

Public Document Pack



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

Julie Muscroft

Governance and Commissioning

PO Box 1720

Huddersfield

HD1 9EL

Tel: 01484 221000

Please ask for: Andrea Woodside

Email: andrea.woodside@kirklees.gov.uk

Monday 15 January 2024

Notice of Meeting

Dear Member

Cabinet

The **Cabinet** will meet in the **Council Chamber - Town Hall, Huddersfield** at **2.00 pm** on **Tuesday 23 January 2024**.

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', on a light-colored background.

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 Aafaq Butt	Cabinet Member – Culture and Greener Kirklees
Councillor Moses Crook	Cabinet Member – Housing and Highways
Councillor Paul Davies	Cabinet Member – Corporate (Deputy Leader)
Councillor Viv Kendrick	Cabinet Member - Children (Statutory responsibility for Children)
Councillor Mussarat Pervaiz	Cabinet Member - Communities
Councillor Jackie Ramsay	Cabinet Member – Health and Social Care (Statutory responsibility for Adults)
Councillor Elizabeth Reynolds	Cabinet Member – Learning and Aspiration
Councillor Graham Turner	Cabinet Member – Finance and Regeneration

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of Cabinet

To receive any apologies for absence.

2: Declaration of Interests

1 - 2

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

3: Minutes of Previous Meetings

3 - 18

To approve the Minutes of the Meetings of the Cabinet held on 12 December and 21 December 2023.

4: Admission of the Public

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

5: Deputations/Petitions

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.

6: 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.

7: 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.

8: Kirklees Major Transport Schemes; West Yorkshire Transport Fund (WYTF) and City Region Sustainable Transport Settlement (CRSTS) Programmes

19 - 46

To receive an update on the delivery of the West Yorkshire Transport Fund (WYTF) and City Region Sustainable Transport Settlement (CRSTS) Programmes in Kirklees and consider the delegation of authority to progress schemes.

Contact: Rashid Mahmood, Major Projects

- 9: Damp, Mould and Condensation** 47 - 58
- To receive an update on damp, mould and condensation in Council Homes as at the end of October 2023, and actions taken to date to respond.
- Contact: Hannah Elliott, Homes and Neighbourhoods
-
- 10: Disposal of Open Space at Fenay Lane, Almondbury, Huddersfield** 59 - 76
- To consider the objections received as a result of advertising the Council's intention to dispose of open space at Fenay Lane, Almondbury, Huddersfield, and to determine whether to proceed with the intended disposal of the open space.
- Contact: Debbie Bates, Housing Growth
-
- 11: Kirklees School Funding Arrangements for Financial Year 2024-25** 77 - 112
- To consider Kirklees' School Funding arrangements for financial year 2024/2025.
- Contact: David Baxter, Finance
-
- 12: Kirklees and Calderdale School Centred Initial Teacher Training (SCITT) Proposal to Enter into a Strategic Partnership from August 2024** 113 - 128
- To determine the delegation of authority for the Kirklees and Calderdale SCITT to enter into a strategic partnership from August 2024.
- Contact: Emma Brayford, Learning Partner
-

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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.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 12th December 2023

Present: Councillor Cathy Scott (Chair)
Councillor Paul Davies
Councillor Graham Turner
Councillor Jackie Ramsay
Councillor Mussarat Pervaiz
Councillor Yusra Hussain
Councillor Moses Crook

Observers: Councillor John Lawson
Councillor Andrew Marchington
Councillor Elizabeth Smaje

Apologies: Councillor Elizabeth Reynolds
Councillor Viv Kendrick

91 Membership of Cabinet

Apologies for absence were received from Councillors Kendrick and Reynolds.

92 Minutes of Previous Meeting

RESOLVED - That the Minutes of the Meeting of the Cabinet held on 14 November 2023 be approved as a correct record.

93 Declaration of Interests

No interests were declared.

94 Admission of the Public

Cabinet noted the submission of exempt information, as set out at Agenda Item 13 (Minute No.103 refers).

95 Deputations/Petitions

No deputations or petitions were received.

96 Questions by Members of the Public

Cabinet received the following question under Council Procedure Rule 11;

Question from Ken Shaw

“I am the longest serving gym member. I joined Kirklees gyms in 1973 and have gone nearly every week. I am disabled. If I did not go to the gym I would not be able to walk at all. That is why all gyms and sports facilities should be kept open. Who authorised the Stadium closure?”

A response was provided by the Cabinet Member for Finance and Regeneration (Councillor Turner).

97 Questions by Elected Members (Oral Questions)

Cabinet received the following oral questions under Executive Procedure Rule 2.3;

Question from Councillor J Lawson

“With regards to car parking charges, can I ask what arrangements will be made so that Cleckheaton Farmers Market and other open air markets held on car parks throughout the borough will be made so that they can continue to happen?”

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

Question from Councillor Marchington

“Why is the cost of KAL renting space at John Smith Stadium is not commercially sensitive information?”

A response was provided by the Cabinet Member for Finance and Regeneration (Councillor Turner).

98 Leisure Centre Offer 2024/2025

Cabinet gave consideration to a report which set out the findings of the leisure centre consultation process, and sought agreement for the rationalisation of the estate and withdrawal from specific Kirklees Active Leisure (KAL) sites. It was noted that the consultation process had been undertaken for a period of six weeks from 29 September 2023 and there had been 17,860 responses.

The report set out the challenges that had been faced by KAL to achieve financial sustainability due to inflationary measures and other increases in operational costs. It was noted that the Council could no longer offer additional financial support and that from April 2024 only the core grant of £2.555m could be made available. Cabinet were advised that for these reasons KAL could not continue to manage all of the sites currently within its portfolio and that the closure of some sites was therefore proposed.

The report advised that it was proposed that (i) the following existing sites would remain open to the public for 2024/2025; Batley Sports and Tennis Centre, Bradley Park Golf Club, Colne Valley Leisure Centre, Holmfirth Pool and Fitness Centre, Huddersfield Leisure Centre, Leeds Road Sports Complex, Scissett Baths and Fitness Centre and Spen Valley Leisure Centre (including Princess Mary Stadium/Running Track) (ii) there would be a withdrawal of services at Dewsbury Sports Centre and Huddersfield Stadium and Fitness Centre, and that these sites would cease to continue operating and (iii) Deighton Sports Arena would remain open and continue to be operated by KAL in the short term whilst a longer term solution is sought.

Cabinet gave consideration to the exempt information at Agenda Item 13 (Minute No. 103 refers) prior to the determination of this item.)

RESOLVED –

- 1) That (i) the findings of the six-week public consultation held between 29 September 2023 and 12 November 2023 (as attached at Appendix 1) (ii) the contents of the Integrated Impact Assessment (iii) the capital investment required for essential repairs and (iv) the proposed funding to KAL of the £2.555M, as set out in the budget book, be noted.
- 2) That the further work required to clarify the redundancy and other costs relating to the closure of facilities as identified in this report be noted.
- 3) That approval be given to the £2.555M leisure offer for 2024/25, specifically: Batley Sports & Tennis Centre; Bradley Park Golf Club; Colne Valley Leisure Centre; Holmfirth Pool and Fitness Centre; Huddersfield Leisure Centre; Leeds Road Sports Complex; Scissett Baths and Fitness Centre (subject to funding being awarded by Sport England); and Spen Valley Leisure Centre (including Princess Mary Stadium & Running Track).
- 4) That approval be given to Dewsbury Sports Centre (DSC), Deighton Sports Arena and Huddersfield Stadium Health & Fitness Club not being part of the leisure offer.
- 5) That Officers be authorised to continue discussions regarding the future use of Deighton Sports Arena, in order to enable options to maintain community access to the facility to be explored within the next 12 to 24 months.
- 6) That Officers be authorised to develop a future plan for physical activity across Dewsbury, which would contain a range of long term options, and that an assessment be made on the cost and feasibility of creating access to the dry-side facilities at Dewsbury Sports Centre.
- 7) That Officers be authorised to continue to work with Kirklees Stadium Development Ltd (KSDL) to try and attract another operator for the Stadium Health and Fitness Club to aid the financial viability of the site.
- 8) That approval be given to phase 2 of the Leisure Centre Transformation Programme, to focus on the future vision for sport and physical activity ensuring Kirklees citizens have access to a wide choice of activities.
- 9) That a further report be considered in 2024 regarding the property implications of the proposed changes to the leisure offer provision and its impact on individual sites.

99 Implementing Integrated Community Approaches

Cabinet gave consideration to a report which sought approval for a service redesign which was part of a phased approach to develop an integrated model of support across Kirklees communities. The report advised that the model proposed to streamline community and access service functions in order to provide a more cohesive support network and achieve better outcomes and improved efficiencies. It identified the impacts and mitigating actions upon employees, residents, the voluntary and community sector and place based working approaches. The report explained that the model would focus upon working in a more integrated holistic way, supporting transformational conversations, reacting to emerging community needs, and increasing local community knowledge.

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Cabinet were advised of changes to three service and function areas; (i) integration of community facing teams during 2024 resulting in new multi-disciplinary teams (ii) integration of the Council's individual telephone contact centres during 2024 and (iii) a reduction in grant distribution from the community plus grants scheme used to distribute external funding from April 2024. It was noted that the proposal provided cumulative savings of £519k, and a reduction of 12.5fte.

RESOLVED –

- 1) That the overall approach to integrate currently segregated community services from across Community and Access Services be approved.
- 2) That approval be given to commence a service change process to reduce management and staffing capacity by the required amounts to achieve integration and savings.

100 **Housing Revenue Account (HRA) Rent and Service Charge Setting and Key Housing Challenges**

Cabinet gave consideration to a report which set out the financial context and basis for the annual setting of rents and service charges and sought a decision regarding the annual rent and service charge increases for 2024/2025, which would form part of the budget proposals.

Cabinet were advised that, in order to comply with the requirements of the Local Government and Housing Act 1989 to have a balanced Housing Revenue Account, it was proposed that social housing rent charges be increased by 7.7% (an average of £6.10 per week) and service charges also at 7.7% with effect from 1 April 2024. The schedule of proposed weekly rent and service charges for 2024/2025 were set out at Appendix 1. The report indicated that tenants would be advised of increases in payment by letter in accordance with the statutory four week notice period.

RESOLVED –

- 1) That approval be given to increase rents by an average of £6.10 per week (7.7%) and service charges payable by between 0.08p and £1.52 per week (7.7%) for social housing from 1 April 2024.
- 2) That approval be given for charges for Extra Care Services – Intensive Housing Management to increase by between £2.05 and £5.22 (7.7%) and Extra Care Services – Night Care Service to increase by £1.58 per week (7.7%).
- 3) That the national and local financial challenges as outlined in the report, in preparation for the HRA budget discussions in January 2024, be noted.

101 **Council Tax Reduction Scheme Review 2024/2025**

Cabinet gave consideration to a report which sought a decision to revise the existing council tax reduction scheme, to be effective from 1 April 2024. It advised that the current scheme had been in operation since 1 April 2018.

Cabinet were advised that a consultation exercise upon a number of options had been undertaken from 16 August to 11 October 2023, and that 717 responses had been received. The options proposed were; (i) make no major changes (ii) reduce

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protection for all working age households (a 25% scheme) and (iii) remove the protection and have a standard 15% council tax reduction working age scheme. The responses to the consultation were set out at Appendix 4.

The report proposed the adoption of option (ii), whereby all protection would be removed and the charge would be increased for all working age households to at least 25% of liability, whilst retaining other features of the current scheme. The report advised that the revised scheme would cost £31.7m, which would reflect a reduction of approximately £4.33m.

RESOLVED –

- 1) That the Discretionary Reduction Policy be amended so that it no longer excludes any person that does not already receive a reduction under the main reduction scheme, and that it be noted the responsibility in relation to care leavers is to age 25.
- 2) That the report be submitted to the Meeting of Council on 13 December 2023 with a recommendation that; (i) the existing Council Tax Reduction scheme be reviewed and that Option 2 to reduce protection for all and implement a 25% scheme be adopted in accordance with the scheme as set out in Appendix 5, and that it take effect from 1 April 2024 (ii) that the administrative easement, as set out at Option 4 be adopted and developed in order to ensue smooth administration (iii) the findings of the statutory consultation exercise, as set out at Appendix 4, be noted and (iv) that the results of the Integrated Impact Assessment be noted.

102 Exclusion of Public

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

103 Leisure Centre Offer 2024/2025

(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 a third party. It is considered that the disclosure of the information would adversely affect KAL and therefore the public interest in maintaining the exemption, which would protect the rights of an individual or the Authority, outweighs the public interest in disclosing the information and providing greater openness in the Authority's decision making.)

The exempt information was noted prior to the consideration of Agenda Item 8 (Minute No. 98 refers).

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Thursday 21st December 2023

Present: Councillor Cathy Scott (Chair)
Councillor Moses Crook
Councillor Paul Davies
Councillor Elizabeth Reynolds
Councillor Graham Turner
Councillor Viv Kendrick
Councillor Jackie Ramsay
Councillor Mussarat Pervaiz

104 Membership of Cabinet

The Leader gave notice of the resignation of Councillor Yusra Hussain from Cabinet and advised that Councillor Aafaq Butt would be appointed as the portfolio holder for Culture and Greener Kirklees.

105 Declaration of Interests

No interests were declared.

106 Admission of the Public

Cabinet noted the exempt information as submitted as Agenda Items 14 and 15 (Minute Nos.117 and 118 refer).

107 Deputations/Petitions

Cabinet received a petition from Sara Blagbrough which requested that the proposed closure of Castle Grange Care Home be stopped.

108 Questions by Members of the Public

Cabinet received the following public questions in accordance with Council Procedure Rule 11;

Question from Sara Blagborough

“In view of the obvious flaws in the care home consultation is the Cabinet going to abandon the flawed consultation, take into account all of the objections, and recommence a fresh consultation with more than just one option for closure?”

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

Question from Sara Blagborough

“With the inaccuracies that have been presented in relation to finances is the Cabinet sure that any small potential saving is worth the risk to life a forced relocation would equate to?”

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

Question from Sarah Newton

“During the consultation process of KAL there was widespread social media coverage to access the consultation through Kirklees Council Facebook Page. There has been no such visibility for the care home consultation. Can you explain why?”

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

Question from Sarah Newton

“The current strategy to keep people at home discriminates against those with dementia who are unable to stay living in their homes due to safeguarding of themselves and carers. This results in increased domestic violence both verbal and physical to carers and their families (in my case my 12 year old son and 5 year old daughter), increased mental health issues for carers.

How is the Council going to address the discrimination in the current strategy?”

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

Question from Helen Plaskitt

“On the Kirklees website Information for families Care Home bed capacity and admissions, it states, ' ..that should cabinet decide to move to closure of Claremont House and Castle Grange we will work with families, social workers.. the teams across each care home and with independent sector providers through the Kirklees care association to identify the service which best matches and meets needs of residents..'

The Council has stated in response to questions about public providers that one consideration of theirs is the opportunity to utilise the independent care sector. Of an original list of 57, now admittedly amended and down to 6 the council have shared their list of independent providers they feel can achieve this. However, following direct discussions from some of our families with these 6 identified providers we have been informed that only 1 of these provides care for advanced dementia including additional care needs and behavioural issues. One home stated 'Helping residents with feeding and dealing with those who are doubly incontinent is too time

consuming'. One home said ' Doors are locked so residents can't mix with other residents as they don't always get on'.

The level of skilled support that mitigates the need to reduce these social opportunities and provide for these care needs is the bread and butter at Claremont.

My husband is doubly incontinent, has feeding needs and because of previous rugby injuries needs a daily exercise regime. Can you please look again at this list of 6 and provide an accurate comparable list of alternative providers based on the current levels of skill and care provided by Claremont and Castle Grange?"

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

Question from Helen Plaskitt

"The Council have admitted that the initial impact assessment did not include longer term health considerations and that they had not reached out to experts or carried out the appropriate research until a request from families at the first consultation meetings. This is now being rectified by more recent contacts with Huddersfield and Stirling University. So far the signposting on the consultation links takes us to more generic data from government around morbidity, future predictions around dementia care numbers and other national statistical data but does not provide any additional information about moves for residents from their home with the loss of known carers, friends, familiar setting and routines other than to state high negative impact to our residents.

Can you provide the research in its entirety that relates to these individual care homes, in conjunction with the greater context of the choices we are being offered and ensure this data will be shared and used as part of the final decision making process?"

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

109 Questions by Elected Members (Oral Questions)

No questions were asked.

110 Kirklees Cultural Heart - part of the Huddersfield Blueprint - Phase 1 Gateway 4

Cabinet received a report which set out an update on the progress of our Cultural Heart at Phase 1 Gateway 4 and requested that authority be delegated to commence Phase 1 works on site. The report also sought approval to progress Phase 2, the combined museum and gallery, to Gateway 3 and confirm the design and contractor procurement for the next phase, and to progress other aspects of the masterplan as necessary.

The report set out an overview of (i) Phase 1 Gateway 4 (ii) Masterplan delivery and future phases (iii) the operation of council facilities within the Cultural Heart and (iv) the current budget position.

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Paragraph 4 of the report set out the timelines of the scheme, with Phase 1 completion in track for Quarter 4, 2025.

RESOLVED –

- 1) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Cabinet Member (Finance and Regeneration) to make decisions on the programme timeline and the sequencing of phasing so that Our Cultural Heart master plan and the associated strategic objectives can be completed within an appropriate timescale, reflecting the Council's financial position.
- 2) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Finance) and the Cabinet Member (Finance and Regeneration) to extend the Pre Contract Services Agreement contract for a period necessary to conclude the RIBA 4 design and construction contract sum negotiations.
- 3) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Finance) and the Cabinet Member (Finance and Regeneration) to instruct the enabling works.
- 4) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Cabinet Member (Finance and Regeneration) to sign off the conclusion of Gateway 4 including the contractors design proposals, planning and listed building consent matters, the RIBA 4 design, the construction programme, the contract documents and the construction contract sum.
- 5) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Finance) and the Portfolio Holder (Finance and Regeneration) to make a decision to award the NEC construction contract to BAM and start works on site in accordance with Section 1.3.2, and that if the award would exceed the construction period budget, the matter be resubmitted to Cabinet.
- 6) That approval be given to extend the appointment of the Strategic Development Partner (Project Manager) to Phase 1 Gateway 5, Phase 2 gateway 3 and master plan feasibility support and to delegate authority to the Strategic Director for Growth and Regeneration to enter into a new agreement via NHS/SBS framework that allows for continuation of the SDP services through the various phases and gateways (and in line with Cabinet approvals and authority) until the completion of the Our Cultural Heart programme, subject to satisfactory performance in compliance with the Contract Procedure Rules and Financial Procedure Rules.
- 7) That approval be given to extend the appointments of the architect and the engineer to Phase 1 Gateway 5 for the monitoring roles, Phase 2 Gateway 3 and master plan feasibility support in compliance with Contract Procedure Rules and Financial Procedure Rules.
- 8) That the necessary council staff and resources be allocated to support the programme and that it be noted that, in the absence of sufficient internal resources, additional external resources will be sourced from existing/future framework agreements.

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- 9) That the museum and gallery capital development budget be noted and that approval be given to the expenditure to fund work to progress to Phase 2 Gateway 3.
- 10) That approval be given to explore interest from and negotiate with development partners to promote alternative complimentary use for the Queen Street plot, and that authority be delegated to the Strategic Director (Growth and Regeneration) to progress and draft contractual arrangements that will be submitted to Cabinet at a future gateway.
- 11) That approval be given to expenditure of £51.704m to progress Phase 1 to Gateway 5, to progress Phase 2 to Gateway 3 and to progress feasibility support on the rest of the master plan, in addition to the £18.055m that is already approved.
- 12) That authority be delegated to the Strategic Director (Growth and Regeneration) and the Strategic Director (Adults and Health) in consultation with the Service Director (Finance), to determine the service budgets associated with Phase 1 and Phase 2, and in acknowledging the context of the Council's Medium Term funding deficit, any additional budget provision required over and above existing budget provision will have to be met from savings elsewhere within the Council's budget.
- 13) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Cabinet Member (Finance and Regeneration) to conclude the social value strategy for Our Cultural Heart, including the mechanism for the administration of the Our Cultural Heart Fund.
- 14) That authority be delegated to the Strategic Director (Growth and Regeneration) to work within approved budgets to deliver the programme to Phase 1 Gateway 5, Phase 2 Gateway 3, and develop the master plan including appointing third parties which for Phase 1 includes the food hall operator, in compliance with the Contract Procedure Rules and Financial Procedure Rules.

Cabinet gave consideration to the exempt information at Agenda Item 14 (Minute No. 117 refers) prior to the determination of this item.)

111 Interim Housing Position Statement to Boost Supply

Cabinet gave consideration to a report which sought approval of the Council's Interim Housing Position Statement to Boost Supply. The Statement, which was appended to the report, had been formulated to be used in the determination of planning applications for housing development in the absence of a five year housing land supply.

The report advised that the five year housing land supply position demonstrated 3.96 years supply of deliverable housing sites, equating to a shortfall of over 2800 dwellings. Cabinet were advised that, in response to the absence of a five year land supply, the Statement had been produced as a mechanism for landowners, developers, agents and the public to submit planning applications for housing in sustainable locations.

The report explained that the Statement was one of a number of mechanisms aimed at addressing the shortfall in housing supply and that the Council was taking wider

actions to bring forward sustainable housing proposals and support housing delivery.

It was noted that, subject to approval, the Statement would be published on the Council's website and would be used in the determination of applications for housing development.

RESOLVED –

- 1) That approval be given to the Interim Housing Position Statement to Boost Supply, and its publication.
- 2) That authority be delegated to the Strategic Director (Growth and Regeneration) to make any necessary minor amendments and corrections to the document prior to publication.

112 19-33a John William Street, Huddersfield - Huddersfield Heritage Led Regeneration Grant Scheme (HLR) Grant offer

Cabinet gave consideration to a report which sought approval to grant support from the Huddersfield Heritage Led Regeneration Grant Scheme for a terrace of properties at 19-33a John William Street, Huddersfield. The report advised that the freeholder of the properties was seeking grant support of £610.5k for improvements to shop fronts, including building frontages and to provide new uses for empty properties within the Huddersfield Town Centre Conservation Area. Cabinet were advised that the buildings were listed Grade 2 due to significant architectural and historic interest and occupied a prominent position and key location within the town centre.

The report advised that, subject to approval, the commencement of construction was scheduled for March, with completion of the scheme scheduled for September 2024.

RESOLVED –

- 1) That approval be given to providing a HLRS grant to B&M Properties of £610.5k towards replacement shop fronts to 19-33a John William Street, as detailed within the report and Appendix 1 (exempt), and that Officers publish details of the subsidy on the national transparency database.
- 2) That authority be delegated to the Strategic Director (Growth and Regeneration) in conjunction with the Service Director (Legal, Governance and Commissioning) to agree and complete the grant agreement and other documentation necessary to enable the project to proceed and that the Service Director (Legal, Governance and Commissioning) be authorised to enter into the aforementioned documentation on behalf of the Council.
- 3) That, in the event that costs change, authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Cabinet Member (Finance and Regeneration) the ability to vary the amount of grant subject to the funds being found from within existing grant scheme resources.

Cabinet gave consideration to the exempt information at Agenda Item 15 (Minute No. 118 refers) prior to the determination of this item.)

113 Implementing the Council's Vision for Adult Social Care

Cabinet received a report which proposed the undertaking of a transformation programme to further embed and refresh the previously agreed Council Vision for Adult Social Care and set out details of the proposed approach. The report outlined active pressures and requirement for change in Adult Social Care, which would be achieved through a transformation programme that further embeds and refreshes the Council's vision for Adult Social Care. The report advised that an externally run diagnostic of service provision, delivery models and financial efficiencies had been concluded and a range of identified proposals and opportunities had shaped the transformation programme.

The report explained that the transformation programme would seek to prevent, reduce and delay demand across the health and social care system in line with the existing Vision for Adult Social Care, with the aims of the broader Health and Care Partnership in Kirklees. Paragraphs 4.2 to 4.4 of the report detailed the key areas of focus of the programme and the technicalities of how the programme would operate.

The report proposed that, subject to approval, the foundations for implementation would be completed by March 2024 and the design, test, piloting, implementation and embed activity would commence by September 2024, with the new operating model being in place by March 2025.

RESOLVED –

- 1) That the findings of the diagnostic exercise as set out at Appendices B and C be noted.
- 2) That the proposed Transformation Programme to deliver operational and practice change in line with the Council's Vision for Adult Social Care be supported.
- 3) That authority be delegated to the Strategic Director (Adults and Health) in consultation with the Strategic Director (Resources), the Service Director (Finance), the Cabinet Member (Corporate Resources) and the Cabinet Member (Adult Social Care) to agree the final scale and nature of the transformation team (both re-prioritising the work of existing staff across the organisation and securing additional temporary capacity and capability as required).

114 Yorkshire Purchasing Organisation Management Agreement

Cabinet gave consideration to a report which sought approval of changes to the Yorkshire Purchasing Organisation Management Agreement. The report advised that the purchasing consortium was owned by Kirklees Council, along with twelve other local authorities, formed in 1974. The report explained that the changes were proposed following a review of governance arrangements that had been undertaken and had led to the Management Committee making recommendations to the owning Authorities that the Management Agreement be changed. The changes, as set out at paragraph 2.8 of the report, recommended that the membership of the Joint Committee be reduced from two to one member per authority and that the frequency of meetings and number of sub committees be reduced. Cabinet were advised that

there were also changes to delegations and operating procedures that did not require changes to the Management Agreement.

It was noted that, subject to approval of the recommended changes, authority would be delegated to the relevant Service Director to sign an updated Management Agreement on behalf of the Council, subject to the agreement of all member authorities to enable the revisions to take effect.

RESOLVED –

- 1) That the changes recommended by Yorkshire Purchasing Organisation, as set out in the report, be noted and approved.
- 2) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to sign an updated Management Agreement on behalf of the Council, noting that all Member Authorities must be agreeable before the revisions can take effect.

115 Half yearly monitoring report on Treasury Management Activities 2023-24 (Reference to Council)

Cabinet received the mid year report on treasury management activity for the period 1 April to 30 September 2023 which provided assurance that the Council's treasury management function was being managed prudently and pro-actively. The report advised that external investments, including the £10.0m Local Authority Property Fund averaged £44.5m during the period at an average rate of 4.43% and that investments had ranged from a peak of £76.1m in April to a low of £25.8m in August.

The report provided an overview of the economic context, investment performance, revenue budget monitoring, borrowing strategy and performance and future treasury management strategy.

RESOLVED –

That the reported by noted and submitted to the meeting of Council on 17 January 2023.

116 Exclusion of the Public

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

117 Kirklees Cultural Heart - part of the Huddersfield Blueprint - Phase 1 Gateway 4

(Exempt information in accordance with Schedule 12A Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 namely it contains information relating to the financial and business affairs of third parties (including the Authority holding that information). It is considered that the disclosure of the information would adversely affect those third parties including the Authority and therefore the public interest in maintaining the exemption, which

would protect the rights of an individual or the Authority, outweighs the public interest in disclosing the information and providing greater openness and transparency in relation to public expenditure in the Authority's decision making.)

The exempt information was noted prior to the consideration of Agenda Item 7 (Minute No.110 refers).

118 19-33a John William Street, Huddersfield - Huddersfield Heritage Led Regeneration Grant Scheme (HLR) Grant offer

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

The exempt information was noted prior to the consideration of Agenda Item 9 (Minute No.112 refers).

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Name of meeting: Cabinet
Date: 23 January 2023
Title of report:

Kirklees Major Transport Schemes; West Yorkshire Transport Fund (WYTF) and City Region Sustainable Transport Settlement (CRSTS) Programmes

Purpose of report:

- To report progress on the delivery of the West Yorkshire Transport Fund (WYTF) and City Region Sustainable Transport Settlement (CRSTS) Programmes in Kirklees;
- To set out a new funding strategy and request a reprofiling of the West Yorkshire Transport Fund (WYTF) Programme in order to ensure schemes remain deliverable; and
- To seek the necessary Delegated Authorities to progress the schemes as set out in this report.

<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>If yes give the reason why It involves a decision that will result in the Council spending over £500K and will effect more than 2 wards.</p>
<p>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?</p>	<p>Key Decision Yes 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 3rd January 2024</p> <p>Isabel Brittain</p> <p>Julie Muscroft 3rd January 2024</p>
<p>Cabinet member portfolio</p>	<p>Cllr Moses Crook</p>

Electoral wards affected:

- Ashbrow/Mirfield/Liversedge & Gomersal – A62 Cooper Bridge
- Mirfield, Dewsbury West & East, Batley East - Mirfield to Dewsbury to Leeds Corridor Scheme (M2D2L)
- Lindley/Greenhead – A629 Phase 5
- Crosland Moor & Netherton/Newsome – Huddersfield Southern Corridors
- Newsome – Huddersfield Station Gateway
- Holme Valley South – Holmfirth Town Centre Action Plan
- Ashbrow, Cleckheaton, Liversedge & Gomersal, Mirfield, Dalton, Heckmondwike, Dewsbury West, East & South, – North Kirklees Orbital Route scheme.
- Dalton/Newsome - A62 Smart Corridor
- Ashbrow – CityConnect Phase 3 – Bradley to Brighouse
- Newsome – CityConnect Phase 3 - Cross Church Street
- Newsome – Huddersfield Queensgate Ring Road

Ward councillors consulted: All Ward Councillors are consulted where schemes are being planned and at various points throughout a scheme's development.

