

Public Document Pack

Kirklees Council



Council Chamber - Town Hall, Huddersfield

Tuesday 3 March 2026

Dear Member

The Council will meet on Wednesday 11 March 2026 at 5.30 pm in the Council Chamber - Town Hall, Huddersfield.

(Please note that the meeting will break at sunset for 30 minutes).

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

The following matters will be debated:

Pages

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

3: Minutes of Previous Meeting

To approve the Minutes of the Meeting of Council held on 25 February 2026.

1 - 16

4: Declaration of Interests

17 - 18

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

5: Petitions (From Members of the Council)

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

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

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

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

7: Public Question Time

To receive any public questions.

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

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

8: West Yorkshire Combined Authority - Minutes

19 - 26

To receive the Minutes of the Meeting of West Yorkshire Combined Authority held on 4 December 2025.

- 9: Proposed Revisions to Financial Procedure Rules (Reference from Corporate Governance and Audit Committee)** 27 - 76
- To consider the report.
- Contact: Martin Dearnley, Head of Audit and Risk
-
- 10: Proposed Revisions to Contract Procedure Rules (Reference from Corporate Governance and Audit Committee)** 77 - 126
- To consider the report.
- Contact: Ruth Calladine, Head of Procurement
-
- 11: Proposed Revisions to the Constitution (Reference from Corporate Governance and Audit Committee)** 127 - 158
- To consider the report.
- Contact: Samantha Lawton, Service Director – Legal, Governance and Commissioning
-
- 12: Dates of Council Meetings - 2026/2027 Municipal Year (Reference from Corporate Governance and Audit Committee)** 159 - 162
- To consider the report.
- Contact: Leigh Webb, Head of Governance
-
- 13: Cooper Bridge Improvement Scheme – Acceptance of delegated non-executive functions from Calderdale MBC to Kirklees MBC (Reference from Strategic Planning Committee)** 163 - 196
- To consider the report.
- Contact: Ilyas Ramjan, Head of Major Projects

14: Member Development Framework (Reference from Overview and Scrutiny Management Committee) 197 - 210

To consider the report.

Contact: Leigh Webb, Head of Governance

15: Response to Motions in accordance with Council Procedure Rule 5(o) 211 - 216

To receive, for information, the responses received to the following Motions, as agreed by Council on 17 December 2025 (i) Disabled bus access (ii) Growing epidemic of violence towards women and girls and (iii) Firework use, enforcement and community safety.

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

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

A schedule of written questions will be published. One supplementary oral question will be permitted.

17: Minutes of Cabinet and Cabinet Committee - Local Issues 217 - 240

To receive the Minutes of (i) Cabinet held on 2 December 2025 and 13 January 2026 and (ii) Cabinet Committee – Local issues held on 19 November 2025.

18: Holding the Executive to Account

(i) To receive a portfolio update from the Leader of the Council.

(ii) To receive oral questions/comments to Cabinet Members on their Portfolios and relevant Cabinet Minutes;

- The Leader of the Council (Councillor Pattison)

- The Deputy Leader of the Council / Housing and Transport (Councillor Crook)
 - Adult Social Care and Corporate (Councillor Dad)
 - Children's Services (Councillor Kendrick)
 - Communities and Environment (Councillor A U Pinnock)
 - Education (Councillor Rylah)
 - Finance and Regeneration (Councillor Turner)
 - Highways and Waste (Councillor Hawkins)
 - Public Health (Councillor Addy)
-

19: Minutes of Other Committees

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- i. Corporate Governance and Audit Committee
 - ii. District Wide Planning Committee
 - iii. Health and Wellbeing Board
 - iv. Overview and Scrutiny Management Committee
 - v. Strategic Planning Committee
-

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

- Appeals Panel (Councillor Longstaff)
- Corporate Governance and Audit Committee (Councillor Taylor)
- District Wide Planning Committee (Councillor Ullah)
- Health and Wellbeing Board (Councillor Addy)
- Licensing and Safety Committee - including Licensing and Regulatory Panel (Councillor Firth)
- Overview and Scrutiny Management Committee (Councillor Burke)
- Personnel Committee (Councillor Pattison)
- Scrutiny Panel – Children's (Councillor Ali)
- Scrutiny Panel – Environment and Climate Change (Councillor Cooper)
- Scrutiny Panel – Growth and Regeneration (Councillor Amin)
- Scrutiny Panel – Health and Adult Social Care (Councillor J D Lawson)
- Standards Committee (Councillor Armer)
- Strategic Planning Committee (Councillor Homewood)
- Kirklees Active Leisure (Councillor Sokhal)
- One Adoption Joint Committee (Councillor Sewell)
- West Yorkshire Combined Authority (Councillor Pattison)
- West Yorkshire Combined Authority Transport Committee (Councillor McLoughlin)

- West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
 - West Yorkshire Joint Services Committee (Councillor Munir Ahmed)
 - West Yorkshire Police and Crime Panel (Councillor Lowe)
-

21: Motion submitted in accordance with Council Procedure Rule 14 as to Establishing a Formal Fast-Track System for Home Adaptations for Residents Living with Motor Neurone Disease

To consider the following Motion in the names of Councillors Masood Ahmed, Darwan, Scott, Daji, H Zaman, A Zaman, Anwar, Kahut and Hussain;

“This Council notes that:

Motor neurone disease (MND) is one of the most devastating and unforgiving conditions imaginable. It advances with a cruel and relentless pace, leaving families little time to adjust to the profound changes it brings. A third of those diagnosed will die within a year; half within two. For those living with MND, every day truly matters.

In such circumstances, a safe and accessible home becomes far more than bricks and mortar: it becomes security, independence, dignity and comfort at a time when these are most fragile. Yet the swiftness with which MND progresses means that home adaptations must be provided not merely promptly, but with genuine urgency.

At present, Kirklees Council does not publish a fast-track process with defined, shortened statutory timescales for Disabled Facilities Grant (DFG) applications. While it is acknowledged that urgent cases are prioritised through the Council's triage system, this informal approach, however well-intentioned, does not offer the clarity, consistency or speed required by those whose needs can change dramatically in a matter of weeks.

The Motor Neurone Disease Association, in its report *A Lifeline Not a Luxury*, highlights examples of best practice across the country and recommends the creation of formal fast-track pathways for people with progressive and terminal illnesses. These systems ensure that vital adaptations are delivered swiftly, sparing families avoidable distress and preventing crises that carry greater emotional and financial costs.

This Council believes:

That every resident facing a progressive or terminal condition deserves a timely, compassionate and clearly defined route to the

support they urgently require.

That early and decisive intervention preserves dignity, reduces avoidable hospital admissions, and protects individuals from becoming trapped in homes no longer suited to their rapidly changing needs.

And that Kirklees should adopt a standard worthy of its values—transparent, humane and fit for the realities of MND.

This Council therefore resolves:

To request that the matter be referred to the Council's Scrutiny process and that the relevant Scrutiny Panel be requested to review the implementation of (i) to (iv) below;

- (i) To publish the Council's fast-track process for the assessment, approval and delivery of Disabled Facilities Grant home adaptations for residents living with progressive or terminal conditions, including MND.
- (ii) To request that any necessary works and adaptations to support residents are carried out within a reasonable timeframe and as soon as is practically possible.
- (iii) To ensure that the fast-track process is transparent and accessible to residents, families and professionals, with clear guidance published on the Council's website
- (iv) To request that the Council works in close partnership with local health, social care, and care providers and patient representative organisations to ensure the Council collectively prioritises and responds to urgent health, housing and care needs arising for any residents experiencing any rapidly progressing life-limiting condition, including MND.

In adopting this motion, we affirm that in Kirklees, compassion is not optional, and timeliness is not a courtesy—it is a duty. Though we cannot halt the course of MND, we can ensure that no residents spend a single day longer than necessary waiting for the dignity, comfort and safety they so urgently need.”

22: Motion submitted in accordance with Council Procedure Rule 14 as to Defending Civil Liberties - Absolute Opposition to Digital ID

To consider the following Motion in the names of Councillors Masood Ahmed, Darwan, Scott, Daji, H Zaman, A Zaman, Anwar, and Hussain;

“This Council notes:

- 1) That His Majesty’s Government is advancing proposals which may result in the introduction of a national digital identity system, thereby fundamentally altering the manner in which individuals interact with public services and the state.
- 2) That national digital identity schemes give rise to serious concerns in respect of civil liberties, including the expansion of data collection, increased monitoring, and the potential for state or corporate surveillance.
- 3) That there are well-documented risks relating to data security, breaches of privacy, and the prospect of “mission creep” once such systems are established.
- 4) That there is no clear or compelling evidence that a national digital identity system would deliver benefits that are either necessary or proportionate for local communities, whilst the risks of exclusion and discrimination—particularly affecting residents without access to digital devices, reliable connectivity, or adequate digital literacy—are substantial.
- 5) That previous attempts to introduce national identity cards in the United Kingdom were abandoned due to widespread concerns regarding cost, intrusiveness, and incompatibility with democratic principles.

This Council believes:

- 1) That the right to live freely, without undue monitoring or surveillance by the state or private corporations, is a fundamental pillar of a democratic society.
- 2) That national digital identity systems risk undermining public confidence, creating additional barriers for vulnerable residents, and normalising an excessive reliance on personal data.
- 3) That access to essential public services should not be contingent upon the possession or use of digital identification.
- 4) That local authorities have a duty to protect the privacy, dignity, and fundamental freedoms of the communities they serve.

This Council resolves:

- 1) To request that the Leader of the Council, on behalf of Council, write to the Secretary of State for the Home Department (i) expressing this Council's firm opposition to the introduction of any national digital identity scheme whether mandatory or voluntary (ii) setting out this Council's opposition to national digital identity proposals and (iii) calling for such proposals to be withdrawn.
- 2) To request that the Leader of the Council or the Chief Executive write to the Local Government Association (LGA), urging it to oppose the development, trial, or implementation of any national digital identity system that may erode civil liberties or exclude residents.
- 3) To reaffirm this Council's commitment to safeguarding residents' privacy, autonomy, and access to public services without the requirement for digital identification."

23: Motion submitted in accordance with Council Procedure Rule 14 as to Protecting the Green Boundaries between Kirklees Towns and Villages

To consider the following Motion in the names of Councillors Arshad, Hall, Bolt, Taylor, Bamford and R Smith;

"This Council recognises the vital role that green spaces and natural buffer zones play in shaping the character, setting, and distinct identity of towns and villages across Kirklees. These green boundaries safeguard biodiversity, contribute to climate resilience, enhance residents' wellbeing, and preserve the historic pattern of our settlements.

Council further notes the increasing identification and use of so-called "grey belt land" for future development and expresses concern that, without clear and enforceable safeguards, such designations risk enabling incremental encroachment into the green boundaries that separate our communities. Council believes such encroachment would undermine the individuality of our towns and villages, increase pressure on local infrastructure, and contribute to unsustainable urban sprawl.

Council therefore resolves to:

- 1) Reaffirm its commitment to protecting the green spaces, strategic gaps, and natural buffer zones that maintain the

physical, visual, and environmental separation between Kirklees towns and villages.

- 2) Ensure that the emerging Local Plan prioritises brownfield regeneration, vacant buildings, town centres and underutilised land within existing settlements for development.
 - 3) Require that officers incorporate, within the current and subsequent Local Plan reviews, explicit and measurable safeguards to prevent development that would reduce or erode the separation between settlements, including strengthened criteria for assessing applications within strategic gaps.
 - 4) Request that Cabinet brings forward a detailed report setting out:
 - the policy mechanisms available to reinforce permanent green boundaries between settlements;
 - how these protections will be applied consistently across Kirklees; and
 - recommendations for preventing settlement-coalescence, ensuring each community retains its unique identity and sense of place.”
-

24: Motion submitted in accordance with Council Procedure Rule 14 as to Review of the Communal Grounds Maintenance Charge

To consider the following Motion in the names of Councillors Scott, H Zaman, A Zaman, Anwar, Masood Ahmed, Hussain, Darwan and Daji;

“This Council notes that:

- 1) Kirklees Council has approved a new communal grounds-maintenance service charge for council-housing estates, set at “up to £1 per week” for tenants.
- 2) This charge applies only to certain households depending on estate layout and tenure, creating a real risk of a two-tier system where some residents pay extra for communal areas while neighbours on the same estate pay nothing.
- 3) The introduction of this charge marks a major shift in principle, moving long-standing estate maintenance away from the Housing Revenue Account and onto a direct weekly tenant levy for impacted tenants.

- 4) There is no safeguard stopping future administrations from increasing the charge beyond £1 per week.
- 5) The garden waste removal service charge rising from £37.50 in 2019 to £56.65 in 2026 (a 51% increase) shows how quickly and quietly new charges can escalate once introduced.

This Council believes that:

- 1) Any new tenant levy must be fair, transparent and justified, and must not create inequality between residents who share the same estate.
- 2) Tenants are entitled to full clarity about why a new charge is being introduced, how it is calculated, and what protections exist against future increases.
- 3) Before the charge is allowed to progress further, the council must be satisfied it does not disproportionately or unfairly impact council tenants.

