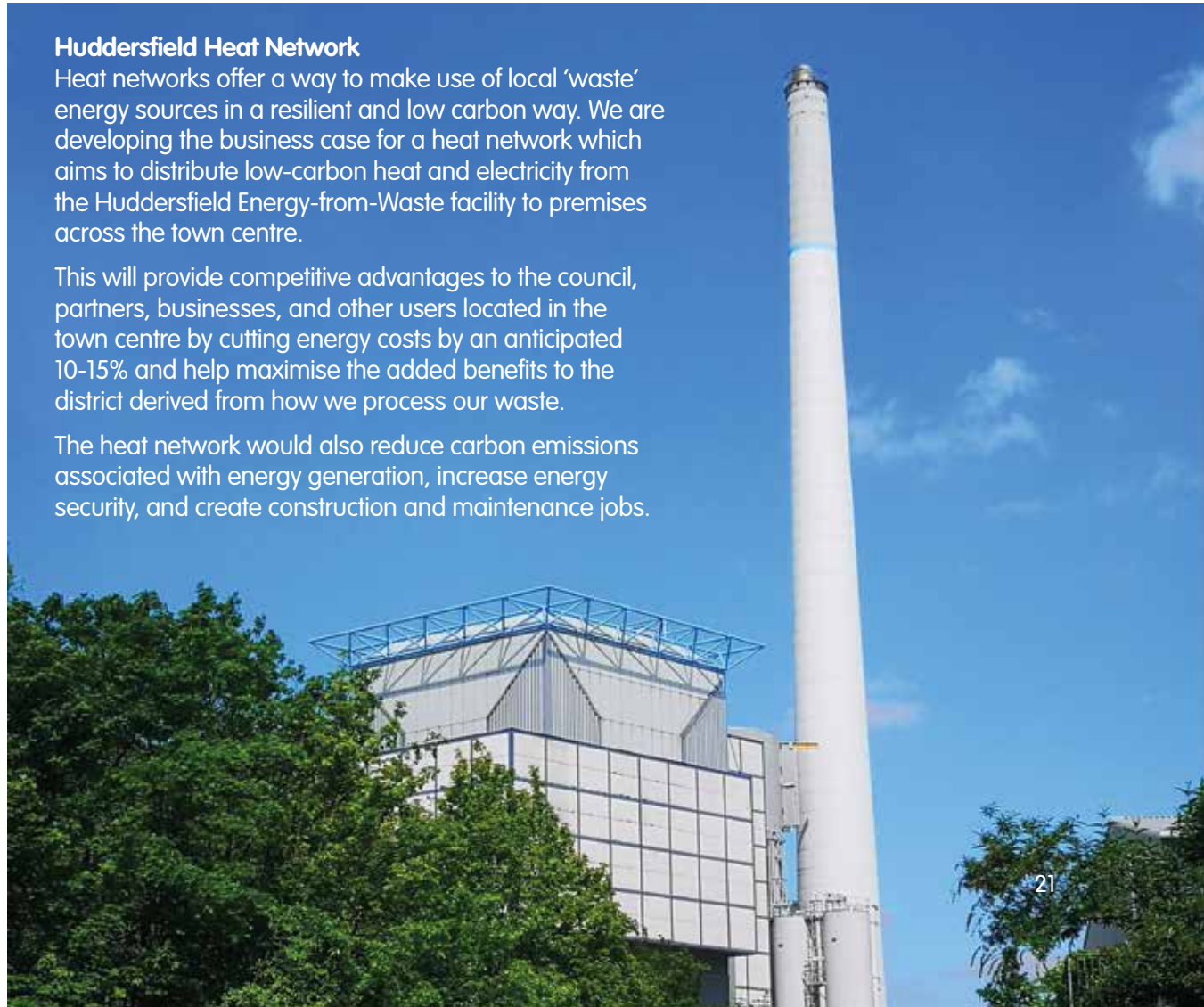
Anaerobic digestion offers a way to sustainably treat food waste as well as providing an important low carbon source of 'biofuel' that could help supply other parts of our waste infrastructure and fleet. A feasibility study will be undertaken to determine whether building a council owned facility is more cost effective and efficient than the alternative of transportation to an existing facility.

