

# Public Document Pack



**Service Director – Legal, Governance and  
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Monday 28 October 2024

## Notice of Meeting

Dear Member

### **Cabinet**

The **Cabinet** will meet in the **Council Chamber - Town Hall, Huddersfield** at **2.00 pm** on **Tuesday 5 November 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 "S Lawton".

**Samantha Lawton**

**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.

**The Cabinet members are: -**

<b>Member</b>	<b>Responsible For:</b>
Councillor Carole Pattison	Leader of the Council
Councillor Moses Crook	Deputy Leader of the Council, Cabinet Member - Transport and Housing
Councillor Beverley Addy	Cabinet Member - Adult Social Care and Health
Councillor Munir Ahmed	Cabinet Member - Environment and Highways
Councillor Tyler Hawkins	Cabinet Member - Corporate
Councillor Viv Kendrick	Cabinet Member - Children' Services (Statutory Responsibility for Children)
Councillor Amanda Pinnock	Cabinet Member - Education and Communities
Councillor Graham Turner	Cabinet Member - Finance and Regeneration

# Agenda

## Reports or Explanatory Notes Attached

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**Pages**

**1: Membership of Cabinet**

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

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**2: Minutes of Previous Meetings**

1 - 16

To approve the Minutes of the Meetings of the Cabinet held on 10 September 2024 and 8 October 2024.

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**3: Admission of the Public**

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

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**4: Declaration of Interests**

17 - 18

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

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**5: Deputations/Petitions**

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

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

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## **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.

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## **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.

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## **8: The Future of Dewsbury Sports Centre**

19 - 122

To consider the future of Dewsbury Sports Centre.

Wards affected: Dewsbury East, Dewsbury South and Dewsbury West

Contact: Adele Poppleton – Service Director for Culture and Visitor Economy

Consideration must be given to whether the public and press should be excluded from the meeting prior to the determination of the matter to enable the exempt information to be discussed by passing the following resolution: -

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business, on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1 of

**9: Buxton House Compulsory Purchase Order**

123 -  
200

To consider a compulsory purchase order to enable the remodelling of Buxton House.

Wards affected: Newsome

Contact: Helen Martland, Service Manager – Development

Consideration must be given to whether the public and press should be excluded from the meeting prior to the determination of the matter to enable the exempt information to be discussed by passing the following resolution: -

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

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**10: George Hotel - Project update and proposed way forward**

201 -  
246

To consider the George Hotel project and proposed way forward.

Wards affected: Newsome

Contact: Joanne Bartholomew – Service Director for Development

Consideration must be given to whether the public and press should be excluded from the meeting prior to the determination of the matter to enable the exempt information to be discussed by passing the following resolution: -

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

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Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 10th September 2024**

Present: Councillor Carole Pattison (Chair)  
Councillor Beverley Addy  
Councillor Munir Ahmed  
Councillor Moses Crook  
Councillor Tyler Hawkins  
Councillor Amanda Pinnock  
Councillor Graham Turner

Observers: Councillor Martyn Bolt  
Councillor Tanisha Bramwell  
Councillor Andrew Cooper  
Councillor Jo Lawson  
Councillor John Lawson  
Councillor Imran Safdar  
Councillor Mohan Sokhal  
Councillor John Taylor

Apologies: Councillor Viv Kendrick

**29 Membership of Cabinet**

Apologies for absence were received on behalf of Councillor Kendrick.

**30 Minutes of Previous Meetings**

**RESOLVED** – That the Minutes of the Meetings held on 9 July and 13 August 2024 be approved as a correct record.

**31 Admission of the Public**

It was noted that all Agenda Items would be considered in public session.

**32 Declaration of Interests**

Councillor Hawkins declared an ‘other’ interest in Agenda Item 8 on the grounds that he is a Trustee of Kirkheaton Community Library.

**33 Deputations/Petitions**

No deputations or petitions were received.

**34 Questions by Members of the Public**

No questions were submitted.

**35 Questions by Elected Members (Oral Questions)**

Cabinet received oral questions under Executive Procedure Rule 2.3.

**Question from Councillor Bolt**

“About twenty years ago this Council granted planning approval for a huge development, originally known as Mirfield 25, it has evolved and is now known as AAA Park. It is located on the A62, one of the Council’s strategic economic zones. As part of the development, residents were told that the developers would pay for improvements at the Stocks Bank Moor Road junction and for road safety measures in various places. The improvements at Church Road, Roberttown, have been implemented, but those at Church Lane and Dunbottle Lane, Mirfield, have not yet been designed. How can the public have confidence in the planning scheme when nearly twenty years later the promises haven’t been delivered?”

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

**Question from Councillor J Lawson**

“There are a lot of significant decisions being taken at the moment. In terms of the way that evidence and decisions are presented, do you think its time that we reviewed how we evidence Cabinet decisions?”

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

**Question from Councillor J D Lawson**

“A lot of residents realise the financial constraints that the Council is under, but we do have a lot of reports of fly tipping that isn’t being picked up. What is the target from when it is reported on the website, to it being actually picked up?”

A response was provided by the Cabinet Member for Environment and Highways (Councillor Munir Ahmed).

**Question from Councillor Safdar**

“According to the Trussell Trust there has been an increase in foodbank usage across the North of England, and there is also concern regarding the pending increase of gas and electric prices. As a Council, what are we doing to provide extra support, especially in light of possible reduced help from central government, and linking into that, what provisions are we going to put in place to help hard working organisations like the mission and various religious groups working hard to provide food banks?”

A response was provided by the Cabinet Member for Corporate Services (Councillor Hawkins).

**Question from Councillor Bramwell**

“Dewsbury Sports Centre has been closed now for over a year and it is having a continuously significant negative impact on residents across North Kirklees. At the last Cabinet meeting I raised this issue, and Councillor Turner advised that we were



## **Cabinet - 10 September 2024**

waiting on a report. I'm asking for an update, since that last Cabinet meeting, is there a report and where are things at right now?"

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

### **Question from Councillor Bolt**

"The Council is partnering with Network Rail Transpennine Route upgrade on a project to stimulate active travel in what is called 'the first and last mile', encouraging people to walk or cycle the first or last mile of a journey to and from a railway station. The drop in session in Mirfield had very limited time for people to respond and even more limited information on the project, for example, it didn't have any baseline data on the number of people who work of cycle to Mirfield Railway Station. How would Cabinet judge the success of a project if it didn't know the starting point? Because we see a plan that had not been published before to use as part of the canal towpath from Shepley Bridge into Mirfield, which has some very low bridges and narrow paths. I raised safety concerns, there was no risk assessment. Have the Cabinet seen any of these when bringing forward the plans?"

A response was provided by the Cabinet Member for Transport and Housing (Councillor Crook).

### **Question from Councillor Taylor**

"I've been contacted by Grange Moor residents about the X41 Service, running from Dewsbury to Grange Moor, to Huddersfield. It was a service originally provided by Arriva, and has since been provided by South Pennine Community Transport, who are now considering withdrawing the service. The service is an essential rural route, receiving subsidy from the mayoral authority, who have we tried to engage with but we haven't received any answers. The community are concerned that they are going to be cut off if the service is withdrawn, particularly with regards to accessing the surgery in Middlestown. Can I have some help in keeping this essential service going?"

A response was provided by the Cabinet Member for Transport and Housing (Councillor Crook).

### **Question from Councillor Bramwell**

"With regard to the Youth Services currently delivered by Kirklees Council, what is the plan in the North Kirklees area? The anti social behaviour in Dewsbury West is across the ward. I have spoken with the detached youth work team who told me that their plan of engagement is changing constantly. There is no longer place based working due to cuts. What is the Council doing to support the grass root organisations working already and what is the Council's Youth Service offer?"

A response was provided by the Cabinet Member for Education and Communities (Councillor A U Pinnock).

- 36 To present Cabinet with findings from recent informal consultation and other relevant details to enable a decision to be made on the future library service** (Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Bolt and Taylor).

Cabinet gave consideration to a report, pursuant to a decision of Cabinet on 20 February 2024, which authorised the commencement of an informal engagement with community partners regarding the proposed Community Managed Libraries model, and associated service review. The purpose of the report was to provide insight into the feedback received, provide consideration of an alternative targeted delivery model, set out the requirements for non-statutory public consultation, and the next steps of the process.

The report outlined revised plans for a future libraries' delivery model, following a needs assessment and feedback from an informal engagement exercise. It explained that the proposal was to retain all 24 libraries, aiming to provide an efficient library service within budget limits that can respond to community needs. The model proposed the retention of all libraries within the statutory network and advised that this would require a review of opening and staffed hours across all library services to meet the savings target. The review would ensure that all future staffing and management structures align to the proposed model.

It was noted that, subject to approval, a period of public consultation would commence and that a final proposal would be submitted to Cabinet for consideration early next year.

**RESOLVED –**

- 1) That approval be given to the revised targeted libraries delivery model, retaining some paid staffed hours across all 24 Kirklees library locations.
- 2) That the consultation process on the option of targeted reduction in staffed hours and opening hours that will seek community and partner input through surveys and focus groups, as well as ensure the proposed model meets the legal requirements for a comprehensive and efficient service that meets the needs of the communities served, be endorsed.
- 3) That the Integrated Impact Assessment be noted, before making a decision to consult.
- 4) That the outcome of the public consultation process be submitted to Cabinet prior to implementation.

- 37 Damp, Mould and Condensation Policy**

Cabinet gave consideration to a report which sought approval of the Damp, Mould and Condensation Policy, in response to the Regulatory Notice issued by the Regulator of Social Housing on 6 March 2024.

The report advised that the policy outlined resident safety as a priority and set out the actions that would be taken to manage and resolve issues of damp, mould and condensation in the Council's housing stock. It was noted that the policy would meet regulatory requirements and demonstrate the Council's commitment to maintaining high housing standards. The report explained that the policy, which was attached at

Appendix A of the report, underpinned the importance of the resident within their house and had been designed to achieve positive outcomes for residents.

**RESOLVED** - That the Damp, Mould and Condensation Policy be approved.

**38 Inclusion and Diversity Strategy 2024-2027**

Cabinet gave consideration to the Inclusion and Diversity Strategy 2024-2027, which set out the Council's vision for inclusion and diversity by providing equal access to opportunities and resources and recognising, supporting and celebrating the diversity of communities and workforce.

**RESOLVED** - That the Inclusion and Diversity Strategy 2024-2027 be approved.

**39 Council Budget Strategy 2025/2026 and future years (Reference to Council)**

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

Cabinet gave consideration to a report which set out a framework for the budget setting process and future financial planning. The report set out (i) an update in regards to Quarter 1 Budget Monitoring (ii) overarching principles of the financial strategy (iii) risk and uncertainty within the financial strategy (iv) update of the medium term financial strategy (revenue) 2025/2030 (v) specific funding assumptions (vi) cost pressures (vii) balances and reserves (viii) the general fund revenue budget (ix) update of the medium term capital plan 2024/2029 (x) collection fund (xi) dedicated schools grant and (xii) the housing revenue account.

It was noted that the report would be submitted to the meeting of Council on 18 September 2024, and that subject to approval, work would be undertaken on the identification and development of draft budget proposals and options, as set out within the framework. The report advised that Cabinet would present initial proposals for the 2025/2026 budget in December 2024.

**RESOLVED** - That the report be referred to Council with a recommendation that;

- (i) the key risks to the delivery of the budget in 2024/2025 be noted and submitted to Cabinet on a quarterly basis as part of budget monitoring reports.
- (ii) the continued uncertainty with the future funding outlook for the Council be noted.
- (iii) the update and the revised budget gap to the Medium Term Financial Strategy for the period 2025/2026 to 2029/2030 (as set out at Appendix A) be noted and that, in view of the uncertainty with some of the assumptions upon which the Strategy is based, it remain under review as the Council's budget process progresses.
- (iv) it be noted that there is a significant gap of c£30m in 2025/2026 which requires either reduction in budget pressures or increased savings proposals to be brought forward at pace.
- (v) the scenario analysis, as shown at Appendix C, which models the worst/best case scenarios around the baseline MTFP, as part of the assessment of potential risks facing the Council, be noted.

## Cabinet - 10 September 2024

- (vi) the Medium Term Financial Strategy be approved.
- (vii) it be noted that, as delegations allow, and in view of the significant financial challenge faced by the Council, early action be taken to identify and implement budget reduction measures, consistent with the Medium Term Financial Strategy, as a means of reducing the funding gap, as set out in the report.
- (viii) in consultation with relevant Cabinet Members, Officers be requested to identify and bring forward proposals consistent with the Medium Term Financial Strategy for consideration by Cabinet and Council as part of the development of the budget for 2025/2026.
- (ix) the timetable as set out at Appendix E for the development of the Council Budget 2025/2026 be noted.
- (x) it be agreed that, subject to consideration by Cabinet Members, any budget proposals arising from the work be considered by Cabinet in due course (subject to (xi) below).
- (xi) it be noted that it is proposed to undertake consultation on the budget proposals in late 2024 with a view to informing decisions on the Council's budget 2025/2026.
- (xii) subject to the continuation of the Business Rates Pooling arrangements, authority be delegated to the Chief Executive and the Service Director (Finance), in consultation with the Leader and Cabinet Member for Finance and Regeneration, to determine whether the Council should continue as a member of the Leeds City Region Business Rates Pool in 2025/2026.

### 40 **Kirklees Preventing Homelessness and Rough Sleeping Strategy 2024 - 2029 & Temporary Accommodation Placement Policy 2024**

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

Cabinet received a report which sought approval for (i) the draft Kirklees Preventing Homelessness and Rough Sleeping Strategy 2024-2029 (as attached at Appendix 1 of the report) and (ii) the refreshed Kirklees Council – Housing Solutions Service Temporary Accommodation Placement Policy 2024 (as attached at Appendix 2 of the report).

The report advised that the Preventing Homelessness and Rough Sleeping Strategy would enable the Council to fulfil its statutory duty to formulate and publish such a strategy every five years, and provide a framework for service development, resource prioritisation and partnership support to enhance outcomes for residents who are vulnerable or facing homelessness.

Cabinet noted that the Strategy focussed upon achieving better outcomes for vulnerable children, providing high quality, joined up and accessible services that safeguard children and adults from harm, and working collaboratively to support people to live in suitable and affordable homes within a supportive community. It was also noted that the Housing Solutions Service Temporary Accommodation Placement Policy 2024 set out how homeless households would be prioritised for temporary

accommodation, both within and outside of the district.

The report advised that, subject to approval, the priorities would be delivered through an action plan which would be monitored and reviewed on an annual basis and would include a regular review of key performance indicators associated with homelessness and rough sleeping.

**RESOLVED –**

- 1) That the draft Kirklees Preventing Homelessness and Rough Sleeping Strategy 2024-2029 be approved.
- 2) That the refreshed Kirklees Housing Solutions Service Temporary Accommodation Placement Policy 2024 be approved.

**41 Kirklees Major Transport Capital Schemes; Annual Report 2024**

(Under the provision of Council Procedure Rule 36 (1), Cabinet received representations from Councillor Bolt and Councillor Sokhal)

Cabinet received a report which provided an update on the delivery and governance of the Council's major capital transport infrastructure projects, and sought delegated authority to progress the delivery of the schemes.

The report included a progress to date summary, which provided feedback in respect of each individual project. Appendix 2 of the report set out a summary of the project budgets and future forecast spend profiles. It was noted that future spend profiles were established and, subject to achieve necessary consents and approvals to award contracts, and subject to agreement of final contract sums.

Cabinet were advised that Officers would continue to progress the projects in accordance with both internal and the WYCA quality assurance processes.

**RESOLVED –**

- 1) That the annual update on the Council's major transport capital programme be noted.
- 2) That approval be given to the necessary delegated authority to progress the schemes as detailed within the report.
- 3) That authority be delegated to the Service Director (Skills and Regeneration) in consultation with the Service Director (Legal, Governance and Commissioning) to enter into any procurement, funding or contract documentation to enable individual projects and schemes to proceed, as set out within the report, in accordance with Council Procedure Rules.
- 4) That authority be delegated to the Service Director (Skills and Regeneration) in consultation with the relevant Cabinet Member and Service Director (Finance) to enable changes to individual projects and funding allocations in accordance with Financial Procedure Rules to facilitate efficient delivery of this programme and the spend of available budgets to allow the outcomes to be realised.

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Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 8th October 2024**

Present: Councillor Carole Pattison (Chair)  
Councillor Beverley Addy  
Councillor Munir Ahmed  
Councillor Moses Crook  
Councillor Tyler Hawkins  
Councillor Viv Kendrick  
Councillor Amanda Pinnock  
Councillor Graham Turner

Observers: Councillor Martyn Bolt  
Councillor Tanisha Bramwell  
Councillor Andrew Cooper  
Councillor Musarrat Khan  
Councillor Jo Lawson  
Councillor John Lawson  
Councillor Paul Moore  
Councillor Andrew Pinnock  
Councillor Imran Safdar  
Councillor Cathy Scott  
Councillor Joshua Sheard  
Councillor Elizabeth Smaje  
Councillor Mark Thompson

**42 Membership of Cabinet**

All Members of the Cabinet were present.

**43 Admission of the Public**

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

**44 Declaration of Interests**

No interests were declared.

**45 Deputations/Petitions**

No deputations or petitions were received.

**46 Questions by Members of the Public**

No questions were received.

**47 Questions by Elected Members (Oral Questions)**

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

**Question from Councillor Jo Lawson**

“Can you tell me if the teams collecting fly tipping still have the same compliment of staff that they had this time last year, or have they been affected by the vacancy freeze?”

A response was provided by the Cabinet Member for Environment and Highways (Councillor Ahmed).

**Question from Councillor Moore**

“Historically ward budgets have allowed Councillors to give out relatively small grants and financial support to grass root organisations. Cutting this budget by 50% will have a huge impact on many groups without which they will struggle to operate and survive. Will the Council revisit this decision and give a commitment not to out the ward budget in the future?”

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

**Question from Councillor Safdar**

“I’m concerned about disability parking permits, is there any way we can revisit the costs, could it be reduced to zero? It’s an extra cost for disabled families who are struggling.”

A response was provided by the Cabinet Member for Environment and Highways (Councillor Ahmed).

**Question from Councillor Scott (on behalf of Councillor Darwan)**

“In total the UK has committed £12.8 billion for the Ukraine. Perhaps Kirklees needs to change its name to Ukraine to get funding for our much needed services. If the Ukraine is getting better British taxpayer’s money why isn’t the Leader of the Council applying more pressure on Keir Starmer and demanding more funding for the needs of people of Kirklees?”

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

**Question from Councillor Scott**

“There appears to be a severe blue badge backlog, which is still ongoing. Can you offer some reassurance to getting this resolved? It is causing anguish and distress for local people?”

A response was provided by the Cabinet Member for Environment and Highways (Councillor Ahmed).



**Question from Councillor Bramwell**

“The rate of domestic violence in my ward is very high compared to other areas. What is the offer for domestically abused victims and is the Council working on preventative measures, eg, educating young people on healthy relationships?”

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

**Question from Councillor Scott**

“What is your commitment to a burial site within Dewsbury?”

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

**Question from Councillor Scott**

“Is there any plan to bring an update/presentation on the integration of KNH services back into the Council, to a meeting of full Council?”

A response was provided by the Cabinet Member for Housing and Transport (Councillor Crook).

**Question from Councillor Bramwell**

“Dewsbury Cemetery has been a long standing issue for many of my residents. On 27 June 2023 it was claimed that £500k had been set aside for investment in Dewsbury burial provision. Can I ask if that amount still stands?”

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

**Question from Councillor Thompson**

“This year’s budget appendix included a section headed ‘delay and repayment or default on loans’ which highlighted four loans that are outstanding, totalling £33.5m. What are we doing on a day to day basis to make sure that we are reclaiming these loans?”

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

**48 Future of Dementia Care Home Provision**

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Bramwell, Cooper, J D Lawson, J Lawson, Khan, A Pinnock, Safdar, Scott and Smaje.)

Cabinet gave consideration to a report which set out a progress update on the future of dementia care homes provision. The report advised that, following an earlier public consultation exercise whereby a subsequent decision was taken not to

pursue the closure, options for the transfer of the homes as a going concern were explored.

Paragraph 2.10 of the report set out the indicative basis upon which the Council could look to transfer the homes as going concerns and it was advised that potential operators had been made aware of the likely challenges and issues involved if options for sale were pursued, including the possible need for a form of public consultation process. Details of the financial and legal implications were set out at paragraphs 3.2 and 3.3 of the report.

The report highlighted that the homes continued to lose more than £1.25m per annum and required capital investment, and that three operators had expressed an interest in pursuing a business transfer option. Cabinet were asked to authorise the progress of negotiations regarding entering into a contract with an alternative provider, subject to final agreement by Cabinet.

**RESOLVED –**

- 1) That approval be given to a consultation process being undertaken for a period of six weeks with staff and families regarding the proposal to transfer one or both homes to a private sector operator.
- 2) That approval be given to progressing negotiations to the point of being able to enter into a contract with an alternative provider, subject to final agreement by Cabinet.
- 3) That approval be given to carrying out consultation on the principles of the proposal and that authority be delegated to the Service Director (Mental Health, Learning Disabilities and Provider Services) to agree the nature and scope of the consultation.

**49 Councillor's Devolved Ward Budgets - Updated Criteria and Decision-Making Process**

(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Cooper, Khan, J Lawson and Smaje)

Cabinet were asked to consider a revised set of criteria and decision making process for devolved budgets, as attached at Appendix A of the report. It was noted that, at the meeting of Budget Council (2024), a decision had been taken to reduce the ward budget from £20k to £10k per ward, to help the delivery of budget savings.

The report advised that the revised criteria would enable Councillors to ensure that their ward budgets are used effectively, deliver value for money, respond to local priorities, maximise resources and ensure transparent decision making.

**RESOLVED –**

- 1) That approval be given to the Devolved Ward Budgets criteria and decision making process, as set out at Appendix A.
- 2) That, pursuant to (1) above, any further amendments be delegated to the Deputy Chief Executive in consultation with the relevant Cabinet Member

**50 Fleet Replacement and Investment**

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

Cabinet gave consideration to a report which set out details of fleet replacement and investment, and the vehicle replacement programme. The report advised that a vehicle replacement programme had been developed which would ensure that fleet are replaced at the right time, before there is an impact on service delivery, cost and environmental impact.

Cabinet were advised that the investment focussed upon the replacement of critical frontline fleet, achieving the highest possible environmental standards and continuing to deliver on vision zero. It was noted that the Council's fleet was essential to core service delivery and that work would continue to reshape and model the vehicle replacement programme and service fleet operating models to ensure that only essential fleet was replaced to minimise financial risk and impact upon operational effectiveness.

**RESOLVED –**

- 1) That approval be given to proceed with expenditure of (i) £21.7m from the agreed Capital Plan for the Vehicle Replacement Programme (years 2025/2026-2030/2031), supporting critical fleet replacement and transformation models over the next six year forecast (ii) £3.26m to replace Waste and Recycling hired fleet with capital purchase, supporting the reduction of the Council's expensive fleet hire costs by generating a fleet whole-life cost saving model (offsetting hire costs v capital), removing reliance on unreliable hired fleet and providing frontline operational stability by capitalising fleet requirements and (iii) £1.8m to replace the current fleet of hired bulk gritting vehicles with capital purchase fleet to achieve a financial saving from year 5 and add flexibility for the future in terms of how the service could be delivered.
- 2) That approval be given to the procurement and award purchase contracts for the replacement of critical fleet and hired fleet assets outlined within the three capital scheme proposals (£26.76m over three years).
- 3) That authority be delegated to the Service Director (Highways and Streetscene) in consultation with the Cabinet Member, to commence procurement activity for Vehicle Waste Replacement, Waste and Recycling hired fleet and hired bulk gritters replacements in line with UK procurement regulations and Contract Procedure Rules.

**51 Household Waste Recycling Centre Efficiency Savings**

(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Bolt, J Lawson, J D Lawson, Sheard, Smaje and Thompson. Under the provision of Council Procedure Rule 37, Cabinet received a representation from Richard Hodgson).

Cabinet gave consideration to a report which proposed operational changes to household waste recycling centres. The report set out proposals for (i) the closure of Nab Lane Household Waste Recycling Centre (ii) the closure of Bromley Farm

Household Waste Recycling Centre on Wednesdays and Thursdays and (iii) the closure of Meltham Household Waste Recycling Centre on Mondays and Thursdays, in order to meet financial efficiency savings. It was noted that the Council operated five sites across the borough and that the reduction of hours at Bromley Farm Household Waste Recycling Centre and Meltham Household Waste Recycling Centre would allow service provision to continue at peak times.

The report advised that the site at Nab Lane Household Waste Recycling Centre did not comply with Waste and Resource Action Programme Guidance 2018, or Health and Safety Executive Guidance, and would require investment which was deemed to be affordable. It was noted that alternative capacity was available at Weaving Lane site.

**RESOLVED –**

- 1) That Nab Lane Household Waste Recycling Centre be permanently closed from Autumn/Winter 2024.
- 2) That Bromley Farm Household Waste Recycling Centre be closed on Wednesdays and Thursdays from Autumn/Winter 2024 onwards.
- 3) That Meltham Household Waste Recycling Centre be closed on Mondays and Tuesdays from Autumn/Winter 2024 onwards.

**52 Car Parking charges and restrictions for Resident Parking Permits and currently free off-street car parks**

(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Bolt, Bramwell, JD Lawson, J Lawson, Khan, A Pinnock, Thompson, Scott and Sheard. Under the provision of Council Procedure Rule 37 Cabinet received representations from Jamie Ellison and Amanda Gray).

Cabinet gave consideration to a report which set out proposals to introduce car parking charges and restrictions for resident parking permits. The report advised that the proposals had been developed following a statutory consultation process and were designed to meet the parking needs of shoppers, commuters, residents and visitors with the provision of short and long stay off street parking and on street permit parking options. It was noted that the proposals would contribute towards relieving and preventing traffic congestion and local traffic management and would generate £431k to contribute to the income target, leaving a shortfall of £573k.

Appendix 1 of the report set out proposals for resident and visitor permit parking proposals and Appendix 2 set out parking charges, tariffs and restrictions.

**RESOLVED –**

- 1) That approval be given to the proposals for resident and visitor permit parking as set out at Appendix 1, and that they be implemented as soon as possible.
- 2) That the findings of the Integrated Impact Assessments be noted.
- 3) That approval be given to the new parking charges/tariffs and restrictions, including two hours free parking charges in 15 car parks as set out at Appendix 2, and that they be implemented as soon as possible.

- 4) That approval be given to the existing Traffic Regulation Order being amended as advertised to enable changes to the application for and issue of permits, including the introduction of 'virtual permits', negating the need for a physical permit to be displayed in the vehicle.
- 5) That future decisions regarding revisions to parking charges be delegated to the relevant Executive Director, in consultation with the relevant Cabinet Member.

**53 Community Asset Transfer of Honley Village Hall and adjoining open space land**

Cabinet gave consideration to a report which sought approval of the community asset transfer of Honley Village Hall to Honley Village Community Trust Charitable Incorporated Organisation. It was noted that the property, located at Roundway, Honley, consisted of a building and external open space, and that the freehold of the property was owned by the Council. The report proposed that the property be transferred, by way of a 125 year lease in accordance with the Council's Community Asset Transfer Policy 2020.

It was noted that it would be necessary for the Charitable Incorporated Organisation to surrender its existing lease on parts of the property prior to the new lease being granted. Cabinet were advised that the transfer would provide the Charitable Incorporated Organisation with the security needed to satisfy grant funding requirements whilst ensuring that the property remained available to the local community for the long term future.

**RESOLVED –**

- 1) That approval be given to proceed with the grant of a 125 year lease to Honley Village Community Trust Charitable Incorporated Organisation and the related surrender of the existing leases.
- 2) That the Service Director (Development), in consultation with the Cabinet Member (Finance and Regeneration) be authorised to negotiate and agree terms for the grant of a 125 year lease of Honley Village Hall (plan reference 18-0213) and the Service Director (Legal, Governance and Commissioning) be instructed to execute and enter into all necessary documentation in connection with the grant of a 125 year lease of Honley Village Hall, Roundway, Honley to Honley Community Trust Charitable Incorporated Organisation.

**54 Update Regarding Progress with the Regulatory Notice**

Cabinet received a report which set out an update on the service improvement plan which was being implemented to deliver actions in response to the Notice to improve that was served by the Regulator of Social Housing.

The report advised that a number of significant overdue fire remedial actions had been identified and that, since December 2022, there had been a consistently high number of homes with unresolved cases of damp and mould.

In terms of progress, the report advised that a programme had been put in place to rectify the failures and that statutory action would not be taken at this stage as the

## **Cabinet - 8 October 2024**

breach of standard was being remedied. It was noted that there would be continued progress on the delivery of the action plan, agreed with the Regulator, to ensure that timescales were being met and that the Regulator was satisfied with progress.

**RESOLVED** - That the update report be noted and that the content be shared with key stakeholders.

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

Signed: ..... Dated: .....

## NOTES

### Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

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

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





**Report title: The Future of Dewsbury Sports Centre**

<b>Meeting</b>	Cabinet
<b>Date</b>	5 <sup>th</sup> November 2024
<b>Cabinet Members</b>	Cllr Graham Turner – Finance and Regeneration Cllr Beverley Addy – Adult Social Care and Health
<b>Key Decision Eligible for Call In</b>	Yes Yes

**Purpose of Report**

This report consolidates background information and presents a range of options to inform decision-making regarding the future of Dewsbury Sports Centre (DSC).

Given the financial challenges, structural issues and the need for a sustainable health and leisure offer, the report presents several options for consideration regarding the future of DSC. The main options include:

- Option 1: Do nothing and keep the site in its current state.
- Option 2: Reopen both the wet and dry sides of the building.
- Option 3: Demolish the wet side, reopen the dry side with a new main entrance.
- Option 4: Permanently close DSC, demolish the wet side and enter negotiations around the future of the site.
- Option 4a: Option 4 plus construct a new leisure centre on a different site.
- Option 5: Community Asset Transfer of the buildings to an approved community group.

The recommended option is Option 4: the permanent closure of DSC.

This recommendation is based on several critical factors: financial constraints; the significant cost of refurbishing the existing facilities; and the available alternative physical activity provisions in the area. In addition, this approach offers an invaluable opportunity to better understand the complexities of community needs and to develop a longer-term strategic approach to address these issues comprehensively. By adopting a co-productive approach, we can ensure that the delivery of any long-term solutions effectively meet the needs of the community.

**Background**

DSC closed in September 2023 due to health and safety concerns owing to the discovery of Reinforced Autoclaved Aerated Concrete (RAAC). Prior to its closure, the centre had been loss-making, (c £1.113m per annum, the largest loss of any of the Kirklees Active Leisure (KAL) operated leisure centres prior to the Leisure Centre consultation in Autumn 2023) and required significant investment for repairs (**Appendix 1**). In December 2023, Cabinet came to a decision to reduce the leisure centre offer to eight centres throughout Kirklees, which did not include DSC. It is acknowledged that there was, and still are, some strong feelings in the community around the closure.

An Integrated Impact Assessment (**Appendix 5 IIA**) has been conducted to evaluate the implications of the closure. The assessment underscores the necessity of identifying a solution to aid the local community in enhancing health & wellbeing outcomes. It is apparent that while some individuals utilised the facilities within DSC to improve their health and wellbeing, a sports centre is not the preferred option for everyone. Dewsbury offers a diverse array of gyms with competitive membership prices; however, access to swimming pools is more restricted, as detailed in **Appendix 3**. In addition, the Third Sector play an essential role in the provision of sports and physical activity opportunities in Dewsbury and offer a wide range of opportunities. A long-term solution is required to more effectively address the needs of the entire community. A strategic approach, informed by a comprehensive needs assessment to further understand the complexities of community needs is recommended.

## Recommendations

Cabinet is asked to approve the following:

- Consider the detailed options outlined in the tables in the Executive Summary (Section 1), which present a range of potential approaches for the future of Dewsbury Sports Centre (DSC). The different capital and revenue implications of each option should be noted, with particular attention to the detailed information provided in the appendices attached to this report, especially the health and leisure landscape in Dewsbury and the potential impact on residents.
- Approve Option 4 to permanently close Dewsbury Sports Centre and declare the existing buildings surplus to the Council requirements.
- Approve the demolition of the wet side facility, subject to capital funding being identified in the Council's revised Capital Plan to be presented at Council on 5<sup>th</sup> March 2025.
- The Executive Director for Place be authorised to initiate negotiations with the Landlord of the dry side building concerning the existing lease and the potential future redevelopment of the building/wider site.
- The Service Director Legal, Governance and Commissioning be authorised to enter into and execute on the Council's behalf any necessary documentation or instruments in relation to the above matters.
- Approve the writing off of KAL's outstanding borrowing costs which equate to £126k for 2024/25 and a total cost of £697k until 2035. An adjustment will be made to the Treasury Management budget to accommodate this change.
- The Executive Director for Public Health and Corporate Resources be authorised to work with partners including funders such as Sport England and sporting governing bodies to secure external investment to enable a programme of physical activity opportunities to be delivered in Dewsbury, along with a promotional campaign to highlight existing activities in the area. Proposals should aim to deliver a new style of provision to enhance health and wellbeing outcomes.
- Approve the commissioning of a strategic needs assessment to explore approaches to effectively address the health, well-being and social needs of the Dewsbury population.
- Members should note the recommendations in the Integrated Impact Assessment, (**Appendix 5**).

## Reasons for Recommendations

- **Financial Unsustainability:** The cost of returning the entire sports centre facilities to an operational state or refurbishing and remodelling the dry side facilities is very significant and unaffordable given the financial challenges facing the Council. The estimated capital costs for refurbishing the wet and dry sides are approximately £9-10 million (**Appendix 1**).

These financial details are comprehensively outlined in Option 2 and Option 3 in the executive summary of this report.

- Lack of Revenue Provision: DSC does not form part of the Council’s agreed Leisure Centre offer with Kirklees Active Leisure (KAL) and, therefore, is not part of the Council’s core grant offer. It is estimated that there would be an additional annual operating loss of around £1.113 million and presently there is no revenue provision to operate the facilities if they were re-opened. The financial overview in Section 3.2.1 highlights the absence of a revenue provision for DSC.
- Alternative provision in the Dewsbury area is diverse with over 20 private gyms, one directly behind the DSC building, and there is a wide range of sports and physical activity opportunities such as football, rugby, martial arts, yoga, walking and running available which are referred to in Sections, 2.7, 2.8 and **Appendix 3**.
- As detailed in Section 3.4.2 and supported by the Integrated Impact Assessment (**Appendix 5 IIA**), the presence of the sports centre did not significantly alter health outcomes in the past. Even when DSC was operational, the community continued to face lower than average levels of physical activity and higher than average adverse health outcomes. This historical context underscores the need for a more comprehensive approach rather than reverting to a solution that has already proven ineffective. More work is needed to understand the barriers to physical activity and to explore new styles of provision that can improve health and well-being outcomes.
- To progress any physical activity interventions in the Dewsbury area, external investment/resources will need to be secured due to the Council’s current financial position, which precludes funding these programmes solely itself. Officers are presently working with key partners and Sport England to develop a systems leadership approach in Kirklees, with a specific focus on Dewsbury, to collaborate and increase resources for physical activity programmes

**Resource Implication:**

There is currently no capital allocation in the Council’s Capital Plan for the demolition of the wet side provision at DSC and the site's subsequent conversion into a car park or other alternative use. An estimated allocation of £3.483 million will need to be identified through the re-prioritisation of existing schemes within the Council’s current funded Capital Plan to facilitate the demolition in the fiscal year 2025/2026 (refer to Section 1.4 which details the financial implications of the demolition). As part of the Council’s new Capital Plan to be considered by Council on 5<sup>th</sup> March 2025, Cabinet will outline which scheme(s) will be removed/re-prioritised in order to ensure that a capital allocation of £3.483m is provided for the demolition scheme.

There is no revenue provision for the cost of holding the vacant dry side building until a decision regarding its future is made. These revenue holding costs must be accommodated within the existing Corporate Landlord budget for property facilities management. For further details on the revenue implications refer to Section 1.4 which details revenue implications.

**Date signed off by Executive Director & name**

Rachel Spencer Henshall – Deputy Chief Executive and Executive Director for Public Health and Corporate – 28/10/2024

David Shepherd – Executive Director for Place – 26/10/2024

**Is it also signed off by the Service Director for Finance?**

Kevin Mulvaney – Service Director for Finance / Section 151 Officer – 28/10/2024

Is it also signed off by the Service Director for Legal and Commissioning (Monitoring Officer)?	Samantha Lawton – Service Director for Legal and Commissioning (Monitoring Officer) - 24/10/2024
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**Electoral wards affected:** Dewsbury

**Ward councillors consulted:** None

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

The report includes **Appendix 7**, which is recommended to be considered in Private. This is because the information contained is considered as exempt under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006. This appendix contains details relating to the financial or business affairs of any person including the Council. It is deemed that it would not be in the public interest to disclose the information contained in the private appendix as disclosure. Revealing this information could potentially hinder the Council's ability to secure value for money, compromise the commercial confidentiality of the entities mentioned within the report, and ultimately be detrimental to the Council's financial and business interests. These concerns are considered to surpass the benefits of increased public accountability, transparency in the expenditure of public funds, and openness in Council decision-making processes.

**Has GDPR (General Data Protection Regulation) been considered?** Yes, person-identifiable data is not present in this report.

## 1. Executive Summary

1.1 In Autumn 2023, national government guidance was issued regarding the potential safety implications of Reinforced Autoclaved Aerated Concrete (RAAC). A comprehensive survey of Dewsbury Sports Centre (DSC) conducted by both internal and external structural surveyors confirmed the extensive presence of RAAC throughout the wet side of the facility, including the main entrance and plant areas. Consequently, the entire building was closed to the public in September 2023. It was determined that the dry side of the building could not function fully without access to the main entrance and the utility services provided by the wet side.

1.2 On 26<sup>th</sup> September 2023, a decision was made by Cabinet to consult on the future leisure offer. Subsequently, on 12<sup>th</sup> December 2023, Cabinet considered a report regarding the Kirklees Active Leisure (KAL) Offer for 2024/25. A decision was reached to establish a rationalised leisure centre offer funded through a £2.555m core grant, which involved reducing the number of sites from twelve to eight, with six of those sites featuring swimming pools. DSC was excluded from this leisure centre provision as part of that decision due it being closed, the significant capital investment required for refurbishment and the site's revenue operating deficit,

1.3 Cabinet resolved 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.”*

This report responds to that decision by providing an analysis of the leisure and health landscape in Dewsbury following the closure of DSC. **Appendix 1 & Appendix 7** detail the

capital and revenue implications of reopening the dry side, as requested by Cabinet, to facilitate a decision on the future of the leisure centre provision in Dewsbury.

1.4 Financial information has been consolidated regarding all potential options highlighted in this report below.

**Option 1 - Do nothing, site remains in its current state**

Estimated Capital Cost for the Council	Revenue cost of borrowing per annum over building life	Revenue Deficit per year	Key Points	Timescale
Nil	Nil	£152K mothball cost including utilities if KAL continues to manage plus £60K lease costs  <b>Total £212K</b>  £350K per annum if managed by the Council.	<ul style="list-style-type: none"> <li>• KAL continue to manage the mothballed site.</li> <li>• No income, continuing revenue outgoings.</li> <li>• Discussions occur with the Landlord about the future options for the leased dry side building.</li> <li>• Council will need to write down remaining borrowing of £697k as DSC is not part of KAL core offer</li> </ul>	Ongoing

In addition to the above – option to carry out intrusive. specialist surveys and further appraisal work to inform future options for the site

Estimated Capital Cost for the Council	Revenue cost of borrowing per annum over 25 years.	Revenue Deficit per year	Key Points	Timescale
£750k	£54K	Nil	<ul style="list-style-type: none"> <li>• Intrusive surveys of the wet side RAAC and the concrete pools have not occurred to date due to cost to establish extent of the issues and the design solutions/costs to return the building (if possible) to operational use. Specialist contractors would need to be procured. Risk that £750k would need to be funded from revenue if no capital scheme comes forward.</li> </ul>	9 – 12 months

**Option 2 - Re-opening of the existing building – both wet side and dry side - by addressing all known condition items to ensure operational life of 25 years +**

Estimated Capital Cost for the Council	Revenue cost of borrowing per annum over 25 years.	Revenue Deficit per year	Key Points	Timescale
£9m – £10m	£646K to £718K	£1.113m (2022/23 loss – last full year of operation) plus £60K lease costs  <b>Total = £1.173m</b>  Less continuation of borrowing repayment average c£70k pa over 10 years	<ul style="list-style-type: none"> <li>The capital cost is a broad estimate that is not supported via intrusive surveys / site investigations / a detailed technical and cost appraisal. The realism of repairing the RAAC and concrete pools in an affordable and economic manner remains untested and cannot be confirmed without significant exploratory work.</li> </ul>	Upwards of three years for the full site.