This Council resolves to:

- 1) Request that Cabinet initiate an immediate review of the communal grounds-maintenance charge, examining:
 - The fairness of applying the charge selectively to tenants
 - The rationale for removing these services from the HRA
 - Whether the charge should be paused, amended, or withdrawn
 - What protections could be introduced to prevent future increases
- 2) Request that Cabinet submit the findings of the review to the most appropriate Scrutiny Panel for examination at the earliest available meeting.
- 3) Ensure that, as part of the review process, tenants are fully consulted, and that their experiences, concerns and preferences directly inform the review and its outcomes.”

25: Motion submitted in accordance with Council Procedure Rule 14 as to Further Support for Armed Forces Veterans

To consider the following Motion in the names of Councillors A Smith and Burke;

“This Council notes:

- 1) In the 2021 Census, Kirklees was home to 8,942 people who

- reported that they had previously served in the regular UK Armed Forces;
- 2) The obligations it owes to the armed forces community within Kirklees, as enshrined in the Armed Forces Covenant; that the armed forces community should not face disadvantage in the provision of services;
 - 3) That a number of military compensation schemes exist to recognise and compensate service personnel and their families, for the hardship, inconvenience or ongoing impact conditions, such as PTSD, limb or hearing loss;
 - 4) Whilst some benefits, such as Universal Credit, rightly disregard military compensation as income, others administered by or subject to the discretion of local authorities do not always do so. This means that some veterans must give up part of their compensation in order to access essential support. A 2022 Freedom of Information request by the Royal British Legion showed that nationally, only one in five (19%) of local authorities rightly disregarded all military compensation when assessing local benefit claims for Housing Benefit, Council Tax Support, Discretionary Housing Payments and Disabled Facilities Grants. In Kirklees, Discretionary Housing Payments are currently not disregarded; The Kirklees Armed Forces Covenant focuses on general support, housing, healthcare and integration, rather than explicitly referencing military compensation or its treatment in welfare means tests;
 - 5) There are over 1 million veterans nationally over the State Pension age with 146,000 estimated to be eligible for Pension Credit. However, current rules may deny them support if their military compensation is counted as income;
 - 6) Under the Armed Forces Covenant principles and statutory duty (Armed Forces Act 2021), councils must have due regard to these principles in housing, healthcare and education decisions. However, welfare benefit means tests are not covered by the legal duty and currently remain discretionary;
 - 7) The Royal British Legion 'Credit their Service' campaign exists to address the issue in the previous point, demanding an end to the treatment of military compensation as income by welfare benefit means test, as it results in many veterans and their families missing out on thousands of pounds each year. The Royal British Legion argue that it breaches the Armed Forces Covenant principle that veterans should face no disadvantage compared to civilians;

This Council believes that:

- 1) No member of the armed forces community should be forced to give up their military compensation to access the same

welfare support as their civilian counterparts;

- 2) All compensation paid under any of the relevant military compensation schemes should be treated as such and not regarded as income when the local authority assesses applications for benefits over which they exercise discretion: Council Tax Support scheme, Housing Benefit, Discretionary Housing Payments and Disabled Facilities Grants. Rather it should be treated as intended, as a compensatory payment made in recognition of the often significant and life-changing service or sacrifice an individual has made in the course of their service in our nation's Armed Forces.

This Council, therefore, resolves to:

- 1) Support the Royal British Legion's call for all forms of military compensation to be disregarded as income in the assessment and administration of locally administered benefits over which the Council exercises discretion;
- 2) Write to the Minister for Veterans urging a change in national regulations so that military compensation is universally not treated as income in benefit assessments. This should be Government mandated and a requirement of the Armed Forces Covenant. Furthermore, Government should provide financial support to councils to deliver on the regulatory changes."

26: Motion submitted in accordance with Council Procedure Rule 14 as to Supporting Local Pubs through VAT Reduction

To consider the following Motion in the names of: Councillors Munro and J C Lawson;

"This Council notes:

- 1) Pubs are a vital part of our communities, providing social spaces, supporting local jobs and contributing to the local economy;
- 2) Rising costs, including energy bills, supply chain pressures and tax, have placed many pubs under severe financial strain. In addition to rising operational costs and challenges, pubs are also contending with changing social habits. Many pub owners and campaign groups have also been vocal about the scaling back of the Retail, Hospitality and Leisure (RHL) relief and the business rates rises announced in the Autumn Budget last year and have warned about huge rate hikes and pub closures;

- 3) The number of pubs closing their doors permanently has hit more than one a day for the first time according to government statistics, continuing and accelerating a long-term downward trend;
- 4) Local pubs across Kirklees and across the country face closure without urgent and significant government intervention.

This Council believes:

- 1) That a cut in VAT (Value Added Tax) for hospitality businesses would provide immediate relief for pubs. A VAT cut would be one of the most powerful and effective forms of support the pub sector can receive, helping pubs to increase their profit margin and helping to offset rising wage, energy and supplier costs;
- 2) That additional targeted support, such as energy cost assistance, is essential to ensure that pubs can survive.

This Council resolves:

- 1) To call on the Government to implement an emergency 5% VAT cut for hospitality businesses, which includes pubs, reducing it from 20% to 15%. This would ease financial pressures on pubs and help stimulate growth;
- 2) To urge the Government to provide additional targeted support for pubs, including additional measures to address rising energy costs. The Government recently announced that pubs in England will get a 15% cut to new business rates bills from April 2026 and will not see increases for two years, as well as announcing a review of how pubs are valued for business rates. This support is welcome, but it is short-term temporary relief and does not go far enough in tackling the structural issues facing the sector, including supply-chain inflation, rising energy costs and insurance premiums, higher wage bills and competition from supermarkets. Without deeper tax reforms, a review of VAT and alcohol duty, and a fairer rating system, pub closures will continue;
- 3) To request the Leader of the Council to write to the Chancellor of the Exchequer and the Secretary of State for Business and Trade, setting out Kirklees Council's support for these measures;
- 4) To work with local pub owners, community groups and trade bodies, to highlight the importance of pubs to Kirklees and our communities and to promote initiatives that sustain their future."

By Order of the Council

A handwritten signature in black ink, appearing to read 'S Mawson', written in a cursive style.

Steve Mawson
Chief Executive

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Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
Council Chamber - Town Hall, Huddersfield on Wednesday 25 February 2026**

PRESENT

The Mayor (Councillor Elizabeth Smaje) in the Chair

COUNCILLORS

Councillor Beverley Addy	Councillor Masood Ahmed
Councillor Munir Ahmed	Councillor Itrat Ali
Councillor Karen Allison	Councillor Zarina Amin
Councillor Ammar Anwar	Councillor Bill Armer
Councillor Ali Arshad	Councillor Timothy Bamford
Councillor Donna Bellamy	Councillor Martyn Bolt
Councillor Tanisha Bramwell	Councillor Damian Brook
Councillor Cahal Burke	Councillor Aafaq Butt
Councillor Andrew Cooper	Councillor Moses Crook
Councillor Nosheen Dad	Councillor Aziz Daji
Councillor Hanifa Darwan	Councillor Paola Antonia Davies
Councillor Eric Firth	Councillor Charles Greaves
Councillor David Hall	Councillor Tyler Hawkins
Councillor Lisa Holmes	Councillor Caroline Holt
Councillor James Homewood	Councillor Yusra Hussain
Councillor Zahid Kahut	Councillor Viv Kendrick
Councillor Musarrat Khan	Councillor Jo Lawson
Councillor John Lawson	Councillor Vivien Lees-Hamilton
Councillor Susan Lee-Richards	Councillor David Longstaff
Councillor Gwen Lowe	Councillor Andrew Marchington
Councillor Harry McCarthy	Councillor Tony McGrath
Councillor Hannah McKerchar	Councillor Matthew McLoughlin
Councillor Alison Munro	Councillor Darren O'Donovan
Councillor Carole Pattison	Councillor Amanda Pinnock
Councillor Andrew Pinnock	Councillor Kath Pinnock
Councillor Ashleigh Robinson	Councillor Jane Rylah
Councillor Imran Safdar	Councillor Cathy Scott
Councillor Angela Sewell	Councillor Joshua Sheard
Councillor Will Simpson	Councillor Anthony Smith
Councillor Richard Smith	Councillor Mohan Sokhal
Councillor John Taylor	Councillor Mark Thompson
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Alex Vickers	Councillor Habiban Zaman

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- 147 **Announcements by the Mayor and Chief Executive**
The Chief Executive reminded Members of the provisions of Section 106 of the Local Government Finance Act 1992 in relation to Agenda Item 6 (Minute No. 152 refers) and the restriction upon voting.
- 148 **Apologies for absence**
Apologies for absence were received on behalf of Councillors Daji, Longstaff and Robinson.
- 149 **Minutes of Previous Meeting**
RESOLVED – That the Minutes of the Meeting held on 21 January 2026 be approved as a correct record.
- 150 **Declaration of Interests**
A list of granted dispensations was circulated and published.

No interests were declared.
- 151 **Our Council Plan - 2026/27 - 2028/29 (Reference from Cabinet)**
It was moved by Councillor Pattison, seconded by Councillor Crook and

RESOLVED – That the 2026/2027 – 2028/2029 Council Plan be approved and incorporated within the Council's Policy Framework.
- 152 **Council Annual Budget Report 2026-2027 and following years, incorporating Capital, Treasury Management, General Fund, Revenue and Housing Revenue Account (Reference from Cabinet)**
It was moved by Councillor Pattison and seconded by Councillor Turner that;
- (i) General Fund Revenue
- the Revenue Budget for 2026/27 to deliver a balanced position, as attached at Appendix A, be approved.
 - the forecast spending and funding plans for the 2026/2027 and 2027/2028 period, as set out at Appendix A, be noted.
 - the forecast levels of statutory and other Council reserves as set out at Appendix C be noted.
 - the strategy for the use of balances and reserves (paragraph 2.17 refers) be approved.
 - the Council's flexible capital receipts policy for 2026/2027 (paragraph 2.14 and Appendix G refer) be approved.
 - the Council Tax requirement for 2026/2027, as set out at Appendix M, be approved.
 - the Council's Statutory s151 Officer's positive assurance statement as to the robustness of the forecasts and estimates and adequacy of financial reserves, as set out at paragraph 2.22, be noted.
 - authority be delegated to the Council's Statutory s151 Officer to amend how the finally approved precepts are recorded in the Council's revenue budget in line with the final notifications received following decisions by the West Yorkshire Mayor Police and Crime Commissioner, the Fire & Rescue Authority and Parish Councils

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should these be received after 25 February 2026 (paragraph 3.1.3 refers).

(ii) Treasury Management

- the borrowing strategy be approved (paragraphs 2.15 to 2.27 refer).
- the investment strategy be approved (paragraphs 2.28 to 2.36 and Appendices A and B refer).
- the policy for provision of repayment of debt (minimum revenue provision) be approved (paragraphs 2.37 to 2.38, Appendix C refer).
- the treasury management prudential indicators be approved (Appendix D refers).
- the Investment Strategy (non-treasury investments) be approved (Appendix F refers).

(iii) Capital

- the updated Capital Plan for 2025-2033 be approved (Appendix F refers).
- the Capital Strategy (including Prudential Indicators) be approved (Appendix I refers).

(iv) Housing Revenue Account

- the HRA Budget for 2026/2027 be approved (Appendix K refers).
- the strategy for the use of HRA reserves (Appendix K refers) be approved.