Public or private: Public.

Has GDPR been considered? Yes.

1. Summary

- This report updates Cabinet on progress towards delivering major transport schemes contained within the West Yorkshire Transport Fund (WYTF) and City Region Sustainable Transport Settlement (CRSTS) Programmes.
- Very significant cost increases in recent years mean that it is no longer possible to deliver the programme as previously envisaged. Remedial action is therefore required to bring the programme back into affordability before decisions can be taken to progress individual projects into their final delivery contracts.
- This report sets out a new funding strategy and associated reprofiling request of the West Yorkshire Transport Fund (WYTF) Programme developed in discussion with the West Yorkshire Combined Authority (WYCA); and
- Seeks the Delegated Authorities needed to progress the schemes to delivery, as set out in this report.

2. Funding position

2.1 Summary of main funding streams

The Kirklees transport programme covers a wide range of activity, including;

- Promoting active travel (walking and cycling)
- Congestion relief; unlocking economic growth via interventions on the highway network
- Bus improvement, prioritisation and reform
- West Yorkshire Mass Transit
- Enabling major rail improvement (TransPennine Rail Upgrade and Penistone Line), and
- Supporting modal shift and decarbonisation

Delivery is supported by a range of different projects and funding sources, many of which are managed by the West Yorkshire Combined Authority (WYCA), with the Council acting as scheme promoter for delivery. These funding streams include;

- West Yorkshire Transport Fund (WYTF)
- City Region Sustainable Transport Settlement (CRSTS)
- Transforming Cities Fund (TCF)
- Active Travel Fund
- City Connect funding
- Kirklees Council capital
- Levelling Up Fund
- Third party investment e.g. Network Rail

This report focuses on decisions needed to progress delivery of the **West Yorkshire Transport Fund (WYTF)** and **City Region Sustainable Transport Settlement (CRSTS)** / **Transforming Cities Fund (TCF)** programmes in Kirklees.

The **West Yorkshire Transport Fund (WYTF)** is designed to facilitate long term economic growth and is funding made available to West Yorkshire from the Department for Transport. A number of strategic transport projects were originally put forward by Kirklees, often related to addressing key infrastructure constraints identified in the Local Plan. The WYTF is approaching the end of its life with many schemes delivered successfully across West Yorkshire. It's therefore imperative that Kirklees moves its remaining projects swiftly into delivery to ensure full advantage is taken of this funding opportunity.

The **City Regional Sustainable Transport Settlement (CRSTS)** is the most recent, multi-year, tranche of devolved transport funding to West Yorkshire, focussing on public and sustainable transport investment. The **Transforming Cities Fund (TCF)** was a devolved programme of transport infrastructure investment secured as part of the West Yorkshire Devolution Deal, designed to support more accessible, affordable and attractive green transport options; connecting people to economic and education opportunities and healthier communities for the future. The Transforming Cities Fund has since been incorporated into the City Regional Sustainable Transport Fund (CRSTS).

2.2. Kirklees WYTF and TCF/CRSTS Programme Overview

WYTF and TCF/CRSTS are funding a number of critical infrastructure projects across Kirklees. The scale of the delivery programme is very significant.

Summary positions of the schemes being progressed is provided in **Appendix 1**. It summarises key achievements and milestones towards completion, such as:

- Land/asset secured
- Consultations completed or planned
- Demolitions undertaken
- Planning permissions granted
- Detailed design and tender documents status,
- Forecast financial outturn

2.3 Previous Programme Reviews

In the last few years, all capital programmes have come under significant strain with very high inflation on materials and significant instability in the construction sector.

As a result, an 'inflation review' was instigated in West Yorkshire in late 2021 which led to a decisions at the WYCA Place & Regeneration Committee on 8th March 2022. The outcome of the review paused a number of schemes across all parts of West Yorkshire.

The impacts for Kirklees at that time were as follows:

Scheme	Details	Inflation Review outcome
Mirfield to Dewsbury to Leeds Corridor Scheme (M2D2L)	Cross boundary walking and cycling scheme between Kirklees and Leeds between Mirfield and Leeds via Dewsbury.	Pause at Full Business Case stage.

A629 Phase 4	<p>Part of a wider package of schemes along the A629 corridor between Halifax and Huddersfield designed to speed up public transport and car journeys along the route, unlock key development sites and deliver improved facilities for cycling and walking.</p> <ul style="list-style-type: none"> • Phase 1: Jubilee Road to Shaw Hill and Elland Wood Bottom to Salterhebble Hill (Calderdale). • Phase 2: Halifax Town Centre (Calderdale) • Phase 3: Free School Lane into Halifax (Calderdale) • Phase 4: Cycling, walking and public transport interventions (joint Kirklees/Calderdale). • Phase 5: Ainley Top into Huddersfield (Kirklees) (see below). 	Paused (Phase 4)
A629 Phase 5	<p>Corridor scheme between Ainley Top and Huddersfield designed to speed up public transport and car journeys along the route, unlock key development sites and deliver improved facilities for cycling and walking.</p> <p>Planned measures include highway widening, remodelling junctions and signals, and improved public transport including improvement to cycling and walking infrastructure, at the following junctions:</p> <ul style="list-style-type: none"> • Ainley Top • Prince Royd • Cavalry Arms • Blacker Road (removed) 	Blacker Road element removed. Remainder of the scheme to proceed.
A629 Wakefield Road Sustainable Transport Corridor	<p>The A629 Wakefield Road corridor stretches for approximately 3 kilometres from Shorehead Roundabout, southeast of Huddersfield town centre to the A629/ A642 Waterloo junction in Waterloo.</p> <p>The objectives of the project are to improved pedestrian environments; provide continuous high standard cycle facilities; improve access to bus services; improve safety on the highway for all users; improve air quality and improve reliability for cars along the corridor.</p>	Pause at Outline Business Case stage
Huddersfield Station Gateway	<p>Huddersfield Station Gateway will complement live investment in the Transpennine Route Upgrade (TRU) between Manchester and York. The Station Gateway project seek to maximise the benefits of this investment for Huddersfield, by helping to regenerate the area around the town's railway station. A revised masterplan document will be prepared to help develop the Outline Business Case.</p>	Develop revised masterplan and then pause at Outline Business Case stage
City Connect Phase 3 – Bradley to Brighouse	Walking and cycling scheme between Bradley and Brighouse	Paused

City Connect Phase 3 - Cross Church Street	Pedestrianisation and creation of key active travel route providing links to employment and education establishments, the town centre and to other parts of the wider active travel network.	Paused
North Kirklees Orbital Route	This project formed part of a package of longer-term transformational projects with funding only allocated to develop a Strategic Outline Case for a new link road within North Kirklees. The scheme was stopped at this point.	Stopped
Huddersfield Southern Corridors	A package of junction improvements designed to improve safety and traffic flows for highway users and active travel (walking and cycling) <ul style="list-style-type: none"> • Longroyd • Lockwood • Queensgate • Folly Hall (delivered) 	Queensgate element removed. Remainder of the scheme to proceed.

This resulted in £22.3 million of previously allocated WYTF funds to Kirklees being returned to WYCA to be reallocated to other schemes. All districts within West Yorkshire were subject to the inflation review process, with each returning significant sums or being subject to reprofiling. Paused schemes now effectively become pipeline schemes for the future. No decisions about these previously paused schemes are being sought.

2.4 Current Funding Gaps

The nature and scale of the infrastructure projects being delivered mean that they are developed over a number of years. The original budget envelopes for WYTF and TCF/CRSTS scheme were set several years ago, some as far back as 2014. Whilst some allocations have been amended via subsequent approvals ('Change Requests') to WYCA and the 2021/22 Inflation Review referenced above, many of the projects have retained their original allocations.

Against this position many projects have taken longer to develop than originally envisaged due to factors such as land negotiations, staff turnover, securing resources in a challenging market, compliance with the necessary consents/approvals needed, scope change to meet stakeholder expectations, changes in policy and design guidance, the impact of Covid and then rapid inflation. The combined effect of all of these factors mean than in most cases, the budgets are no longer sufficient to deliver the scheme objectives in today's construction market.

During this period the Council's own financial position has also worsened considerably as a result of many of the very same factors. The Council had originally committed to underwrite a total of £12.93m of funding towards the WYTF Transport programme. To date, the Council has contributed c£6.52m of that funding. Given the Council's overall financial position, it is now no longer possible to make any future contributions and £6.4m of the remaining Council capital contribution has been removed from the WYTF programme during 2023. This means there is then a further gap on project budgets.

There has been no proposal to remove Council match funding from the TCF/CRSTS projects.

The collective impacts of these factors means that the WYTF and TCF/CRSTS programmes now have considerable funding gaps that need addressing before individual projects can proceed.

The current financial position for the remaining WYTF schemes is set out in Table 1.

The current financial position for the TCF/CRSTS schemes that have funding gaps is set out in Table 2.

Table 1 - Kirklees WYTF Programme Funding Forecast Gap – current summary position

Project	Total Current Funding	Removal of Council Contribution	Forecast Cost	Forecast Funding Gap (B – D)
A	B	C	D	E
A62 to Cooper Bridge (full scheme)	£75,100,000	£0	£94,000,000	-£18,900,000
M2D2L (Mirfield to Dewsbury to Leeds)	£1,335,000	£0	£1,345,000	-£10,000
A629 Halifax Road Phase 5	£10,621,347	£836,896	£13,876,870	-£3,255,523
Huddersfield Southern Corridors	£11,845,264	£280,386	£13,617,159	-£1,771,895
North Kirklees Orbital Route	£248,000	£0	£283,409	-£35,409
Holmfirth Town Centre Action Plan	£5,409,889	£2,063,932	£14,606,494	-£9,196,605
A62 Smart Corridor	£13,934,504	£3,110,033	£21,000,000	-£7,065,496
CityConnect Phase 3 - Huddersfield town centre	£544,568	£60,189	£646,901	-£102,333
A629 Wakefield Road	£1,300,000	£0	£1,450,000*	-£150,000
Land acquisition fund	0.00	£55,362	£0	£0
	£120,338,572	£6,406,798	£160,825,833	-£40,487,261

* Includes the £700K in TCF A629 Wakefield Rd Scheme, Table 2

Table 2 - Kirklees TCF/CRSTS Programme Funding Forecast Gap – current summary position

Title	Indicative WYCA Funding	Council Borrowing (Match)	Total Funding	Forecast Cost	Funding Gap (D-E)
A	B	C	D	E	
Heckmondwike Bus Station	8,666,152	0.00	8,666,152	8,666,152	£ 0.00
Dewsbury/Cleckheaton Sustainable Travel Corridor	15,799,000	0.00	15,799,000	15,799,000	£ 0.00
Dewsbury Town Centre Walking & Cycling	10,250,000	1,500,000	11,750,000	12,250,000	-£ 500,000
Huddersfield Rail Station Connections	13,000,000	3,000,000	16,000,000	18,702,477	-£ 2,702,477
A629 Wakefield Rd Sustainable Travel Corridor	700,000	0.00	700,000	700,000	£ 0.00
Huddersfield Bus Station	6,449,000	1,000,000	7,449,000	7,449,000	£ 0.00
Dewsbury/Batley/Chidswell Sustainable Travel Corridor	6,000,000	500,000	6,500,000	9,992,299	-£ 3,492,299
Huddersfield Rail Station Access	1,735,000	451,643	2,186,643	2,257,000	-£ 70,357
Dewsbury Rail Station Access	160,000	0.00	160,000	161,000	-£ 1,000
Totals	62,759,152	6,451,643	69,184,152	75,976,928	-£ 6,766,133

2.5 Proposed Funding Strategy; WYTF Programme

The strategy to address the funding gaps on Kirklees WYTF programme primarily centres around phasing of Cooper Bridge scheme. The current estimate for the Cooper Bridge scheme is estimated at £94m which exceeds the current funding allocation. A phased approach has therefore been explored. This would reduce the current funding requirement and, with WYCA's agreement, allow the balance of funds to be redistributed to other schemes within Kirklees that have funding gaps.

The most logical way of phasing delivery of the Cooper Bridge scheme would be to make Phase 1 the Coper Bridge roundabout element only. Subsequent phases could then look to address widening under the rail bridge and improvements to Bradley junction at a later date if traffic modelling demonstrated the need still existed and other funding sources were available. Delivery of strategically important housing sites in the local area will continue to be facilitated by delivery of Phase 1 of the Cooper Bridge project.

It is currently estimated that a meaningful intervention at Cooper Bridge roundabout as a first phase would cost approximately £53m and the scheme currently has £75.1 of funding allocated.

It is important to note the figures above are forecast estimates, based on the best information available at this time. Whilst forecast budgets include sums for risk and

contingencies, it must be recognised that given the volatility of construction prices, these forecast costs could increase.

A summary of Cooper Bridge Phase 1 is included at Appendix 2. Detailed traffic modelling required to assess the business case for this scheme and impacts on things like bus journey times is currently underway to fully understand its implications and benefits therefore, the layout is indicative and is subject to change to meet stakeholder requirements. Discussion on this will continue with the West Yorkshire Combined Authority through their normal quality assurance procedures.

These proposals have been discussed at length with WYCA and are going through their assurance and decision-making processes. In order to support the proposed phasing of Cooper Bridge and re-allocation of funding to other projects, WYCA have highlighted that they will be unlikely to support further increases to budgets in later years. Furthermore, WYCA highlight that a new Outline Business Case for Phase 1 of Cooper Bridge will need to be submitted and appraised. The scheme will need to demonstrate a positive business case, bus benefits and promotion of active travel if it is to be successful.

This report therefore asks Members to agree the phasing of Cooper Bridge scheme, with Phase 1 to focus on the Cooper Bridge roundabout only, and to seek agreement from WYCA to redistribution the subsequent saving of around £21.6million of external funding to support funding gaps on the other WYTF schemes (see Table 3).

Table 3 - Proposed Indicative allocations for each WYTF project with a phased Cooper Bridge

Project & Assurance Stage	Current WYCA only funding allocation	Forecast Cost	Funding Gap (all sources of funding considered)	Proposed Indicative WYCA Funding	Reprofiled from A62 Cooper Bridge	Overall WYCA funding change
A	B	C	D	E	F	G
A62 to Cooper Bridge- Phase 1	£75,100,000	£53,512,739	0	£53,512,739		£21,587,261
M2D2L (Mirfield to Dewsbury to Leeds)	£1,335,000	£1,345,000	£10,000	£1,345,000	£10,000	£10,000
A629 Halifax Road Phase 5	£10,546,347	£13,876,870	£3,255,523	£13,801,870	£3,255,523	£3,255,523
Huddersfield Southern Corridors (excl Queensgate)	£10,315,765	£13,617,159	£1,771,895	£12,087,660	£1,771,895	£1,771,895
North Kirklees Orbital Route (OBC - stopped)	£248,000	£283,409	£35,409	£283,409	£35,409	£35,409
Holmfirth Town Centre Action Plan	£5,173,821	£14,606,494	£9,196,605	£14,370,426	£9,196,605	£9,196,605
A62 Smart Corridor (Defects maintenance period)	£8,350,000	£21,000,000	£7,065,496	£15,415,496	£7,065,496	£7,065,496

CityConnect Ph3 - Huddersfield town centre (OBC-Paused)	£180,000	£646,901	£102,333	£282,333	£102,333	£102,333
A629 Fenay Lane	£600,000	£1,450,000	£150,000	£750,000	£150,000	£150,000
	£111,848,933	£120,338,572	£21,587,261	£111,848,933	£21,587,261	£0.00

* Plus other (non-WYCA) funding sources brings total funding to £120,338,010

2.6 Proposed Funding Strategy for TCF/CRSTS Programme

The funding shortfall on the TCF/CRSTS schemes is less significant in overall terms and it is hoped these can be addressed through the WYCA Quality Assurance process. This means either receiving additional funding from TCF/CRSTS reserves held by WYCA (unlike WYTF where there are no such reserves) or to progress with 'do minimum' options identified in the business planning process which will make the overall programme affordable and deliverable.

We continue to work closely with colleagues at WYCA who are aware of the financial position of the Council's budget challenges. There is no proposal to remove Council match or reprofile funding away from other TCF/CRSTS projects at this time.

2.7 Delivery; approvals sought

2.7.1 Holmfirth Town Centre Action Plan

As part of the Holmfirth Blueprint, the proposed Holmfirth Town Centre Access Plan project aims to support economic growth through investment in the public realm and improvements at key junctions. The package of measures includes upgrading of existing signal-controlled junctions, widening of footways, improvements to pedestrian crossings, inclusion of Electric Vehicle charging points, improvements to the public realm, improvements to bus stop facilities, improvements to car parks and introduction of 20mph areas in the town.

On 5th July 2022 the Cabinet gave authority for the full business case (FBC) to be submitted to West Yorkshire Combined Authority (WYCA), authorised scheme delivery and acceptance of further grant funding from WYCA. Cabinet authorised all requests with a condition highlighting a '*spending tolerance of circa 15% (£1,129,130) of forecast cost (£7,473,821) to be funded through the Council's capital plan*'.

Final tender costs received in 2023 were outside this tolerance and therefore the final contract has not been let to construct the scheme. Instead, a re-procurement exercise is underway and, subject to confirmation of the overall funding strategy and reprofile from WYCA outlined above, the intention would be to let a new contract for delivery of the Holmfirth scheme in mid-2024.

Cabinet is requested to note the changes to the project, authorise submission of any necessary business case to the West Yorkshire Combined Authority (WYCA) to secure

additional funding, and to seek delegated authority to the Strategic Director of Growth & Regeneration and to the Service Director Legal, Governance and Commissioning to award contracts to facilitate delivery and to enter into any funding agreements.

2.7.2 Huddersfield Southern Corridors

The Huddersfield Southern Corridors Project comprised a package of highway and active travel improvements on the A62 and A616 corridors in southern parts of Huddersfield. This includes improvements at Longroyd Lane, Lockwood Bar, Queensgate and Folly Hall. The latter of which has now been built out and is open to the public.

On 30th April 2023 a Change Request to WYCA was approved which highlighted an indicative funding of £8.7m of West Yorkshire Transport Fund funding. The project also included £3.25m of Kirklees Capital Funding at that time however, following an inflation review it was decided to pause the Queensgate element of the package to bring costs back in line. Kirklees Capital funding was also reduced to £1.530m. This has left a funding shortfall of £1.77m (see Table 1).

This report requests Cabinet notes the changes to the project, authorise the submission of any necessary business case to the West Yorkshire Combined Authority (WYCA) to secure funding, and to seek delegated authority to the Strategic Director of Growth & Regeneration and to the Service Director Legal, Governance and Commissioning to award contracts to facilitate delivery and to enter into any funding agreements.

3. Implications for the Council

3.1 Working with People

Collaborating with partners is key to ensuring the Council get the best outcomes for citizens, communities, and Kirklees as a whole. As part of the transport programme considerable engagement through public events has been undertaken including promotion through our social media channels.

This process will continue as projects move through the development phases. Further engagement with businesses and town centre users will be required as the schemes get developed in more detail. This should help shape the projects.

3.2 Working with Partners

The Council has engaged with landowners, businesses and stakeholders during development of the projects. This will continue as individual project proposals are worked up.

3.3 Place Based Working

All our projects with are developed with the communities and local Councillors to ensure we get the best outcomes for the residents. The development of our projects are influenced and shaped by the Blueprints in the towns/villages where we have a scheme. There remains a close coordination with our Blueprint colleagues to ensure our projects works are and remain aligned.

3.4 Climate Change and Air Quality

Both climate change and air quality will be considerations through the development phases of projects moving forward, informing the planning processes and the future detailed design work. The schemes ensure promotion of better connectivity through the area and to surrounding communities particularly using active travel to contribute to reducing adverse transport derived impacts on communities and improve public health.

3.5 Improving outcomes for children

The design approach seeks to create more safe environments for all. Our streets and spaces will be designed with all generations in mind making them both safe and inclusive at the same time by improving crossing facilities for walker and cyclists and seek speed reducing measures where appropriate to strategic location like schools and play areas.

3.6 Financial Implications for the people living or working in Kirklees

None.

3.7 Other (eg Integrated Impact Assessment/Legal/Financial or Human Resources)

All projects where required undergo an Integrated Impact Assessment and are reviewed by our corporate policy colleagues. This ensures we maintain a high consistent standard and our schemes align with the Council's wider strategies on inclusion, diversity, inclusion and on our environmental/climate strategies. The Council has the power to enter into funding agreements with the West Yorkshire Combined Authority; together with the statutory powers to carry out the projects referred to in this report. The Council will comply with its' Financial Procedure Rules, Contract Procedure Rules and the Public Contracts Regulations.

4 Consultation

Consultation is a key part of the development of these projects and will continue through various stages as part of our quality assurance process. Project specific consultation activities will be detailed in subsequent cabinet reports for each scheme.

5 Engagement

Engagement is a key part of the development of these projects and will continue through various stages as part of our quality assurance process. Project specific activities will be detailed in subsequent cabinet reports for each scheme.

6 Risk

WYCA have made clear throughout discussions about the proposed reprofiling of WYTF monies that they are unlikely to be able to support any future changes or requests for additional funding. Revised funding allocations for projects are therefore likely to be final. Given the stage of the projects, the cost information is based on estimates. This inserts an inevitable development risk that costs increase without an identified source of funding for it.

To mitigate this risk, each project budget contains an industry standard element for risk and contingency. With limited prospect of additional funding from either WYCA or the Council, should these contingency sums not be sufficient, the consequence is that scope may need to be reduced in response to any future cost increases in order for projects to remain within budgets, or that the projects themselves do not pass Full Business Case approval and therefore do not proceed should they no longer demonstrate value for money.

At the point of awarding construction contracts, the schemes will pass the Approval to Proceed process to confirm tender prices are within secured funding envelopes and can still demonstrate value for money for them to proceed. This will mitigate financial risk but will not remove it altogether.

7 Next steps and timelines

Officers to continue in progress the projects as set out in this report in accordance internal and WYCA quality assurance processes. Where individual projects require Cabinet Decisions they will be brought separately to Cabinet for decision.

Cabinet authority is sought to formally receive grant funding and incur expenditure in line with this report and the grant funding rules to progress each project.

8 Officer recommendations and reasons

Cabinet is requested to:

- 8.1 Note the update on the projects highlighted in the report including the outcomes of the previous inflation review set out in 2.3.
- 8.2 Approve the phasing Cooper Bridge and to request from WYCA the virement of £21.6m allocated for Cooper Bridge scheme to other WYTF Kirklees schemes as noted in this report. This will allow key transport infrastructure works to progress to bring much-needed improvements more widely across the district.
- 8.3 To note that a Phase 1 Cooper Bridge scheme with a significantly reduced budget of £53.5m will need to achieve a satisfactory business case for it to proceed.
- 8.4 Note changes to the Holmfirth Town Centre project at paragraph 2.7.1 of this report, to support the submission of any necessary business case to the West Yorkshire Combined Authority (WYCA) to secure funding, and to delegate authority to the Strategic Director of Growth & Regeneration to award contracts to facilitate delivery on Holmfirth Town Centre Action Plan once all funding has been secured.
- 8.5 Note changes to the Huddersfield Southern Corridors project at paragraph 2.7.2 of this report, to support the submission of any necessary business case(s) to the West Yorkshire Combined Authority (WYCA) to secure funding, and to delegate authority to the Strategic Director of Growth & Regeneration award contracts to facilitate delivery on Huddersfield Southern Corridors project once all funding has been secured.

8.6 Delegate authority to the Service Director Legal, Governance and Commissioning to enter into any funding agreements and ancillary contracts on the Council's behalf with West Yorkshire Combined Authority that is referred to in 2.5.1 and 2.5.2.

9 Cabinet Portfolio Holder's recommendations

The Cabinet Portfolio Holder recommends that Cabinet accepts and endorses the officer recommendation stated in paragraph 8.1 to 8.6.

10 Contact officer

Rashid Mahmood
Head of Major Projects (interim)
01484 22 1000
Rashid.Mahmood@kirklees.gov.uk

11 Background Papers and History of Decisions

Appendix 1 – Summary Project Status (Live Schemes)

Appendix 2 – Cooper Bridge Phase 1 (concept layout)

Cabinet Report – 19 December 2017 WY + Transport Fund Scheme update

Cabinet Report – 18 September 2018 Huddersfield Town Centre Works

Cabinet Report – 16 October 2018 A629 Phase 5 scheme approval/CPO

Cabinet Report – 13 November 2018 WY plus Transport Fund Scheme update

Cabinet Report - 26 May 2020 HSC Scheme Approval/Land Acquisition

Cabinet Report – 28 July 2023 Transport Major Scheme Approvals/Update

Cabinet Report – 01 September 2020 Transforming Cities Fund Programme

Cabinet Report – 22 June 2021 Kirklees Active Travel Fund (Tranche 2)

Cabinet Report – 22 June 2021 Huddersfield Station Gateway/Trinity St. Access

Cabinet Report – 12 October 2021 A62 Cooper Bridge Improvement Scheme

Cabinet Report – 16 November 2021 A62 Cooper Bridge Call In/Additional Information

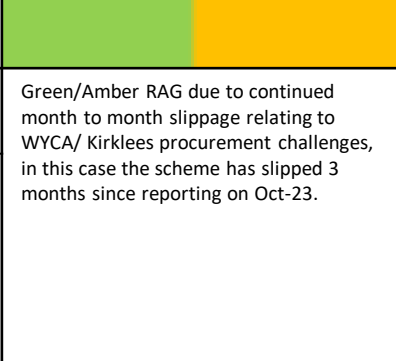
Cabinet Report – 05 July 2022 Holmfirth Town Centre Access Plan.