Huddersfield Heat Network

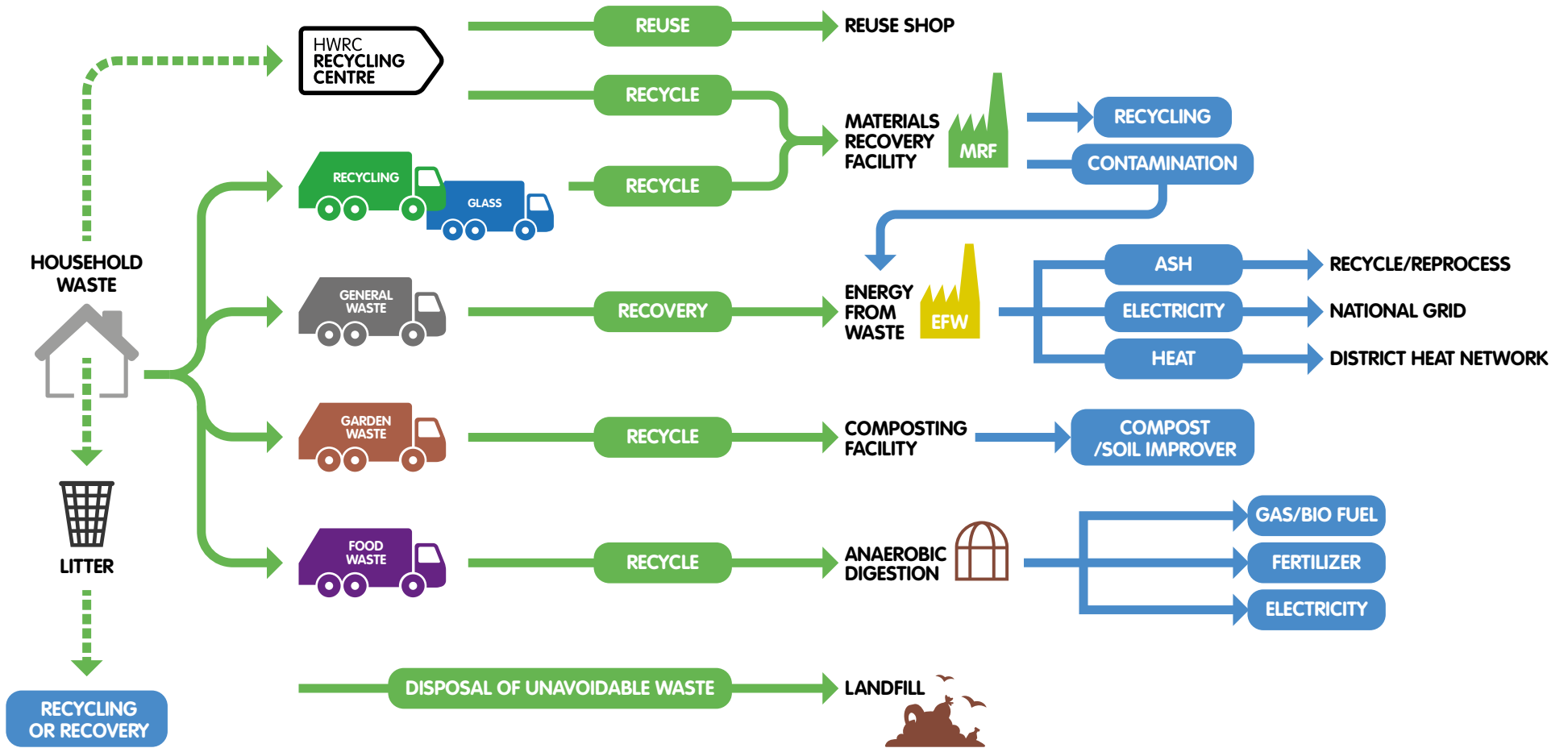
Heat networks offer a way to make use of local 'waste' energy sources in a resilient and low carbon way. We are developing the business case for a heat network which aims to distribute low-carbon heat and electricity from the Huddersfield Energy-from-Waste facility to premises across the town centre.

This will provide competitive advantages to the council, partners, businesses, and other users located in the town centre by cutting energy costs by an anticipated 10-15% and help maximise the added benefits to the district derived from how we process our waste.

The heat network would also reduce carbon emissions associated with energy generation, increase energy security, and create construction and maintenance jobs.



5.3 Waste Disposal cont...



5.4 Household Waste & Recycling Centres (HWRCs)

We will aim to achieve a recycling rate of at least 70% at our Household Waste and Recycling Centres by 2025.

Site Review

We will review our five Household Waste & Recycling Centres (HWRCs) to ensure they are delivering a suitable service to Kirklees residents. We will redevelop and refurbish sites to modernise our offer to residents, refresh signage, improve traffic flow and enable resident to maximise recycling through the sites. This will include reviewing our opening times with a view to increasing the number of hours the sites are open to residents. We will also consider the introduction of Automatic Number Plate Recognition (ANPR) technology, which will continue to protect against trade waste abuse and improve the customer journey.

Increased Materials

To encourage more recycling on-site, we will provide more containers to capture a wider range of materials. As part of the Autumn 2020 engagement, we asked residents which materials they would most like to be able to recycle onsite and these were: soil and rubble, more types of plastics, and mattresses.

Based on this engagement feedback, we will review the provision for recycling or disposal of these items. The review will seek to maximise reuse and minimise disposal to landfill and work closely with businesses to find creative reduce/reuse/recycle solutions at source.

Mobile Recycling Centre

To ensure our residents have adequate access to recycling facilities, we will introduce a mobile recycling centre at easily accessible locations, including rural communities, allowing residents to bring along a wide selection of recyclable materials. These mobile centres will not accept general waste. We will also explore partnering with a charitable organisation that could accept reuse or repair items from residents. This is important not only in avoiding waste, but also providing communities with more affordable items and charities with an income stream to continue their work supporting some of our most vulnerable communities and reduce dependence on individual car travel.



5.4 Household Waste & Recycling Centres (HWRCs) cont...

Reuse Shop

We will complete an early trial for a reuse shop in Huddersfield whereby items coming into our Emerald Street and Thornhill HWRC sites which are of value or could be reused can be diverted into the shop and sold on to others to promote reuse instead of disposal.

If the trial is successful, we will look at expanding the scheme to other sites across the borough.

Empowering Residents

Many residents arrive at HWRCs with a variety of materials which have been gathered together for general waste however there could potentially be recyclable items contained within these.

We will explore how we can offer advice and support to residents on-site to empower them to recycle more of the materials they arrive with.

Businesses

Providing easily accessible, sustainable choices for businesses is important and we will be exploring how we can improve the offering at the sites.

As this waste needs to be captured separately from that of households, this could be achieved by potentially having separate entrances for trade vehicles or using the proposed ANPR technology, however this will be explored further to determine viable options.