Whereupon, it was moved by Councillor Cooper and seconded by Councillor Lee Richards, by way of **AMENDMENT** that;

2026/27 Green Group Budget Amendment

General Fund Revenue	26-27 £000	27-28 £000	28-29 £000	29-30 £000	30-31 £000
Proposals					
Increase Ward Budgets. £7k start, rising to £9k pa	161	184	184	207	207
Reinstate budget for Ward Christmas trees	5	5	5	5	5
New grit bit provision	20	20	20	20	20
Introduce reward payments for fly-tipper information leading to prosecution	10	10	10	10	10
Climate Bonds Set Up costs (one off)	50				
Sub total Revenue Proposals	246	219	219	242	242
Change in Capital Financing Requirements					
Area Based Road Safety Schemes - Financing Costs	19	38	58	77	96
Climate Bonds - Financing Costs -- 5 years		230	230	230	230
Assume Funded By Schools Energy Savings		-230	-230	-230	-230
Subtotal Capital Financing	19	38	58	77	96
Savings					
Budget Priorities - Remove Road Safety & Lining Revenue	-250	-250	-250	-250	-250

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Budget Priorities - Apprentice Sept start	-23				
Reduce Political Group budgets	-10	-10	10	10	10
Remove Green Electricity Premium		-48	-48	-48	-48
Total Savings	-283	-308	-288	-288	-288
To Budget Priorities Reserve	18	51	11		
Use Budget Priorities Reserve				-31	-50
Total Revenue effect	0	0	0	0	0
General Fund Capital Proposals					
Area based road safety schemes	250	250	250	250	250
Climate bonds - Renewable Energy projects on grant maintained schools		1,000			
Sub Total Capital Proposals	250	1,250	250	250	250
Funded by :					
Increase in Borrowing	250	1,250	250	250	250
	250	1,250	250	250	250

Whereupon it was moved by Councillor Taylor and seconded by Councillor Hall, by way of **AMENDMENT** that;

Conservative Budget Amendment

	26-27	27-28	28-29	29-30	30-31
	£0	£0	£0	£0	£0
General Fund Revenue					
Proposals					
Establishment of a volunteer consultation panel	10	5	5	5	5
Playground maintenance uplift	20	40	40	40	40
Parking enforcement - targeting based on ward priorities	70	70	70	70	70
Operation Trimburg (Road Safety) - Initial £1.5k, rising to £2.6k per ward	35	60	60	60	60
Christmas waste - extra opening hours at HWRCs	14	14	14	14	14
Review of Cross Border Working Opportunities for HWRCs in North Kirklees (one off)	15	0	0	0	0
Review of Winter Maintenance (one off)	15	0	0	0	0
Off Street Car Parking - 2 hours free on a weekend	155	155	155	155	155
Subtotal Proposals	334	344	344	344	344
Change in Capital Financing Requirements					
Dewsbury Riverside Reprofitting	-39	-77	-39		
Highways Extension of Roads Resurfacing into Year 5					385

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Reduction in Our Cultural Heart Phase 5 Budget				-77	-770
Sub Total Capital Financing	-39	-77	-39	-77	-385
Savings					
Budget Priorities: Remove Support for Town of Culture 2028 bid	-20	-20	-20	-20	-20
Budget Priorities: Remove Replacement of UKSPF funding re Vol Sector	-242	-242	-242	-242	-242
Parking enforcement - Income from PCNs	-35	-35	-35	-35	-35
Total Savings	-297	-297	-297	-297	-297
To Budget Priorities Reserve	2	30		30	338
Use Budget Priorities Reserve			-8		
Total Revenue effect	0	0	0	0	0
General Fund Capital Proposals					
Dewsbury Riverside Reprofiling	-500	-500	500	500	
Highways Extension of Roads Resurfacing Budget into Year 5					5,000
Reduction in Our Cultural Heart Phase 5				-1,000	-9,000
Total Capital Proposals	-500	-500	500	-500	-4,000
Funded by :					
Increase in Borrowing			500	500	5,000
Reduction in Borrowing	-500	-500		-1,000	-9,000
	-500	-500	500	-500	-4,000

Whereupon it was moved by Councillor Scott and seconded by Councillor Masood Ahmed, by way of **AMENDMENT** that;

Community Alliance Group Budget Amendment Proposals

	26-27	27-28	28-29	29-30	30-31
	£0	£0	£0	£0	£0
General Fund Revenue Proposals					
Increase in ward budgets by 5k per ward (one off)	115				
Review of Cost of Living Support (one off)	5				
Taxi Licencing (additional resource Dewsbury 2.5 days per week PTE)	22	22	22	22	22
Registrars (additional Resource in Dewsbury 2.5 days per week PTE)	22	22	22	22	22
Outreach Support fund homeless assist voluntary sector	25	25	25	25	25
Review of Healthy Life Expectancy (one off)		30			
Community Cohesion Outreach team	50	100	100	100	100
Community Library Hub support fund	50	75	100	100	100
Dewsbury Sports Centre Dryside - Net Operating costs				330	661

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Subtotal Proposals	289	274	269	599	930
Change in Capital Financing Requirements					
Investment in Traffic calming Measures Dewsbury/Batley	16	32	48	48	48
Major Highway works Dewsbury South & East Batley East & West	112	112	112	112	112
Investment in Dewsbury Sports centre Dryside reopening		77	242	484	484
Reduction in Dewsbury Sports Centre Investment				-308	-484
Investment in Batley Library		8	8	8	8
Investment in Burial Land Dewsbury		77	272	272	272
Reduction in Our Cultural Heart Phase 5 Budget				-77	-605
Financing Cost of Proposals	128	306	682	539	-165
Savings					
Budget Priorities: Remove Tree Management Additional Resource	-93	-93	-93	-93	-93
Budget Priorities: Remove Playable Spaces Additional Resource	-96	-96	-96	-96	-96
Budget Priorities: Remove Highways Road Safety and Lining	-250	-250	-250	-250	-250
Budget Priorities: Remove Top Up to 3rd Sector for UKSPF	-92	-92	-92	-92	-92
Budget Priorities: Remove Council Apprentices	-45	-45	-45	-45	-45
Budget Priorities: Remove Town of Culture Bids & Community Support	-20	-20	-20	-20	-20
Budget Priorities: Remove Additional Adaptations Resource	-169	-169	-169	-169	-169
Fund Healthy Life Expectancy Review from Public Health Grant		-30			
Total Savings	-765	-795	-765	-765	-765
To Budget Priorities Reserve	348	215			
Use of Budget Priorities Reserve			-186	-373	
Total Revenue effect	0	0	0	0	0
General Fund Capital					
Investment in Traffic calming Measures Dewsbury/Batley	200	200	200		
Major Highways works Dewsbury South East / Batley East West	1,500				
Investment in Dewsbury Sports centre Dryside reopening		1,000	2,142	3,142	
Reduce Proposed New Sports centre budget to avoid duplication				-4,000	-2,284
Investment in Batley Library		100			
Investment in Burial Land Dewsbury		1,000	2,500		
Reduce Budget Our Cultural Heart Phase 5				-1,000	-6,860
Total Capital Developments	1,700	2,300	4,842	-1,858	-9,144
Funded by :					
Increase Borrowing	1,700	2,300	4,842	3,142	0

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Reduce Borrowing				-5,000	-9,144
	1,700	2,300	4,842	-1,858	-9,144

Whereupon it was moved by Councillor J C Lawson and seconded by Councillor Davies, by way of **AMENDMENT** that;

Kirklees Liberal Democrat Group Budget Amendment Proposals

	26-27	27-28	28-29	29-30	30-31
	£0	£0	£0	£0	£0
General Fund Revenue					
Proposals					
Increase in Ward budgets by £5k per ward, rising to £7k	115	138	161	161	161
Promotion of consultation on town/parish councils (one off)	10				
Review to Explore the of "Library of Things" (one off)	10				
Review Drains/Gullies to Identify Hot Spots (one off)	30				
Feasibility Study for Ravensthorpe Gyrotory (one off)	100				
Subtotal Proposals	265	138	161	161	161
Change in Capital Financing Requirements					
Pride in Place Catch-Up Fund	77	116	154	154	154
Highway Unclassified Roads - Additional £5m in Year 4				385	385
Reduction in Our Cultural Heart Phase 5			-99	-471	-471
Sub Total Cost of Financing	77	116	55	68	68
Savings					
Budget Priorities: Remove Town of Culture Bids & Community Support	-20	-20	-20	-20	-20
Budget Priorities: Reduce Additional Adaptations Resource	-47	-47	-47	-47	-47
Budget Priorities: Reduce Highways Road Safety and Lining	-150	-150	-150	-150	-150
Budget Priorities: Reduce Playable Spaces Additional Resource	-96	-48	-48	-48	-48
Budget Priorities: Reduce Greenspace Action Team (one -off)	-30				
Total Savings	-343	-265	-265	-265	-265
To Budget Reserves	1	11	49	36	36
Use of Budget Reserves	0	0	0	0	0
General Fund Capital					
Pride in Place Catch-Up Fund	1,000	500	500		
Highways Unclassified Roads - Year 4 Additional Funding				5000	
Reduction in OCH Phase 5 Venue Budget			-1,289	-4,837	

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Total Capital Proposals	1,000	500	-789	163	0
Funded by :					
Increase in Borrowing	1,000	500		5,000	
Decrease in Borrowing			-789	-4,837	
	1,000	500	-789	163	0

Whereupon it was moved by Councillor Greaves and seconded by Councillor J D Lawson, by way of **AMENDMENT** that;

Independent/Kirklees Community Independents Group Budget Amendment Proposals

	26-27	27-28	28-29	29-30	30-31
General Fund Revenue	£0	£0	£0	£0	£0
Proposals					
Flattening of the management structure - review (one off)	100				
Review of Winter Maintenance & plan to extending the priority grit route by 60km	60	252	252	252	252
Flytipping enforcement - equipment & investigation	80	10	10	10	10
Parking enforcement - targeting based on ward priorities	140	140	140	140	140
Drains & Gully unblocking - 50% increase in capacity	107	107	107	107	107
Road paint lining catch-up additional funding	150	100	100	100	
Street sign cleaning & repair additional funding	100	50	50	50	
Ward Budget to increase to £20k per ward			115	230	230
Subtotal Proposals	737	659	774	889	739
Change in Capital Financing Requirements					
Sectional Patching / Road Resurfacing	231	385	385	385	770
Reduction in Our Cultural Heart Phase 5				-212	-424
Subtotal Capital Financing	231	385	385	173	346
Savings					
Budget Priorities: Remove Greenspace Action Team	-230	-230	-230	-230	-230
Budget Priorities: Remove Tree Management Additional Resource	-93	-93	-93	-93	-93
Budget Priorities: Remove Playable Spaces Additional Resource	-96	-96	-96	-96	-96
Budget Priorities: Remove Highways Road Safety and Lining	-250	-250	-250	-250	-250
Budget Priorities: Remove Top Up to 3rd Sector for UKSPF	-92	-92	-92	-92	-92
Budget Priorities: Remove Council Apprentices	-45	-45	-45	-45	-45

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Budget Priorities: Remove Town of Culture Bids & Community Support	-20	-20	-20	-20	-20
Budget Priorities: Remove Additional Adaptations Resource	-169	-169	-169	-169	-169
Parking enforcement - Income from PCNs	-70	-70	-70	-70	-70
Total Savings	-1,065	-1,065	-1,065	-1,065	-1,065
To Budget Priorities Reserve	97	21		3	
Use Budget Priorities Reserve			-94		-20
	0	0	0	0	0
General Fund Capital Proposals					
Sectional Patching / Road Resurfacing - additional funding	3,000	2,000	0	0	5,000
Reduction in Our Cultural Heart Phase 5				-2,750	-2,750
Total Capital Proposals	3,000	2,000	0	-2,750	2,250
Funded by :					
Increase Borrowing	3,000	2,000			5,000
Reduction in Borrowing				-2,750	-2,750
	3,000	2,000	0	-2,750	2,250

The Green Group Amendment, as proposed by Councillor Cooper and seconded by Councillor Lee Richards, upon being put to the vote was LOST.

In accordance with Council Procedure Rule 19(7), the vote was taken by Recorded Vote as follows;

YES: Councillors Arshad, Allison, Bramwell, Cooper, Greaves, J D Lawson, Khan, Lee Richards, Safdar and Vickers (10 votes).

NO: Councillors Addy, Ali, Munir Ahmed, Amin, Armer, Bamford, Bellamy, Bolt, Brook, Burke, Butt, Crook, Dad, Davies, Firth, Hall, Hawkins, Holmes, Holt, Homewood, Kendrick, J C Lawson, Lees Hamilton, Lowe, Marchington, McCarthy, McGrath, McKerchar, McLoughlin, Munro, O'Donovan, Pattison, A Pinnock, A U Pinnock, K Pinnock, A Smith, R Smith, Rylah, Sewell, Sheard, Simpson, Smaje, Sokhal, Taylor, Thompson, Turner, Ullah and H Zaman (48 votes).

ABSTAINED: Councillors Masood Ahmed, Darwan and Scott.

The Conservative Group Amendment, as proposed by Councillor Taylor and seconded by Councillor Hall, upon being put to the vote was LOST.

In accordance with Council Procedure Rule 19(7), the vote was taken by Recorded Vote as follows;

FOR: Councillors Ali, Armer, Bamford, Bellamy, Bolt, Brook, Greaves, Hall, Holmes, Holt, McGrath, Sheard, Smaje, R Smith, Taylor and Thompson (16 votes).

AGAINST: Councillors Addy, Masood Ahmed, Munir Ahmed, Allison, Amin, Anwar, Burke, Butt, Cooper, Crook, Dad, Darwan, Davies, Firth, Hawkins, Homewood, Kendrick, Khan, J C Lawson, Lee Richards, Lowe, Marchington, McCarthy, McKerchar, McLoughlin, Munro, O Donovon, Pattison, A Pinnock, A U Pinnock,

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K Pinnock, Rylah, Safdar, Scott, Sewell, Simpson, A Smith, Sokhal, Turner, Ullah, Vickers and H Zaman (42 votes).

ABSTAINED: Councillors Arshad, Bramwell and J D Lawson.

The Community Alliance Group Amendment, as proposed by Councillor Scott and seconded by Councillor Masood Ahmed, upon being put to the vote was LOST.