12 Service Director responsible

Edward Highfield – Service Director, Skills and Regeneration

Project Manager Project Name Funding	RAG Status Exec Summary for Project Progress Commencing with RAG Rationale and Route to Green	High Level Progress in Period	A) Officer/ Political Approvals/ Sign off for next stage:	Upcoming Key Milestones		Hot Topics/ Emerging Risks/ Opportunities	
			B) Consultation/ Engagement/ Planning/ TRO progress:	Name	Planned Date		
Mike Trotter			Stage: FBC	FBC Submission	Jan-24	1. SVG Lighting issue needs resolution otherwise slippage will occur – decision required 2. £143k of internal highway staff costs incorrectly booked and now transferred to this scheme. As a result, we are now at 93% of WYCA development costs budget, having only just signed off the DoI for claim uplift.	
Dewsbury – Cleckheaton STC	Scheme reporting green/amber until design is completed and all information is passed in a timely fashion to WSP to complete FBC. Route to Green should progress once the detailed design, all information and BoQ are completed and passed over to WSP for FBC submission.	1. Detailed Highway design near completion 2. SVG design by Sustrans near completion 3. Deed of Variation signed off 4. WSP task order now agreed 5. Seeking landowner agreement in writing 6. Seeking journey time data from Arriva 7. Seeking SVG Lighting decision with presentations to Kirklees Senior Mgmt	A) Planned Sign Offs:	WYCA FBC PAT recommendation	May-24		
Funding Indicative Total: £15.799m WYCA: £15.799m			B) Planned Engagements:	Procurement Comp	May-24		
Forecast: £15.799m Gap: £0m			Further local engagement on tree loss at Chain Bar. TRO process - autumn/winter	Construction Start	Jun-24		
£0.53m ATF TBC				Construction Finish	Jun-25		
Armin Alisic			Stage: OBC	OBC Submission	Jan-24	Previously reported error in datasets provided by DfT to AECOM has been resolved.	
Dewsbury Walking & Cycling (includes Dews Modelling)	RAG status reduced to Amber/ Green, as the OBC submission has slipped a further month due to consultancy WSP struggling with amount of reports they are compiling (WYCA have been notified of the position). RAG improvement achieved with scenarios now firmed up and economic appraisal/ network modelling work commenced.	1. Mill Street West scheme removed from the Core scenario 2. Reduced scheme at Halifax Rd/Bradford Rd (ties into Dewsbury-Batley-Chidswell scheme proposal along Bradford Rd) has been derived to form part of Core/Do-Min scenarios. 3. Commenced with modelling and economic appraisal work.	A) Planned Sign Offs:	Detailed Design Start	Jan-24		
Total Fund: £12.25m WYCA: £10.25 KC: £2m Forecast: £12.25m Gap: £0m				FBC Submission	Jul-24		
			B) Planned Engagements:	Estimated Main Works Start	Oct-24		
Richard Cornell (Rob Stanley)			Stage: OBC	OBC Submission	Dec-23	1. The public consultation has raised some concerns regarding waiting and loading restrictions on Bradford Road and may generate objections to the TROs. 2. Current Project Manager Richard Cornell has now left Kirklees Council, Rob Stanley will pick up Management and reporting on the scheme.	
Dewsbury to Batley to Chidswell	Amber Status remains as risks are associated with the need for traffic regulation orders for the preferred Bradford Rd option. The OBC submission date has slipped a month to Dec-23, due to additional work required to address Quality Review Panel comments on the preliminary design.	1. Highways have finalised preliminary design and drawings have been issued to WYCA and ATE. 2. The cost plan has been revised and will be used in developing the OBC. 3. Local junction modelling has been reviewed by UTC and will be reported within the OBC. 4. Report on consultation being prepared by WYCA.	A) Planned Sign Offs:	Detailed Design Start	Dec-23		
Indicative Funding (WYCA): £30m Forecast £30m Gap: £3.9m				WYCA Quality Review Board to decide on 9-Nov.	FBC Submission		Apr-24
			B) Planned Engagements:	Liaise with WYCA to respond to issues raised in the public consultation.	Start on site		Aug-24

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Project Manager Project Name Funding	RAG Status Exec Summary for Project Progress Commencing with RAG Rationale and Route to Green	High Level Progress in Period	A) Officer/ Political Approvals/ Sign off for next stage:	Upcoming Key Milestones		Hot Topics/ Emerging Risks/ Opportunities
			B) Consultation/ Engagement/ Planning/ TRO progress:	Name	Planned Date	
Kirstie Dunseath/ Rob Stanley Heckmondwike Bus Hub Indicative Funding (WYCA): £4.971m Forecast: £8.6m Gap: £3.6m		1. FBC submitted 2. Clarifications being worked through with WYCA appraisal team 3. Value engineering options endorsed at TCF board.	Stage: FBC Planned Sign Off's: Main build contract RIBA4-RIBA 6 PSC Enabling works GFA B) Planned Engagements: Statutory orders remain	Transport Committee Start on site (Main works)	Dec-23 Jan-24	No New Hot Topics
Andrew Brookfield Huddersfield Bus Station Indicative Funding (WYCA) £6.449m KC Funding: £1m Total Funding: £7.449m Forecast: £7.449m Gap: £0m		1. Contract signed by supplier, awaiting signature. 2. Ongoing liaison with KC Corporate Landlord regarding MSCP works.	Stage: FBC A) Planned Sign Off's: B) Planned Engagements:	Planning Application Submission FBC Submission PAT Recommendation Construction Start	Apr-24 Oct-24 Jan-25 Mar-25	No New Hot Topics
Mike Trotter Rail Station Connections Indicative Funding WYCA £13.0m KC £3.0m Total: £16.0m Forecast: £20.0m Gap: £4.0m		1. Positive ATE and WYCA quality panel on St Johns design 11th Oct, response sent 25-Oct 2. Hudd Unlimited and Cycle K consultation response sent. 3. Consultant working on resubmitting OBC end of month/early Dec. 4. Further detailed design work on St Johns jcn following quality panel. 5. Brunswick Path ATF4 design, cost and bid submitted	Stage: OBC A) Planned Sign Off's: B) Planned Engagements:	Resubmit OBC OBC Combined Authority Approval FBC Submission Target date Estimated start (Phase 1)	Dec-23 Feb-24 Oct-24 Jan-25	Awaiting quality panel design final response on St Johns area design.

Project Manager Project Name Funding	RAG Status Exec Summary for Project Progress Commencing with RAG Rationale and Route to Green	High Level Progress in Period	A) Officer/ Political Approvals/ Sign off for next stage:	Upcoming Key Milestones		Hot Topics/ Emerging Risks/ Opportunities	
			B) Consultation/ Engagement/ Planning/ TRO progress:	Name	Planned Date		
CA Steve Butcher			Stage: FBC	FBC Submission	Apr-24	No Issues at programme level.	
Dewsbury Bus Station	WYCA HR Extract Oct-23 Contractor notified of intent to being awarded Stage 1 Design & Build contract. This has been achieved ahead of programme.	1. WYCA Legal initiated process to award contract. 2. Planning application continues to progress. Meeting held with Design Out Crime Officer to facilitate this.	A) Planned Sign Off's:	FBC approval	Jul-24		
Indicative Funding: £13.886m				B) Planned Engagements:	Enabling Works		Jul-24
					Start on site		Sep-24
					Estimated completion	Feb-26	
Darren Barton			Stage: OBC	Highways / UTC Redesign	Jan-24	No New Hot Topics	
Wakefield Road STC	Scheme continues to report Amber due to resource challenges. UTC have commenced their redesign work but have needed to reprioritise their resources from this scheme for a period.	1. UTC have made progress in their redesign of the corridor with model run times significantly reduced.	A) Planned Sign Off's:	Business case development	Jan-24		
WYCA: £1.35m Board Split- MPB: £0.6m TCF: £0.7m Forecast: £1.35m Gap: £0	Estimated OBC Lite Submission date now Apr-24 (Previously Jan-24)			B) Planned Engagements:	Internal/external check of the redesign		Feb-24
					OBC Lite Submission		Apr-24

Project Manager Project Name Funding/Forecast/Gap	RAG Status Exec Summary for Project Progress Commencing with RAG Rationale and Route to Green	High Level Progress in Period	A) Officer/ Political Approvals/ Sign off for next stage:	Upcoming Key Milestones		Hot Topics/ Emerging Risks/ Opportunities
			B) Consultation/ Engagement/ Planning/ TRO progress:	Name	Planned Date	
A62 to Cooper Bridge Corridor Improvement Andy Raleigh Funding WYCA: £75.1m Kirklees Capital: £0m Total: £75.1m Forecast: £94.0m Spend TD: £2.49m App. Funds: £4.923m	Reporting Amber; the scheme is unlikely to be able to be delivered within forecast estimates, scheme re-estimation and re-design is the focus. The modelling assessment is now taking place and a decision on the preferred layout will be made in the next couple of months. This will include the Transport and BCR benefits.	1. Meeting with Calderdale Assistant Director and team 16 th Nov-23. Agreed in principle for delegation of all required powers to Kirklees. 2. Redesign of two alternative options following John Cotton Group (JCG) feedback underway. 3. Draft Design and Build contract completed for review. 4. Scheme cost estimate work underway.	Stage: FBC	Redesign of two alternative options following JCG feedback completed.	Dec-23	Detailed cost/benefit note will be prepared to aid decision making.
			A) Planned Sign-Offs: ITT Documents for Design and Build – sign off Dec-23	Phase 1 layout cost estimate produced	Dec-23	
			B) Planned Engagements: Pre-application consultation – Sep-24	Indicative Phase 1 Transyt modelling completed for both scheme options	Dec-23	
				Appoint D&B Contractor (inc standstill period)	Sep-24	
				Construction start	2027/28	
Holmfirth Town Centre Access Plan Farhad Rahman Funding WYCA: £5.173m Kirklees: £0.236m Total: £5.409m Forecast: £14.606m Spend TD: £1.893m App. Funds: £5.174m	Rating Amber; scheme being re-tendered. PAT and Transport Committee dates cannot be confirmed until funding is resolved. Appointed construction company will have to produce a new construction and environmental management plan and have it approved by planning in advance of starting on site.	1. FBC re-submission 01 st Dec-23. This included revised modelling and sensitivity tests requested by WYCA, who decided a full re-submission was necessary to have a fully up-to date FBC. 2. The scheme is currently out for tender with returns by 19 th Jan-24.	Stage: FBC	Tender returns	Jan-24	Seasonal time constraints (June to Sept) imposed by EA may mean there is not enough time to carry out works in one period. Scheme is out for re-tender and construction timetable will be provided by the winning company. Programme may need to be completed over two river working windows.
			A) Planned Sign-Offs; Executive team: 09/01/24 Cabinet: 16/01/24	Tender assessment complete	Mar-24	
			B) Planned Engagements: No further planned engagements	Start on Site	Jul-24	

Project Manager Project Name Funding/Forecast/Gap,	RAG Status Exec Summary for Project Progress Commencing with RAG Rationale and Route to Green	High Level Progress in Period	A) Officer/ Political Approvals/ Sign off for next stage:	Upcoming Key Milestones		Hot Topics/ Emerging Risks/ Opportunities
			B) Consultation/ Engagement/ Planning/ TRO progress:	Name	Planned Date	
A629 Wakefield Road Sustainable Travel Corridor (WRSTC) Darren Barton Funding WYCA: £0.60m Forecast: £0.60m Spend TD: £0.508m App. Funds: £0.60m	Reporting Amber through a mixture of UTC resource constraints and complexity of UTC/ Highway re-design emerging. The OBC submission date has been rescheduled from Apr-24 to Sep-24 as contingency for the above-mentioned factors.	UTC progressing with redesign of the corridor. Model run times are significantly reducing.	Stage: OBC	Highways/UTC redesign complete	May -24	No new hot topics were reported.
			A) <u>Planned Sign-Offs:</u>	Internal/external check of the redesign	July-24	
			B) <u>Planned Engagements:</u>	Business case development	Sep-24	
				OBC Lite submission	Sep-24	
A641 – Impr. Scheme: Bradford to Brighouse – Huddersfield CALDERDALE LED Darren Barton N/A	A meeting is scheduled with Calderdale and Bradford to discuss the FBC programme. Discussions continue about the RIBA 3 Design drawings. Some sections of the route are agreed, whilst some sections e.g. the area near the Greenway need revising.	1. Verbal confirmation of a CPO has been received and we are now working our way through the Section 8 process with Legal for the land near the Greenway if it is required. 2. Meeting took place on 8 Dec-23 re the FBC programme with Calderdale and Bradford.	Stage: FBC (Calderdale Led)	Review revised RIBA 3 drawings	Dec -23	No new hot topics were reported.
			A) <u>Planned Sign-Offs:</u>	Stakeholder engagement	Dec-23	
			B) <u>Planned Engagements:</u>	Commence RIBA 4 combined	TBC	
			FBC Submission	Nov/ Dec-24		
CRSTS K1 Dalton-Deighton Active Travel Asad Jan Funding WYCA: £3m TRU: £0.25m Total: £3.25m STD: £0.157m App. Funds: £0.15m	Reporting Green The Option Assessment Report and Appraisal Specification Report have been submitted to WYCA for review. SOC submission date expected Feb-24. Early cost estimates for the project indicate that forecast costs are likely to exceed the funding allocation. Additional funding is being explored as well as the possible descoping of the project.	1. Development of the 5 Dimensions of the SOC continues.	Stage: SOC	Submission of SOC	Feb-24	PIMS system to be reconciled.
			A) <u>Planned Sign-Offs:</u>			
			B) <u>Planned Engagements:</u>			

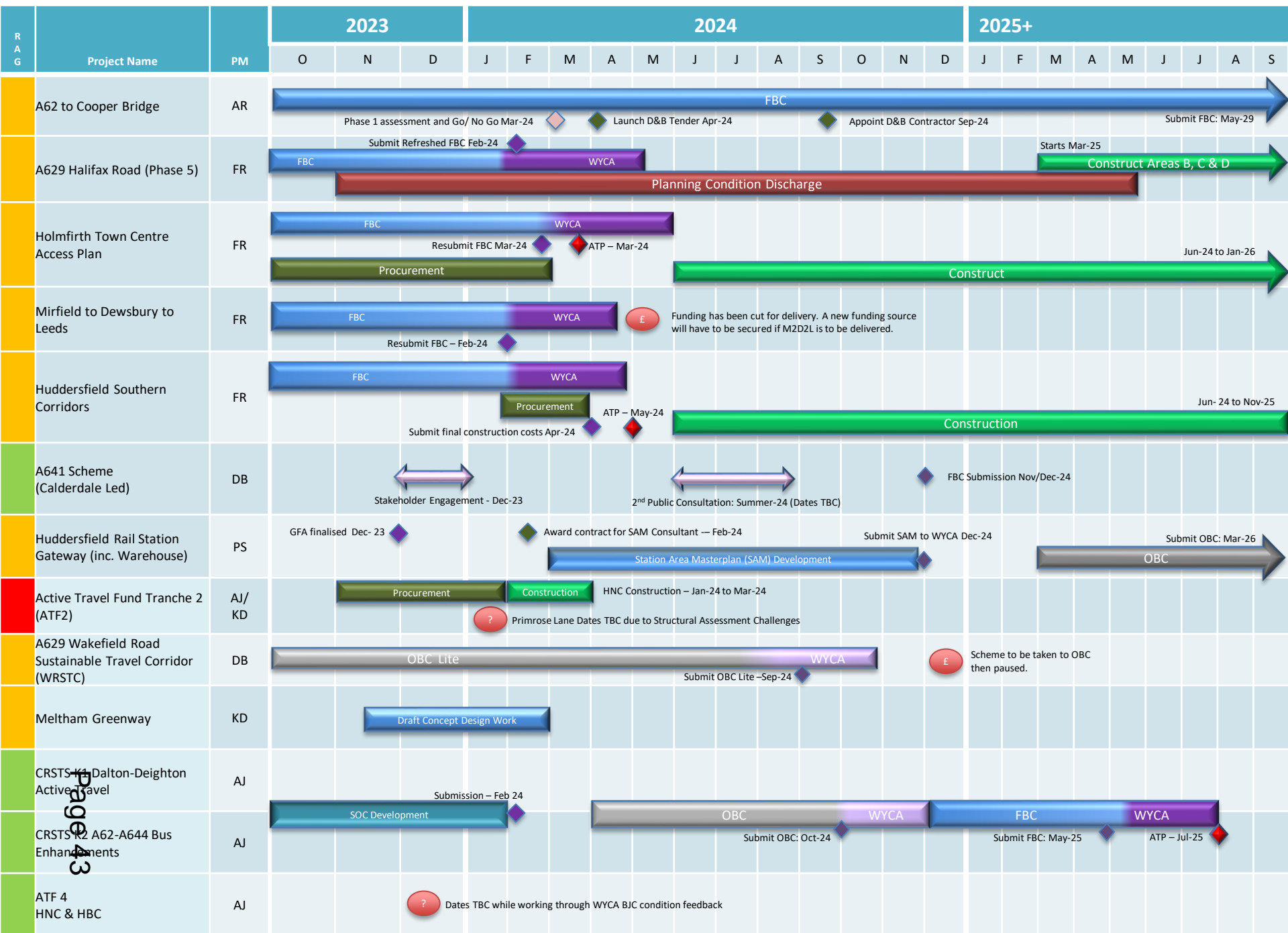
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Project Manager Project Name Funding/Forecast/ Gap	RAG Status Exec Summary for Project Progress Commencing with RAG Rationale and Route to Green	High Level Progress in Period	A) Officer/ Political Approvals/ Sign off for next stage:	Upcoming Key Milestones		Hot Topics/ Emerging Risks/ Opportunities
			B) Consultation/ Engagement/Planning/ TRO	Name	Planned Date	
Huddersfield Southern Corridors Farhad Rahman WYCA: £10.315m KC: £1.529m Total: £11.845m Forecast: £13.617m Spend TD: £5.535m App. Funds: £2.534m	<p>An Amber rating given the on-going funding discussions with WYCA. A month's slippage has been applied to the programme as contingency for this. TRU have a vacant possession order for Longroyd from April 25.</p> <p>At FBC PAT meeting on 22nd Nov stated that further PAT meeting required when funding issues resolved, before we progress to the FBC final price. Results in further programme slippage.</p>	<p>1. At the PAT meeting on 22nd Nov-23, a number of conditions were set out that need to be included when the FBC final price is submitted.</p>	<p>Stage: FBC</p> <p>A) <u>Planned Sign-Offs:</u></p> <p>B) <u>Planned Engagements:</u> No further engagements planned.</p>	<p>Additional PAT Meeting</p> <p>Tender Period Ends</p> <p>Submit FBC with final price</p> <p>Approval to Proceed to construction</p> <p>Construction start date</p>	<p>Feb-24</p> <p>Mar-24</p> <p>Apr-24</p> <p>May-24</p> <p>Jun-24</p>	<p>Provisional PAT conditions to the FBC are:</p> <ul style="list-style-type: none"> • Low Carbon Impact Assessment • Noise/ Air quality
CRSTS K2 - A62-A644 Bus Enhancements Asad Jan WYCA: £5m Total: £5m Spend TD: £0.073 App. Funds: £0.15m	<p>Reporting Green. Through the design work, it has been shown that the bus lane option will have very little impact on queue times. Therefore, the Project Team are considering Active Travel options.</p>	<p>1. Work on the 5 dimensions of the SOC is continuing.</p> <p>2. Design options are being reviewed.</p>	<p>Stage: SOC</p> <p>A) <u>Planned Sign-Offs:</u></p> <p>B) <u>Planned Engagements:</u></p>	<p>SOC Submission</p>	<p>Feb-24</p>	<p>No new hot topics were reported.</p>
A629 Halifax Road Phase 5 (Highway Scheme) Farhad Rahman WYCA: £10.546m S106: £0.075m Total: £10.621m Forecast: £13.877m Spend TD: £3.458m App. Funds: £4.418m	<p>Reporting Amber given the need to work through the various Planning Conditions which is expected to take between 12 and 15 months. The overall programme has been adjusted to take account of this.</p> <p>The submission of the "refreshed" FBC will now be Feb-24 given the above, with the Approval to Proceed to follow activities relating to Planning.</p>	<p>1. Work continues on the FBC refresh.</p> <p>2. Work is progressing on the response to the draft Planning conditions.</p>	<p>Stage: FBC</p> <p>A) <u>Planned Sign-Offs:</u></p> <p>B) <u>Planned Engagements:</u> Planning Determination End-23/ Early-24</p>	<p>FBC refresh submission</p> <p>Finalise Land Acquisitions</p> <p>Planning conditions completed</p> <p>Delivery Start Areas B, C and D (indicative)</p>	<p>Feb-24</p> <p>Feb-24</p> <p>Mar 25</p> <p>April 25</p>	<p>Farhad Rahman has taken over as lead project manager for this scheme, with immediate effect.</p>

Project Manager Project Name Funding/ Forecast/Gap	RAG Status Exec Summary for Project Progress Commencing with RAG Rationale and Route to Green	High Level Progress in Period	A) Officer/ Political Approvals/ Sign off for next stage:	Upcoming Key Milestones		Hot Topics/ Emerging Risks/ Opportunities	
			B) Consultation/ Engagement/ Planning/ TRO progress:	Name	Planned Date		
ATF Tranche 2			Stage: Detailed Design	HNC Accessibility		No new hot topics were reported.	
Asad Jan PM Kirstie Dunseath leading on Primrose Lane	Reporting Red: Severely delayed on Primrose Lane, as structural assessment not progressed due to capacity constraints. We have gone out to three consultancy services, but they have not returned quotations.	1. Primrose Lane <ul style="list-style-type: none"> Detailed design completed. Looking at possibility of in-house rather than external contractors due to retaining wall issues. Supplier will install counters during construction. 2. HNC Accessibility <ul style="list-style-type: none"> Scarwood Design complete. Tender invites have gone out with responses due by end of Jan-24. 		Procurement Complete	Jan-24		
Funding Total: £1.984m Forecast: £1.984m Gap: £0	HNC Accessibility is on-target to be complete this financial year, with tender assessment expected to be a quick process as suppliers are already on CRT approved list.		A) <u>Planned Sign-Offs:</u>	Construction Start	Feb-24		
			B) <u>Planned Engagements:</u>	Construction End	Mar-24		
				Primrose Lane			
				Procurement Comp	TBC		
				Construction Start	TBC		
			Construction End	TBC			
Huddersfield Station Gateway			Stage: Development	GFA to be finalised	Dec-23	No new hot topics were reported.	
Peter Steniulis	Scheme continues to report Amber. It is still expected to be a challenge to get agreement on the Master Plan by all stakeholders when it is published.	1. A Route to Market Assessment and proposal for a restricted tender to seven selected consultant firms was agreed by the Council's Service Director-Skills & Regeneration and the Category Manager. 2. The tender for Consultancy Services was published on YORTender on 17th Nov.	A) <u>Planned Sign-Offs:</u>	Evaluate tender submissions	Jan-24		
Funding WY+TF: £0.55m Total: £0.55m Forecast: £0.25m Gap: +£0.3m	The brief to consultants to masterplan the Station Gateway Area is currently out to tender, with a closing date of 22 nd Dec-23.		B) <u>Planned Engagements:</u>	Award Station Area Masterplan (SAM) contract	Feb-24		
Spend TD: £0.204m App. Funds: £0.55m				Complete SAM	Nov-24		
				Submit SAM to WYCA	Dec-24		
Meltham Greenway			Stage: Detailed Design	Carry out a principal inspection on the bridge to determine the condition.	TBC	No new hot topics were reported	
Asad Jan/Kirstie Dunseath	Report Amber with no further progress on structural survey issue, and we still need a steer from Highways to move forward.	1. Sustrans Feasibility received 2. Sustrans continue to work up draft concept designs. 3. The land transfer from Holroyd Homes is with Legal and progressing.	A) Planned: TBC				
Funds KC: £0.050m S106: £0.290m Total: £0.340m Forecast: TBC Gap: £0	The draft Feasibility Study has been received from Sustrans and is being considered.		B) Planned: TBC				

Project Manager Project Name Funding/Forecast/Gap	RAG Status Exec Summary for Project Progress Commencing with RAG Rationale and Route to Green	High Level Progress in Period	A) Officer/ Political Approvals/ Sign off for next stage: B) Consultation/ Engagement/ Planning/ TRO progress:	Upcoming Key Milestones		Hot Topics/ Emerging Risks / Opportunities
				Name	Planned Date	
Mirfield to Dewsbury to Leeds (M2D2L) Farhad Rahman WYCA: £1.335m Leeds City Council: £0.005m Forecast: £1.345m Spend TD: £1.319m App. Funds: £1.335m	<p>Scheme Amber as quality of original FBC by consultants was lacking details to meet TAG guidance. Additional staff resources now applied. This has caused slippage in the programme and re-submission of FBC due on 01st Feb-24.</p>	<p>1. Consultants are currently re-working the FBC with aim of February submission. Additional delay caused by Leeds PM being on leave until Jan-24.</p>	<p>Stage: FBC</p> <p>A) <u>Planned Sign-Offs:</u></p> <p>B) <u>Planned Engagements:</u></p>	FBC submission	1 Feb -24	Potential additional Council PM costs due to the delay in the FBC submission and need for re-checking of FBC.
Huddersfield Broad Canal (ATF4) Asad Jan WYCA: £1.312m Kirklees: £0m Forecast: £1.312m Gap:£0 Spend RD: £0.004m App. Funds £0	<p>PAT meeting on 22nd Nov-23 did not recommend the BJC for approval. Further funds will be released through a Change Request (CR) to satisfy conditions. BJC will need to be resubmitted.</p> <p>Key milestones likely to change. Depends on the conditions in the CR.</p>	<p>1. WYCA Identified gaps (see hot topics) in the BJC that will require filling. 2. Consultation details confirmed. 3. Detailed Design completed and has been sent to WYCA's QP and ATE.</p>	<p>Stage: Detailed Design</p> <p>A) <u>Planned Sign-Offs:</u></p> <p>B) <u>Planned Engagements:</u> Public Consultation run by WYCA – Jan-24</p>	Detailed Design Comp	Jan-24	<p>BJC Gaps to be resolved:</p> <ul style="list-style-type: none"> Promoter to collect data for baselining. Undertake consultation and engagement. Complete detailed design. Undertake EqiA. Confirm Stats info. Conform final contract. Conform final scheme costs, risks and spend to date. Confirm construction programme.
Huddersfield Narrow Canal (HNC) ATF4 Asad Jan WYCA: £0.957m Kirklees: £0m Forecast: £0.957m Gap:£0 Spend TD: £0.003m App. Funds: £0	<p>PAT meeting on 22nd Nov-23 did not recommend the BJC for approval. Further funds will be released through a Change Request (CR) to satisfy conditions. BJC will need to be resubmitted.</p> <p>Key milestones likely to change. Depends on the conditions in the CR.</p>	<p>1. WYCA Identified gaps (see hot topics) in the BJC that will require filling. 2. Consultation details confirmed. 3. Detailed Design completed and has been sent to WYCA's QP and ATE.</p>	<p>Stage: Detailed Design</p> <p>A) <u>Planned Sign-Offs:</u></p> <p>B) <u>Planned Engagements:</u> Public Consultation run by WYCA – Jan-24</p>	Detailed Design Comp	Jan-24	
				Tender	Apr-24	
				Estimated Start	May-24	
				Estimated Finish	Aug-24	

Project Manager Project Name Funding/Forecast/Gap	RAG Status Exec Summary for Project Progress Commencing with RAG Rationale and Route to Green	High Level Progress in Period	A) Officer/ Political Approvals/ Sign off for next stage:	Upcoming Key Milestones		Hot Topics/ Emerging Risks / Opportunities
			B) Consultation/ Engagement/ Planning/ TRO progress:	Name	Planned Date	
A62 Smart Corridor	Reporting Green. Work continues on resolving outstanding issues to facilitate scheme closure requirements.	1. Work is continuing on the bridge issues and other matters raised by Highways	Stage: Closure Report	Finalise the parapet design for the cycleway on the bridge over the canal	Dec-23	No new hot topics reported
			A) <u>Planned Sign-Offs:</u>			
Darren Barton			B) <u>Planned Engagements:</u>	Draft Closure Report	Dec-23	
Funding Total: £13.934m WYCA Funds: £8.35m KC Funds (Applied Borrowing): £4.389m ERDF: £1.195 Forecast: £21m Spend TD: £19.13m App. Funds: £8.35m				Complete review of the design raised by KC Highways	Jan-23	



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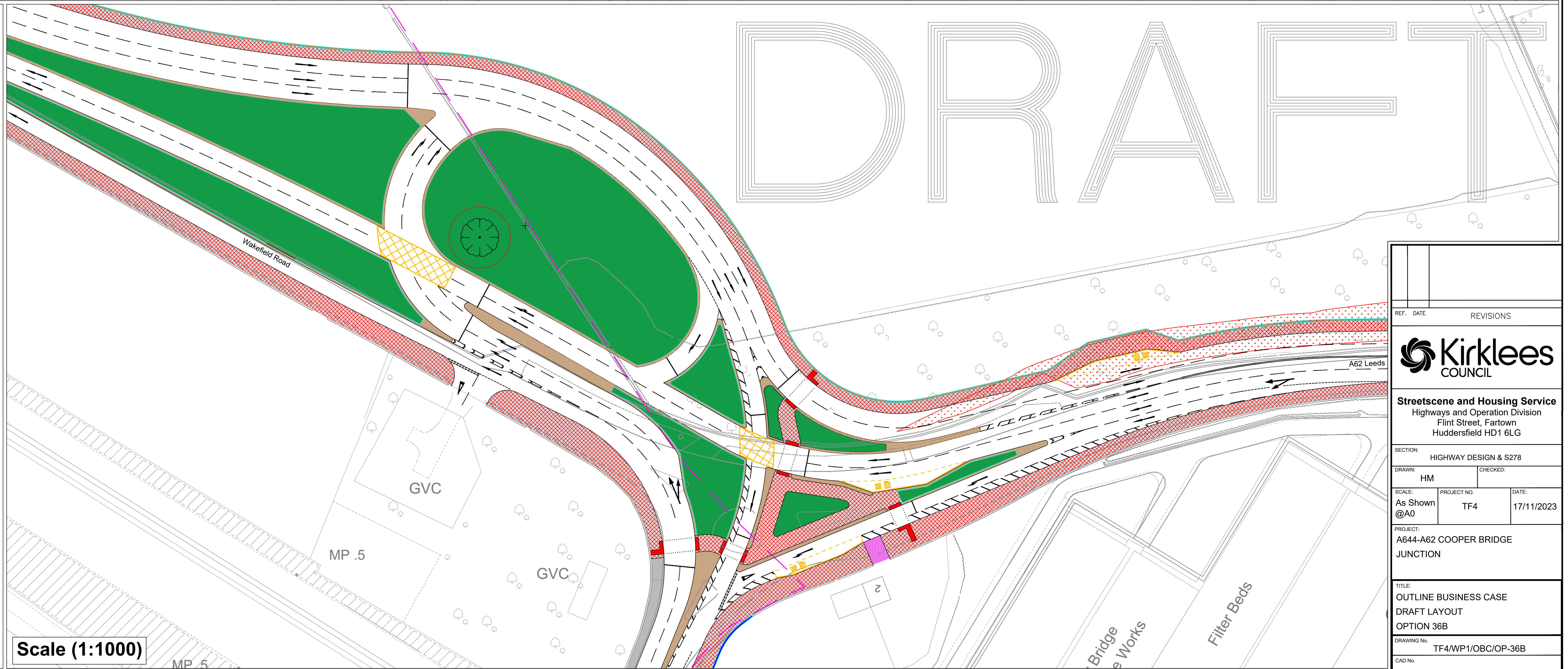
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Option-36B



KEY

- Proposed Kerb**
- Proposed edging**
- New / improved footways or Resurfaced footways**
- Proposed block paving area**
- New / improved footways to provide shared space for pedestrians and cyclists**
- New advisory cycle lane**
- Proposed vehicular crossing**
- Island/central reservation to keep traffic separated and allow pedestrians to cross the road safely**
- New soft landscaping (indicative)**
- New trees (indicative)**
- New signal controlled pedestrian crossing - toucan (pedestrian and cycle) crossing with pedestrian island**
- New signal controlled pedestrian crossing - toucan (pedestrian and cycle) crossing**
- New uncontrolled pedestrian crossing**
- Proposed Stone Boundary/Retaining Wall**
- Proposed Stone Retaining Wall**



REF.	DATE	REVISIONS
Streetscene and Housing Service Highways and Operation Division Flint Street, Fartown Huddersfield HD1 6LG		
SECTION: HIGHWAY DESIGN & S278		
DRAWN: HM	CHECKED:	
SCALE: As Shown @A0	PROJECT NO: TF4	DATE: 17/11/2023
PROJECT: A644-A62 COOPER BRIDGE JUNCTION		
TITLE: OUTLINE BUSINESS CASE DRAFT LAYOUT OPTION 36B		
DRAWING No: TF4/WP1/OBC/OP-36B		
CAD No:		

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Name of meeting: Cabinet

Date: 23 January 2024

Title of report: Damp, Mould and Condensation

Purpose of report: To inform Cabinet of the situation with damp, mould and condensation in Council Homes as at the end of October 2023, actions taken to date to respond and next steps for change and improvement to approach.