5.5 Bulky Waste Collection Service

We will aim to reuse or recycle as much of the resources collected via our bulky waste collections as possible.

Kirklees offers a bulky waste collection service for a wide range of household items including white goods, furniture, TVs, and carpets. We will create greater links with charities to reuse and donate items that can be collected and are in a good condition. There are online platforms that allow communities to share resources, which could be explored for this and build on the proposed reuse shop trial.

For items which cannot be reused, we will introduce a revised booking system for bulky waste collections which will allow for a 'slot' to be booked, similar to how an online grocery shopping delivery works. This will make it more user-friendly for residents knowing exactly when their waste will be collected and will improve our street scene with items only being placed outside when necessary.

5.6 Bring Sites

There are around 110 'bring sites' across Kirklees whereby residents can deposit items such as glass and textiles.

A review of these sites will be undertaken considering work arising from this strategy and the forthcoming Government Deposit Return Scheme, as the function of these sites will change.

There would be a view to rationalise the number and scope of sites across the district, especially when the new waste collection method is implemented.

Some of these sites include banks for materials collected by charities and consideration will be given to ensuring that this continues in a managed and fair way in the future.

There is the potential to engage with local communities to help select charities to be supported locally within their area.





5.7 Landfill Sites

Kirklees has several closed landfill sites across the district which are monitored for leachate and/or the production of landfill gas (LFG).

The aftercare and monitoring of landfill sites will be proactively reviewed to explore whether there are opportunities for these sites to be used for other

purposes that will help achieve our environmental outcomes such as green infrastructure creation and tree planting or harnessing low carbon 'waste' energy.

5.8 Our Cleaner Environment

We will ensure that the environment across the district delivers our vision of a clean, green, sustainable future for Kirklees.

Street Sweeping

The removal of litter and detritus from our streets is important to communities, especially considering the pandemic, which has seen people enjoying local amenities much more. A service review will be undertaken to capture these impacts alongside place based feedback, which will allow us to explore the most suitable delivery models and innovations that minimise environmental impact.

A Land Audit Management System (LAMS) will be introduced to monitor the quality of service delivery to our communities and businesses. We will also review our vehicle use and in line with our fleet replacement programme, opt for more sustainable vehicles such as electric sweepers.

Litter bins

Kirklees has over 7,000 litter bins across the borough, many of which are in a poor condition or not in the most convenient locations.

We will be introducing more recycling facilities, particularly in areas that demonstrate high foot fall, with a view to these being innovative solutions and utilising sensors to monitor build up as well as green initiatives such as incorporated solar panels. We will also ensure adequate facilities to dispose of dog mess.

This will be supported by a comprehensive engagement and awareness programme to manage any contamination issues. This on-street recycling will help re-enforce the behavioural changes needed to ensure we maximise recycling at kerbside as well.

Non-compliance

The government's national strategy has an aim to tackle and reduce waste crime such as fly-tipping. Resources within the enforcement service will be increased including an improved fly-tipping response model, to ensure we are able to conduct more proactive work as well as re-introduction of a litter tackling scheme.



5.9 Commercial Waste Service

Kirklees provides a commercial waste collection service to approximately 3,500 businesses, schools, and charities throughout the borough. This is currently limited to residual waste collections and we will be introducing a new recycling offering.

This will be offered to all businesses, schools, and charities across the district with a particular package of support offered to schools in keeping with our improved engagement and communication.

This will include exploring how using this service could also help achieve our wider climate emergency outcomes through helping these organisations reduce waste and emissions and to provide another potential source of low carbon energy generation.

To help improve the visual impact on streets and town centres, we will explore opportunities to take large bin stores off the streets.

With very limited space within the town centre, finding the space to place commercial bins out for collection is often difficult; alternative locations will be explored to take these off-street fronts on collection days, making the streets more visibly pleasing.

We will also work with businesses to explore and understand the opportunities for creating a circular economy that enables links and partnerships between local businesses themselves and with the wider community to reduce waste production, and better reuse materials, keeping them in circulation for longer and avoiding disposal.

5.9 Commercial Waste Service cont...

Enabling business growth and innovation is a key part of the Council Plan, Kirklees Economic Strategy and Kirklees Economic Recovery Plan.

This is particularly important as businesses recover from the economic impacts of the COVID-19 pandemic.

There are multiple opportunities in the Waste Strategy to work with local business/enable commercial

opportunities and support local skills development. We will take a 'Business First' approach.

6.0 **Leading by Example**

We will set a precedent of good practice by improving our own facilities and working practices across all of our operations to lead the way to reduce waste, reuse materials, and increase recycling.

6.1 Council Facilities

Similar to the work planned in schools, helping them to create recycling systems, we think we can do better at recycling more within our own office and council-run buildings.

We will undertake an audit of the recycling facilities within our council-owned buildings to ensure consistent and prominent recycling facilities are available with appropriate signposting and advice. This will link closely with the engagement we plan to undertake with staff in ensuring everyone is aware of what materials they can recycle and how/where they can do so.

We will also ensure to procure businesses that use green energy and, across our estate, look at how we can maximise the reuse of materials / furniture as well as use of innovative technology to reduce carbon impact such as lighting controls, using renewable materials in buildings work, and having green energy supply.



6.2 Catering

The council's catering service receives many deliveries for food and other materials for their catering provision, much of which arrives in non-recyclable packaging such as film.

We will work with producers and suppliers to use more sustainable packaging and transport options and promote the use of providers who can demonstrate minimisation of packaging and the use of sustainable and recyclable materials.