In accordance with Council Procedure Rule 19(7), the vote was taken by Recorded Vote as follows;

FOR: Councillors Masood Ahmed, Anwar, Arshad, Bramwell, Darwan, Hussain, Kahut, Khan, J D Lawson, Scott and H Zaman (11 votes).

AGAINST: Councillors Addy, Munir Ahmed, Ali, Allison, Amin, Armer, Bamford, Bellamy, Bolt, Brook, Burke, Butt, Cooper, Crook, Dad, Davies, Firth, Greaves, Hall, Hawkins, Holmes, Holt, Homewood, Kendrick, J C Lawson, Lee Richards, Lees Hamilton, Lowe, Marchington, McCarthy, McKerchar, McLoughlin, Munro, O'Donovan, Pattison, A Pinnock A U Pinnock, K Pinnock, Rylah, Sewell, Sheard, Simpson, Smaje, A Smith, R Smith, Sokhal, Taylor, Thompson, Turner, Ullah and Vickers (51 votes).

ABSTAINED: Councillors McGrath and Safdar.

The Liberal Democrat Group Amendment, as proposed by Councillor J C Lawson and seconded by Councillor Davies, upon being put to the vote was LOST.

In accordance with Council Procedure Rule 19(7), the vote was taken by Recorded Vote as follows;

FOR: Councillors Arshad, Burke, Davies, Greaves, JC Lawson, JD Lawson, Kahut, Khan, Marchington, Munro, A Pinnock, K Pinnock, Safdar, A Smith (14 votes)

AGAINST: Councillors Addy, Munir Ahmed, Ali, Amin, Armer, Bamford, Bellamy, Bolt, Brook, Butt, Crook, Dad, Firth, Hall, Hawkins, Holmes, Holt, Homewood, Kendrick, Lees Hamilton, Lowe, McCarthy, McGrath, McKerchar, McLoughlin, O'Donovan, Pattison, A U Pinnock, Rylah, Sewell, Sheard, Simpson, Smaje, R Smith, Sokhal, Taylor, Thompson, Turner and Ullah (39 votes).

ABSTAINED: Councillors Masood Ahmed, Allison, Anwar, Bramwell, Cooper, Dad, Hussain, Lee Richards, Scott, Vickers and H Zaman.

The Independent / Kirklees Community Independents Group Amendment, as proposed by Councillor Greaves and seconded by Councillor J D Lawson, upon being put to the vote was LOST.

In accordance with Council Procedure Rule 19(7), the vote was taken by Recorded Vote as follows;

FOR: Councillors Anwar, Arshad, Bramwell, Darwan, Greaves Hussain, Kahut, Khan, J D Lawson and Safdar (10 votes).

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AGAINST: Councillors Addy, Munir Ahmed, Ali, Amin, Armer, Bamford, Bellamy, Bolt, Brook, Burke, Butt, Crook, Davies, Firth, D Hall, Hawkins, Holmes, Holt, Homewood, Kendrick, J C Lawson, Lees Hamilton, Lowe, Marchington, McCarthy, McKerchar, McLoughlin, Munro, O'Donovan, Pattison, A Pinnock, A U Pinnock, K Pinnock, Rylah, Sewell, Sheard, Simpson, Smaje, A Smith, R Smith, Sokhal, Taylor, Thompson, Turner, Ullah and H Zaman (46 votes).

ABSTAINED: Councillors Allison, Lee Richards, Scott, Cooper, McGrath and Vickers.

Whereupon the Substantive Motion was put to the vote and was **NOT CARRIED**.

In accordance with Council Procedure Rule 19(7), the vote was taken by Recorded Vote, as follows;

FOR: Councillors Addy, Munir Ahmed, Amin, Butt, Crook, Dad, Firth, Hawkins, Homewood, Kendrick, Lowe, McCarthy, McKerchar, McLoughlin, O' Donovan, Pattison, A U Pinnock, Rylah, Sewell, Simpson, Sokhal, Turner and Ullah (23 votes).

AGAINST: Councillors Masood Ahmed, Ali, Allison, Anwar, Armer, Arshad, Bamford, Bellamy, Bolt, Bramwell, Brook, Burke, Cooper, Darwan, Davies, Greaves, Hall, Holmes, Holt, Hussain, Kahut, Khan, J C Lawson, J D Lawson, Lee Richards, Lees Hamilton, Marchington, McGrath, Munro, A Pinnock, K Pinnock, Safdar, Scott, Sheard, Smaje, A Smith, R Smith, Taylor, Thompson, Vickers and H Zaman (41 votes).

ABSTAINED: 0

As the Substantive Motion, nor any of the amendments, were carried, the Mayor adjourned the meeting of Council for further discussions to take place and to enable the opportunity for further amendments to be submitted.

Upon the resumption of the meeting, the Mayor invited the Leader of the Council to present an **Amended Motion**.

It was thereby moved by Councillor Pattison and seconded by Councillor Turner, that;

2026/27 Labour Group Budget Amendment

	26-27	27-28	28-29	29-30	30-31
General Fund Revenue	£000	£000	£000	£000	£000
Proposals					
Increase Ward Budgets. £5k start, rising to £7k pa	115	115	115	161	161
Review grit rounds	15				
Establishment of a volunteer consultation panel	10	5	5	5	5
Parking enforcement - targeting based on ward priorities (half in Income)	70	70	70	70	70
Christmas waste - extra opening hours at HWRCs	14	14	14	14	14

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Review of Cross Border Working Opportunities for HWRCs in North Kirklees (one off)	15				
Sub total Revenue Proposals	239	204	204	250	250
 Change in Capital Financing Requirements					
Highways Maintenance					385
Our Cultural Heart Ph5			-99	-472	-472
Subtotal Capital Financing	0	0	-99	-472	-87
 Savings					
Budget Priorities: Remove Tree Management Additional Resource	-93	-93	-93	-93	-93
Budget Priorities: Remove Highways Road Safety and Lining	-111	-56			
Budget Priorities: Remove Town of Culture Bids & Community Support	0	-20	-20	-20	-20
Parking enforcement - Income from PCNs	-35	-35	-35	-35	-35
Total Savings	-239	-204	-148	-148	-148
 To Budget Priorities Reserve					
Use Budget Priorities Reserve			43	370	
Total Revenue effect	0	0	0	0	0
 General Fund Capital Proposals					
Highways Maintenance					5,000
Our Cultural Heart Ph5			-1,289	-4,837	
Sub Total Capital Proposals	0	0	-1,289	-4,837	5,000
 Funded by :					
Increase in Borrowing			-1,289	-4,837	5,000
	0	0	-1,289	-4,837	5,000

Under the provision of Council Procedure Rule 18(17), it was moved by Councillor Taylor and seconded by Councillor McGrath that the vote be put. The Motion, upon being put to the vote, was carried.

The Amended Motion, upon being put to the vote, was **NOT CARRIED**.

In accordance with Council Procedure Rule 19(7), the vote was taken by Recorded Vote as follows;

FOR: Councillors Addy, Munir Ahmed, Amin, Butt, Crook, Dad, Firth, Hawkins, Homewood, Kendrick, Lowe, McCarthy, McKerchar, McLoughlin, O' Donovan, Pattison, A U Pinnock, Rylah, Sewell, Simpson, Sokhal, Turner and Ullah (23 votes).

AGAINST: Councillors Masood Ahmed, Allison, Anwar, Arshad, Bramwell, Burke, Cooper, Darwan, Davies, Greaves, Hussain, Kahut, Khan, J C Lawson, J D Lawson, Lee Richards, Marchington, Munro, A Pinnock, K Pinnock, Safdar, Scott, A Smith, Vickers and H Zaman (25 votes).

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ABSTAINED: Councillors Ali, Armer, Bamford, Bellamy, Bolt, Brook, Hall, Holmes, Holt, Lees Hamilton, McGrath, Sheard, Smaje, R Smith, Taylor and Thompson.

As the Amended Substantive Motion was not carried, the Mayor further adjourned the meeting of Council for ongoing discussions to take place and to enable the opportunity for any further amendments to be submitted.

Upon the resumption of the meeting, the Mayor invited the Leader of the Council to present a further **Amended Motion**.

It was moved by Councillor Pattison and seconded by Councillor Turner, that;

General Fund Revenue	26-27	27-28	28-29	29-30	30-31
	£000	£000	£000	£000	£000
Proposals					
Increase Ward Budgets. £5k start, rising to £7k pa	115	115	115	161	161
Review grit rounds	15				
Climate Bonds Set Up costs (one off)	50				
Establishment of a volunteer consultation panel	10	5	5	5	5
Parking enforcement - targeting based on ward priorities (half in Income)	70	70	70	70	70
Christmas waste - extra opening hours at HWRCs	14	14	14	14	14
Review of Cross Border Working Opportunities for HWRCs in North Kirklees (one off)	15				
Sub total Revenue Proposals	289	204	204	250	250
Change in Capital Financing Requirements					
Highways Maintenance					385
Pride In Place	38	77	77	77	77
Climate Bonds - Financing Costs - 5 years		230	230	230	230
Assume Funded By Energy Savings		-230	-230	-230	-230
Our Cultural Heart Ph5			-99	-472	-472
Subtotal Capital Financing	38	77	-22	-395	-10
Savings					
Budget Priorities: Remove Tree Management Additional Resource	-93	-93	-93	-93	-93
Budget Priorities: Remove Highways Road Safety and Lining	-130	-64			
Budget Priorities: Remove Town of Culture Bids & Community Support	0	-20	-20	-20	-20
Budget Priorities: Remove Additional Adaptations Resource	-69	-69	-69	-69	-69
Parking enforcement - Income from PCNs	-35	-35	-35	-35	-35
Total Savings	-327	-281	-217	-217	-217
To Budget Priorities Reserve			35	362	
Use Budget Priorities Reserve					-23

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Total Revenue effect 0 0 0 0 0

General Fund Capital Proposals

Highways Maintenance					5,000
Pride in Place	500	500			
Climate Bonds - Renewable Schemes		1,000			
Our Cultural Heart Ph5			-1,289	-4,837	
Sub Total Capital Proposals	500	1,500	-1,289	-4,837	5,000

Funded by :

Increase in Borrowing	500	1,500	-1,289	-4,837	5,000
	500	1,500	-1,289	-4,837	5,000

Under the provision of Council Procedure Rule 18(17), it was moved by Councillor Taylor and seconded by Councillor Armer that the vote be put. The Motion, upon being put to the vote, was carried.

The further Amended Motion, upon being put to the vote, was **CARRIED**, and therefore became the **SUBSTANTIVE MOTION**.

In accordance with Council Procedure Rule 19(7), the vote was taken by Recorded Vote as follows;

FOR: Councillors Addy, Munir Ahmed, Allison, Amin, Burke, Butt, Cooper, Crook, Dad, Davies, E Firth, Hawkins, Homewood, Kendrick, J C Lawson, Lowe, McCarthy, McKerchar, McLoughlin, Munro, O' Donovan, Pattison, A U Pinnock, Rylah, Sewell, Simpson, A Smith, Sokhal, Turner and Ullah (30 votes).

AGAINST: Councillors Masood Ahmed, Ali, Anwar, Armer, Arshad, Bamford, Bellamy, Bolt, Bramwell, Brook, Darwan, Greaves, Hall, Holmes, Holt, Hussain, Kahut, Khan, J D Lawson, Lees Hamilton, McGrath, Scott, Sheard, Smaje, R Smith, Taylor, Thompson and H Zaman (28 votes).

ABSTAINED: Councillors Lee Richards, Marchington, A Pinnock, K Pinnock, Safdar and Vickers.

The Substantive Motion was put to the vote, **CARRIED** and it was therefore **RESOLVED** that;

General Fund Revenue	26-27	27-28	28-29	29-30	30-31
	£000	£000	£000	£000	£000
Proposals					
Increase Ward Budgets. £5k start, rising to £7k pa	115	115	115	161	161
Review grit rounds	15				
Climate Bonds Set Up costs (one off)	50				
Establishment of a volunteer consultation panel	10	5	5	5	5
Parking enforcement - targeting based on ward priorities (half in Income)	70	70	70	70	70

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Christmas waste - extra opening hours at HWRCs	14	14	14	14	14
Review of Cross Border Working Opportunities for HWRCs in North Kirklees (one off)	15				
Sub total Revenue Proposals	289	204	204	250	250
Change in Capital Financing Requirements					
Highways Maintenance					385
Pride In Place	38	77	77	77	77
Climate Bonds - Financing Costs - 5 years		230	230	230	230
Assume Funded By Energy Savings		-230	-230	-230	-230
Our Cultural Heart Ph5			-99	-472	-472
Subtotal Capital Financing	38	77	-22	-395	-10
Savings					
Budget Priorities: Remove Tree Management Additional Resource	-93	-93	-93	-93	-93
Budget Priorities: Remove Highways Road Safety and Lining	-130	-64			
Budget Priorities: Remove Town of Culture Bids & Community Support	0	-20	-20	-20	-20
Budget Priorities: Remove Additional Adaptations Resource	-69	-69	-69	-69	-69
Parking enforcement - Income from PCNs	-35	-35	-35	-35	-35
Total Savings	-327	-281	-217	-217	-217
To Budget Priorities Reserve			35	362	
Use Budget Priorities Reserve					-23
Total Revenue effect	0	0	0	0	0
General Fund Capital Proposals					
Highways Maintenance					5,000
Pride in Place	500	500			
Climate Bonds - Renewable Schemes		1,000			
Our Cultural Heart Ph5			-1,289	-4,837	
Sub Total Capital Proposals	500	1,500	-1,289	-4,837	5,000
Funded by :					
Increase in Borrowing	500	1,500	-1,289	-4,837	5,000
	500	1,500	-1,289	-4,837	5,000

In accordance with Council Procedure Rule 19(7), the vote was taken by Recorded Vote as follows;

FOR: Councillors Addy, Munir Ahmed, Allison, Amin, Burke, Butt, Cooper, Crook, Dad, Davies, Firth, Hawkins, Homewood, Kendrick, J C Lawson, Lowe, McCarthy,

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McKerchar, McLoughlin, Munro, O'Donovan, Pattison, A U Pinnock, Rylah, Sewell, Simpson, A Smith, Sokhal, Turner and Ullah (30 votes).