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?	Yes
Date signed off by <u>Strategic Director</u> & name	David Shepherd 29 November 2023
Is it also signed off by the Service Director for Finance?	Isabel Britten 11 January 2024
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft 11 January 2024
Cabinet member portfolio	Councillor Moses Crook Housing and Highways

Electoral wards affected: All

Ward councillors consulted: No

Public or private: Public

Has GDPR been considered? GDPR has been considered and there are no issues arising.

1. Summary

- 1.1. The Economic and Consumer Standards issued by the Regulator of Social Housing (RSH) set out the statutory requirements for landlords to adhere to. The Home Standard deals with the quality of accommodation and repairs and maintenance and includes requirements that landlords must:
 - ensure homes meet the standards in the Governments Decent Homes Guidance
 - provide a cost-effective repairs and maintenance service that responds to the needs of, and offer choices to, tenants and aims to complete work right first time.
 - meet all applicable statutory requirements relating to the health and safety of residents.
 - ensure a prudent, planned approach to repairs and maintenance, demonstrating an appropriate balance of planned and responsive repairs and value for money.
- 1.2. The Decent Homes Guidance includes requirements that homes provide a reasonable degree of thermal comfort and be free from category 1 hazards under the Housing Health and Safety Rating System (HHSRS). The HHSRS covers 29 potential housing related hazards including damp and mould growth and excessive cold as well as the household type. If the property has adequate heating, ventilation, insulation and extraction and no ingress of water and these facilities are not being used by the resident then no hazard exists, but remedial action can still be taken by the council.
- 1.3. The council is in regular contact with the RSH, and they have been informed and updated about the levels of damp, mould and condensation cases since July 2023.
- 1.4. In November and December 2022, a rapid review of the council's approach to damp, mould and condensation was undertaken. The rapid review and action plan identified three main areas for improvement, communication, data and intelligence and process. In January 2023 a task and finish group was formed to deliver changes to the short-term approach to damp, mould and condensation and to redesign processes in place for the longer term.
- 1.5. Job volumes for damp, mould and condensation over winter 2022 were at double the level of the winter period for 2021, 50% higher over summer 2023 than in 2022 and since September 2023 have been rising at around double the rate of the same period last year. The number of damp, mould and condensation cases is likely to remain high for some time because of the condition and age of properties and the impacts of the cost-of-living crisis which means that residents aren't always able to heat their homes. The new processes in place to respond to damp, mould and condensation cases will support the resolution of immediate issues and symptoms, ensuring the protection of tenants' health and wellbeing. However, long term resolution will be reliant upon larger scale capital investment to deal with the root causes of problems. An Asset Strategy for 2024 – 2029 has been produced along with investment plans to underpin delivery of the actions in the strategy. The

Strategy and investment plans will be presented to Cabinet in March 2024 to seek approval for adoption and delivery and will form part of the budget setting for the HRA.

- 1.6. Damp, mould and condensation is on the corporate risk register and updates are provided regularly. The current level of cases and progress in resolving the backlog means that to reduce the level of risk, continued, concerted work to manage service delivery and review and improve the approach being taken is essential.
- 1.7. This report provides an update on the delivery of changes to the approach to damp, mould and condensation and sets out the situation in Council homes as at the end of October.

2. Information required to take a decision

2.1. Progress to date

- 2.1.1. A dedicated IT system for damp, mould and condensation cases was implemented in February 2023 and a single point of contact (SPoC) was established in April 2023.
- 2.1.2. Officers from the SPoC, Kirklees Direct, Housing Management and Assets have contacted 1,342 residents with an open damp and mould case to get up to date information on the state of the home, any vulnerabilities in the household and any other relevant information to support prioritisation and response. There are 105 residents (7.8% of open cases) that the council has been unable to make contact with following three calls and two letters where in-person visits are ongoing. The SPoC, Housing Management and Assets teams continue to provide support to residents with open cases.
- 2.1.3. The IT system continues to be improved to support better management of cases and new ways of working. The complaints system is being updated to enable damp, mould, and condensation cases to be referenced in a way that aligns with the referencing in the dedicated system. Once this is complete an interface with the dedicated system will be provided. In October 2023 enhancements were made within the damp and mould diagnostic of the housing repairs system. Additional information is now captured to help with early diagnosis and residents are able to upload photographs. Case management is now being developed within the system to reduce the need for manual inputting of data into spreadsheets. The system prevents duplicate jobs from being raised and instead signposts residents to the SPoC Team who can provide advice and arrange for the existing job to be re-prioritised as required.
- 2.1.4. Up until the end of September mould treatments were delivered by an external contractor. Jobs were raised with the contractor who carried out surveys and treatments and then provided recommendations for further actions back to the Council. These recommendations included identification of structural damp, the need for additional ventilation and repairs required. This approach had been in place since 2019, the expiry of the contract at the end of September meant that changes to the delivery model to provide earlier diagnosis could be made more easily. Under the previous approach it was taking between 6

weeks and 3 months for an initial visit to be carried out and diagnosis made; initial diagnosis is now carried out within 48 hours of receipt of a case.

- 2.1.5. A decorating team in Property Services was put in place in March 2023. The capacity in this team has gradually increased and jobs are currently being completed at an average rate of 38 per week, an increase from 12 a week at the outset.
- 2.1.6. A new contractor has been procured to deliver mould treatments; they are primarily focussed on clearing the backlog of jobs but will also provide additional capacity for new cases. The contractor will deliver a minimum of 60 treatments per week (subject to access). The new contract commenced on 30 October and the contractor is now contacting residents to arrange visits and has commenced visits from 13 November 2023.
- 2.1.7. Since July a new approach to diagnosis and triage has been in operation. This has helped to improve understanding of issues and the response required. Backlog cases have all been triaged and prioritised for action. This model has been developed and since the beginning of October a dedicated technical triage team has been in place. Surveyor visits to homes have been ongoing since July to support management of cases. The Triage Team assess the information provided via the online form, identify whether there are any repairs required to fix the cause, assess mould treatment needs and schedule surveyor visits for more complex cases. They aim to contact the resident within two working days to inform them of the next steps and timescales. This approach has helped to identify non genuine damp and mould jobs where resident specific advice can be provided instead, thereby reducing waiting time for genuine damp and mould treatment cases. Feedback received from residents about the new approach has been very positive.
- 2.1.8. Other operational improvements have been made to no-access visits and grouping of works to ensure cases are properly followed up and managed to resolution.
- 2.1.9. Before the close of 2023/24 cavity wall insulation will be installed or replaced in 30 homes. In 2024/25 95 homes will have cavity wall insulation installed or replaced and 124 homes will have loft insulation installed. Homes included in this programme have been identified through Green Doctor visits, damp, mould and condensation cases, complaints, and SAP bandings.
- 2.1.10. Work to develop service standards for ventilation established that the time from identifying fan installation requirements to completing the work was protracted by the approach taken to diagnosis in past delivery. The new triage team is identifying the need for ventilation at the earliest possible stage and a rolling programme of fan installations has now been agreed. A programme of servicing for ventilation has been developed and will commence in 2024/25.
- 2.1.11. A leaflet has been made available to residents on the website and in community hubs to aid identification of damp, mould, and condensation

issues and to encourage them to report these to the Council. A short film has also been developed to provide this information and will be added to the page on the council's website where residents can also access short films on the other 'big six' areas of compliance.

- 2.1.12. A link to the video will be sent by text to those residents we have a valid mobile number for. The materials left with residents following a mould treatment visit have been redesigned to support them in reducing the likelihood and impact of condensation where this is something they are able to influence and to ensure they know when and how to escalate and report issues to the Council. In November an article will be published in the tenant magazine which will include tips on how to reduce condensation and when and how to report it.
- 2.1.13. E-learning on damp, mould and condensation has been rolled out and is mandatory for officers in Homes and Neighbourhoods and has been recommended for completion for all officers who speak with or visit residents in their home. Take-up has been good, with 531 officers in the Council having completed the training, 457 of whom work in Homes and Neighbourhoods, and we are now working with partners in health and safeguarding who are keen to access the training.
- 2.1.14. As the action plan has been delivered, the tasks carried out have responded to the changing situation and need. The current plan includes for regular review of the new service delivery model and delivering improvements identified. The current plan is also heavily focussed on data and intelligence, looking at the integration of other relevant datasets and how damp, mould and condensation information can be incorporated into capital programme development.
- 2.1.15. A new Asset Strategy has been drafted and is on a flightpath for Cabinet in March 2024. This strategy sets out priorities and pledges and includes a commitment that within 2 years we will have developed and implemented policies and procedures to manage disrepair, damp, mould, and condensation effectively. The Strategy will help to support a holistic, data-led approach to asset management and to ensuring that the root causes of issues such as damp, mould and condensation are addressed by taking a worst-first and fabric-first approach to investment.
- 2.1.16. Along with the Asset Strategy analysis of the investment needs of homes has been undertaken and new 5, 10 and 30 year capital plans developed. These plans make provision for improvement of homes through worst-first component replacement and investment in fabric-first retrofit. These works will help to improve the energy efficiency, ventilation, air-tightness and condition of homes supporting a reduction in the underlying causes of damp, mould and condensation. Over the next two years up to date stock condition data will be collected and used, along with repairs and other data on the condition of homes, to carry out option appraisals and develop these investment programmes further to target damp, mould and condensation and support achievement of The Home Standard.

2.2. Case volumes

2.2.1. Since December 2022 we have resolved and closed 1,606 damp, mould, and condensation cases.

2.2.2. As at the end of October there were 1,604 open cases with an additional 149 cases that are open in the system, where works have been completed and the jobs need closing. The new approach to diagnosis enables a more detailed breakdown of open cases as shown in the table below. No Category 1 or 2 HHSRS hazards have been identified in the open cases. Cases are rated as high risk when they are over 90 days old or where there is a vulnerable resident in the household (no matter the age of the case). Medium risk cases are those between 29 and 90 days old and low risk are those up to 28 days old.

Case status/ type	Count of jobs	High	Medium	Low
Awaiting triage/ triage in progress	120	49	0	71
Mould treatment only	588	387	172	29
Repair/ improvement only	139	137	0	2
Repair/ improvement with mould treatment	340	303	12	25
Technical visit	155	148	3	4
Letter/ visit to tenant required. All have had three calls, two letters and homes are now being visited to enable assessment and follow-up.	105	105	0	0
Other - duplicates (56), communal repairs, new voids and ones that sit within other processes such as disrepair (50) or complaints.	157	143	6	8
TOTAL	1604	1272	193	139

Age of job (days)	Count of jobs	High	Medium	Low
1-28 Days	296	151	6	139
29 Days to 3 Months	315	128	187	
3-6 Months	175	175		
6-12 Months	696	696		
12-18 Months	83	83		
18+ Months	39	39		
TOTAL	1604	1272	193	139

Since these figures were produced as at the end of October, the number of cases awaiting triage has reduced and cases are being dealt with promptly. A

Team Leader and Quality Liaison Officer are reviewing capacity and productivity in the triage team to ensure prompt diagnosis of issues. An exercise is ongoing to transfer case notes on duplicate jobs into a single record before the jobs are closed. At the same time, these notes are reviewed to assess whether the priority of the work or the actions needed should change.

- 2.2.3. The number of outstanding cases as at the beginning of October was still high and as such the resolution of the backlog through the new contractor is being closely managed to ensure the rate of a minimum of 60 jobs per week is achieved and where it is not, to take action to support improvements. If the contractor performs well then in early January, discussions will be held about them taking on new cases in addition to the backlog.
- 2.2.4. As stated at 1.5 case volumes continue to rise at around double the rate of last year and last winters rates were double those of the previous year. The increase in cases and the level of outstanding jobs can be attributed to a number of factors including raised awareness, the condition of homes, the capacity for delivering mould treatments and the previous service delivery model.
- 2.2.5. Based on the triage outcome work is packaged and order from the appropriate contractor and jobs are prioritised based on the age of the job and the vulnerability of the resident. Urgent cases have been fast-tracked to assess risk. In homes where both a repair and mould treatment are required, cases are dealt with by Property Services and managed so that works are undertaken in the right order. Repair only cases are also dealt with by Property Services through normal repair processes. Mould treatment cases are dealt with by Property Services and the new contractor.
- 2.2.6. The new contractor has taken on 464 backlog cases, and these should be completed by the end of January 2024, subject to access. There are processes in place with the new contractor that replicate those with Property Services to improve the likelihood of access being gained and to report back promptly following visits, particularly where wider or more serious issues are identified. Officers in the SPoC and Triage teams have access to contractor data to support resident communication and case management.
- 2.2.7. The Team Leader in the triage team is responsible for the contract management of the new mould treatment contractor and will also ensure that the team are monitoring delivery and resolution of cases. This monitoring will review productivity for in-house and externally delivered treatments against new cases received and totals outstanding and direct capacity to support resolution in a timely manner.
- 2.2.8. Since the last report 22 complaints relating to damp, mould and condensation have been received (period 2 August to 31 October 2023). 15 of these were resolved at Stage 1, 2 were resolved at Stage 2 and 5 are currently being dealt with at Stage 1. The majority of complaints relate to the waiting time for a mould treatment to be undertaken.

2.2.9. There are 21 specialist (structural) damp jobs being delivered at present, with another 20 awaiting a survey. 3 specialist jobs have been completed since August and 6 new cases have been received. Specialist works are currently taking longer to complete as there is no contract in place for this work and three quotes are being sought for each job. The development of requirements and documentation for the re-procurement of contractors to deliver specialist works is ongoing and tenders will be issued in January 2024.

2.2.10. Cases requiring decant are taken to the Decant Panel where they are matched with any available properties which meet their requirements. Where more than one household is competing for the same property, then the panel assess which is the priority household based on health and safety and health and wellbeing. Panel members are made up of technical officers and officers from housing management who are familiar with the cases being presented. There are currently 46 households awaiting decant of which 43 relate to specialist works mainly related to damp. Of the households requiring a decant 22 have accepted a property, 2 are in a legal process, 1 is on hold as the tenant is currently unable to move and Housing Management liaise with the tenant at least monthly on progress, 7 are being re-surveyed, the remaining 11 continue to be considered at decant panel on a weekly basis. At the time of the previous report in August, the oldest case awaiting a decant for damp, mould and condensation was 3 years old. Work to cross check all records on decants requirements has resulted in a 4-year-old case being identified. This case was put forward to the decant panel and a matching property was found and accepted by the household in September. The oldest decant case awaiting a property to be allocated is from May 2023, the tenant accepted a property in September and then declined it a month later. This case will continue to be tabled at Decant Panel until a suitable property is found.

2.2.11. As at 03/11/23 there are currently 660 live housing conditions (disrepair) claims. Of these 48 have live court proceedings, 65 have been determined at trial or pre-trial and 547 are cases where we have received a letter of claim from solicitors acting for the tenant(s) where the claim is still live, either awaiting issuing of court proceedings or because housing conditions claims (disrepair cases) remain open for 6 years following the issuing of a letter of claim.

2.2.12. Under the new approach introduced in October 2023, when new damp, mould and condensation cases are received, a check is made for live housing condition claims at the same address. Where there is a live housing condition claim, the case is passed to the surveyor dealing with the claim and they escalate any survey or repair visits required. The case is monitored as part of the claim process and also as part of the management of damp, mould and condensation cases to ensure an adequate, timely response.

3. Implications for the Council

3.1 Working with People

3.1.1 This work will improve the living conditions and safety of tenants and residents. The principles created for the redesign work put customer experience first and aim to design processes and approaches that ensure residents receive a high-quality service which resolves issues promptly and fully. Resident and member involvement in the redesign is key to creating a service offer that addresses their everyday issues and concerns and provides safe homes.

3.2 Working with Partners

3.2.1 Connections with partners are in place and growing. Work with Public Health and the CCG as part of an asthma pilot is ongoing and has resulted in a small number of referrals for remedial works and treatments. The result of this change in process and the impact on residents are being assessed. Training is being made available to partners through other health and safeguarding partnerships and integrated reporting pathways are being developed.

3.3 Place Based Working

3.3.1 This work is moving the delivery of reactive and proactive responses to mould, damp and condensation and the underlying causes to one that is intelligence led. It embeds learning to support continuous improvement and will involve members and residents.

3.4 Climate Change and Air Quality

3.4.1 Works carried out to homes will have a climate impact through the removal of existing construction components and materials and the provision of new. The carbon footprint of activity is not yet understood. Once new delivery models are embedded, and case numbers have stabilised methods to measure climate impact will be developed.

3.5 Improving outcomes for children

3.5.1 For children living in homes affected by the works their safety and living conditions will be improved. This should in turn lead to better physical and mental health.

3.6 Financial Implications

3.6.1 Works that improve the fabric of homes (such as insulation provision or renewal) should improve thermal performance and help residents to keep their homes warm at a lower cost. The forecast cost of dealing with damp, mould, and condensation for 2023-24 is £2m. This budget was increased in year from £1m and has been provided to deal with existing and known cases and to deal with any ongoing reported cases. This has been funded from an overspend to the repairs and maintenance budget, which has been offset by a forecast underspend for management costs and from additional investment income. A budget of £2m will be provided for damp, mould, and condensation for the next three years from 2024-25 onwards. This has been modelled through the HRA business plan and is affordable.

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

3.7.1 A Stage 1 IIA was completed for the new approach to service delivery in June 2023. The proposals have a positive effect on people and equalities and a neutral effect on the environment.

ASSESSMENT SUMMARY

Theme	Calculated Scores						Stage 2 Assessment Required
	Proposal	Impact	P + I	Mitigation	Evidence	M + E	
Equalities	6	3.5	9.5	0	2	2	No
Environment		4.1	4.1	5	2	7	No

3.7.2 The costs of providing mould treatments have increased considerably in 2023/24 against previous years, this is largely due to the increase in cases and for some backlog cases, the scale and extent of the treatment required. Budget requirements for 2024/25 are being reviewed in the light of current case volumes and the new approach to case management. A longer-term approach that looks to deal with the root causes of issues, rather than symptoms will help to reduce revenue spend associate with mould treatments.

3.7.3 The costs from disrepair cases are high, these costs include settlement amounts, the cost of repairs dealt with when disrepairs are notified, legal fees and operational costs of managing casework. Cases are managed to minimise unnecessary costs – e.g. making settlement or reparation without going to court where the council is clearly responsible for the works required. The most effective way to reduce costs in relation to disrepair is to reduce its incidence through better diagnosis and management of repairs and other works. The service improvement changes which are being delivered by H&N will help to facilitate this shift, but it will take some time for the impact of this to manifest.

4. Consultation and Engagement

4.1 The redesign of damp, mould and condensation processes were developed through engagement with residents about their experience of the service provided. New processes have been developed to be more resident focussed and aim to improve communication and resident experience. Feedback received from residents who have reported cases since the new service delivery model was introduced has been largely positive and shows that the redesign is improving resident experience.

4.2 The new service delivery model includes follow-ups with residents immediately post-completion to gauge their satisfaction with the way the case was dealt with and again at 3 months to check that the treatment has worked, and the problem has not recurred. Learning from this activity is fed back into the design of the model on an ongoing basis.

4.3 A more substantial review of the success of the new model, involving residents and members will take place after 6 months of operation. The review will look to understand the most important Key Performance Indicators for stakeholders, implement these if they are not already in place so they can inform the management and future redesign of services.

5. Next steps and timelines

- 5.1 An internal audit of damp, mould and condensation will take place and any recommendations implemented.
- 5.2 Treatments, repairs, and other required actions will be delivered for backlog and new cases. These will be managed and monitored by the SPoC and Triage teams to ensure adequate and appropriate resolution and resourcing.
- 5.3 The new service delivery model will be reviewed and improved on an ongoing basis with a more formal and comprehensive review after 6 months of operation.
- 5.4 Strategy, service standards and the use of data and intelligence to support improvements to service delivery will be developed and implemented over the next 12 months.
- 5.5 The Asset Strategy and 30-year capital plan will be submitted to Cabinet in March 2024 for approval and adoption.

6. Officer recommendations and reasons

- 6.1 It is recommended that Cabinet:
 - 6.1.1 Note the contents of this report and the status of the delivery of services to residents in relation to damp, mould, and condensation.
 - 6.1.2 Receive regular updates on progress with the design and delivery of changes to the approach to damp, mould, and condensation.
 - 6.1.3 Receive regular updates on the situation with damp, mould, and condensation in residents' homes.

7. Cabinet Portfolio Holder

- 7.1 The report was presented to the Portfolio Holder for Housing and Highways on 28 November 2023.

8. Homes and Neighbourhoods Improvement Board recommendations

- 8.1 The report was presented to Homes and Neighbourhoods Improvement Board on 16 November 2023. The Board recognised how much had been achieved through the project and the improvements this has brought. Board asked for regular updates on the volume of damp, mould, and condensation cases especially through the winter months.

9. Contact officer

Hannah Elliott, Head of Assets and Development, Homes & Neighbourhoods
Tel: 01484 221000 ext 76400
Email: hannah.elliott@kirklees.gov.uk

- 10. Background Papers and History of Decisions**
[DMC Update Cab Aug23 v1.1.pdf \(kirklees.gov.uk\)](#)

- 11. Service Director responsible**
Naz Parkar for Homes & Neighbourhoods
Tel: 01484 221000 ext 75312
Email: naz.parkar@kirklees.gov.uk



Name of meeting: Cabinet

Date: 23rd January 24

Title of report: Disposal of Open Space at Fenay Lane, Almondbury, Huddersfield

Purpose of report: To consider the objections received as a result of advertising the Council's intention to dispose of open space at Fenay Lane, Almondbury, Huddersfield, and to determine whether to proceed with the intended disposal of the open space.

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?	No
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u>	No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	David Shepherd – Strategic Director, Growth and Regeneration - 13th December 23 Isabel Brittain – 13th December 23 Julie Muscroft – 3rd January 24
Cabinet member <u>portfolio</u>	Cllr Graham Turner – Regeneration

Electoral wards affected: Almondbury

Ward Councillors consulted: Cllr Alison Munro, Cllr Bernard McGuin, and Cllr Paola Davies

Public or private: Public

Has GDPR been considered? Yes - personal information has been redacted

1. Summary

The Fenay Lane, Almondbury, Huddersfield site is a Council owned site which is allocated for Housing in the Kirklees Local Plan (Local Plan Ref: HS9). The site is included within the Council's Housing Delivery Plan. It is currently being used for informal recreation. The site is shown on the plan edged in red at Appendix 1.

Section 123 (2A) of the 1972 Local Government Act requires local authorities wishing to dispose of any land consisting of or forming part of an open space to advertise their intention to do so for two consecutive weeks in a local newspaper. Any objections received have to be referred back to Cabinet for consideration pursuant to paragraph (d) of Part I of the delegations to the Strategic Director Growth and Regeneration contained in Section F of the Constitution.

S123 Notices pertaining to the disposal of the open space off Fenay Lane were published in the Huddersfield Examiner on 18th and 25th October 2023. Forty-nine objections were received by the deadline of 8th November 2023, signed by 84 people.

Cabinet are therefore asked to consider the objections received in response to the advertisement of disposal of open space off Fenay Lane, Almondbury, Huddersfield and to determine if the intended disposal of the open space should proceed.

2. Information required to take a decision

The approach to the disposal of the site was approved at Cabinet on 14th November 2023. The Fenay Lane site is intended be sold to a Registered Provider that is a Strategic Partner of Homes England. If the objections are noted and overruled the Council will conduct a competitive land sale exercise to find their preferred Strategic Partner (Council's partner) to design and build both market and affordable homes, and the focus will be on providing affordable homes significantly above the planning policy requirement of 20%. Officers have been moving the disposal process forward.

Notices advertising the intention to dispose of this open space were placed in the "Huddersfield Examiner" on 18th and 25th October 2023, with a deadline for objections to be received by no later than 8th November 2023. A copy of the Notice is attached at Appendix 2.

As referred to in 1 above, if objections are received then they must be considered by Cabinet and a decision reached as to whether to note the objections and proceed with the planned disposal or to pause the disposal and look at alternative options for dealing with the land.

2.1 Objections Received

Forty-nine separate objections to the s123 Notices were received by the deadline of 8th November 23 and these were signed by a total of 84 people. A majority of objections relate to the principle of housing development on the site and/or the impact of that housing. These matters have already been assessed and examined through the Local Plan process and the site was ultimately allocated for housing in the Local Plan. A further objection – relating to the s123 process - was received 3 days late.

Due to the fact that objections have been received it is necessary for this issue be referred to Cabinet for consideration of the objections pursuant to paragraph (d) of Part I, Section F of the Constitution and for a final decision to be made by Cabinet on whether to proceed with the intended disposal.

The objections - in categories - are summarised below, along with officer responses for consideration.

2.1.1 - Loss of Public Open Space/Space for recreation/ Public Right of Way

Objections

- The land is in the green belt and is classified as Public Open Space.
- The public have a legal right of access to common land for recreation so the site should be retained as such
- It is a beautiful, safe and very well used green area used by local residents for leisure and recreation including walking, dog walking camping, hiking, nature watching and even sledging in winter. It provides a safe play space for children.
- Valuable Green space will be lost if this sale goes ahead - there aren't many green spaces within a short walking distance from this site.
- A public footpath crosses the site and is well used and should be protected. It is the only rural footpath to Almondbury from Penistone Road.

Officer Response

The site is not within the green belt and is not allocated as Public Open Space or Common Land. The site was allocated as a Housing Site in the 2019 Local Plan. It is an open space that is currently being used by local residents for informal recreation and as such it was necessary to advertise the disposal of this open space.

Any application for housing development on the site will need to obtain Planning permission before any work can take place. The Council's partner will be required, through the planning process, to either provide on-site areas of open space or to enter into a s.106 Agreement to contribute to off-site open space in the local area. The Public Right of Way that runs through the site will also be considered at the planning stage and as appropriate conditions relating to it can be attached to any approval.

If the objections are noted and the proposed disposal is allowed to proceed then the objectors will have a further opportunity to comment on the planning application and proposed development proposals as part of that process.

2.1.2 - Ecology, Wildlife, Biodiversity & Trees

Objections

- The site is a haven for wildlife and contains many different species including frogs, toads, rabbits, stoats, newts, foxes, squirrels, bats, badgers, mice and deer plus many species of birds. Disposal of the site for housing would have a great impact on wildlife, ecosystems and biodiversity.
- There are many well established and mature trees which should be protected. Their removal would have an adverse effect on habitats and wildlife. The felling of trees in this area would be in direct opposition to the Kirklees Councils Net Zero plan and policies on Climate Emergency Action, Biodiversity Action and would increase carbon emissions.
- The Marshland at the bottom of the site is a habitat of great importance for flora and fauna and should be retained.

Officer Response

The impact of the eventual proposals on ecology, wildlife, biodiversity and trees will be considered during the planning process and all required reports and surveys relating to these matters will be submitted with the planning application by the Councils partner. Where appropriate, it is anticipated that conditions will be applied by the Local Planning Authority to any planning approval that the Councils partner will be required to meet as part of development proposals.

Through the 2021 Environment Act, every planning permission for new housing from 2024 must achieve biodiversity net gain (BNG) of 10%. Before any development begins, applicants need to measure the existing and proposed biodiversity values of their sites, set out a clear plan for achieving the proposed increase, and get that plan approved by the Local Planning Authority. Developers must show that they are avoiding and preventing any negative biodiversity impacts; taking action to decrease the extent of any unavoidable impacts; and compensating for any remaining impacts, preferably as close to the point of impact as possible. In cases where none of these work, developers can also 'offset' their biodiversity impact, by creating off-site habitats or (if not possible) purchasing biodiversity units.

The marshland area at the bottom of the site lies with flood zones 2/3 so houses are unlikely to be built there.