**Option 3** - Wet side remains permanently closed and is demolished. The dry side is reopened by building a new main entrance and addressing all know condition items to ensure an operational lifespan of 25 years +

Estimated Capital Cost for the Council	Revenue cost of borrowing per annum over 25 years.	Revenue Deficit per year	Key Points	Timescale
£9.196m	£661K	£601K operating costs plus £60K lease costs  <b>Total = £661K</b>	<ul style="list-style-type: none"> <li>This is based on an initial desk top option appraisal and set of assumptions with no supporting site surveys / investigations and should therefore still be treated as an estimate rather than a precise figure.</li> <li>It assumes the demolition of the wet side building and the conversion of the cleared space to car parking or other alternative use to be identified. (£3.483m). It could be possible to generate a capital receipt from the disposal of the wet side site to offset the demolition cost.</li> <li>It assumes the construction of a new main entrance on the dry side and the refurbishment of the centre to address fabric, mechanical and electrical infrastructure issues that would give the building an extended</li> </ul>	2.5 years

			<p>life of 25 years + at a cost of £5.713m</p> <ul style="list-style-type: none"> <li>• Opportunity to continue to recover some of the outstanding £697k borrowing – would need to be negotiated as this is a partial reopening offer.</li> </ul>	
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**Option 4 - DSC is permanently closed. The wet side is demolished and the future of the dry side is discussed with the Landlord.**

Estimated Capital Cost for the Council	Revenue cost of borrowing per annum over 25 years.	Revenue Deficit per year	Key Points	Timescale
£3.483m	£251K	<p>£350K per annum for first 12-18 months.</p> <p>£250K per annum after demolition of the wet side and until lease situation resolved</p>	<ul style="list-style-type: none"> <li>• Assumes demolition of the wet side building and the conversion of the cleared space to car parking or other alternative use to be identified. It could be possible to generate a capital receipt from the disposal of the wet side site to offset the demolition cost.</li> <li>• Council to enter negotiations with the Landlord regarding the future of the dry side building and the wider site, with the Council responsible for all holding costs in the meantime. Current dry side lease has 125 years and therefore requires the Council to reach a negotiated settlement with the landlord or a re-assignment of the lease with Landlord agreement to avoid future holding costs.</li> <li>• Revenue costs include business rates, lease charges, utility standing charges. Council will need to write down remaining borrowing of £697k as DSC is not part of KAL core offer.</li> </ul>	<p>12-18 months.</p> <p>To be negotiated</p>

**Option 4a - Construction of a new leisure centre on a site to be determined**

Estimated Capital Cost for the Council	Revenue cost of borrowing per annum over 40 years.	Revenue Deficit per year	Key Points	Timescale

£21m - £34m	£1.28m to £2.08m	From £525k - £575k (swimming pool only) to £1.113m	<ul style="list-style-type: none"> <li>• A swimming pool only complex (with supporting changing rooms etc) has been estimated at £21m.</li> <li>• A leisure centre of the size and facilities mix of Spen Valley Leisure Centre has been estimated at £34m.</li> <li>• Both these estimates are very high-level cost per m2, with assumptions made around inflation, size, abnormal etc – although these are a QS estimate, they are not supported by a feasibility study / surveys / site investigations etc.</li> <li>• Estimated projected net deficit position of KAL managing a pool only site £525k- £575k</li> <li>• Council will need to write down remaining borrowing of £697k as DSC is not part of KAL core offer</li> </ul>	5-6 years depending on the size of building and the site chosen.
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**Option 5 - Community Asset Transfer (CAT) of the buildings – wet side and dry to an approved community group**

Estimated Capital Cost for the Council	Revenue cost of borrowing per annum over building life	Revenue Deficit per year	Key Points	Timescale
Nil	Nil	£350k per annum until CAT agreed (expected to take 2-3 years)	<ul style="list-style-type: none"> <li>• Finding a community group with the appetite, capacity, skills, experience and knowledge to take on an asset of this size, complexity, backlog of capital works and loss-making nature would be a significant undertaking</li> <li>• Any CAT proposal would no doubt be reliant on grant funding given the maintenance backlog and investment needed. This would be a time consuming and exceptionally challenging ask.</li> <li>• Timescales for conducting consultation, engaging stakeholders / governing bodies and development of the business plan would likely mean the Council retaining responsibility for the asset for the next 2-3 years, possibly longer.</li> </ul>	2 – 3 years



			<ul style="list-style-type: none"> <li>• Any re-assignment of the dry side lease to a third party would require the Landlords approval, which may prove difficult to obtain.</li> <li>• Council will need to write down remaining borrowing of £697k as DSC is not part of KAL core offer.</li> </ul>	
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## 2. Information required to take a decision

### The usage of DSC and the demand for leisure activities in Dewsbury

- 2.1 Prior to its closure, DSC was reported to be a significant loss-making site for KAL, operating at an annual revenue deficit of around £1.113m per annum (based on last full year of operation in 2022/23) for the combined wet and dry sides.
- 2.2 Since its closure, KAL has engaged with users and relocated many of them where feasible to alternative facilities, such as Spen Valley Leisure Centre and Batley Sports and Tennis Centre. Prior to the closure of the centre, there were 3,180 registered customers at DSC: 16% of those continue to use alternative KAL centres; the remaining 84% have not remained with KAL. Timetables have been reviewed and enhanced at Batley Sports & Tennis Centre and Spen Valley Leisure Centre to try and meet the demands of customers who attended DSC e.g. increased female only swimming sessions at other sites.
- 2.3 KAL is unable to provide figures on the alternative provision that previous KAL customers are attending if they chose not to relocate to other KAL leisure centres when DSC closed. However, it can provide a detailed analysis of the use of the rest of the KAL leisure centre offer since September 2023 by former DSC customers through until approximately June 2024 (when former customers were merged into memberships of the other KAL sites).
- 2.4 **Appendix 2** provides an overview of the impact of the closure. Customers who chose DSC as their main centre averaged 20,113 visits (83% to DSC itself) per month prior to the closure of the centre. In June 2024, this reduced to 5,000 monthly visits by former registered customers of DSC to other KAL centres. Monitoring shows the majority choosing to use facilities at Spen Valley Leisure Centre.
- 2.5 KAL has remodelled its offer to accommodate groups and users of DSC as far as practicable within their centres. A small female only gym has been established at Batley Sports and Tennis Centre; increased fitness classes, both aquatic and studio based, have been added; and group access has been accommodated where possible. 40% of OWLS (older people's activity sessions) who used DSC transferred to other sites when the site closed; however, this had reduced to 26% in June 2024. **Appendix 5 IIA**, the Integrated Impact Assessment explores the impact on users.
- 2.6 All school swimming has been successfully relocated to alternative KAL sites. However, access to general swimming is now much more limited, particularly within the Dewsbury area. In addition to the two centres managed by KAL, the nearest private swimming facility is SWIM! in Batley, which is a small pool primarily focused on providing swimming lessons for children. The only other private gym with a pool is Everlast, located on the Birstall border of the district, approximately 5.3 miles from Dewsbury town centre.

- 2.7 Alternative provision in the Dewsbury area for gym activities is diverse, with over 20 private gyms. Private gyms with swimming pools are much more limited due to high operating costs and generally do not offer pay-as-you-go memberships, with monthly prices ranging from £40 to £50.99. The Third Sector plays a pivotal role in the provision of sports and physical activity opportunities in the Dewsbury area offering a wide range of opportunities such as football, rugby, martial arts, yoga, walking and running. An overview of sport and wider physical activity in Dewsbury can be found in **Appendix 3**.
- 2.8 Customer utilisation of a reopened KAL centre and the associated financial impact is likely to be further affected by the recent opening of a private facility which has opened in close proximity to DSC and where free car parking is available. This private facility offers a standard membership of £10.99 per month for the first year (increasing to £19.99 per month after that), with no contractual obligation, thereby customers can choose to cancel and leave at any time. Competing with this offer poses a significant financial challenge to KAL.
- 2.9 Considering the competitor impact, the successful relocation of some customers and the extended period of closure, it is estimated that KAL would require £601K of revenue funding from the council per annum to reopen the dry side only at DSC. This is due to the necessity of rebuilding the customer base from scratch. The £601k projected annual loss would be in addition to the £2.555m core grant support which the Council provides to support the remaining eight centres currently managed by KAL.
- 2.10 According to the 2021 census, the population of North Kirklees was 191,494 individuals out of a total of 433,216 in the entire Kirklees area. It could be stated that there is one pool per 95,000 people in North Kirklees and one pool per 40,000 people in South Kirklees. However, this assessment is complicated by the geographical distribution of pools and public transport networks. Many residents in North Kirklees find it more convenient to access Huddersfield Leisure Centre than the pools located within North Kirklees itself and they also have access to pools in adjacent authorities such as Leeds, Wakefield and Bradford.
- 2.11 Benchmarking with similar local authorities to Kirklees revealed that the average of those surveyed was one pool per 77,000 people, this compares less favourably to Kirklees where there is one pool to 55,000 people.

### **Updated Building related information**

- 2.12 **Appendix 2** of the Leisure Centre Offer 2024/25 cabinet report (dated 12<sup>th</sup> December 2023) outlined the condition of DSC with particular focus on the wet side of the building. The scrutiny was prompted by the discovery of extensive RAAC throughout the premises, in addition to other issues relating to the main pool tank and aging mechanical and electrical infrastructure. The report estimated the capital re-opening cost of the wet side at around £6m - £7m. Since this date, the main swimming pool and the learner pool have been fully drained on health and safety grounds following several break-ins to the building.
- 2.13 At the request of Cabinet, the Council's in-house Technical Services have conducted a feasibility study to evaluate the potential re-opening of the dry side of DSC and to estimate the associated costs. It is important to highlight that, although no RAAC is present in the dry side, the primary entrance to DSC, along with essential services required for site operation, is located on the wet side of the facility. Consequently, the study has had to examine the possibility of adapting the dry side to function independently, assuming the wet side remains closed. Additionally, it has addressed the scenario in which the dry side could be reopened if a decision were made to demolish the wet side due to its deteriorated condition. The feasibility study is attached at **Appendix 1**.

- 2.14 The dry side of DSC was in an adequate condition when it closed, though **Appendix 2** of the 12<sup>th</sup> December 2023 Cabinet report did note that due to its age, many key elements of the fabric, mechanical and electrical infrastructure would require replacement within 5-10 years at a cost of around £2m.
- 2.15 In order to explore the option of re-opening the dry side of DSC, the following assumptions were made:
- A new main entrance would be required (to replace the existing main entrance that is attached to the wet side building), with subsequent remodelling of parts of DSC to accommodate the new build
  - As the building has been closed for a significant period of time, necessary health and safety works would be required including fire safety issues, works to the sports hall floor and the re-commissioning of all services required to operate the building
  - To prevent the need for a future closure of the building once re-opened in order to undertake major condition works, all major fabric, mechanical and electrical works that would be required over the next 5-10 years would be undertaken prior to re-opening therefore guaranteeing the building an extended life of 25 years plus.

The technical study concluded that the cost of re-opening the dry side of DSC in line with the above assumptions would be £5.713m.

- 2.16 As part of the same technical study, demolition of the wet side building and the re-purposing of the cleared site as car parking / other alternative use was costed at £3.483m.

### **Land and Building Ownership / Leases**

- 2.17 DSC sits on the periphery of the ring-road as part of a wider retail park. It is a complex structure involving two interlinking buildings over multiple floors each under different ownerships and uses. The Council owns the freehold of the wet side building. Additionally, the Council owns the freehold of the broader site but entered a 150-year lease with a 3<sup>rd</sup> party for the remaining site in 1999. However, the Council leased back the section of the building that the dry side occupies on a 150 year minus three days lease. The penultimate page of **Appendix 1** to this report provides further details.
- 2.18 As the freeholder of the wet side, the Council retains the authority to decide on any future investment / disinvestment of this part of the site. Should the demolition of the wet side and the re-purposing of the land for an alternative temporary use, such as car parking, be approved, the Council is empowered to proceed independently. Conversely, as the leaseholder of the dry side of DSC, the Council is required to consult and obtain permission from the Landlord for any significant modifications or changes to the dry side.
- 2.19 There is no formal sublease in place for DSC between the Council and KAL. KAL occupies the premises under a periodic tenancy, which either party can serve three months' notice on. The agreement may be concluded early if both parties agree. Upon handover of DSC by KAL to the Council, the Council will assume full liability and responsibility for all holding costs associated with both the wet and dry sides of the building. Details regarding the costs are outlined in section 3.2 of this report.
- 2.20 Should a decision be made to not re-open either side of DSC, the assets will be declared surplus to operational requirements and disposed of appropriately. The wet side would be

demolished, and the future of the dry side would be subject to negotiations with the Council's Landlord.

### 3. Implications for the Council

#### 3.1 Council Plan

Addressing the ongoing financial implications of Dewsbury Sports Centre as set out in this paper certainly fits with the first priority in the Council Plan of "Addressing our financial position in a fair and balanced way." Also, the approach we have taken in terms of engagement and consultation throughout this process with the community highlights our continued focus of "working with people, partners and in our places."

#### 3.2 Financial Implications

3.2.1 KAL has projected an annual operating deficit of £601K if the decision was made to reopen and for them to manage the dry side only. It is anticipated that financial losses would be significantly greater if operations were to include the wet side given the loss in 2022/23 was £1.113m. There is no revenue provision in the Council's Medium Term Financial Plan or in the agreed KAL core grant of £2.555m for the re-opening of DSC.

3.2.2 The development of membership for the dry side would be required. which may be difficult due to the low-cost competition which has opened since DSC's closure, particularly with this being in close range of the centre. **Appendix 7** provides further detail about the estimated expenditure and income if the dryside was to reopen.

3.2.3 KAL continues to manage the closed site, forecasting a mothballed cost for 2024/2025 of £152,554, which includes utilities paid by the council. To limit expenditure, the gas supply has been suspended to the site which will save £60K over the next 12 months. There are ongoing reports of anti-social behaviour at the site which has resulted in several break-ins, necessitating increased security measures by KAL. Presently, KAL is covering all the costs associated with the site, except for the utility costs, from the income it generates from other sites and in return the Council will not charge the £124k of borrowing repayments due in 2024/25.

3.2.4 It is envisaged that KAL will return the site to the Council at the end of the current financial year, which means that the Council will assume responsibility for all costs associated with the site from 1<sup>st</sup> April 2025. Due to the rules governing business rates, the Council will be liable for full business rates as the charitable rate paid by KAL will no longer be in effect. It is projected that the closure costs for the entire site in financial year 2025/26 will be £350K. This sum will cover utilities, service charge to the landlord, insurance, security, business rates and other miscellaneous items, potentially reducing to around £250K per annum following demolition of the wet side. There is no budget provision for these holding costs in the Council's current financial plan and these will need to be managed through prioritisation of the Corporate Landlord budget. If KAL continues to be responsible for managing the site, the costs will be lower but additional budget provision will have to be identified to meet their costs as they will be in addition to the council's agreement with KAL in relation to the core grant of £2.555m for the rest of the leisure centre offer.

3.2.5 To mitigate the annual closure cost of DSC, it is recommended that the wet side of the building is demolished as it is beyond its economic lifespan and the associated revenue and capital costs of returning it to use are unaffordable for the Council. A car park could be established until the future of the wider site is determined, though this would not be expected to create

any significant income due to its location and the availability of free car parking in the vicinity. Other alternative uses could also be explored within the capital envelope provided.

- 3.2.6 Although the dry side of DSC benefits from a peppercorn rent arrangement, the building remains under a lease agreement with the Landlord for 125 years. Consequently, the Council will incur significant holding costs of approximately £250K per annum until we can either assign our lease to a 3<sup>rd</sup> party or negotiate an exit with the Landlord to relinquish the current lease. This negotiation may come at a significant financial cost through a potential reverse surrender premium, which is unknown and therefore uncosted at present. It is also pertinent to note that the demolition of the building cannot proceed without the Landlord's consent, especially since the dry side is part of a larger complex that currently includes Dewsbury Library, the former Mecca Bingo Hall and a retail outlet.
- 3.2.7 The holding costs for the dry side would include the service charge/insurance payment to the Landlord, business rates, security, utilities and other miscellaneous costs. These costs are anticipated to be incurred for an indeterminate period, as outlined in section 3.2.6.
- 3.2.8 Each of the potential options for DSC require a degree of capital to either refurbish existing buildings or to demolish life expired facilities, the borrowing costs of which are referenced in the options tables in section 1.4 of this report. Given there are no grants available for any of the proposed works, the costs would need to be met from the Council's Capital Plan and funded via borrowing. Members have previously agreed that any new items in the capital plan would require the identification of schemes of the same value being removed from the capital plan. This is currently being reviewed and Members will be updated as to the schemes that can no longer progress should capital be required for any option.
- 3.2.9 KAL has outstanding capital borrowing charges totalling £696k payable in instalments until 2035 relating to improvements to the fabric of DSC. As the building is not in a usable condition and therefore is not fit for purpose, it is recommended to Cabinet that the Council does not seek to recover these costs from KAL and that this is reflected in the upcoming 25/26 budget.

### **3.3 Legal Implications**

- 3.3.1 There is no statutory obligation to undertake a public consultation. However, a comprehensive 6-week consultation was carried out in relation to the leisure centre offer review in September to November 2023, in which DSC was identified as a potential closure. No services have been provided from the building for over 12 months. The recommendations in this report do not require any further consultation and the report has been informed by feedback to the earlier consultation.
- 3.3.2 The council has a duty of Best Value under section 3 of the Local Government Act 1999 to secure continuous improvement in the way functions are carried out having regard to a combination of economy, efficiency and effectiveness. The council has a fiduciary duty to taxpayers to ensure, before committing to any revenue funding (and future capital costs), that it is prudent, affordable and sustainable in the context of the council's unprecedented budget challenges and the statutory requirement for a balanced budget. The council must have regard to all relevant factors and disregard irrelevant factors. It must act in accordance with Wednesbury reasonableness meaning that decision making should be rational having regard to all relevant factors.
- 3.3.3 The council's discretionary grant funding to KAL is provided under section 19 of the Local Government (Miscellaneous Provisions) Act 1976 and all other enabling powers. This is a power and not a statutory duty as the provision of leisure services is discretionary. There is no statutory duty to provide sport activity or to provide leisure facilities or swimming pools.

3.3.4 The council has a statutory duty under section 12 of the Health and Social Care Act 2012 (Section 2B of the NHS Act 2006 - duties as to improvement of Public Health) to take appropriate steps for improving the health of the people (which includes children) in its area. The steps include amongst other things:

- Providing information and advice
- Provision of services or facilities for the prevention, diagnosis or the treatment of illness
- Providing financial incentive to encourage individuals to adopt healthier lifestyles
- Providing assistance to help individuals to minimise any risk to health arising from their accommodation or environment
- Making available the services of any person or facilities.

3.3.5 Section 149 of the Equality Act 2010 sets out the Public Sector Equality Duty replacing the previous duties in relation to race, sex and disability and extending the duty to all the protected characteristics i.e. race, sex, disability, age, sexual orientation, religion or belief, pregnancy or maternity and gender reassignment. The Public Sector Equality Duty mandates public authorities to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and other conduct prohibited under this Act
- Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and
- Foster good relations between persons who share a protected characteristic and persons who do not share it, which involves having due regard, in particular, to the need to - (a) tackle prejudice and (b) promote understanding.

3.3.6 Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
- Undertake measures to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it, including, in particular, steps to take account of disabled persons' disabilities;
- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

Members should carefully consider the Integrated Impact Assessment ([IIA](#)) at **Appendix 5** before making a decision.

### 3.4 **Other (e.g. Risk, Integrated Impact Assessment or Human Resources)**

#### **Dewsbury: Population, Health and Physical Activity**

3.4.1 Dewsbury is divided into three wards: Dewsbury East, Dewsbury West and Dewsbury South. The three wards have a total population of 61,000. All three have a higher proportion of minority ethnic residents, this being particularly accentuated in Dewsbury West. The

largest ethnic group besides White British is Asian and Asian British and within that group particularly residents of Pakistani origin. In both Dewsbury East and Dewsbury West, Pakistani is the largest ethnic group. All three areas rank within the most deprived areas in England with Dewsbury West including the most deprived Lower Super Output Area (LSOA) in Kirklees.

<b>Ward</b>	<b>Population (Census 2021)</b>	<b>Deprivation (LSOAs in 20% most deprived nationally)</b>
Dewsbury East	20,086	6/12
Dewsbury West	21,688	6/12
Dewsbury South	19,261	5/12

- 3.4.2 Dewsbury faces significant health challenges and inequalities being one of the most deprived areas in Kirklees and England. The life expectancy at birth for both males and females in Dewsbury is lower than the national average with these wards having some of the lowest levels in Kirklees. Some of the major health issues affecting Dewsbury are obesity, diabetes, cardiovascular disease, mental health problems and respiratory diseases. The wider determinants of health will contribute to poor health outcomes. Data from the 2021 census indicates that Dewsbury has relatively high proportions of individuals who have no qualifications and people who have never worked or are long-term unemployed. Dewsbury also has a higher proportion of households where English is not the primary language (up to 15% of households in some parts of Dewsbury).
- 3.4.3 Any form of bodily movement contributes to physical activity and there are myriad ways and places in which people can be physically active, which is important for a variety of reasons. It enhances physical and mental health & wellbeing, positively influencing health conditions such as coronary heart disease, obesity & type 2 diabetes, mental health problems & social isolation. It also contributes to supporting community identity; development and place building; & community cohesion. Physical Activity can also encompass diversionary activities to address anti-social behaviour and provide pathways & opportunities for active travel or people to achieve personal goals. As a result, promoting and supporting people to be physically active is complex and cannot be wholly achieved in isolation without addressing the wider social determinants of health, such as employment, community safety, poverty, cohesion, access to services and housing.
- 3.4.4 This is particularly important due to the acknowledged lack in physical activity levels across various populations and cohorts, both on a national and local scale. These disparities are particularly evident among women and girls; individuals with long-term health conditions or disabilities; certain ethnic groups; and residents of more deprived areas. It is recognised that seven LSOAs in Kirklees fall within the top 10% priority areas for physical inactivity and social need nationally, two of which are situated within the three Dewsbury wards. Furthermore, the CLiK Survey 2021 found that 47.8% of respondents in Dewsbury East, 41.7% in Dewsbury South and only 34.0% in Dewsbury West met the guidelines for physical activity. These longstanding inequalities indicate that the historical provision at DSC has not adequately addressed the needs of many residents.
- 3.4.5 Efforts have been taken to seek interim funding via Sport England’s development award. If successful, this will provide seed funding to enable engagement activity to be undertaken, to understand some of the least active and most disadvantaged communities,

(geographic and cohorts). The emphasis will be on tackling some of the wider systemic issues or barriers if the award is granted. The 2021 CLiK survey feedback appears to endorse this approach as it highlighted examples of existing barriers that hinder physical activity such as outdoor safety with 32% of respondents in Dewsbury West saying that 'Feeling safer in public open spaces' would help them become more active (the highest value across all Kirklees wards). Cost was another common perceived barrier with around a third of respondents in Dewsbury expressing that access to free or affordable local facilities or activities would facilitate greater physical activity.

- 3.4.6 An Integrated Impact Assessment (**Appendix 5 IIA**) has been undertaken to assess the impact of closure on Dewsbury citizens. This includes an assessment of the impact on climate change.
- 3.4.7 DSC was the most used leisure centre by Black Asian and Minority Ethnic (BAME) residents until its closure. In response to this, KAL has enhanced the offer at Batley Sports & Tennis Centre & Spen Valley Leisure Centre to accommodate the needs of displaced customers. These enhancements include additional female only swimming sessions and a small female only gym. Currently, female only gym sessions at Batley Sports & Tennis Centre are utilised to 11% of their capacity whilst Spen Valley usage is higher at 77% capacity.
- 3.4.8 Whilst the IIA undertaken did not identify any concerns regarding the effect on KAL staff or any significant impact on the local environment, it did confirm that residents with certain protected characteristics would be negatively impacted by the permanent closure of either or both the wet and dry side facilities. The extent of this impact is currently unknown and may require further monitoring in the future.
- 3.4.9 The primary themes identified were accessibility (including time taken and associated travel costs), logistics (encompassing distance and modes of transport) and affordability. These factors will be felt by all residents who live close to the centre but especially those older residents who, until its closure, used DSC on a very regular basis as an affordable means of tackling long-term health conditions and as a social network hub. However, earlier consultations revealed that disabled residents and their carers harboured genuine concerns that the absence of a local facility would prevent them from engaging in regular exercise. It is evident that further efforts are necessary to comprehend their barriers and implement effective mitigations. Pensioners living on or near the poverty line appear to face a heightened risk of poor health and loneliness. It became clear from the consultation that KAL leisure centres served not only as exercise venues but also as crucial social interaction spaces. The most significant impact will likely be on residents with mobility or safe travel issues (such as behavioural conditions that endanger themselves or others), potentially resulting in lifestyle changes detrimental to their long-term health and wellbeing.
- 3.4.10 The community consultation, carried out in the Autumn of 2023, highlighted several issues pertaining to the local South Asian communities that may adversely affect their long-term health and wellbeing. DSC had the highest proportion of BAME members compared to any other KAL managed facility up until its closure. Concerns include negative impacts on South Asian children who are for instance, at greater risk of childhood obesity and related medical problems and could benefit from KAL activities and personal safety. Additionally, worries about the availability of culturally sensitive facilities for Muslim women were raised. In response KAL has developed a more culturally sensitive offer at Batley Sports & Tennis Centre including a small female-only gym and an increase in women only sessions across its leisure centres. This has gone some way towards mitigating the impact of losing DSC.



- 3.4.11 The most significant perceived impact of the potential closure of DSC, is financial in nature; this includes increased expense and longer and more complicated journeys to and from an alternative facility, especially for public transport users. Although the Equality Act 2010 does not recognise poverty as a protected characteristic, Kirklees Council has incorporated it in its IIA framework. The IIA produced around the leisure centre review in 2023 and the IIA completed around the closure of DSC specifically indicates that low income is probably the most significant factor in preventing residents from accessing fitness activities and because most protected characteristics are statistically more likely to be at risk of poverty, the closure of DSC may disadvantage a significant number of residents on inclusion grounds. Further work needs to be undertaken to assist the council and its partners in understanding how best to address gaps in provision and support Dewsbury citizens on low incomes to be active.

## 4 Consultation

- 4.1 The Leisure Centre Review Consultation at the end of 2023 attracted 17,860 respondents, of which 10% were from Dewsbury and used DSC. Alongside keeping fit, other impacts and barriers highlighted around the closure included combatting chronic health conditions, general wellbeing and mental health, increased travel and transport, affordability and the impact of the loss on the community and local provision. While the consultation concentrated on the options for the leisure centre offer, rather than the future of specifically DSC, pertinent insights have been extracted from the overall findings and are presented in **Appendix 4**.
- 4.2 The significance of leisure centres to communities was highlighted in the unprecedented response to the consultation in November 2023. Leisure centres were highlighted as 'cultural and social hubs'. Respondents noted that local centres help break down language barriers, support participation in physical activity amongst different generations and cultures and build connectedness, particularly amongst older people.

**Appendix 6** shows the full consultation findings of the leisure centre review in late 2023.

## 5 Engagement

- 5.1 Engagement sessions with residents with protected characteristics were conducted as part of consultation regarding the proposed changes to the leisure centre offer in September 2023. Representatives from Black and Minority Ethnic communities emphasised the role of leisure centres as 'cultural hubs' enabling diverse groups to come together as a community breaking down barriers. Carers expressed concerns that the closure of these centres would adversely affect the health of those they care for, citing transportation challenges as a significant issue. Furthermore, individuals with disabilities and/or long-term health conditions underscored the importance of pool-based activities in improving their health, mobility and alleviating pain.

## 6 Options

### 6.1 Options Considered

**Option 1 - Do nothing, site remains in its current state, with consideration given as to whether detailed site investigations are required to help determine the future of the site.**

- 6.1.1.1 Both the wet and dry side of DSC are currently closed and remain the responsibility of KAL. Due to the charitable nature of the Trust, this is the most cost-effective method of holding the buildings until such time as a decision is made regarding the future of the site.

6.1.1.2 Since the closure of the wet side, the swimming pools have been drained for Health and Safety reasons but specialist surveys of the RAAC that can be found throughout the building, or the condition of the concrete pool tanks have not occurred due to the very significant cost (estimated at around £750K) and the intrusive nature of the surveys that would be required. Should consideration be given to the re-opening of either building, but particularly the wet side, it is recommended that specialist consultants are procured to fully assess whether this building can be technically returned to an operational state in an affordable and economically viable manner.

### **Option 2 -Re-opening of the entire site – wet and dry side**

6.1.2.1 The Cabinet decision made on 12<sup>th</sup> December 2023 effectively closed DSC by confirming the withdrawal of KAL from the site and by not including it in the confirmed list of eight centres in the leisure centre offer to be funded from the Council core grant to KAL from 2024/25 onwards. This was based on an annual operating loss for the site of around £1.113m and a capital cost to return the wet side of the building to an operational state of £6m - £7m.

6.1.2.2 In summary, the capital cost of re-opening the entire site – wet and dry side – would be around £9m - £10m with an expected annual operating loss of £1.113m based on 2022/23 figures.

### **Option 3 – Wet side remains permanently closed and the dry side is reopened**

6.1.3.1 Under this proposal, the wet side of DSC would be demolished and a car park or other alternative use created in its place, with an estimated capital expenditure cost of £3.483m. A new main entrance would be built on the dry side and all Health and Safety and major condition works addressed, thereby extending the building life of 25 years+. The anticipated capital cost of this is £5.713m. KAL has projected a revenue operating loss of £601K per annum which the Council would be expected to fund.

6.1.3.2 In summary, the total capital cost of option 3 would be £9.196m with an expected annual operating deficit of £601K per annum based on KAL's estimate as seen in **Appendix 7** of this report.

### **Option 4 – DSC is permanently closed.**

6.1.4.1 This route would see the permanent closure of DSC with neither the wet side nor dry side re-opening. The wet side of DSC would be demolished, and a car park or other alternative use established, in its place, at an expected capital cost of £3.483m. Regarding the dry side, the Council would enter into negotiations with the Landlord regarding the future of the building and the wider site. The Council would assume responsibility for all holding costs. It could be possible to generate a capital receipt from the disposal of the wet side site.

6.1.4.2 In summary, the total capital cost of option 4 would be £3.483m, with holding costs of £350k for the first 12 months, until the wet side was demolished. Reducing to an estimated £250K per annum to hold the dry side of DSC until the lease situation was resolved.

6.1.4.3 The implementation of option 4, would require the Council to identify existing schemes in the Council's Capital Plan to be removed to free up capital for the demolition works. This will be addressed in the updated Capital Plan to be presented at Council on 5<sup>th</sup> March 2025. The revenue holding costs would need to be accommodated within the existing Corporate Landlord budget for property facilities management.

## **Option 4a – Build a new leisure centre**

6.1.4.4 Under this proposal, a newly constructed leisure centre could be developed either on the current site - contingent upon the cooperation of the Landlord - or at a to-be-determined location within the town centre. Comprehensive consultation, both within the Council and with external stakeholders, will be imperative to ensure that the facilities offered align with the leisure and health requirements of Dewsbury residents.

6.1.4.5 For the sake of comparison, a new build leisure centre, based upon the floor area and facilities mix of the recently completed Spen Valley Leisure Centre, is estimated at a capital cost of £34m (includes inflation to an assumed mid-point construction in 2029), whilst a smaller new build swimming pool complex with supporting accommodation such as changing rooms and toilets has been estimated at £21m (inflated to 2029). Due to the complexity of the development, design and construction of new build leisure facilities, it is estimated that any new build would not open for 5-6 years. For a pool only site, a broad estimate around the net annual position of this would be a loss of £525k- £575.

## **Option 5 – Community Asset Transfer**

6.1.5.1A Community Asset Transfer (CAT) could be considered for the site though this would pose significant challenges for the successful community group undertaking the project and would need the co-operation of the Landlord regarding the dry side building, due to the existing lease arrangements, with no guarantee that this would be forthcoming.

6.1.5.2 A CAT can be time consuming and have difficulties to overcome even with a smaller asset. DSC is a large, complex facility with very significant capital investment needs, as well as being a loss-making operation. For any community group to be successful, a robust detailed business case would need to be developed, including the details as to the proposal for securing the millions of capital required to address the significant Health and Safety / condition needs of the buildings and how the loss-making facility could be made to cover its running costs. It is highly likely that any proposal would be reliant on external grant funding, the sources of which are limited.

6.1.5.3 Any successful community group would need the capacity, appetite, skills, knowledge and experience to demonstrate a viable business plan and operate this complex building successfully. Given the scale of the task, it is likely that timescales for consultation, engaging stakeholders / governing bodies and development of the business plan would probably mean the Council retaining responsibility for the asset for the next 2-3 years, possibly longer.

## **6.2 Reasons for the Recommended Option**

6.2.1 The officer recommendation to Cabinet is that option 4 is adopted. This would mean the permanent closure of Dewsbury Sports Centre. The primary reasons for this recommendation are as follows:

- DSC does not form part of the Council's agreed Leisure Centre offer with KAL and therefore is not part of the Council's core grant offer. There is no revenue provision to operate the facilities if they were re-opened.
- The cost of returning the whole existing sport centre facilities to an operational state that will provide an extended life or the cost of refurbishing and remodelling the dry side facilities to an operational state that will provide an extended life are very

significant and not feasible given the financial challenges of maintaining the Council's current Capital Plan, which does not include provision for DSC.

- Alternative provision in the Dewsbury area is diverse with over 20 private gyms, one directly behind the DSC building, and there is a wide range of sports and physical activity opportunities such as football, rugby, martial arts, yoga, walking and running available as referred to in Sections 2.7, 2.8 and **Appendix 3**.
- As detailed in Section 3.4.2 and supported by the Integrated Impact Assessment (**Appendix 5 IIA**), the presence of the sports centre did not significantly alter health outcomes in the past. Even when Dewsbury Sports Centre (DSC) was operational, the community continued to face lower than average levels of physical activity and higher than average adverse health outcomes. This historical context underscores the need for a more comprehensive approach rather than reverting to a solution that has already proven ineffective. More work is needed to understand the barriers to physical activity and to explore new styles of provision that can improve health and well-being outcomes.

6.2.2 Given that the recommendation is to not reopen DSC, Cabinet should agree to not pursue the recovery of the outstanding borrowing costs of £697K from KAL related to DSC up to 2035. Instead, appropriate adjustments should be made within the treasury management budget. This recommendation is based on the fact that the borrowing relates to the infrastructure of the building, which is now deemed unfit for KAL's operational needs and consequently incapable of generating the necessary income to offset these debts.

6.2.3 In addition, it is recommended that the Cabinet approves that further work is undertaken to understand the health and physical activity needs of Dewsbury residents and to work in partnership to secure external investment to implement any necessary interventions and new programmes of work. This recommendation is based on the following:

- Data indicates that there is lower than average levels of physical activity and higher than average adverse health issues amongst Dewsbury communities. This trend was evident even when DSC was operational, thus necessitating additional efforts to identify the barriers to physical activity and to explore innovative provisions aimed at enhancing health and well-being outcomes.
- In advance of any physical activity interventions in the Dewsbury area, it is essential to secure external investment due to the current financial constraints faced by the Council, which preclude the possibility of self-funding these programmes. Efforts have been taken to seek interim funding via Sport England's development award

## **7 Next steps and timelines**

7.1 Should the option to close be approved, the Council will initiate negotiations with the Landlord concerning the present lease of the dry side building and the future development of the broader site. Additionally, the Council's Technical Services will be tasked with the development, design, tendering and implementation plan for the demolition of the wet side building and its conversion to car parking provision / alternative use to be determined.

7.2 External investment will be sought to enable a programme of physical activity opportunities to be delivered in Dewsbury, alongside a promotional campaign to highlight existing activities in the area. Proposals will aim to deliver a new style of provision to enhance health and wellbeing outcomes.

7.3 The Council will seek funding to commission a strategic needs assessment to explore approaches to effectively address the health, wellbeing and social needs of the Dewsbury population.

**8 Contact officer**

Adele Poppleton – Service Director for Culture and Visitor Economy  
David Martin – Head of Service for Property

**9 Background Papers and History of Decisions**

Cabinet 12 December 2023 -

<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=139&MId=7416>

**10 Appendices**

Appendix 1 DSC potential reopening overview  
Appendix 2 KAL DSC closure impact report  
Appendix 3 Dewsbury Sport & Physical Activity Provision  
Appendix 4 Consultation – Dewsbury Insight  
Appendix 5 Integrated Impact Assessment (IIA)  
Appendix 6 Leisure Centre Review Consultation Summary  
Appendix 7 KAL – Dry side only costs - Private

**11 Service Director responsible**

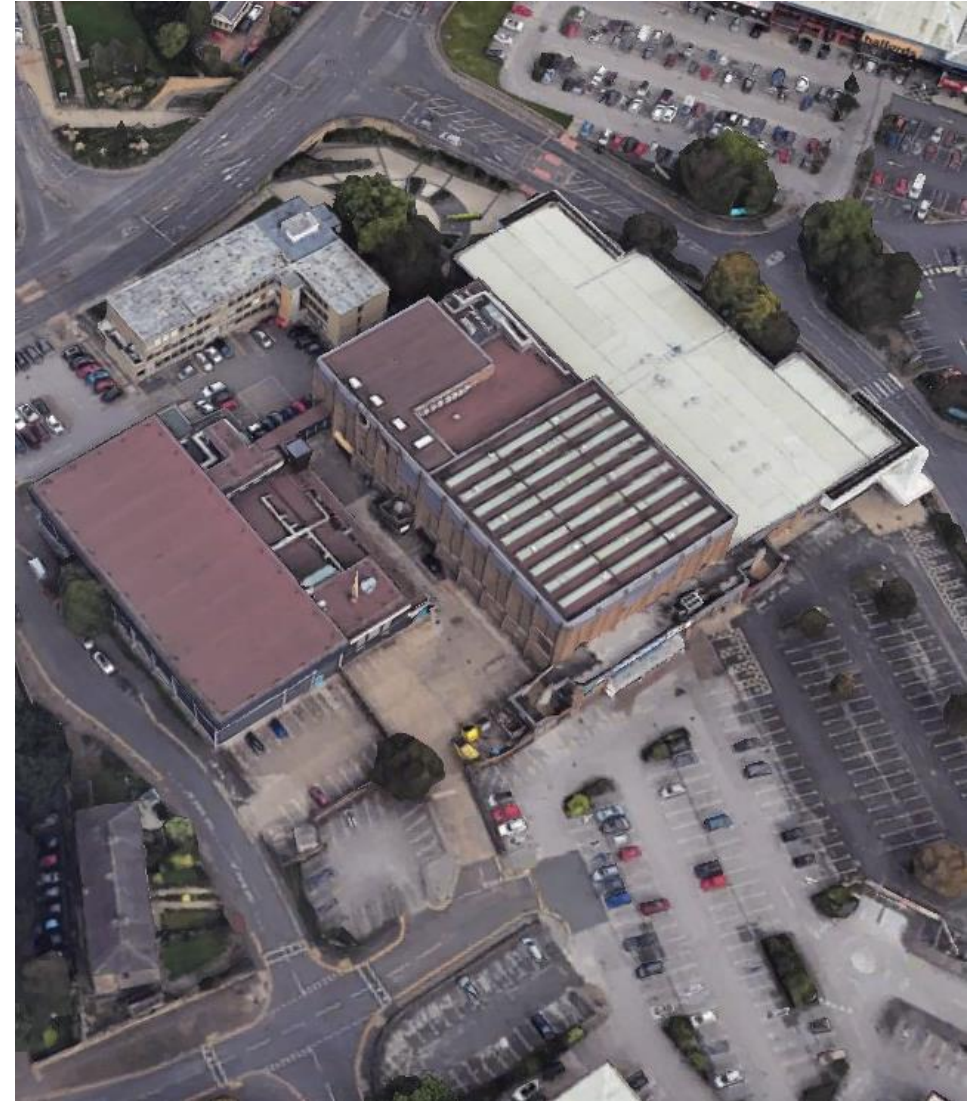
Joanne Bartholomew – Service Director for Development  
Adele Poppleton – Service Director for Culture and Visitor Economy

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## Dewsbury Sports Centre - Potential Reopening Strategy

The Leisure Centre is a complex structure involving two interlinked buildings over multiple floors and multiple ownerships, leases and uses. Following the extensive discovery of RAAC and due to issues with the main swimming pool tank, the 'Wet side' is considered to be beyond economic repair, but the 'Dry side' is in better condition. However, as the main entrance of the Sports Centre and the heating supply for the building is served from the 'Wet side', this makes operation of the dry side difficult without significant investment. Such a separation would mean providing an independent heat source and a separate entrance. An exercise has been undertaken to understand the implications of these in terms of practicality, cost and ownerships. This document therefore focuses on the following:

- Plan of Works
  - Understanding of the scope
- Project Costs
  - Separation of Services
  - Construction of a new Entrance
  - Any associated Condition Works to increase lifespan
  - Demolition of the Pool
- Property Issues
  - Implications for the 'Library side'
  - Implications for the wider Lease
  - Implications for access



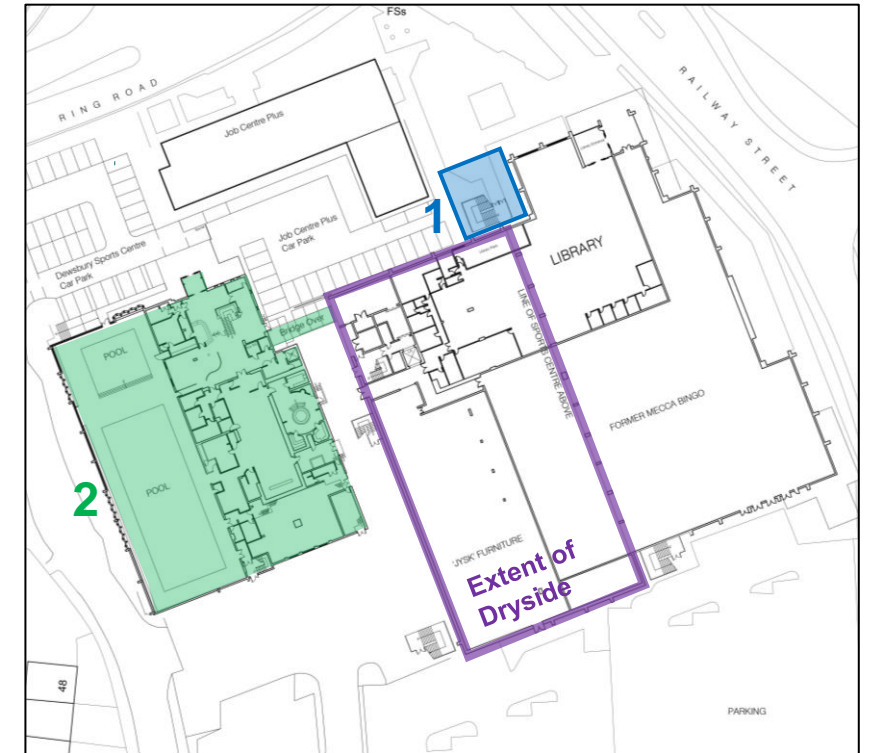
## Plan of Works

1. Construct New Entrance at the North Stair Tower:
  - 1a. Demolish existing Stair Tower.
  - 1b. Create new stair and enclosure.
  - 1c. Amend Studio to create new circulation space.
  - 1d. Undertake H&S and condition works required to ensure that the reopened centre will not require any major investment works for at least 10 years.
  