Through our catering services in schools, community buildings, and cafes we handle significant quantities of food, some of which can become waste. We will ensure that this waste is recovered through composting or anaerobic digestion when the facilities become available through the delivery of this strategy.

6.3 Venues & Events

We will minimise the use of single-use plastics such as plastic cups and cutlery at our venues and catered events and provide alternatives such as collectable, re-useable, or compostable/biodegradable items. We will also look to extend this support to private festivals and events held across the borough.

We will be exploring how we can support event organisers by offering advice on more sustainable alternatives and enabling the collection of recyclable materials with minimal contamination.



6.4 Kirklees Homes and Neighbourhoods

Kirklees Homes and Neighbourhoods manage approximately 22,000 homes.

When looking at how improvements to recycling facilities can be made to properties such as those in flats, multi-occupancy or occupied by leaseholders, we would like to explore this within our own council homes and lead by example for private managing agents and landlords.

A project to assess all shared bin properties across the district and provide facilities similar to the trial will be undertaken which will start with Kirklees Homes and Neighbourhoods, and then expand to private tenants.

This would be undertaken in conjunction with the place standard work being conducted to ensure the correct action is taken for what is important to communities.

Homes and Neighbourhoods manage a high turnover of property tenants, emptying properties of potentially reusable or repairable items. We will work with the service and charitable organisations to find homes for items that could be used elsewhere or sold in local charity shops. This will extend to our Building Services to ensure we reuse and recycle as much of the materials produced as possible.



6.5 National Initiatives

Alongside modernising and improving our own services, we recognise that there are many national initiatives which would benefit our residents and businesses, and we are committed to identifying and participating in appropriate schemes.

We are committed to enabling our residents to recycle a wide breadth of materials however we first need to evaluate the schemes available as although certain materials may be collected, these are not always recycled or disposed of in the most sustainable way.

Initiatives which we will be exploring further include: coffee cups, nappy, and crisp packet recycling schemes. These will require further research into their sustainability and practicalities of being introduced.

We will also be exploring how and where we can install more refillable water stations across the borough to encourage minimising single-use plastics. We will keep abreast of future initiatives and be proactive in our consideration of them where they would result in improved waste and sustainability outcomes.



6.6 Our People

Kirklees Council recognises the importance of working in partnership with all of our employees and trade unions in continuing to develop an organisational culture that embraces change, seeks continuous improvement, and takes responsibility for actions.

We recognise that to lead by example, we need to ensure our workforce is fully engaged and our staff understand and recognise the important role they play as a key link with local communities.

In order to ensure our workforce is supported to deliver the ambitious targets within this strategy, we will ensure our staff, from the front line right through to service

managers, are engaged and involved in the early design and implementation of initiatives and uphold our ethos of 'doing with and not to'. We will further support this cultural transformation by providing ongoing learning and development for all of our staff in response to the changing organisational needs.



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Kirklees
COUNCIL

7.0 Supporting Kirklees Families

In Kirklees, we want to make sure we provide support to those families who need it, and the Recycling and Waste Service offers this in a variety of different ways.

7.0 Supporting Kirklees Families

Some residents need extra help presenting their bins due to mobility issues; we provide doorstep services for these households where there isn't a capable resident who is at least 16 years old.

Some Kirklees residents have complex health needs and require a very different waste disposal service from their home.

An assessment is undertaken for these residents jointly with the health service to accommodate the collection of large volumes of non-hazardous healthcare support materials. We would like to support Kirklees families even further.

Our Bin Collection Teams are working within Kirklees communities each day. This team is ideally positioned to operate as the 'Eyes and Ears' of our communities.

All council officers have a safeguarding role to play, including Bin Collection Teams. We will seek to create an improved process for linking our Bin Collection Team with the Corporate Safeguarding Team, making it as easy as possible to seek support between services – a digital safeguarding triage.



7.1 Ensuring Equality

All of the changes introduced as part of this strategy will have an accompanying integrated impact assessment that combines equality and environmental impacts to identify and address any potential equality and environmental concerns.

Kirklees takes a firm stance on ensuring equality and sees inclusion as being at the heart of our recovery.

We will also, where required, take an equitable view of services provided to ensure that communities are allocated the appropriate resources and opportunities needed to reach an equal outcome.

The service is governed by a number of existing waste and recycling-related policies which will require review when introducing any service changes.

7.2 Environmental Impact

Taking into consideration the government targets for emissions and air quality, alongside our Climate Emergency, all initiatives outlined within this strategy will be explored ensuring these targets are considered and measures taken to reduce the environmental impact within Kirklees.

We are committed to regularly assessing our waste vehicles and routes used to collect from properties. We maximise the use of low, ultra-low, and zero-emission vehicles to minimise emissions as we collect from properties and use the most efficient routes possible to do so. We recognise that larger zero-emission vehicles are a fast-developing area of innovation, and whilst there may not be a current viable alternative to business as usual fossil-fuelled waste vehicles, this is likely to change over the course of this strategy. We will be proactive in our adoption of viable zero and low emission waste vehicles as they become available and meet required operational standards and value for money considerations.

Promotion and support for residents and business to implement circular principles will allow less waste to be transported and therefore work to minimise the amount of waste leaving the authority on large heavy goods vehicles. This will reduce the road miles of our waste as well as traffic congestion, meaning fewer pollutants via emissions and improving battery technologies.