2.1.3 - Flooding/Drainage

Objections

- The removal of trees and vegetation would exacerbate the potential for increased water run-off/flooding
- The area regularly floods due to the lack of drainage in the area and the fact that Fenay Beck runs through it - Building more houses will exacerbate this.
- The site is extremely steep and properties on Southfield Road that back onto the site already struggle with drainage and flooding when it rains. Developing the site will increase the flooding issues for these houses.
- Further pressure will be placed on Fenay Beck from surface water run- off and drainage increasing the risk of flooding and the impact from surface water run off for residents who live along the boundaries of the site.
- The flat area of land adjacent to Penistone road is an important flood plain which protects the highway in times of high rainfall. It is permanently wet and was designated a marshland some years ago. Any buildings on that area would be liable to flooding.
- The ditch alongside Fenay Lane runs with water all the time. Ditches have been put in to protect houses and drain the land. If the ditch is removed or filled in then the water needs to go somewhere.
- The soil type does not lend to satisfactory drainage when it rains.
- The Local plan did not consider the cumulative impacts of surface water run-off into Fenay Beck.

Officer Response

The impact of the future proposals on drainage and flood risk will be considered during the planning process. The Council's partner will be required to submit a Flood Risk Assessment and Drainage Strategy as part of the planning application which will be fully reviewed and

considered by the Local Lead Flood Authority and amended as required to ensure the planned development satisfies their requirements re drainage and flood risk.

Housing sites allocated in the Local Plan were assessed for their individual and cumulative impact during the Local Plan process, and this was accepted by the Planning Inspector who approved the Housing allocation for this site.

It is likely that the Council's partner will be required to only build new homes in the part of the site that lies within flood Zone 1. Where new buildings and roads are constructed, surface water would be required to be attenuated in appropriate locations and released slowly into local piped watercourses - this removes the peak flows over shorter durations that are associated with floods. It is a prerequisite of a site flood risk assessment to demonstrate that the site will not make flooding worse.

2.1.4 – Traffic/Highways

Objections

- No viable/safe vehicular access point on the site to serve a new housing development
- Would lead to more traffic chaos and pollution
- The road system in this area cannot support extra traffic - traffic backs up on Southfield Road at peak times from the junction at the bottom of Southfield Road where it meets Penistone Road. Also, traffic heading into Huddersfield on Penistone Road often backs up to past Fenay Lane and towards Lepton.
- Roads are already congested – will be more accidents and congestion and longer traffic queues.
- All the junctions in the Fenay Bridge area are extremely busy and dangerous – the area is an accident blackspot.
- Traffic management solutions need to be put in place at key junctions incl Penistone Rd/Fenay Lane
- Fleminghouse Lane is a steep hill and narrows at the top – it is not wide enough for two cars to pass without one car stopping. Additional traffic from the development would exacerbate the problem.
- St Helen's Gate is a nightmare at school drop off/pick up time. If there are more cars there is more chance of children being at risk from a road traffic accident.
- Commuters already use side streets to cut out Penistone Road and Wakefield Road to avoid backed up traffic. This will hugely increase with new housing development.

Officer Response

The impact of the future proposals on traffic/highways matters will be considered during the planning process.

Housing sites allocated in the Local Plan were assessed for their individual and cumulative impact during the Local Plan process, and this was accepted by the Planning Inspector who approved the plan. Access to the site was deemed possible and the site was deemed to be sustainable.

The specific access designs will be set out by the Councils partner for the site – however access would be possible from both Penistone Road and Fenay Lane.

Whilst housing on the site would inevitably generate more traffic, all impacts would be assessed and mitigated through a Transport Assessment and Travel Plan when a planning application is submitted for the development. Highways colleagues have advised that while there may have been queuing on roads in this area in the past, this has decreased in recent years.

Whilst acknowledging accidents in this vicinity, the development could provide opportunities on site to improve the current traffic and accident issues around the Fenay Lane/Penistone Road junction.

2.1.5 – Air Quality

Objections

- Removal of trees and plants will have a negative impact on air quality in the area.
- Air quality along Penistone Road is recorded by the World Health Organisation as High and requiring immediate action. Adding more cars will only exacerbate this.
- Air pollution hangs along the Penistone Road, especially at rush hour. Adding more homes/cars will exacerbate this, especially as cars will be queueing for longer whilst emitting toxic fumes. This will be detrimental to health - including to children at the nearby nursery.
- Building on open spaces can lead to areas being significantly warmer resulting in health issues for residents

Officer Response

The impact of the future proposals on air quality and health will be considered during the planning process. The Councils partner will be required to prepare and submit an Air Quality Assessment with the planning application and appropriate conditions may be applied by the Local Planning Authority to an approval.

2.1.6 – Noise

Objections

- The development will result in additional noise pollution of detriment to residents.
- A full noise survey is needed
- Shift workers will struggle to sleep during the day with the constant noise from a building site.

Officer Response

The impact of the future proposals on noise will be considered during the planning process. The Councils partner will be required to prepare and submit a Noise Report with the planning application and appropriate conditions may be applied by the Local Planning Authority to an approval.

2.1.7 – Heritage/Archaeology

Objections

- A full archaeological report/assessment a Heritage impact statement is required,

- The two listed properties lie just beyond the top of the site - Finthorpe House and cottages. Any development should be sensitive to the impact on these historic buildings. A buffer should be included to minimise impact which includes natural planting to screen the historic buildings.

Officer Response

The impact of the future proposals on heritage/archaeology will be considered during the planning process. All required reports/surveys relating to the heritage of the site, and its immediate vicinity, including a Heritage Impact Assessment, will need to be submitted by the Councils partner with the planning application.

2.1.8 - Effect on Schools and Local Services

Objections

- There are currently not enough Doctors, or Dental surgeries – new houses will only increase demand and make it even harder to register or get appointments. Waiting times will also increase.
- Schools are already stretched now – Almondbury high school closed in 2019 and King James High School has had to extend to take on the extra students and is full to capacity. The planned housing will put additional pressure on a school which is already struggling to cope with the current pupil intake levels. Also there is not a local junior school as this was closed to create a special school.
- The developers should be made to support schools and services.

Officer Response

The impact of the future proposals on schools and local services will be considered during the planning process. A potential s106 contribution towards education in the area may be imposed upon and be payable by the Councils partner as a condition to any planning approval granted by the local planning authority.

2.1.9 – Impact on Adjacent Residents

Objections

- The proposal would negatively affect house prices and adjacent homes may be harder to sell
- There will be an overbearing impact on existing homes adjacent to the site – most existing homes look up at the site so new properties would tower over adjacent homes and overlook them thus affecting privacy and restricting the natural sunlight to existing homes and gardens.
- The proposed development has the potential to cause misery for many householders due to the loss of visual amenity, overlooking and noise.

Officer Response

The impact of the future proposals on adjacent residents, eg overlooking, noise, will be considered by the Local Planning Authority during the planning process.

2.1.10 – Other Brownfield Sites

Objections

- Other brownfield sites should be built on instead of this one eg. Tandem by the soccer village and areas of vacant land in Kirkheaton/Dalton. These offer virtually level conditions for development unlike this site and could be built on rather than desecrating open space. Areas like this need to be preserved and not sacrificed by the Council for short term financial gain or to meet Government housing targets.

Officer Response

All housing sites allocated in the local plan were assessed for their individual and cumulative impact during the Local Plan process. The Fenay Lane site underwent a thorough examination during the Local Plan allocation process and was consequently approved by the Inspector and allocated for Housing in the Local Plan.

2.1.11 – Loss of Ambience and Community

Objections

- With all the new and ongoing developments, HD5 and HD8 are in danger of losing their current ambience and community.
- Having a bunch of box houses on the site will ruin the feel of this lovely village
- The current green space brings balance to the amount of housing in the area

Officer Response

The design of the proposed new housing development will be considered during the planning process.

2.1.12 – Public Consultation

Objections

- The developer should undertake full community engagement on the proposals including leaflet drops, a public meeting/public drop in. Any proposal must be carefully designed in consultation with the community.
- Insufficient time has been allowed for residents to respond - only giving people 5 days to respond is nowhere near enough time
- Someone should meet with those who will be negatively impacted by the proposed development to discuss the concerns and to walk the site and witness its natural beauty.
- The Council seems to have made the minimum effort to advise the local community of this development - many households were not even aware of it.

- The Council are only paying lip service & following legal procedures by asking for objections – the decision has already likely been made & the thoughts of the local community will be totally ignored

Officer Response

The Council's partner will be responsible for the timing and type of community engagement which will be carried out through the planning process and in line with the requirements of the local planning authority. In accordance with the Government's National Planning Policy Framework and accompanying National Planning Practice Guidance, consultations will be undertaken with all relevant Council departments and local residents and an information notice will be placed close to the site advising members of the public of the intended development. All comments received will be taken into consideration by the Planning Committee before a decision is taken on the application.

2.1.13 – Local Plan

Objections

- This site is HS9 in the Local Plan and was to have extra care Housing Built – is this still the case?
- The data collected for the local plan has since been identified as over-estimated and inaccurate. There is no need to use land of such environmental and recreational value to build houses on.

Officer Response

Housing sites allocated in the Local Plan were assessed for their individual and cumulative impact during the Local Plan process, and the Fenay Lane site was ultimately allocated for housing in the Local Plan. As part of the intended market testing exercise which will be carried out, potential partners will be asked to provide feedback on the scope for the site to accommodate supported housing for older people.

2.1.14 – Overdevelopment

Objections

- The scale of any potential development (274 homes / 10 Ha) suggested by the Council appears grossly out of step with the established housing surrounding this area. This will only add to the cumulative impact of other sites already approved nearby in Fenay Bridge and with the expectation of more houses in the future. This is overdevelopment of the area.
- This area is receiving a lot of new houses in a small area which is over-development
- With houses remaining on sale for lengthier periods of time, is there the need for more housing?

Officer Response

Housing sites allocated in the local plan, including this one, were assessed for their individual and cumulative impact during the Local Plan process and the Fenay Lane site was ultimately allocated for housing in the Local Plan.

The figure of 274 dwellings was an indicative capacity stated in the Local Plan. The Council's partner will design a housing scheme to take account of the constraints of the site. Recent feasibility work funded by the West Yorkshire Combined Authority has confirmed that the site has the capacity to deliver around 160 homes.

There is a need for 1,730 new homes per year in Kirklees, of which 1,049 need to be affordable. It is anticipated that this project will provide new market and affordable housing to help meet this need.

2.1.15 – Objection received after the deadline - s.123 process.

Objection

One objection was received after the deadline which suggested that the under the Local Authorities Act 2000 there is no time limit for objections because the right to petition overrides all rules and clauses in the acts and that there is a right to use local referendum powers. It also states that no reason is needed for objections.

Officer Response

The Council's Legal team has advised that there is no such statute as the Local Authorities Act 2000. In addition, s123 of the Local Government Act 1972 does not prescribe a time limit for objections - the Council has allowed 21 days consistently for many years and this is considered a reasonable time and approach and is comparable with time limits of adjacent local authorities.

There is a Local Government Act 2000 which refers to referenda but this relates to the use of local referenda to change the governance model of a Council (e.g. potentially move to elected Mayor or Committee system). The statutory basis of the rest of the objection is unclear.

3. Implications for the Council

3.1 Working with People

The disposal of the open space will provide the opportunity for the development of much needed market and affordable housing to the district across a range of tenures, including affordable rent and shared ownership. There is a need for 1,730 new homes per year in Kirklees, of which 1,049 need to be affordable. This project will provide affordable housing that meets the needs of local people. There will be an expectation that the Council's partner will exceed the 20% Policy requirement for affordable housing.

There may also be opportunities during the construction phase for the local labour market and local suppliers.

3.2 Working with Partners

The disposal of the land at Fenay Lane for housing development provides an opportunity for Strategic Partners of Homes England to acquire land from Kirklees Council in order to support the Council in facilitating delivery of homes across the district.

Strategic Registered Provider Partners have pre-allocated financial resources, and the capacity, skills, expertise, creativity and procurement structures in place to enable them to acquire sites and build new quality market and affordable homes and places at scale and pace. They are

experienced in building and managing affordable housing, and will bring much needed resources to the Kirklees district, as part of the Council's wider programme of housing growth. They will also bring vital resources to the support the Council in housing delivery, at a time when resources are stretched and staff with expertise in the housing delivery and wider development field are difficult to secure.

3.3 Place Based Working

The Council's partner will carry out consultation in the local area in line with the requirements of the Local Planning Authority.

3.4 Climate Change and Air Quality

Energy efficient building methods, which support the delivery of low carbon housing, will be explored and incentivised through the evaluation process for selecting the Council's partner. Existing partnerships with Strategic Registered Providers have demonstrated their ability to plan for low carbon affordable housing schemes.

3.5 Improving outcomes for children

Well designed, energy efficient housing built to nationally described space standards, and with (where applicable to the site) provision of open space on site will help provide children with the best start in life.

3.6 Financial Implications for the people living or working in Kirklees

There are no financial impacts on wider residents of Kirklees arising from the process of considering the objections to the disposal of open space set out in this report.

3.7 Other (eg Integrated Impact Assessment (IIA)/Legal/Financial or Human Resources)

This report advises upon the process for disposing of open space and Cabinet's need to carefully consider the objections received before reaching a decision.

All statutory requirements have been complied with.

The implications of disposing of the Fenay Lane site via a competitive land sale exercise were set out in the previous Cabinet report of 14th November 2023 (link provided in paragraph 9 below). This includes the potential to dispose of the site at "less than best consideration" in order to bring forward energy efficient market and affordable housing, including affordable housing in excess of the planning policy requirement, to meet housing need across the district.

The Council has the statutory powers to dispose of the land and the disposal is in line with the Councils Disposal and Acquisition Policy 2017.

An Integrated Impact Assessment for the Fenay Lane site has been produced and this can be viewed here:

<https://www.kirklees.gov.uk/beta/delivering-services/integrated-impact-assessments/home/details/IIA-557036475/>

4 Consultation and Engagement

Ward members and the Portfolio Holder were advised in advance of the publication of the s123 Notices. Engagement with ward members will continue to take place if proposals for the site progress. For example, local ward members are informed when survey work takes place on sites, and at key points during the development process e.g. when planning applications are made or when there is a start on site. The Council's partner will be expected to carry out public and ward member consultation on the eventual proposals for the site in line with planning requirements.

Portfolio holders are informed of progress on the overall housing growth programme via their regular briefing sessions, and specific, strategic issues and decisions in relation to each site are taken to them for a decision in accordance with previous resolutions of Cabinet.

5 Next steps and timelines

If the objections to the s123 Notices are over-turned and the current approval to dispose is maintained, the proposed next steps in relation to Fenay Lane are as follows:

Soft Market Testing	Jan/Feb 2024
Finalise land sale pack and supporting documents	Feb/early March 2024
Land sale "Tender" period	Mid-March 2024 – early May 2024
Period for clarifying interviews	Early May 2024
Evaluation	May – early June 2024
Appointment of Council's partner	June 2024

6 Officer recommendations

It is recommended that Cabinet notes the objections to the disposal that have been received and approves the disposal of this area of open space to enable the development of the site for much needed new housing to help meet housing need, in the knowledge that objectors and other residents in the locality will have a further opportunity to comment on the development proposals as part of the statutory planning process.

7 Cabinet Portfolio Holder's recommendations

Cllr Turner agrees with the recommendation above.

He would like to thank all those for taking part in the consultation.

As can be seen in the report most of the objections will be picked up and dealt with as part of any planning permission.

During the planning process there will also be the opportunity to object and comment on any submitted application.

We have a shortage of houses and sites that can be developed in a reasonable time scale, and this site will deliver much need homes, in hopefully a timely manner.

As a council owned site we will work with a partner to deliver a mixture of homes to help with our housing needs.

8 Contact officer

Debbie Bates
Housing Growth Manager
debbie.bates@kirklees.gov.uk

9 Background Papers and History of Decisions

Cabinet Report – Housing Delivery Plan. Approved 29th August 2018
<https://democracy.kirklees.gov.uk/documents/q5703/Public%20reports%20pack%2029th-Aug-2018%2016.00%20Cabinet.pdf?T=10>

Cabinet Report – Housing Delivery Plan Update. Approved 20th January 2020

<https://democracy.kirklees.gov.uk/documents/q6297/Public%20reports%20pack%2020th-Jan-2020%2010.00%20Cabinet.pdf?T=10>

Cabinet Report – Housing Delivery Plan Update. Approved 27th June 2023

<https://democracy.kirklees.gov.uk/documents/q7331/Public%20reports%20pack%2027th-Jun-2023%2014.00%20Cabinet.pdf?T=10>

Cabinet Report – Disposal of Fenay Lane, Almondbury. Approved 14th November 2023

<https://democracy.kirklees.gov.uk/documents/q7415/Public%20reports%20pack%2014th-Nov-2023%2015.00%20Cabinet.pdf?T=10>

10 Service Director responsible

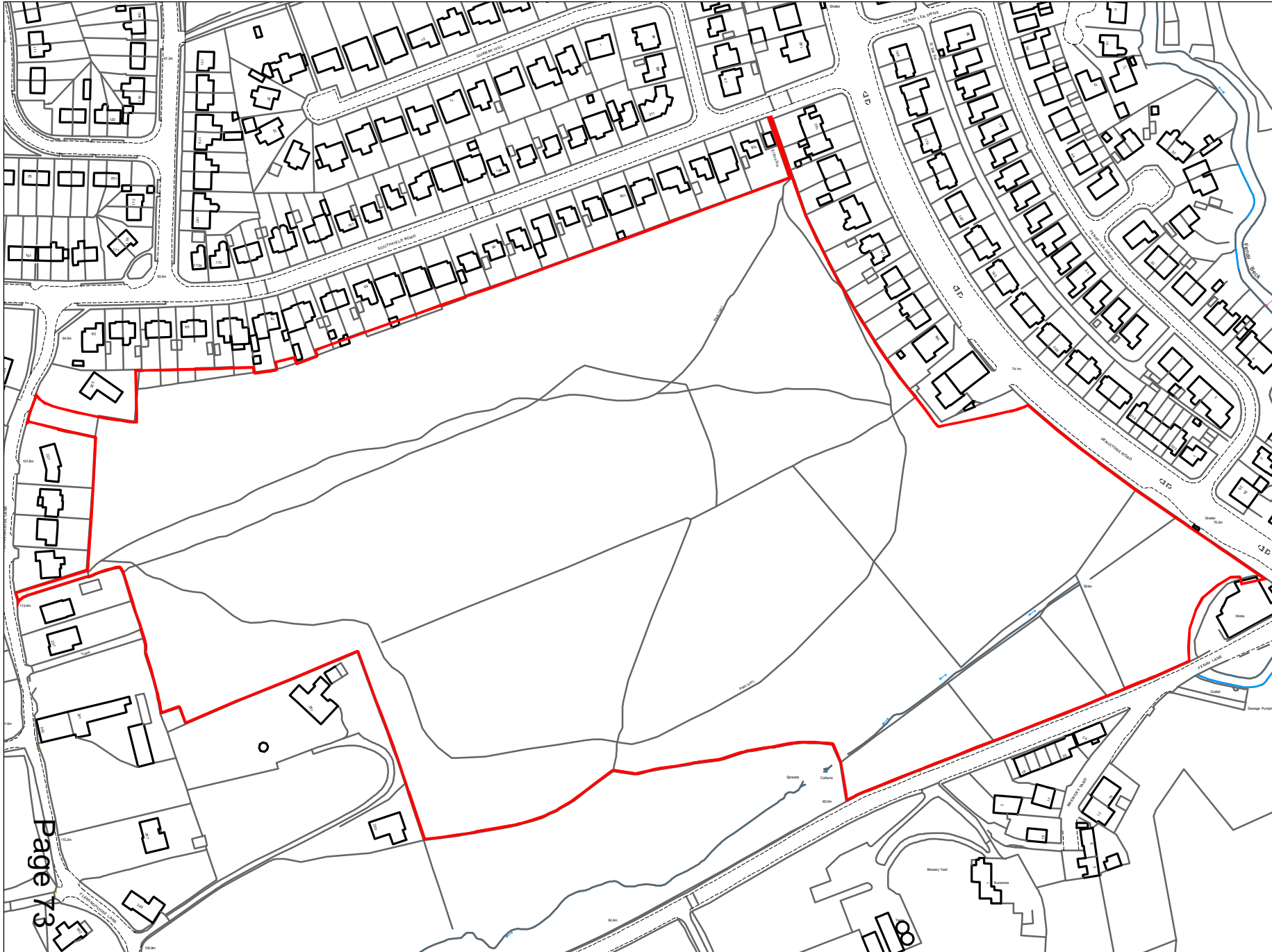
Edward Highfield
Service Director: Skills & Regeneration
Edward.highfield@kirklees.gov.uk

Appendices:

Appendix 1 - Site Plan

Appendix 2 – s.123 Notice

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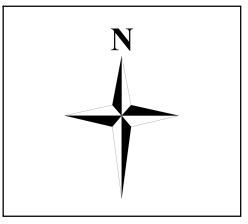


Assets & Estates

Date:
08/11/2023

Scale:
1:2500 @ A4

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**KIRKLEES COUNCIL
LOCAL GOVERNMENT ACT 1972 - SECTION 123
DISPOSAL OF PUBLIC OPEN SPACE**

LAND ADJACENT TO FENAY LANE, FENAY BRIDGE

NOTICE IS HEREBY GIVEN that Kirklees Council intend to dispose of an area of approximately 10.1 hectares adjacent to Fenay Lane, Fenay Bridge. The land is presently classed as Public Open Space. It is intended that the land will be used for Housing

Any person having any objection to the disposal should make such objection in writing to Harry Garland (quoting reference: DEV/HG/D70a-562), Kirklees Council, Legal Services, PO Box 1720, Huddersfield, HD1 9EL no later than 8 November 2023, giving full reasons for such objection.

A copy of the plan showing the area in question may be inspected free of charge online at <https://www.kirklees.gov.uk/beta/premises-and-land/council-land-and-property.aspx>. A copy may also be requested by contacting Harry Garland on 01484 221000, or by email: harry.garland@kirklees.gov.uk, and quoting reference DEV/HG/D70a-562.



Julie Muscroft
Service Director – Legal, Governance and Commissioning

Kirklees Council
Legal Services
PO Box 1720
Huddersfield
HD1 9EL

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Name of meeting: Cabinet
Date: 23rd January 2024
Title of report: Report seeking approval for Kirklees' School Funding arrangements for financial year 2024/2025

Purpose of the Report

This report sets out the proposed Dedicated Schools Grant (DSG) funding arrangements for 2024/2025 in each of the four funding areas:

- Schools
- Central Schools and Services Block (CSSB)
- High Needs
- Early Years

The proposals will form part of the formal submission by Kirklees Council to the Education & Skills Funding Agency (ESFA) in January 2024 for executive agency approval on behalf of the Department for Education (DfE).

Key decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes, the schools funding distribution affects all schools in every ward in Kirklees.
Key decision - is it in the Council's Forward Plan (key decisions and private reports)?	Yes Private report/appendix: No
The decision - is it eligible for "call in" by Scrutiny?	Yes
Date signed off by Strategic Director & name	Tom Brailsford 15 th January 2024
Is it also signed off by the Service Director for Finance?	Isabel Brittain 15 th January 2024
Is it also signed off by the Service Director – Legal, Governance & Commissioning Support?	Julie Muscroft 15 th January 2024
Cabinet member portfolio	Cllr Elizabeth Reynolds – Learning and Aspiration Cllr Graham Turner – Finance and Regeneration

Electoral [wards](#) affected: All Wards

Ward councillors consulted: None

Public or private: Public

GDPR: There is no personal data contained within this report.

1. Summary

This report sets out the arrangements that have been consulted with School Forum and constituent groups for the funding of local schools and academies for the funding year 2024/2025. The main elements which require Cabinet approval are: -

- The specific funding factors to be used and the relative weightings and values of the funding factors.
- To note any exceptions applications to the Education & Skills Funding Agency (ESFA) and approvals given.
- Central budget provision within the Dedicated Schools Grant Schools Block of funding, the Central School Services Block, and the Early Years Block.
- De-delegation arrangements for mainstream maintained schools

2. Information required to take a decision.

2.1 Background

Dedicated Schools Grant

2.1.1 Dedicated Schools Grant (DSG) is the funding that is provided to Councils in four blocks to fund:

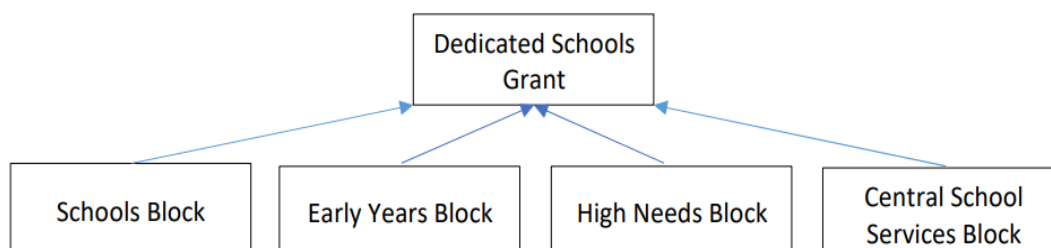
Schools Block - statutory school age education (4–16-year-olds).

High Needs Block - children and young adults from birth to age 25 having Special Education Needs & Disability (SEND).

Early Years Block - the free entitlement to early education and childcare provision for 3 and 4 year-olds and for disadvantaged 2-year-olds.

Central Schools Services Block (CSSB) - to pay for some of the Council's statutory and regulatory duties they have for all pupils educated within the borough.

2.1.2 Allocations to Kirklees for all four funding blocks within the Dedicated Schools Grant are now essentially determined by National Funding Formula (NFF) calculations.



Schools Forum and Council responsibilities for DSG

- 2.1.3 Every local authority is required to have a Schools Forum to act as the main consultative group on revenue funding issues affecting local schools and related providers. The Schools Forums (England) Regulations 2012 determine the role, powers and responsibilities of the Forum. The local authority proposes and decides upon the shape and effect of school funding arrangements on an annual basis but must consult with the Schools Forum about changes to be made. There is also a requirement to consult annually with the Forum on both High Needs and Early Years funding arrangements.
- 2.1.4 Whilst Schools Forum has a generally consultative role, there are situations in which they have decision making powers. The areas on which schools forums make decisions on local authority proposals include:
- de-delegation from mainstream maintained schools budgets.
 - to create a fund for significant pupil growth.
 - agreeing other centrally retained budgets, including for local authority statutory responsibilities.
- 2.1.5 The maintained primary and secondary school representatives to the Forum decide on the arrangements that will apply for their phase (having consulted their constituencies). In cases where the Local Authority and the Forum cannot reach an agreement on central retention and de-delegation issues the Secretary of State for Education would adjudicate.

Formal submissions to the Education & Skills Funding Agency

- 2.1.6 Any exceptions (disapplication) requests seeking permission to make variations to the operation of the schools funding formula were made before the ESFA deadline of 17th November 2023 (see Section 2.3 below for more details).
- 2.1.7 The structure of the local 2024/2025 schools funding arrangements and factor values used are required to be submitted to the ESFA by 22nd January 2024, based upon a pupil dataset provided by the ESFA which is derived largely from October 2023 pupil census information. The Authority Pro Forma Tool (APT) return to the ESFA is required to show that political approval has been or will be secured for the funding allocations reported. The submission of the funding figures to the ESFA by 22nd January 2024 must be regarded as an indicative return until Cabinet approval is achieved. If amendments are required a subsequent submission would have to be made.

Schools revenue funding issues for 2024/2025 discussed with Schools Forum and constituent groups

- 2.1.8 These included the following: -
- The changes made to the National Funding Formula for schools for 2024/2025.
 - De-delegation arrangements for mainstream maintained schools
 - Central School Services Block (CSSB)
 - High Needs Block funding
 - Early Years Block funding

These topics are covered in more detail in sections 2.2 to 2.8 below, with the Forum's recommendations to Cabinet shown at section 3 below.

2.2 Direct National funding formula (NFF) transition for schools

2.2.1 Local Authorities will be required to bring their own formulae closer to the schools NFF from 2024/2025:

- Local authorities must move their local schools funding formula factor values at least a further 10% closer to the NFF (building on the movement towards the NFF made in 2023 to 2024), except where local formulae are already mirroring the NFF. These criteria do not apply to optional, locally determined factors.
- local authorities must use the new national formulaic approach to schools with split sites.
- local authorities must follow the new local formula requirements for growth funding, whereby additional classes (driven by basic need) must be funded by at least the minimum funding level set out in the funding calculation. See Appendix B

2.3 Exceptional disapplication request made to the Education & Skills Funding Agency (ESFA):

2.3.1 Local authorities can apply to the ESFA to use exceptional circumstances relating to school premises, for example rents, or joint-use sports facilities. Unavoidable rental costs for five schools have been submitted for approval based on the latest criteria issued by the ESFA.

2.4 De-Delegation Arrangements for Mainstream Maintained Schools (see Appendix C)

2.4.1 Annual proposals on de-delegation are made by the local authority to maintained primary and secondary schools. The ESFA only permits de-delegation against a number of specified headings. The maintained primary and secondary schools representatives to the Schools forum formally decide on de-delegation issues on behalf of their phase.