2. Demolish existing Swimming Pool:
  - 2a. Drop Link Bridge and make good to the 'Dry side'.
  - 2b. Demolish Swimming Pool and make good.
  - 2c. Create car park on the demolished area.

The above stages 1 and 2 could potentially be undertaken concurrently by the same contractor which could save costs on prelims, welfare facilities, etc., as well as reduce the timescale for the overall project.

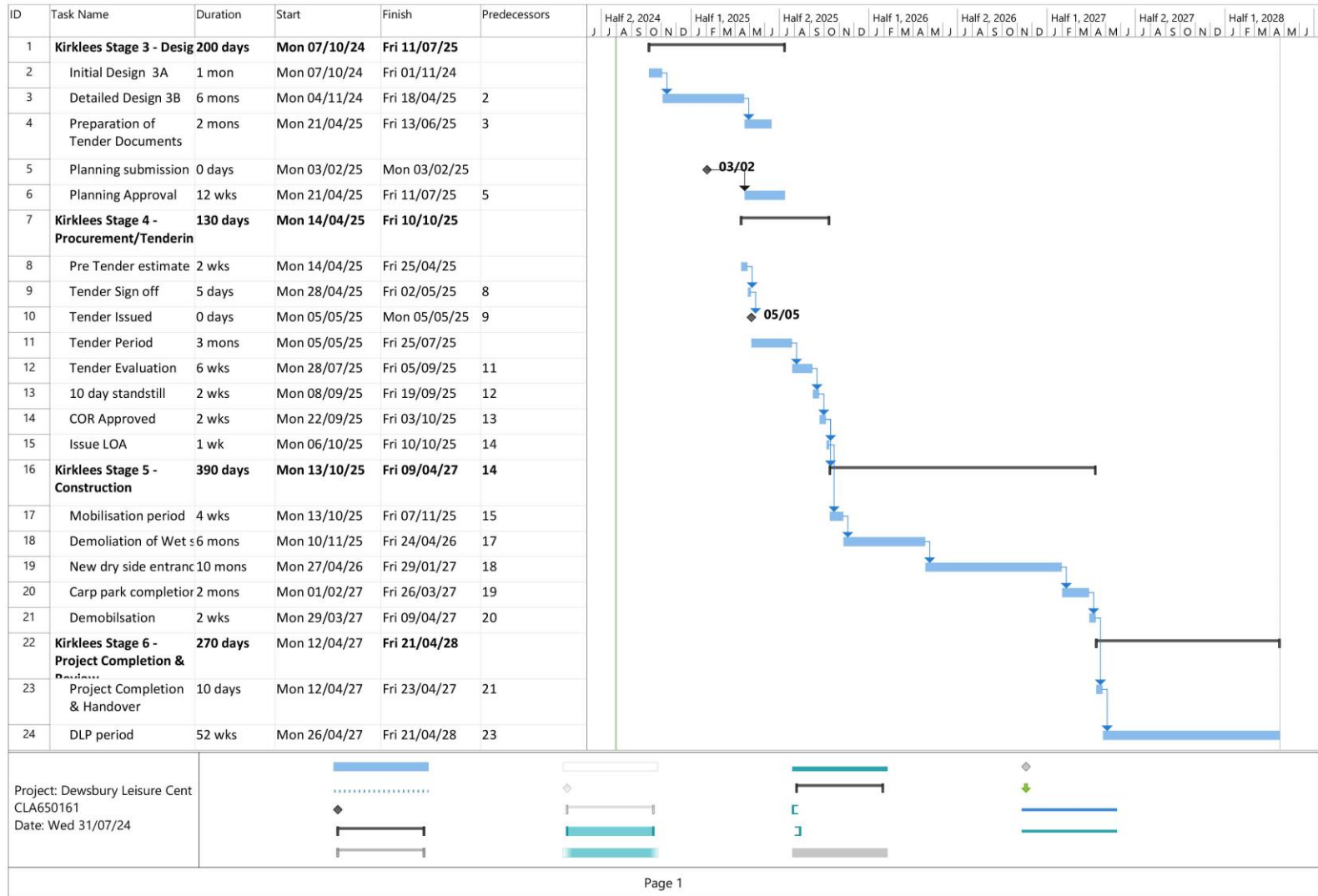
### Notes

- i. The existing 'Wet side' Heating System provides heat to the 'Dry side' sports provision. The existing Library heating system heats that space only and is not capable of being adapted to heat the whole building.
- ii. A site compound with welfare has not been considered but it is noted that, apart from identifiable elements of demolition and erection, most of the New Entrance does not include daily vehicle access. Welfare to be internal.
- iii. It's acknowledged that the demolition of the Swimming Pool will cause significant disruption to all parties for a considerable period of time involving restricted access and loss of parking provision.





# Indicative Programme



## The New Entrance

The proposed entrance extension to Dewsbury Sport Centre will be accessed via a prominent public space in Dewsbury Town and will take advantage of a busy pedestrian walking route into Dewsbury Town Centre from the Rishworth Retail Park. The location should be able to build upon the recognisability of the space following on from recent streetscape improvements associated with the Library. Minor alteration works will be required to the hard and soft landscaping of the public space to allow the building to be positioned here and it has been purposely designed to extend past the adjacent building to further enhance its prominence on the area.

The new entrance extension will be two storey and externally clad with a high-quality panelling system and curtain walling together with a flat roof and entrance canopy. The building hopes to provide a full height glazed entrance area to give a feeling of openness and to increase its approachability to the public, as well as making the proposal feel open, safe and attractive to customers. Facilities to be included are a reception counter, turnstile/gate entrance security point, changing places WC, staff area, vending point and all to be fully accessible to users of all abilities.



## Conditions Works

Below are the existing conditions works that are known to be required in order to reopen the 'Dry side' building and to not have to significantly disrupt the operation of the building or incur any major investment for at least the next ten years. It is therefore proposed that these works are to be completed in the same phase as the new 'Dry side' entrance.

### Fabric

The existing 'Dry side' sports centre appears to be in reasonable condition, but it is known that there are some fire safety / compartmentation works that need to be undertaken before reopening can occur and a general redecoration is likely to be required throughout to prepare the building for reopening. Furthermore, the existing sports hall flooring is in need of replacement - this is a large area of flooring and will come at significant cost. Finally, whilst it is understood that the existing flat roofs of the building appear to be in reasonable condition, they have reached the end of their expected lifespan. In order to ensure that the roofs do not cause any further significant expense / potential closure over the next 5-10 years, the cost of replacement has been included in the conditions works required.

### Mechanical & Electrical

Whilst the building has over time received superficial localised improvements, the underlying infrastructure of the mechanical and electrical services remain original and are approaching the end of their economic design life. The latest condition report completed in 2020 confirmed that at the time there was approximately six to ten years remaining before the systems are in need of wholesale replacement. It would be strongly advised that whilst the premises are closed the mechanical and electrical systems are fully replaced and upgraded to modern energy efficient systems offering a reduced operation running cost and reduced carbon impact on the premises. These systems provide critical support to the building's facilities such as heating, lighting, fire safety, security systems, hot water, ventilation and air conditioning to the various spaces within the premises. Without such systems the building would be forced to close for health and safety reasons, causing significant disruption for an extended period of time.


## Project Costs (All Capital Funded)

Headline costs have been calculated based on assumptions about the extent of the provision and what is known within the team from working on the building intermittently for many years. Consequently, although the scheme presented is a realistic and logical approach, there are caveats and so this has been reflected in the Project Cost as follows:

- Construction cost based on the midpoint point of 3Q 2026.
- The demolition of the 'Wet side' is heavily caveated with recent benchmarked schemes lacking the complexity of access and safe working space of this site.
- Demolition costs include for the formation of a car park at the end of the works.

<p><b>Exclusions:-</b>  <i>Landlord investigations and any works resulting therefrom</i>                      VAT  <i>There is no allowance for any KAL related items such as gym equipment, vending machines etc.</i></p> <p><b>Note:</b>  <i>The phasing of the works will have to be carried out in the order of the elemental breakdown 1-3</i>  <i>Subject to surveys to determine viability</i>  <i>High level costs based on limited information</i>  <i>A contamination allowance of £50K and asbestos allowance of £50K has been allowed for within the estimate</i>  <i>An outline high level programme has been produced and this indicates a construction mid point of 3rd Quarter 2026 for pricing.</i></p> <p><i>There are allowances made for unknown existing ground conditions or contamination</i>  <i>It is assumed that the existing pool electrical supply is sufficient for any EV carparking chargers</i>  <i>The removal of existing foundations and bringing back up to level including the construction of a 250mm concrete slab to a finish floor level is all an assumption.</i></p>
--

Estimate exclusions and notes.

Dewsbury Sports Centre - Proposed Works to Re-open the Dry Side and Demolish the Wet Side CLA650161								
FEASIBILITY BUDGET ESTIMATE - Revision B to include urgent and essential condition works. based upon the addition of demolishing the existing swimming pool & sketch CLA650161 Rev.A								
Order of Phasing	Elements	Quantity	Unit	Rate (including Prelims)	Base Cost (including Prelims, Risk & OH&P)	Total as of Today	3Q26 Mid-Point Construction	COMMENTS
<b>DRY SIDE</b>								
1	Urgent Health and Safety Works to Dry Side to enable re-opening.	3,688	m2	£79.18	£292,016	£292,000	£313,000	Works to include fire safety improvements / sports hall floor replacement / general re-commissioning following extended closure.
2	New Entrance including Sports Studio Alterations	306	m2	£5,974.65	£1,828,243	£1,828,000	£1,958,000	New build main entrance and alterations to existing building to enable them to tie in.
3	Essential Works required within the next five years - Replacement Roof, Mechanical and Electrical Infrastructure replacement.				£2,135,161	£2,135,000	£2,287,000	Works to the fabric, mechanical and electrical infrastructure to ensure that once reopened no future closures will be required for a significant number of years.
4	Professional Fees including surveys @ 20%				£851,084	£852,000	£913,000	This covers a full set of technical disciplines plus PM, QS and CoW functions.
5	FF&E Allowance				£1,500	£2,000	£3,000	
6	Planning Permission & Building Regulations Allowance				£4,949	£5,000	£6,000	
7	Legal Fees Allowance				£3,093	£4,000	£5,000	
8	Contingency (Construction Works - Dry Side) - 5% of the construction cost excl fees				£212,771	£212,000	£228,000	Reserve for unforeseen issues.
Total Construction Cost including Professional Fees (excl VAT)					£5,328,818	£5,330,000	£5,713,000	Total cost of the Dry Side re-opening project.
<b>WET SIDE</b>								
9	Demolition of Existing Pool	2,991	m2	£630.36	£1,885,407	£1,885,000	£2,019,000	Complete demolition to ground level and disconnection from Dry Side building.
10	Surface Dressing Following Demolition (Temporary surface pending decision re: future use) - PROVISIONAL SUM	1	Prov	£50,000.00	£50,000	£50,000	£54,000	Provisional allowance to make area good following demolition (noting current parking provision allows for wet/dry facility which will be reduced. This area could potentially be identified for other use)
11	New Car Park - PROVISIONAL SUM	2,991	m2	£229.97	£687,840	£687,000	£736,000	Assumes re-use as car park whilst future of the site is determined.
12	Professional Fees including surveys @ 20%				£524,649	£525,000	£563,000	This covers a full set of technical disciplines plus PM, QS and CoW functions.
13	Planning Permission & Building Regulations Allowance				£3,051	£4,000	£5,000	
14	Legal Fees Allowance				£1,907	£2,000	£3,000	
15	Contingency (Demolition Works - Wet Side) - 5% of the demolition cost excluding fees				£96,770	£96,000	£103,000	Reserve for unforeseen issues.
Total Demolition and Car Park Cost including Professional Fees (excl VAT)					£3,249,624	£3,249,000	£3,483,000	Total cost of the demolition and re-purposing of the cleared site.
Total Gross Project Cost (excl VAT)					£8,578,443	£8,578,000	£9,196,000	

## Property Issues

### Freehold Area



### Leasehold Area



### Lease Overview

- i. Kirklees Council own the Freehold for most of the site but entered a 150 year lease with a third party in 1999 for the eastern portion and subsequently leased back the portion of the existing buildings which contains the Library and Sports Centre on a 150 year minus 3 days Lease.
- ii. As Kirklees Council own the majority Freehold, there are general access rights across all land but changes to the current arrangement will require agreement from all parties.
- iii. The Service Yard is shared with the Library, Sports Centre and JSYK. The three parking bays at the top should not be there as they prevent agreed emergency access for the Job Centre. It is noted that the New Entrance is now further away from the car park than the current arrangement.

# Control Option

The Control Option has been prepared to provide costing information as well as explain the works required to provide a New Entrance that would create a meaningful new 'front door' for the Sports Centre that could attract new users. The space in front of what is the current Library (due to relocate) has recently been redeveloped to be an attractive place to pass through with seating provided to encourage dwell-time. The New Entrance would build on this and provide clarity as the existing entrance (via the 'Wet side') lacks significance without the Swimming Pool in operation.

**PROPOSED NEW ENTRANCE - DEMOLISH EXISTING STAIRCASE AND BUILD NEW EXTENSION**

**Ground Floor Plan - Proposed Extension**  
Scale 1:100

**First Floor Plan - Proposed Extension**  
Scale 1:100

**Ground Floor Plan**  
Scale 1:500

**INDICATIVE NEW ENTRANCE VISUALS**

**OUTLINE SCOPE OF WORKS / PROPOSED EXTENSION SCHEDULE OF ACCOMMODATION**

**PROPOSED EXTENSION**

- Demolish existing concrete staircase
- Provide new two storey flat roof staircase extension with the following accommodation:
  - GF Lobby (plus external canopy) 50 sqm
  - GF Foyer / Reception / Circulation Space (including dock and turnstile gates) 65 sqm
  - GF Changing Places 10 sqm
  - GF Staff / Meeting Room (including kitchen) 18 sqm
  - GF Store / Plant Room 45 sqm
  - Staircase (1000mm wide) 16 sqm
  - Lift (10 person, 1000kg capacity) 2000 x 2000 recessed (8 shaft dimensions)
  - FF Circulation Area (including glass balustrade) 38 sqm
- External finishes to be generally high quality composite cladding panels with powder coated aluminium window and glazing to front elevation
- Proposed new GF building height up to 14.05m

**ADDITIONAL WORKS**

- Existing first floor studio space to be reconfig and to form circulation route between existing circulation routes and the new entrance extension. Sports studio will need to be reduced in size and all areas reconfigured throughout. Proposed circulation route 41 sqm; proposed reduced sports studio 45 sqm.
- There will need to be significant landscaping alterations to the public square immediately outside the proposed extension entrance area.
- Demolish bridge and construct city-side entrance area into additional sports studio space.

**MECHANICAL AND ELECTRICAL REQUIREMENTS TO BE PROVIDED BY SPECIALISTS**

**INDICATIVE ONLY**

**Document Control**

**Kirklees Council**  
Growth & Regeneration - Development

**Kirklees Council**

**Dewsbury Sports Centre**

**Proposed Floor Plans**  
INDICATIVE ONLY

Issue: LF  
Date: Jan'24  
Project: CLAG50161  
Revision: C  
On: dwg A

## Appendix 2

### **Project: Dewsbury Sports Centre – Closure Impact**

**Date:** July 2024 update, with a “Key Findings” initial section added in September 2024.

#### **Key findings (Added September 2024)**

- Dewsbury Sports Centre (DSC) closed in early September 2023.
- A number of DSC registered customers (i.e. KAL fitness members; KAL swim lesson customers; KAL Fleixcard customers) began to use alternative KAL sites, especially Batley Sports & Tennis Centre (BSTC) and Spen Valley Leisure Centre (SVLC).
- Customer visits to alternative KAL sites reduced from October 2023, but over 5,000 monthly visits by former DSC registered customers were still being noted in June 2024. 25% of these customers used either a fitness suite or attended a fitness class; 28% used a swimming pool; and 28% took part in a sports activity.
- Since March 2024 former DSC registered customers have now been fully incorporated with the remaining KAL site which they have been using the most.
- A small female only gym has been established at BSTC to help cater for female customers.
- A wide range of additional fitness classes (both aquatic and studio based) have been provided at both BSTC and SVLC.
- School swimming: all schools that were using DSC have been accommodated at alternative KAL sites.
- KAL swim lessons: lesson capacity at BSTC and SVLC was increased to accommodate swimmers from DSC, with spaces also identified at other KAL pool sites.
- OWLS (older people’s activity sessions): some 40% of the OWLS who used DSC have made use of OWLS sessions at BSTC and/or HLC, although this number reduced to 26% by June 2024.
- Female only sessions: in addition to the female only fitness suite established, a female only fitness class timetable has been established with 16 sessions across KAL, as well as a wide range of virtual cycle studio sessions at BSTC.
- External hires: Dewsbury Swim Club and Pennine Canoe Club are making use of the swimming pool at BSTC, with discussions continuing with them to try to meet their needs. Other previous user groups have been addressed as necessary, either relocating to a KAL site, using elsewhere or ceasing to meet.
- Other key factors:
  - With a zero customer base, any re-opening of some/ all of the former DSC site would have a significant initial and ongoing revenue cost, estimated by KAL to be c.£601k in year 1 alone.
  - A major national low-cost fitness operator, providing free car parking, has opened in the immediate vicinity of the DSC location. This opening would provide significant challenge / risk to any potential re-opening.
  - An entire new staff team would need to be recruited, inducted and trained before any re-opening could be considered.

#### **Overview**

Dewsbury Sports Centre (DSC) was closed due to the identification of RAAC in September 2023. KAL have engaged with users of the facility with an aim to relocate their usage to alternative facilities where possible.

## Headline usage (excluding swim lessons and school swimming)

- Usage by DSC customers averaged 20,113 per month in the period June – August 2023 (post Ramadan reduced usage in April and May).
- This was made up of an average of;
  - c.16,700 visits (83%) at DSC itself.
  - The remaining visits made by DSC customers (c.3413 – 17%) taking place at other KAL facilities.

## **Post the closure of DSC – usage was as follows Oct 2023 – June 2024.**

- Table shows visits by DSC customers (classified as DSC customer June to August 2023):

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<b>BSTC</b>	1613	1287	976	1271	1312	1056	1189	1175	1116
<b>SVLC</b>	4983	4324	3322	4450	4229	3771	3984	3880	3453
<b>OTHER</b>	1060	935	556	707	655	694	737	751	623
<b>TOTAL</b>	7656	6546	4854	6428	6196	5521	5910	5806	5192
<b>% of June-August Ave attendance</b>	38%	33%	24%	32%	31%	27%	29%	29%	26%
<b>Unique users</b>	964	828	660	752	707	681	676	652	604

- Product specific usage v June – August average (i.e. % usage retained)

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
<b>FITNESS</b>	38%	32%	24%	32%	31%	27%	28%	27%	25%
Fitness Suite	24%	20%	16%	19%	19%	16%	15%	16%	14%
Instructed Classes	81%	74%	52%	78%	71%	62%	72%	65%	63%
<b>SPORTS</b>	37%	30%	33%	28%	29%	37%	35%	44%	28%
<b>SWIMMING</b>	41%	34%	23%	31%	31%	28%	33%	33%	28%

- Notes
  - The figures represent usage retained at KAL facilities only – customers, particularly fitness members / gym users, may have chosen to relocate to a competitor facility.

## **Product specific detail**

### **Gym usage –**

- A reconfiguration of the SVLC gym space has taken place to maximise the number of users that can be accommodated. Membership and usage remain robust.
- BSTC has capacity to accommodate additional usage and KAL continues to try to highlight this to customers. The challenge being customers opting to relocate to SVLC as a newer facility



- A small female only gym has been created at BSTC to add an additional exercise option to customers displaced from DSC and Batley Baths & Recreation Centre.

## Group exercise -

- 5 x Aquatic fitness classes were displaced from DSC.
  - 1 Instructor and class were relocated directly to BSTC.
  - 2 additional classes added in December 2023 with a further 3 classes added in Jan 24.
  - Classes added are daytime. The existing programming makes adding additional evening sessions challenging, specifically with club and length swim use at key times.
    - Instructor availability continues to be a challenge in the evenings at BSTC, and therefore we are unable to expand the offering until this improves
  - Programming changes have occurred throughout 2024, from school swimming and aqua viability, which has reduced the weekly sessions to 9 from 11; a female only aqua being one of the classes that had reduced attendance on Fridays.
  - Planning to add a further morning session to Fridays in September 24, where programming is not restricted by school swimming
- 44 x studio-based fitness classes were displaced from DSC.
  - Between September and November 2023 KAL have increased the provision at Batley Sports and Tennis Centre specifically to try to attract the displaced customers from Dewsbury Sports Centre, with an additional 9 classes across the week – significantly increasing the average attendance to group exercise classes at BSTC.
  - In January 2024 a further 5 studio and gym floor classes were added to respond to the increased demand for group exercise at BSTC.
  - The SVLC group exercise timetable was already extensive and has been expanded further due to customer demand with little opportunity for any additional sessions.
  - BSTC's Group Exercise timetable in June 24 is the most viable it has been in several years, and KAL are working closely with Batley Girls High School, adjacent to BSTC, to acquire better studio and gymnasium availability for classes to further expand the timetable.
    - From 25<sup>th</sup> October 24, KAL will have the flexibility of programming in all group exercise areas on a Wednesday, which will further strengthen the offering. We plan to add between 3 and 5 classes to encourage additional usage.

Classes were added post DSC closure and subsequently amalgamated into the existing program. Programs continue to be reviewed based on usage and demand.

## KAL Swim

- The Dewsbury Sports Centre KAL swim programme provided the full range within the Aquatic Pathway from Ducklings to Training Academy, with 1221 swimmers engaged in the programme.
- Lessons at BSTC and SVLC were increased to accommodate transfers from DSC, and swimmers also transferred to other KAL facilities. Approximately 50% of the members have transferred and remain in the KAL Swim programme.

- Increased capacity at BSTC & SVLC by 581 spaces to cater for the increased demand.

## KAL School Swimming

- KAL School Swimming was delivered over 3 full days at DSC with 24 Schools (approximately 1300 pupils) attending over the academic year.
  - Schools in Dewsbury tend to have a large pupil cohort for Key Stage 2 which requires a large pool to accommodate the c.60 pupils looking to attend.
- KAL re-programmed other KAL facilities in October 2023 to accommodate all the term 1 schools to alternative KAL sites, including BSTC and SVLC.

## Other -

### Dewsbury OWLS

- 65 individuals attended DSC OWLS in August 2023.
- 40% have attended another OWLS session (Either at BSTC or HLC) post the DSC closure. (32% Oct, 32% Nov, 28% Dec and 28% Jan, 29% Feb, 31% Mar, 32% Apr, 26% May, 26% Jun)

## Targeted Sessions -

### Female Only

- 6 weekly sessions; 2 public swim sessions, 1 aquatic fitness session and 2 studio-based group exercise classes, ran at DSC. From Jan 2024, there are 6 female only classes running at BSTC across the week, at a variety of times. These do not directly replace the previous DSC provision but do offer opportunities in a variety of disciplines.
- A significant female only offering exists across KAL, which was previously increased post the closure of Batley Baths & Recreation Centre and then enhanced further.
  - Link to Female Only Timetables: [HERE](#)
- BSTC is the only facility to run Female Only Virtual Cycling sessions, added in October 23. However, their usage is extremely low.

## External Hire

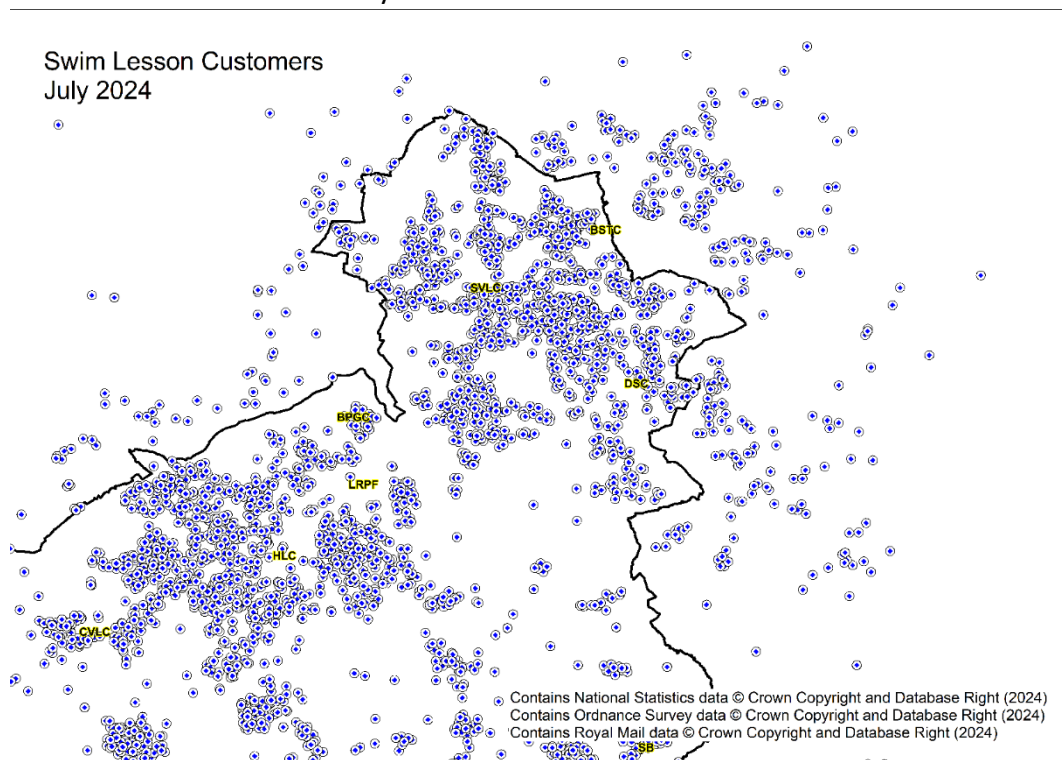
KAL have identified the following 20 user groups and clubs which utilised DSC on a regular basis.

External Hire	Activity	Impact
Dewsbury Dolphins Swimming Club	Swimming Club 2.5hrs - Junior	Initially transferred to Sunday at BSTC, change as of 22 <sup>nd</sup> July to Monday evening shared use
Pennine Canoe & Rowing Club	Adult & Junior	Transferred Junior session to Sunday at BSTC. Have requested availability for midweek evening adult session. KAL offered a slot but club declined due to cost.
Junior Octopush	Junior Underwater Hockey	Currently utilising a pool outside of Kirklees but have requested availability in KAL. KAL continue to review programmes for the request.
Mirfield Pro Therapy		Home visits/looking at temp relocation
Dewsbury Massage		Home visits/ looking at temp relocation
Reed Wellbeing		Re-located to Dewsbury Town Hall/SVLC

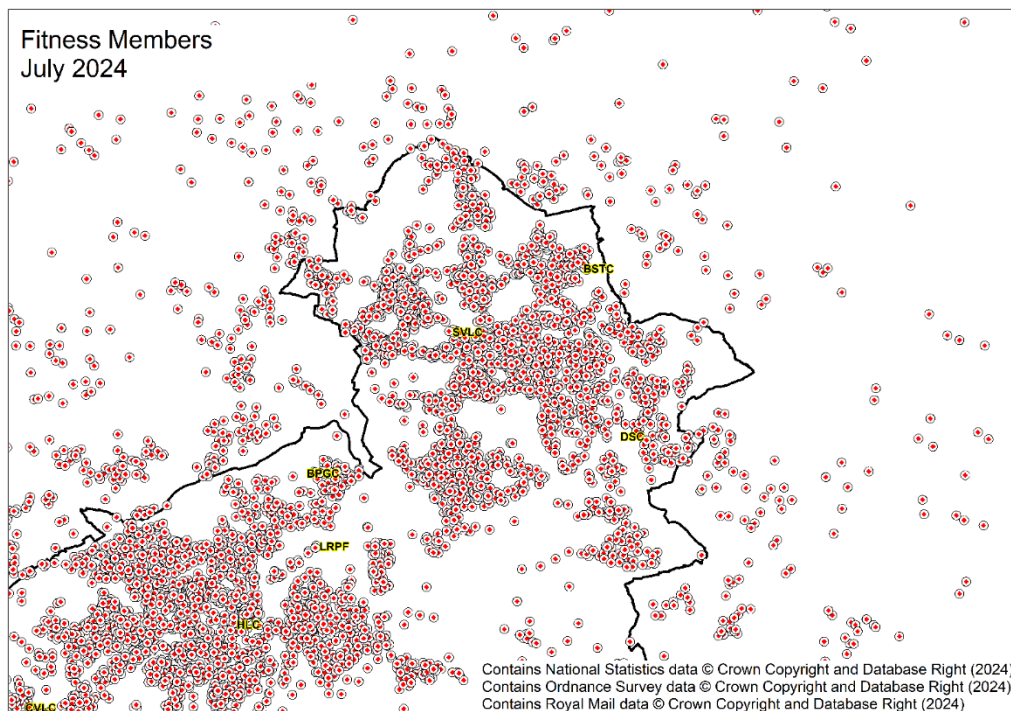
Earlsheaton Starlites		Unknown
Yorkshire Cricket Board		Transferred to BSTC
Yorkshire Sport Karate		Transferred to St John Fishers
Power Play Champion Soccer		Transferred to Croft Academy
Town Flyers	Junior & Adult Trampoline Club	Club contacted KAL December 2023 to confirm club members had merged with alternative club and club folded.
Karate Zone		Transferred to BSTC – reduced session
West Yorkshire Netball		Various locations
Access Project		Various locations
Akbar Badminton		Unknown
Peter Lumb Football		Unknown
Yorkshire Carnival Association		Various location
Yorkshire Schools Trampoline	Trampolines	Unknown
Yorkshire Technical Committee	Town flyers events – trampolines	Leeds
Support to recovery	Volleyball	HLC Support

## Customer maps

### Swim lesson customers – July 2024



## Fitness Members – July 2024



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## Appendix 3

### Sports & Physical Activity Provision in Dewsbury

#### 1. Introduction

Due to the discovery of RAAC (Reinforced Autoclaved Aerated Concrete), Dewsbury Sports Centre is currently closed. This report aims to provide a comprehensive overview of the current sports and physical activity services in Dewsbury. The report consolidates information gathered through desktop research, discussions with colleagues and the involvement of Kirklees Active Leisure (KAL). It focuses on the existing KAL membership costs, sports and physical activity resources in the Dewsbury area, community-based sports and leisure activities and insights obtained from resident consultations.

Leisure centres form one part of the infrastructure that enables citizens to be active. Some elements of the provision of a leisure centre, such as gyms and fitness classes, are being provided widely through the private market and alternative providers, some of which are provided at a lower cost than KAL. However, accessibility to affordable swimming space is limited.

#### 2. Kirklees Active Leisure (KAL) provision

The Standard KAL Membership offers various amenities and access to multiple facilities, while the Gym-only Membership is specific to Huddersfield Leisure Centre (HLC) and is limited to gym use only. The Monthly Membership at Huddersfield Leisure Centre is a standalone option at a different rate. Kirklees Active Leisure (KAL) Standard Membership is:

Off-peak: £19.95 p/m / Full access: £29.95 p/m

There are various forms of access to KAL centres including: Gym; Classes; Flexi card discount; Public Swimming; access to standard centres; single centre membership at Huddersfield Leisure Centre for gym use only; access to Leeds Road Sports Complex and Spen Valley Athletics Track (Princess Mary Athletics Track)

Below shows a price comparison to other local authority areas:

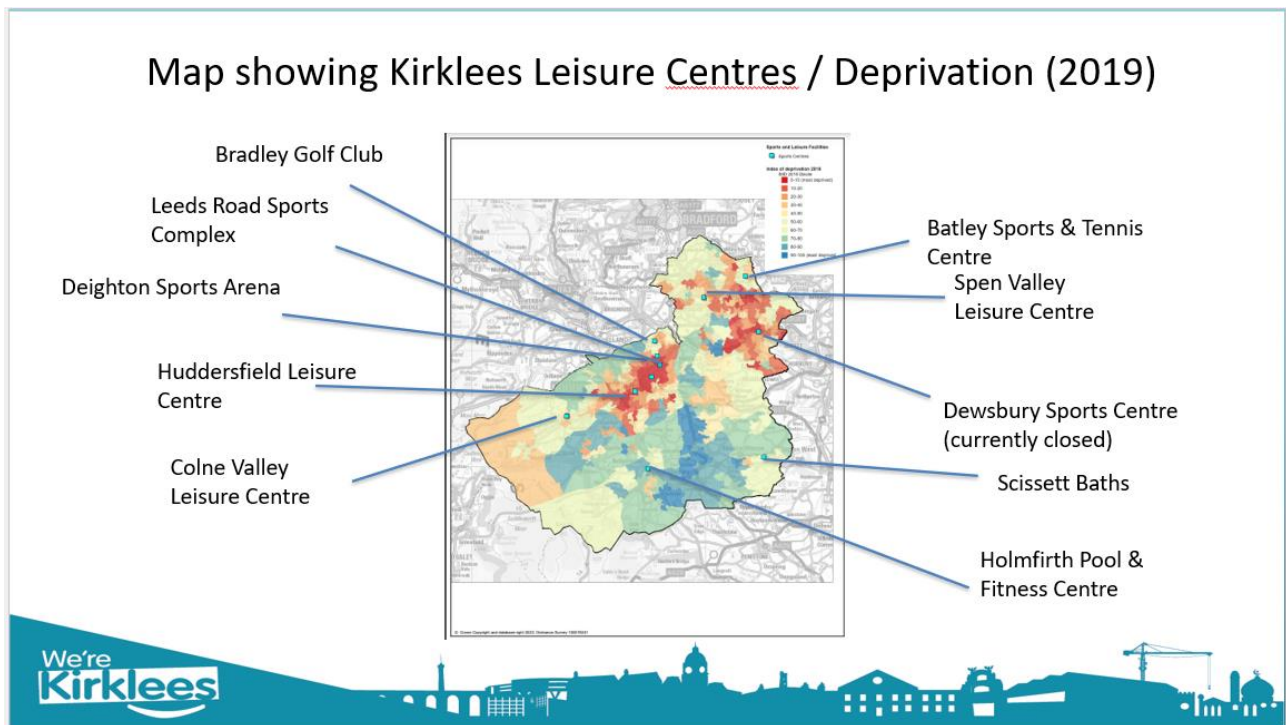
Wakefield £37 pcm

Calderdale £30 pcm

Barnsley £36.50 pcm

Leeds £25.95 pcm.

The nearest KAL managed leisure centre to Dewsbury is Batley Sports and Tennis Centre, which is 4 miles away, around 14 minutes' drive and 30 minutes on a bus from Dewsbury town centre. Spen Valley Leisure Centre, the other KAL managed centre in North Kirklees is a little further, just over 4 miles away.



### 3. Private Gym Provision in Dewsbury

The average cost of a gym membership in the UK is £44.92 a month. This is for a peak, non-contracted/rolling gym membership at a privately owned club.

<https://www.leisuredb.com/publications>

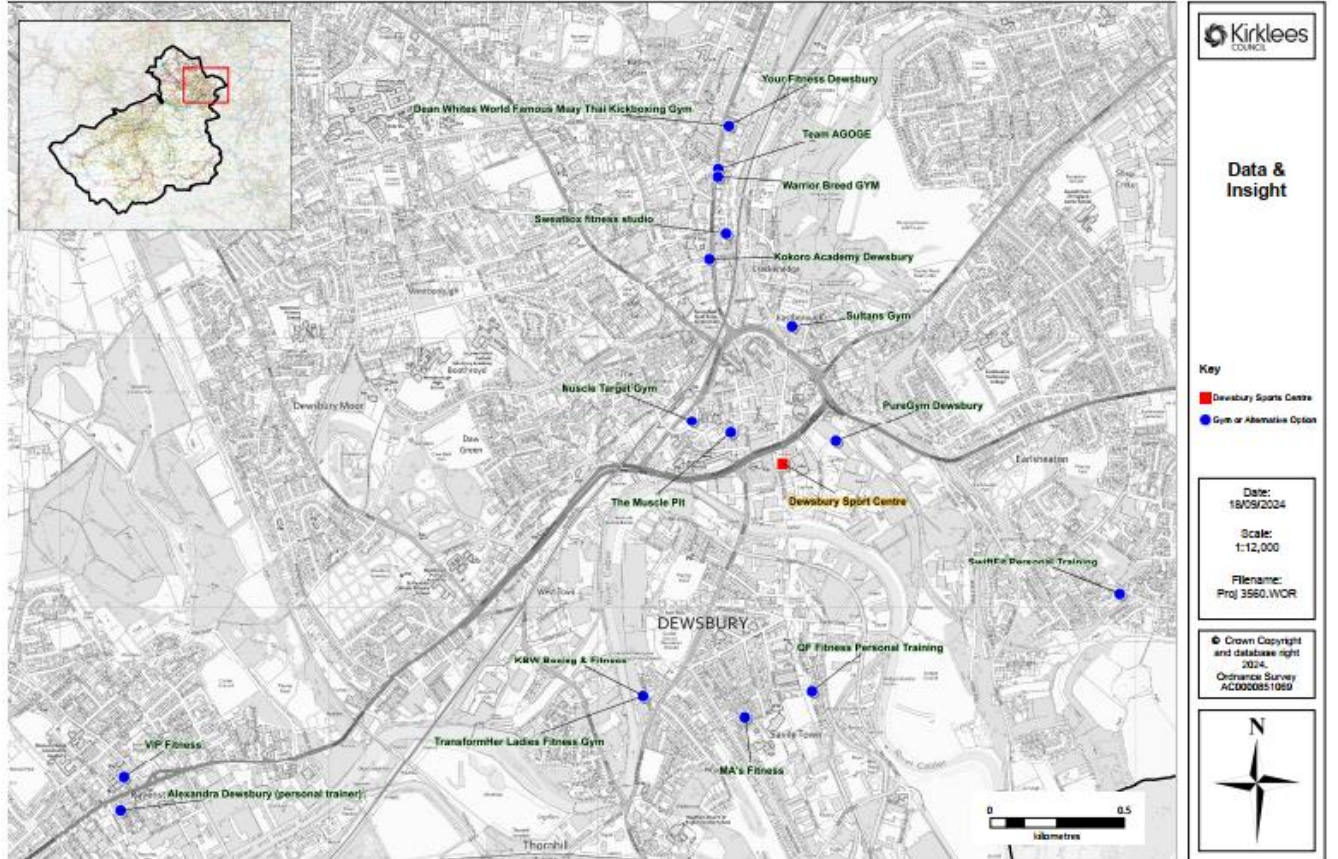
Pure Gym opened in early 2024 in the vicinity of Dewsbury Sports Centre. The gym is offering a standard membership of £16.99 per month for the first 3 months plus £15 joining fee, increasing to £19.99 per month. If members select the Plus option this costs £22.99 per month for the first three months plus £15 joining fee, increasing to £25.99 per month and gives them access to 79 gyms across the UK. Although Pure Gym offers classes and a flexible no contract (i.e. leave anytime), there is no swim provision for members.

Alongside this, Dewsbury boasts a diverse fitness landscape, featuring over 18 private gyms, each with an average monthly subscription fee of £27.50. Day passes for these gyms typically cost around £8.

Fitness options in the Dewsbury area extend beyond private gyms, encompassing various amenities such as parks, tennis courts and playing pitches. Notable private gyms in Dewsbury include TransformHer Ladies Fitness Gym and KBW Boxing & Fitness plus there are private personal trainers such as QF FITNESS PERSONAL TRAINING and MA's Fitness situated in the WF12 and WF13 areas. Dewsbury also hosts a thriving martial arts and boxing scene with establishments like Kokoro Academy Dewsbury, KBW Boxing & Fitness and Revolution Martial Arts Academy.



## Private Gym Provision in Dewsbury

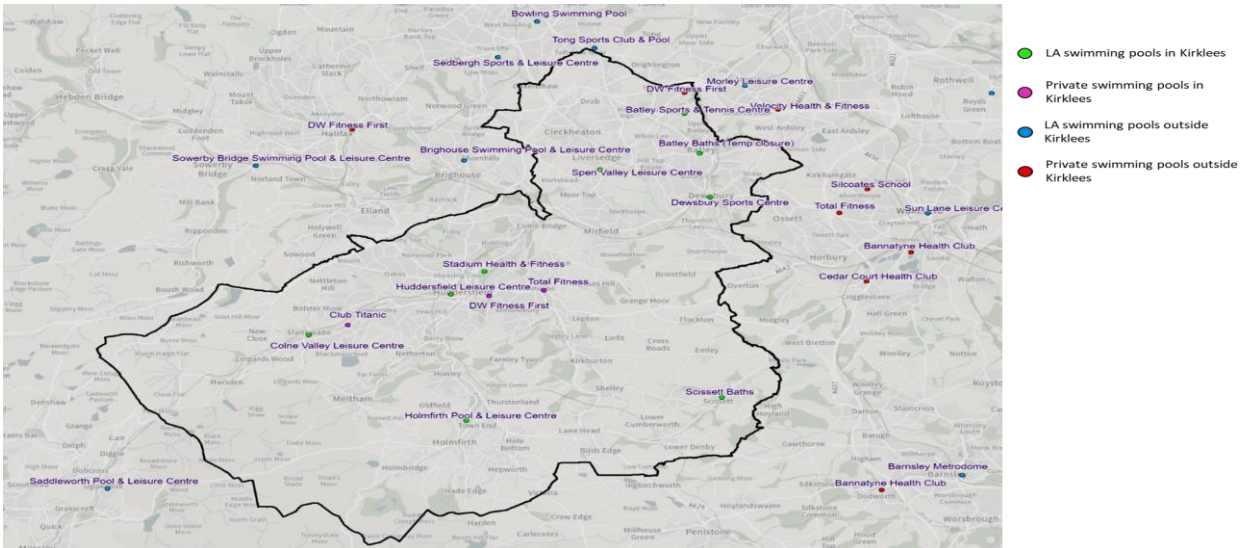


Additionally, it is important to note that while individuals of all ages can work out within their limits, there are age restrictions on the use of gym equipment. For instance, junior members aged between 11 and 15 years can utilise cardiovascular and fixed resistance machines, such as treadmills and chest press machines. However, the use of free weights is restricted to those aged 16 and above (source: online research of various gym policies).