We are committed to exploring all possible avenues to reduce our emissions including the use of technology to assist with this. We will be exploring the possibility of technology allowing waste vehicles to move through signalised junctions reducing 'stop-start' acceleration and deceleration and therefore reducing emissions as well as the use of sensors to monitor litter build up resulting in more efficient collections. We will also ensure our procurement strategy takes emissions into consideration and keeps track of evolving technology such as hydrogen-fuelled vehicles.



8.0 Ongoing Monitoring

In order to oversee the progress of the strategy and track the outcomes and benefits, ongoing monitoring will be established which will include developing and defining service performance measures. We will conduct and publish a 5-year review of this strategy in 2026 to measure progress of the action plan and make any adjustments as necessary.

Reporting to Defra is required on a quarterly basis, this will be published on our website to inform residents of progress and promote transparency of the service.

9.0 Action Plan

Section	Action	Why?	When
5.1 Engagement & Communication	Create a variety of reuse workshops available for residents to attend	To provide knowledge and practical advice on how to reuse items and avoid them being disposed of	Year 2022-2023
	Recycling and Waste Advisors to be in attendance at Kirklees events	To provide a physical presence to share information and advice with residents and provide another avenue for residents to seek advice	Ongoing
	Develop a 'recycling roadshow' to deliver messages across the district	To provide a physical presence to share information and advice with residents and provide another avenue for residents to seek advice	2022
	Introduce a community reward scheme	To give back to communities and enrich their economy, environment, and wellbeing	2021 & ongoing
	Introduce a Recycling Champions scheme	To provide residents with a point of contact within their own community to help share advice and answer queries alongside Kirklees Advisors	2021
	School assemblies and sessions around recycling and waste reduction	To educate children on the importance of waste reduction and encourage taking this learning home	Ongoing
	Engaging with businesses on waste reduction and recycling	To empower and enable businesses to find cost-effective circular solutions that support sustainable business growth.	Ongoing

Section	Action	Why?	When
5.1 Engagement & Communication	Create a landlord's forum to engage more closely with private landlords on how to support tenants to recycle	To engage with those who face the most difficulty with reducing and recycling their waste to enable them to do so	2026
	Scheme created aimed at addressing barriers for those who struggle with recycling	To engage with those who face the most difficulty with reducing and recycling their waste to enable them to do so	Ongoing
	Create a 'new resident's pack' for those new to the area	To ensure residents moving to Kirklees from other local authorities are aware of how our recycling system works	2023
	Visitor centre improvements at our waste disposal facility	To provide first-hand experiences on how waste and recycling is treated and provide transparency	2026
	Internal education for Kirklees employees, councillors, and MPs	To enable Kirklees staff to understand the recycling methods and better equip them to be consistent with this messaging	Ongoing
5.2 Recycling & Waste Collections	Infrastructure evaluation	To ensure facilities are fit for purpose and able to accommodate a new collection system	2021
	Trials of different collection containers	To gain further understanding of their effectiveness and deliverability	2022
	More materials accepted for recycling in the green bin (plastics, cartons)	To enable these materials to be recycled at the kerbside and promote the waste hierarchy	Tentative: 2022
	A separate glass collection is introduced	To enable these materials to be recycled at the kerbside and promote the waste hierarchy	2024
	A separate food waste collection is introduced	To enable these materials to be recycled at the kerbside and promote the waste hierarchy	2025
	Review of waste collection policies	To reflect the different phases of change to the collection service	Ongoing

Section	Action	Why?	When
5.3 Waste Disposal	Re-procurement of our waste disposal contract	To ensure a flexible, fit-for-purpose contract is in place to effectively treat our waste	2022
	Feasibility study on access routes to an anaerobic digestion facility	To enable treatment of food waste collected	2022
	Create a Huddersfield town centre heat network	To provide low-cost energy to nearby users	2025
5.4 Household Waste & Recycling Centres (HWRCs)	Feasibility study of HWRCs	To assess their current state and improvement requirements	2024
	Introduce ANPR technology at sites	To provide residents with easier access to sites	2027
	Increase materials accepted at HWRCs	To enable more materials to be recycled and promote the waste hierarchy	Tentative: 2022
	Introduce a mobile recycling centre	To provide more accessible locations for residents to recycle their resources	2023
	Create a scheme to empower residents to recycle more at HWRCs	To ensure more items are diverted for reuse and recycle as opposed to general waste disposal	2026
	Introduce a reuse shop	To ensure more items are diverted for reuse and recycle as opposed to general waste disposal	2021 (trial)
	Explore trade waste access at HWRCs	To allow business to dispose and recycle waste at sites and reduce fly-tipping	2030

5.5 Bulky Waste Collection Service	Create greater links with charities and reuse initiatives for bulky waste items that could be repaired and/or reused	To keep items in circulation for longer in line with the waste hierarchy	2023
		To improve accessibility and functionality for residents	2022
		To ensure good quality items can be reused	Ongoing
	Review of bring site locations and functionality	To ensure these are providing the most efficient service	2026
		To ensure a fair and consistent approach to choosing charitable partners	2026
	Review of landfill sites	To explore whether sites can be utilised more effectively	2030
5.8 Our Cleaner Environment		To assess current service levels and plan in future demand	2022
		To explore digital solutions and service improvements	2024
		To ensure these are in convenient locations and also increase the number of recycling facilities available	2022
		To better respond and tackle this type of waste crime and create a cleaner environment for Kirklees	May 2022
		To ensure efficient resource to cover the borough and allow for more proactive measures	2024
	Re-introduce a litter tackling scheme	To spot and address littering and allow for restorative and educational work	2025
		To improve the service offering and increase the amount of materials being recycled to promote the waste hierarchy	2022
		Create a circular economy to reduce waste production, and better reuse materials, keeping them in circulation for longer and avoiding disposal.	2027