2.4.2 The de-delegated budget arrangements proposed for 2024/2025 are: -

- Schools contingency
- Historic voluntary early retirements*
- Free school meals eligibility checks
- Maternity, paternity and adoptive leave costs
- Trade union facilities time (maintained primary schools only)
- Public duties
- International new arrivals service
- School Improvement Commissioning

* Separated out of schools contingency

2.4.3 De-delegation arrangements for 2024/2025 for the maintained schools were consulted upon between 21st November 2023 and 30th November 2023. A total of 19 responses were received from 102 maintained schools of which the majority who responded supported the proposals, Schools forum considered the responses and agreed to support the recommendation for 2024/2025. Please refer to Appendix C below for details of the 2024/2025 de-delegation deductions,

Dedicated Schools Grant (DSG) Funding Settlement 2024/2025

2.5 DSG Schools Block

2.5.1 The 2024/2025 per pupil units of funding for the DSG Schools Block settlement are £5,143 (£4,892 2023-2024) per primary pupil and £6,657 (£6,344 2023-2024) per secondary pupil. These rates represent a 5.1% and 4.9% increase respectively on 2023-2024.

2.5.2 The confirmed Schools Block allocation for Kirklees for 2024/2025 has increased by £18.9 million (£349.2 million in 2023-2024 to £368.1 million for 2024/2025) which after taking account of the former Mainstream Schools Additional Grant (2023/2024) results in an overall increase of 1.9%. The Table below shows the breakdown of the funding:

Kirklees Council - Dedicated schools grant (DSG) 2024/2025					
Total Primary Schools	Total secondary schools	Total Premises factor	Growth funding	Total schools block	Total schools block (After NNDR deduction)*
£186,962,495	£176,464,964	£6,129,710	£1,577,825	£371,134,994	£368,079,003

*School Business Rates

2.5.3 The Schools Block funding factors to be used in the 2024/2025 funding allocation to schools will largely be those prescribed by the National Funding Formula (see Appendix A below for a list of these funding factors and values).

2.5.4 In addition to the DSG National Funding Formula, the government announced additional funding for teachers' pay in July 2023. This will be allocated to mainstream schools through the **teachers' pay additional grant (TPAG)**. This is outside the NFF and is not included in the 2024/2025 funding calculations.

2.5.5 On the 13th October 2023 Schools Forum agreed a Schools Block Transfer of £2.6 million to the High Needs Block to support a range of investment measures as part of the broader Kirklees SEND transformation and Safety Valve agreement.

2.6 High Needs Block Funding 2024/2025

2.6.1 The settlement for 2024/2025 totals £65.948 million, before deductions, as shown in the table below:

Kirklees Council High Needs DSG Block Allocation								
Total high needs block before additional funding and deductions	Additional high needs funding	Total high needs block before deductions	Mainstream Academies Pre-16 special educational needs places funded at £6,000	Special Academies Pre-16 special educational needs places	Special Academies Post-16 special educational needs places	Special Academies Pre-16 alternative provision places	Alternative provision academies and free schools Further education (FE) and independent learning provider(ILP) places	Total high needs block after deductions
65,947,973	0	65,947,973	624,000	1,630,000	240,000	1,040,000	3,282,000	59,131,973

2.6.2 Ongoing revisions to the national budget for the High Needs National Funding Formula have resulted in Kirklees being allocated £65.95 million for High Needs in 2024/2025 (**before deductions**) – a £2.86 million increase on 2023-2024 equivalent to a 5.1% increase.

2.6.3 Schools Forum agreed on 13th October 2023 to a funding transfer of £2.6million to High Needs from the Schools Block for 2024/2025. The intention is that the funding will support a range of investment measures as part of the broader Kirklees SEND transformation agenda.

2.6.4 The Council is now in the third year of the Safety Valve intervention programme, which offers support to Local Authorities with large DSG Deficits. This is an ongoing process with periodic updates reported to Cabinet working alongside the ESFA.

2.7 Early Years Block Funding 2024/2025

2.7.1 The initial settlement for 2024/2025 totals £48.7 million, as shown in the table below:

Funding stream	Confirmed rates	2024/2025 funding allocation
3 & 4 yr olds - Universal	£5.47	£19,818,869
3 & 4 yr olds - Extended	£5.47	£8,998,229
2 yr olds - Disadvantaged	£7.65	£5,564,260
2 yr olds - Working parent	£7.65	£7,685,382
Under 2s - (from Sept 24)	£10.41	£5,298,676
Total place funding		£47,365,416
Early Years Pupil Premium (EYPP)	£0.68	£855,198
Disability Access Funding (DAF)	£910.00	£316,680

Maintained Nursery School Supplementary Funding (MNSSF)	£4.93	£162,986
Total Early Years Block		£48,700,280

2.7.2 The Early Years block funding is estimated to increase by 59.7% from £30.5m in 2023-24 to £48.7m in 2024/2025. This increase is due to a significant expansion to the early years entitlements, commencing in April 2024.

2.7.3 The early years national funding formulae (EYNFF) are used to determine the hourly funding rates. The introduction of the new working parent entitlements for 2024 to 2025 that includes:

- an hourly funding rate for 9-months-olds up to 2-years for the new working parent entitlement (from 1 September 2024)
- an hourly funding rate for 2-year-olds which will be the same for both the disadvantaged and the working parent entitlements (from 1 April 2024)
- an hourly funding rate for 3 and 4-year-olds for the universal and additional hours entitlements

2.7.4 The hourly funding rate for 3 and 4-year-olds in 2024 to 2025 includes funding for teachers' pay and pensions. In 2023 to 2024 this was mainstreamed with the funding previously distributed through the teachers' pay grant (TPG) and the teachers' pension employer contribution grant (TPECG). In 2024 to 2025, this has also been mainstreamed with the funding being provided in respect of the September 2023 teachers' pay award, as well as the additional funding to support providers with the costs of employer contributions to the teachers' pension scheme which are due to increase from April 2024.

Early Years Block - Local consultation process and timelines

2.7.5 Local Authorities are required to consult with early years providers each year, given the significant changes to the early years entitlements and further investment in early years it is especially important to seek the views of the sector. In addition to changes at a national level and the requirement to set the local early years funding formula, Kirklees Council is reviewing the management of the special educational needs inclusion fund (SENIF) referred to locally as SENDIF.

2.7.6 After receiving initial allocations from the DfE an online consultation was opened on Friday 15th December and will close at midnight on Sunday 21st January 2024. The consultation document covers the Early Years the funding formula factors and proposed changes to the SENDIF. Further details can be found below.

2.7.7 After the consultation provider feedback will be presented at the Early Years and Childcare Reference Group on 31st January 2024, the group's recommendations will be presented to Schools Forum on 9th February 2024. The Early Years and Childcare Reference Group includes provider representation for childminders, pre-schools, day nurseries, out of school provision and schools and academies with nursery provision.

Early Year Block Central Retention

2.7.8 For 2024/2025, the 95% pass-through requirement will apply separately to the entitlements for:

- 9-months-old children up to 2-year-olds of working parents
- 2-year-old children of working parents
- 2-year-old children from disadvantaged families
- 3 and 4-year-olds (universal and additional hours)

2.7.9 The remaining 5% expenditure can be used for the following:

- centrally retained funding (for central services or services in-kind, including special educational needs and disability (SEND) services)
- transfer of funding to any of the other early years entitlements
- any extra hours that local authorities choose to fund in addition to the government's entitlement hours
- any funding movement out of the early years block

Early Block Provider Consultation

Early year providers are being consulted on a number of factors within the local early years funding formula:

- Setting the provider base rates for the disadvantaged 2 year old entitlement and the working parent 2 year old entitlement.
- Consideration for a discretionary deprivation supplement for the disadvantaged 2 year old entitlement and/or the working parent entitlements for 2 year olds and under.
- Setting the central retention value, including proposals to increase the 2023-24 level to account for additional burdens resulting from the expansion to the early years entitlements (also see appendix B).
- Proposals for setting a contingency fund of approximately 0.8% to account for volatility particularly during implementation of the expanded to the early years entitlements.
- Proposal for a 2024/2025 transfer from the Early Years Block to the High Needs Block of £0.5m to support the Safety Valve agreement with the DfE.

A full copy of the consultation can be found in appendix E (section A)

Special educational needs and disabilities inclusion fund (SENDIF)

2.7.10 Local authorities should establish SENDIFs for all children with SEN taking up the free early years entitlements.

2.7.11 SENDIF is intended to support local authorities to work with providers to address the needs of individual children with lower level or emerging SEN who are taking up the entitlements. Funding for SENDIF can come from both the Early Years block and High Needs block funding of the Dedicated Schools Grant. This fund will also support local authorities to undertake their responsibilities to strategically commission SEN services as required under the Children and Families Act 2014.

2.7.12 Kirklees has historically provided extensive financial support compared to other Local Authorities in the Yorkshire and Humber region. Whilst our commitment to support inclusion within our local early years settings remains unchanged, the current strategy is under review.

2.7.13 It is acknowledged that demand for SENDIF in Kirklees has increased significantly over recent years. Expenditure on SENDIF in the financial year 2021-22 was £1.9 million and in 2022-23 was £2.3 million, with an estimated increase to £3.1 million for the current financial year (2023-24). The spend on SENDIF has increased each year and is not sustainable under the current funding model. Since the introduction of the Early Years National Funding Formula in 2017, a contribution of £50,000 from the Early Years block funding and £50,000 from the High Needs block funding has been allocated each financial year to the SENDIF budget. Kirklees Local Authority has subsidised the difference therefore funding the vast majority of the SENDIF.

2.7.14 It is proposed that £1 million is a reasonable contribution from the High Needs block to support SENDIF from April 2024. It is recognised that this is less than current and previous spend on SENDIF and so any increases to this will need to be allocated from the Early Years block. An increased contribution from the Early Years block will mean slightly less funding passed through the provider base rates for the new and existing entitlements.

2.7.15 In line with the changes to Government guidance there is a proposal to provide SENDIF for children accessing the free entitlements only, subject to cabinet approval. Illustrative figures presented are in line with those proposals. Arrangement for children who receive SENDIF outside the free entitlement will be subject to a future cabinet report.

SENDIF consultation

The objective of the SENDIF consultation is twofold:

- Consulting on the value of SENDIF: Setting the value of SENDIF through contributions from the Early Years block funding.
- Consulting on the approach to allocating SENDIF: Seeking feedback on proposed options in the method of allocating SENDIF.

1. Options for setting the Value of the SENDIF:

- a) £1 million (£1 million from the High Needs block funding and £0 from the Early Years block funding).
- b) £2 million (£1 million from the High Needs block funding plus £1 million from the Early Years block funding).
- c) £3 million (£1 million from the High Needs block funding plus £2 million from the Early Years block funding).

2. Options on the approach to allocating SENDIF:

- a) Funding allocated solely through the Early Years Funding on an hourly basis in a similar way to the provider base rates.

- b) Children identified at SEN Support without the need for a Panel process. It is anticipated providers would submit details alongside their early years funding claims.
- c) Funding allocated by application based on individual need, i.e. continuing with a Panel approach. (Note, this will require more funding to be retained centrally hence reducing funding passed through to Early Years providers).

Dependency between the local Early Year Funding formula and SENDIF

The table below shows the Early Years Block Funding allocation and formula elements for the current financial year (2023-24) and the impact on the provider base rates for each of the proposed options above. The funding amounts and provider base rates are for illustrative purposes, final formula funding and the provider base rates will be confirmed after the consultation (the actual funding allocation from the ESFA were not available at the time the consultation was launched).

		Illustrative rates based on options for the SENDIF value in 2024-25		
		Option A	Option B	Option C
* 2024-25 options Includes administration cost of SENDIF panels £57,258, this is subject to provider consultation on the allocation method for SENDIF	Current formula & rates 2023-24	£1 million from the High Needs block funding and £0 from the Early Years block funding	£1 million from the High Needs block funding plus £1 million from the Early Years block funding	£1 million from the High Needs block funding plus £2 million from the Early Years block funding
Total Early Years Block Funding	£32,300,000	£49,011,424	£49,011,424	£49,011,424
Deprivation allocation	£320,000	See section A		
Early Years Contribution to SENDIF	£50,000	£0	£1,000,000	£2,000,000
Central retention *	£744,100	£968,553	£968,553	£968,553
Under 2s provider base rate (from Sept 2024)	n/a	£8.85	£8.71	£8.56
2-year-old (disadvantaged) provider base rate	£7.29	£7.34	£7.20	£7.05
2-year-old (working parent) provider base rate	n/a	£7.34	£7.20	£7.05
3- & 4-year-old (universal & extended) provider base rate	£5.03	£5.27	£5.14	£5.01

Decisions about the local early years funding formula must therefore be made in conjunction with decisions about the value of the SENDIF fund. These decisions cannot be made until the outcome of the consultation with providers is available and Schools forum has been consulted.

2.8 Central School Services Block (CSSB) 2024/2025

2.8.1 Kirklees has been allocated £38.60 for every 4 to 16 year-old pupil attending schools and academies in the borough (an increase from the £37.33 rate received in 2023-2024). A protected sum of £170,000 is included in CSSB to reflect historic annual pension commitments charged to the DSG.

- 2.8.2 A breakdown of proposed use of the CSSB can be found in Appendix B. A significant portion of this relates to funding for the range of statutory and regulatory duties (these used to be supported by Education Services Grant that ended in 2017) the Council has for all local pupils whether educated in maintained schools or academies.
- 2.8.3 The CSSB within the DSG allocates funding to Councils for a range of statutory and regulatory duties relating to all pupils within the authority no matter what type of school they attend. Although this funding comes directly to the Council, Schools forum has the responsibility for making an annual decision about the budget provision in response to local authority proposals. The allocation for 2024/2025 is shown below:

Kirklees Council Central school services block (CSSB) 2024/2025			
CSSB Unit of funding	Number of pupils	Historic commitments	Total central school services block
£38.60	62,864	£170,000	£2,596,532

3 Recommendations and decisions for the 2024/2025 DSG Schools Funding Formula from Kirklees School Forum

- 3.1 To note the ESFA-approved exceptions application.
- 3.2 To note the engagement / consultative process undertaken in collaboration both directly with head teachers and through the Kirklees Schools forum to agree the details submitted in line with the national funding formula for schools and high needs.
- 3.3 To support the decisions made by Schools Forum relating to central budgets, de-delegated budgets and a fund for significant growth for 2024/2025 as detailed in this report.
- 3.4 Recommendation that Cabinet approve the final Kirklees' school funding formula for 2024/2025 submitted to the Education & Skills Funding Agency by the 22nd January 2024 deadline.

4 Implications for the Council

- **Working with people**

The Schools Forum continues to support schools working collaboratively to effectively manage resources, particularly focussing on early intervention and prevention, reducing inequalities, and overcoming barriers to learning for children in their communities. The make-up of Schools Forum is a cross Section of the education system who engage and consult their relevant constituent groups as required.

- **Working with Partners**

Through Schools forum the Council works in partnership with local maintained schools, academies, and other providers to try to ensure the optimum distribution of dedicated schools grant within Kirklees. The Schools forum includes representation from the Private, Voluntary and Independent nursery and childcare sector and post-16 provider representation.

- **Place-based working**

The schools funding allocation recognises that the needs of different communities within Kirklees vary widely. Within the constraints of the national funding formula requirements, the allocation considers additional need funding factors to target support towards children from particularly disadvantaged backgrounds.

- **Climate Change and Air Quality**

There are no direct implications for climate change and air quality.

- **Improving outcomes for children**

Schools forum seeks to ensure that the fairest approach to funding across the schools system is in place, particularly at a time when financial pressures for schools are increasing. Maximising resources for teaching and learning, alongside the role that schools play in supporting children and their families and the wider community is crucial in ensuring that children have the best start in life.

- **Other (e.g., Legal/Financial or Human Resources) Consultees and their opinions**

The schools system is funded by the Council's annual Dedicated Schools Grant (DSG) funding allocation under section 14 of the Education Act 2002 and is managed in accordance with the Schools and Early years Finance (England) Regulations 2012 which, amongst other things, requires the Council to consult the Schools forum on certain matters when determining the school funding formula for 2024/2025 and the terms and conditions of the ring-fenced grant. The council must consider the outcome and take into account the responses from the consultation before making any decision.

In carrying out its functions the council must comply with its Public Sector Equality Duty under section 149 Equality Act 2010 before exercising any decision on a particular policy or strategy namely it must have due regard to the need to eliminate unlawful discrimination, harassment, victimisation; advance equality of opportunity between persons who share protected characteristics and those who do not, and foster good relations between those who share protected characteristics and those who do not.

5 Consultees and their opinions

The Education and Learning Partnership Board sits alongside Schools forum as a consultative group. The two operate together in a complementary approach to work in partnership with our schools and settings. There are representatives from the school sector that sit on both the Education and Learning Partnership Board as well as Schools forum. The work of each body is supportive of a single strategic oversight of the system.

Schools forum consults with school groups through Kirklees high school headteacher, primary head teacher groups and School briefings. Non-school members from the early years' private, voluntary, and independent sectors, trade unions, and the Post 16 sector ensure consultation and feedback from their representative groups. Current discussions are focussed on the decisions required by the ESFA for the funding year 2024/2025.

The Early Years and Childcare Reference group consists of representatives from all sectors of the childcare market. This group consider proposals for the Early Years Funding Formula and monitors spending of the Early Years Block. The views of this group are reported to Schools Forum.

The Portfolio Holder for Learning and Aspiration chairs the Education and Learning Partnership Board and attends Schools Forum.

Updates for the Portfolio Holders for Children's Services are provided regularly.

6 Next steps and timelines

Schools Forum will continue to help shape schools funding arrangements at their meeting on 19th January 2024, prior to the deadline for submission of the school funding allocations for 2024/2025 to the ESFA on 22nd January 2024.

Based on the ESFA funding timeline, it is expected that the local authority will inform maintained schools of their 2024/2025 budget shares by 29th February 2024. The ESFA will inform academies of their budget allocations for the academic year 2024/2025 by the 31st March 2024.

In order to provide schools with nursery classes with the full picture of their budget by the 29th February decisions about the Early Years funding formula and therefore SENDIF must be made by mid-February. It is therefore proposed that delegated authority is provided by cabinet to the Cabinet Member for Children, in consultation with the Strategic Director for Children's Services, to take account of the outcomes of the Early years provider consultation, the views of the Early Years Reference Group and Schools Forum and make a final decision on the Early Years local funding formula 2024/2025 and SENDIF funding arrangement. This will then allow for the implementation of the preferred SENDIF options.

7 Officer recommendations and reasons

Members are asked to approve the following in accordance with the arrangements as set out in this report that have been consulted upon with School Forum for the funding of Local Schools and Academies for the funding year 2024/2025:

1. Note the disapplication request made to the ESFA and subsequently approved.
2. Note the ESFA-approved exceptions application.
3. To support the decisions made Schools Forum in terms of central budgets, de-delegated budgets and a fund for significant growth for 2024/2025 as detailed in this report and the accompanying appendices.
4. Approve Schools forum recommendations following the consultative process undertaken in collaboration with head teachers, through Schools Forum, to determine the ongoing local approach to the distribution of DSG Schools Block funding for 2024/2025.
5. Approve the submission of the schools funding formula to the ESFA for 2024/2025.
6. Delegate authority to the Cabinet Member for Children, in consultation with the Strategic Director for Children's Services, to take account of the outcomes of the provider consultation, the views of the Early Years Reference Group and Schools Forum and make a final decision on the Early Years local funding formula 2024/2025 and implementation of the preferred SENDIF funding options.

8 Cabinet portfolio holder's recommendations

I recommend to cabinet that the officers recommendations above, in paragraph 7, should be accepted. In doing so I have to thank officers and members of the Schools Forum for the hard work that has gone into producing this set of budget proposals over the last few months.

Whilst it may appear that the Government has recognised the needs of schools in the most recent Budget settlements by providing an increase in the overall DSG of 6.3% it must also be recognised that schools and settings have not only been affected by the cost of living crisis and increased fuel bills in particular but also by an increase in demand for more complex support for our children. However, this welcome DSG increase finally comes after 13 years of cuts and underfunding of school budgets. So, whilst this recognition of some increased need is acknowledged and the realisation that schools cannot face any further reductions in real terms, it still does not unfortunately make up for the historic reduction in budgets and changing needs of our population.

This is particularly so in Kirklees, where, like many other local authorities we have a growing High Needs Deficit and although the Safety Valve programme has helped us all to balance our High Needs strategy, in Kirklees we continue to have one of the lowest funded early years sectors in the country despite being recognised as having some of the highest need. This will need to be addressed nationally going forward.

This year we are also having to transition closer to the NFF in the way in which we apportion this funding between schools, which means that we have less flexibility to use local discretion in reacting to local circumstances.

This central control over school finances also means that as a local authority we are not as able as we have been in the past, to provide additional support for example, to maintained schools where improvement is needed or also to recognise fully the needs of care leavers in our system. This will require close partnership working across our education system and I am confident that if we can develop the relationships that were strengthened in the production of this proposal, we will be able to face the challenges ahead.

These circumstances are frustrating, but by utilising the changes in the proposed school funding model it will give us the opportunity to continue to provide the best possible education and also places us in a better position going forward despite continuing national budget pressures.

I look forward to working with all schools in Kirklees to continue the strong partnership, between Officers, Schools Forum and Educational Leads, that has resulted in this proposal, as we all have the determination to provide the best possible education opportunities for all our children despite these challenging times.

9 Contact officer:

David Baxter
Finance Manager (Schools)
01484 221000
david.baxter@kirklees.gov.uk

10 Background papers and history of decisions

The following key reference documents are available on the GOV.UK website. Other, related documentation is also available on these web links.

1. Schools Funding 2024/2025

[Pre-16 schools funding: local authority guidance for 2024 to 2025 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/121111/Pre-16_schools_funding_local_authority_guidance_for_2024_to_2025.pdf)

2. Early Years Funding 2024/2025

[Early years funding: 2024 to 2025 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/121111/Early_years_funding_2024_to_2025.pdf)

3. High Needs funding 2024/2025

[High needs funding arrangements: 2024 to 2025 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/121111/High_needs_funding_arrangements_2024_to_2025.pdf)

4. A link to the Cabinet report on the Kirklees Schools funding formula for the previous year, 2023-2024 is provided below.

[summary report template \(kirklees.gov.uk\)](#)

11 Service Directors responsible

Jo-Anne Sanders
Service Director - Learning & Early Support
Directorate for Children and Young People
Civic Centre 3
01484 221000
jo-anne.sanders@kirklees.gov.uk

Isabel Brittain
Service Director, Finance
Civic Centre 3
01484 221000
isabel.brittain@kirklees.gov.uk

2024/2025 ESFA APT December 2023 National Funding Formula Funding Rates

Factor	23-24 NFF including ACA	23-24 APT	Difference between 23-24 APT and 23-24 NFF	24-25 NFF including ACA	24-25 APT minimum	24-25 APT maximum
Primary basic entitlement	£3,394.54	£3,394.00	-£0.54	£3,562.61	£3,473.54	£3,651.67
KS3 basic entitlement	£4,785.77	£4,785.00	-£0.77	£5,022.85	£4,897.28	£5,148.43
KS4 basic entitlement	£5,393.86	£5,393.00	-£0.86	£5,661.96	£5,520.41	£5,803.51
Primary FSM	£480.08	£480.00	-£0.08	£490.08	£477.83	£502.34
Secondary FSM	£480.08	£480.00	-£0.08	£490.08	£477.83	£502.34
Primary FSM6	£705.11	£705.00	-£0.11	£820.14	£799.64	£840.64
Secondary FSM6	£1,030.16	£1,030.00	-£0.16	£1,200.20	£1,170.20	£1,230.21
Primary IDACI F	£230.04	£178.11	-£51.92	£235.04	£188.31	£240.92
Primary IDACI E	£280.04	£213.59	-£66.45	£285.05	£225.24	£292.17
Primary IDACI D	£440.07	£340.71	-£99.36	£445.08	£355.65	£456.20
Primary IDACI C	£480.08	£368.41	-£111.66	£485.08	£384.59	£497.21
Primary IDACI B	£510.08	£391.71	-£118.37	£515.09	£408.55	£527.96
Primary IDACI A	£670.11	£515.48	-£154.63	£680.12	£540.95	£697.12
Secondary IDACI F	£335.05	£257.73	-£77.32	£340.06	£270.47	£348.56
Secondary IDACI E	£445.07	£344.60	-£100.47	£450.08	£359.65	£461.33
Secondary IDACI D	£620.10	£478.56	-£141.54	£630.11	£502.72	£645.86
Secondary IDACI C	£680.11	£523.23	-£156.88	£690.12	£548.93	£707.37
Secondary IDACI B	£730.12	£562.07	-£168.05	£740.13	£588.88	£758.63
Secondary IDACI A	£930.15	£716.89	-£213.26	£945.16	£753.22	£968.79
Primary EAL	£580.09	£580.00	-£0.09	£590.10	£575.35	£604.85
Secondary EAL	£1,565.25	£1,565.00	-£0.25	£1,585.27	£1,545.64	£1,624.90
Primary LPA	£1,155.18	£1,155.00	-£0.18	£1,170.20	£1,140.94	£1,199.45
Secondary LPA	£1,750.28	£1,750.00	-£0.28	£1,775.30	£1,730.92	£1,819.68
Primary mobility	£945.15	£945.00	-£0.15	£960.16	£936.16	£984.17
Secondary mobility	£1,360.22	£1,360.00	-£0.22	£1,380.23	£1,345.73	£1,414.74
Primary lump sum	£128,020.48	£128,000.00	-£20.48	£134,422.85	£131,062.28	£137,783.42
Secondary lump sum	£128,020.48	£128,000.00	-£20.48	£134,422.85	£131,062.28	£137,783.42
Primary sparsity	£56,309.01	£56,300.00	-£9.01	£57,109.71	£55,681.96	£58,537.45
Secondary sparsity	£81,913.10	£81,900.00	-£13.10	£83,014.11	£80,938.76	£85,089.46
Middle-school sparsity	£81,913.10	£0.00	-£81,913.10	£83,014.11	£9,292.32	£85,089.46
All-through sparsity	£81,913.10	£0.00	-£81,913.10	£83,014.11	£9,292.32	£85,089.46
Split sites basic eligibility funding				£53,709.13	£52,366.40	£55,051.86
Split sites distance funding				£26,904.57	£26,231.96	£27,577.19
London fringe	1.0000	1.0000	0.0000	1.0000	1.0000	1.0000
					Rates Agreed by Schools Forum for inclusion in the APT	

Appendix B

Dedicated School Grant: Central Budget Retention 2024/2025 [for mainstream maintained schools and academies]

1) Growth funding within the Schools Block

Budget provision	£	Notes
Pupil Growth Fund	600,000	Supports mid-year basic need pupil growth of sufficient scale to trigger a new class arrangement. Also supports schools struggling to meet the KS1 class size regulation. PGF is only allocated where a school cannot address the issue from its own budget resources
Future pupil growth	600,000	The Schools Block allocation includes an element of funding towards the cost of future pupil growth within the system. For 2024/2025, the balance of the growth funding needs to be retained by the LA to support those schools in the system affected by planned changes to address demand for pupil places in the area, e.g., new schools growing by one year group per annum, schools asked to vary their admission number to take in additional pupils in a 'bulge' class arrangement.
TOTAL	£1,200,000	

2) The Central School Services Block (CSSB)

Budget Heading	Proposed Allocation 2024/2025 £
Servicing of Schools Forum	34,200
Standing Advisory Council on Religious Education (SACRE)*	45,000
Pupil Admissions Service	416,600
School Organisation & Planning	144,800
Finance Support Costs	12,700
Payroll Support Costs	15,400
Personnel Costs	8,800
School Reorganisation Support	322,700
Historic DSG pension commitments	170,000
Former Teachers Pay & Pension Grant funding in respect of centrally employed teachers – <i>Specialist Provision Coordination</i>	20,200
Former Teachers Pay & Pension Grant funding in respect of centrally employed teachers - <i>Looked after children</i>	6,200
Former Teachers Pay & Pension Grant funding in respect of centrally employed teachers – <i>Portex ICAN EYSEN</i>	13,700
National Copyright Licence charge	386,833
Per pupil allocation to the Council in respect of statutory and regulatory duties for all children in Kirklees	999,399
TOTAL	2,596,532

* re-allocated from per pupil allocation for statutory and regulatory.