#### 4. Swimming Accessibility

The nearest swim options are Batley Sports & Tennis Centre or Spenn Valley Leisure Centre, both are approximately 4 miles from Dewsbury Sports Centre

# Swimming Pool Map





Private swimming provision in North Kirklees is limited. The nearest swimming pool is SWIM! (Batley) and is a small pool and centred specifically around teaching children to swim. Everlast (DW) fitness is a member only gym with swimming pool and is located in Birstall on the border of the district, 5.3 miles from Dewsbury town centre.

Private gyms with pools do not offer pay as you go membership. An example of the monthly prices to become a member of a gym with a swimming pool are:

- Total Fitness           £50
- TruGym                 £45
- Bannatyne             £50.99
- Everlast                £40

## 5. Kirklees Council & Partner Sports Facilities & Physical Activity Provision

Kirklees Communities & Wellness Service support individuals access activities such as walking, Movement and Games in Chairs (MAGIC) and signpost to other physical activities in the community. Tailored support is provided to groups to help set up as well as supporting the growth and sustainability of existing groups in our communities.

MAGIC – Movement and games in chairs	<p>Currently there are no sessions held in Dewsbury</p>  <p>MAGIC timetable North.docx</p>
Kirklees Everybody Active Walks	 <p>Walking timetable - all areas (002).docx</p>

**Kirklees Wellness Service (KWS)** (<https://kirkleeswellnessservice.co.uk/service/move-more/>) aims to improve people's health through a tailored plan and signposting that includes small achievable goals relating to physical activity. For example, **free** cycling sessions are held at the Spenborough running track and the service will signpost individuals to local walking groups but unfortunately none of these are held in Dewsbury town centre.

**Active Travel Profile:** In 2020, the local authority worked in partnership to develop a place based active travel plan for Dewsbury. Active travel encompasses walking, cycling and scooting. The place profile delves into the multifaceted benefits of promoting and enabling active travel, emphasising its influence on physical and mental health, air quality, environmental health, community cohesion and road safety. Through facilitating these activities, communities can foster connectivity; establish healthy neighbourhoods; and redefine purposeful journeys, ranging from school runs to daily commutes.



v2 - PHI Active  
Travel Data Pack\_ De



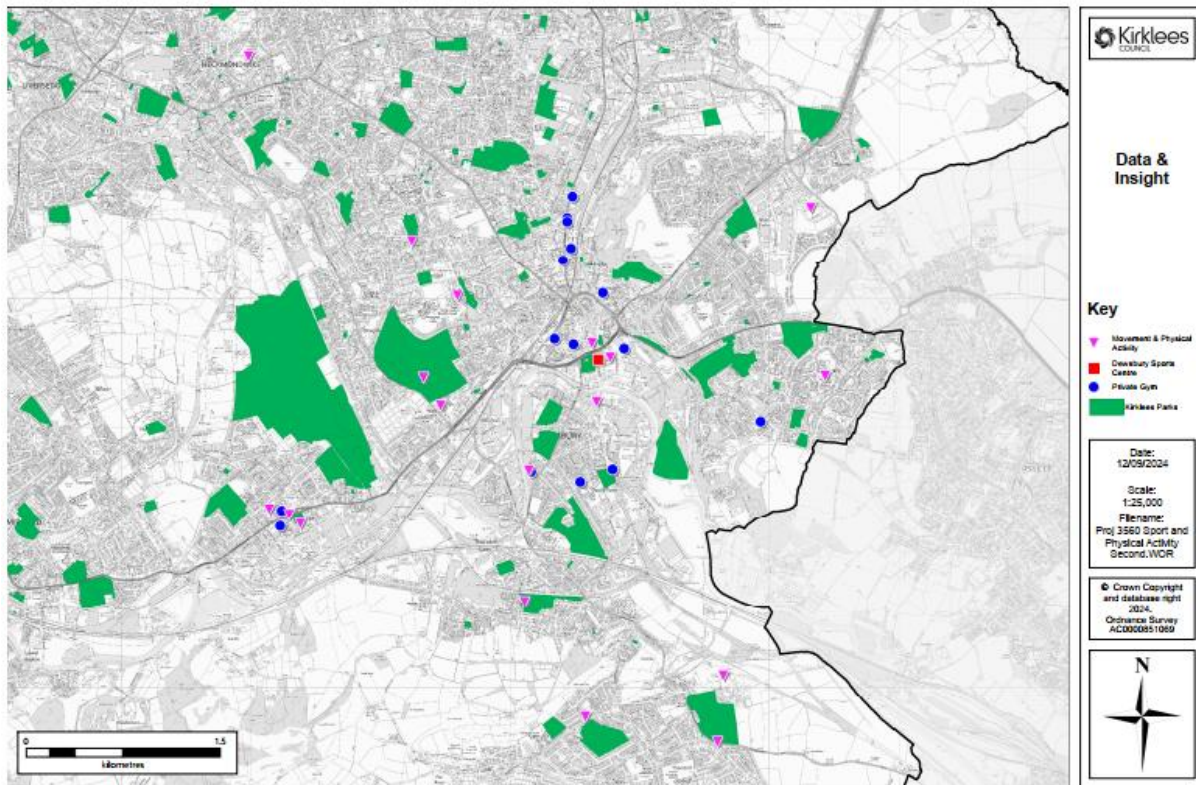
PLACE PROFILE  
MASTER Dewsbury .

## 6. Community and Voluntary Provision

The Voluntary Sector play a key role in providing sports and physical activity provision. Kirklees Community Directory provides contact details of community groups in Dewsbury: <https://communitydirectory.kirklees.gov.uk/communityDirectory/search.aspx?q=dewsbury> .

Current information held by the Communities team around the activities in Dewsbury are:

## Voluntary Sector Sports & Physical Activity Provision in Dewsbury



Activities for young people aged 13 - 19



13-19 Youth  
Mapping.docx

Physical Activity – What’s on in Dewsbury



Physical Activity  
Movement Whats On

**Yorkshire Sport Foundation Directory:** The Yorkshire Sport Foundation maintains a directory of sports activities and clubs available to young people in Kirklees. [Yorkshire Sport Foundation - Directory \(sportsuite.co.uk\)](http://yorkshiresportfoundation.co.uk)

**Football Opportunities:** Find Football opportunities in Kirklees through the West Riding FA. This is a great resource for youth interested in football. [Find Football - West Riding FA](http://www.westridingfa.co.uk)

**Huddersfield Town Foundation** - Has successfully led a consortium bid to secure £500,000 of funding to get more people active in Dewsbury by playing football. The National Lottery funding through Sport England will deliver the Football Foundation’s Active Through Football programme with the aim of improving physical activity levels of adults in Dewsbury.

**Dewsbury Road Runners** - Caters for runners of all abilities, with an emphasis on the social side. Members are encouraged to improve at a pace which suits them or simply to enjoy themselves and enjoy the benefits of keeping fit. Membership costs £25 per year to be a full member of the club, which includes an England Athletics membership - there are many extra

benefits, including discounts in many sports shops and reductions on race entries.

<https://www.dewsburyroadrunners.co.uk/cgi/index.php>

**Calderdale & Kirklees Recovery College Wellbeing Courses** offers a **free** comprehensive Wellbeing course timetable, such as Yoga: Moving into Happiness (exploring wellbeing through yoga). The course details can be explored at - [Calderdale and Kirklees Recovery College \(calderdalekirkleesrc.nhs.uk\)](http://calderdalekirkleesrc.nhs.uk). This initiative focuses on mental health and well-being, providing valuable resources and support for residents of Kirklees. However, at present none of the sessions that are scheduled in Dewsbury are focused on sport or physical activity.

**The Kirklees School's Out!** programme, funded by the Department for Education's Holiday Activities and Food programme, offers families a range of activities to engage in during school breaks. For more information about the programme, you can visit the School's Out! at <https://www.schoolsoutkirklees.co.uk/>.

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# Appendix 4

## KAL Consultation – Dewsbury Insight

Data and Insight Service  
Kirklees Council



# Overview

## Consultation:

- The Leisure Centre Consultation was live for 6 weeks (29<sup>th</sup> Sept to 13<sup>th</sup> Nov).
- 17,860 responses were received.
- Mixed-methods approach: online/paper survey, engagement & drop-in sessions.
- Also received direct written correspondence (e.g. from Sport England, Swim England, Yorkshire Sport Foundation).

## Respondents:

- 93% of respondents were Kirklees residents.
- Around 550 responses were 'on behalf of' voluntary, social or community organisations and/or other stakeholders including:
  - Sports clubs, OWLS, Community Associations, Academic Organisations, Scouts/Guides, local NHS services.
- 97% of respondents are current users of KAL leisure centres.
- 22% are parents of children using the centres for school swimming.
- 10% have been prescribed exercise by their GP to support health and wellbeing.
- Protected characteristics included: 66% female; 14% non-White British/English/Welsh/Scottish/Northern Irish; 22% with a health condition and/or disability; 19% from low-income households; 3% former military.





# Dewsbury Insight

## Respondents:

- 10% of respondents live in Dewsbury.
- 10% of respondents said they use Dewsbury Sports Centre.
- 28% are parents of children living in Dewsbury using KAL centres for school swimming.
- 13% are prescribed exercise by their GP to support health and wellbeing.

## Use of Dewsbury Leisure Centre:

- Mainly used on a weekly basis by respondents.
- Most frequently used for: Swimming, Gym, Fitness classes (non-pool based), Swimming lessons, Fitness classes (pool-based).

## Use of Other Leisure Centres:

- 7% of those who live in Dewsbury said they also use other leisure facilities, including private gyms such as JD Gyms, Health Club for Her, KWB Boxing and Fitness and the Nuffield Health Gym.
- 27% participate in other sport/fitness/leisure activities (outside of Dewsbury Sports Centre). These include recreational walking, sports (such as football, tennis, netball etc), running and cycling.



## Proposals

Of those respondents living in Dewsbury:

- 43% agreed with the (Core Offer) proposals to keep Huddersfield & Spenn Valley open.
  - 47% disagreed.
- 31% agreed with the (Marginal Offer) proposals to keep named sites open whilst further funding is sought.
  - 44% disagreed.
- 5% agreed with the (Closure) proposals to close named sites, including Dewsbury Sports Centre.
  - 94% disagreed.

Dewsbury residents identified a number of impacts and barriers in relation to these proposals, particularly in relation to the potential closure of Dewsbury Sports Centre, including:

- Health and wellbeing.
- Access to alternative leisure provision/activities.
- Travel/transport.
- Impact on the community/local provision.

*These are outlined in more detail overleaf.*



# Closure Proposal: Impacts & Barriers to Accessing Alternative Provision

## Decline in mental and physical health and wellbeing, and quality of life

- Decline in mental health and wellbeing (increased depression, anxiety, self-harm).
- Decline in general health and fitness (and increase in illness, overweight/obesity).
- Decline in health conditions (e.g. mobility, disability, recovery from injury).
- Increased social isolation/reduced social connectedness (particularly children and young people, and older people).

## Reduced access to, and participation in, sport and leisure activities

- Due to high demand/oversubscribed activities/less choice/provision at remaining centres.
- Particularly for swimming lessons and/or access to swimming and other pool-based activities (including school swimming).
- For all, but particularly children and young people, older people and those with a disability/additional needs.
- Due to increased costs of alternative/private provision.
- Due to travel/transport.

## Travel/Transport

- Increased distance to access alternative leisure activities.
- Increased travel time (traffic/congestion and parking issues).
- Inconvenient/limited public transport options (incompatible with additional travel time/activity timings).
- Increased cost of travel and parking.
- Accessibility (some respondents not able to travel further distances; safety of travel for children and young people).



# Closure Proposal: Impacts and Barriers to Accessing Alternative Provision

## Impact on the community/provision of community-based facilities

- Significant (general/unspecified) impact on community and reduced 'sense of/heart of community'.
- Further loss of local facilities/provision (within deprived area).
- Perception of North/South divide (North Kirklees receiving unequal investment/provision).
- Decline in health of community (further health inequalities).
- Reduced multicultural connectedness and community integration (e.g. for refugees).

## Other Impacts:

- Missed education (due to increased travel time for school swimming; water confidence/safety; core life skills).
- Impact on public services (e.g. NHS, Primary Care).
- Impact on environment due to additional travel/emissions.
- Job losses/redundancies.
- Increased crime, anti-social behaviour amongst young people.

Several respondents also commented that they would cease their KAL membership.



## Some Views from Dewsbury Residents

Theme	Comments
Mental Health	<i>"My mental health has struggled considerably with not being able to go to the gym..."</i>
	<i>"Closing Dewsbury will have a massive impact...I use the site to help me cope with depression"</i>
	<i>"Isolating already lonely people who don't have the transport or financial means to access remaining facilities"</i>
Physical Health	<i>"I use the facilities to manage a chronic health condition...without it my health will suffer significantly"</i>
	<i>"My wife has a disability - the local pool is a lifeline. Diminished quality of life..."</i>
Access to Alternative Provision	<i>"Swimming lessons are already oversubscribed and difficult to access"</i>
	<i>"There is no availability...classes are already fully booked"</i>
Impact on the Community	<i>"Children in the Dewsbury area have so few facilities for leisure, not all families have transport or can afford to travel"</i>
	<i>"Dewsbury is a hub for multicultural mixing...this would leave a gaping hole in the community"</i>
Travel/Transport	<i>"Travelling further afield is simply unaffordable"</i>
	<i>"Cannot access other facilities easily due to lack of reliable public transport"</i>
Other	<i>"My daughter is missing approximately 45 minutes of core learning due to additional travel to Batley for curriculum swimming. That's 25 hours minimum a year of missed learning...they've already missed so much due to Covid"</i>
	<i>"There is the potential for kids to have nothing to do and end up in bad situations"</i>

## Some Views from Dewsbury Residents

*"I have no reason to visit Dewsbury for shopping/banking/food or social events anymore. I have no opportunity to meet other people, exercise in a safe and suitable facility and keep mind and body in shape. I feel forgotten/disappointed that my daily routine has ended and depressed as I have no-where to go. I have sought advice from doctors/social prescribing team and been unable to find alternative activities/classes at the remaining centres as there are limited places and they are oversubscribed. I cannot afford to pay to go to alternative classes at other gyms or groups"*

*"I'm scared I will become lonely"*

*"Devastating, my life will be ruined, my health, my mental well-being, I will be lonely, have nothing to support me being a carer...my lifestyle will collapse, it will be unbearable, my health will deteriorate, everything will feel hopeless"*

*"Another reason for people from anywhere else around not to visit Dewsbury as it will have, by the culmination of this closure, no attractions or facilities whatsoever!"*

*"Marginalising a large ethnic demographic accessing health facilities"*

*Dewsbury, Batley and the wider North of Kirklees require spaces for community, leisure and integration more than most other areas. It's reasonable/logical to expect that removing these facilities will impact on local public health, community cohesion and crime in the area. Especially when compounded with the feeling of communities being subject to managed decline. Large derelict community buildings will represent financial failure and local government which cannot support its residents' needs"*



## Overall Findings - Suggestions for Reducing the Deficit & Attracting Investment

- Increase costs (and range of) of memberships/activities (swim only; affordability based).
- Review wider Council spend (street furniture; other funded projects e.g. Blueprint) & re-allocate.
- Source funding (Government, NHS, The National Lottery, Sport England, LTA, Football Association, Charities)
- Improved financial/operational management (run like private gyms, reduce staffing & management (use of local volunteers), upskill management).
- Private investors/partnerships (corporate sponsorship, local businesses).
- Community ownership/partnerships (sports clubs, local community organisations).
- Advertising and promotional activity.
- Fundraising/crowdfunding.
- Increase rental opportunities (sports clubs, private instructors, pool hire, parties).
- Reduce energy costs (lower water temperature, sustainable energy sources, energy efficient lighting).
- Increase provision (range and availability of activities, classes, swimming).
- Partial closure (swimming pools, high-cost areas).
- Events (competitions, markets, car boot sales, charity events, fetes and fairs).
- Combined provision (cafes, libraries, pharmacies, shops).







Kirklees Council

# Leisure Centre

## Consultation



Summary of Responses  
March 2024

## Executive Summary

### Introduction

Between 29<sup>th</sup> September 2023 and 13<sup>th</sup> November 2023 Kirklees Council consulted on proposals to make changes to leisure centre provision across Kirklees in response to the current financial climate and the available (reduced) budget for leisure provision in 2024-25.

All those living, working, studying and/or accessing leisure provision in Kirklees were invited to participate in the consultation. 17,860 responses were received; 17,143 via online survey, 717 via paper survey (all responses were amalgamated and analysed together).

Engagement sessions were also held with 23 individuals representing the Black and Asian Minority Ethnic community, carers, and those with a disability and/or long-term health condition. These were focused discussions around the questions asked in the consultation survey.

Direct correspondence was also received from 13 organisations in relation to the consultation.

The consultation invited views on the proposed changes to leisure centre provision, along with any perceived impacts/barriers to future participation in leisure activities as a result, and suggestions as to how alternative funding could be sourced to support continued delivery. Current use of leisure centres and participation in leisure activity amongst respondents was also explored. A copy of the consultation survey can be accessed via [www.Kirklees.gov.uk/Involve](http://www.Kirklees.gov.uk/Involve).

### Survey Respondents

93% of respondents were Kirklees residents. Those living outside the Borough were from areas including Bradford, Doncaster, Halifax, Leeds, Wakefield, Oldham, Nottingham, Sheffield, and York.

Almost three-quarters (72%) of respondents are current members of KAL leisure centres; almost a quarter (23%) are parents/carers of child(ren) under 18 that are members.

Just over a fifth (22%) are parents/carers of child(ren) that uses KAL leisure centres for school swimming.

10% said they had been prescribed exercise by a GP to support their health and wellbeing.

### Survey Responses

#### *Use of Leisure Centres*

Most of the leisure centres are used most often on a daily/weekly basis by respondents.

8% of respondents said they use other leisure/fitness centres across Kirklees; however a wide range of venues are accessed including private gyms and studios, activity/sport specific centres and a range of community venues (e.g. schools, community centres).

### *Participation in Leisure Activity*

Participation in leisure activity varies across the centres however swimming, sports, and fitness classes (non-pool based) were most frequently mentioned by respondents.

Respondents also participate in a wide range of leisure activities outside of KAL leisure centres including walking, running, a range of sports (e.g. football, netball, tennis, archery, fencing, ice hockey, shooting) and other activities such as martial arts, water-based activities (e.g. open water swimming, underwater hockey, kayaking) and fitness activities/classes (e.g. bootcamp, Zumba etc).

### *Views on Proposals*

60% of respondents agreed with the Core Offer proposal to keep Huddersfield Leisure Centre and Spenn Valley Leisure Centre open.

46% of respondents agreed with the Marginal Sites proposal to keep Bradley Park Golf Club, Deighton Sports Arena, Holmfirth Pool and Fitness Centre, Leeds Road Sports Complex and Scissett Baths and Fitness Centre under continued review, with the potential to close within a short timescale should financial or operational circumstances change.

19% agreed with the Potential Closures proposal to close Batley Sports and Tennis Centre, Colne Valley Leisure Centre, and Dewsbury Sports Centre; 69% disagreed.

### *Potential Impacts of Proposals*

Respondents identified a number of potential impacts of the proposed changes to leisure provision. These included reduced access to leisure activities/classes, reduced participation in physical activity and a subsequent decline in physical health and wellbeing, leading to longer-term impacts on the demand for local health provision including GP and NHS services and potential increases in health inequalities.

The potential impact on mental health and wellbeing was also strongly emphasised. Some respondents described the significant role access to leisure provision played in supporting them to remain well. Comments were made in relation to social connectedness, self-esteem, and confidence, in particular by individuals with a disability, older people and those with previous/current poor mental health. Some respondents highlighted previous experiences of depression and suicide. There was a fear of poor mental health returning should centres close.

It was also commented that the proposals could further reduce access to services within local/deprived communities for those most in need, particularly those who may be unable

to financially afford to travel to alternative centres using public or private transportation; and that the proposals could result in a loss of community connectedness.

Financial impacts arising from increases in costs to access alternative provision and additional travel/transport were also highlighted, as were environmental impacts from increased traffic pollution.

### *Barriers to Accessing Alternative Leisure Provision/Activity*

Many respondents felt the proposals would result in barriers to accessing alternative provision/activity. The barriers identified by respondents reflected the potential impacts previously highlighted.

Travel/ transport was again identified as a potential issue, including longer journeys/distances and inconvenient/ incompatible public transport options, issues around the safety of children and young people travelling further distances alone (impacting on independence), and the increased costs of travel. Some respondents also commented that they would be unable to travel further distances due to a disability and/or health condition.

The significantly reduced availability of activities/classes was also identified as a barrier to continued participation, with respondents particularly highlighting that some classes and swimming lessons are already full/difficult to access, that there is a lack of alternative provision for some activities (e.g. TagX) and that two centres is not adequate to meet the needs of the whole Kirklees population.

Increased costs of accessing alternative provision was also identified as a barrier.

### *Suggestions for Sourcing Alternative Funding*

A number of suggestions were made in relation to reducing the identified deficit in leisure centre funding and attracting the investment needed to continue provision. These included improving operational/financial management, reviewing efficiency of operations (e.g. reduced staffing, improved energy efficiency), partial closure (e.g. closing pools and keeping 'dry' activities), maximising usage by increasing provision (e.g. more classes and expanding range of activities) and rental opportunities (e.g. parties, events and facilities hire), improved advertising/marketing, increasing costs (membership, activities, parking), reviewing/re-directing wider Council spend, applying for external funding, fundraising/crowdfunding, private investment options, community ownership and/or cooperative partnerships and combined service provision (e.g. centres also hosting libraries, pharmacies, retail outlets and coffee shops).

### *Other Comments about the Proposals*

Whilst there was some agreement in relation to the proposals in light of the current financial situation and the investment needed to continue provision at all sites, and that having some, central, provision was better than not having any, there was also a strong

feeling that keeping just two leisure centres open (the core proposal) to accommodate all Kirklees residents was inadequate.

It was also commented that the proposals were unfair and not inclusive, particularly for more vulnerable people, those living in rural, deprived and/or areas within South Kirklees, and those living in low-income households.

Previous investment in the centres marked for potential closure was highlighted, in terms of this being a waste of resource.

### Engagement Sessions

Representatives from the Black and Minority Ethnic community reflected on leisure centres acting as 'cultural hubs' enabling diverse groups to all come together as a community, breaking down language barriers and socially connecting people. They also described the generational shift that has taken place with Asian women now being more involved in sport, health and fitness and expressed concerns that the proposals could impact on this.

Carers particularly felt the proposals would have a negative impact on the health and wellbeing of those being cared for (e.g. children and those with a disability/health condition) and highlighted difficulties with transport/travel to access alternative leisure provision.

Individuals with a disability and/or long-term health condition also identified the accessibility of other leisure centres and potential overcrowding as barriers to continued participation in leisure activity and felt this would also reduce social connectedness. They also highlighted that pool-based activity helps with their health, mobility and easing the pain and symptoms of health conditions.

### Direct Correspondence

Letters and petitions were received from the following organisations: Swim England, Sport England, UK active, Yorkshire Sport Foundation, Yorkshire Tennis Limited, Kirklees Active Schools, Third Sector Leaders Kirklees, University of Huddersfield, Batley and Birstall Excellence in Schools Together, West Riding County Football Association Limited, Batley Multi-Academy Trust, Howden Clough Football Club and Bradley Park Golf Club.

Organisations expressed their concerns at the proposals, identified potential impacts on individuals (including significant numbers of children and young people accessing centres via clubs and schools), communities (including wider impacts on crime prevention and health and wellbeing) and schools (including a significant increase in costs for continued delivery of physical education curriculum via alternative provision), and outlined support for working collaboratively in partnership to ensure continued provision of leisure facilities in Kirklees.

Swim England also identified that swimming generates £2 million of social value per year in improved physical and mental health, and £10 million in improved wellbeing.

## Considerations

The response to the consultation was exceptional, outlining the strength of feeling amongst the community in relation to continued leisure centre provision.

However it's important to note that responses are not representative of the population and therefore the views and needs of some groups and communities may not be reflected. Respondents emphasised potential wider impacts on health and wellbeing, health inequalities and subsequent increases in demand for health (NHS) and social care services.

The importance of leisure centres as 'cultural and social hubs' was also highlighted. Respondents felt local centres helped break down language barriers, support participation in physical activity amongst different generations and cultures and build social connectedness, particularly amongst older people.

It was felt that the needs of local people should be an equally weighted factor alongside finances during decision-making about leisure provision.

It is recommended that the Council reviews and reflects on the consultation findings and correspondence received as part of the decision-making process about the future of the leisure centres.

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## 1 Introduction

At a Council Cabinet meeting held on 26<sup>th</sup> September 2023, it was agreed that members of the public and other stakeholders would be consulted about the future of the leisure centres across Kirklees operated by Kirklees Active Leisure (KAL).

### 1.1 Background

The current economic situation in the UK is having a significant impact on everyone including local councils. This means that more of council budgets are being absorbed by statutory (legally required) and other essential front-line services, resulting in a need for very difficult decisions on the ongoing provision of other services such as sport and leisure.

In addition to this, the leisure industry was particularly hard hit during Covid-19, with pools and sports centres closing for significant periods and bringing in no income. Aware of this, the council provided additional financial support to our leisure centre operator, Kirklees Active Leisure (KAL), a local charitable, not-for-profit, leisure trust, during the recovery period. This included an additional £9.96m, alongside the core funding of £6m between April 2021 and April 2024. KAL also received £1.175m from Sport England during the same period.

Although KAL's income position has since recovered to above pre-Covid-19 levels, external, uncontrollable expenditure pressures have continued to impact upon KAL. The cost of running centres, in particular swimming pools, has increased beyond what anyone could have predicted. Energy and general running costs have increased in line with the national financial situation and staffing costs have increased due to the increases in the National Living Wage. Leisure centre operators are facing large energy bill increases when compared to 2019. In the time KAL has managed leisure centres, utilities costs have increased from around £1m to £4m per year.

Kirklees are not alone in this situation. Research by UKactive<sup>1</sup> has also shown that 40% of council areas were at risk of losing some of their leisure centres and swimming pools. 65 pools had closed in the three years to March 2022.

The council has been committed to maintaining its leisure centres as much as possible for many years which is reflected in its larger than average swimming pool provision. In 2022, the average offer in other local authority areas similar to Kirklees was 1 pool per 80,000 people, whereas in Kirklees it was 1 pool per 55,000 people.

It is currently costing the council (and in turn the taxpayer) between £1 and £5 per person, per visit, to operate most of the sites. Unfortunately, the council is no longer in the position to maintain this level of funding. Due to the current financial situation, the council will only be able to provide KAL with funding of £2.55m next year. This means that changes will have to take place and the number of centres will likely reduce.

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<sup>1</sup> Source: [www.ukactive.com](http://www.ukactive.com) Digital Futures 2023.



## 1.2 Consultation Process

The public consultation launched on 29<sup>th</sup> September 2023 and was live until 13<sup>th</sup> November 2023 (6 weeks).

An accompanying information booklet was produced to provide further information about the proposed changes. This was co-developed by Kirklees Council and Kirklees Active Leisure (KAL) and piloted with members of the public to ensure the information was clear and understandable alongside the consultation survey questions.

All those who live, work, study and/or visit Kirklees were able to participate in the consultation via online or paper survey, or in-person via engagement sessions (targeted at specific population groups, including Black and Minority Ethnic citizens, those with a disability and those with a caring responsibility). Several drop-in sessions were also held at the Leisure Centres to provide for anyone requiring one-to-one support to participate and share their views.

The consultation was widely promoted including via:

- Kirklees Council social media sites
- Kirklees Active Leisure social media sites
- Media releases
- Kirklees Council consultation portal (Involve)
- Paper consultation packs distributed to all KAL leisure centres
- Council Members briefings
- Via direct correspondence/discussion with key stakeholders and community groups.

The consultation enabled members of the public and other stakeholders to outline their current use of leisure centres and participation in leisure activities, as well as share their thoughts on the proposed changes, identifying any perceived impacts and/or barriers to future participation and providing thoughts and suggestions for reducing the deficit and attracting the investment needed to keep the leisure centres open.

A copy of the consultation survey and supporting information can be found via the Kirklees Council consultation portal - Involve ([www.kirklees.gov.uk/involve](http://www.kirklees.gov.uk/involve)).

A number of organisations also chose to directly contact the Council with their views in relation to the consultation. This correspondence is summarised in section 4 of this report.

Emails, letters, and other correspondence received from individual residents were considered and responded to on an individual basis and are not included in this report.

## 2 Survey Responses

17,860 citizens participated in the consultation survey (17,143 via online survey, 717 via paper questionnaire – all responses were amalgamated and analysed together).

Demographic information about those who responded to the consultation survey can be found in Appendix A.

### 2.1 Survey Respondents

The majority (93%) of responses were received from Kirklees residents living in the following areas:

Table 2.1: Which part of Kirklees do you live in?

Local Area	% Respondents
Holme Valley	17%
Colne Valley	15%
Spen Valley & Heckmondwike	13%
Batley	12%
Huddersfield West	11%
Dewsbury	10%
Huddersfield East	6%
Denby Dale	6%
Mirfield	5%
Kirkburton	4%

*Total respondents 16,159*

Respondents living outside of Kirklees were predominantly from areas including Bradford, Doncaster, Halifax, Leeds, Wakefield, Oldham, Nottingham, Sheffield, and York.

45% said they work in Kirklees; 7% said they study in Kirklees.

Almost three-quarters (72%) of respondents are members of KAL leisure centres; nearly a quarter (23%) are parents/carers of children under 18 that are members; a fifth (22%) are parents/carers of a child(ren) that uses KAL leisure centres for school swimming.

10% stated they are prescribed exercise by their GP to support health and wellbeing.

Respondents also described themselves as:

Table 2.2: Which, if any, of the following apply to you?

Are you...?	% Respondents
An employee of Kirklees Council	Less than 10%
An employee of Kirklees Active Leisure (KAL)	Less than 10%
A representative of a voluntary, community or social enterprise organisation that uses KAL leisure centres to support its activities*	Less than 10%

A representative of another stakeholder/organisation that uses KAL Leisure Centres to support its activities*	Less than 10%
A business owner that uses KAL leisure centres	Less than 10%

Total respondents 17,665.

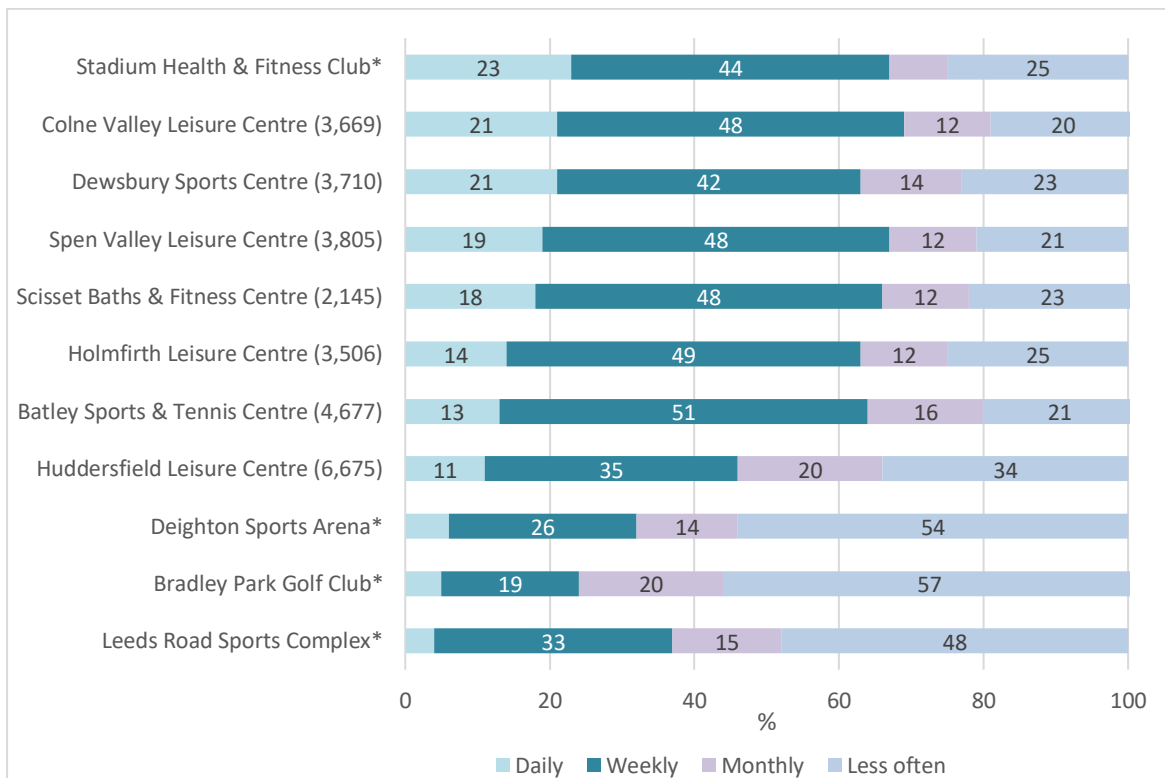
Data is not reported where less than 10% to protect anonymity.

\*When asked to specify which voluntary, community, social enterprise, or other stakeholder organisation respondents represented, a wide range of organisations were provided. These can be viewed in Appendices B and C.

## 2.2 Use of Leisure Centres and Current Leisure Activities

97% of respondents said they use KAL leisure centres. The figure below shows the frequency of use for each centre.

Figure 2.1: How often do you use the leisure centres (%)?



Total respondents for each leisure centre in parenthesis.

\*Total respondents not reported where data is less than 10% to protect anonymity.

Respondents were asked which facilities they used most often at the leisure centres. The following table shows the (top three where available) most frequently used for each centre. Other (non- sport/fitness based) activities/facilities are also outlined where relevant.

Table 2:1: Which of the facilities do you use most often?

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Batley Sports and Tennis Centre (4,662 respondents)	Swimming	50%
	Yeah! Days Out Activities	38%
	Sports Facilities	32%
	Other facilities/activities include health and wellbeing, beauty, massage, the sauna, physiotherapy, and OWLs (social) activities (for older people).	

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Bradley Park Golf Course (980 respondents)	Sports Facilities	All
	The golf course hosts an 18-hole golf course and driving range. Respondents also identified using the bar/clubhouse and pro-shop facilities.	

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Colne Valley Leisure Centre (3,640 respondents)	Swimming	55%
	Gym	43%
	Fitness Classes (dry)	42%
	Other facilities/activities include baby massage, health and wellbeing (e.g. giving blood) and OWLs (social) activities (for older people).	

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Deighton Sports Arena (311 respondents)	Sports Facilities	63%
	Gym	33%

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Dewsbury Sports Centre (3,682 respondents)	Swimming	61%
	Gym	38%
	Fitness Classes (dry)	25%
	Other facilities/activities include health and wellbeing, massage, the sauna/steam/spa, physiotherapy, and OWLs (social) activities (for older people).	

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Holmfirth Pool and Fitness Centre (3,472 respondents)	Swimming	62%
	Gym	41%
	Fitness Classes (dry)	33%
	Other facilities/activities include aqua-med (for injuries).	

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Huddersfield Leisure Centre (6,628 respondents)	Swimming	61%
	Gym	32%
	Fitness Classes (dry)	32%
	Other facilities/activities include health and wellbeing (e.g. health checks), beauty, the sauna/steam, facilities to support those with a disability (e.g. pool wheelchair), and OWLs (social) activities.	

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Leeds Road Sports Complex (1,210 respondents)	Sports Facilities	65%
	Swimming	13%
	Other facilities/activities include the sauna/steam.	

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Spenn Valley Leisure Centre (3,771 respondents)	Swimming	62%
	Gym	42%
	Fitness Classes (dry)	36%
	Other facilities/activities include health and wellbeing and OWLs (social) activities (for older people).	

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Stadium Health and Fitness Centre (2,876 respondents)	Swimming	60%
	Gym	43%
	Fitness Classes (dry)	29%
	Other facilities/activities include the sauna/steam/spa.	

KAL Leisure Centre	Most Frequently Used Facilities	% Responses
Scissett Baths and Fitness Centre (2,121 respondents)	Swimming	64%
	Gym	36%
	Fitness Classes (dry)	30%
	Other facilities/activities include aqua-med (for injuries) and events.	

Use of the leisure centres for competitions and/or training by a range of sports/activity clubs was also frequently mentioned by respondents. These included:

- Football, netball, running, triathlon, athletics, swimming, water polo, canoeing, kayaking, trampolining, and majorettes.

Some respondents also outlined use of KAL leisure centres to attend events, parties, and holiday clubs (for children and young people).

When asked, 8% of respondents said they use other leisure/fitness centres across Kirklees. A wide range of venues/locations were identified including:

- Other KAL sites not included in this consultation (e.g., University of Huddersfield)
- Private gyms (e.g., JD Gym, Everlast Gym, Tru Gym and various hotel gyms)
- Activity specific centres (e.g., tennis, cricket, squash clubs/centres)
- A wide range of local community venues (including churches, community centres, schools, fields)
- Home-based online classes.

A list of these can be found in Appendix D.

Almost two-fifths (38%) of respondents said they also participate in sport/leisure activities outside of KAL leisure centres. Recreational walking, running and sports related activity were the most frequently mentioned.

Table 2.2: What activities do you take part in that take place outside of KAL leisure centres?

Activity	% Responses
Recreational walking	51%
Running	30%
Sports related activity (football, tennis, netball, dancing, gymnastics etc)	29%
Cycling/biking	23%
Yoga, Pilates, meditation	19%
Fitness activities (climbing, bouldering, parkour etc)	13%

*Total respondents 6,676*

Other leisure activities that respondents participate in outside of KAL centres include:

- Other fitness activities (e.g. aerial hoop, pole classes, aerobics, Zumba, aqua fit, bootcamp, kickboxing etc).
- Other sports activities (e.g. archery, axe throwing, bowls/boules/pétanque, fencing, ice hockey, ice skating, skiing, shooting, wrestling etc).
- Martial arts (aikido, karate, Brazilian ju-jitsu, tai chi, taekwondo etc).
- Water-based activities (open water swimming/diving, underwater hockey, water polo, diving, paddleboarding, kayaking, canoeing, sailing, windsurfing, dragon-boating etc).
- Fishing, angling
- Horse riding
- Caving
- Geocaching/orienteering
- Skydiving
- Motorcycling.

## 2.3 Views on Proposed Changes to Leisure Centre Provision

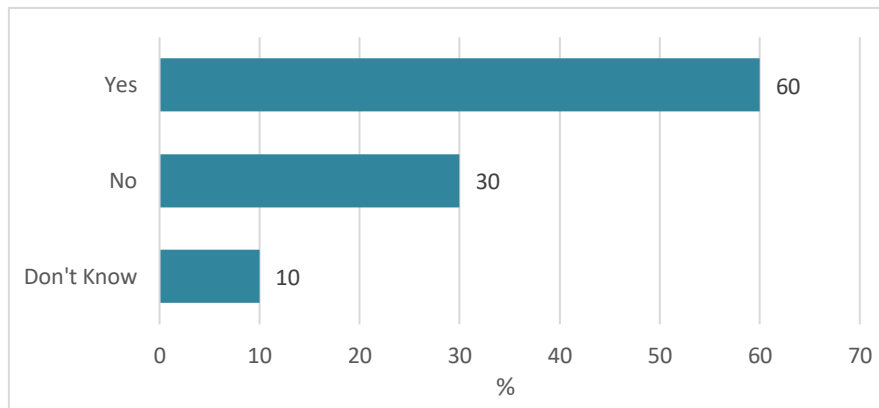
The information booklet that accompanied the consultation outlined the proposed changes to leisure centre provision in Kirklees. 95% of respondents had read the information prior to participating in the consultation.

### 2.3.1 Core Offer Proposal

The core offer proposal identified two leisure centres that would remain open, due to them being modern buildings with a comprehensive current offer and requiring limited capital investment compared to other centres. These centres were Huddersfield Leisure Centre and Spen Valley Leisure Centre.

60% of respondents agreed with this core offer proposal.

Figure 2.2: Do you agree with the Core Offer Proposal?



Total respondents 17,638

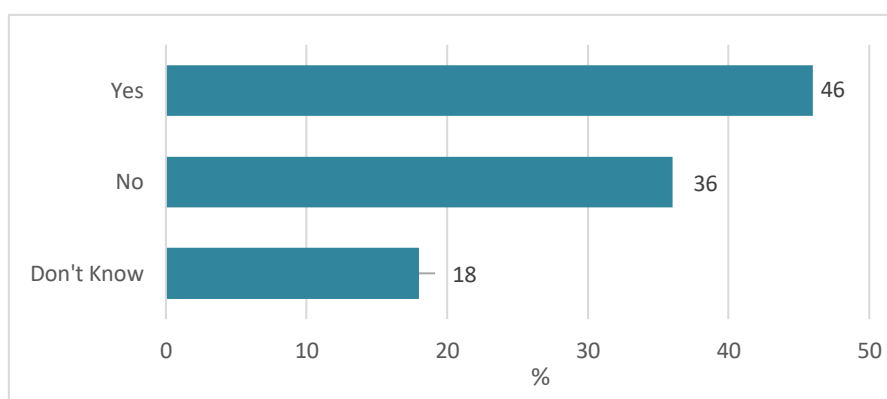
### 2.3.2 Marginal Sites Proposal

The marginal sites proposal identified leisure centres that would remain under continual review. These would stay open but have the potential to close within a short timescale should financial or operational circumstances change. These centres included Bradley Park Golf Club, Deighton Sports Arena, Holmfirth Pool and Fitness Centre, Leeds Road Sports Complex and Scissett Baths and Fitness Centre.