	Action	Why?	
6.1 Council Facilities	Audit of council-owned buildings to ensure consistent recycling facilities	To enable Kirklees staff to recycle efficiently whilst at work and lead by example	2026
	Review of the council estate to maximise reduction and reuse opportunities	To lead by example in promotion of the waste hierarchy and aim to reduce waste and reuse items	2027
6.2 Catering	Review of catering contracts to promote more sustainable packaging	To minimise the use of un-recyclable packaging	Ongoing
	Exploration of how food waste can be recycled from the catering service	To avoid this resource being disposed of with general waste	Ongoing
6.3 Venues & Events	Phase out the use of single-use plastics at our venues and events	To minimise the use of un-recyclable materials in favour of more sustainable ones	2023
	Provide support to private festivals to minimise the use of single-use plastics	To minimise the use of un-recyclable materials in favour of more sustainable ones	Ongoing
6.4 Kirklees Homes & Neighbourhoods	Review of recycling facilities within Homes and Neighbourhoods properties	To lead by example for private landlords and managing agents and maximise benefits for residents/tenants	Ongoing
	Review processes for emptying and refurbishing properties for new tenants to consider reusable and/or repairable items	To minimise waste and provide materials for local charities.	Ongoing
6.5 National Initiatives	Support and introduce national recycling schemes across the district	To support more items to be recycled	Ongoing
	Install more refillable water stations across the district	To promote the reduction in single-use plastic bottles	Ongoing
6.6 Our People	Provide training and ongoing support to our workforce	To support and enable them to deliver the strategy ambitions	Ongoing

	Action	Why?	
7. Supporting Kirklees Families & Ensuring Inclusion	Review of our assisted collections policy	To ensure our most vulnerable residents receive the correct support	2022
	Create a digital safeguarding triage	To promote the welfare and safeguarding of our residents	Ongoing
7.1 Ensuring Equality	Review and equality impact of any policy changes introduced	To highlight and address any potential equality concerns	Ongoing
7.2 Environmental Impact	Continued monitoring of carbon emissions and air quality	To regularly monitor and assess the environmental impact of our vehicles	Ongoing
	Build an environmentally friendly fleet	To support the Climate Change agenda and carbon net zero targets	Ongoing

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Resources and Waste Strategy

2023 Update

Since the strategy was published in 2021, we have delivered all of the nine initiatives outlined in our initial 12-month pledge (p7 of the Resources & Waste Strategy) as well as many other improvements to our recycling and waste services. These include a Recycling Champions scheme, a reuse shop in Huddersfield, a new bookable bulky waste collection system, and a recycling service for commercial Trade Waste customers; all of which are already benefitting residents, schools, and businesses across Kirklees.

However, there remains a very high level of uncertainty from central Government around the initiatives they were due to implement as part of their resources strategy for England in December 2018. The legislation and funding for these initiatives still remains unclear which, alongside the UK entering a cost-of-living crisis, has forced us as a council to review and re-prioritise the initiatives and targets we originally set out in our strategy.

Given the level of economic uncertainty we are facing globally, we will be reviewing this on a yearly basis and each year setting out a 12-month pledge of the initiatives we will deliver over the following year as well as our aspirations for the next five years.



2023-24 PLEDGE

Within the next 12 months we will deliver:

Reuse and Repair Workshops

New Residents Welcome Pack

Community Grant Scheme

Recycling Roadshow

Improved Litter Bin Provision

Vape Collection Points

Borrow Bank Scheme

Improved 'Bring Bank' Hubs

Reusable Nappy Scheme

Expanded Reuse Shop Donation Points

Over the next five years we will seek to deliver:

Huddersfield District Energy Network

Charity Bulky Reuse Scheme

Scrap Store

Catering Food Waste Recycling

Pop-up recycling scheme

Period Dignity Scheme

Review of Council-owned Facilities

Improved HWRC Facilities

Additional Kerbside Materials Collection

Save Food Resource Packs

Outline of 2023-24 Pledge Initiatives

Reuse and Repair Workshops – See page 13 of the Resources & Waste Strategy.

New Residents Welcome Pack – See page 16 of the Resources & Waste Strategy.

Community Grant Scheme – A new initiative, aimed at providing small pots of funding to support community schemes which have a focus on repair, reuse, or recycling.

Recycling Roadshow – See page 14 of the Resources & Waste Strategy.

Improved Litter Bin Provision – See page 29 of the Resources & Waste Strategy.

Vape Collection Points – A new initiative to tackle the increasing number of disposable vapes being incorrectly disposed of nationally, which will provide collection points across the district for residents to drop-off their used disposable vapes to be recycled.

Borrow Bank Scheme – A new initiative, similar to a tool library, which will allow residents to hire items such as drills to enable them to repair and reuse their broken items.

Improved 'Bring Bank' Hubs – See page 26 of the Resources & Waste Strategy.

Reusable Nappy Scheme – A new initiative which will provide vouchers for residents to put towards the cost of reusable cloth nappies as opposed to disposable ones.

Expanded Reuse Shop Donation Points – Additional donation points will be added to more Household Waste & Recycling Centres across the district to make it even easier for more residents to donate their unwanted items.