Funding retained within the Early Years Block

Budget area	2023-24	Additional resources for 2024/2025	5% increase on 2023-24	Proposed amount 2024/2025	Description
Early Learning and Childcare	£614,300	£123,800	£36,905	£775,005	Free Early Education Funding, Childcare Sufficiency and Early Years Outcomes Teams – funding to providers, free entitlement place sufficiency, supporting standards of delivery
Back office / management costs	£74,800		£3,740	£78,540	Finance, payroll, HR, Legal, IT etc
Inclusion Support	£42,400		£2,120	£44,520	Contribution to the Inclusion Officer team
Miscellaneous	£12,600		£630	£13,230	Contribution to admissions, maternity, union duties etc.
SENDIF Panels		£54,531	£2,727	£57,258	Administration of the SENDIF Panels
Total	£744,100	£178,331	£46,122	£968,553	

Appendix C

De-Delegation 2024 / 2025 - Maintained Schools Only

De-Delegation Description	Primary per pupil rate 2023/2024	Proposed Primary per pupil rate 2024/2025	Secondary per pupil rate 2023/2024	Proposed Secondary per pupil rate 2024/2025
School Contingency	£11.37	£12.62	£14.25	£15.82
Voluntary Early Retirement (VER)*	£2.58	£2.86	£3.23	£3.59
Free school meals eligibility checks	£1.08	£1.20	£1.35	£1.50
Maternity, paternity, and adoptive leave	£30.79	£40.95	£30.79	£40.95
Trade union facilities time	£6.01	£6.67	£0.00	£0.00
Public duties	£0.17	£0.19	£0.21	£0.23
International new arrivals	£1.66	£1.84	£2.08	£2.31
School Improvement Commissioning	£4.73	£5.25	£12.61	£14.00
TOTALS	£58.39	£71.58	£64.52	£78.40

*previously held within contingency

Meeting Schedule

Consultation focus	Meetings	Meeting date	ESFA response date
Schools Block, High Needs Block and Central Schools Services Block Implications of National Funding Formula for the Council and schools from 2024/2025	Consultation & Engagement with schools	Block Transfer (Safety Valve) reviewed and agreed 13th October 2023. De-delegations consultation / engagement 22nd November 2023 – 31st November 2023. Responses reviewed and de-delegations approved by Schools forum 1st December 2023	22 nd January 2024
	Schools Forum	19 th January 2024	
	Schools Funding paper to Cabinet	23 rd January 2024	
Early Years Block	Online survey	15 th December 2023 to 21 st January 2024	28 th February 2024
	In person and virtual briefing sessions	10 th , 11 th and 15 th January 2024	
	Early Years and Childcare Reference group	31 st January 2024	
	Schools Forum	9 th February 2024	

Introduction

In March 2023 the Department for Education (DfE) announced significant expansion to the early years entitlements to begin from April 2024.

The new entitlements mean that **eligible working parents** in England will be able to access 30 hours of childcare per week for 38 weeks per year from the term after their child turns 9 months up to when they start school. Rolled out as follows:

- From April 2024, 15 hours for 2-year-olds
- From September 2024, 15 hours will be extended to 9-month-olds and above
- From September 2025 all eligible working parents of 9-month-olds and above will be able to access 30 hours per week (38 weeks a year).

Over the summer of 2023 the DfE consulted on proposals to ensure the funding system will support the delivery of the new working parent entitlements for children aged 9 months old up to and including 2 years old from April 2024. The government's response to the [consultation](#) was published on 29 November 2023.

The main changes to the funding system include:

- the introduction of a **new national funding formula (NFF)** covering both the existing 2-year-old entitlement for disadvantaged children and the new working parent entitlements.
- **extending the 95% pass-through requirement** to the disadvantaged 2-year-old entitlement and the new working parent entitlements, this means that local authorities can retain a maximum of 5% of each of the funding streams for central administration.
- the **provider base rate for disadvantaged 2-year-olds** should be **at least equal to the provider base rate for 2-year-old children of working parents**.
- a **discretionary deprivation supplement** for the disadvantaged 2-year-old entitlement and the new working parent entitlements, (the deprivation supplement for 3- and 4-year-olds will remain mandatory).
- a **special educational needs inclusion fund (SENIFs)** for all children with special educational needs (SEN) taking up the new and existing entitlements.
- extending eligibility for **early years pupil premium (EYPP)** and the **Disability Access Fund (DAF)** to eligible children aged 2 years old and under accessing the entitlements.

Consultation process and timelines

Local Authorities are required to consult with early years providers each year, given the significant changes to the early years entitlements and further investment in early years it is especially important to seek the views of the sector. In addition to changes at a national level and the requirement to set the local early years funding formula, Kirklees Council

reviewing the management of the special educational needs inclusion fund (SENIF) referred to locally as SENDIF.

This consultation document therefore has two parts; section A focuses on the funding formula provider base rates, supplements, contingency and central retention. Section B focuses on the proposed changes to the SENDIF.

After the consultation

Provider feedback will be presented at the Early Years and Childcare Reference Group on 31 January 2024, the groups recommendations will be presented to Schools Forum on 9 February 2024. The Early Years and Childcare Reference Group includes provider representation for childminders, pre-schools, day nurseries, out of school provision and schools and academies with nursery provision.

SECTION A – Funding Formula

Funding Streams for 2024/2025

There will be three funding streams for local authorities:

- 9 months to 2-year-old working parents (15 hours) entitlement
- 2-year-old disadvantaged (15 hours) and working parents (15 hours) entitlement
- 3- & 4-year-old universal (15 hours) and extended (15 hours) entitlement

Kirklees Local Authority rates for 2024/2025 are confirmed in the table below alongside the national average. The three-and four-year-old rate includes a national average increase of 4.7%.

	Kirklees LA Current Base Rate 2023-24 (from Sept 23)	Kirklees LA Base Rate 2024/2025	National average Base Rate 2024/2025	National Base Rate range
Under 2s	n/a	£10.41	£11.22	£9.45 - £16.21
2-year-olds Disadvantaged and working parents	£7.32	£7.65	£8.28	£6.98 - £11.88
3- and 4-year-olds Universal & extended	£5.20	£5.47	£5.88	£5.47 - £9.04

The funding rate for the **Early Years Pupil Premium (EYPP)** will increase from 66p to **68p** per hour per eligible child, and the **Disability Access Fund (DAF)** will increase from £881 to **£910** per eligible child per year. 100% of these funds are passed onto providers.

Although this adds further investment to early years, Kirklees along with almost one third of other local authorities will still receive the lowest funding base rate in the country for three-and four-year olds from April 2024. Details of previous funding rates for the last three years can be found in Appendix A.

Kirklees Early Years Block – Illustrative funding 2024/2025

Funding stream	Confirmed rates	2024/2025 Illustrative funding allocation
3 & 4 yr olds - Universal	£5.47	£19,818,869
3 & 4 yr olds - Extended	£5.47	£8,998,228
2 yr olds - Disadvantaged	£7.65	£5,564,260
2 yr olds - Working parent	£7.65	£7,685,381
Under 2s - (from Sept 24)	£10.41	£5,298,675
Total place funding		£47,365,416
Early Years Pupil Premium (EYPP)	£0.68	£1,123,374
Disability Access Funding (DAF)	£910.00	£359,650
Maintained Nursery School Supplementary Funding (MNSSF)	£4.93	£162,986
Total Early Years Block		£49,011,424

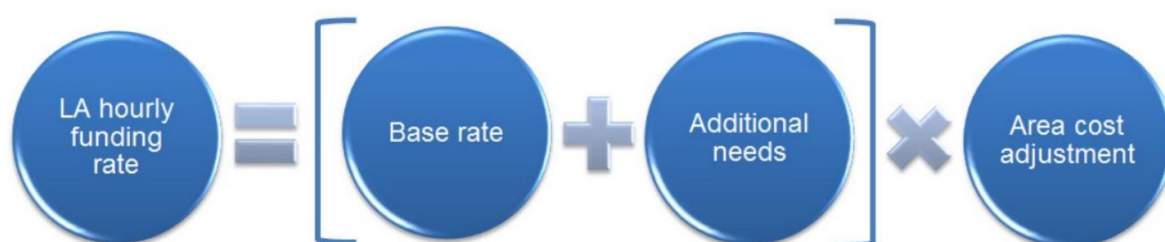
Key areas included in the consultation

1. Setting the provider base rates for the disadvantaged 2 year old entitlement and the working parent 2 year old entitlement.
2. Consideration for a discretionary deprivation supplement for the disadvantaged 2 year old entitlement and/or the working parent entitlements for 2 year olds and under.
3. Setting the central retention value
4. Setting a contingency fund
5. 2024/2025 transfer from the Early Years Block to the High Needs Block
6. The special educational needs and disabilities inclusion fund (SENDIF) – setting the value and considering options for the method of allocation – details are included in section B.

1. Provider base rates for the disadvantaged 2-year-old and the working parent 2-year-old entitlements

The government are introducing a new national funding formula for the existing entitlement for disadvantaged 2-year-olds and for the new working parent entitlements for children aged 9 months up to and including 2 years old. The funding formula will follow the shape of the existing national funding formula for the 3 and 4-year-old entitlements. Like the 3 and 4-year-old formula, the new formula will feature:

- a universal base rate of funding for each child (89.5% of funding)
- an additional needs factor (10.5% of funding)
- an area cost adjustment (ACA) to reflect variations in costs across England



Although the new formula will follow the same structure as the existing 3 and 4-year-old formula, a slightly different approach is being taken to deprivation in the additional needs factor. A combination of free school meals (FSM) data and a measure based on the income deprivation affecting children index (IDACI) as proxies for deprivation, rather than FSM only.

Supporting children from disadvantaged backgrounds remains a priority. For this reason, the government require local authorities, through regulations, to ensure that the total funding rate (that is the provider base rate, plus supplements if applicable) for the disadvantaged 2-year-old entitlement is at least equivalent to the total funding rate for the 2-year-old working parent entitlement.

Because the national funding formula rates include an amount to reflect deprivation, it is suggested that the Kirklees provider base rate for disadvantaged 2-year-olds and for the new working parent entitlement for 2-year-olds is the same, however provider feedback is welcomed. Refer to pros and cons in the table on pages 5 and 6 for more information.

2. Discretionary deprivation supplement for the disadvantaged 2 year old entitlement, the working parent 2 year old entitlement and the working parent under 2 year old entitlement.

Funding supplements are amounts of funding paid to providers in addition to the provider base rates to reflect local needs or policy objectives. Local authorities may apply a permitted supplement to the base rate for any of the entitlements.

For the 3 and 4-year-old entitlements, it is mandatory for local authorities to include a deprivation supplement in their local funding formula, all other permitted supplements are delegated to local authority discretion.

For the 2-year-old entitlements and the entitlement for children aged 9 months up to 2 years old, all permitted supplements including deprivation are delegated to local authority discretion.

Local authorities are expected to ensure funding for deprivation is reflected in their approach to funding the entitlements, recognising the additional costs associated with supporting children from disadvantaged backgrounds. This could be achieved through a deprivation supplement, particularly if a single provider base rate is used for both 2-year-old entitlements.

As mentioned above, because the national funding formula rates include an amount to reflect deprivation, it is suggested that the Kirklees formula does not include a deprivation supplement for the disadvantaged 2-year-olds and for the new working parent entitlement for 2-year-olds and under, however provider feedback is welcomed. Refer to pros and cons in the table below for more information.

Pros and Cons for proposals 1 and 2			
Notes to consider:			
<ul style="list-style-type: none"> • The national funding formula rates include an amount to reflect deprivation. • Early Years Pupil Premium is being extended to all of the entitlements hence funding will be supplemented for deprived children via this funding. • A deprivation supplement is mandatory for the 3- and 4-year-old entitlements. • A deprivation supplement will be discretionary for the entitlements for 2-year-olds and under. • There is uncertainty around the preparedness for April 2024 of third-party IT systems used by the local authority to administer early years funding. 			
	Options	Pros	Cons
1	Same base rate for both 2-year-old entitlements e.g. the disadvantaged 2-year-old entitlement and the working parent 2-year-old entitlement.	Simpler for all. Only one provider headcount required for all 2-year-olds. Hence providers will submit one estimate and one actual claim for all 2-year-olds. No confusion over which headcount to add a child.	No additional funding built into the provider base rate for disadvantaged 2-year-olds.

2a)	No deprivation supplement for any of the entitlements e.g. the disadvantaged 2-year-old entitlement, the working parent 2-year-old entitlement and the working parent under 2-year-old entitlement	Simple to administer. Funding maximised through the base rates.	No additional deprivation funding for children most in need.
2b)	Deprivation supplement for the disadvantaged 2-year-old entitlement only	Additional deprivation funding for children most in need.	Less funding passed through the base rate. Current IT system would require two separate provider headcounts hence greater administration burden for all.
2c)	Deprivation supplement for all the entitlements e.g. the disadvantaged 2-year-old entitlement, the working parent 2-year-old entitlement and the working parent under 2-year-old entitlement	Funding formula would align with the 3- and 4-year-old entitlement as a deprivation supplement is mandatory for 3- and 4-year-olds.	Less funding passed through the base rates. As the deprivation supplement is based on the income deprivation affecting children index (IDACI), funding may not be targeted at children most in need.

3. Central retention

Local authorities are required to pass through 95% of the early years funding to providers, for 2024/2025, the 95% pass-through requirement will apply separately to the entitlements for:

- 9-months-old children up to 2-year-olds of working parents
- 2-year-old children of working parents
- 2-year-old children from disadvantaged families
- 3 and 4-year-olds (universal and additional hours)

For 3 and 4-year-olds, there is no change, and the pass-through requirement will apply to the universal and additional hours in combination. But for 2-year-olds and under, the requirement will apply to each of the entitlements individually.

The 95% includes the following formula elements for each of the above entitlements separately:

- base rate funding for all providers
- supplements for all providers

- the funding paid directly to providers from the special educational needs and disabilities inclusion fund (SENDIF)
- contingency funding

Due to the significant expansion of the early years entitlements commencing in April 2024, it is proposed to increase the amount retained centrally by £123,800 to support administration and distribution of the early years funding, and to ensure sufficient, sustainable high quality provision. This is an increase of 16.6% compared with an increase of 60.6% to the Early Years Block. Also included in the proposed amount is the cost of administering the SENDIF panels, this is subject to the consultation on the SENDIF which is detailed in part B. The proposed amount also includes a 5% increase overall for inflation. After considering the proposed amounts to be retained centrally, the funding pass through would be 96.9% of the total early years block funding which exceeds the requirement of 95%. See table below for details.

Budget area	2023-24	Additional resources for 2024/2025	5% increase on 2023-24	Proposed amount 2024/2025	Description
Early Learning and Childcare	£614,300	£123,800	£36,905	£775,005	Free Early Education Funding, Childcare Sufficiency and Early Years Outcomes Teams – funding to providers, free entitlement place sufficiency, supporting standards of delivery
Back office / management costs	£74,800		£3,740	£78,540	Finance, payroll, HR, Legal, IT etc
Inclusion Support	£42,400		£2,120	£44,520	Contribution to the Inclusion Officer team
Miscellaneous	£12,600		£630	£13,230	Contribution to admissions, maternity, union duties etc.
SENDIF Panels *		£54,531	£2,727	£57,258	Administration of the SENDIF Panels *
Total	£744,100	£178,331	£46,122	£968,553	

* Subject to the provider consultation on SENDIF detailed in part B.

4. Setting a contingency

It is prudent to set aside a contingency given the size of the Early Years block and due to the significant expansion of the entitlements over the next two years which will inevitably bring some volatility. However, it is likely to take longer than two years for the entitlements to become fully embedded and take-up stabilise.

In addition to the above, with the rollout being staggered over three parts, the second and third taking place in September 2024 and September 2025 respectively, there is a risk of a shortfall of funding from the Department for Education (DfE). The reason being due to the difference between how funding is calculated for local authorities and then distributed from local authorities to providers. For example, the DfE will provide funding for 22 weeks for the autumn term 2024 and spring term 2025 whereas the local authority fund providers for a total of 26 weeks in the autumn and spring terms. To mitigate against this, alongside the proposal to set a contingency fund, the base rate for under 2s has been adjusted (reduced). The same risk will be applicable in September 2025 when the entitlements for working parents of 2-year-olds and under increase from 15 hours to 30 hours. From April 2026, the risk should be eliminated as there will be no changes mid-year.

It is proposed that a contingency fund of 0.8% from each funding stream is created. This is intended as funds which will be paid to providers and not used for any other purpose.

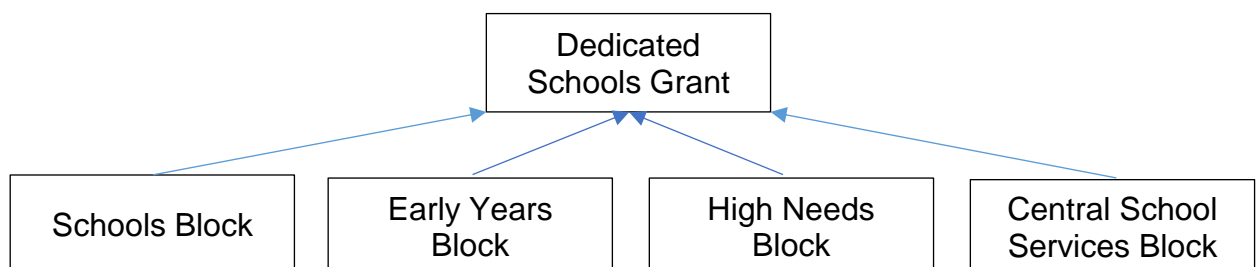
5. 2024/2025 transfer from the Early Years Block to the High Needs Block

The SEND Inclusion Fund (SENDIF) has historically been funded from the Council’s General Fund Budgets. Education and Skills Funding Agency (ESFA) guidance states that SENDIF should be funded from the High Needs (HN) Block and/or the Early Years (EY) Block of the Dedicated Schools Grant (DSG). A decision was taken by the council in the financial year 2022/23 to transfer the funding of SENDIF to the HN Block from April 2023 onwards.

It is proposed, in line with ESFA guidance, that from the financial year 2024/2025 a block transfer of £0.5 million from the EY Block to the HN Block will be made to help fund the costs relating to SENDIF. As a result of overspending on the whole HN Block, the Council is working with the Department for Education (DfE) under an agreement, referred to as the Safety Valve agreement, which is expected to run until the financial year 2027/28. Whilst this will bring additional funding, the Council have agreed in principle with the DfE for an EY Block Transfer and for this to continue for the duration of the Safety Valve agreement to support financial sustainability, but this will be subject to review and consultation each year.

For context, the Council have also agreed in principle with the DfE for a Block Transfer from the Schools Block of the DSG which is expected to be £2.6 million in 2024/2025.

Visual illustration of the make-up of the Dedicated Schools Grant



Formula options for 2024/2025

The current funding formula can be found in Appendix B.

Note: Example models using indicative rates are provided to demonstrate how changing one element of the formula could impact on other elements.

		Illustrative rates based on options for the deprivation supplement		
		Option A	Option B	Option C
* 2024/2025 options Includes administration cost of SENDIF panels £57,258, this is subject to provider consultation on the allocation method for SENDIF	Current formula & rates 2023-24	No deprivation supplement for any of the entitlements i.e. 2 year olds and under	Deprivation supplement for the disadvantaged 2-year-old entitlement only	Deprivation supplement for all the entitlements
Total Early Years Block Funding	£32,300,000	£49,011,424	£49,011,424	£49,011,424
Deprivation allocation	£320,000	£320,000	£364,600	£457,600
Early Years Contribution to SENDIF	£50,000	See section B		
Central retention *	£744,100	£968,553	£968,553	£968,553
Under 2s provider base rate (from Sept 2024)	n/a	£8.90	£8.87	£8.85
2-year-old (disadvantaged) provider base rate	£7.29	£7.39	£7.38	£7.34
2-year-old (working parent) provider base rate	n/a	£7.39	£7.38	£7.34
3- & 4-year-old (universal & extended) provider base rate	£5.03	£5.27	£5.27	£5.27

SECTION B – The special educational needs and disabilities inclusion fund (SENDIF)

Introduction

This section aims to provide a clear understanding of SENIF, its current allocation approach, and the proposed changes, inviting feedback from early years providers. Your input is invaluable in shaping the future direction of support for young children with special educational needs and disabilities (SEND) in our community. Please note within Kirklees, the SENIF is referred to as 'SENDIF'.

Overview

The objective of this consultation is twofold:

1. Consulting on the **value** of SENDIF: Setting the value of SENDIF through contributions from the Early Years block funding.
2. Consulting on the **approach** to allocating SENDIF: Seeking feedback on proposed options in the method of allocating SENDIF.

Background and Context

As mentioned at the beginning of this document, the government have confirmed that from April 2024 local authorities should establish SENDIFs for all children with SEN taking up the free early years entitlements, currently this requirement applies to children aged three and four only.

SENDIF is intended to support local authorities to work with providers to address the needs of individual children with lower level or emerging SEN who are taking up the entitlements. Funding for SENDIF can come from both the Early Years block and High Needs block funding of the Dedicated Schools Grant. This fund will also support local authorities to undertake their responsibilities to strategically commission SEN services as required under the Children and Families Act 2014.

All early years providers are required to have arrangements in place to identify and support children with SEN and/or disabilities and to promote equality of opportunity for children in their care. Kirklees Local Authority have invested in a number of initiatives to increase the support available for settings to meet SEND needs. This includes investment in enhancing the Early Years SEND outreach team, Inclusion Counts, and an enhanced SEND training offer which includes access to Dingley's Promise; all of which supports and empowers settings to promote inclusion and meet the needs of young children with SEND.

Kirklees has historically provided extensive financial support compared to other Local Authorities in the Yorkshire and Humber region. Whilst our commitment to support inclusion within our local early years settings remains unchanged, the current strategy is under review and we welcome your feedback to inform changes to SENDIF.

It is acknowledged that demand for SENDIF in Kirklees has increased significantly over recent years. Expenditure on SENDIF in the financial year 2021-22 was £1.9 million and in 2022-23 was £2.3 million, with an estimated increase to £3.1 million for the current financial year (2023-24). The spend on SENDIF has increased each year and is not sustainable under the current funding model.

Since the introduction of the Early Years National Funding Formula in 2017, a contribution of £50,000 from the Early Years block funding and £50,000 from the High Needs block funding has been allocated each financial year to the SENDIF budget. Kirklees Local Authority has subsidised the difference, therefore funding the vast majority of the SENDIF.

It is proposed that £1,000,000 is a reasonable contribution from the High Needs block to support SENDIF from April 2024. It is recognised that this is less than current and previous spend on SENDIF and so any increases to this will need to be allocated from the Early Years block. An increased contribution from the Early Years block will mean slightly less funding passed through the provider base rates for the new and existing entitlements hence your feedback is important.

In line with the changes to Government guidance there is a proposal to provide SENDIF for children accessing the free entitlements only subject to cabinet approval. Illustrative figures presented are in line with those proposals. Individual children who receive SENDIF outside of these entitlements will be reviewed.

1. Setting the Value of the SENDIF

The following options are proposed for the value of the SENDIF.

- a) £1 million (£1 million from the High Needs block funding and £0 from the Early Years block funding).
- b) £2 million (£1 million from the High Needs block funding plus £1 million from the Early Years block funding).
- c) £3 million (£1 million from the High Needs block funding plus £2 million from the Early Years block funding).

The table below shows the Early Years Block Funding allocation and formula elements for the current financial year (2023-24) and the impact on the provider base rates for each of the proposed options above. The funding amounts and provider base rates are for illustrative purposes, final formula funding and the provider base rates will be confirmed after this consultation.

		Illustrative rates based on options for the SENDIF value in 2024/2025		
		Option A	Option B	Option C
* 2024/2025 options Includes administration cost of SENDIF panels £57,258, this is subject to provider consultation on the allocation method for SENDIF	Current formula & rates 2023-24	£1 million from the High Needs block funding and £0 from the Early Years block funding	£1 million from the High Needs block funding plus £1 million from the Early Years block funding	£1 million from the High Needs block funding plus £2 million from the Early Years block funding
Total Early Years Block Funding	£32,300,000	£49,011,424	£49,011,424	£49,011,424
Deprivation allocation	£320,000	See section A		
Early Years Contribution to SENDIF	£50,000	£0	£1,000,000	£2,000,000
Central retention *	£744,100	£968,553	£968,553	£968,553
Under 2s provider base rate (from Sept 2024)	n/a	£8.85	£8.71	£8.56
2-year-old (disadvantaged) provider base rate	£7.29	£7.34	£7.20	£7.05
2-year-old (working parent)	n/a	£7.34	£7.20	£7.05

provider base rate				
3- & 4-year-old (universal & extended) provider base rate	£5.03	£5.27	£5.14	£5.01

2. Process for allocating the SENDIF to settings

The current process for accessing SENDIF involves childcare providers submitting applications for additional funding to the termly SENDIF Panels for approval and subsequent allocation. This is time intensive and bureaucratic for everyone involved. There may be alternative ways to allocate the money to providers that will continue to support providers to be inclusive to those children with SEND.

The following options are proposed for the allocation of SENDIF.

- a) Funding allocated solely through the Early Years Funding on an hourly basis in a similar way to the provider base rates.
- b) Children identified at SEN Support without the need for a Panel process. It is anticipated providers would submit details alongside their early years funding claims.
- c) Funding allocated by application based on individual need, i.e. continuing with a Panel approach. (Note, this will require more funding to be retained centrally hence reducing funding passed through to Early Years providers).

Option	Pros	Cons
A) SENDIF funding allocated solely through the Early Years provider hourly rates	<ul style="list-style-type: none"> No need for application or panel therefore time efficient 	<ul style="list-style-type: none"> Funding is not determined specifically by individual SEND needs
B) SENDIF funding allocated to children identified with SEN Support without the need for a Panel process	<ul style="list-style-type: none"> Funding is directed to children with identified SEND 	<ul style="list-style-type: none"> There would need to be a process established to claim for these children and allocate funding Would be a marginal increase to funding that is retained centrally for administration
C) SENDIF funding allocated by application based on individual need, i.e. continuing with a Panel approach.	<ul style="list-style-type: none"> Funding is directed to children with identified SEND 	<ul style="list-style-type: none"> Time consuming for all Would increase funding that is retained centrally for administration hence less funding passed through the provider base rates

Summary

Provider participation in this consultation through the accompanying online survey questions is crucial. Your feedback will help shape the future allocation and utilisation of SENDIF, ensuring its effectiveness in supporting children with special educational needs.

Thank you for your engagement in this consultation process. Your input is instrumental in fostering an inclusive environment for all children in Kirklees.

Kirklees Early Years Funding Formula rates recent history

Year	2 year olds		3&4 year olds Universal and Extended hours	
	Kirklees LA Base Rate	Provider Base Rate	Kirklees LA Base Rate	Provider Base Rate
2021-22	£5.36	£5.17 £5.33 ¹	£4.44	£4.27 £4.43 ¹
2022-23	£5.57	£5.38 £5.45/£5.50/£5.43 ²	£4.61	£4.48 £4.55/£4.60/£4.53 ²
2023-24	£5.63 £7.32 ⁴	£5.60 £5.70 ³ £7.29 ⁴	£4.87 £5.20 ⁴	£4.70 £4.80 ³ £5.03 ⁴

Year	Under 2s		Disadvantaged 2 year olds		Working parent 2 year olds		3&4 year olds Universal and Extended hours	
	Kirklees LA Base Rate	Provider Base Rate	Kirklees LA Base Rate	Provider Base Rate	Kirklees LA Base Rate	Provider Base Rate	Kirklees LA Base Rate	Provider Base Rate
2024/2025	£10.41	TBC	£7.65	TBC	£7.65	TBC	£5.47	TBC

¹ Temporary increase of 16p from Summer 2021 to Spring 2022, using the balance carried forward from 2020-21.

² Varying temporary increases from Summer 2022 to Spring 2023, using the balance carried forward from 2021-22.

³ Temporary increase of 10p for Summer 2023, using the balance carried forward from 2022-23.

⁴ Increase from Department for Education from September 2023. 33p for 3&4 yr olds, £1.69 for 2 year olds.

Current Early Years Funding Formula (2023-24)

Base rates

- £5.60 (permanent) Summer £5.70* / Autumn & Spring £7.29** for two-year olds
- £4.70 (permanent) Summer £4.80* / Autumn & Spring £5.03** for three- and four-year olds (universal and extended hours)

* Temporary uplift added to the permanent base rates using the balance carried forward from 2022-23.

** Increase to the funding rates from the Department for Education from September 2023.

Deprivation

The allocation is £312,000, funding is allocated using the current metric IDACI (Income deprivation affecting children index) the rates are:

- Band A: £0.27
- Band B: £0.21
- Band C: £0.20
- Band D: £0.18
- Band E: £0.11
- Band F: £0.09

SEN Inclusion Fund for three- and four-year olds

£50,000 contribution for low level and emerging needs SEN to support providers from all sectors delivering the free entitlement.

Central retention

£744,100 is retained to fund quality improvement, administration costs associated with delivery of the free entitlements and SEN support. Kirklees retains only 2.5%, see table below. Local Authorities are permitted to retain 5% of the Early Years budget. The retention amount has remained the same since the introduction of the early years formula in 2017 with no adjustments for inflation for 5 years. In April 2023, a 5% increase was added for inflation.