AGAINST: Councillors Masood, Ali, Anwar, Armer, Arshad, Bamford, Bellamy, Bolt, Bramwell, Brook, H Darwan, Greaves, Hall, Holmes, Holt, Hussain, Kahut, J D Lawson, Lees Hamilton, McGrath, Scott, Sheard, Smaje, R Smith, Taylor, Thompson and H Zaman (27 votes).

ABSTAINED: Councillors Lee Richards, Khan, Marchington, A Pinnock, K Pinnock, Safdar and Vickers.

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

Signed: Dated:

NOTES

Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

(b) either -

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

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



**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY 4 DECEMBER 2025 AT COMMITTEE ROOM 1,
WELLINGTON HOUSE, 40-50 WELLINGTON STREET, LEEDS**

Present:

Mayor Tracy Brabin (Chair)	West Yorkshire Combined Authority
Councillor Susan Hinchcliffe	Bradford Council
Councillor Jane Scullion	Calderdale Council
Councillor Carole Pattison	Kirklees Council
Councillor James Lewis	Leeds City Council
Councillor Matthew Morley (Substitute)	Wakefield Council
Councillor Peter Kilbane (Substitute)	City of York Council
Mandy Ridyard	West Yorkshire Business Board
Councillor Sue Holdsworth	Calderdale Council
Councillor Alan Lamb	Leeds City Council

In attendance:

Councillor Barry Anderson	Leeds City Council
Ben Still	West Yorkshire Combined Authority
Sarah Eaton	West Yorkshire Combined Authority
Simon Pope	West Yorkshire Combined Authority
Kate Taylor	West Yorkshire Combined Authority
Nikki Deol	West Yorkshire Combined Authority
Helen Ellerton	West Yorkshire Combined Authority
Rachel Jones	West Yorkshire Combined Authority
Melissa Liburd	West Yorkshire Combined Authority
Myles Larrington	West Yorkshire Combined Authority

1. Apologies for Absence

Apologies for absence were received from Councillor Denise Jeffrey (Wakefield Council), Councillor Claire Douglas (York Council), and Councillor Martin Love (Bradford Council).

Councillor Matthew Morley (Wakefield Council) and Councillor Peter Kilbane (York Council) attended as their respective substitutes.

2. Declarations of Disclosable Pecuniary Interests

There were no declarations of interests given at the meeting.

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

There were no agenda items that required the exclusion of either the public or the press.

4. Minutes of the Meeting of the Combined Authority held on 16 October 2025

A member asked for an update on the White Rose Rail scheme, as it had been indicated at the previous meeting that one would be provided. The Chair explained that progress was delayed due to complex agreements between the relevant parties, noted this was not the usual approach, and confirmed efforts were ongoing to reach a conclusion. The Chair hoped for site activity in the new year and acknowledged frustrations. A private briefing to members was offered, and a report would be brought to the next meeting in January.

RESOLVED: – That the minutes of the meeting of the Combined Authority held on 16 October 2025 were approved as a correct record.

5. Mayor's Update

The Chair reported attending the Global Mayors Summit at COP30 and the Regional Investment Summit in Birmingham, alongside ministerial engagements to advocate for the region ahead of the Autumn Budget. The Chair highlighted significant budget announcements for West Yorkshire, including new devolution measures and funding opportunities. A paper on the budget impact would be considered later in the meeting, with the budget to be set at the next meeting in January.

6. Weaver Network - Fares, Ticketing and Retail Strategy

The Combined Authority considered a report on the draft Weaver Network Fares, Ticketing and Retail Strategy.

Members discussed the draft bus strategy, raising concerns about risks, financial constraints, and accessibility for disabled people. Officers explained the strategy set overall ambitions, with detailed risks and funding to follow. Members also queried how adjustments to service usage relate to pricing and reliability; officers confirmed these factors, along with equity and accessibility, would all inform future planning.

RESOLVED: - That the Combined Authority:

1. Endorsed the initial draft Weaver Network Fares, Ticketing and Retail Strategy as the basis for further development of the strategy and delivery plan through 2026.

7. Mayor's Fares Update

The Combined Authority considered a report on the Mayor's Fares Scheme seeking approval for its extension and related funding changes.

Members queried patronage targets for this year, fare elasticity, and use of Bus Service Improvement Plan (BSIP) funding. Officers confirmed modelling work for the current year was ongoing and noted outcomes depend on fares, reliability, and network capacity. Members also raised risks of potential service changes by operators; officers acknowledged these and confirmed further detail would follow.

RESOLVED: - That the Combined Authority:

1. Approved the Mayor's Fares Scheme extension until 31 March 2026, with agreement for a further extension until 31 March 2027 following confirmation of Department for Transport funding settlement for 2026/27.
2. Approved the reallocation of Bus Service Improvement Plan (BSIP) funding of £4m from Network Enhancements to Mayor's Fares to cover the cost of extension to 31 March 2026.
3. Delegated the final decision on changes to pricing and the extension to 31 March 2027 of the Mayor's Fares Scheme to the Chief Executive in consultation with the Mayor and Chair of Transport Committee following confirmation of Department for Transport funding settlement for 2026/27.

8. Consultation on Proposed Withdrawal of Six School Bus Services

The Combined Authority considered a report on the consultation outcome regarding six school bus services and proposed changes from September 2026.

Members raised concerns about accessibility, affordability, and environmental impacts of proposed school bus service changes, particularly in rural areas. They stressed the importance of consultation and scrutiny in shaping decisions and asked what lessons had been learned. Officers noted that scrutiny had contributed to clarifying policies and confirmed commercial alternatives had been provided for withdrawn services.

RESOLVED: - That the Combined Authority:

1. Approved, effective from 1 September 2026, the retention of Service S62 (Cockburn School and Laurence Calvert Academy, Leeds) based on there being no suitable active travel or public transport alternatives for students.
2. Approved the withdrawal of Service B99 (Appleton Academy, Bradford) based on there being a suitable public transport alternative already available to students.
3. Approved the withdrawal of Service B50 (Beckfoot School, Bradford) based on it not meeting the Combined Authority's value for money criteria and that it introduces a revised timetable for Service 615 that will meet the needs of students.

4. Approved the withdrawal of Service C6 (Crossley Heath Grammar School, Halifax) on the basis of it falling outside of the scope of the Combined Authority's Travel to School Policy, it not meeting the Combined Authority's value for money criteria and there will be an alternative commercial school bus service provided by Coach Travel Services.
5. Approved the withdrawal of Service SM25 (St. Mary's Menston Catholic Voluntary Academy, Leeds) based on it not meeting the Combined Authority's value for money criteria and there being suitable public transport alternatives for students.
6. Approved the withdrawal of Services S64 and S66 (Titus Salt School, Bradford) and their replacement with one service (S69) based on S64 not meeting the Combined Authority's value for money criteria and there already being suitable public transport alternatives for most students who use Service S64 and sufficient capacity on Service S69 for the remainder of students.
7. Noted that the Combined Authority Education Transport team work with local councils, schools, internal partners, and parents/carers to ensure that the proposed changes meet the needs of students with Special Educational Needs or Disabilities (SEND) who have Education, Health, and Care Plans (EHCP) or EHCP's pending.
8. Noted that the Combined Authority will work with district partners to ensure that where active travel is expected to form part of journeys undertaken for those schools where services are removed, that appropriate active travel training is made available in advance of 1 September 2026.

9. Healthy Working Life Plan

The Combined Authority considered a report on the final draft of the Healthy Working Life Plan.

The Committee emphasised the need to make support more accessible and relevant for small businesses, improve awareness of available programmes, and strengthen collaboration with local partners. Members highlighted the importance of practical, tailored initiatives that address health and employment challenges and the need to scale up successful approaches.

RESOLVED: - That the Combined Authority:

1. Approved the Healthy Working Life Plan.

10. Region of Learning and Creativity Strategy and Adult Skills Plan

The Combined Authority considered a report on the Region of Learning and Creativity Strategy, focusing on the Adult Skills Plan.

The Committee discussed the importance of embedding lifelong learning in the strategy to help people adapt to rapid technological change and economic shifts. Members stressed creating a culture where continuous learning is seen as positive, with investment in both entry-level and higher-level skills to support progression and resilience in the labour market. The region's leadership in innovative learning initiatives was noted.

RESOLVED: - That the Combined Authority:

1. Approved the Adult Skills Plan.

11. Business Planning & Budgets

The Combined Authority considered a report on the integrated business and budget planning process for 2026/27 and the proposed Mayoral budget.

RESOLVED: - That the Combined Authority:

1. Noted the approach and work to date on the 2026/27 budget which consolidated agreed key priority activity, current information about funding from April 2026, updated assumptions and emerging risks and opportunities.
2. Approved for consultation and scrutiny the proposed draft Mayoral budget for 2026/27 prior to approval in January 2026.
3. Noted that the 2026/27 budget would incorporate a 2% increase on the transport levy to support bus franchising as previously set out in the 2025/26 budget paper and the franchising business case.
4. Noted the work that would continue over December to develop the 2026/27 balanced budget for approval in January 2026.

12. Governance Arrangements

The Combined Authority considered a report on changes to Leeds City Council nominations for Combined Authority committees.

RESOLVED: - That the Combined Authority:

1. Appointed Councillor Pauleen Grahame of Leeds City Council to the Scrutiny Committee as Deputy Member to Councillor Kate Haigh.
2. Appointed Councillor Mary Harland of Leeds City Council to the Place, Regeneration & Housing Committee replacing the current member, Councillor Jessica Lennox.

13. Devolution

The Combined Authority considered a report on preparations for implementing the English Devolution and Community Empowerment Bill and the Integrated Settlement.

RESOLVED: - That the Combined Authority:

1. Noted the progress made to prepare for the implementation of the English Devolution and Community Empowerment Bill and the updated Programme Plan attached at Appendix 1.
2. Noted the submissions made to the Ministry of Housing, Communities and Local Government for further devolution under the Right to Request process.
3. Noted the work underway to prepare for the receipt and delivery of the Integrated Settlement from April 2026.
4. Noted the work underway to develop an Integrated Settlement Outcomes Framework and broader Outcomes Framework for the Combined Authority.

14. Project Approvals

(a) Project Approvals – Investment Priority 5 – Delivering Sustainable, Integrated, Inclusive and Affordable Transport

The Combined Authority considered a report relating to a change request for the Harrogate Railway Station Gateway scheme to extend delivery timescales to 30 August 2027, with future approvals subject to assurance pathway tolerances.

Officers reported a legal challenge against North Yorkshire Council regarding traffic enforcement orders. Members noted that the Combined Authority's funding approval was historical and that the Board was asked only to agree a limited extension of timescales for the promoter to discharge conditions. Officers confirmed that all liabilities and risks rest with North Yorkshire Council and assured members that any funding would only be released after full due diligence checks to ensure a robust case, notwithstanding the ongoing legal issues.

RESOLVED: – That the Combined Authority, subject to conditions:

1. **Approved** the change request for the Harrogate Railway Station Gateway – Active Travel Improvement scheme to extend the timescale for delivery to 30 August 2027 to enable completion of activity 5 (delivery).
2. **Approved** that future approvals be made in accordance with the assurance pathway and approval route outlined in this report, subject to the scheme remaining within the tolerances outlined.

15. Minutes for Information and Summaries of Committee Meetings

RESOLVED: – That the Combined Authority:

1. Noted the minutes, notes, and agendas of committee meetings published on its website, along with the matters deliberated within the committees, as summarised in the submitted report since the previous Combined Authority meeting.

16. Date of the Next Meeting

The next meeting of the Combined Authority was scheduled to take place on Thursday 22 January 2026.