Revised Targets

Original Target	Revised
Achieve a recycling rate of at least 70% at our Household Waste & Recycling Centres by 2025.	Achieve a recycling rate of at least 70% at our Household Waste & Recycling Centres by 2030.
Double our recycling rate and recycle at least 55% of municipal waste by 2025.	Recycle at least 65% of municipal waste by 2035.
Achieve a 90% diversion from landfill rate. (MET – 91% for 2022/23)	NEW - Achieve a 95% diversion from landfill rate by 2030.

Appendix Three – Financial Breakdown

Table 1: Breakdown of the re-profiled Kirklees Resources & Waste Strategy 2021-30 costs and supporting infrastructure (C=Capital, R=Revenue)

Initiative	Estimated Costs			
	2023/24	2024/25	2025/26	TOTAL
Reuse & Repair workshops	£0	*	*	£0
New Residents Pack (Phase One)	£0	*	*	£0
Community Grant Scheme	£5,000	*	*	£5,000R
Recycling Roadshow	£16,000	£9,000	£9,000	£34,000R
Improved Litter Bin Provision (Phase 2)	-	-	£500,000 (2026/27)	£500,000C
Vape Collections	£2,000	£500*	*	£2,500R
Bring Bank Hubs	-	£10,000	*	£10,000R
Borrow Bank	-	£170,000	*	£170,000C
Reusable Nappy Scheme	-	£30,000	£20,000	£50,000R
Reuse Shop – increased container provision	£7,000	£7,000	£7,000	£21,000R
Bulky Reuse Scheme	-	£100,000	*	£100,000R
Emerald Street Improvement Works	£70,000	-	-	£70,000C
TOTAL	£100,000	£326,500	£536,000	£962,500
			+10% Contingency	£1,058,750

**Subject to 2024/25 pledge planning and/or legislative changes*

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Name of meeting: Cabinet
Date: 17th October 2023
Title of report: Kirklees Stadium and Kirklees Stadium Development Ltd
 Further revisions to the previously agreed approach

Purpose of report

To provide an update on progress in relation to the proposed realignment of control and responsibilities in relation to Kirklees Stadium Development Ltd

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?	Yes Proposed spending in excess of £500k
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 Strategic Director and name	David Shepherd – 05. 10. 23
Is it also signed off by the Service Director - Finance?	Isabel Brittan 05.10. 23
Is it also signed off by the Service Director -Legal Governance and Commissioning?	Julie Muscroft 05. 10. 23
Cabinet member portfolio	Cllr Paul Davies Corporate Cllr Graham Turner Regeneration/Finance

Electoral wards affected: all- (Dalton ward)

Councillors consulted: N/A

Public or private: Public with a private appendix A

Appendix A of this report is in private in accordance with Schedule 12A of the Local Government Act 1972 namely it contains information relating to the financial and business affairs of a third party. It is considered that 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 Council, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.

Has GDPR been considered? Yes

1. Summary

- 1.1 Kirklees Stadium Development Limited (KSDL) was established originally in 1992. The current structure created a standalone Stadium management and development business to manage the Stadium for the benefit of both professional clubs, Huddersfield Town AFC (HTAFC) and Huddersfield Giants (HRLFC) as well as for the benefit of the community. This solution separated the assets from individual control of either of the clubs, procured the building of the new Stadium and has supported a decent quality facility over a 26-year period, with KSDL shareholders being Kirklees Council (40% shareholding), HTAFC (40% shareholding) and Huddersfield Sporting Pride – known as Huddersfield Giants or HRLFC (20% shareholding).
- 1.2 Whilst the arrangement enabled operation of the Stadium for more than 26 years, during 2020 and 2021 it was identified that for various reasons, relating to the need for additional investment- in refurbishment, it was appropriate to amend arrangements for the management to seek to ensure:
 - i) the Stadium did not become a source of reputational damage to the Council or financial burden to local taxpayers.
 - ii) the long-term tenure of professional sport- HTAFC and HRLFC at the Stadium.
 - iii) financial sustainability over the longer term and delivery of longer-term Stadium operational investment requirements
 - iv) complementary regeneration opportunities for an enterprise corridor between the Stadium and the town centre
- 1.3 In March 2021, the Cabinet endorsed the development of a Community Trust operating model that was considered most suitable to delivering the above objectives, Cabinet also approved a complimentary regeneration opportunity for the strategic acquisition of a land asset. Negotiations to create the Community Trust took place during 2021 but a change in the ownership of HTAFC (it reverting to the control of the previous owner), and matters related to historical financial liability, caused further delay. In later 2022 it was believed that a solution with which all parties to KSDL were in broad agreement had been identified, which led to a report to Cabinet in December 2022.
- 1.4 Since that time, ownership of HTAFC has changed.
- 1.5 It has become clear that features of the previous in principle agreement may not be acceptable to at least one of the parties.
- 1.6 All decisions related to KSDL are required by its constitution to be by agreement of all parties, which can make delivery of an outcome difficult. This report suggests a degree of further flexibility on the part of Council officers to negotiate a solution.
- 1.7 It is important that the Council achieves a position where responsibility for future operation of the Stadium, and its financial consequences lies clearly with those who are the principal users and beneficiaries, that is HTAFC and HRLFC.

2 Information required to take a decision

2.1 Previous Proposals

- 2.1.1 Following on from the April 2021 agreement to a Community Trust model with lending by the Council to facilitate improvements, the revision agreed by Cabinet in December 2022 provided for officers:
 - (a) 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

- (b) Conduct negotiations with other current leaseholders, etc as necessary
- (c) Agree terms that involve an element of debt write off to facilitate such an agreement.
- (d) 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.
- (e) A report to be brought back to Cabinet to update Members on progress on the recommended actions set out in this report.