The start of the consultation also coincided with KAL legally withdrawing from the Huddersfield Stadium Health & Fitness Club. Therefore this centre will remain closed whilst the council explores options for the future of the centre, including working to identify an alternative operator.

46% of respondents agreed with the marginal sites proposal.

Figure 2.3: Do you agree with the Marginal Sites Proposal?

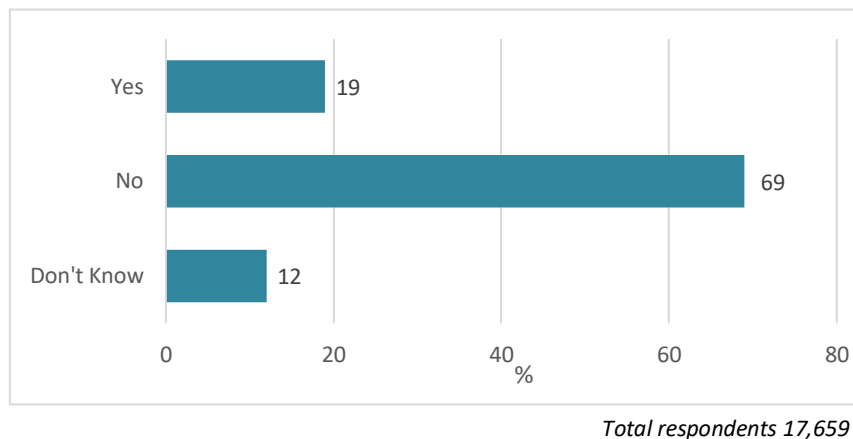


Total respondents 17,581

### 2.3.3 Potential Closures Proposal

The potential closures proposal identified centres that would be closed. These centres were Batley Sports and Tennis Centre, Colne Valley Leisure Centre, and Dewsbury Sports Centre. 19% agreed with the potential closures proposal; 69% disagreed.

Figure 2.4: Do you agree with the Potential Closures Proposal?



### 2.3.4 Potential Impacts of the Proposals

Respondents were asked whether they felt there would be any potential impacts of the Marginal Sites and Closure Proposals on themselves and/or their family. Just under half (48%) felt the Marginal Offer Proposal would have an impact on them/their family and two-thirds (60%) felt the Closure Proposal would have an impact.

8,933 comments were received from respondents in relation to potential impacts of the Marginal Sites Proposal and 9,979 comments were received in relation to the Closure Proposal. Qualitative thematic analysis was undertaken using coding frameworks to analyse these comments and the key themes are summarised below.

- *Reduced access to leisure activities/provision*

Respondents felt there would be significant increases in demand for activities and classes at the two remaining sites, given these would be serving the entire Kirklees population, and felt it would be difficult to access activities on a regular basis.

Swimming/pool-based classes in particular were mentioned. It was outlined that there are already lengthy waiting lists for swimming lessons, and it was felt that the closure of pools would exacerbate this. The impact of this would likely be that school swimming lessons would also reduce and the number of children unable to swim would increase (consequently impacting on children's water confidence, safety and life skills). Many commented that private swimming lessons were unaffordable for all.



Respondents also commented that some sports (such as tennis and golf), groups and clubs (including Get Active OWLs for people aged 50 and over, and organised competitive sports) and child-oriented facilities (such as TagX and Stompers soft play) are not available at other centres and so participation in these activities would cease altogether.

Respondents expressed that the already limited provision of classes, activities and facilities would particularly affect older people, and children and young people. It was commented that young people may not be able to travel to further away centres, reducing independence and the availability of 'safe' activities for them to participate in.

It was felt that reduced access to leisure activities/provision would also lead to:

- *A decline in physical and/or mental health and wellbeing*

Many respondents felt that their physical health (including recovery from injury, health conditions such as asthma, coronary obstructive pulmonary disease and long-covid, achieving or maintaining a healthy weight and physical disabilities), would decrease or worsen as a result of the proposals. Others also cited a decrease in fitness and reduced mobility due to reductions in the amount of physical activity they would be able to participate in.

Respondents also described how they access leisure provision to support their mental health and general wellbeing, and that a decline in participation would also result in a decline in these. Comments were made in relation to social connectedness, self-esteem, and confidence, and by individuals with a disability, older people and those with previous/current poor mental health.

Some individuals also highlighted previous experiences of depression and suicide and described how participation in activities via their local leisure centres had supported them to remain well. There was a fear of poor mental health returning should centres close.

- *Increased demand on health, social care and other public services*

Concern was also raised about the subsequent longer-term demand and burden on already stretched local health and social care services including GP and NHS services, resulting from potential declines in health and wellbeing of local people as a result of the proposals (in particular relating to overweight/obesity, diabetes and reduced mobility).

This concern extended to the financial implications of managing increased demand for health services, including those provided by Kirklees Council, as well as the financial impact on individuals – some commented that it is cheaper to go to the gym than pay for prescriptions/medication.

Comments were also made about potential increases in crime and anti-social behaviour as a wider impact of the proposals.

- *Loss of services within (deprived) communities*

Respondents felt there would be significant impacts on local communities. They particularly noted that there would be a further reduction in local facilities in some areas despite those residents paying the same in taxes as other people in less deprived areas of Kirklees.

Many also expressed that the proposals would reduce access to services for those most in need, particularly impacting those who are unable to afford to travel to alternative sites using public or private transportation. Some respondents felt that the proposals would result in a loss of community connectedness and would create or exacerbate health inequalities and reduce footfall and spending in deprived areas.

Respondents further felt that reduced access to leisure activities/provision would lead to reduced participation in physical/leisure activity due to:

- *Difficulties with travel/transport and time available for additional travel*

The increased distance, traffic congestion, indirect, infrequent and inconvenient public transport options, limited private transport options (e.g., car ownership) and difficulties with parking availability meant they wouldn't always be able to access classes/activities due to incompatible timings.

Many also felt that the proposals would increase travel time to access remaining centres, reducing the amount of time they had available to participate in physical/leisure activity. In some cases it was identified that the time available (e.g. between finishing work and feeding/putting to bed young children) was not enough to accommodate additional travel plus participation in leisure activities.

Some respondents stated that they would cease all participation in leisure/physical activity if their local centre was to close.

- *Increased costs*

Respondents described the how the proposals would impact on them financially, including increased costs of travel (fuel, parking, public transport), activities/leisure provision at alternative sites (particularly private sites) and of memberships (perceived as being likely to increase to offset identified deficits and due to increased demand/oversubscription). Some respondents said they may be unable to afford the additional expenses to access alternative provision.

Respondents also mentioned:

- *Environmental impacts* - Relating to impacts of increased emissions and pollution from increased journeys/travel to alternative leisure provision.
- *Employment impacts* – Relating to concerns raised regarding existing staff and potential job losses/redundancies at Marginal and Closure Sites.

### 2.3.5 Potential Barriers to Accessing Alternative Leisure Provision/Activities

Respondents were also asked whether they felt there would be any potential barriers to accessing leisure provision as a result of the Marginal Sites and Closure Proposals. Just over two-fifths (43%) of respondents felt there would be barriers as a result of the Marginal Offer Proposal, and almost three-fifths (56%) felt there would be barriers as a result of the Closures Proposal.

8,129 comments were received from respondents in relation to potential impacts of the Marginal Sites Proposal and 11,903 comments were received in relation to the Closure Proposal. Qualitative thematic analysis was undertaken using coding frameworks to analyse these comments and the key themes are summarised below. These themes reflect those also identified in the impacts section above.

- Travel/Transport

Respondents again described not (always) having access to private transport (e.g., car ownership) to be able to travel to leisure facilities further away, along with the inconvenience and safety factors of needing to travel longer journeys with babies and young children.

Many further highlighted difficulties with public transport, including indirect, infrequent and/or inconvenient times of transport, and that these don't always align with class/activity times at alternative leisure sites, particularly when also incorporating an increase in travel time for the extra distance. Traffic congestion, particularly at peak times was also identified as a barrier.

Some respondents also outlined how young people travel to local leisure centres alone, and that this may no longer be possible with centres which are further away from their local site (impacting on participation in physical/leisure activity, subsequent health and fitness and the development of independence as a life skill).

Accessibility difficulties for those with a disability and/or long-term health condition was particularly highlighted.

A number of respondents again identified that these issues would reduce their ability and/or desire to continue participating in leisure activity regularly or at all.

- Reduced availability of classes/activities

Due to a perceived increase in demand for classes and activities at fewer leisure centres, respondents felt there would be barriers to continued access of classes, activities, and swimming/swimming lessons, and that this would likely limit how often they could participate in physical/leisure activity.

- Lack of Alternative Provision

Respondents again described a lack of alternative nearby provision for some activities, including TagX, Stompers and/or some sports facilities such as golf, tennis and the running track, and activities such as water polo.

- Financial

As previously outlined (as a potential impact of the proposals), the increased costs associated with accessing alternative leisure provision (e.g. private sites) was also identified as a barrier to continued participation.

### 2.3.6 Suggestions for Reducing the Deficit and Attracting Investment Needed

Respondents were asked to share their thoughts and views about options for reducing the identified deficit in leisure centre funding and attracting the investment needed to continue existing provision. 7,510 comments were received. Qualitative thematic analysis was undertaken using coding frameworks to analyse these comments and the key themes are summarised below.

Suggestions for reducing the deficit included:

- Improving operational/financial management

Many respondents felt strongly that better management and financial/budget planning would enable the sites to be operated in a financially viable and sustainable way (e.g. similar to how private leisure facilities are operated and managed). A range of suggestions were made as to how this could happen including bringing back the leisure centres under Council control, collaborations with external financial advisors/business management organisations and partnerships with commercial/private operators.

- Reviewing efficiency of operations (e.g., reduced staffing, improved energy efficiency).

Respondents outlined a variety of efficiencies that could potentially contribute towards reducing the budget deficit, including reducing staffing and senior management (including high management salaries) and using volunteers from the local community to support/facilitate activities.

Some respondents also felt that reducing operational costs through better energy efficiency (reducing use of heat, lighting etc.) and investment in sustainable energy (such as solar panels or wind power) would be beneficial. There were examples given of how swimming pool heating costs could potentially be offset using residual heat from local data centres or other buildings and/or by lowering pool temperatures.

Reducing opening times to maximise usage and cut running costs was also suggested – though some respondents also felt extending/having more flexible opening hours (e.g., longer mid-week hours, opening on weekends) could also help to increase usage and increase income generation.

Reducing maintenance costs was also suggested, as well as investing in better technology (e.g. membership app) and updating gym equipment to attract more users.

- Maximising Usage

Reducing the deficit by increasing provision and rental opportunities and maximising usage was suggested.

This included increasing the availability of classes and activities (e.g. swimming lessons and popular fitness classes), expanding existing provision (e.g., female only sessions, new sports leagues, and activities such as pickleball, padel and virtual classes) and providing creche/ childcare facilities. It was also felt that increasing existing provision for young people (e.g., holiday clubs, teen gym sessions) would be particularly beneficial in generating further income.

Suggestions for increasing rental opportunities included expanding the hire of facilities to community groups, sports clubs, and personal trainers, and the pool/facility hire to private parties, and holding events such as fun days, open days, sporting competitions, and functions such as fayres, fetes, and festivals.

There were also some comments around developing the leisure centres into ‘community hubs’, and incorporating amenities such as libraries, pharmacies, health services, retail and coffee shops.

- Partial closure (e.g., closing pools and keeping ‘dry’ activities).

Some respondents felt that partial closure of leisure centres may also help to reduce costs. Ceasing or reducing high-cost provision, such as swimming pools, whilst retaining ‘dry’ activities was suggested. However, there were opposing comments that identified strong support for swimming pools to remain open, in particular so that children can continue to develop life skills via swimming lessons, that those with a disability, long-term health condition and/or injury can continue with pool-based exercises to ease pain/symptoms and improve recovery, and to improve general physical and mental health and wellbeing.

- Advertising/Marketing

A number of respondents suggested that promotional/marketing activity would also be beneficial in raising awareness of existing provision to encourage and increase usage, particularly amongst groups such as teenagers and Black and Minority Ethnic groups.

In terms of attracting the investment needed to continue existing provision, respondents suggested:

- Increasing costs (of memberships, activities, parking) - though a number of respondents felt any increases should be reflective of household income, and there were opposing comments that stated that reducing costs (of memberships, activities, parking) would attract more members. Reviewing the range of membership options/types on offer was suggested as a way of being more flexible and attracting new members and income.
- Reviewing and re-directing wider Council spend - including reviewing Council staffing and salary levels, reducing expenditure (e.g. on 'non-essentials' such as street furniture/structures/decorations), re-distributing other funding received by (different parts of) the Council, selling assets (such as disused buildings) and the use of Council Tax was also suggested to support investment into the leisure centres.
- Exploring private investment options, such as corporate sponsorship or partnerships with local businesses, sports clubs and individual donors.
- Applying for funding from community, charity and sporting organisations, and from Central Government and local and national health services (NHS). Some respondents also felt there should be stronger lobbying and pressure on central government and energy/environmental suppliers to increase funding and support.
- Fundraising/crowdfunding within the community to help continue current leisure provision.
- Exploring community ownership and/or cooperative partnerships.
- Other partnerships, including the Combined Authority and the education sector (universities, schools, colleges) to access school sports premium investment and education grants).

A number of respondents also felt that exploring options for combined service provision at leisure centres (e.g., the hosting of libraries, pharmacies, post office, shops, food, and beverage operatives) may also attract investment and generate further income.

### 2.3.7 Other Comments about the Proposals

7,967 general comments were made in relation to the proposals. These again reflected the impacts and barriers already outlined, as well as the suggestions for reducing the deficit and attracting investment.

However other comments described the essential role leisure centres play in the daily lives of respondents, and strongly highlighted significant desire for all centres to remain open.

Whilst there was some support for the proposals, with respondents commenting that they made sense due to the financial investment needed to continue provision, and agreeing that

having some, central, provision was better than not having any, there was a preference for additional local centres to remain open (for example *either* Dewsbury or Batley closed not both). Many respondents advocated strongly for their local site to remain open.

Respondents also felt that that keeping just two leisure centres open (the Core Proposal) to accommodate all Kirklees residents was inadequate. Some commented that the proposals were unfair and not inclusive; particularly for more vulnerable people, those living in rural, deprived and/or areas within South Kirklees, and those living in low-income households.

Previous investment in the centres marked for potential closure was highlighted, in terms of this being a waste of resource. However the investment in the centres proposed to remain open was also acknowledged.

There were some comments that the supporting information provided was not detailed enough; other comments stated that the proposals were focused on the short-term and did not consider longer-term or wider impacts.

### 3 Responses from Engagement Sessions

Three engagement sessions were held with representatives from Black and Minority Ethnic (BAME) communities, those with a disability and/or long-term health condition, and those with a caring responsibility (adults and/or children). 23 individuals participated in the sessions.

Discussions were semi-structured, focused on the key questions in the consultation survey whilst also enabling free conversation. Key themes arising from the discussions were identified via qualitative thematic analysis and are outlined below.

#### 3.1 Responses from Black and Minority Ethnic (BAME) representatives

Participants reflected on leisure centres acting as 'cultural hubs' enabling diverse groups to all come together as a community. The centres were described as places of comfort where language barriers aren't an issue and older people are socially connected. Local centres were described as "*A multicultural place that you can go to, and you can unwind from the stresses of life*".

Participants also described how there has been a generational shift with younger Asian women getting involved in sport, health, and fitness and that the proposals could have a significant impact on this. It was felt that BAME groups (particularly in Dewsbury and Batley) would be most impacted by the leisure centre proposals.

Further concerns related to classes and activities being overcrowded/oversubscribed, and that reduced availability of centres and swimming lessons (at fewer centres) would impact on children's ability to learn to swim. The costs of alternative provision (e.g. private lessons) were identified as being too high for everyone to afford.

Travel/time was also identified as a barrier to accessing alternative leisure activity/provision.

Participants commented that they would likely cease participation in leisure activity as a result of the proposals, which would affect them both mentally and physically. Concerns about subsequent impact on health (NHS) services were also identified.

Suggestions for reducing the deficit and attracting the investment needed to keep leisure centres open included:

- Increasing women-only sessions for Muslim women.
- Private swimming lessons for adults.
- Reduced opening hours.



### 3.2 Responses from Carers

Carers reflected on the importance of access to physical activity, particularly for those with learning disabilities. It was felt the proposals could have a negative impact on their health, as well as the health of their carers.

It was also noted that organisations that support those with a disability (such as Waves Day Provision) use the leisure centres and would also be affected by the proposals.

Potential difficulties with public transport were identified as a barrier to accessing alternative leisure provision, particularly for those with mobility issues. It was suggested that consideration of transport links to other sites and Blue Badge parking availability was needed in decision-making about potential closures. Some carers commented that if local centres closed people wouldn't make the effort to travel to other sites.

Some suggestions were made around reducing the deficit and attracting the income needed to keep the leisure centres open and running as they are now. These included:

- Continuing 'dry' activities (e.g. fitness classes and the gym).
- Increasing the provision of 'dry' classes/activities – particularly amongst the over 50's where there is a need to increase/maintain physical activity.

It was also commented there could be a role for community groups to get involved in raising awareness of activities/classes provided in other venues, for example local community centres, if local leisure centres were to close.

### 3.3 Responses from Individuals with a Disability and/or Long-term Health Condition

Participants described the benefits of participating in local pool-based classes to help with their physical health and mobility and to ease pain/symptoms relating to health conditions.

They also highlighted the use of local pools by schools for children's swimming lessons, the importance of this continuing and the impact on learning/curriculum time if travel to sites further away was required.

Participants also felt that social connectedness with other local citizens with additional needs was key for mental health and wellbeing, particularly for children and young people. It was felt that children would participate less in physical activity/leisure if their local centre closed.

Identified impacts of the proposals related to overcrowding due to increased demand for classes, activities and parking at fewer sites, and difficulties with travelling further (including traffic congestion and pain from health conditions caused by long journeys)

Suggestions for reducing the deficit and attracting the investment needed to keep leisure centres open related to increasing membership costs.

## 4 Direct Correspondence from Stakeholders

Table 4.1 below summarises feedback received from key stakeholders in relation to the leisure centre proposals.

Table 4.1: Direct Correspondence from Stakeholders

Organisation	Summary of Correspondence
Swim England	<p>Expressed concerns at ‘core offer’ and potential closures of swimming pools across Kirklees. Also provided key statistics in relation to swimming in Kirklees which included the following:</p> <p><i>“Of the 309 local authorities in England with responsibility for provision of swimming pools, only 23 have a larger shortage of water than Kirklees. The closure of additional facilities across the area will almost certainly exacerbate these inequalities, making it harder for people to take part in aquatic activities and increasing the number of children leaving Kirklees schools without this potentially life-saving skill”.</i></p> <p><i>“Swim England’s recent Value of Swimming report identified that across the Kirklees local authority area alone, swimming generates over £16.5 million of social value each year. This includes £2 million through improved physical and mental health, and £10 million in improved wellbeing.”</i></p>
Sport England	Offered an opportunity for a discussion to investigate if there is any wider support that Sport England can provide as KAL and Kirklees Council consider the future leisure centre offer.
UK active	The trade body for the physical activity sector states that KAL is a highly valued member and that now is the time when there should be investment in <i>“...preventative measures, embracing true partnership between health and physical activity sectors to save more money.”</i>
Yorkshire Sport Foundation	Expressed their offer of support to Kirklees Council and reiterated that they have worked with the Council for over 20 years and have become increasingly aware that the strategic leadership for physical activity and sport within the Council has both reduced and become dispersed. This has resulted in a reduced capacity to bring in external resources and reduced time spent on long term visioning and planning. Further cemented their support in planning and decision making, especially in relation to using facility planning tools.
Yorkshire Tennis Limited	Letter of support to register appetite to support discussions on retaining the valued indoor courts at Batley Sports and Tennis Centre. Yorkshire Tennis Limited is keen to work with Kirklees Council to assess how they could contribute to Batley Sports and Tennis Centre to maintain provision.
Kirklees Active Schools	Stressed the importance of the leisure centres to supporting schools to achieve aspects of the National Curriculum in relation to swimming.

Organisation	Summary of Correspondence
Third Sector Leaders (TSL) Kirklees	Representing the views of their members working in the health and wellbeing field who are concerned that closure of leisure centres will impact on the delivery of their activities. They feel that the closures leading to short term savings will be at the cost of health and wellbeing in the district.
University of Huddersfield	Stated that the university has a partnership with KAL who support their students and staff to be physically active across the borough but also partner in various academic areas with KAL providing opportunities for applied practice, placements and research. Expressed concern that the reduction in provision will lead to increases to costs to other cost centres in the public realm such as health and crime prevention.
Batley and Birstall Excellence in Schools Together	<p>Collectively voicing their strong opposition to the closure of Batley Sports &amp; Tennis Centre. Their schools have been inundated with concerns raised by worried parents regarding the fate of the centre, as many of their children and families use it for sport and leisure activities.</p> <p>Pledge of commitment to support the long-term viability of Batley Sports and Tennis Centre through a variety of means which includes working closely with KAL, all schools and their network of 21 schools and 8,000 households.</p>
West Riding County Football Association Ltd.	Expressed concerns at the potential closure of BSTC and wished to start dialogue into the long-term future of the site. Reinforced their previous investment of £508,987 investment made by the Football Foundation into the site towards new changing rooms, improvement of grass pitches and 3G artificial pitch, demonstrating the importance of the facility.
Batley Multi-Academy Trust	<p>Expressed concerns at the potential closure of Batley Sports and Tennis Centre (BTSC). Batley Girls' High School use this site in the provision of their PE curriculum and extracurricular activities, as well as being an important community asset for their communities.</p> <p>If they were unable to deliver the PE curriculum from Batley Sports and Tennis Centre, then 1,300 girls would be affected. The extra costs of having to hire facilities, transport and the additional staff needed would exceed £117,000 per annum.</p> <p>A further practical consideration is the fact that utility supplies come from Batley Sports and Tennis Centre building – all utilities are not separated.</p>

Organisation	Summary of Correspondence
Howden Clough FC – Petition	<p>Howden Clough JFC alone has over 300 children using its facilities per week not to mention the other sporting clubs which include Yorkshire Elite, White Rose and Farsley Celtic. Local schools also use the site as well as the North Kirklees Schools Sports Partnership which delivers physical education to children using these facilities.</p> <p>The purpose of the petition was to tell KAL and Kirklees Council that the people of Birstall, Batley and beyond will not let a huge part of the community go without trying their hardest to save it.</p>
President, on behalf of committee and members of Bradley Park Golf Club	<p>Submission of comments in support of keeping the golf course open for both the short and long term.</p> <p>Acknowledgment that their positive financial situation should continue in the future as the number of current annual users is maintained or even increased.</p>

## 5 Considerations

### Consultation Responses

The number of responses to the consultation was exceptional, highlighting the strength of feeling within communities about KAL leisure centres and the role they play.

However it is important to note that whilst there was a significant response rate to the consultation, this was not (designed to be) a representative sample of the Kirklees population and therefore responses may not accurately reflect the views of all/under-represented groups.

### Proposals

Whilst there was some agreement in relation to the proposals in light of the current financial situation and the investment needed to continue provision at all sites, and that having some, central, provision was better than not having any, there were also strong feeling that keeping just two leisure centres open (the core proposal) to accommodate all Kirklees residents was inadequate.

Whilst the preference would be not to close any leisure centres (and invest in all centres equally), some respondents indicated that they would prefer if some local sites remained open (for example close *either* Dewsbury or Batley but not both). Many respondents advocated strongly for their local site to remain open.

### Wider Impact

The importance of leisure centres as 'cultural and social hubs' was emphasised. Respondents felt local centres helped break down language barriers, support participation in physical activity amongst different generations and cultures and build social connectedness, particularly amongst older people.

Many respondents also highlighted the need for a more holistic view of leisure provision in Kirklees, in that any reductions in leisure provision could potentially have longer-term consequences on individual health and wellbeing, health inequalities and result in a subsequent increase in demand for health and social care services.

It was also felt that the needs of local people should be an equally weighted factor alongside finances during decision-making about leisure provision. Some respondents felt that the Council also has a duty of care to continue adequate leisure provision for all.

### Conclusion

It is recommended that the Council reflects on these consultation findings and comments, letters, deputations, petitions, and other correspondence received, as part of the decision-making process about the future of the leisure centres.

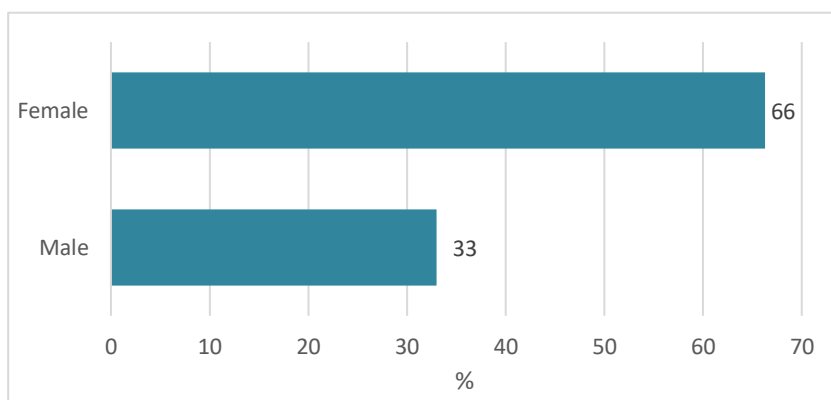
## Appendix A Respondent Demographics (Consultation Survey)

The following outlines information about survey respondents in relation to the protected characteristics laid out in the Equality Act 2010, plus four additional social characteristics identified by Kirklees Council.

*Where percentages are less than 10%, results are not reported to protect anonymity.*

The majority of respondents were female.

Figure B1: How would you describe your gender?

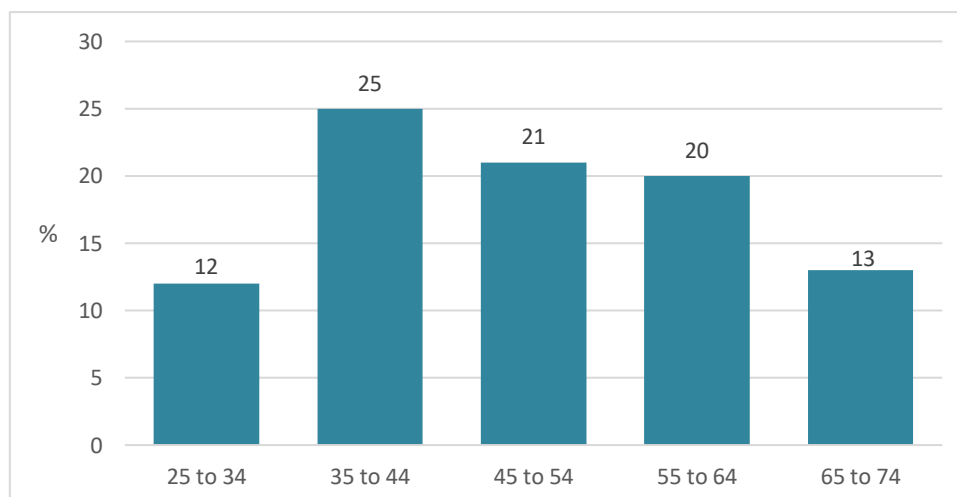


Total respondents 17,180

99% identified their gender as being the same as registered at birth.

Most responses were received from those in the 35 to 44, 45 to 54 and 55 to 64 age groups.

Figure B2: To which age group do you belong?



Total respondents 17,598

The majority of respondents are currently working full time or part time. A fifth (20%) are retired.

Table B1: Are you currently...?

Are you currently...?	% Respondents
Working full time (30 hours per week or more)	51%
Wholly retired from work	20%
Working part time (under 30 hours per week)	15%
On an apprenticeship or training scheme	Less than 10%
Doing any other kind of paid work	Less than 10%
Self-employed or freelance	Less than 10%
Working paid/unpaid for your own/family's business	Less than 10%
Temporarily laid off	Less than 10%
Unemployed and available for work	Less than 10%
On parental leave (maternity/paternity)	Less than 10%
In full time education (school/college/university)	Less than 10%
Long-term sick or disabled	Less than 10%
Military	Less than 10%
Doing something else	Less than 10%

Total respondents 17,152

Less than 10% of respondents identified as being a former member of the armed forces.

Respondent's total annual household income is shown below.

Table B2: Respondents Total Annual Household Income

Total Annual Household Income	% Respondents
Below £10,000	Less than 10%
£10,001 to £20,000	14%
£20,001 to £30,000	18%
£30,001 to £40,000	15%
£40,001 to £50,000	13%
£50,001 to £60,000	11%
£60,001 to £70,000	Less than 10%
Above £70,001	18%

Total respondents 15,241

The majority of respondents (86%) identified their ethnic group as White British (*total respondents 16,528*).

Almost half (48%) identified their religion as Christian (including Church of England, Catholic, Protestant and all other Christian denominations). 42% identified as having no religion (*total respondents 15,364*).

94% of respondents identified their sexual orientation as heterosexual/straight (*total respondents 15,239*).

A fifth (22%) consider themselves to have a disability and/or long-term health condition (*total respondents 16,372*), including:

- A condition that substantially limits physical activity such as walking, climbing stairs, lifting or carrying (40%).
- A long-standing illness such as Cancer or HIV (23%).
- A long-standing psychological or mental health condition (21%).

45% of respondents have caring responsibilities (*total respondents 16,593*). Of these:

- Three quarters (73%) care for a child(ren) under the age of 18.
- 13% are a secondary carer.



## Appendix B Voluntary, Community and Social Clubs and Organisations Represented by Respondents

1st Upper Dearne Valley Navigators
7th Batley Masham Explorer Scouts
A swim club
Abacus Day Service
Air Cadets
Andy's Man Club
Ansaar Organisation
Air Training Corps
Badminton Club/Group
Barnardos
Batley Girls Rounders Club
Batley 3rd Age
Batley Tennis Club
Batley Ninjas Rounders Club.
Batley Owls for Life
Batley Sports Centre
Batley Underwater Hockey
Beacon Rangers Junior Football Club
Birkenshaw Bells Netball club
Birstall RunFIT
Birstall Youth Club
BOK Artistic Swimming
Bok Disability Swimming Squad
Bradley Park Golf Club
Bridgewood Trust
British Octopush Association
British Sub-Aqua Club - Huddersfield Branch (BSAC 18)
Chance to Shine (cricket)
Cleckheaton Lawn Tennis Club
Cleckheaton Union Rugby Club
Colne Valley Amateur Swimming Club
Colne Valley Cycle Therapy CIC
Colne Valley Help
Colne Valley OWLS
Community Plus
Crocks and Codgers
Crowlees Junior and Infant School
CVLS
Dewsbury Moor Rugby Club

Deighton Basketball
Deighton Into Sports Project
Dewsbury Amateur Swimming Club
Dewsbury Road Runners Running Club
Diamond Wood Academy
Deighton Juniors Football Club
Drighlington Rugby Club
Earlsheaton Starlites
England Netball
European Scout Federation
Genies Netball Team
Girl Guiding
GKR Karate
Golcar Junior, Infant and Nursery School
Golcar United Community
Gomersal and Cleckheaton Junior Football Club
GoodGym
Grange Moor Football Team
Headway Huddersfield
Heywood Irish Centre Football Club
Holme Valley Basketball
Holme Valley Scouts
Holmbridge Football Club
Holmfirth Harriers Athletics Club
Holmfirth Hotshots Netball
Holmfirth Town Junior Football Club
Howden Clough Football Club
Huddersfield British Sub Aqua Club
Huddersfield Giants Junior Netball Club
Huddersfield Netball League
Huddersfield Otters Water Polo Club
Huddersfield Town Foundation
Huddersfield Triathlon Club
KC Fitness
Kirklees Disabled Sports Club
Kelly's Heroes Netball Club
Kenmore Nursing Home
Kirkheaton Netball Club
Kirklees Artistic Swimming (formerly Kirklees Synchronettes)
Kirklees Youth Alliance/Uniform Exchange
Laund Hill Football Club
Lepton Highlanders

Littletown Juniors Football Club
Locala Kirklees
Longwood Harriers Athletic Club
Marsden Netball Club
MASC Karate Group
MEDO
Mirfield Juniors Football Club
Mirfield Netball Club
Morley Town Football Club
Morley Triathlon Club
Mount Pleasant Football and Social Club
Norrithorpe Football Club
North Huddersfield Football Club
North Kirklees Insight team (early intervention in psychosis group)
North Kirklees School Sports Partnership and School Games
North Kirklees Special Gymnastics
Outlookers
OWLs
Park Run
Pennine Canoe and Rowing Club
Ripponden Park Bowling Club
Support 2 Recovery
Scissett Youth Amateur swimming club
Scout Association
Shawcross rugby club
Shipleigh Swifts Netball club
Smart Academy
Soothill Community Association
Spensborough and District Athletics Club
Spensborough Swimming Club
Square Pegs
St Anne's Community Services
St Joseph's Catholic Primary Academy
St Paulinus Primary
Stadium Runners Club
Staincliffe Junior School
Street Bikes
Tandem Trekkers
The Valleys
Third Sector Leaders
Thongsbridge Cricket Club
Town Flyers Trampoline Club

University of Huddersfield
Upper Dearne Valley Navigators
Urban Angels
Voluntary and Community
Wakefield Triathlon Club
West Yorkshire Netball/Junior Netball League
Whitcliffe Junior Netball Club
White Rose All Stars Junior Football Club
Whitehouse Centre GP Practice
Whitcliffe Warriors Netball Team
Windmill C of E Primary School
Wyke Bowling Club
Yorkshire Cricket Board
Yorkshire elite Football Academy
Yorkshire Junior Underwater Hockey Club
Yorkshire Sport Karate
Yorkshire Underwater Hockey

## Appendix C Other Stakeholder Organisations Represented by Respondents

Batley Girls High School
Batley Multi Academy Trust
Birdsedge First School
Boothroyd Primary Academy
British Canoeing
Cleckheaton Lawn Tennis Club
Council Wellness Service
Crossley Fields Junior and Infant school
Cummins Weekly Football Group
Cygnets Healthcare
Dale House School
Dalton Crown Green Bowling club
Deighton Into Sports Project
Earlsheaton and Mount Pleasant Medical centre
Elland Juniors Football Club
Emley First School
England Netball
Fieldhead Primary Academy
Gomersal Primary School
Healthwatch Kirklees
Holmfirth Badminton Club
Holroyd Bowling Club
Holy Spirit Catholic Primary, Heckmondwike
Honley Junior Infant and Nursery School
Hotshots Netball Club
Huddersfield and District Football League
Huddersfield BID
Huddersfield Veterans Bowling Association
Hyrstmount Junior School
Kirklees Active Leisure
Kirklees College Springfield and Pioneer Centres
Lawn Tennis Association (LTA)
Leaving Care Team
Lindley Bowling Club
Little Lanterns Homeschooling
Meltham Moor Primary School
Mid Yorkshire Hospitals NHS Trust/Cardiac Rehabilitation Service
NHS Sports Group Dewsbury
NHS/Connect Health Pain Services
NHS/GP

Parent and Baby Group Slawit
Ravenshall School
Rothwell Netball Team
Ryburn United Football Club
Scholes Primary School
Southwest Yorkshire Partnership Foundation NHS Trust
St John Fisher School Sport Partnership
West Yorkshire Combined Authority

## Appendix D Other Leisure Centres/Facilities used by Respondents

5Core
6Fit
Active bodies
Adam Thewlis Holmfirth
Aikido Ravensthorpe
Al Hikma Batley
Almondbury High School
Ambition Studios
AVL Fitness
Batley Bulldogs Football Pitch
Batley Bulldogs Gym
Big Box Leisure Club
Birkenshaw Bowling Club
Birstall Private gym and Private Trainer
Birstall Reach
Body Evolution
Bootcamp Huddersfield
Brighthouse Gym at Holiday Inn
Cedar Court Hotel
Christ the King Church
Civic Hall, Holmfirth
Civic Centre
Cockley Woods
Colne Valley High School
Connor Hall Fitness
Core Reform, Holmfirth
Crosland Heath Golf Club
CrossFit, Holmfirth
CrossFit, Iron Fort
Crouch Fitness
CVLC
Defiance Fit, Brighthouse
Denby Dale Pie Hall
Dewsbury District Golf Club
Dewsbury Police Station Gym
DW Fitness, Birstall
East Bierley Playing Fields
Ellams Mirfield
Empower Gym
Energised Personal Trainer
Everlast Gym - Birstall

Extreme Conditioning
Farrow School
Fartown High School
Faster Fitness
Fernside Pool
Fit 26
Fitness First
Flex Studio
Form Fitness Leeds
Free Klime
Goals
Gomersal Park Hotel
Gracie Barra Huddersfield
Greenhead Tennis Centre
GRIT Military Gym
Gym at Home
Gym Group, Wakefield
Hanging Heaton Golf Course
HD1 Fitness
HD3 Fitness
Health Club for Her, Batley
Health Shack, Almondbury
Heckmondwike Sports Club
Holiday Inn
Holmbridge Cricket Club
Holme Valley Black Belt Academy
Holmfirth Community centre
Holmfirth High School
Holmfirth Tennis Club
Honley High School
Honley Squash Club
Howden Clough Community Centre
Hub 26
Huddersfield Lawn Tennis & Squash Club
Huddersfield University
HX5 Crossfit
Inkerman House
Inspire Pilates
Ironside Gym
JD Gym, Batley
JD Gym, Huddersfield
JLF Fitness, Batley
Joe Ralph's Gym (Wakefield)



JRSC Gym Newsome
Kane academy
KBW
Kick off Dewsbury
Laund Hill Community Centre
Lifestyle Fitness
Live Breathe Pilates
Lockwood Park
Loft 12 - Thongsbridge
Longley Park Golf Course
Louise Wright Fitness
Lukes Lads
Mad Training at Batley
Maloneys Gym
Manor Park
Marsden Leisure Centre
Marsden Racers Running & Cycling Club
Marsden Tennis Club
Martial Arts Gym in Cleckheaton
Meltham Golf Club
MFG Sports Centre
Millroyd Milk
Mirfield Community Centre
Mirfield Free Grammar
Mirfield Tennis Club
MK Pilates
MP Fit Birstall
Muscle Pit, Dewsbury
NFG
Nivarana
NMA Marshall Arts
North Light Physio
Northern Fitness Gyms
Northfield Hall
Nuffield Leeds
Yoga Studios, Slaithwaite
Online private classes
Oragym, Holmfirth
Other Private Gym
Outside spaces
Panache Gymnastics
Pegasus and PPD studios
Penistone Grammar School

Pennine Academy of Dance
Pennine Gymnastics Centre, Honley
Pennine Sailing Club
Phoenix Squash and Fitness Club
Pilates People - Lockwood
Porter House Fitness
Private Pilates Studios
Private Pool
Private Yoga Studios
Prominence Pilates, Cleckheaton
Pure Gym
Rawthorpe Boxing Club, Milnsbridge
Reach Birstall
Realgroup X
Reform Gym, Lindley
Restorr
RG Strength
Root Pilates and Yoga
Roy Ellam's Gym - Mirfield
Salendine Nook Swimming Pool
Sanctus
Sass Wellbeing Studio, Marsden
Score, Waterloo
Shelley Village Hall
Sikh Leisure Centre
Simply Fit
Skelmanthorpe Community Centre
Skelmanthorpe Squash Club
Soccer City
Sovereign Fitness
Spennings Court Care Home
St John Fisher High school
Storthes Hall Gym
Street Soccer Batley
Strongher
SVLC
SWIM!
Swimnation
TCD/Jo Cox House Batley
The Bridge Shepley
The Elms Sport Hall, Milnsbridge
The Gym
The Hub

The Manor House, Birkenshaw
The Mill
The Muscle Pit, Dewsbury
The open countryside/reservoirs
The Unit Gym, Honley
The Village Gym
The Zone Huddersfield
Thongsbridge Tennis and Fitness Club
TLS Wellbeing
Tolson Museum
Top Bodies
Total Fitness
Trident Fitness, Morley
TruGym
U3A Ossett
Uppergate farm pool
Utopia
Vitality/Pilates at Home
Wendy Swim School
Willow Valley Golf Club
Woodland Glade, Bradley
Woodland Sports Centre, Bradley
YMCA at Milnsbridge
Yorkshire Kettle Bell Club
Your Vision Fitness

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

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**Report title: BUXTON HOUSE COMPULSORY PURCHASE ORDER**

<b>Meeting</b>	<b>Cabinet</b>
<b>Date</b>	<b>5 November 2024</b>
<b>Cabinet Member</b> (if applicable)	<b>Cllr Moses Crook</b>
<b>Key Decision Eligible for Call In</b>	<b>Yes Yes</b>

**Purpose of Report**  
**To authorise the making of compulsory purchase order (CPO) for the acquisition of interests in land that need to be within the Council’s control to enable the remodelling of Buxton House in accordance with planning consent number 2024/48/90109/W.**

**Recommendations**

Cabinet authorises:

1. the Council in the making of a CPO of the land shown coloured pink and edged red (“the Order Land”) on the plan contained at Appendix 3 under section 226(1)(a) of the Town and Country Planning Act 1990 for the reasons set out in the Statement of Reasons (Appendix 1) and because it thinks that:
  - the acquisition will facilitate the carrying out of the development, redevelopment, or improvement (including regeneration) on or in relation to the Order Land; and
  - the development, redevelopment or improvement is likely to contribute to the achievement of the economic, social or environmental well-being of the Council’s area.

Cabinet notes:

2. The purchase of the ALB headlease will engage section 203 of the Housing and Planning Act 2016 and allow the Council to override rights to facilitate the temporary closure of the Albion Street Car Park to provide a site compound and safe working space. Compensation may be payable under section 204 of the Housing and Planning Act 2016 to those whose rights are interfered with from the project budget.