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

Meeting	Council
Date	11th March 2026
Cabinet Member (if applicable)	
Key Decision Eligible for Call In	No No – If no give reason
Purpose of Report To provide information on proposed changes to Financial Procedure Rules for the municipal year 2026/27	
Recommendations <ul style="list-style-type: none"> Approve the changes as detailed in this report and recommend these changes to Council. 	
Reasons for Recommendation <ul style="list-style-type: none"> To clarify arrangements to ensure sound governance and control of financial matters 	
Resource Implication: There are no direct resource implications.	
Date signed off by <u>Strategic Director</u> & name. Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	Not applicable Kevin Mulvaney: Service Director- Finance (09/2/2026) Samantha Lawton; Service Director - Legal Governance and Commissioning (09/2/2026)

Electoral wards affected: all

Ward councillors consulted: not applicable.

Public or private: public

Has GDPR been considered?

yes

1. Executive Summary

- 1.1 This report sets out information on proposed changes to Financial Procedure Rules for the year 2026/27.
- 1.2 The proposed new version is attached, and in the table below. Resources have not been available to undertake the envisaged re-write of parts of this control document that was suggested last year. It is intended that this will take place during 2026.
- 1.3 The report was considered by Corporate Governance & Audit Committee on 20th February 2026, and who recommended it for approval by Council.

2. Information required to take a decision

- 2.1 The following changes are proposed.

Section	Change	Reason
Glossary, and various entries sect 2	Retitle Medium Term Financial Plan (MFTP) to Medium Term Financial Strategy (MTFS)	Reflects strategic nature of this longer-term planning document
Glossary & various entries section 3	Insert new term Major Projects (previously referred to as specified projects, or just projects)	This reflects projects that Council has seen fit to include the Capital Plan
Glossary	Changed definitions for Programmes, and projects	To link to amended text and new term major project
1.1	Minor changes to wording	
1.8	Additional text about the responsibilities of the CFO if the council faces severe financial difficulties	Recognises the potential involvement of MHCLG
2	September to October	Change reflects actual practice
2	MTFS amended to Budget	Current wording does not reflect practice
2.1-2.19	Minor wording changes	
2.37	Remove this paragraph that relates to a right to recharge the costs of errors to service budgets	Unnecessarily punitive; resource allocations to be recommended by CFO.
2.38	Link by reference to 1.8	These actions are potentially related
3.5, 3.6	Add major projects and programmes	Wording adjusted to clarify processes to be followed for programmes, and those for separate projects.
3.7	Additional words related to revenue impacts of capital plan	Ensures that cost impacts from investments are clearly articulated
3.9	Requires Chief Executive or Executive Directors to designate responsibility for capital plan activity to service Directors and removes ability for officers to transfer resources between years	Provides greater clarity of responsibilities; removes an ability that in practice is not required.
3.11	Deletion of reference to ability to use revenue budget to supplement Capital plan expenditure	The "tight" revenue budget position means that this is no longer feasible: Any proposals to meet

		capital spend from current year budgets would require specific approval.
11.1	Income “and -where full cost recovery is a requirement, or objective-evidenced operating costs,”	Adds an additional circumstance where amendments to charges made to customers are allowed
22.12	Additional words to make clear that Cabinet can authorise grants of any value	To clarify the position
23.	A new section that clarifies payments of compensation to those where an ombudsman has recommended, or could recommend such a compensation, or other similar circumstances.	This partially replaces some text previously in the Constitution

- 2.2 Most of these changes are incremental, with a slightly more significant change in how projects and programmes are included in the capital plan. In future Council will determine major projects, and programme areas. Cabinet will have discretion to allocate other project to programme areas. There is a requirement for Cabinet to approve business cases for each type of project or generically for similar projects within a programme.
- 2.3 It is intended that over the next year officers from Finance and Risk will draw up proposed (more significantly) revised Financial Procedure Rules.

3. Implications for the Council

Improving governance, through clearer financial procedure rules, should lead to more effective service delivery.

3.1 Working with People

Not directly applicable.

3.2 Working with Partners

Not directly applicable.

3.3 Place Based Working

Not directly applicable.

3.4 Climate Change and Air Quality

Not directly applicable.

3.5 Improving outcomes for children

Not directly applicable.

3.6 Financial Implications

Effective and clear financial procedure rules assist with strong governance and open decision making and should improve financial control.

3.7 Legal Implications

Effective and clear financial procedure rules assist with compliance, governance and open decision making.

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

Implementation of should improve overall control arrangements and promote good governance.

4 Consultation

These changes have been prepared by officers of Finance and Legal Governance & Commissioning (Risk) service based on issue of control that have arisen during the last year. The proposed changes have been discussed with the councils senior management.

5 Engagement

None beyond consultation as noted above.

6 Options

6.1 Options Considered

The proposals are minor redrafting to clarify the position.
Alternatives would be.

- To make no change whatsoever.
- To fundamentally redraft the control arrangements- this is proposed for next year.
-

6.2 Reasons for recommended Option

There are no urgent reasons to fundamentally rewrite financial procedure rules (FPRs), which are based around a governance process that allocates responsibilities to Council, Cabinet and officers. In practice the bulk of FPRs are officer processes.

However, over the next year, officers from Finance and Risk will look to assess if further, more significant changes to the FPRs are worth considering reflecting the fundamental financial processes now being controlled through electronic information systems rather than by paper records, and ensuring that overall financial governance properly reflect council structures, and member and officer responsibilities and accountabilities

7 Next steps and timelines

If approved by Council, these Financial Procedures Rules will take effect from 1st April 2026.

8 Contact officer

Kevin Mulvaney Service Director Finance (kevin.mulvaney@kirklees.gov)

Martin Dearnley Head of Risk (martin.dearnley@kirklees.gov)

9 Background Papers and History of Decisions

Existing Financial Procedure Rules

10 Appendices

Not applicable

11 Service Director responsible

Kevin Mulvaney- Service Director Finance

Sam Lawton- Service Director Legal, Governance & Commissioning

KIRKLEES COUNCIL

FINANCIAL PROCEDURE RULES

June 2026

Introduction

These Financial Procedure Rules set out the framework which the Council will use in managing its financial affairs. They set out levels of responsibility and give authority to the Cabinet, Members and Officers and are intended to promote good practice in the use of public funds.

A guide to the Financial Procedure Rules will be published on the Intranet to help users understand and implement good financial management. Users should contact the CFO or their staff if assistance or clarification is needed.

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Financial Procedure Rules Definitions

Word	Definition
Activity	A standard sub-division of an Executive Director's budget. normally equivalent to the service portfolio operationally managed at Service Director level;
Asset	An item belonging to the Council that has a value. It can include buildings, equipment, vehicles, stocks, stores, money, debtors, and items of intellectual value
Associated Organisation	An organisation in which the Council has a majority or substantial shareholding or exercises substantial influence through its funding of the organisation.
Business Case	A written document, setting out the reasons for a project, including analysis of options, risks and resources needed.
Cabinet Member	A single member of the Cabinet.
Central Budget	A budget which is held centrally and for which statutory. CFO is accountable (in accordance with any rules established in these procedures, or by Council, or Cabinet)
Chief Executive	The person designated as the councils most senior manager.
Chief Financial Officer (or "CFO")	The person so designated as the section 151 of the Local Government Act 1972 from time to time by the Chief Executive.
Controllable Budget	A budget which is allocated to a director, and for which the Director is accountable, in accordance with any rules established in these procedures, or by the CFO, or by Council, or Cabinet
Council Plan	The strategic plan of the council's activity approved by the Council
Council Provisions	Sums of money set aside to pay for uncertain events

Word	Definition
Earmarked Reserves	As council provisions, but with a more clearly stated purpose
Executive Director	The person responsible for the commissioning of activity at an Executive Directorate level,
Executive Directorate	The consolidated group of activity budgets that fall within the responsibility of any one Executive Director,
Executive Team	The Council's most senior officer leadership team.
Executive Member (Portfolio Holder)	The Councillor responsible at Cabinet and to Council for a range of service areas.
Fixed Asset	Any physical item having a long-term value –such as a vehicle, or property.
General Fund	The expenditure and income that relates to the general operations of the Council (but not the HRA)
Housing Revenue Account (“HRA”)	The expenditure and income that relates to the management of the council housing function
Head of Audit & Risk	The officer currently holding the role of Head of Internal Audit, as required by Public Sector Internal Audit Standards.
His or her Nominees	Refers to the 'Head of Service level' to which Service Directors, including the CFO can. nominate on their behalf, to enact Service Director delegated authorities as set out in these FPR's.
Internal Audit Strategy & Charter	Arrangements agreed by the Corporate Governance & Audit Committee on how the internal audit function will operate in line with Public Sector Internal Audit Standards.
Irregularity	An unexpected or inappropriate event or behaviour.

Word	Definition
Land Asset	Includes any interest in land and buildings and any easement or right in or over land.
Medium Term Financial Strategy (MTFS)	Revenue Budget Plan, normally between 2 and 5 years, and Capital Plan, up to 10 years normally up to 5 years.
Monitoring Officer	The person appointed under section 5 of the Local Government & Housing Act 1989, currently the Service Director, Legal, Governance & Commissioning.
Major Project	A project (forming part of a Capital Programme) identified by Council for inclusion in the Capital Plan.
Officer	An employee of the Council or other person contracted to carry out functions where these Financial Procedure Rules apply.
Partnership	Any organisation with which the Council has a formal or informal agreement to act together.
Programme Area	A group of projects having a similar purpose in the Capital Plan,
Project	A single scheme included separately in the Capital Plan, as a major project, or as a part of a programme area.
Public Sector Internal Audit Standards	Rules based on the Institute of Internal Auditors Global Audit Standards, as amended by UK government and cipfa (re local authorities) intended to promote improvement in the professionalism, quality, consistency and effectiveness of internal audit across the public sector.
Rollover	A mechanism for transferring budgets between financial years.
Service Director	The person responsible for the proper compliance with these procedures whose name is included on a schedule approved by the Chief Executive.

Word	Definition
Specified Project	A project specified by Council for inclusion in the Capital Plan.
Virement	The transfer of resources from one budget to another.

1. Financial Governance

- 1.1 The Council has a statutory duty to ensure the proper administration of its financial affairs and to secure that one of its officers has responsibility for the administration of those affairs. The Council has resolved that the Director of Finance, the statutory Chief Financial Officer (CFO) is the responsible officer.
- 1.2 The Council will approve Financial Procedure Rules to be used by all members and officers.
- 1.3 The Corporate Governance & Audit Committee is responsible for approving the Council's Annual Statement of Accounts.
- 1.4 The Cabinet is responsible for ensuring that the Financial Procedure Rules are followed across the Council. The Corporate Governance & Audit Committee is also responsible for reviewing the Financial Procedure Rules annually and for making recommendations for any changes to the Council.
- 1.5 The Corporate Governance & Audit Committee is responsible for approving the Council's risk management policy statement and strategy and for reviewing the effectiveness of risk management arrangements. The Cabinet is responsible for assessing the risk of activity undertaken by the Council.
- 1.6 The CFO is responsible for the proper administration of the Council's financial affairs, and particularly for:
 - a) Providing financial advice and information to members and officers.
 - b) Setting standards for good financial management and monitoring compliance with those standards, including adherence to the CIPFA Financial Management Code of Practice.
 - c) Advising on the key financial controls necessary to secure sound financial management.
 - d) Ensuring that proper systems of internal control are operated.
 - e) Coordinating the preparation of the Revenue Budgets and the Capital Plan.
 - f) Determining the accounting policies and financial procedures and records for the Council.
 - g) Preparing the annual financial statements in accordance with the relevant accounting standards and codes of practice.
 - h) Treasury management activities.
 - i) Preparing a risk management policy statement and promoting it throughout the Council.

- j) Maintaining an effective internal audit function, jointly with the Chief Executive.
- k) Ensuring proper professional practices are maintained within the finance function; and
- l) Managing the Council's taxation affairs.

1.7 The CFO must report to the Council if:

- a) A decision has been made, or is about to be made, which involves the incurring of expenditure which is unlawful; or

There has been, or is about to be, an unlawful action resulting in a financial loss to the Council.

- 1.8 In circumstances where in the opinion of the CFO there are serious financial concerns, the CFO is statutorily bound to follow a set process which involves early conversations with Ministry of Housing, Communities & Local Government (MHCLG), informing Cabinet and the External Auditor.
- 1.9 The CFO may issue any instruction intended to fulfil these responsibilities and is entitled to any information or explanations as he/she may require. The Head of Audit & Risk, and the Service Director Legal, Governance & Commissioning may also issue instructions or guidance in relation to these financial procedure rules.
- 1.10 Service Directors must ensure that financial systems and procedures used in their service areas are adequate to record and control all transactions and to achieve adequate levels of internal check and control.
- 1.11 Service Directors must make arrangements to ensure that all officers involved in financial matters are aware of, and competent in the use of, these Financial Procedure Rules. The extent of delegated authority to officers must be recorded.
- 1.12 Executive Directors must ensure that any report to Cabinet contains the financial implications of any proposals. These financial implications must be agreed with the CFO.
- 1.13 Where, as a result of legislation or decision of the Council, part of the Council's functions is delivered by an Associated Organisation including any partnerships of which the Council is a member or participant, funded partly or wholly by the Council, the organisation must agree with the Council its own arrangements for corporate governance, by way of an initial proposal. Subsequent authority to approve changes may be delegated to an Executive Director. All partnership arrangements will incorporate the spirit of the Council's Financial Procedure Rules and will include the Council's right of access to financial information about the associated organisation.