Budget area	Budget	Description
Early Learning and Childcare	£614,300	Free Early Education, Childcare Sufficiency and Early Years Outcomes Teams – funding to providers, free entitlement place sufficiency, supporting standards of delivery
Back office / management costs	£74,800	Finance, payroll, HR, Legal, IT etc
Inclusion Support	£42,400	Contribution to the Inclusion Officer team
Miscellaneous	£12,600	Contribution to admissions, maternity, union duties etc
TOTAL	£744,100	

Additional funding for eligible three- and four-year olds

100% of additional funding is passed directly onto providers.

- Early Years Pupil Premium, applicable to universal entitlement hours only, the hourly rate is £0.62 (April to August) £0.66 (September to March).
- Disability Access Funding (DAF), a lump sum payment of £828 (April to August) £881 (September to March), available each year to funded children in receipt of Disability Living Allowance (DLA).



Name of meeting: Cabinet

Date: 23rd January 2024

Title of report: Kirklees and Calderdale School Centred Initial Teacher Training (SCITT) proposal to enter into a strategic partnership from August 2024

Purpose of report:

Following changes to Initial Teacher Training (ITT) Accreditation by the Government, this report will propose that delegated authority is given for the Kirklees and Calderdale SCITT to enter into a strategic partnership from August 2024.

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.	Yes, this decision has an impact on all wards within Kirklees and wider amongst regional partners.
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?	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?	Tom Brailsford 8/01/2024 Isabel Brittain (Service Director – Finance, 12/01/2024) Rebecca Ashurst on behalf of Julie Muscroft (Service Director – Legal, Governance and Commissioning, 12/01/2024)
Cabinet member portfolio	Learning & Aspiration – Cllr E Reynolds Children – Cllr V Kendrick

Electoral wards affected: All wards

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

Portfolio Holders; Learning & Aspiration – Cllr E Reynolds and Children – Cllr V Kendrick

Public or private: Public

Has GDPR been considered? Yes, personal information is not recorded in this report.

1. Summary

- 1.1 Kirklees and Calderdale School Centred Initial Teacher training (KCSCITT) are an established and successful teacher training provider and have been training teachers across West Yorkshire since 2003. Rated 'Good' in their latest Ofsted Inspection, June 2023, leaders have created a very strong partnership. This is built on the shared purpose of ensuring trainees are well prepared to join the 'professional family' of teachers in the Kirklees and Calderdale area.
- 1.2 The Kirklees and Calderdale School Centred Initial Teacher Training (KCSCITT) accredited entity (see footnote 1¹) currently sits with Kirklees Council, with the Service Director for Learning and Early support acting as the accounting officer and a member of the strategic governance board.
- 1.3 There is no requirement for a council to operate an initial teacher training provision. Kirklees Council's involvement dates back to 2003, when the Local Education Authority (as was) delivered employment-based training alongside, Calderdale Council and the University of Huddersfield, with schools as partners. This was at a time when all schools were Local Authority maintained. Over time the partnership evolved, yet Kirklees Council remained a key partner and held the position as the accredited initial teacher training (ITT) provider and accounting officer for qualified teacher status (QTS).
- 1.4 In 2021 the Department for Education (DfE) introduced changes to the way in which initial teacher training (ITT) delivery was to take place from September 2024.
- 1.5 Organisations can only provide courses that lead to a recommendation for qualified teacher status (QTS) if they are accredited by the DfE. This meant that all providers needed to go through a reaccreditation process.
- 1.6 The DfE made the decision not to reaccredit KCSCITT for delivery of initial teacher training leading to a qualified teacher status (QTS) with effect from August 2024.
- 1.7 Therefore, there are two possible options in relation to the operation of Kirklees and Calderdale School Centred Initial Teacher Training moving forward:

Option A - Closure of Kirklees and Calderdale School Centred Initial Teacher Training from August 2024.

¹ In accordance with paragraph 11 of The Education (School Teachers' Qualifications) (England) Regulations 2003 (S.I. 2003/1662) as amended, the Department for Education, on behalf of the Secretary of State, confirms the accreditation status of Kirklees Metropolitan Council, UKPRN. 10003692, provider id. 5612 operating as Kirklees and Calderdale SCITT for the delivery of initial teacher training (ITT). The accredited provider of ITT is fully accountable for all aspects of the ITT provision and undertakes to fulfil all associated responsibilities. These responsibilities include ensuring provision meets the Secretary of State's ITT criteria and comply with all financial expectations as detailed in the grant funding agreement (GFA)

Option B – Delegated authority is given to enter into a formal partnership with another accredited partner so that provision of the course can continue from September 2024.

1.8 Officers would like to propose that delegated authority is given for the Kirklees and Calderdale School Centred Initial Teacher Training to enter into a strategic partnership from August 2024.

2. Information required to take a decision

2.1 Information regarding the accountability, roles, responsibilities, and actions of KCSCITT, as lead partners, are defined by the following key points and further articulated in the guidance documents in section 10.

2.2 Staffing and resources:

2.3 One substantive member of staff will be impacted by any decision. This member of staff is currently financed from the KCSCITT budget via DfE grant funding.

2.4 Under the current model, the interim KCSCITT Director is seconded and financed from the KCSCITT budget via DfE grant funding. In addition to this, KCSCITT commission a Primary Phase Leader (retired headteacher, part-time, 60 days across the academic year, a Secondary Phase Leader, and a number of visiting tutors (10 secondary and 7 primary) paid from the KCSCITT budget via DfE grant funding. There are more secondary tutors as these are subject specific.

2.5 The requirements for commissioned staff will vary depending on the number of trainees recruited and the roles and responsibilities detailed in the partnership agreement.

2.6 Trainee teachers for 2022/23 and 2023 / 2024 have been consistently well recruited to in comparison to other local providers. For the September 2023 – August 2024 - Number of Primary Trainee Teachers: 21, Number of Secondary Trainee Teachers: 19. This is representative of the figures completing their initial teacher training through KCSCITT. The funding model based on trainee numbers will be agreed in the partnership agreement.

2.7 Should Cabinet decide not to delegate authority to progress with a partnership agreement, and the KCSCITT ceases to exist, one member of staff would be displaced, and HR processes will need to be applied. Other staff members commissioned by the KCSCITT are not subject to HR processes. Their commissioned work would cease at the end of August 2024.

2.8 Should Cabinet decide to delegate authority to enter into a partnership agreement, an accredited ITT provider and partners will need to agree on a range of issues, including those outlined in the Annex A of [Initial teacher training: forming partnerships \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/guidance/initial-teacher-training-forming-partnerships) guidance document.

- 2.9 The partnership agreement will establish and articulate formal ways of working, including a clear definition of, and rationale for determining, roles and responsibilities across the partnership. As such the job description of the substantive member may need to be recalibrated to reflect this. There is the potential for the substantive member to be commissioned across the entire partnership. These will be further explored should Cabinet agree to the partnership proposal.
- 2.10 The staffing arrangements, and the financial position for delivery of the initial teacher training are secured only when students have been successfully recruited to the course.
- 2.11 In dialogue with any accredited ITT partner, financial sustainability must be considered and detailed in full in the partnership arrangements. A partnership agreement will specify the roles and responsibilities of the KCSCITT as the lead partner. The accredited partner will be required under the funding agreement to take over several roles that are currently delivered by KCSCITT.
- 2.12 **Finance and Premises**
- 2.13 All costs associated with the operation of KCSCITT are financed through DfE grants or privately funded through trainees.
- 2.14 The delivery space that KCSCITT currently use is utilised 2 days per week, but KCSCITT are currently paying for sole use of the premises for the entirety of the week. The lease is due to expire at the end of July 2024. Should Cabinet decide to delegate authority to enter into a partnership agreement, there are opportunities to source alternative premises commissioned for use only on the days it is occupied. This in turn will reduce building and related costs from the KCSCITT budget to enable long term viability.
- 2.15 Should Cabinet decide not to delegate authority to enter into a partnership agreement the lease would expire, and no further commissioning of buildings undertaken. Once a closure date is agreed between the accredited ITT provider and DfE, and following cessation of ITT provision, DfE will require an Annex G return to be completed. This is the same return that accredited ITT providers complete on an annual basis.
- 2.16 Should Kirklees Cabinet agreed to the proposal for partnership working, flexibility is in place to secure the appropriate building to meet the needs of the new partnership agreement. A space need only be sourced for a maximum of two days per week, this reduces the current costs. Asset management colleagues are aware that a space may need to be secured from Sept 2024. The accredited partner will have full accountability for the financial returns. The partnership agreement will state the proportion of the DfE grant funds that will be allocated to the KCSCITT as a lead partner to execute their agreed functions. Should an insufficient number of trainee teachers be recruited, the financial stability of the KCSCITT will be impacted upon.

2.17 **Reputation and Ofsted grading**

- 2.18 KCSCITT is a well-respected provider of high-quality teacher training and has an excellent reputation across Kirklees and Calderdale.
- 2.19 KCSCITT has strong relationships with local schools and Headteachers and in a climate when teacher recruitment is challenging, employment rates of KCSCITT trainees are high, year on year. Headteachers recognise the quality of training a trainee receives that prepares them well for their Early Career Years.
- 2.20 The KCSCITT serves the local community well in recruiting a diverse cohort of trainees many of whom go on to be employed in our local schools.
- 2.21 KCSCITT received a GOOD judgement from Ofsted in their recent inspection June 2023. Please see 10.3 for the full Ofsted report.
- 2.22 Should Cabinet decide not to delegate authority to enter into a partnership agreement the recruitment of teachers into the local area and the needs of the community will sit purely with accredited partners who are delivering the training into Kirklees and working with our Kirklees family of schools. Accreditation is the decision of the DfE. Officers would hold strategic conversations with ITT providers and encourage promotion of training routes through intelligence held as part of the Education and Learning Partnership Board (ELPB).
- 2.23 Should Cabinet decide to delegate authority to enter into a partnership agreement, the needs of the local area can be shared with the accredited partner and adopted into the delivery models, subject to agreement. The reputational risks to be considered are linked to a changed Ofsted grading of the accredited partner. However, the detailed information incorporated into the partnership agreement will permit either party to step back from the agreement subject to terms and conditions.

2.24 **Governance Model**

- 2.25 Kirklees Council is the current accredited ITT provider (till August 2024) with a Strategic Governance Board constituted of partners in operation. This governance model and lines of accountability would change as a result of the partnership agreement. The DfE stipulate that the partnership agreement for September 2024 must acknowledge and reflect throughout all arrangements that ultimate accountability for all aspects of the operation of the partnership rests with the accredited ITT provider, not Kirklees Council.
- 2.26 The partnership agreement must provide a clear vision of the strategic and delivery outcomes, including scale, range and geographical spread of ITT with corresponding plans and evidence of capacity and capability across the partnership.

- 2.27 The partnership agreement must ensure robust governance arrangements are agreed, in place, and exercised effectively, with clearly established structures, including formal arrangements between accredited ITT providers, partners, and placement schools.
- 2.28 The partnership agreement would make clear how the accredited ITT provider will report to, and be strategically steered by, their accountable body, e.g., Trust Board or Governing Body.
- 2.29 Should Cabinet decide not to delegate authority to enter into a partnership agreement, a DfE ITT Associate will be assigned to work with the current Strategic Governance Board and interim SCITT director to facilitate market exit. The current governance arrangements would cease on the agreed closure date.
- 2.30 Should Cabinet decide to delegate authority to enter into a partnership agreement, Kirklees Council would no longer be the accounting officer for QTS. The accredited ITT provider, who we enter into partnership with, will be responsible for ensuring that robust governance arrangements are put in place and exercised effectively. The accredited ITT provider is also accountable for the whole ITT programme including its curriculum, finance, quality of provision and compliance with ITT criteria. By agreement, partner organisations can contribute their expertise - such as knowledge of subjects, phases, and local networks - to ensure strong delivery of ITT provision. This is stipulated by the DfE.
- 2.31 Going forward, KCSCITT would in effect be trading specific services under a partnership agreement. KCSCITT would need to ensure that the roles and responsibilities listed in the partnership agreement are able to be covered financially by the proportion of funding allocated from the accredited partner, and that any level of risk associated with this approach is suitably protected against in any partnership agreement or other document.
- 2.32 Under the current governance model of KCSCITT, due diligence has been undertaken against agreed criteria to consider all possible partnership opportunities open to KCSCITT. Conversations took place with a number of local and regional accredited partners in early 2023 to understand their position with regards to their ability to offer a partnership opportunity to KCSCITT. The Strategic Governance Board held an extraordinary meeting to discuss the findings of the due diligence and have recommended a preferred partner.
- 2.33 Any agreement with a preferred partner does not preclude KCSCITT from seeking other partnership opportunities with other accredited partners in the future. This is clear in the DfE partnership guidance document (see section 10).

2.34 A summary of Opportunities and Risks for each option is shown below

Option A – Closure of Kirklees and Calderdale School Centred Initial teacher training from August 2024

	Opportunities	Risks	Mitigation
Reputation and Ofsted		<p>KCSCITT have been operating in Kirklees (and Calderdale) supporting initial teacher training and routes into teaching from 2003.</p> <p>KCSCITT has strong relationships in place with placement schools that may be impacted by the closure of the ITT facility.</p> <p>Kirklees will no longer be able to provide a curriculum for initial teacher training that matches the local needs.</p> <p>Where an accredited ITT provider has offered candidates a place on provision that will stop, it is their responsibility to work with the candidate and alternative accredited ITT providers to find a suitable alternative course.</p>	<p>There is no requirement for Local Authorities to provide an Initial teacher training facility.</p> <p>Officers could hold strategic relationships with all ITT providers and encourage promotion of training routes through the Education learning partnership board (ELPB)</p> <p>Schools are able to form new relationships with accredited ITT providers.</p> <p>Kirklees Council officers will continue to work with partners that are responsible for ITT delivery in the area.</p> <p>Before the final closure of provision, KCSCITT officers will ensure any deferred trainees are listed on the register trainee teachers service via an alternative accredited ITT provider.</p>
	Opportunities	Risks	Mitigation
Staffing and resources	Other staff members commissioned by the KCSCITT are not subject to HR processes. Their commissioned work would end at the end of August 2024.	One substantive member of staff is impacted by the decision, and it is likely that a redundancy process will need to take place.	Should Cabinet decide not to progress with a partnership agreement, and the KCSCITT cease to exist, one member of staff will be displaced, and HR processes will need to be applied.
	Opportunities	Risks	Mitigation
Finance and premises	The lease of the building currently used by KCSCITT expires in July 2024 The current premises will not be available beyond this date.	Cost relating to the displacement of one substantive staff member.	<p>New premises do not need to be sourced.</p> <p>Projected KCSCITT budget has some carry forward.</p>

		<p>Lost revenue from the lease of buildings and services currently provided on a traded basis to KCSCITT.</p> <p>Once a closure date is agreed between the accredited ITT provider and DfE, and following cessation of ITT provision, DfE will require an Annex G return to be completed. This is the same return that accredited ITT providers complete on an annual basis.</p>	<p>Traded services will be made available to other partners.</p> <p>Any unpaid bursaries for deferred trainees will be recorded on the Annex G as part of any unspent balance owing to DfE and will be passed onto the alternative accredited ITT provider once the trainee resumes their training.</p> <p>Any deferred funding will be made available to the new accredited ITT provider (where applicable) when the continuing trainees are confirmed to be on the relevant course and remain eligible to receive the funding.</p>
	Opportunities	Risks	Mitigation
Governance arrangements	A DfE ITT Associate will be assigned to work with the accredited ITT provider to facilitate market exit.	We would need to ensure full compliance with the responsibilities set out in guidance document Initial teacher training (ITT): accredited ITT provider closure and withdrawal of ITT accreditation - GOV.UK (www.gov.uk)	The interim SCITT director will execute all responsibilities regarding the closure of KCSCITT, in line with timetable provided by the DfE.

Option B – Delegated authority is given to establishing a formal partnership with another accredited ITT provider

	Opportunities	Risks	Mitigation
Reputation and Ofsted	<p>Strong partnerships in place with placements schools and settings will continue through the lead partner role with an accredited partner.</p> <p>The KCSCITT serves the local community well in recruiting a diverse cohort of trainees many of whom go on to be employed in our local schools. This will be preserved through partnership working.</p> <p>This option reinforces the reputation that Kirklees Council is committed to</p>	<p>The accredited partners Ofsted grade changes.</p> <p>The late signing of a partnership agreement may impact on recruitment of students to the Sept 2024 cohort.</p> <p>Recruitment and retention of trainee teachers is a concern on a national level.</p>	<p>The detailed information behind the partnership agreement should permit either party to step back from the agreement subject to terms and conditioned outlined in the agreement.</p> <p>A partnership agreement will look to build a relationship that secures the roles of KCSCITT though the staffing structure and roles will be amended with the</p>

	teacher training in the local area.		new lead partner role.
	Opportunities	Risks	Mitigation
Staffing and resources	Opportunities may exist for the substantive member of staff to commission their skills across the partnership as a traded service.	Partnership agreements will vary depending on the partner that is secured.	New commissioning arrangements will be put in place to align with the staffing requirements of the accredited ITT partner.
	Opportunities	Risks	Mitigation
Finance and premises	The accredited partner will have full accountability for the financial returns. Flexibility is in place to secure the appropriate building to meet the needs of the new partnership agreement. A space need only be sourced for a maximum of two days per week, this reduces the current costs.	The partnership agreement will state the proportion of the DfE grant funds that will be allocated to the KCSCITT as a lead partner to execute their agreed functions. Should sufficient numbers of trainee teachers not be recruited, the financial stability of the SCITT will be impacted upon. Availability of appropriate spaces with access for trainees. The precise planning is unable to take place until a partnership agreement is signed and responsibilities are set out by the accredited partner.	Recruitment to the programme can only occur after a partnership agreement has been signed. Funding is provided by the DfE based on the number of students enrolled on each course. It is therefore not possible to provide a financial statement of assurance at this point. Asset management colleagues are aware that a space may need to be secured from Sept 2024.
	Opportunities	Risks	Mitigation
Governance arrangements	The Council would relinquish the powers in the lead partner role. The single accredited ITT provider is responsible for ensuring that robust governance arrangements are put in place and exercised effectively.	The accredited ITT provider is also accountable for the whole ITT programme including its curriculum, finance, quality of provision and compliance with ITT criteria.	By agreement, partner organisations can contribute their expertise - such as knowledge of subjects, phases, and local networks - to ensure strong delivery of ITT provision.

2.35 Actions that would need to be taken should Cabinet decide not to approve the KCSCITT entering into a partnership agreement – Option A:

- No recruitment takes place in 2023/24 for 2024/25
- DfE assign an ITT Associate to work with the KCSCITT (this is already in place) and the KCSCITT would work with the Associate and follow the Government guidance: Initial teacher training (ITT): provider closure and withdrawal of ITT accreditation.
- Work with HR for any implications for the substantive staff member.

2.36 **Actions that would need to be taken should Cabinet decide to agree to a partnership agreement – Option B: -**

- Adopting any recommendations of KCSCITT Strategic Governance Board
- Negotiation and signing of the partnership agreement;
- Communication with DfE;
- Progress with the recruitment of new trainees for the academic year 2024 / 2025;
- Work alongside the accredited partner to agree the working arrangements for the partnership in reference to staffing, roles, and responsibilities in line with the agreed budget set by the accredited partner;
- Confirm the partnership position on the accredited partners governance board;
- Work with HR to address any implications for the substantive staff member; and
- Secure suitable accommodation to meet KCSCITT delivery needs.

3. **Implications for the Council**

3.1 Should Kirklees Cabinet approve the proposal to enter into a strategic partnership from August 2024, Council officers from a number of services will need to work together effectively to ensure the partnership agreement is reviewed and signed appropriately with due consideration given to the points regarding accountability, staffing, finance, and site of the training facility.

3.2 **Working with Partners**

3.3 Partnership with an accredited partner and the wider network of accredited providers will enhance the opportunities open to trainee teachers. This will include access to additional resources, expertise, opportunities for collaboration with other institutions leading to a higher quality, more diverse teacher training opportunity and improved outcomes for trainee teachers. This in turn will support the recruitment and retention of teachers in the local area by attracting a wider pool of prospective trainee teachers, thus increasing the likelihood of retaining high quality teachers in Kirklees.

3.4 **Place Based Working**

3.5 Collaboration and Local Knowledge: The partnership agreement would encourage collaboration between two or more institutions, allowing them to pool their resources, expertise, and local knowledge. This collaboration would enable a deeper understanding of the specific needs, challenges, and opportunities within the local area, leading to more effective and tailored teacher training programs.

3.6 Coordinated Approach: By working together, KCSCITT and the identified accredited partner can adopt a coordinated approach to address common issues and priorities in the local area. Through regular communication and joint decision-making, the partnership agreement can ensure that efforts are aligned, and resources are optimised, allowing for a more coherent and

integrated approach to place-based working, particularly trainee teacher training placements in our local schools.

- 3.7 **Shared Resources and Expertise:** The partnership agreement would enable the sharing of resources and expertise between KCSCITT and the identified accredited partner. This could include sharing teaching materials, best practices, and professional development opportunities. By leveraging the strengths of each institution, the partnership can provide a more comprehensive and well-rounded teacher training program that addresses the specific needs of the local area and demographics. An example of this would be the approaches and research based best practice linked to SEND, disadvantaged pupil (DfE definition), and pupils with English as an additional language. It would allow Kirklees to continue to provide teacher training bespoke to the needs of our local diverse communities.
- 3.8 **Enhanced Local Networks:** The partnership agreement would facilitate the development of enhanced local networks within Kirklees and Calderdale. By bringing together schools, colleges, universities, and other stakeholders involved in teacher training, the partnership can foster stronger relationships, collaboration, and knowledge exchange. This would support the creation of a vibrant and interconnected local education community, promoting place-based working.
- 3.9 **Alignment with Local Priorities:** The partnership agreement would ensure that the teacher training programs offered by KCSCITT align with the local priorities and strategies for educational improvement. By working in close partnership with Kirklees Council officers, and other stakeholders, the institutions can design and deliver training programs that specifically address the needs and aspirations of the local area.
- 3.10 **Climate Change and Air Quality**
- 3.11 Although this proposal doesn't specifically set out how the strategic partnership with an accredited provider will contribute to the net zero targets by 2038, the location of the Kirklees and Calderdale SCITT provides opportunity to support localised teacher training which will support reducing carbon emissions and ensuring resilience against climate change.
- 3.12 **Improving outcomes for children**
- 3.13 By working together with an accredited partner KCSCITT could further develop innovative teaching practices, share best practice, and contribute to the overall education system. This would positively influence outcomes for children across the local area.
- 3.14 **Financial Implications for the people living or working in Kirklees**
- 3.15 If agreed the partnership will mean that there is a greater number of initial teacher training institutions within the Kirklees area. The location of the current provision is ideally situated to attract trainees from Leeds, Calderdale,

Bradford, Wakefield and Kirklees. In the local area, this would simultaneously improve both the employment opportunities and the impact on the quality of education for children in the school system.

3.16 Other (e.g. Integrated Impact Assessment (IIA)/Legal/Financial or Human Resources) Consultees and their opinions

- 3.17 Financial – The operation of the KCSCITT is fully funded by the Department for Education (DfE). The DfE funds Initial Teacher Training (ITT) providers that train teachers. A provider is any organisation that has a grant funding agreement (GFA) with DfE for ITT and is established as an accredited legal entity. The accredited ITT provider will be the legal entity who will have accountability for all finances related to the partnership.
- 3.18 Initially, DfE assesses proposed providers' provision, management structure, financial viability, and capability to deliver ITT. The identified partner would be a successful ITT provider who is [accredited by the Secretary of State for Education](#), following a recommendation from the DfE Market Regulation Team.
- 3.19 The identified partner would sign a [grant funding agreement](#) (GFA) with DfE that sets out the terms and conditions of funding. This includes the governance and financial accountability expected of them as the accredited partner.
- 3.20 Kirklees and Calderdale School Centred Initial Teacher Training (KCSCITT) would operate under the identified accredited ITT provider as a lead partner and would be issued a proportion of the DfE grant to deliver the agreed curriculum.
- 3.21 Staff resources – The partnership agreement would allow for the sharing of key staff across two or more partners. The roles and responsibilities of each partner including staffing must be detailed in the partnership agreement.
- 3.22 Legal/Governance – governance advice has been taken in relation to the decision-making process to inform the options in this report. Officers acting on behalf of KCSCITT will liaise with Legal Services to ensure a fair and equitable partnership agreement is in place. Legal Services will review the partnership arrangements and advise on any risk there may be to the Council and the ability of the Council to exit any arrangement if needed. Legal Services will use their best endeavours to negotiate the partnership agreement to ensure that as much risk is removed as possible. They will also be given oversight of the funding arrangements and will be given opportunity to review the GFA (in due course) and advise on any risks associated with the grant funding flowing down to the Council.
- 3.23 The Council must comply with its public sector equality duty under the Equality Act 2010 and produce an Integrated Impact Assessment as required.

- 3.24 Integrated Impact Assessment (IIA) – an IIA will be undertaken dependant on the decision taken by Cabinet.

4 Consultation

- 4.1 A statutory consultation is not required for this process.
- 4.2 The KCSCITT Strategic Governance Board have been consulted and would wish to secure a partnership to allow recruitment of students for the academic year 2024 – 2025. The Director for Children’s Services has been informed of the options and Portfolio Holders briefed on the options.
- 4.3 Should Kirklees Council Cabinet agree to delegate authority to enter into a partnership with an accredited provider, engagement and consultation will take place regarding the duties and responsibilities of the remaining staff member, agreed finance to cover the delivery of the curriculum and all associated running costs of the provision.

5 Engagement

- 5.1 Engagement to date has involved the DfE, the KCSCITT Strategic Governance Board, local accredited Initial Teacher Training Institutions, the Council’s risk team, Council’s legal team and Portfolio Holders.
- 5.2 Should Kirklees Council Cabinet agree to delegate authority to enter into a partnership with an accredited partner, engagement will begin with school partners and through the formal recruitment processes for Initial Teacher Training.
- 5.3 DfE partnership documentation signposted in section 10 of this report stipulates that the partnership agreement must have a clause that establishes clear protocols for conflict resolution and exit arrangements that enables either party to withdraw from the agreement, within agreed time frames, should there be the need to do this.

6 Next steps and timelines

- 6.1 Should Kirklees Council Cabinet agree to enter into a partnership with an accredited partner, and delegated authority is given to Kirklees and Calderdale SCITT the following steps will be taken:
- The partnership agreement will be negotiated and signed (having been reviewed by Kirklees Council’s legal team in preparation for this Cabinet decision in Jan 2024).
 - The signed agreement will be processed by the identified accredited partner and ratified at appropriate board meetings. January 2024 – March 2024.
 - The DfE will be notified of the partnership with the accredited partner Spring 2024.

- Recruitment activities will begin through appropriate initial teacher training routes – January 2024 – September 2024
- Confirmation of the curriculum offer, staffing arrangements and location of training site will be confirmed January 2024 – March 2024.
- First students will begin the new course September 2024.
- Future accreditation routes are expected to open in the academic year 2025 / 2026.

7 Officer recommendations and reasons

- 7.1 Officers recommend that Kirklees Council Cabinet agree to the proposal for Kirklees and Calderdale School Centred Initial Teacher Training to delegate authority to enter into a partnership with an accredited initial teacher training provider – Option B. This will enable the Local Authority and its partners to continue to support the training of new teachers and strengthen the recruitment and retention of teachers into positions within the Kirklees local area. This provides excellent opportunities to secure good quality professionals to work with children to improve educational outcomes and fits with ‘Our Kirklees Futures’ Learning Strategy.
- 7.2 That delegated authority is given to the Director of Children’s Services to sign the agreement and work with Kirklees and Calderdale School Centred Initial Teacher Training to finalise the arrangements with the identified accredited partner.

8. Cabinet Portfolio Holder’s recommendations

- 8.1 We recognise the value in sustaining KCSCITT. We also recognise that collaborating with an accredited provider in the realm of teacher training offers an array of benefits that enables high quality initial teacher training to be offered locally. We welcome the opportunity created through this partnership with a local accredited partner to sustain the next generation of teachers and leaders being trained locally, understanding our local context and needs. The partnership working provides an opportunity for pooling our strengths, and tailoring teacher training programs to address the specific needs of our communities, ensuring relevance and effectiveness.

9 Contact officer

- 9.1 Emma Brayford, Senior Kirklees Learning Partner
 9.2 Email: - emma.brayford@kirklees.gov.uk
 9.3 Tel: - 01484 221000

10 Background Papers and History of Decisions

- 10.1 Details regarding the partnership process can be found of the following link to the DfE guidance documentation. [Initial teacher training: forming partnerships \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/guidance/initial-teacher-training-forming-partnerships)

- 10.2 All providers that choose not to go into partnership with an accredited ITT provider must follow the guidance provided in the following link. [Initial teacher training \(ITT\): accredited ITT provider closure and withdrawal of ITT accreditation - GOV.UK \(www.gov.uk\)](#)
- 10.3 The most recent Ofsted report for Kirklees and Calderdale School Centred Initial Teacher training can be found on the following link. [50228023 \(ofsted.gov.uk\)](#)
- 11 Service Director responsible**
- 11.1 Jo-Anne Sanders, Service Director Learning and Early Support