2.2 Current Position

- 2.2.1 The dynamic nature of the activities of the other parties to the Stadium agreements means that there is an ever-changing position.
- 2.2.2 Ownership of HTAFC changed again, when the club was sold to Mr Kevin Michael Nagel, controlled through a company Town FC, LLC registered in California USA (reg number 201518310107)
- 2.2.3 It was previously believed that all parties wished the responsibility for and control of KSDL should pass to HTAFC, but there is now a lack of clarity about the conditions that might lead to this outcome.
- 2.2.4 The Council, through its directors, officers and exercises of shareholder decisions has been clear that it does not wish to be involved in the future management of KSDL or the Stadium and have made clear that beyond the financial restructuring that has already been agreed, the Council will not contribute further funding to facilitate the day to day operation of KSDL.
- 2.2.5 Its continued ability to operate (as a going concern) is based on commitments by the other parties to ensure that the company has adequate cashflow to ensure that it can meet its obligations, and by a Council agreement not to pursue debts outstanding at the present time.
- 2.2.6 As noted above, the previous agreement was that officers could negotiate a settlement position that provided for HTAFC to take operational control which given the corporate structure would require them to acquire all of the shares.
- 2.2.7 An alternative option is for the other two parties to agree a structure whereby either HTAFC or Huddersfield Sporting Pride Ltd (HRLFC) take effective control individually or together but this is not provided for by the current Cabinet authority.
- 2.2.8 It is suggested that having wider options for negotiation of a solution that meets the needs and desires of both Clubs would be desirable.
- 2.2.9 It is also important that in this arrangement the owners provide evidence of an effective operating model that meets their needs and gives the Council as freeholder some assurance. It should also provide a settlement where all of the parties appear to have benefited fairly from their period of ownership.
- 2.2.10 It is believed that the financial position offer made already by the Council should be adequate to enable progress to be made.
- 2.2.11 It is possible that for various reasons, the other parties will choose not to complete any arrangements for some months, probably not until Spring 2024 at the earliest. This is considered adequate, as long as the clubs continue to ensure the company has sufficient cashflows to enable it to solvently trade.

3. Implications for the Council

3.1 Working with People

The revised proposals will continue to provide some potential input to community service delivery.

3.2 Working with Partners

The revised proposal involves a continuing dialogue to reach a solution with HTAFC and HRLFC.

3.3 Place Based Working

The project will support the Council's commitment to place-based working. Resolving issues related to KSDL will facilitate the Council's wider focus on the regeneration of the 'Station to Stadium' Corridor that will bring forward strategic investment opportunities.

3.4 Climate Change and Air Quality

Resolution of issues re KSDL should create the opportunity for investment in the facility, which may involve refurbishment to reduce demand for energy.

3.5 Improving outcomes for children and young people

There may be opportunities in negotiating new arrangements to facilitate some involvement

3.6 Financial Implications for the people living or working in Kirklees

There are no direct cost impacts on the Kirklees community, although indirectly they will meet costs through any debt write off or financial support.

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

As noted earlier, the current structure of KSDL requires all parties to agree to any restructuring.

Legal and finance resources will be required to conduct detailed due diligence and enter into the necessary legal documentation. Specialist advice may be needed on leases, company structure and taxation, which will be obtained if necessary

4. Consultation

The Head of Risk comments that any default by any future core tenant in meeting its obligations, including that to keep the property in a long-term good state of repair may have an impact on the Council's finances, and reputation, although the immediate direct impact will be on the occupiers and operators, which under any proposed model would be one or both of the clubs operating at the site.

5. Engagement

Engagement has taken place with all those with current direct commercial interest.

6. Next steps and timelines

The intention is that, subject to Cabinet endorsement of the proposals set out above, Council officers will continue to seek to negotiate a potential outcome with the current occupiers.

Officers consider that the slightly revised approach outlined in this report is the best approach to achieve an effective balance between the provision of Stadium facilities, the needs of the users, and the Council.

7. Officer recommendations

Cabinet has previously agreed that the Strategic Director for Growth & Regeneration in consultation with the Chief Executive, Service Director Finance and Service Director Legal, Governance and Commissioning, and with the portfolio holders for Regeneration & Finance and Corporate be authorised to 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. Cabinet is now asked to note additionally (as an amendment to the previous resolution 1) on 21 December 2022 that officers:

Conduct negotiations with the HTAFC and HRLFC regarding the KSDL agreement, with a view to them taking full operational control of the facility (and other current leaseholders, etc as necessary).

A report will be brought back to Cabinet in due course to update Members on progress on the recommended actions set out in this report.

8. Cabinet portfolio holder(s) recommendations

Cllr Graham Turner, Regeneration & Finance portfolio holder states:

It is important that the issue of KSDL is resolved to the benefit of all existing shareholders.

The financial position of KSDL as outlined in the report is reliant on the financial support of the clubs. This is not sustainable over the long term therefore a negotiated agreement with all shareholders is vital to the long-term success of the stadium and of both clubs.

It is also important that the negotiations protect the interests of the Council and the residents of Kirklees.

I fully support the recommendations within this report to enable officers to negotiate a satisfactory outcome for all shareholders, the Council, and the residents of Kirklees.

9. Contact Officer

David Shepherd – Strategic Director, Growth & Regeneration 01484 221000
David.shepherd@kirklees.gov.uk

10. Background Papers and History of Decisions

Cabinet report 16th March 2021, December 21st, 2022.

11. Service Director responsible

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