Cabinet delegates authority to:

the Executive Director for Place in consultation with the Service Director – Legal, Governance and Commissioning to:

3. take all necessary steps to secure the making, confirmation and implementation of the CPO, including, making further amendments by way of finalising the draft Statement of Reason the publication and service of all relevant notices and the presentation of the Council’s case at any future local public inquiry;

4. take all necessary steps to resolve any compulsory purchase compensation claims, including, if necessary, by way of making (or responding to) a reference to the Upper Tribunal (Lands Chamber);
5. negotiate agreements to temporarily amend rights over the Albion Street Car Park
6. make payment of any compensation due under section 204 of the Housing and Planning Act 2016

the Service Director Legal Governance and Commissioning to:

7. finalise and enter into all appropriate contracts, deeds and documents required.

**Reasons for Recommendations**

8. Cabinet approved the remodelling of Buxton House in July 2021. The project will address critical fire safety issues and create accommodation that meets modern standards and future resident requirements. Subsequent due diligence identified that an element of site assembly would be required to support and de-risk the scheme to enable the remodelling project to proceed.
9. Cabinet approved the site assembly strategy for Buxton House in March 2024. It was agreed at the time that a further report would be brought to Cabinet if it became necessary to make a CPO. Although efforts to acquire the various interests are ongoing, the project is time sensitive and needs to progress to ensure that it can be completed within the allocated budget and new affordable housing re-provided as soon as possible. It is therefore necessary to make a CPO to ensure that any outstanding interests can be acquired within a timely manner.
10. Cabinet is recommended to authorise the making of the CPO and the preparation of the necessary notices in readiness for submission to the Minister for confirmation of the made CPO on the basis that there is a compelling case in the public interest to acquire the remaining interest compulsorily to allow the scheme to remodel Buxton House to proceed.

**Resource Implication**

- The acquisition of the land interests and the CPO costs will be funded from the £16m Buxton House budget approved by Cabinet on 27 July 2021.
- The project is being managed by existing resources within the Homes and Neighbourhoods Development Team.

**Date signed off by Executive Director & name**

David Shepherd  
Date 21 August 2024

**Is it also signed off by the Service Director for Finance?**

Kevin Mulvaney  
Date 24 October 2024

**Is it also signed off by the Service Director for Legal Governance and Commissioning?**

Samantha Lawton  
Date 24 October 2024



**Electoral wards affected:** Newsome

**Ward councillors consulted:** Yes

**Public or private:** Report and Appendices 1-3 are public. Appendix 4 is private.

**Has GDPR been considered?** Yes

## **1. Executive Summary**

- In July 2021, Cabinet approved a proposal to remodel Buxton House to improve the quality of the accommodation on offer and to improve fire safety within the building.
- Planning consent for the remodelling proposals was granted on 15 July 2024.
- The council owns the freehold of Buxton House, but it is subject to various leasehold interests, some of which need to be acquired for the Council to be able to implement the remodelling scheme and ensure that appropriate fire protection measures are implemented and maintained in those parts of the building directly below the residential tower block.
- In March 2024, Cabinet approved the proposal to acquire the necessary interests, including taking the preliminary steps needed for the Council to make a CPO for any interests which it is unable to acquire voluntarily.
- The Council has subsequently acquired all but one of the land interests necessary for the project to proceed. As the project is time sensitive and needs to progress, this report requests a CPO be made for the one remaining leasehold flat in Buxton House. The Statement of Reasons (SOR) in support of the CPO, Equality Impact Assessment, details of the interest to be acquired and the latest financial position on the scheme are attached at Appendices 1-4 respectively.
- This report gives brief details of the progress made on the project to date and seeks approval to request a CPO to enable the acquisition of the one remaining leasehold flat and to prepare the necessary notices in readiness for submission of the CPO to the Minister.

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

### **Background and scheme progress**

- 2.1 Buxton House is a high-rise residential block in Huddersfield town centre comprising 19 one-bedroom flats and 38 bedsits.
- 2.2 On 27 July 2021 Cabinet resolved to remodel Buxton House as part of a £57 million high-rise programme. This programme was instigated by fire safety concerns and requirements and requires vacant possession of the Buxton House Flats. Please refer to the earlier report for full details.
- 2.3 Since the last report to Cabinet in March 2024 the Council has acquired ALB (Kirklees) Limited's headlease interest in Buxton House, the commercial units below the tower and the first-floor car park. It now owns these interests Freehold. It has also acquired a further 3 long-leasehold interests. The Council's freehold remains subject to three leasehold interests one of which is a residential long leasehold interest within Buxton House which must be acquired to facilitate the project.
- 2.4 During the progression of the project, it has become clear that acquisition of a right over the car park, as previously reported in March 2024, would be insufficient to ensure that the Council could control access during the construction period. The Council has

therefore also acquired the first-floor car park.

- 2.5 Detailed planning consent for the proposed scheme was obtained on 15 July 2024.
- 2.6 The process of rehousing social tenants began in autumn 2023 and 33 of the 57 flats (58%) are now vacant.
- 2.7 A project team continues to manage the remodelling project. The team comprises officers from Homes & Neighbourhoods with support on specialist areas of work provided by Legal and Corporate Landlord. The Council has also appointed AHR as architect and project manager. The external professional team are revising the detailed designs and specification in the light of comments received during an internal consultation process with housing management, repairs and technical staff. At the same time, officers are working with AHR and the Council's Employer's Agent, Currie & Brown to produce a tender pack with a view to procuring the scheme in October 2024. Following the appointment of a successful contractor, the project team will work closely with them to develop the detailed design further, refine the contract price and make the necessary Gateway 2 submission to the Building Safety Regulator prior to construction being allowed to start.
- 2.8 Subject to securing vacant possession of all interests necessary to carry out the remodelling project, and the receipt of Gateway 2 approval from the Building Safety Regulator, the Council intends to start work on the new scheme in November 2025, with an anticipated 24-month contract period. This programme allows for the minimum time needed to acquire properties via a CPO – should objections to the CPO be received, the start on site date is likely to be delayed.

### **Compulsory Acquisitions**

- 2.9 The CPO request will cover the one leasehold flat in Buxton House that the Council has not yet acquired, and details are set out in Appendix 3. All other acquisitions necessary for the implementation of the project have been achieved voluntarily.
- 2.10 The Statement of Reasons (SOR) in support of the CPO is attached at Appendix 1 and sets out the Council's case for using compulsory purchase powers to acquire the remaining residential property. The statement has been prepared on the advice of the Council's external solicitors who have been appointed specifically for their expertise in the preparation of cases for CPOs.
- 2.11 No agreement to purchase has been made with the owner of the one leasehold property in the tower block as officers have received no response to their attempts to contact them. This property will need to be acquired through a CPO. Officers have submitted a best and final written offer to the property address setting out that the Council intends to pursue a CPO if the offer is not accepted. Officers will continue to attempt to make contact.
- 2.12 The case for the compulsory acquisition of this property is set out in the SOR.

### **Overriding of Rights**

- 2.13 The car park deck was acquired in October 2024 for the purposes of temporarily closing the car park so that it could be used as a site compound and the roadway to the east of

Buxton House will be obstructed by scaffolding for the duration of the project. This is necessary for the purposes of carrying out the works to Buxton House for which planning consent has been obtained. Had the Council needed to do so it could have acquired the car park deck compulsorily.

- 2.14 The car park is subject to various rights of access by the tenants of shops on New Street and their landlord ALB (Kirklees) Limited, who have the right to access entrances to their properties and to load and unload goods from the car park.
- 2.15 The acquisition of the lease relating to the car park deck and roadway to the east of Buxton House has the effect of engaging section 203 HPA 2016 and by taking steps to temporarily close the car park and roadway, the Council will be obliged to compensate those businesses affected by any interference with their rights of access to their premises.
- 2.16 No discussions have been held to date to voluntarily modify or suspend the rights sub-lessees have over the car park. A referencing agent has been instructed to identify the owners of all rights that are present and a package of measures to be offered to the sub-lessees to minimise the inconvenience is being considered. Negotiations will begin once the referencing information has been received.

### **Rehousing of Social Tenants**

- 2.17 The process of rehousing social tenants began in autumn 2023 and 33 of the 57 flats (58%) are now vacant. It is hoped that this process will be complete by January 2025. Tenants are currently Band 2 priority and are bidding for properties on Kirklees Council Choose 'n' Move and are being supported by Kirklees Homes and Neighbourhoods team with their moves. Tenants receive the statutory Home Loss payment, assistance with removals and a contribution to new flooring and window dressings for their new property.
- 2.18 Should any tenants decline to move, having received opportunities for acceptable alternative accommodation then the Council has powers to seek a court order for possession.

### **Feedback from Homes & Neighbourhoods Improvement Board (HNIB)**

- 2.19 An earlier draft of this report was presented to HNIB on 9 September. The Board queried whether, if the CPO should fail, is there a steer from Legal as to the percentage to that potentially happening. The Director advised it was highly unlikely this would happen as it had been through a very robust process therefore is a low risk. The Board endorsed the progression of the report to Cabinet.

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

### **3.1 Council Plan**

The proposal is in line with the priorities identified in the Council Plan as follows.

#### **Address our financial position in a fair and balanced way**

The budget for the scheme has been considered and was approved by Cabinet in July 2021. In addition, the proposal is expected to reduce the level of expenditure on repairs and maintenance to the building as well as offering lower running costs. Void losses will be minimised by improving the desirability and choice of accommodation on offer. Complying

with modern fire safety standards will also mean savings on the cost of the 24-hour waking watch. The two retail units acquired as going concerns will generate additional rental income.

Please refer to the private Appendix 4 for details of the current budget position. The budget information was updated immediately prior to the Cabinet report being issued, including adjustments for inflation. Please note, however that until we have a firm price from a contractor, the works cost element is subject to change.

Strive to transform council services to become more efficient, effective, and modern.

The remodelling of Buxton House will improve safety by bringing the building up to the standards introduced under the Building Safety Act 2022, provide apartments that are suitable for modern day living including wider corridors, larger communal areas, and a new entrance, and provide more efficient energy use and insulation. Many of the improvements have been included as a direct result of the consultation undertaken with existing residents. It is proposed that the building be linked to the Council's extended district heating network which will provide an efficient heating solution as well as an increased customer base for the heat network. The installation of photovoltaic panels on the roof will also provide a source of income for the Council.

Continue to deliver a greener, healthier Kirklees and address the challenges of climate change.

Improvements in the thermal performance of the building, ensuring residents have warm, well-insulated homes that are affordable to heat will contribute to improved health for residents. The use of renewable energy sources such as the district heating system and photovoltaic panels will also help to reduce the carbon emissions generated by the project and the decision to retain, rather than redevelop the building will result in a reduction in carbon generated through the construction phase as well as a reduction in the extent of materials used and waste generated.

Extending the habitable life of Buxton House and retaining town centre living with access to amenities and public transport reduces car reliance.

Continue to invest and regenerate our towns and villages to support our diverse places and communities to flourish.

This project represents a £16 million investment in Huddersfield town centre, providing quality, sustainable and affordable accommodation for those on the lowest incomes. Consultation with residents has told us that there is healthy demand for town centre living where residents can be close to shops, services and public transport options. This project will complement the aims of the Huddersfield Blueprint to help make the town centre a great place to live. The construction phase will generate employment opportunities as well as additional footfall and spend within the town centre.

### 3.2 **Financial Implications**

Please refer to paragraph 3.1 above and Appendix 4 (private) which shows the budget and actual spend to 31 August 2024. Officers are reviewing the budget and expenditure on professional fees to ensure the figures have been reported correctly. The budget for works costs, which is being funded from HRA Capital, includes an allowance for inflation, based on the expected construction programme, however until a firm price has been received from a contractor, this element of the cost is subject to change. Whilst officers have reviewed the budget for the scheme and it considered robust, there is always a risk on projects of this nature that unforeseen costs may arise. As this is a HRA funded capital programme, there may be an impact on future delivery of other capital plans.

### 3.3 Legal Implications

The Council has engaged specialist external legal advisers support in progressing the CPO process.

The Council has the power under Section 226(1)(a) of the Town and Country Planning Act 1990 (“the Act”) to make a compulsory purchase order to acquire land in its area if it thinks that the acquisition of the land will facilitate the carrying out of development, redevelopment or improvement (including regeneration) on or in relation to the land.

Section 226(1A) of the Act provides that the Council may not exercise this power unless it thinks that such development, re-development or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of its area.

The legal considerations and reasons why a CPO it is recommended are contained in the Statement of Reasons at Appendix 1. It is difficult to predict how long the purchase of the property, if a CPO is granted, will take to complete. Legal advice suggests that where an Order is not contested, the process should take around 12 months. This has been built into the project timescale, however a delay in obtaining possession will mean that the construction element of the project cannot start in November 2025 as planned with a corresponding delay to the project completion date. The contractor will be required to hold their final construction cost for a period of 90 days – any delay to being able to award the contract as a result of delays in the CPO process could result in an increase in construction cost.

Councils have a power to carry out building or maintenance work under section 203-205 of the Housing and Planning Act 2016 even where this may “interfere” with rights provided:

- (a) there is a planning consent for the building work
- (b) the work is being carried out on land which was acquired or vested in the Council after 13 July 2016
- (c) the Council could have acquired the land compulsorily for the purposes of the building work.
- (d) the building work must be for the purposes for which the land was acquired or vested.

The Council has the power to seek possession of dwellings subject to a secure tenancy by virtue of Ground 10 of Schedule 2 Part II of the Housing Act 1985 where:

The landlord intends, within a reasonable time of obtaining possession of the dwelling-house—

- (a) to demolish or reconstruct the building or part of the building comprising the dwelling-house, or
  - (b) to carry out work on that building or on land let together with, and thus treated as part of, the dwelling-house,
- and cannot reasonably do so without obtaining possession of the dwelling-house.

### 3.4 Other (e.g. Risk, Integrated Impact Assessment or Human Resources)

The project is being managed by an experienced multi-disciplinary team, which maintains and monitors an extensive risk register on a monthly basis. An Equality Impact Assessment of the making of a CPO and implementation of the scheme is included in this report at Appendix 2 and should be considered by Cabinet before a decision is made.

#### 4. **Consultation**

Please refer to the 12 March 2024 Cabinet report for details of the consultation that has been undertaken on this project.

#### 5. **Engagement**

Since the last report to Cabinet on 12 March 2024 resident engagement took place in a vacant flat at Buxton House on 23 April 2024. The purpose of the engagement was to showcase the planning application, to explain the changes to the design that had taken place since the previous consultation and to understand any queries or concerns that residents had about the proposals. Around one third of the remaining residents attended the event with 8 providing feedback to say they liked the proposals. One resident identified a number of concerns around the layout of the 1-bedroom flats. These were discussed with the architects who explained that the constraints and structure of the building meant that it would not be possible to accommodate the suggested amendments to the flat layouts. Colleagues from housing management accepted the reasoning and provided feedback to the resident.

#### 6. **Options**

##### 6.1 **Options Considered**

Option 1 (recommended) – Cabinet approves the making of the CPO and the preparation of the necessary notices in readiness for submission of the CPO to the Minister.

Option 2 (not recommended) – Do nothing

This would mean the Council was unable to proceed with the comprehensive remodelling of Buxton House due to the absent leaseholder's interest. Given the Council's statutory obligations under the Building Safety Act 2022 there is a need to carry out the proposed works and it is not possible to leave the flat subject to a lease untouched as it is because of the physical changes that need to be made to the building. A significant amount of design work was undertaken at an early stage to identify a solution that adequately addressed the other issues with the block yet enabled leaseholders to remain in place. However, no acceptable design could be found, mainly due to the need to widen corridors and create fire safety compliant service runs. This would eventually lead to the Council having to cease housing tenants in the building and a loss of affordable housing in the town centre.

##### 6.2 **Reasons for recommended Option**

This option reduces the risk that the project might not be able to proceed and gives more certainty over the timescale for being able to acquire the land interests and rights necessary for the remodelling of Buxton House to go ahead.

#### 7. **Next steps and timelines**

Issue works tenders – Late-October

November 2024 – October 2025 – Implement the CPO process to acquire any remaining interests

January - February 2025 – Tender evaluation and contractor appointment on Pre-Contract Services Agreement

End January 2025 - Rehousing of existing residents complete

February - June 2025 – Work with contractor and the Council's architect, AHR to refine and finalise detailed scheme design and make Gateway 2 submission to the Building Safety Regulator

September 2025 – Gateway 2 approval received and works cost agreed

October 2025 – Contractor appointed

November 2025 – Construction starts

October 2027 – Scheme complete

**8 Contact officer**

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01484 221000

**9 Background Papers and History of Decisions**

16 February 2021 – Cabinet Report and Decision  
Consultation with tenants of (i) Berry Brow/Buxton House: Remediation/Refurbishment or Demolition and New Build Consultation (ii) Harold Wilson Court: Fire safety improvements; Sprinkler/EWI/Compartmentation

27 July 2021 – Cabinet Report and Decision

To consider the outcome of Tenant and Leaseholder consultation and Proposals on the future of four of the Council's high-rise blocks - Bishop's Court, Holme Park Court at Berry Brow and Buxton House and Harold Wilson Court to improve fire safety.  
Decision – to progress the remodelling of Buxton House

12 March 2024 – Cabinet Report and Decision

Buxton House High Rise Block – Site Assembly.

Decision – to progress the acquisition of the interests needed to deliver the project and take the preliminary steps necessary for a CPO.

**10 Appendices**

Personal information in Appendices 2 and 3 has been redacted for GDPR reasons.

Appendix 1 – Draft Statement of Reasons

Appendix 2 – Equality Impact Assessment

Appendix 3 – Draft Order Schedule and Map

Appendix 4 (private) – Current budget position

**11 Service Director responsible**

Naz Parkar, Service Director – Homes and Neighbourhoods

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**STATEMENT OF REASONS**

Relating to:

Kirklees Council (Buxton House, Huddersfield)

(Buxton House, Albion Street, Huddersfield)

Compulsory Purchase Order 2024

The Council of the  
Borough of Kirklees

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## 1. INTRODUCTION

- 1.1. This document is the Statement of Reasons of The Council of the Borough of Kirklees (“**Acquiring Authority**” or “**the Council**”) for the making of a compulsory purchase order entitled the Kirklees Council (Buxton House, Albion Street Huddersfield) Compulsory Purchase Order 2024 (“**the Order**”). In this Statement of Reasons, the land included in the Order is referred to as “**the Order Land**”.
- 1.2. This Statement of Reasons has been prepared in compliance with Tier 2 - Section 14 of the Guidance on compulsory purchase process and the Crichel Down Rules by the Department for Levelling Up, Housing and Communities (October 2024) (“**the Guidance**”).
- 1.3. The Acquiring Authority has made the Order pursuant to section 226(1)(a) of the Town and Country Planning Act 1990.
- 1.4. The purpose of the Order is to facilitate alterations and refurbishments to levels 3-11 of Buxton House along with a change of use of takeaway and public house and alterations to convert ground floor to 2 flats, entrance lobby, bike and bin storage; change of use of restaurant and alterations to convert level 1 to 2 flats and bin storage; alterations to level 2 to form one additional flat and installation of photovoltaics to roof (“**the Scheme**”). The Scheme is proposed to be implemented by means of the redevelopment proposals which were granted planning permission on 15 July 2024 under reference number 2024/90109 (“**the Planning Permission**”).
- 1.5. If confirmed by the Secretary of State for Housing, Communities and Local Government the Order will enable the Acquiring Authority to acquire compulsorily the Order Land to facilitate the Scheme.
- 1.6. The Council recognises that a compulsory purchase order may only be made if there is a compelling case in the public interest to acquire land (see - paragraphs 2 and 12 of the Guidance). The Council considers that a compelling case in the public interest exists for making the Order, as described in the following sections of this Statement of Reasons set out below.
- 1.7. This Statement of Reasons is a non-statutory statement provided in compliance with paragraph 215 of the Guidance.

## **2. DESCRIPTION OF THE ORDER LAND AND WIDER SITE**

- 2.1. Buxton House is situated between Albion Street and New Street in Huddersfield town centre. This is in an area predominantly comprising retail and municipal buildings. Buxton House was built in the 1960s and is a high-rise tower block typical of the time in which it was built. It comprises a pedestrian underpass and retail units at ground floor level, further retail and hospitality units at first floor level and residential accommodation in the form of flats and bedsits from floors 2-11. The majority of the retail units are vacant. At first floor level it is surrounded to the north, east and south by a 39-space public car park. This car park is accessed by an up and down ramp at either end of Albion Street. To the north-east and south-east of Buxton House is a 1960s shopping precinct fronting on to New Street. The retail units within the precinct are physically joined to Buxton House and form part of a complex which was constructed as a single development. The retail units on New Street are accessible at the rear via the first-floor car park. The majority of the units to the south-east extend all the way back to Albion Street at ground floor level underneath the car park. Please see the pictures on pages 6-10.
- 2.2. Although the Council owns the freehold interest of the Order Land, implementation of the Scheme requires the acquisition of leasehold interests. The Council has endeavoured to acquire the necessary interests by negotiation, but it has not been possible to reach agreement with one affected party.
- 2.3. The map that accompanies the order ("**the Order Map**") identifies the interest to be acquired shown edged red and coloured pink. The Order Map is provided at Appendix 1.
- 2.4. The Order Map identifies 1 plot which comprises the Order Land.
- 2.5. Plot 1 – Flat 49 Buxton House, New Street, Huddersfield, HD1 2PJ is situated on the third floor and is held in single leasehold ownership. Under the Scheme it will accommodate a fire compliant service shaft and resized residential accommodation.
- 2.6. Flat 49 Buxton House incorporates an overhang section of Buxton House which is not mapped on the building outline on the Ordnance Survey map, but is shown on the Order Map. This overhang can be seen on the photograph below. The location of Flat 49 is indicated by a red arrow.



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4.10 PERSPECTIVE VIEWS - EXISTING EXTERNAL VIEW LOOKING NORTH



DRAFT

Buxton House looking South with access roadway to the East



Buxton House and first floor car park looking North





Buxton House and the car park ramp from Albion Street looking North



DRAFT

Buxton House with Retail shops on New Street and the Buxton Way underpass looking West

DESIGN PROPOSAL

4.10 PERSPECTIVE VIEWS - EXISTING EXTERNAL VIEW LOOKING NORTH WEST



BUXTON HOUSE, HUDDERSFIELD - DESIGN & ACCESS STATEMENT, OCTOBER 2023

Kirklees  AR  66

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### 3. ENABLING POWERS

- 3.1. The Council has the power under Section 226(1)(a) of the Town and Country Planning Act 1990 (“the Act”) to make a compulsory purchase order to acquire land in its area if it thinks that the acquisition of the land will facilitate the carrying out of development, redevelopment or improvement (including regeneration) on or in relation to the land.
- 3.2. Section 226(1a) of the Act provides that the Council may not exercise this power unless it thinks that such development, re-development or improvement is likely to contribute to the promotion or improvement of the economic, social or environmental well-being of its area.
- 3.3. The Government has prepared the Guidance. The Council has had regard to and followed the Guidance in relation to the Order. Paragraph 1 of the Guidance provides that,  
*“Compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life”*
- 3.4. Paragraph 2 of the Guidance provides that a compulsory purchase order should only be made *“where there is a compelling case in the public interest”*
- 3.5. The Guidance provides general guidance on the use of compulsory purchase powers by acquiring authorities whilst Section 1 of Tier 2 provides specific guidance for local authorities on the use of their powers under section 226 of the Act. Paragraph 98.1 of the Guidance provides that the power is,  
*“intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement the proposals in their local plan or where strong planning justifications for the use of the powers exist”.*
- 3.6. The promotion of the Order is in accordance with the Guidance.

#### **4. PURPOSE OF THE ORDER AND THE SCHEME**

- 4.1 The purpose of the Order is to secure the assembly of land not within the Council's ownership or control that is required for the Scheme.
- 4.2 The Council currently operates Buxton House Tower as social housing accommodation. The Council is the freehold owner of the site.
- 4.3 Due to the Buxton House being identified as a High-Risk Residential Block under fire safety guidance issued by the Hackitt Review surveys were undertaken and a Building Safety Case was developed in 2020. The condition of the structure and remaining useful life of Buxton House was also assessed. The Fire Risk Assessment for the building advised major fire safety improvements were required. The building does not currently meet modern standards of fire safety. In particular, there is a lack of available smoke control, a refuse chute installation in the escape stair, issues with both vertical and horizontal compartmentalisation and a deficient Part 1 fire system. The surveys also identified building defects. The Scheme was therefore devised to address these issues and deliver better quality more environmentally friendly housing for the Council's social tenants, as well as bringing regenerative benefits to Huddersfield Town Centre.
- 4.4 The Scheme will deliver a modern, thermally efficient residential building for Huddersfield which will significantly improve the quality, safety and choice of social rented accommodation on offer in the town centre as well as addressing the blight arising from the presence of long term vacant commercial units that will achieve economic, social and environmental well-being benefits for the Council's area and the residents of the remodelled Buxton House. The approved proposals for the remodelling are outlined in Section 5 Planning.
- 4.5 The fire safety improvements will bring the building up to current safety standards for high-risk buildings and will improve safety for residents, members of the public and the staff and customers of the businesses in the wider area as well as giving residents peace of mind.
- 4.6 The feeling of safety for residents – one of the areas of concern raised through the consultation process – will also be enhanced by the addition of a larger, more prominent, well-lit and welcoming entrance lobby and new CCTV recording facilities. Internally, the dark, narrow corridors will be widened to improve the look and feel of the building and make it somewhere people can feel proud to live.
- 4.7 The introduction of photovoltaic panels on the roof will contribute to the cost of lighting the communal areas, helping to reduce the amount of service charge that residents pay. It is well documented that poor quality, hard to heat and damp homes are a major cause of ill-health for residents.

- 4.8 This project will provide well-insulated homes that will be affordable for residents, even those on low incomes, to heat. This will provide a healthier living environment as well as an enhanced feeling of wellbeing which in turn will contribute to better mental health. Adequately heated homes will also reduce the occurrence of damp, mould and condensation resulting in lower maintenance costs for the Council with the savings able to be diverted into further improvements in existing stock or the creation of more new affordable homes to alleviate the pressure on the housing waiting list. The Scheme will introduce dedicated cycle storage facilities for residents. This, along with the fact that the Scheme is within easy walking distance of all the facilities of a large town centre as well as a range of public transport options, will discourage car use amongst residents, encourage cycling which will contribute to better health and wellbeing as well as having a small positive impact on air quality, town centre traffic congestion and the availability of parking by reducing reliance on the private car.
- 4.9 By introducing some 2-bedroom apartments and reducing the number of bedsits, the Scheme addresses one of the concerns voiced by residents through the consultation process which was the high number of bedsits. The proposed mix – reducing the number of bedsits from 38 to just 5, increasing the number of 1 bed flats from 19 to 22 and introducing 19 2-bedroom apartments - will improve the town centre accommodation offer and help build a more balanced community than presently exists. This will help to reduce some of the social issues that can be associated with large concentrations of single person accommodation.
- 4.10 The Order Land required for the Scheme is a single leasehold flat situated on the 3<sup>rd</sup> floor of Buxton House. Whilst the Scheme retains as much of the existing structure as is possible, to aid in maintaining structural stability, the internal layout, as existing, does not meet the requirements established by current housing technical standards and did not work from an architectural perspective while allowing the installation of the necessary equipment, internal fixtures and fittings required for modern living. The Scheme therefore requires the building to be stripped back to its structural shell and reconfigured. There will be no walls or windows during the works and the flat will be uninhabitable. As part of the renovation the layout of Buxton House is changing and Flat 49, as currently demised will no longer exist. The Order Land is a small part of the overall Scheme but is required to allow the implementation of the Planning Permission for the Scheme.

## 5. PLANNING

5.1. As described above, it is proposed to deliver the Scheme by means of redevelopment proposals comprised in the Planning Permission as follows:

Alterations and refurbishments to levels 3-11 of Buxton House along with a change of use of takeaway and public house and alterations to convert ground floor to 2 flats, entrance lobby, bike and bin storage; change of use of restaurant and alterations to convert level 1 to 2 flats and bin storage; alterations to level 2 to form one additional flat and installation of photovoltaics to roof

5.2. The Scheme is intended to provide affordable rented housing for applicants on the Council's housing waiting list.

5.3. As noted above, the Planning Permission was granted on 15 July 2024. In determining to grant planning permission, the local planning authority concluded that the proposals were in accordance with the Development Plan and that other material considerations also supported the granting of consent.

5.4. It follows from the above that:

- there are no planning impediments to the Order; and
- that the Scheme is in accordance with the up-to-date planning framework for the area.

5.5. The relevant local and national planning policies are referred below.

### 5.6. Town Centre Regeneration

5.6.1. The National Planning Policy Framework, 2021 (NPPF), chapter 7, sets out that town centres need to grow and diversify. The Policy framework sets out that growth and diversification should respond to recent rapid changes in the retail and leisure industries, allow for a suitable mix of uses in town centres, including housing, and reflect the distinctive characters of individual places.

5.6.2. The principal aim of the Scheme is to remodel the residential accommodation that comprises floors 2 -11 of Buxton House to meet current fire and safety regulations as well as improving space standards of the individual apartments, as far as possible within the existing constraints of the block envelope and enhance the variety of accommodation types on offer.

5.6.3. The conversion of long term vacant commercial property units into housing also fits the diversification agenda and aligns with the vision in Council's "Huddersfield Blueprint" which aims to make the town centre a great place to live.

5.6.4. The Scheme will make a significant positive contribution to the vitality and enhancement of Huddersfield town centre by improving the residential

accommodation offer through the introduction of more 2-bedroom apartments and reduce the number of bedsits over the current design as well as providing improved refuse and cycle storage facilities – issues that residents, taking part in the pre-planning consultation process, stated were important to them.

- 5.6.5. Bedsits are often hard to let and for many modern households (such as single parents with shared custody of children) are simply not an appropriate form of accommodation. The reduction in the number of bedsits will not exclude potential applicants from the affordable housing market as they would still be eligible for a 1-bedroom property; it does, however, given them access to better quality accommodation with sleeping areas separate from the main living areas. The number of bedsits will be reduced from 38 down to just 5, with the number of 1-bedroom flats increasing from 19 to 22. Providing 19 2-bedroom apartments will encourage a more mixed community with a more diverse range of household types and will help to reduce the possibility of the social problems that can be experienced with large concentrations of single person accommodation.
- 5.6.6. The remodelling of the entrance to provide a more welcoming approach will also improve the feeling of safety in this part of the town centre both for residents and users of the Buxton Way pedestrian underpass. The Scheme represents a substantial investment, on a brownfield site, in a highly sustainable location in compliance with the requirements of the NPPF and the Planning Policy Guidance on Town Centres and Retail (2020).
- 5.6.7. The Kirklees Local Plan Core Strategy adopted in 2019 highlights Huddersfield town centre as a principal town centre in the Borough. Policy LP17 seeks to provide opportunities for town centre living in Huddersfield. The Scheme meets the objectives of this policy by improving the accommodation offer and repurposing four vacant retail units on the ground floor as affordable housing.
- 5.6.8. Proposals for residential uses within the defined town centres in the Kirklees Local Plan will be supported subject to criteria set out in local plan Policy LP15. This policy seeks to retain secondary shopping frontages, however the Plan offers flexibility on the policy allowing for beneficial changes in use which would see long term vacant units being replaced with improved residential facilities which will also bring wider benefits to the street scene through the development as a whole. The proposal therefore complies with this policy.
- 5.6.9. Residential uses within town centres play an important role in creating vibrancy and activity within centres, especially outside of the core operating times. They can increase footfall rates throughout the day and into the evening. Buxton

House, in its current form, needs significant investment and works for occupation to continue. The Scheme will secure continued residential occupation and is the most efficient and effective means to address the existing issues. The Scheme to create high quality affordable homes within the town centre is an efficient use of existing space which achieves a good density rate and provides a range of accommodation which is desirable to those wanting to live within the town centre where there is good access to services and public transport.

- 5.6.10. The NPPF acknowledges that town centres can support a broader mix of uses due to their changing roles and function, with paragraph 86 recognising, “*that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate sites.*”
- 5.6.11. A total of 46 residential units are proposed within the Scheme, which is in compliance with the national policy view on the appropriateness of residential development in towns and city centres. This is a net reduction of 11 homes overall and is necessary to :
- Improve the standard and quality of the accommodation in terms of the variety of homes on offer (inclusion of 2-bed flats to create a mixed community).
  - Improve the standard and quality of the homes so that they as a minimum compliant with the formerly accepted Design & Quality Standards published by Homes England (formerly The Housing Corporation), and over half are compliant with the Nationally Described Space Standards. (It is not possible, because of the constraints of the structure of the building, to increase the footprint of all apartments to this standard).
  - Accommodate modern plant to serve the development.
  - Improve the attractiveness and feel of the communal areas and entrance,
  - Introduce improved facilities for cycle storage, refuse storage and disposal.
- 5.6.12. Whilst there is a reduction in the number of units the 2-bedroom flats to be created will house more residents than the current bedsits and 1-bedroom units. The Council has determined that the small reduction in the current number of units is necessary and justified to create quality safe homes and a mixed tenure. Additionally, several of the current units are no longer of a lettable standard due to damp and water ingress. It has not been possible to address



these defects by piecemeal repairs. The Scheme will address this and bring them back into use.

- 5.6.13. The Scheme therefore fully complies with the objectives of Chapter 7 of the NPPF with regards to town centre regeneration.

## 5.7. Placemaking

- 5.7.1. Chapter 12 of the NPPF identifies good design as: “*a key aspect of sustainable development*”.
- 5.7.2. Paragraph 128 advises developments must function well over their lifetimes, be visually attractive with good architecture and layout, effective landscaping, sympathetic to local character whilst not discouraging appropriate innovation or change such as increased densities and providing a high standard of amenity.
- 5.7.3. Paragraph 131 states that great weight should be given to innovative designs which raise the standard of design more generally in an area, as long as they fit in with the overall form and layout of their surroundings.
- 5.7.4. Kirklees Local Plan Policy LP24 states that good design should be at the core of all proposals. Proposals should incorporate good design by ensuring that the form, scale, layout and details of all development respects and enhances the character of the townscape and landscape. The proposal improves the external appearance of the building through the use of façade cladding, increasing the size of upper floor windows and introducing Juliet balconies. This increase in glazing will add depth to the rather austere 1960s elevations of the existing building. The shop fronts to the east will be removed and replaced with three openings. These provide resident access to an entrance lobby with lift access to the flats and a separate access to a refuse store. The residents’ access will create an active frontage, activity and natural surveillance which will increase the feeling of safety – something that existing residents identified as a shortcoming of the current building layout.

## 5.8. Impact on highway safety

- 5.8.1. The NPPF states that all new development should be assessed in terms of its impact on the existing transport infrastructure, impacts on the safety of users and the impact of encouraging sustainable transport modes. Kirklees Local Plan policy LP21 sets out the matters against which new development will be assessed in terms of highway safety.
- 5.8.2. The Scheme is located within the Huddersfield town centre commercial and retail area and as such is in a very sustainable location with many shops and

services within a short walk and bus and rail stations within 400m and 700m respectively. The removal of a former takeaway, public house and restaurant and the reduction of residential units from 56 to 46 together with there being no on-site parking provision is expected to reduce trip generation. The Scheme includes cycle parking facilities to further encourage the use of sustainable means of transport.

## 5.9. Residential amenity

- 5.9.1. A core planning principle set out in the NPPF is that development should result in a good standard of amenity for all existing and future occupiers of land and buildings. Policy LP24 of the Kirklees Local Plan states that proposals should promote good design by ensuring that they provide a high standard of amenity for future and neighbouring occupiers.
- 5.9.2. Due to its age, the existing building is suffering from maintenance issues such as leaks to the roof, the condition of windows, damp and water penetration and poor thermal performance. In addition, resident consultation identified a dislike of the entrances to the building which are dark, unappealing and feel unsafe and the internal communal areas on the grounds of noise and general appearance and the number of bedsits in the block. The internal circulation is cold and tired, spaces feel unwelcoming, and the colour palette reflects an institutional environment. The hard exposed surfaces reverberate noise throughout the development, making it unpleasant for residents within their apartments. The current lifts are extremely small, making it hard for residents to transport large items and have unreliability issues. The lifts also only access alternative floors so half of the residents must climb at least one additional flight of stairs to reach their homes.
- 5.9.3. The existing homes are small and cramped, unsuitable for modern day living. The bedsits are particularly small and unappealing. The homes do not meet current building regulation standards and suffer with poor thermal efficiency.
- 5.9.4. The proposal introduces a new, appropriately sized ground floor entrance lobby directly from Albion Street, rather than from the pedestrian underpass, Buxton Way. The new entrance will ensure compliance with Part M of the Building Regulations (Access to and use of buildings). The unsatisfactory lift arrangement will be replaced with a fire and evacuation lift serving all floors. The existing narrow corridors will be widened and opportunities for enhanced finishes explored which will help to create an environment that residents can

feel proud of and make it easier to bring larger items such as furniture into the apartments.

#### **5.10. *Heritage, Conservation and the Historic Environment***

- 5.10.1. There are no listed buildings within the boundary of the Scheme, however the site is adjacent to the Huddersfield Town Centre Conservation Area and is visible from several listed buildings. As such the proposal has had to demonstrate that it will have no adverse impact on the Conservation Area. Underneath Buxton House, above the entrance to Buxton Way is a mosaic “Systematic Sequence in Line and Shade”, a 1969 work by Richard Fletcher. The mosaic is considered by the 20<sup>th</sup> Century Society and the Modernist Society as a work of significance. The work will be protected during construction and retained in its existing position.
- 5.10.2. Overall, it is considered that the Scheme complies with the requirements of the NPPF and the Kirklees Council Local Plan policies LP15, LP17, LP21, LP24 and LP35.

## **6. CONSULTATION**

- 6.1. The Council has sought to engage existing residents of Buxton House in shaping the future of the building following a detailed intrusive investigation of the block to establish recommendations for fire safety improvement and investment work. This process began well in advance of the conception of the approved planning proposals.
- 6.2. Between February and April 2021 residents and leaseholders in the residential accommodation were sent consultation packs containing information about the current state of the block, details of the two options for improving fire safety (refurbishment and remodelling of the block, or demolition and rebuilding) and information on how they could share their views.
- 6.3. The results showed that 66% of respondents were in favour of remodelling and refurbishing the building to bring it up to modern standards as opposed to demolition and rebuilding of low-rise flats.
- 6.4. Residents and leaseholders also commented that they wanted to be safe and to feel safe, to live in a modern home, to remain close to the town centre, to live in a more mixed community (not just single people) and a solution that demonstrates value for money.
- 6.5. Residents and leaseholders were consulted again on their views on the initial designs for the remodelling project in August 2023. The event took the format a series of three drop-in sessions held in a vacant flat with representatives in Buxton House in August 2023.
- 6.6. Representatives from the fire safety engagement, resident involvement and high -rise project teams were present as well as the Council's appointed architect, AHR.
- 6.7. Prior to the events, officers conducted flat to flat calls to remind residents and leaseholders on the proposed remodelling programme and engage with Council tenants about the need to find them alternative accommodation.to ensure participation was maximised.
- 6.8. Of the 38 properties occupied at the time of the events, 31 residents (82%) completed an opinion survey either at or after the event. This is a high percentage response showing that residents were engaged with the process and that the opinions expressed can be considered representative.
- 6.9. The consultation was also used as an opportunity to update residents and leaseholders on the proposed remodelling programme and engage with Council tenants about the need to find them alternative accommodation.
- 6.10. The survey showed that residents valued the central location and proximity to amenities. A common theme was a dislike of the access to Buxton House via Buxton Way. The current entrance is via a pedestrian underpass which although short, straight and lit, has

no active overlooking outside normal shopping hours. This is compounded by a recessed main entrance which creates a hiding place and residents stated that they did not feel safe entering and leaving the building. Residents also stated the noise from the bar on Albion Street as a negative aspect of the accommodation. The bar has a licence for live music and the serving of alcohol until 0300. It also has bifold doors which, when opened, provide no protection for residents against noise. A pattern emerged on the importance residents attach to the quality and the management of the communal spaces in the block which has resulted in the proposed widening of corridors and creation of a more welcoming and accessible entrance lobby from Albion Street. Internally, responses showed a strong desire for better quality windows, improvements to ventilation and the removal of bedsits from the block. Many residents also asked that a launderette be provided as part of the remodelling project. The majority of residents were pleased with the proposed remodelling plans with 55% of respondents expressing a desire to return to Buxton House following completion of the project.

- 6.11. A further engagement exercise was carried out in April 2024 to showcase the planning submission and answer any queries from residents. The session again was held in a vacant flat in Buxton House with residents receiving a hand-delivered invitation in advance. Again, the majority of residents responded positively to the plans. Residents welcomed the proposal to provide secure clothes drying space and a centralised mailbox system in the entrance lobby.
- 6.12. Following the submission of the planning application in January 2024, a statutory planning consultation process took place. Members of the public had an appropriate opportunity to express support for the Scheme or raise concerns by way of objection to the planning application. No representations were received from any members of the public in response to the statutory consultation.