- 1.14 Schools with delegated budgets are subject to, and must comply with, the 'Kirklees Scheme for Financing Schools', which has tailored these Financial Procedure Rules for use in those Schools.
- 1.15 A reference in the Financial Procedure Rules:
- a) To the Cabinet includes Cabinet Committees
 - b) To a Service Director includes his or her nominees (except where otherwise specifically forbidden)
 - c) To the CFO includes his or her nominees; and
 - d) To an officer means any employee of the Council, or other persons contracted to carry out functions where these Financial Procedure Rules apply.

2. Revenue Budget Preparation and Management Revenue Budget Responsibilities

The Council is responsible for determining the Corporate/Council Plan which sets out the Council's strategic outcomes and actions, and Executive Directorate outcomes to provides the overarching framework for the determination of the Council's Medium Term Financial Strategy (MTFS) within available resources.

An annual refresh of the MTFS will be undertaken and presented to Cabinet no later than October of each year. This will provide the framework for the following years budget.

The Council's Budget includes the following:

- a) A balanced revenue budget position for the following financial year; both for the general fund and the ring-fenced Housing Revenue Account (HRA), including the Capital Plan, and making provision for the revenue consequences from the Capital Plan as appropriate.
 - b) The level of Council Tax for the following financial year.
 - c) General fund and HRA revenue spend and funding forecasts, including a draft Capital Plan, beyond the next financial year; for a period of up to 5 years; including the revenue consequences from the multi-year Capital Plan over the same period; and
 - d) An overall longer term balanced budget forecast for the HRA MTFS in the context of the ring-fenced 30-year HRA business plan
- 2.1 The Cabinet is responsible for recommending a the following years Budget (as set out above) to Budget Council, to enable the Council to set a balanced

budget for both the general fund and HRA for the forthcoming financial year. The 1992 Local Government Finance Act, Section 30 (6) states that the billing Authority must set an amount of Council Tax before 11th March in the financial year preceding that for which it is set. To comply with this legal requirement, this effectively means that the annual date of Budget Council should be no later than 10th March each year.

- 2.2 The Cabinet is responsible for implementing the Budget that Council approved for the forthcoming financial year. Specific decisions may be made under the approved scheme of delegation.
- 2.3 On the advice of the CFO, Cabinet can recommend amendments to the MTFS or variations within the agreed Budget to any meeting of Council, and any related changes to the Council Plan, strategic objectives or actions.
- 2.4 The Cabinet is responsible for approving the setting of Council Tenant Rents, and other rents and service charges within the Housing Revenue Account (HRA), each year, within the scope of existing HRA rent and charging policies which is governed by the statutory ringfence that the HRA operates within,

Budget Preparation

- 2.5 The Cabinet will submit no later than the October meeting of the Council each year a provisional budget strategy, (the MTFS) for a period of up to 5 years. The starting point will be the existing multi-year plans rolled forward from the previous year, including a high-level review of Council funding and spend assumptions. Any resultant gap between funding and spend forecasts will inform target savings required over the new MTFS period.
- 2.6 The CFO is responsible for establishing budget procedures, including determination of the following:
 - I. Budget pressures and target savings for the Council budget over the MTFS, and their allocation to Executive Directors, as appropriate,
 - II. the format for budget documentation,
 - III. a corporate budget timetable, and
 - IV. to report on any amendments put forward as part of the Council's budget process.
- 2.7 The provisional budget strategy will include arrangements for wider public and key stakeholder engagement on budget options being considered.
- 2.8 Executive Directors will produce draft budget proposals to address the pressures and savings targets for Council budgets over the MTFS, in accordance with budget procedures and the annual budget timetable as set out by the CFO. These draft budget proposals will show how resources are to be allocated across activities, taking into account any service changes, performance targets, and the specific requirements of any relevant legislation, including integrated impact assessments, in formulating budget options for Cabinet consideration.

- 2.9 At least 14 days before the date set for the meeting of the Council which will determine the Council's Budget for the next financial year, the Cabinet will make its recommendations to the Council with regards to the Annual Revenue Budget, the Capital Plan, and the consequent rates for Council Tax, and the updated MTFS. There are additional rules and arrangements that may apply set out in the Constitution- Budget and Policy Framework document.
- 2.10 The CFO will advise the Cabinet and the Council on the overall budget, the levels of Council Tax, the use of reserves and the need for contingency budgets, and on the risks involved in the forecasts of spending levels and income. The annual budget report must make reference to all matters required by legislation or appropriate professional guidance.

Budget Management

- 2.11 The Cabinet is responsible for implementing the Council Plan within the resources allocated in the Revenue Budget, and MTFS. The Cabinet will provide summary revenue monitoring information to the Council at least twice per year.
- 2.12 The CFO will report to the Cabinet on the overall management of the Revenue Budget on a quarterly basis through the year. This will also include information about the Housing Revenue Account, Treasury Management and Capital Plan (3.14). At least a summary of this information will be published on the council website.
- 2.13 The CFO will determine which budgets are "controllable" by Executive Directors and will allocate the specific budgets that each Executive Director has responsibility to manage.
- 2.14 These budgets will normally align with the Executive Directorate structure of the Council but may also reflect the cross council (transformational) structure of the Council. The CFO will determine which budgets may be considered together for the purposes of delegated virement authority (per FPR 2.24 to 2.28 below).
- 2.15 Service Directors are responsible for managing controllable budgets within their delegated authority and should exercise proper budgetary control in order to achieve Council Plan and service objectives.
- 2.16 Service Directors are authorised to incur any expenditure included in the approved revenue budget, as amended by any virement, including obtaining and accepting quotations and providing grants and loans, subject to other requirements of CPRs and FPRs.
- 2.17 Service Directors must report on budget management. They must take action to avoid overspending budgets and report any difficulties to the appropriate Executive Director and the CFO. These reports must be in a format and to a

timetable prescribed by the CFO.

- 2.18 An Executive Director (in consultation with the relevant Portfolio Holder) is authorised to make such changes to service provision as are necessary; providing the proposed change is consistent with the approved Council Plan, service objectives and Council policy, to achieve spending within the approved annual budget or MTFS (as adjusted by any agreed virements).
- 2.19 Where a Service Director is reporting a projected overspend on an activity that cannot be addressed either through budget virement or other in-year changes to service provision, this will be highlighted in a manner prescribed by the CFO as part of the report to the Cabinet on the overall management of the Revenue Budget on at least a quarterly basis through the year. The reasons for the overspending and potential management options for eliminating or reducing the overspending will be included in this report. The Cabinet is responsible for determining such further steps as are necessary to align activity consistent with the resources allocated by the approved annual budget and MTFS.
- 2.20 The CFO is accountable for all central budgets, which will be managed in the same way as activity budgets.
- 2.21 The CFO has delegated authority to review the requirement for existing Council Provisions and Earmarked Reserves, in-year, and to approve the proposed drawdown of earmarked reserves in-year in consultation with the relevant Executive Director, ensuring that the proposed drawdowns are appropriate for the stated purpose of the earmarked reserve or where Earmarked Reserves are no longer necessary the CFO can reallocate these to General Reserves. Earmarked Reserves drawdowns in-year will also form part of the overall report to Cabinet on a quarterly basis as set out at FPR 2.12. The CFO will also report any new Reserves or Provisions requirements to Cabinet for approval.
- 2.22 Service Directors should delegate authority to commit budgets to the appropriate level of management, set out clearly the extent of authority and review the performance of managers in managing these budgets.

Virements

- 2.23 Service Directors are authorised to transfer resources within an activity budget without limit providing the corporate objectives for the activity is not changed in a material way.
- 2.24 Virement which results in a change in the level of service must be addressed as per FPR 2.18
- 2.25 Virement is not permitted between HRA funded and General Fund funding streams.
- 2.26 Executive Directors, in consultation with the appropriate Portfolio Holder (s), are authorised to transfer resources between controllable activity budgets within the Executive Directorate budget up to £1,000,000, cumulatively in any one year.

The CFO is permitted to vire budgets to service budgets where such budgets are initially held centrally, (for example, pay award budget).

- 2.27 The Cabinet is authorised to transfer resources (undertake a Virement) without limit for the purposes of achieving budget targets and obligations.
- 2.28 Revenue contributions towards capital investment are not normally allowed , and require approval by the CFO, and insertion in the Capital Plan in accordance with FPR3.
- 2.29 Virement is specifically not allowed where the transfer of resources is from budgets for capital charges, or statutory taxes and levies.
- 2.30 All Virements will be recorded in a way prescribed by the CFO who will arrange for Virements to be incorporated into subsequent financial monitoring reported to the Cabinet.

Rollover

- 2.31 Rollover is a mechanism for transferring budget provisions from one year to the next, or vice versa. Rollover arrangements apply equally to the General Fund and the Housing Revenue Account.
- 2.32 The Council, in determining the Revenue Budget for a particular year, will also determine the arrangements for rollover for that year. The Council will determine changes to the Council's Revenue Budget arising from the rollover process.
- 2.33 The Cabinet is responsible for recommending changes to the Revenue Budget arising from the rollover process.
- 2.34 In the rollover process, the overall level of resources available to support rollover proposals will not exceed any reported net underspend of the Council as a whole for that year. If the Council as a whole does not have a reported under spend, the presumption is that there will be no revenue rollover for that year.
- 2.35 Subject to the parameters set out in FPR 2.34 above, rollover proposals will be considered at Executive Team in the first instance.

Other

- 2.36 Where during any year a material change of funding (and or any change associated activity) arises this must be reported to Cabinet along with a statement of any associated change in the risk profile (for example a change from outsourced to direct employment may have the same overall cost but may significantly increase the Council's risk).
- 2.37 .

- 2.37 Whenever the Cabinet becomes aware, following a report from the CFO that a reduction in resources or overspends that cannot be fully addressed during the current or future years which may impact on the Council's financial position, it may take such steps as it considers necessary to reduce activity, review fees and charges, implement tighter spending controls immediately or at a stage prior to the next budget Council to address this. (see also 1.8)
- 2.38 After the end of each financial year, the CFO will report to the Cabinet and the Council on the outturn financial performance and any proposed rollover, subject to the parameters set out in FPR 2.33 above.
- 2.39 The CFO is permitted to make variations to revenue funding as necessary in order to ensure that the council funding position is optimised, subject to reporting such actions to Cabinet and Council.

3. Capital Plan Preparation and Management

General

- 3.1 For the purposes of Capital Plan preparation and management, "capital" must meet the following criteria:
- a) The definition for capital as set out in relevant CIPFA accounting guidance and accounting standards, and any other statutory Government guidance as set from time to time.
 - b) Subject to (a) above, a minimum threshold or 'de minimis' to be considered capital at an individual project level, as determined by the CFO. (The usual de minimis level is £10,000, however the definition of Capital expenditure will take precedence over value)
- 3.2 All capital investment must also be made in recognition of the CIPFA 'Prudential Code for Capital Expenditure with regard to prudence, affordability and sustainability, and any associated statutory Government guidance'. Council must approve an Annual Capital Strategy and Annual (Non-Treasury) Investment Strategy in line with the guidance.

Responsibilities

- 3.3 The CFO will advise the Cabinet and the Council on the overall Capital Investment Plan and levels of funding available. The CFO must confirm the robustness of the capital plan and assess and report to Cabinet on the revenue effects of the capital plan (financing, additional running costs, savings and income) and indicating the prudential indicators and limits that support the capital investment.
- 3.4 The Cabinet is responsible for recommending to the Council at the same time as the proposed Revenue Budget, a multi-year Capital Plan (for both the General Fund and HRA) and the prudential indicators and limits that support the recommended capital investment.
- 3.5 The Council will approve a Capital Plan and determine allocations of

capital resources to specific major projects, and to programme areas,. (and the prudential indicators and limits that support the recommended capital investment)

- 3.6 The Cabinet is responsible for implementing the Capital Plan approved by Council, in line with any stated Council policies, or strategies, and will determine the allocation of resources from the programme area to named projects. A major project or programme (or projects not covered by a programme business case) may only be progressed once the Cabinet has approved the business case for the programme or project.
- 3.7 Service Directors are responsible for managing programmes and projects and must make appropriate arrangements to control projects and avoid overspending. Service Directors are responsible for ensuring that revenue impacts of capital plans are included in the relevant capital report and that these are included in the refresh of the MTFS.