**7. NEGOTIATIONS FOR THE ACQUISITION OF INTERESTS**

- 7.1. The Acquiring Authority has secured the agreement to terminate or surrender 4 of the original 5 occupied interests that are required for the Scheme.
- 7.2. The negotiation with the reputed owners of Plot 1 (the remaining interest) and known as 49 Buxton House, New Street, Huddersfield, HD1 2PJ are set out below

Date	Type	From	To	Description
28.05.2021	Email	[REDACTED]	[REDACTED]	[REDACTED]
04.11.2022	Phone Call	[REDACTED]	[REDACTED]	[REDACTED]
04.11.2022	E-mail	[REDACTED]	[REDACTED]	[REDACTED]
07.11.2022	E-mail	[REDACTED]	[REDACTED]	[REDACTED]
08.11.2022	E-mail	[REDACTED]	[REDACTED]	[REDACTED]
15.12.2022	E-mail	[REDACTED]	[REDACTED]	[REDACTED]
13.10.2023	E-mail	[REDACTED]	[REDACTED]	[REDACTED]

				[REDACTED]
13.10.2023	E-mail	[REDACTED]	[REDACTED]	[REDACTED]
03.11.2023	E-mail	[REDACTED]	[REDACTED]	[REDACTED]
16.11.2023	E-mail	[REDACTED]	[REDACTED]	[REDACTED]
09.05.2024	E-mail	[REDACTED]	[REDACTED]	[REDACTED]
09.05.2024	E-mail	[REDACTED]	[REDACTED]	[REDACTED]
06.06.2024	E-mail	[REDACTED]	[REDACTED]	[REDACTED]
19.07.2024	Phone Call	[REDACTED]	[REDACTED]	[REDACTED]
16.08.2024	E-mail	[REDACTED]	[REDACTED]	[REDACTED]

16.08.2024	Hand Delivered Letter	[REDACTED] [REDACTED] [REDACTED]	[REDACTED]	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
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## 8. JUSTIFICATION FOR THE USE OF CPO POWERS

- 8.1. The Guidance requires the Council to be satisfied and further demonstrate that there is a compelling case in the public interest to first make and then seek confirmation of the Order. The Guidance requires that the various tests set out therein are met.
- 8.2. The key matters demonstrating a compelling case in the public interest for the Order (having regard to the Guidance) are set out below.
- 8.3. Paragraph 106 of the Guidance – What factors will the Minister take into account *in deciding whether to confirm an order under section 226(1)(a)? Any decision about whether to confirm an order made under section 226(1)(a) will be made on its own merits but the factors which the Minister can be expected to consider include:*
- *whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area or, where no such up to date Local Plan exists, with the draft Local Plan and the National Planning Policy Framework.*
  - *the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area.*
  - *whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means. This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired.*
  - *The potential financial viability of the scheme for which the land is being acquired. A general indication of funding intentions, and of any commitment from third parties, will usually suffice to reassure the Minister that there is a reasonable prospect that the scheme will proceed. The greater the uncertainty about the financial viability of the scheme, however, the more compelling the other grounds for undertaking the compulsory purchase will need to be. The timing of any available funding may also be important. For example, a strict time limit on the availability of the necessary funding may be an argument put forward by the acquiring authority to justify proceeding with the order before finalising the details of the replacement scheme and/or the statutory planning position.*
- 8.4. These factors are considered in turn in detail as follows:-
- Whether the purpose for which the land is being acquired fits in with the adopted Local Plan for the area or, where no such up to date Local Plan exists, with the draft Local Plan and the National Planning Policy Framework***
- 8.5. The Order will enable the Scheme to be fully realised in accordance with the Planning Permission.

- 8.6. As explained in Section 5 above, the Scheme was granted Planning Permission on 15 July 2024. The Scheme is in accordance with the Council's development plan and other material considerations.
- 8.7. The Council is therefore satisfied that the Scheme is in accordance with the strategic objectives of the adopted planning framework. The acquisition of Plot 1, for the purposes of unlocking the full redevelopment, is in accordance with local and national adopted planning policy.
- 8.8. ***The extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area***
- 8.9. The Council is satisfied that the Scheme will make a material contribution to all of the wellbeing objectives. The basis for this conclusion is outlined below.
- 8.10. **Economic well-being**
- 8.10.1. The Scheme will promote and improve the economic well-being of the area by:
- 8.10.2. Injection £16m of investment into the town centre.
- 8.10.3. complimenting the Our Cultural Heart element of the Huddersfield Blueprint by creating great places to live in the town centre and breathing new life into a prominent but tired looking building;
- 8.10.4. repurposing vacant retail space in a part of the town centre that has struggled to attract a quality retail offer in recent years to much needed high quality affordable housing.
- 8.10.5. creating a more desirable housing offer encouraging people to live in the town centre, generating more evening footfall and benefitting town centre cultural and leisure opportunities. developing at a suitable yet impactful scale to create a more commercially viable investment destination to deliver a step change in property values; the generation of new employment opportunities and social value contributions through the construction phase; the increased economic activity by reasons of increased employment and expenditure during the construction phase of the Scheme; and Replacing poorly built housing with thermally efficient homes which will have lower running costs for occupants alleviating fuel poverty.
- 8.11. **Social well-being**
- 8.11.1. The Scheme will promote and improve the social well-being of the area by:- providing a mix of high-quality homes of different types and sizes to improve the opportunity to create a mixed and vibrant community.
- 8.11.2. Providing homes that are affordable for residents to live in, that are warm, well-insulated and easy to heat and where they can feel safe.

8.11.3. Providing an opportunity to comply with the social value frameworks criteria set in the TOM's Matrix. The TOMS Matrix stands for Themes, Output and Measurements and is a standard set by national government. It is used by a number of Local Authorities to measure social value outcomes in the procurement and delivery of large -scale regeneration schemes.

**8.12. Environmental well-being**

8.12.1. The Scheme will promote and improve the environmental well-being of the area by:-

- Providing a safe building for tenants to occupy through the implementation of a full programme of fire safety measures.
- taking advantage of unused roof space to install photovoltaic solar panels.
- utilising passive building design measures, including good levels of natural daylight and ventilation plus energy efficiency technologies throughout.
- designing out the unappealing elements which are contributing to the site's lack of success, including the underpass entrance, narrow corridors and poor lighting.
- Securing future town centre living in Buxton House which will allow occupants to easily access amenities and public transport reducing car dependence.

8.12.2. For the reasons set out above, the Council believes that the Scheme will contribute significantly to the improvement of the economic, social and environmental well-being of the Council's area.

**8.13. Alternatives to using Order making powers**

8.13.1. Whether the purpose for which the acquiring authority is proposing to acquire the land could be achieved by any other means. This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired.

**8.14. Alternative options**

8.14.1. Given the Council's statutory obligations under the Building Safety Act 2022 there is a need to carry out the proposed works and it is not possible to leave Flat 49 as it is because of the physical changes that need to be made to the building.

**8.15. Compelling case in the public interest**

8.15.1. Paragraph 13 of the Guidance – How will the confirming minister consider the acquiring authority's justification for a compulsory purchase order?

*"The minister confirming the order has to be able to take a balanced view between the intentions of the acquiring authority and the concerns of those with an interest in the land that it is proposing to acquire compulsorily and the wider public interest. The more comprehensive the justification which the acquiring authority can present, the stronger its case is likely to be."*

*However, the confirming minister will consider each case on its own merits and this guidance is not intended to imply that the confirming minister will require any particular degree of justification for any specific order. It is not essential to show that land is required immediately to secure the purpose for which it is to be acquired, but a confirming minister will need to understand, and the acquiring authority must be able to demonstrate, that there are sufficiently compelling reasons for the powers to be sought at this time".*

- *If an acquiring authority does not:*
- *have a clear idea of how it intends to use the land which it is proposing to acquire; and*
- *cannot show that all the necessary resources are likely to be available to achieve that end within a reasonable timescale*
- *it will be difficult to show conclusively that the compulsory acquisition of the land included in the order is justified in the public interest, at any rate at the time of its making."*

8.15.2. The Council considers it has demonstrated in this Statement of Reasons that there are sufficiently compelling reasons for the powers to be sought at this time to enable the Scheme and the benefits it will bring to be delivered see paragraphs 8.1.1-8.1.6

8.15.3. The Council has the necessary resources to deliver the Scheme.

## 9. FUNDING

9.1. Paragraph 106 of the Guidance provides that,

*“The potential financial viability of the Scheme for which the land is being acquired, a general indication of funding intentions and of any commitment from third parties, will usually suffice to reassure the Minister that there is a reasonable prospect that the scheme will proceed. The greater the uncertainty about the financial viability of the scheme, however, the more compelling the other grounds for undertaking the compulsory purchase will need to be. The timing of any available funding may also be important. For example, a strict time limit on the availability of the necessary funding may be an argument put forward by the acquiring authority to justify proceeding with the order before finalising the details of the replacement scheme and/or the statutory planning position.”*

9.2. Paragraph 14 of the Guidance addresses the information that an acquiring authority needs to provide in respect of the resource implications of a scheme. It states:

*“In preparing its justification, the acquiring authority should address:*

*a) sources of funding - the acquiring authority should provide substantive information as to the sources of funding available for both acquiring the land and implementing the scheme for which the land is required. If the scheme is not intended to be independently financially viable, or that the details cannot be finalised until there is certainty that the necessary land will be required, the acquiring authority should provide an indication of how any potential shortfalls are intended to be met. This should include:*

- The degree to which other bodies (including the private sector) have agreed to make financial contributions or underwrite the scheme;*
- And the basis on which the contributions or underwriting is to be made*

*b) timing of that funding - funding should generally be available now or early in the process. Failing that, the confirming minister would expect funding to be available to complete the compulsory acquisition within the statutory period (see section 4 of the Compulsory Purchase Act 1965) following the operative date, and only in exceptional circumstances, would it be reasonable to acquire land with little prospect of the scheme being implemented for a number of years.*

*Evidence should also be provided to show that sufficient funding could be made available immediately to cope with any acquisition resulting from a blight notice.”*

9.3. The Council proposes to fund both the acquisition and implementation of the Scheme from the housing revenue account. Approval to the estimated budget of £16m of Housing

Revenue Account funding was given by the Council's Cabinet at its meeting on 21 July 2021 and has been included within the Authority's Capital Plan 2024-31. A potential source of funding for additional improvements to the lighting and public realm in Buxton Way is being investigated, however this funding is not critical to the scheme. No other sources of funding are required for the delivery of the Scheme.

9.4. A budget for the full cost of acquiring and implementing the Scheme has been included in the Council's approved Capital Plan. Costs to date have already been funded.

**9.5. Funding for the Order**

9.5.1. The compensation payable as a result of the Order will be met by the Council. The Council, having obtained independent professional advice from a chartered valuation surveyor at CBRE about the estimated liability for the compensation that may be payable, is satisfied that it has the resources to meet all compensation payments arising from the implementation of a confirmed Order. The resources are committed in the Council's approved Capital Programme and are immediately available.

**9.6. Funding for Scheme delivery**

9.6.1. The anticipated cost of acquiring all the land interests necessary to enable the Scheme to be implemented in accordance with the planning consent is £1.75m to include third party and legal fees. The construction value of the Scheme is anticipated to be circa £12.1m. The scheme costs are to be met by Council Capital funding.

9.6.2. The Council has approved £1.4 m of capital funding through its Capital Programme to support delivery of the Scheme to date and a further £14.6m from the Capital Programme has been approved to complete the acquisition of the various leasehold interests and to implement the Scheme. The Council is therefore a key investor in the Scheme with funding secured for delivery.

9.6.3. Having regard to the above, the Council is confident that sufficient funding will be available for the Scheme, the Council is committed to the delivery of the Scheme and is satisfied that there are no financial impediments to the Scheme proceeding

## 10. IMPEDIMENTS TO DELIVERY

10.1. Paragraph 15, of the Guidance deals with the question of impediments to the Scheme.

It states:

*“The acquiring authority will also need to be able to show that the scheme is unlikely to be blocked by any physical or legal impediments to implementation. These include:*

- *the programming of any infrastructure accommodation works or remedial work which may be required; and*
- *any need for planning permission or other consent or licence*

*Where planning permission will be required for the scheme, and permission has yet to be granted, the acquiring authority should demonstrate to the confirming minister that there are no obvious reasons why it might be withheld. Irrespective of the legislative powers under which the actual acquisition is being proposed, if planning permission is required for the scheme, then, under section 38(6) of the Planning and Compulsory Purchase Act 2004, the planning application will be determined in accordance with the development plan for the area, unless material considerations indicate otherwise. Such material considerations might include, for example, a local authority’s supplementary planning documents and national planning policy, including the National Planning Policy Framework.”*

10.2. Planning Permission has been secured as described above. There are no unusual or onerous pre-commencement conditions to be complied with; other conditions can be discharged within the timetable described below.

10.3. The Council is therefore satisfied that there are no physical or legal impediments to the Scheme proceeding.

## **11. DELIVERY**

- 11.1. The Council has commissioned AHR Building Consultancy as the lead of a multidiscipline team to remodel Buxton House residential high-rise block, from inception to completion based on RIBA work stages 1-7.
- 11.2. In order to procure a contractor to carry out the works, expressions were issued in April 2024 and 3 prospective contractors have expressed interest in being appointed.
- 11.3. As part of the design development process, the Council require that contractors use a professional design team. AHR is the Council's appointed consultant, and their design team will remain client side in Project Management/Employer's Agent/Quantity Surveyor and full team technical assistance roles.
- 11.4. The Council will, initially, further to a Pre-construction Services Agreement, be appointing the successful contractor to undertake the lead designer and Principal Designer Building Regulations (PDBR) role, as defined under the Building Safety Act 2022 and the Building (Higher Risk Building Procedures) (England) 2023. In due course the contractor will be appointed to deliver the works against an agreed costing for the works involved.
- 11.5. Due to the nature of the works to be carried out, Buxton House will be required to be vacated prior to the carrying out of any works. The process of rehousing residents commenced in September 2023 and is due to be completed by the end of January 2025. Tenants have been given enhanced priority status when bidding for alternative Council accommodation and where required, are receiving support from housing management staff. This means that they higher priority for properties they have made a bid on than applicants who do not need to relocate and will help their chances of securing a suitable home to move to. All tenants have been offered the option to return to one of the remodelled properties when the Scheme is complete provided that it is appropriate for the needs and size of their household.



## 12. PUBLIC SECTOR EQUALITY DUTY AND HUMAN RIGHTS

### 12.1. Public Sector Equality Duty

12.1.1. Paragraph 6, CPO Guidance addresses how the Public Sector Equality should be considered in compulsory purchase regime. It states:

*"All public sector acquiring authorities are bound by the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. Throughout the compulsory purchase process acquiring authorities must have due regard to the need to: (a) eliminate unlawful discrimination, harassment, victimisation; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. In performing their public functions, acquiring authorities must have due regard to the need to meet these three aims of the Equality Act 2010.*

*For example, an important use of compulsory purchase powers is to help regenerate run-down areas. Although low income is not a protected characteristic, it is not uncommon for people from ethnic minorities, the elderly or people with a disability to be over-represented in low -income groups. As part of the Public Sector Equality Duty, acquiring authorities must have due regard to the need to promote equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This might mean that the acquiring authority devises as process which promotes equality of opportunity by addressing particular problems that people with certain protected characteristic might have (e.g., making sure that documents are accessible for people with sight problems or learning difficulties and that people have access to advocates or advice)."*

12.1.2. An Equality Impact Assessment for the redevelopment of the site has been carried out to ensure that the proposals accord with the law and Council policy on such matters. This will be monitored and reviewed throughout the promotion and implementation of the Order to ensure that any impact can be measured and mitigated against as necessary.

### 12.2. Human Rights

12.2.1. Article 1 of the First Protocol to the Convention states that

*"Every natural or legal person is entitled to peaceful enjoyment of his possessions" and "no one shall be deprived of his possessions except in the public interest and*

*subject to the conditions provided for by the law and by the general principles of international law...".*

- 12.2.2. Whilst occupiers and owners in the Order Land will be deprived of their property if the Order is confirmed and the powers are exercised, this will be carried out in accordance with the law, in this case the Act. The Order is being pursued in the public interest as required by Article 1 of the First Protocol. The public benefits associated with the Scheme are set out earlier in this Statement of Reasons. The Council considers that the Order will strike a fair balance between the public interest in the implementation of the proposals and those private rights which will be affected by the Order.
- 12.2.3. Article 6 of the Convention provides that:  
*"In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law".*
- 12.2.4. The regeneration proposals, including those associated with the Order Land, have been extensively publicised and consultation has taken place with the communities and parties that may be affected by the Order. All those affected by the Order will be notified, will have the right to make representations and/or objections to the Secretary of State, and objecting parties will have the right to be heard at a public inquiry. It has been held that the statutory processes are compliant with Article 6 of the Convention.
- 12.2.5. Article 8 of the Convention states that:  
*"Everyone has the right to respect for his private and family life, his home and his correspondence...interference is justified however, if it is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for its prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others."*
- 12.2.6. The Council considers that any interference with this right that would result from the exercise of the powers conferred by the Order will be in accordance with the law (namely the Act), give effect to a legitimate aim (namely securing a qualitative improvement in the housing available in Huddersfield), and will be proportionate having regard to the public benefits to be secured.
- 12.2.7. Those whose interests are acquired under the Order will also be entitled to compensation which will be payable in accordance with the compulsory purchase Compensation Code, assessed on the basis of the market value of the property interest acquired, disturbance (i.e., reasonable moving costs and costs/losses

directly related to the compulsory acquisition) and statutory loss payments. The reasonable surveying and legal fees incurred by those affected in transferring interests to the Council will also be paid by the Council. The Compensation Code has been held to be compliant with Article 1 of the First Protocol to the Convention. The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that

*“regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole”.*

- 12.2.8. Both public and private interests are to be considered in the exercise of the Council's powers and duties.
- 12.2.9. In promoting this Order, the Council has carefully considered the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the redevelopment of the Order Land. Interference with Convention Rights is considered by the Council to be justified here in Order to ensure that Buxton House is compliant with the Building Safety Act 2022 and provides safe homes for Council tenants in addition to the economic regeneration, environmental and public benefits which the proposals will bring.
- 12.2.10. The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have therefore been fully considered. There is a compelling case in the public interest for the Order to be made and confirmed, and the interference with the private rights of those affected that would be the inevitable result of the exercise of the compulsory powers conferred by the Order would be lawful, justified and proportionate.
- 12.2.11. The proposal to remodel Buxton House was made public through the Council's democratic decision-making process when the Cabinet reports from July 2021 and March 2024 were published on the Council's website. The opportunity for the public to view the plans in detail has been given through the consideration of the planning applications to make representations on the proposals. No representations from members of the public were received through the statutory planning consultation process. If objections are received to the confirmation of the Order, a local public inquiry will be held into the Order, and those, whose interests are acquired under the Order, if it is confirmed, will be entitled to compensation as provided for by law.

**13. SPECIAL CONSIDERATIONS**

13.1. There are no special considerations that the Council wishes to be taken into account.

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**14. SPECIAL CATEGORIES OF LAND**

14.1. None

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## **15. EXTENT OF THE SCHEME**

- 15.1. Section 6a (1) of the Land Compensation Act 1961 provides that *“The no-scheme principle is to be applied when assessing the value of land in order to work out how much compensation should be paid by the acquiring authority for the compulsory acquisition of the land (see rule 2A in section 5)”*.
- 15.2. For the purposes of section 6A, the “scheme” means the scheme of development underlying the acquisition.
- 15.3. Section 6 explains that the underlying scheme is to be the scheme provided for by the Order unless it is shown that the underlying scheme is a scheme larger than, but incorporating, the scheme provided for by that instrument.
- 15.4. The Order authorises the compulsory acquisition of land for the purposes of Order.
- 15.5. The extent of the Scheme to be disregarded for the purposes of assessing compensation is shown in the Scheme Plan which has been supplied as Appendix 2.

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## **16. ADDITIONAL INFORMATION**

16.1. Contacts for any enquiries related to the CPO the first point of contact at the Acquiring Authority are: -

### **Kate Gothard, Legal Services**

[kate.gothard@kirklees.gov.uk](mailto:kate.gothard@kirklees.gov.uk)

4th Floor South, Civic Centre 1, Huddersfield HD1 2NF Telephone 01484 221000

Owners and tenants of properties affected by the CPO who wish to negotiate a sale or discuss matters of compensation should contact:-

### **Matthew Garbutt, Assets and Estates,**

[matthew.garbutt@kirklees.gov.uk](mailto:matthew.garbutt@kirklees.gov.uk)

Civic Centre 1, Huddersfield HD1 2NF Telephone 01484 221000

This Statement of Reasons is not intended to be a statement required under Rule 7 of the Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 1990.

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## 17. DOCUMENTS

17.1. Documents: in connection with the Order have been deposited at the Acquiring Authority's offices at

**Huddersfield Library, Civic Centre 3 Market Street, Huddersfield, HD1 2EY**

The opening hours of which are:

Monday	9am-7pm
Tuesday	9am-5pm
Wednesday	9am-5pm
Thursday	10am-7pm
Friday	9am-5pm
Saturday	9am-4:30pm
Sunday	Closed

The following is a list of documents the Acquiring Authority intends to refer to should there be a public inquiry albeit this list is not exhaustive and should there be a public inquiry the Acquiring Authority may put forward further documents:-

No.	Document Name
1	CPO (including CPO Schedule).
2	CPO maps.
3	Relevant reports to and resolutions/decisions of the Cabinet and Council
4	Planning Application, supporting documents and related committee reports
5	Kirklees Local Plan Strategy and Policies 27 February 2019
6	National Planning Policy Framework
7	Equality Impact Assessment for the redevelopment
8	The Scheme Plan

All planning application documents can be found at:

<https://www.kirklees.gov.uk/beta/planning-applications/search-for-planning-applications/detail.aspx?id=2024%2f48%2f90109%2fW>

Application Number 2024/48/90109/W



**Appendix 1 - Order Map**

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**Appendix 2 – Scheme Plan**

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## Kirklees Council - Public Sector Equality Impact Assessment

### KIRKLEES COUNCIL (BUXTON HOUSE, HUDDERSFIELD) COMPULSORY PURCHASE ORDER 2024

The purpose of this assessment is to assess the potential impact on people with 'protected characteristics' under the Equality Act 2010 ("the Act") of the Council taking a decision to make the CPO and implement the Project.

Kirklees Council ("the Council") is subject to the general Public Sector equality Duty ("PSED") under section 149(1) of the Act. The Council understands that it must have due regard to the following objectives when exercising relevant public functions:

- (a) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (s.149(1)(a));
- (b) The need to advance equality or opportunity between persons who share a relevant protected characteristic and persons who do not share it (s.149(1)(b)). This involves having due regard to the needs to:
  - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
  - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; and
  - (iii) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- (c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it (s.149(1)(c)). This includes having due regard to the need to tackle prejudice and promote understanding (s.149(5)).

The protected characteristics are Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex, and Sexual Orientation. In addition, it is the Council's policy to consider unpaid carers, Low income, Gypsy, Roma or Traveller Communities and the armed forces community and those who have experienced Care.

The assessment is intended to demonstrate how the Council has had due regard to their PSED objectives above in relation to the delivery of the Project. Specifically, this assessment has been prepared to:

- assess whether one or more groups could experience disproportionate or differential effects as a result of the proposal being implemented.
- assess both potential positive and negative effects; and
- consider ways in which any negative effects could be removed or mitigated.

**Dated:** 22.10.2024

Step 1: Background	The objective is to ensure the successful delivery of the Project by ensuring that the Order Land is delivered in accordance with the Project timescales and objectives.
1. What are you assessing?	<p>The impact of the making of the <b>KIRKLEES COUNCIL (BUXTON HOUSE, HUDDERSFIELD) COMPULSORY PURCHASE ORDER (CPO) 2024</b> and the impact of implementation of the Project.</p> <p>The land subject to the Order is situated between Albion Street and New Street in Huddersfield town centre and comprises one flat held on a long lease. (“the Order Land”) as shown on the plan accompanying the Order (“the Order Map”).</p> <p>The “Order Land” is required, to facilitate the redevelopment of Buxton House (the “Project”). The remainder of the land required for the Project is already in the ownership of Kirklees Council.</p> <p>The Council has obtained a planning permission to develop the Project, including the Order Land.</p>
2. What are the aims and purpose of this proposal?	<p><b><u>Summary of Planned regeneration of Buxton House</u></b></p> <p><b><u>Background</u></b></p> <p>Buxton House is a high-rise tower block built in the 1960s. It is situated between Albion Street and New Street in Huddersfield town centre and comprises:</p> <ul style="list-style-type: none"> <li>- a pedestrian walkway, retail and hospitality units at ground floor level.</li> <li>- retail and hospitality units at first floor level.</li> <li>- Residential accommodation in the form of flats and bedsits from floors 2-11.</li> </ul> <p>Due to Buxton House being identified as a High-Risk Residential Block under fire safety guidance issued by the Hackitt Review, surveys were</p>

undertaken, and a Building Safety Case was developed in 2020. The condition of the structure and remaining useful life of Buxton House was also assessed. The Fire Risk Assessment for the building advises major fire safety improvements are required to establish effective compartmentalisation between the flats and improve escape routes.

On 16 February 2021 Cabinet approved a consultation exercise with secure tenants and leaseholders of Buxton House on two proposals to address the fire safety issues: refurbishment or demolition and rebuild. This consultation took place between March and June 2021.

In July 2021 a Cabinet decision was taken to refurbish Buxton House to address the fire safety concerns and building defects which had been reported in the surveys. This decision reflected the majority preference of those consulted.

Detailed designs have been produced and a planning permission for the refurbishment was approved on 15 July 2024.

The Scheme will deliver a modern, thermally efficient residential building for Huddersfield which will significantly improve the quality, safety and choice of affordable accommodation on offer in the town centre as well as addressing the blight arising from the presence of long term vacant commercial units. This will achieve economic, social and environmental well-being benefits for the acquiring Council's area and the residents of the refurbished Buxton House.

Since these decisions were taken and as of September 2024:

- Five long leasehold interests have been acquired.
- There remains one long leasehold interest to be acquired by the Council.
- 32 secure tenants have been rehoused.
- 23 remaining secure tenants continue to be rehoused via the choice-based lettings list within Kirklees and have the opportunity to return to Buxton House once the redevelopment is completed where appropriate housing is available.

	Of the commercial units all, but two are vacant. It is intended that the two retail units which are let will remain so throughout the refurbishment and thereafter.		
3. Who is responsible for the proposal you are assessing?	The Project is being undertaken by Kirklees Council		
4. Who is the Lead for this assessment?	Helen Martland, Service Manager - Development		
5. Who else is undertaking this assessment?	N/A		
6. Who would be affected by the proposal (adversely or positively, directly or indirectly)?	<p>Those that may be directly affected by the making of the CPO and Project going forward include:</p> <ul style="list-style-type: none"> <li>- The one remaining long leaseholder as detailed in the CPO.</li> <li>- Tenants being decanted from Buxton House.</li> <li>- The tenants and customers of the 2 retail units which are to remain open during the Project and thereafter but need some fire safety works undertaken on the premises.</li> </ul>		
7. Is the proposal relevant to how the Council complies with the public sector general duty relating to people who are protected by the Equality Act 2010?	Yes	No	
The elimination of discrimination and harassment	X		
The advancement of equality of opportunity	X		
The fostering of good relations	X		
The protection and promotion of human rights	X		
Note: As a general rule, any policy that affects people is likely to be relevant across all protected groups			

<p>Step 2 – Information Gathering</p>	
<p>8. Are there any human rights issues? If so, what are they?</p> <p>(For example, could this proposal result in the failure to safeguard the right to privacy?)</p> <p>(The 16 basic rights are listed at Appendix 1).</p>	<p>Article 1 of the First Protocol to the Convention states that “...<i>Every natural or legal person is entitled to peaceful enjoyment of his possessions</i>” and “<i>no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law...</i>”.</p> <p>Whilst occupiers and owners in the Order Land will be deprived of their property if the Order is confirmed and the powers are exercised, this will be carried out in accordance with the law, in this case the Act. The Order is being pursued in the public interest as required by Article 1 of the First Protocol. The public benefits associated with the Scheme are set out in the Statement of Reasons. The Council considers that the Order will strike a fair balance between the public interest in the implementation of the proposals and those private rights which will be affected by the Order.</p> <p>Article 6 of the Convention provides that: “<i>In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law</i>”.</p> <p>The regeneration proposals, including those associated with the Order Land, have been extensively publicised and consultation has taken place with the communities and parties that may be affected by the Order. All those affected by the Order will be notified, will have the right to make representations and/or objections to the Secretary of State, and objecting parties will have the right to be heard at a public inquiry if objections are made. It has been held that the statutory processes are compliant with Article 6 of the Convention.</p> <p>Article 8 of the Convention states that:  “<i>Everyone has the right to respect for his private and family life, his home and his correspondence...interference is justified however, if it is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for its prevention</i>”.</p>



*of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedom of others.”*

The Council considers that any interference with this right that would result from the exercise of the powers conferred by the Order will be in accordance with the law (namely the Human Rights Act 1998), give effect to a legitimate aim (namely securing required improvements to fire safety at Buxton House and providing better quality more environmentally friendly housing for the Council’s social tenants, as well as bringing regenerative benefits to Huddersfield Town Centre ), and will be proportionate having regard to the public benefits to be secured.

Those whose interests are acquired under the Order will also be entitled to compensation which will be payable in accordance with the compulsory purchase Compensation Code, assessed on the basis of the market value of the property interest acquired, disturbance (i.e., reasonable moving costs and costs/losses directly related to the compulsory acquisition) and statutory loss payments. The reasonable surveying and legal fees incurred by those affected in transferring interests to the Council will also be paid by the Council. The Compensation Code has been held to be compliant with Article 1 of the First Protocol to the Convention.

The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that *“regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole”*.

Both public and private interests are to be considered in the exercise of the Council’s powers and duties.

In promoting this Order, the Council has carefully considered the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the redevelopment of the Order Land. Interference with Convention Rights is considered by the Council to be justified here in Order to ensure that Buxton House is compliant with the Building Safety Act 2022 and provides safe

	<p>homes for Council tenants in addition to the economic regeneration, environmental and public benefits which the proposals will bring.</p> <p>The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have therefore been fully considered. There is a compelling case in the public interest for the Order to be made and confirmed, and the interference with the private rights of those affected that would be the inevitable result of the exercise of the compulsory powers conferred by the Order would be lawful, justified and proportionate.</p> <p>The proposal to remodel Buxton House was made public through the Council's democratic decision-making process when the Cabinet reports from July 2021 and March 2024 were published on the Council's website. The opportunity for the public to view the plans in detail has been given through the consideration of the planning applications to make representations on the proposals. No representations from members of the public were received through the statutory planning consultation process.</p>
<p>9. What has been done to date in terms of involvement and consultation with regard to this proposal?</p>	<p>Consultation began in February 2021 when consultation packs containing information about the current state of the block and details of the two options for improvements. to Buxton House were sent to residents and leaseholders of Buxton House. 66% of respondents were in favour of remodelling and refurbishing the building to bring it up to modern standards.</p> <p>Residents and Leaseholders were consulted again on their views on the initial designs for the remodelling project in August 2023. This was by means of 3 drop-in sessions held in a vacant flat in Buxton House. Council officers conducted flat to flat calls prior to the events to promote the consultation. Of the 38 properties occupied at the time of the events, 31 residents (82%) completed an opinion survey either at or after the event The consultation was also used as an opportunity to update residents and leaseholders on the proposed remodelling program and engage with Council tenants about the need to find them alternative accommodation.</p>

Following the submission of the planning application in January 2024, a statutory planning consultation process took place. Members of the public had an appropriate opportunity to express support for the scheme or raise concerns by way of objection to the planning application. No representations were received from any members of the public in response to the statutory consultation.

A further engagement exercise with residents and leaseholders was carried out in April 2024 to showcase the planning submission and answer queries. The session again was held in a vacant flat in Buxton House with residents receiving a hand-delivered invitation in advance.

Common themes of the feedback received were:

- a desire to feel safe particularly a better more visible entrance
- higher quality communal spaces
- requests for a mixed community (not just single person households)
- a modern home
- A desire for renovation of Buxton House to retain proximity to the town centre and amenities.
- A dislike of the noise from the bar below Buxton House

In addition to these formal consultations, residents have been kept up to date through regular newsletters, ad-hoc drop-in sessions, housing officers 1-1 support, written communications, the Homes and Neighbourhood team have been accessible and responsive throughout.

When rehousing residents, the Council has undertaken in-depth discussions and gathered relevant information from all affected parties to understand their housing need and rehousing preference. Data collected includes details of family members, health conditions, mobility and personal safety needs, including any existing arrangements they have for help and support, periods of hospitalisation, GP details and preferences for rehousing. Residents with specific needs identified through this process are being supported to find accommodation that meets their needs and to mitigate any equality impacts where possible.

	<p>Throughout the consultation and delivery to date officers have sought to ensure that equality of opportunity is provided to all tenants affected by the Project.</p> <p>Representations can also be made in the context of the compulsory purchase process which allows objections to be made which will be considered by the Secretary of State if not resolved. Furthermore, those directly affected by the CPO (i.e. the landowners or others with a relevant interest in the land required for the Project) may be entitled to statutory compensation if the CPO are confirmed and the powers are exercised.</p>
<p>11. Have you used any other information that is relevant to the proposal to inform your assessment? If so, please detail.</p>	<p>This decision affects a small number of people, and it is not appropriate to comment on individual demographics.</p> <p>The demographic information for the Huddersfield Town Centre LSOA in which the project is situated shows that the population is predominantly white, aged between 16 and 64, of Christian or no religion and does not have a condition that limits their day-to-day activity. This suggests that the project will not disproportionately affect anyone who is disadvantaged by their protected characteristic.</p> <p>Given that only a small number of people are affected by the proposal, it is not possible or appropriate to isolate data on their protected characteristics. However, the Council will remain alert to its duties to advance equality, eliminate discrimination, and foster good relations between people who share a protected characteristic and those who do not during the course of this project.</p> <p>Many people are keen to remain in the town centre and the town centre location was identified as one of the reasons why residents stated they would prefer the building to be remodelled rather than demolished. However, the information we have gathered through the resident consultation process does not suggest that there are any residents who would find it difficult to relocate away from the town centre because of a particular protected characteristic. Officers have taken time to understand residents' wishes in terms of relocation requirements and wherever possible, given the limited council accommodation available in</p>

	<p>the town centre, are supporting them to bid for appropriate properties in their preferred locations.</p> <p>All residents have been offered the opportunity to return to Buxton House on completion of the project, provided the accommodation they select is appropriate for their household make up. However, it is not expected that 100% of residents will wish to return as some have chosen to move further afield to be closer to family.</p>
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<p>12. Are there any gaps in the information collected to date?</p> <p>If so, how will these be addressed?</p>	<p>One individual affected by the Project has been uncontactable. Therefore, there may be protected characteristics of which the Council is unaware. The Council will continue to try to engage this individual.</p>
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**Step 3: Considering the potential impact and identifying mitigating action.**

13. Note below any likely impact on equality for each individual group and identify what action could be taken to reduce or improve the impact. \*For determining potential impact, please choose from the following: Neutral/Low/Medium/High

<b>Protected group</b>	<b>*Potential</b>	<b>Details of the impact</b>	<b>Actions to mitigate negative impact</b>
Age	<p>Negative impact – LOW</p> <p>Positive impact - HIGH</p>	<p>The CPO process, including consultation, could exclude specific demographic groups if not undertaken in a sensitive, inclusive manner.</p> <p>Residents aged 16-65 are overrepresented amongst the remaining tenants compared to the borough average (92% at Buxton House compared with 64% across</p>	<p>The Council will continue to engage with affected parties sensitively and put in place appropriate measures to mitigate any disadvantage.</p> <p>The Council will ensure that documents are made available in an appropriate format as required such as large print /hard copy for those who may not have access to the internet.</p>

		<p>Kirklees). There is no concentration of young or older people in the building who may need specific mitigation on the grounds of age, therefore the Project does not impact significantly on a particular age group.</p> <p>One resident over the age of 65 has been identified.</p> <p>Once the Project is completed it will have a positive impact on tenants of all ages as it will provide homes compliant with modern fire safety standards. Older residents are more likely to have mobility and health problems which may make evacuation difficult and compartmentalisation particularly beneficial. The Project will provide homes which are more energy efficient and cheaper to heat.</p>	<p>Any venues used as part of the process are accessible both physically and by location (central and accessible by public transport).</p> <p>Older tenants are offered additional support including but not limited to:</p> <ul style="list-style-type: none"> <li>• Assistance packing up and dismantling furniture</li> <li>• Provision of taxis to viewings and to their new property.</li> <li>• Support to decorate their new property.</li> </ul>
Disability	<p>Negative impact – MEDIUM</p> <p>Positive impact - HIGH</p>	<p>Three residents have told the Council that they consider themselves to have a disability although they do not require adapted properties. The making of the CPO will not have a disproportionate effect on residents with a disability; however, they may find it harder to move and find appropriate accommodation and therefore there</p>	<p>Tenants with disabilities are offered additional support including but not limited to:</p> <ul style="list-style-type: none"> <li>• Assistance packing up and dismantling furniture</li> <li>• Provision of taxis to viewings and to their new property.</li> <li>• Support to decorate their new property.</li> </ul> <p>Officers are working with the individuals who have declared themselves to have a disability</p>

		<p>could be a short-term negative impact.</p> <p>In the long term the Project will be more accessible to those with physical disabilities, having an accessible entrance, new lifts and wider corridors which will have a positive impact. Additionally, it will provide safe, energy efficient homes for tenants.</p>	<p>to support them in finding suitable alternative accommodation.</p>
Gender reassignment	NEUTRAL	<p>The Council does not hold local data regarding this protected characteristic. It is not understood that anyone within this protected characteristic is amongst those identified as affected by this decision. There is no reason to believe that there would be any specific impact on this group as a result of the CPO.</p>	<p>The Council will continue to engage with affected parties sensitively and put in place appropriate measures to mitigate any disadvantage.</p> <p>We will remain alert to our duties to advance equality, eliminate discrimination, and foster good relations between people who share a protected characteristic and those who do not.</p>
Pregnancy and maternity	<p>Negative impact – MEDIUM</p> <p>Positive impact – very HIGH</p>	<p>The data on the remaining tenants suggests that four are female. The Council is aware of one individual with this protected characteristic amongst those identified as affected by this decision. It is recognised that being required to move house whilst pregnant or with very young children could create a disadvantage and therefore this group will be negatively impacted by the need for rehousing.</p>	<p>Pregnant tenants or those with children are offered additional support including but not limited to:</p> <ul style="list-style-type: none"> <li>• Assistance packing up and dismantling furniture</li> <li>• Provision of taxis to viewings and to their new property.</li> <li>• Support to decorate their new property.</li> </ul> <p>The Council will continue to engage with affected parties sensitively and if the individual (or any other individuals with this characteristic)</p>

		<p>Once the Project is completed it will have a positive impact on this group as two-bedroom flats will be available. Currently the building is only suitable for single persons or couples. Additionally, it will provide safe, energy efficient homes for tenants.</p>	<p>be found to be disproportionately disadvantaged as a result of it, the Council will take appropriate steps to mitigate the disadvantage.</p> <p>We will remain alert to our duties to advance equality, eliminate discrimination, and foster good relations between people who share a protected characteristic and those who do not.</p>
Race	<p>Negative impact MEDIUM –</p> <p>Positive impact NEUTRAL -</p>	<p>Buxton House has an over-representation of Black and other BAME groups compared to the average for Newsome ward (38% at Buxton House compared to 32% in Newsome). It is recognised that there may be specific cultural ties that these tenants wish to remain close to.</p> <p>Some of the residents of Buxton House have been identified for whom English is not their first language. This may make it more difficult for them to search for an alternative property or engage in the CPO process.</p>	<p>Officers are working with tenants who have expressed a desire to remain in the local area to help them find suitable properties.</p> <p>Residents with language needs that have been identified have been given the option to receive communications in alternative language.</p>
Religion or belief	Negative impact – LOW	42% of remaining residents have chosen not to declare their religion to the Council. Of those who have	Any acquisitions of properties and requirements to move will not be arranged



	Positive impact NEUTRAL	<p>declared their religion, 47% have no religion and therefore the effect of the proposals are neutral.</p> <p>13% of residents have declared their religion as Muslim. The requirement to move during certain religious festivals could disproportionately affect residents who follow that religion.</p> <p>Moving a resident away from their place of worship could be detrimental.</p>	<p>during times of religious significance for residents.</p> <p>The Council will endeavour to facilitate moves around tenant's religious festivals.</p> <p>No residents have so far advised us of a desire to remain close to a particular place of worship, so this not expected to have a negative impact on any resident. Should a resident advise us that they need to remain close to their place of worship, or a place of worship of a similar denomination, officers will assist tenants to, where possible, identify and bid for a suitable property that meets that requirement.</p>
Sex or sexual orientation	NEUTRAL	<p>The majority of the remaining occupiers of Buxton House (81%) are male. 52% of whom are heterosexual. It is not felt that these groups experience greater difficulty than others in securing alternative accommodation or will experience greater difficulty as a result of the project.</p>	<p>The Council will continue to engage with affected parties sensitively and put in place appropriate measures to mitigate any disadvantage.</p>
Marriage and civil partnership	NEUTRAL	<p>People who are in a civil partnership will be treated the same as people who are married in all respects. There is no disproportionate impact on those who are married or in a civil partnership, or those who are not. All groups have access to the same options for rehousing away from</p>	<p>No mitigation required.</p>

		Buxton House and for moving back to Buxton House.	
Poverty/low income	<p>Negative impact MEDIUM –</p> <p>Positive impact - HIGH</p>	<p>The CPO process, including consultation, could exclude specific demographic groups if not undertaken in a sensitive, inclusive manner.</p> <p>The requirement to move could have a more acute effect on those with low incomes due these residents having little, or no savings or disposable income and the costs associated with moving home.</p> <p>The Project will provide a thermally efficient building which should result in lower energy bills for residents.</p>	<p>The Council will make documents available for inspection in a central location which is cheaply accessible by foot or on public transport. The Council will provide printed documents to residents on request, who may not have the means or facility to print or access the internet. The Council will continue to engage with affected parties sensitively and put in place appropriate measures to mitigate any disadvantage.</p> <p>All tenants being required to move receive:</p> <ul style="list-style-type: none"> <li>• the Statutory Home Loss Payment</li> <li>• Payment of a removals firm</li> <li>• A payment for new carpets and blinds at their new home.</li> </ul>
Unpaid carers	<p>Negative impact MEDIUM –</p> <p>Positive impact NEUTRAL -</p>	<p>Unpaid carers may be affected by the proposal if they cannot remain living near the person for whom they care.</p> <p>The data gathered from residents as part of the consultation and rehousing process has not identified any current residents who have unpaid caring responsibilities and</p>	<p>The Council will continue to engage with affected parties sensitively and put in place appropriate measures to mitigate any disadvantage.</p>

		who would be disadvantaged by the scheme as a result.	
Gypsy, Roma and traveller communities	NEUTRAL	It is not believed that anyone within this protected characteristic is amongst those identified as affected by this decision, or they have chosen not to declare their status to the Council. There is no reason to believe that there would be any specific impact on this group as a result of the CPO.	
Armed Forces community	NEUTRAL	There are no tenants or leaseholders within this protected characteristic resident at Buxton House. There is no reason to believe that there would be any specific impact on this group as a result of the CPO	

Step 4 – Outcome of the assessment

14. Note the impacts identified and how it is intended to mitigate any high impact (i.e. a summary of the above table)

Potential impacts are:

- the risk that not all parties affected by the CPO and the Project would be able to participate fully in the CPO process.
- Detriment to particular groups being required to relocate
- There is a high positive impact across all groups of the Project providing modern, safe, energy efficient homes which are compliant with the latest fire and building safety standards.

No HIGH negative impacts have been identified. The Project has limited potential to impact more negatively on protected groups. The Council will respond sensitively in the event that any specific measures relating to protected characteristics are identified as being required.

15. Is there a strategy for dealing with any unavoidable but not unlawful impacts that cannot be mitigated?	Yes, many of those have been identified above and additionally the Project strategy is to review any impacts that may become apparent during the CPO process and Project and resolve these as they arise. No negative HIGH impacts have been identified.		
16. Is there a need to reconsider the proposal as a result of conducting this assessment?  (Evidence of high impact could render the proposal or decision unlawful. If you have identified high impact, you should consider at this stage whether it is possible to proceed with the proposal).	No		
17. Are there monitoring arrangements in place? What are they?	As the Project progresses and is further developed, this Equalities Impact Assessment will be reviewed to ensure that any impacts are duly considered by the Council.		
Step 5 – Action Plan			
Please detail any actions that are planned following completion of your assessment. You should include any changes that have been made to reduce or eliminate the effects of potential or actual high/negative impact, as well as any arrangements to collect data or to carry out further research.			
Ref	Proposed actions	Lead person	Timescale
001	Consider specific measures required to ensure that the CPO process is undertaken sensitively and with regard to all protected characteristics. Discuss and agree proposed measures with the relevant affected party (or their agent), as appropriate.	Helen Martland	Ongoing

## Appendix 1 – Human Rights

Human rights are rights and freedoms that belong to all individuals, regardless of their nationality and citizenship. There are 16 basic rights in the Human Rights Act – all taken from the European Convention on Human Rights. For the purposes of the Act, they are known as ‘the Convention Rights’. They are listed below:

(Article 1 is introductory and is not incorporated into the Human Rights Act)

Article 2: The right to life

Article 3: Prohibition of torture

Article 4: Prohibition of slavery and forced labour

Article 5: Right to liberty and security

Article 6: Right to a fair trial

Article 7: No punishment without law

Article 8: Right to respect for private and family life

Article 9: Freedom of thought, conscience and religion

Article 10: Freedom of expression

Article 11: Freedom of assembly and association

Article 12: Right to marry

Article 14: Prohibition of discrimination

Article 1 of Protocol 1: Protection of property

Article 2 of Protocol 1: Right to education

Article 3 of Protocol 1: Right to free elections

Article 1 of Protocol 13: Abolition of the death penalty

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**Kirklees Council (Buxton House, Huddersfield) Compulsory Purchase Order 2024**

**The Town and Country Planning Act 1990  
and the Acquisition of Land Act 1981**

The Council of the Borough of Kirklees (in this order called "the acquiring authority") hereby makes the following order -

1. Subject to the provisions of this order, the acquiring authority is under section 226(1)(a) of the Town and Country Planning Act 1990 hereby authorised to purchase compulsorily the land described in paragraph 2 for the purpose of facilitating alterations and refurbishments to levels 3-11 of Buxton House along with a change of use of takeaway and public house and alterations to convert ground floor to 2 flats, entrance lobby, bike and bin storage; change of use of restaurant and alterations to convert level 1 to 2 flats and bin storage; alterations to level 2 to form one additional flat and installation of photovoltaics to roof
2. The land authorised to be purchased compulsorily under this order is the land described in the Schedule and delineated and shown Pink on a map prepared in duplicate, sealed with the common seal of the acquiring authority and marked "Map referred to in The Kirklees Council (Buxton House, Huddersfield) Compulsory Purchase Order 2024".



THE SCHEDULE

**Table 1**

Number on map (1)	Extent, description and situation of the land (2)	Qualifying persons under section 12(2)(a) of the Acquisition of Land Act 1981 – name and address (3)			
		Owners or reputed owners	Lessees or reputed lessees	Tenants or reputed tenants (other than lessees)	Occupiers
1	All interests, other than those of the Acquiring Authority, in approximately 47.16 square metres of residential property, located on the 3 <sup>rd</sup> Floor of Buxton House known as Flat 49, Buxton House, New Street, Huddersfield, HD1 2PJ	<b>Kirklees Council Town Hall Huddersfield West Yorkshire HD1 2TA</b>		-	

**Table 2**

Number on map (4)	Other qualifying persons under section 12(2A)(a) of the Acquisition of Land Act 1981 (5)		Other qualifying persons under section 12(2A)(b) of the Acquisition of Land Act 1981 – not otherwise shown in Tables 1 & 2 (6)	
	Name and address	Description of interest to be acquired	Name and address	Description of the land for which the person in adjoining column is likely to make a claim
-	-	-	-	-

THE SCHEDULE

GENERAL ENTRIES

***LIST OF STATUTORY UNDERTAKERS AND OTHER LIKE BODIES HAVING OR POSSIBLY HAVING A RIGHT TO KEEP EQUIPMENT OR HAVING THE BENEFIT OF EASEMENTS ON, IN OR OVER THE LAND WITHIN THE ORDER***

	Address
-	-

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

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## George Hotel – Project update & proposed way forward

<b>Meeting</b>	Cabinet
<b>Date</b>	5 November 2024
<b>Cabinet Member</b>	Cllr Graham Turner
<b>Key Decision Eligible for Call In</b>	Yes Yes
<p><b>Purpose of Report</b> On 11 October 2022 Cabinet approved £20.2million for the refurbishment and redevelopment of the George in Huddersfield Town Centre to transform this building into a new hotel as a key part of the Huddersfield Blueprint. This report provides an update regarding the George Hotel project and the latest funding position and seeks approval for an increased capital allocation to enable the project to progress.</p>	
<p><b>Recommendations</b></p> <ol style="list-style-type: none"> <li>1. Cabinet notes the content of this report.</li> <li>2. Cabinet continues to support the redevelopment of the George site as a hotel.</li> <li>3. Further to the £20.2million in the Capital Plan, Cabinet approves the reprofiling of £9.8million from future phases of the Our Cultural Heart budget within the Capital Plan to this project to provide a total budget of £30million.</li> <li>4. That the Portfolio Holder for Regeneration in consultation with the Executive Director for Place, Director for Finance, and Director for Legal be authorised to:             <ol style="list-style-type: none"> <li>a. Approve any further increase in costs up to a maximum of 5% of the total project cost which would need to be accommodated through further reprofiling of the Capital Plan.</li> <li>b. Explore cost reduction and grant funding opportunities.</li> <li>c. Sign-off the final design.</li> <li>d. Award the building contract subject to contract procedure rules, procurement legislation, planning and other necessary consents being in place.</li> </ol> </li> <li>5. That the Executive Director for Place, and Director for Legal be authorised to:             <ol style="list-style-type: none"> <li>a. Negotiate and enter into a variation to the Hotel Management Agreement within the above limits.</li> <li>b. Negotiate and enter into License/Licenses and formal agreements with Network Rail to facilitate necessary access and egress.</li> </ol> </li> </ol>	
<p><b>Reasons for Recommendations</b></p> <ul style="list-style-type: none"> <li>• The George Hotel remains one of the key Huddersfield Blueprint projects. Its renovation and re-use as a quality hotel will be a mark of the positive progress being made to change the town centre and will be a significant confidence boost for other future investors.</li> <li>• The hotel will deliver direct economic benefits. During the construction phase it is estimated to deliver up to £11.5million of net additional GVA contribution to the local Kirklees economy. Once the hotel is open the creation of new jobs and increased visitor spend is estimated to deliver between £7.5million and £17m of net additional GVA contribution to the local Kirklees economy. In addition, it is estimated there will be additional business rates income of between £0.5million and £1.1million.</li> </ul>	

- The George Hotel remains a catalytic project with the potential to transform both visitor and investor perceptions of Huddersfield Town Centre. Without Council investment the building will remain unoccupied and deteriorate over time.
- The council has so far incurred costs associated with previous phases of the project involving acquisition, surveys and remediation activities, this includes c.£2.3million of grant funding which could be at risk of clawback if the scheme is not progressed.
- If the project is to be paused or cancelled the Council will have incurred costs on the current phase associated with the hotel design development and the Council would need to undertake necessary works for the building to be mothballed (this term refers to the process of preserving a building while it's unoccupied to prevent it from deteriorating or being damaged). These costs would total c.£4.6m. The building will also require ongoing maintenance so building preservation costs of c.£100k per annum (increasing annually) will be incurred by the Council for the foreseeable future.

**Resource Implication**

The total cost of this scheme is now estimated at £30million and the base case assumes this will be funded through Council borrowing. The cost of the borrowing will be met from forecast surplus income to be generated from the operation of the hotel. During the period of construction, the Council will incur borrowing costs which will need to be managed on a cash flow and recover these costs in the period of operation.

**Date signed off by Executive Director & name**

David Shepherd – 24.10.2024

**Is it also signed off by the Service Director for Finance?**

Kevin Mulvaney – 24.10.2024

**Is it also signed off by the Service Director for Legal and Commissioning (Monitoring Officer)?**

Sam Lawton – 24.10.2024

**Electoral wards affected:**

Almondbury, Ashbrow, Crosland Moor and Netherton, Dalton, Greenhead, and Newsome (the Ward in which 'The George' sits).

**Ward councillors consulted:**

Whilst The George Hotel sits within the Newsome ward it is recognised that this scheme has a wider reach and as such councillors from Almondbury, Ashbrow, Crosland Moor and Netherton, Dalton, Greenhead, and Newsome were invited to a briefing with the Portfolio Holder for Regeneration on 21 October 2024.

**Public or private:**

Public report with some private Appendices. The private Appendices are recommended for consideration in private in accordance with Schedule 12A of the Local Government Act 1972 namely they contain information relating to the financial and business affairs of the council and a third party. It is considered that disclosure of the information would adversely affect the commercial interests of Radisson Hotel Group and therefore the public interest in maintaining the exemption, which would protect the rights of an individual or the council, outweighs the public interest in disclosing the information and providing greater openness in the council's decision making.

**Has GDPR been considered?**

Yes. No personal data.

## 1. Executive Summary

Once a popular hotel 'The George' has been closed and vacant since 2013. In August 2020, the Council purchased the building with the intention of bringing this prominent building – which has historic significance as the birthplace of rugby league and is Grade II\* listed – back into use as a key part of the Huddersfield Blueprint.

Kirklees Council launched its ambitious Huddersfield Blueprint regeneration plan in June 2019. This Blueprint is a ten-year vision to create a thriving, modern-day town centre that will be accessible, busy, inclusive, family-friendly, sustainable, safe and open longer. The significant regeneration and investment planned for the town will transform Huddersfield, helping to stimulate domestic and international tourism.

The George Hotel is a core part of realising this vision and remains a catalytic project with the potential to transform both visitor and investor perceptions of Huddersfield Town Centre. Located in the iconic St George's Square, adjoining the railway station that is now being transformed through the Transpennine Route Upgrade (TRU), and forming part of the Station to Stadium Enterprise Corridor, the project will address a major gap in the town's hotel/leisure offer.

It will also be the first Radisson RED site in Yorkshire and the Humber and the attraction of an operator of this quality, alongside a high-quality dining and conferencing offer, will enable the facility to tap into both business tourism and visitor short-stay markets. It will also complement the Council's investment in new and upgraded cultural facilities through the 'Our Cultural Heart' project and realise spillover benefits for the town's hospitality sector.

On 11 October 2022, Cabinet approved the refurbishment and redevelopment of the George to transform the building into a new hotel. The scheme comprised of a 91-bed hotel with an associated food and beverage offer. Approval was also granted at Cabinet to enter into a Hotel Management Agreement (HMA) with hotel operator Radisson Hotel Group utilising the Radisson Red brand. In addition, Cabinet approved a capital allocation of £20.2million for the Hotel development phase with the costs of capital financing being funded from anticipated surpluses.

Since approval at Cabinet in 2022 the George Hotel project has progressed. Increases in construction costs and unforeseen abnormalities (this term covers the additional or unusual costs that often arise during construction projects) on site in relation to the presence of asbestos and historical underpinning have resulted in the hotel development project cost increasing to £30million. In arriving at this cost, significant work has been undertaken to consider potential cost savings, and to explore options to maximise income. As a result of this work a simplified scheme design has been developed which now incorporates 108 bedrooms.

The financial appraisal has been revisited to account for the increase in costs and the increased number of bedrooms, and as part of this review it is now proposed that the repayment period is extended from 20 to 30 years to reflect an appropriate timescale to finance such an asset. Assumptions regarding room rates, occupancy and interest rates have also been reviewed and amended as appropriate.

For the project to progress, £9.8million additional capital funding is required to provide a total allocation of £30million.

Delivery within budget and viability are key considerations and risks, every effort will be made to ensure that these are suitably mitigated, however, The George has been identified as a priority regeneration project for the Council, to ensure this listed and prominent building is brought back into use. As can be seen when the property was in private ownership it had not been possible to create a commercially viable scheme, and the building had been left to deteriorate.

Multiple options have been explored, including: disposal, closure / mothballing (the process of preserving a building while it's unoccupied to prevent it from deteriorating or being damaged); and alternative uses. Having considered the financial implications, economic benefits and risks the option to progress with hotel use is considered the best way forward. However, one of the key risks now is that the opportunity to progress is missed, and the operator and contractor decide not to proceed. There is a high risk of this happening if a decision to progress the scheme is delayed.

If the hotel is progressed, as this report recommends, it will support wider regeneration of the town and deliver economic benefits. During the construction phase it is estimated there will be up to 420 gross and 160 net additional construction job years supporting up to £11.5million of net additional GVA to the local Kirklees economy. Once the hotel is open the creation of up to 54 new on-site gross direct jobs and increased visitor spend is estimated to deliver between £7.5million and £17million of net additional GVA contribution to the local Kirklees economy. In addition, it is estimated there will be additional business rates income of between £0.5million and £1.1million.

Furthermore, the scheme has the potential to also deliver a number of non-monetised benefits including but not limited to:

- Restoration and long-term maintenance of a Grade II\* listed heritage asset which has local and national historic significance.
- Complementing wider plans to help generate additional footfall and investor confidence to act as a catalyst for wider regeneration in the area.
- Potential to draw new/ additional visitors and footfall to Huddersfield Town Centre to support surrounding businesses.
- Providing a local employment, skills and training opportunities.

If the hotel is not progressed, it is likely the building will remain vacant and unoccupied pending a future decision. This would result in the economic regeneration benefits, described above, not being realised. The council has incurred costs associated with previous phases of the project which includes c.£2.3million of grant funding which could be at risk of clawback if the scheme is not progressed.

If the project is to be paused or cancelled the Council will have incurred costs on the current phase and would need to undertake necessary works for the building to be mothballed together costing c.£4.6m. The building will also require ongoing maintenance so building preservation costs of c.£100k per annum will be incurred by the Council for the foreseeable future. There may be an opportunity to develop an alternative scheme at some point in the future, but this may not be for some considerable time.

The Council could have a redeveloped asset with short term pressures rather than doing nothing which comes with its own issues and pressures. Approval of the recommendations in this report will enable the scheme to progress, and target works commencing on site by Summer 2025 and the hotel being open in Summer 2027.



## 2. Information required to take a decision

### 2.1 Background

The Council purchased the George Hotel in August 2020 to bring it back into use as part of the Huddersfield Blueprint. The Blueprint focuses on regenerating six key areas of the town, including the Station Gateway which the George sits within. The building also has historic significance as the birthplace of rugby league and is Grade II\* listed.

Kirklees Council launched its ambitious Huddersfield Blueprint regeneration vision in June 2019. This Blueprint is a ten-year vision to create a thriving, modern-day town centre that will be accessible, busy, inclusive, family-friendly, sustainable, safe and open longer. The significant regeneration and investment planned for the town will transform Huddersfield, helping to stimulate demand for domestic and international tourism.

The strategic aims of the Blueprint are to:

- Create a busy town centre with thriving economy and a balanced offer
- Increase residential living in the town centre
- Have family and student friendly spaces, attractions, and activities.
- Have an economically vibrant town with improved employment opportunities.
- Refocus the retail core
- Position Kirklees as a destination for tourism.
- Join up disparate areas in the town centre.
- Regenerate iconic architecture, complemented by new, modern buildings.
- Bring back 'civic pride'
- Encourage third party private investment.

The George Hotel is central to achieving these aims and remains a catalytic project with the potential to transform both visitor and investor perceptions of Huddersfield Town Centre. Located in the iconic St George's Square, adjoining the railway station that is now being transformed through TRU and forming part of the Station to Stadium Enterprise Corridor, the project will address a major gap in the town's hotel/leisure offer.

This will be the first Radisson RED site in Yorkshire and the Humber and the attraction of an operator of this calibre, alongside a high-quality dining and conferencing offer, will enable the hotel to tap into both the business tourism and visitor short stay markets, complement the Council's investment in new and upgraded cultural facilities through the 'Our Cultural Heart' project and realise spillover benefits for the town centre's hospitality sector.

Bringing the building back into use as a hotel is the recommended option from those set out in Section 6.1. Consideration was also given to alternative uses such as office or residential use, but they were discounted for viability reasons and the significant changes that would be needed to a listed building to make this possible. Private Appendix A presents the Viability Report shared with Cabinet in 2022 prepared by consultants Queensberry Real Estate, the Development and Project Manager appointed to support the project. Given neither office or residential values have improved since 2022 Queensberry has advised that residential or office use would still be less viable, and that a hotel use is the recommended way forward.

On 11 October 2022, Cabinet approved to support the refurbishment and redevelopment of the George to transform the building into a new hotel as part of the Huddersfield Blueprint. The scheme comprised of a 91-bed hotel with an associated food and beverage offer. Approval was also granted at Cabinet to enter into a Hotel Management Agreement (HMA) with hotel operator Radisson Hotel Group utilising the Radisson Red brand. In addition, Cabinet approved a capital allocation of £20.2million for the Hotel development.

Since Cabinet approval, the project design has progressed with the council entering into a Pre-Construction Services Agreement (PCSA) with a Contractor selected via a competitive procurement process. The purpose of the PCSA was for the Contractor to work with the Project Team to develop the design and determine a fixed price for the scheme, ahead of a formal building contract being entered into.

The Contractor's proposed fixed price for the scheme (attached as Private Appendix B) was considered unaffordable, as a result the Council was unable to agree a way forward with the appointed Contractor.

The Project Team approached an alternative contractor who also has extensive hotel experience to review the costs. They reviewed the existing information, site constraints and provided a revised cost estimate. However, this price still exceeded the previous Cabinet approval, due to:

- An increase in construction costs of circa. 18% since Spring 2021.
- Significant asset based abnormals (this term covers the additional or unusual costs that often arise during construction projects) totalling circa £3million which were unknown until surveys were undertaken during the design development process. These relate to asbestos in the basement and the historical underpinning of the façade fronting John William Street.
- Buildability and risk factors in retaining the façade on John William Street during the construction and proposed works to the basement.

The alternative contractor with input from the wider Project Team has reviewed the design and proposed simplifications and efficiencies of the build (this includes the risks and complexities associated with the façade on John William Street, as noted in Private Appendix C).

This review has helped to reduce construction costs. Removal of works in the basement has also been proposed, with the accommodation being moved to the ground floor by removing the atrium area. This should create further benefits in simplifying the fire strategy. The design also enables a more efficient floor layout which has resulted in a design which could provide a significant increase in the number of rooms by c.19%, creating a 108-bedroom hotel.

The redesign will require a new planning application and Listed building consent; however, it is expected that the additional time to secure these consents will be offset by a shorter construction programme. The current timescales (described in Section 2.3) assume planning and listed building consent being granted in Spring 2025 to achieve a start on site by Summer 2025 with completion in Summer 2027.

## 2.2 **Costs**

### Overall Project Costs

The total project cost (including professional and design team fees) has now been revised to £30million. It should be noted that the price provided by the contractor is still at an estimate stage, however, the contractor and project team are confident, based on the current information available, that the hotel can be delivered for this revised cost. Design work needs to be progressed to focus on the basement redesign and the changes to the atrium, and once ground investigations, following the asbestos removal, are complete the fixed price will be confirmed.

### Income assumptions

The previous Cabinet paper stated that the anticipated average daily rate (ADR) charged to the occupier, would be circa £80-£90 as an average per night. However, consultants Queensberry advised that the current data obtained indicates an average of £100-£110 per night gross rate is achievable in this location based on the proposed brand and quality especially considering the supporting facilities of quality food and beverage, banqueting and conferencing which have been allowed for within the capital costs. As such, an increased ADR has been used for financial appraisal.

### Occupancy assumptions

In terms of occupancy, advice has been sought from Queensberry who has advised that 75% - 80% is the industry standard at which hotels anticipate operating at. Queensberry has advised that the absence of a high-quality hotel provision in the town, and the commitment from Radisson demonstrate that 75% - 80% is realistic and achievable and have been assumed in the financial appraisal.

### Repayment period

Previously the scheme was appraised over a 20-year repayment period, this has been extended to 30 years to reflect a more appropriate timescale to fund the capital cost of such an asset. It is noted that the hotel will require a level of refurbishment around year 25, advice from Queensberry is that, in line with industry practice, this would be funded through an increase of income generation and carried out on a phased basis to enable the hotel to remain operational during this time. This is in addition to the sinking fund; an amount set aside each year for general maintenance and repairs.

### Interest rate

The financial appraisal has initially been predicated on an interest rate of 4.65%. In line with Financial Procedure Rules the Director of Finance will determine the most appropriate funding to optimise the Council's financial position. This may include taking out a specific loan for the construction of the hotel and seeking opportunities to refinance at a later date. Such decisions will be reported to Cabinet and Council. A reduction of 0.5% to 4.15% from 2029/30 has been used as part of the sensitivity analysis as noted in Section 3.2 and detailed in Private Appendix D.

## 2.3 **Indicative Timescale**

Key milestones targets are as follows:

- January 2025: Planning and listed building consent submission
- February 2025: Removal of asbestos
- March 2025: Site investigations complete
- May 2025: Fixed price confirmed
- May 2025: Planning determined
- June 2025: Building Contract agreed and signed

- July 2025: Start on site
- Summer 2027: Hotel Opening date

Subject to the approval of this Cabinet report the Council will enter into an agreement with the contractor to progress the design and enabling works to confirm the fixed price. The value of this initial contract will not exceed £1million. For clarity, this £1million is included within the overall £30million cost. This initial agreement will enable the Portfolio Holder for Regeneration in consultation with the Executive Director for Place, Director for Finance, and Director for Legal, Governance & Commissioning to review and agree the fixed price before awarding the building contract.

## 2.4 **Benefits**

A Socio-economic impact analysis has been undertaken by consultants Cushman & Wakefield to identify the potential scale of benefits that the proposed redevelopment of the hotel could deliver. These are summarised below and detailed within Private Appendix E.

During the construction phase it is estimated there will be up to 420 gross and 160 net additional construction job years supporting up to £11.5million of net additional GVA to the local Kirklees economy.

Once the hotel is open the creation of up to 54 new on-site gross direct FTE jobs, 21 gross indirect FTE jobs and increased visitor spend is estimated to deliver between £7.5million (over a 10-year period) and £17million (over a 31-year period) of net additional GVA contribution to the local Kirklees economy. In addition, it is estimated there will be additional business rates income of between £0.5million (over a 10-year period) and £1.1million (over a 31-year period).

Furthermore, the scheme has the potential to also deliver a number of non-monetised benefits including but not limited to:

- Restoration and long-term maintenance of a Grade II\* listed heritage asset which has local and national historic significance.
- Complementing wider plans around St George's Square and within the Station to Stadium Enterprise Corridor to help generate additional footfall and investor confidence to act as a catalyst for wider regeneration in the area.
- Potential to draw new/ additional visitors and footfall to Huddersfield Town Centre to support surrounding businesses.
- Providing a significant number of suitable and local employment opportunities, this could result in new entrants to the labour market. This could result in new entrants to the labour market with a reduced dependency on the benefits system and increased income tax and national insurance contributions, thus creating fiscal benefits to the Exchequer.
- Generating new skills and training opportunities, including apprenticeships, associated with both the construction jobs during the delivery phase and accommodation/ food & beverage jobs during the operational phase.

## 2.5 **Sustainability**

Further to the Climate Emergency declared in Kirklees, the Project Team is considering how this project can best support the movement towards a zero-carbon future and as far as reasonably possible reduce the carbon footprint of the George building. The Council and its design team are aiming to achieve a minimum BREEAM 'Very Good' Rating.

### 3. Implications for the Council

#### 3.1 Council Plan

This project directly supports one of the four priorities identified within the Council Plan: *'Continue to invest and regenerate our towns and villages to support our diverse places and communities to flourish'*.

The Council purchased the George at a time when its condition was continuing to deteriorate in private ownership. The building had been vacant for a considerable time due to the state of the building and the difficulty in identifying a commercially viable scheme. It is crucial that the public sector is involved in bringing the building back in to use and reinstate the George as a thriving, sustainable hotel. The George remains one of the key Blueprint projects. Its renovation and re-use as a quality hotel will be a mark of the progress being made in the town and will be a significant confidence boost for potential investors.

#### 3.2 Financial Implications

To progress with the recommended option (see section 6 for further detail), the project will require an additional £9.8million of capital to provide a total allocation of £30million to cover the increase in total project costs.

In line with the Council's Medium Term Financial Plan approved at Council in September 2024, any additional asks for Kirklees funded capital would only be approved subject to funding being redirected from other programmes. The funding for this additional ask of £9.8million would be redirected from future phases of the Our Cultural Heart programme.

In terms of operation, the HMA is set up so that Radisson Group oversee the daily operations of the hotel and the property. Radisson Group will collect the income, apply all costs and any surplus will come to the Council which will contribute to the financing costs.

Based on the updated financial appraisal after 30 years there could be a deficit of up to £7.4million. This is a cumulative impact, and there would be losses per annum, equal to an average of c.£195k with a higher pressure in earlier years which could equate to a maximum cost to the Council of £1.1million in 2026/27 and then reducing in subsequent years. This reflects the fact the Council would incur borrowing costs during construction with no surplus income initially to offset. These figures are estimates at this stage and all options will be examined to minimise the impact upon the Council's revenue budget.

This position could be improved if a more favourable interest rate can be secured and/or by exploring a combination of construction cost savings and securing external grant funding. For example, it may be possible to secure a more favourable interest rate from the year 2029/30, if this is achieved and if construction cost savings and/or grant funding to the value of £2.75million can be assembled there could be a surplus after 30 years.

The table below summarises different scenarios and details are also provided in Private Appendix D.

Cost saving / Grant funding	Interest rate reduction (from 29/30)	Max cost in 26/27	Yr 1	Yr 2	Yr 3	Yr 4	Cumulative cost
£0	0%	£1.1m	£463k	£408k	£341k	£343k	£7.4m
£0	0.5%	£1.1m	£463k	£408k	£195k	£198k	£4.5m
£2.75m	0%	£1m	£335k	£252k	£185k	£186k	£2.5m
£2.75m	0.5%	£1m	£335k	£252k	£52k	£55k	-£200k

It should be noted that this position could be improved if further grant and/or cost savings can be found.

If the Council do not proceed and instead mothball the building, the Council will have incurred costs on the current phase associated with the hotel design development and the Council would need to undertake necessary works for the building to be mothballed. The cost to the Council of not progressing would be c.£4.6m. Subsequently there will be ongoing maintenance costs of c.£100k per annum, increasing annually, as an additional pressure on the General Fund Revenue Budgets.

### 3.3 **Legal Implications**

The Council has the power to borrow under section 1 of the Local Government Act 2003 for any purpose relevant to its functions under any enactment or for the prudent management of its financial affairs. Any borrowing must comply with the Prudential Capital Finance Code and be prudent and sustainable.

The Council has the power to contract under the Local Government Contracts Act 1997 and enter into the HMA under the General Power of Competence under section 1 of the Localism Act 2011. The proposed method of procurement is using a legally compliant Framework Agreement by way of a direct call-off to the identified provider in accordance with the Council's Contract Procedure Rules and Financial Procedure Rules. The Council has a duty of Best Value under section 3 of the Local Government Act 1999 to make arrangements to secure continuous improvement in the way its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

The Council has a fiduciary duty to its council tax and business rate payers and should balance their interests against the regeneration aims of the project, so taxpayers' money is not unreasonably put at risk. The Council must comply with its Public Sector Equality Duty under section 149 of the Equality Act 2010. A variation to the HMA will need to be formally agreed with Radisson Group to extend the proposed opening date of the hotel. Terms with the Contractor will also need to be prepared and agreed.

Network Rail has taken temporary possession of the car parks to the West of the George Hotel pursuant to their powers under The Network Rail (Huddersfield to Westtown (Dewsbury) Improvements) Order 2022 - Statutory Instrument 2022-1067. Access to the car parks is essential in order to be able to maintain a site compound and access for demolition and rebuilding works. Whilst access is currently permitted a Licence/Licences will need to be formalised by the Council with Network Rail to ensure temporary access to the adjacent car parks in order to use part of this space as a site compound and for the duration of the works.

In order to protect the Council's longer term intentions of bringing the George Hotel back in to use it is essential that prior to letting the building contract to the Contractor the Council secures a formal agreement from Network Rail to confirm that a formal easement will be granted to the Council over Network Rail's adjacent car park in order to facilitate deliveries and collections and as a means of emergency egress in the case of a fire alarm, in addition to formalising their surface water drainage rights that pass through the George Hotel footprint.

### 3.4 **Risk**

A risk management process is in place to allow individual risk events and overall risk to be understood and managed proactively, optimising success by minimising threats and

maximising opportunities. A risk register is in place to document risks, analysis, mitigation and to assign clear ownership of actions.

The top project risks (for the recommended option) are currently:

- Project cost uncertainty. Costs may rise during further discussions to agree a construction price with the contractor, and during the project delivery phase (given refurbishment of a historic building, interface with Network Rail and the adjacent TRU scheme at Huddersfield Railway Station). This risk applies to the redesign and enabling works phase of the project and is being managed through close working with the design team and contractor.
- The completed project does not perform as anticipated. Risk of above budget costs/ under performance of income targets passing through to the Council in the longer term (given the operating business model). This risk applies during the duration of the council's ownership but is being managed through close working with Queensbury, the contractor and Radisson to ensure reasonable assumptions have been made in the business model. Also, once open the council and operator will work together to ensure the successful promotion and activation of the hotel.
- The chosen operator seeks to renegotiate the terms of the arrangement. This will be managed through the contract.
- Delay to obtaining planning and/or listed building consent. This is being managed through ongoing liaison with Council planning officers and Historic England.
- Failure to secure interest rates as assumed in the business case. The Council's Finance team is confident of the base scenario but will continue to monitor changes and will determine the most appropriate funding to optimise the Council's financial position.
- Delay awarding building contract. The Council will be unable to let the building contract until such time as it has a formal Licence/Licences in place and an agreement for a formal easement and regularisation of the drainage rights as referred to in 3.3 above as the risk is that Network Rail would not allow access during the demolition and construction phase leading to financial penalties if the building contract had been let or if the works had been completed and Network Rail refused future access for deliveries and collections and for emergency egress the hotel would be unable to open and operate following the huge expenditure on the build costs. This is being managed through close working and continued collaboration with Network Rail.

#### **4 Consultation**

This report deals with the delivery of one part of the Blueprint. The Blueprint was subject to several consultation & engagement exercises commencing in 2018 as part of the Blueprint development and then again late in 2019 after the Blueprint launch the council undertook a Place Standard exercise to benchmark public reaction to the approach and projects. The results from this exercise show there is a great desire to bring the George into active use. The key report for this can be found by accessing the following link: <https://howgoodisourplace.org.uk/huddersfield-town-centre/>

Moving forward, the detailed designs will be subject to formal consultation through the planning stage where all parties, including members of the public, will have access to detailed plans and will be able to comment on the proposals.

#### **5 Engagement**

Whilst The George Hotel sits within the Newsome ward it is recognised that this scheme has a wider reach and as such councillors from Almondbury, Ashbrow, Crosland Moor

and Netherton, Dalton, Greenhead, and Newsome were invited to a briefing with the Portfolio Holder for Regeneration on 21 October 2024. As part of this briefing those councillors that attended were invited to submit comments for inclusion within this report. None were received.

Following Cabinet, wider engagement with the community and businesses will take place in collaboration with the newly formed Huddersfield Partnership (which includes representatives from Huddersfield BID, Huddersfield Unlimited, Kirklees College, University of Huddersfield, Kingsgate, Lawence Batley Theatre, Kirklees Third Sector Leaders, Kirklees Local TV, West Yorkshire Police and the Council).

Regular meetings and engagement have been taking place between the Project Team and Network Rail and these will continue to ensure an effective interface between the George Hotel and the Transpennine Route Upgrade project. The Project Team have also been working closely with Historic England who are supportive of the project and keen to see it progress as it will enable the restoration and long-term maintenance of a Grade II\* listed heritage asset which has local and national historic significance as the birthplace of Rugby League.

## 6 Options

### 6.1 Options Considered

A summary of the options considered for The George are summarised below, and then discussed in the subsequent sections:

- **Option 1:** Do nothing and dispose of the building
- **Option 2:** Mothball the building and review in 3-5 years
- **Option 3:** Alternative use for the building
- **Option 4:** Pursue the redevelopment as a hotel

#### Option 1 – Do nothing and dispose of the building

Impact on...	
Building	<ul style="list-style-type: none"> <li>• Key gateway building could be left vacant and derelict for several years.</li> <li>• Potential for water ingress to parts of the building that were not part of previous remedial works which could accelerate the building's deterioration and require investment to make secure prior to sale.</li> </ul>
Finances	<ul style="list-style-type: none"> <li>• Further costs associated with the building development could be minimised.</li> <li>• The Council has incurred costs to date, including previous grants which may need to be returned if building not brought back into use.</li> <li>• The Council would be responsible for the maintenance and security of the building until a sale could be agreed which are estimated at a minimum of £100k per annum increasing annually.</li> </ul>
Regeneration	<ul style="list-style-type: none"> <li>• Key aspects of the Huddersfield Blueprint would not be implemented.</li> <li>• The regeneration and visitor spend benefits which could have been brought to the town by having a Raddison operated hotel would have been lost.</li> <li>• Creating a prominent gateway at the start of the Station to Stadium Enterprise Corridor would be lost.</li> </ul>



Risk	<ul style="list-style-type: none"> <li>• A purchaser may not be found – especially given that any scheme is likely to be financially unviable and the immediate works needed to the structure.</li> <li>• If no purchaser is found the Council will have to manage the asset into the long term.</li> <li>• The Council would have less influence on the end use/user.</li> <li>• Reputational risk given the Council purchased the building and have not been able to bring it forward.</li> </ul>
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### **Option 2 – Mothball the building and review in 3-5 years**

<b>Impact on...</b>	
Building	<ul style="list-style-type: none"> <li>• As Option 1</li> </ul>
Finances	<ul style="list-style-type: none"> <li>• The Council will need to undertake works to make the building safe to address structural instabilities in a large proportion of the building and asbestos removal and safeguarding. The total cost of works to date on this phase and the mothballing will be c.£4.6m</li> <li>• Ongoing maintenance cost for security, insurance and general preventative maintenance. Estimated to cost at least £100k per annum, increasing annually.</li> <li>• As Option 1 - the Council has incurred costs to date, including previous grants which may need to be returned if building not brought back into use.</li> </ul>
Regeneration	<ul style="list-style-type: none"> <li>• As Option 1</li> </ul>
Risk	<ul style="list-style-type: none"> <li>• High reputational risk given the Council purchased the building and has not been able to bring it forward</li> <li>• The HMA will have expired and there may no longer be demand from a high-quality hotel operator such as Radisson Group wanting to locate in Huddersfield as an alternative site could have been sought.</li> <li>• In 3 to 5 years there may not be any interest from a contractor to carry out the works</li> <li>• Unknown changes to interest rates and construction prices may impact future viability.</li> </ul>

### **Option 3 – Alternative use for the building**

<b>Impact on...</b>	
Building	<ul style="list-style-type: none"> <li>• The building was built as a hotel so any alternative use would involve a greater level of harm to create either appropriate residential or office accommodation which would need to be accepted by Historic England; and would be subject to planning and other consents.</li> <li>• Refurbishing the building and bringing it back into use it would ensure its longevity.</li> </ul>
Finances	<ul style="list-style-type: none"> <li>• Office or residential use for the building is less financially viable than a hotel as it is expected to require a higher level of investment.</li> </ul>
Regeneration / Benefits	<ul style="list-style-type: none"> <li>• The benefits to the visitor economy of having a high-quality hotel located in the centre of Huddersfield would not be realised.</li> </ul>

	<ul style="list-style-type: none"> <li>• Additional economic benefits associated new residential, or office space would be realised</li> </ul>
Risk	<ul style="list-style-type: none"> <li>• Reputational risk associated with change of strategy and end use.</li> <li>• Risk that neither a residential or office use could be delivered, resulting in the building remaining vacant and requiring ongoing Council funding.</li> </ul>

#### **Option 4 – Pursue the redevelopment as a hotel**

<b>Impact on...</b>	
Building	<ul style="list-style-type: none"> <li>• Refurbishing the building and bringing it back into use it would ensure its longevity.</li> </ul>
Finances	<ul style="list-style-type: none"> <li>• Hotel use is the most viable option.</li> <li>• Total project cost has increased from £20.2million to £30million.</li> <li>• Without further cost savings and/or external funding the scheme is no longer self-financing and creates pressure on the general fund</li> <li>• Other projects in the Capital Plan will need to be paused and/or removed to enable the George Hotel project to come forward.</li> </ul>
Regeneration	<ul style="list-style-type: none"> <li>• The George Hotel is part of the wider Huddersfield Blueprint, a ten-year vision to create a thriving town centre boasting a diverse and exciting offer. The hotel would act as an impressive gateway to the Town Centre, welcoming business visitors and growing Huddersfield's profile as an attractive tourist destination.</li> <li>• The quality of the hotel is a key consideration, as such, progressing with a lower quality hotel offer is not under consideration. A high-quality hotel offer is needed to help attract visitors and provide conference facilities and a restaurant that will benefit the town.</li> <li>• Currently, there is a lack of high-quality hotel provision in Kirklees and having a recognised brand in Radisson Group linked to Huddersfield will be beneficial in helping to attract visitors.</li> <li>• The George Hotel is in a highly prominent location with frontage on to St George's Square and adjacent to Huddersfield Railway Station and is a gateway building to both the Huddersfield Town Centre and the Station to Stadium Gateway Enterprise Corridor.</li> <li>• Will provide investor confidence to help stimulate wider regeneration</li> </ul>
Risk	<ul style="list-style-type: none"> <li>• Project costs could increase above £30million</li> <li>• Time taken to decide on the best way forward and securing the required legal agreements could result in the contractor and/or hotel operator walking away.</li> </ul>

#### **6.2 Reasons for recommended Option**

The recommended option is to continue with the redevelopment of the building as a hotel (Option 4) and for Cabinet to approve an increased capital allocation of £30million to be included within the Capital Plan.

This scheme is a regeneration project, and it is beneficial that the public sector is involved to bring this listed and prominent building back into use. As can be seen when the property was in private ownership it had not been possible to create a commercially viable scheme, and the building had been left to deteriorate. The George Hotel remains one of the key Blueprint projects. Its renovation and re-use as a quality hotel will be a

mark of the progress being made to enhance the town centre and will be a significant confidence boost for other potential investors in the town.

Despite the increase in costs and potential deficit, the end use as a hotel remains the best and most viable option, and the current commitment from Raddison reinforces that position. It must be noted that the current HMA states that the latest the hotel will open is December 2025. Given the construction period will take 24 months Radisson are aware this is not possible, and it is anticipated they will agree to extend the HMA, however, to retain them as the future operator Cabinet commitment and approval is required.

Once open the hotel will support wider regeneration of the town and deliver economic benefits associated with new jobs, increased visitor spend, and additional business rates, and will help transform both visitor and investor perceptions of Huddersfield.

If Option 4 is not progressed, it is likely the building will remain vacant and unoccupied. This will not only mean that the economic benefits are not realised but the Council will have incurred substantial costs to date and will need to fund the costs associated with mothballing and the ongoing building preservation costs. The Council could have a redeveloped asset with short term pressures rather than doing nothing.

## **7 Next steps and timelines**

Subject to the approval of the recommendations in this report the key next steps are:

- Enter into agreements with the contractor to progress the redesign and enabling works necessary to achieve a fixed price.
- Formally agree a variation to the Hotel Management Agreement with Radisson Group to extend the proposed opening date of the hotel.
- Submit a revised planning application and Listed Building Consent application
- Negotiate terms with Network Rail for the grant of the Licence(s), a formal easement for deliveries, collections and emergency egress and the regularisation of surface water drainage from their land through the hotel site and enter into appropriate documentation prior to letting the building contract.
- Commence the removal of asbestos to enable further intrusive investigations.
- Obtained a fixed priced contract in early 2025 (following completion of the site investigations) and full commencement on site by Summer 2025.

## **8 Contact officer**

Joanne Bartholomew – Service Director for Development

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

Cabinet 16 June 2020 – Acquisition of the George Hotel: [Paper](#) | [Decision](#)

Cabinet 11 October 2022 – Refurbishment of the George Hotel: [Paper](#) | [Decision](#)

## **10 Appendices**

Appendix A	Queensberry Report on Viability (Private)
Appendix B	PCSA Contractor Fixed Price (Private)
Appendix C	Façade complexities and risks (Private)
Appendix D	Appraisal Scenarios (Private)
Appendix E	Socio-economic impact statement (Private)

## **11 Director responsible**

David Shepherd– Executive Director for Place

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