Plan Management

- 3.8 The Cabinet is authorised to transfer resources without restrictions. including between any year, within the approved Capital Plan, subject to compliance with 3.11 and 3.13.
- 3.9 The Chief Executive and Executive Directors will designate which Service Director is responsible for each programme area and major projects within the Capital Plan.

The Service Directors are authorised, within capital budgets for which they are designated as responsible, to:

1. Transfer resources within a programme area without restrictions.
 2. Transfer resources between any project or programme area within their designated projects and programmes up to a maximum of £2,000,000 in any financial year.
- 3.10 Transfers under 3.8 and 3.9 require the approval of the CFO who must be satisfied that there is no impact on capital funding stream because of the changes.
- 3.11 Transfer is not permitted between HRA funded and General Fund funding streams, nor in respect of any project (or programme) to the extent that it is funded by a project (or programme) specific third-party grant.
- 3.12 Any decision on resource allocation by Cabinet and Service Directors must recognise any policy decisions of Council. Any decision on resource allocation by Service Directors must recognise any policy decisions of Cabinet.
- 3.13 The CFO will report to the Cabinet on the overall management of the Capital

Plan on a quarterly basis through the year (including the reporting of movements in respect of transfer of resources within or between programmes). The Cabinet will provide summary monitoring information to the Council at least twice per year. This will include any additional capital grant funding received during the year.

Initiating and Progressing Investment Decisions

- 3.14 The Chief Executive will establish arrangements, in conjunction with the CFO, to ensure effective deployment of capital resources, ensuring that these align with council priorities and including the preparation of business cases and/or option appraisals designed to ensure project effectiveness and value for money, and to assist Council to determine its Capital Plan, and assist Cabinet with the allocation of programme area budgets to specific projects. For these purposes the Service Director and CFO may approve the incurring of fees for option appraisal or initial design fees, subject to the identification of an appropriate funding source. This can include payment to a contractor for initial project scoping and design, provided that such costs are covered by an identified funding source.
- 3.15 Before progressing any Capital Plan project to full contractual stage, the Service Director will seek approval from the CFO who will grant approval to each specific project when satisfied that:
- a) The project appears on a schedule of named projects (approved by Cabinet, or by officers under a scheme approved by Cabinet).
 - b) That the total costs of a project are estimated to be less than or equal to the amount approved in the Capital Plan.

OR

Where the total costs of a project exceed the amount approved in the Capital Plan the appropriate additional resources have been approved; (3.8 to 3.12).

- c) Any necessary external approval has been obtained.
- d) The project will not lead to any unexpected or unplanned capital or revenue costs, not envisaged by the business case or option appraisal.

The CFO may issue a partial approval (for example to cover a design stage) provided that there are sufficient resources to cover that stage. The Solicitor to the Council may only issue a contract that aligns with this authorisation.

- 3.16 Service Directors have authority to progress projects once the approvals at 3.16 have been given. They must ensure compliance also with

Contract Procedure Rules.

- 3.17 Service Directors are responsible for post implementation reviews of capital projects to assess the outcome of investment programmes and projects, and the extent to which these achieved the planned objectives set out in the business case, this assessment to be used in summary to Cabinet and Council as a part of the overall financial reporting and monitoring process.
- 3.18 The CFO is permitted to make variations to capital funding as necessary in order to ensure that the council funding position is optimised, subject to reporting such actions to Cabinet and Council.

Complex Projects

- 3.19 Any capital project which involves partnership arrangements, or investment in limited companies or other separate entities must be approved by Cabinet.
- 3.20 The reporting of the capital position in such cases must follow a similar arrangement to any direct asset investment.

Leased Assets

- 3.21 Accounting regulations (IFRS 16) makes an ongoing presumption that all leases (including those previously defined as operating leases) will need to be included on the Council's Balance Sheet. All lease arrangements need to follow the same procedures, and have the same authority and approval, as for other items of capital expenditure.
- 3.22 In respect of any item acquired by lease (other than a Land Asset) the inventory must be marked with the name of the leasing company and the date of expiry of the lease agreement. When requested by the leasing company the item must be suitably marked as the property of that company.

4. Financial Systems and Procedures

- 4.1 The CFO is responsible for the operation of the Council's accounting systems, the form of accounts and the supporting financial records. Any changes to the existing financial systems or the establishment of new systems must be approved by the CFO.
- 4.2 Any exceptions to financial procedures to meet the specific needs of a Service must be agreed between the Service Director and the CFO.
- 4.3 Service Directors must ensure that officers understand and are competent to undertake their financial responsibilities and receive relevant financial training that has been approved by the CFO.
- 4.4 Service Directors are responsible for the proper operation of financial processes in their own activity and must ensure that all financial, costing, and other statistical information is recorded fully and accurately.

- 4.5 Service Directors must ensure that financial documents are retained in accordance with the Council's approved retention schedule.
- 4.6 As far as practicable, Service Directors must make arrangements for the separation of duties between the carrying out of transactions and the examining and checking of transactions.

5. Internal Audit

Responsibility & Authority

- 5.1 The Chief Executive, (in consultation with the CFO and Monitoring Officer) must arrange a continuous internal audit, which is an independent review of the accounting, financial and other operations of the Council.
- 5.2 The Head of Audit & Risk will report directly to the Chief Executive, the Chair of the Corporate Governance & Audit Committee or the External Auditor in any circumstance where the functions and responsibilities of the CFO are being reviewed. (Other than routine reporting of work carried out)
- 5.3 The Head of Audit and Risk has authority to
- a) Enter at all times any Council premises or land or location from which Council services are provided.
 - b) Have access to all property, records, documents and correspondence relating to all activities of the Council.
 - c) Require and receive explanations concerning any matter; and
 - d) Require any employee of the Council, without prior notice, to produce cash, stores or any other property for which they are responsible.

- e) Require any Director to ensure that within 5 working days' notice (or such other time as might be agreed by the Head of Audit & Risk).
 - I. to ensure sufficient resource by way of time or otherwise, that an adequate response by employees of the service to any request for information,
 - II. and, or
 - III. any employee attends a meeting at any location (within the Kirklees area,) chosen by the Head of Audit & Risk
 - IV. and or
 - V. the provision of any information, data, records, currently held in any media format be provided that that format, or in any other reasonable format chosen by the Head of Audit & Risk, and as appropriate delivered to a location chosen by the Head of Audit & Risk

and

 - VI. to be accountable to the Corporate Governance & Audit Committee should they fail to act.

The CFO has the same authority for any accounting or associated purpose.

For the purposes of FPR 5, the Head of Audit & Risk may delegate the rights of access to premises, information, explanation etc. to any employee or agent of the council (albeit this will normally be staff within the Internal Audit or Fraud team).

Planning and Reporting

- 5.4 The Head of Audit & Risk must plan and report (in accordance with the approved Audit Charter and Strategy, obligations in the IIA Global Internal Audit Standards, Public Sector Internal Audit Standards and any instruction from the Councils Corporate Governance & Audit Committee) upon
- a) The risks inherent in and associated with each system.
 - b) The soundness, adequacy and application of the financial and other management controls and systems within each Service
 - c) The extent of compliance with, and the financial effects of, established policies, plans and procedures.

- d) The extent to which the organisation's assets and interests are accounted for and safeguarded from losses of all kinds arising from fraud, other offences, waste, extravagance and inefficient administration, poor value for money and other cause.
 - e) The suitability, accuracy and reliability of financial and other management data within the organisation; and
 - f) Value for money aspects of service provision.
- 5.5 In respect of any audit report or communication issued, the Service Director must reply within 4 weeks indicating the action proposed or taken, by whom and including target dates. Where a draft report is issued for initial comments, a reply must be made within 2 weeks of issue.
- 5.6 The Head of Audit & Risk will provide a written summary of the activities of the Internal Audit function to the Corporate Governance & Audit Committee at least four times per year and an Annual Report produced for consideration by, Cabinet and Corporate Governance & Audit Committee, including an audit opinion on the adequacy and effectiveness of the Council's risk management systems and internal control environment.

The Head of Audit & Risk will review the system of internal audit on an annual basis (and arrange for an external assessment once every 5 years) and report the outcome to the Corporate Governance & Audit Committee.

Investigations and Suspected Fraud, Corruption or Bribery

- 5.7 The Chief Executive and Directors must ensure that all Members and employees are:
- a) Aware of the Council's Fraud Prevention Anti-Bribery and Anti-Corruption Policy
 - b) Aware of the Whistleblowing Policy and
 - c) Operating in a way that maximises internal check against inappropriate behaviour.

The Head of Audit & Risk is responsible for the development and maintenance of the Council's Fraud Prevention Anti-Bribery and Anti-Corruption Policy, the Whistleblowing Policy, and all associated documentation, and for directing the Council's efforts in fraud investigation.

- 5.8 It is the duty of any officer who suspects or becomes aware of any matter which may involve loss or irregularity concerning cash, stores or other property of the Council or any suspected irregularity in the operations or exercise of the functions of the Council to immediately advise the Director. The Director concerned must immediately notify the Head of Audit & Risk who may take action by way of investigation and report.
- 5.9 Where, following investigation, the Head of Audit & Risk considers that there

are reasonable grounds for suspecting that a loss has occurred as a result of misappropriation, irregular expenditure or fraud, consultations will be held with the Director on the relevant courses of action, including the possibility of police involvement and the invoking of any internal disciplinary procedure in accordance with the relevant conditions of service.

6. Insurance

- 6.1 The Service Director Legal, Governance & Commissioning, in consultation with Service Directors is responsible for assessing insurable risks and for arranging all insurance cover, including the management and control of the insurance fund. He/she will control all claims and maintain records of them. He/she has authority to receive or make claims on behalf of the council and negotiate and agree all settlements.
- 6.2 Service Directors must promptly notify the Service Director Legal, Governance & Commissioning in writing of all new risks or Assets to be insured and of any alterations affecting existing insurances. All insurances held must be reviewed on an annual basis.
- 6.3 In the event of any insurance claim or occurrence Service Directors must:
 - a) Not admit liability where this may prejudice the outcome of any settlement.
 - b) Promptly notify the Insurance Team, in writing, of any loss, liability, damage or any event likely to lead to a claim; and
 - c) Inform the Police in the case of loss or malicious damage to Council property.
- 6.4 Service Directors must consult the Service Director Legal Governance & Commissioning as to the terms of any indemnity the Council is required to give.
- 6.5 The Service Director, in consultation with the Insurance Team, will determine the extent of insurance cover which must be provided for in any external contract for the supply of goods, works or services. The Service Director, in consultation with the Service Director Legal Governance & Commissioning, may reduce the cover requirements in respect of specific contracts.

7. Assets

- 7.1 Service Directors are responsible for the care and custody of all current and Fixed Assets of the relevant service (including stocks, stores, inventory items and all other items used for the Council's purposes, including property). These items must only be used for the authorised purposes of the Council.
- 7.2 Service Directors must ensure that contingency plans exist for the security of Assets and the continuity of service in the event of any disaster, significant event, or system failure.

Disposal of Assets

- 7.3 Surplus or obsolete goods, materials and inventory items are to be disposed of by agreed transfer to another Service, or disposal in accordance with Contract Procedure Rules, except when the Cabinet instructs otherwise.
- 7.4 Leased items (excluding Land Assets) should only be disposed of in accordance with instructions of the lessor.

Stores

- 7.5 Service Directors must keep records of all stock held. The CFO will determine which items will be subject to stock accounting, the methods of recording and valuation. An appropriate system of continuous stock taking must be agreed with the CFO.
- 7.6 Service Directors must arrange periodical or continuous checks of stock. This should be by persons independent of the management of the stock. These arrangements must ensure that all items of stock are checked at least once per year. The CFO will be notified of any discrepancies revealed by periodic checks and is authorised to amend records accordingly.
- 7.7 Stock holdings should be kept at minimum levels consistent with normal working practices.

Inventories

- 7.8 Service Directors are responsible for ensuring that detailed inventories of all land, buildings, equipment, specialist furniture, specialist fittings, vehicles, plant and machinery are compiled and kept up to date. New inventory items must be entered promptly, and redundant items (other than Land Assets) deleted and disposed of in accordance with Financial Procedure Rule 7.3. The form of inventory and the type of Assets recorded thereon will be determined by the CFO after consultation with the appropriate Service Director.
- 7.9 The inventory should include.
 - a) The nature, type, model, serial number, location, quantity, value, date of acquisition.
 - b) All items valued at more than £100.
 - c) Items of lesser value which are portable and attractive; and
 - d) Evidence to indicate an inspection has been carried out.
- 7.10 Service Directors are responsible for ensuring that inventory items which are the responsibility of another Director but used operationally by their service areas are subject to an appropriate risk-based level of control. When Assets

are loaned to employees, or other organisations, the Service Director must record the reason for the loan, date/periods and name of the receiver, and ensure recovery at the end of the period at which the purpose of the loan has expired.

- 7.11 Inventory items must (where appropriate) be security marked, stamped or engraved with the Council's name.
- 7.12 Each Service Director is responsible for ensuring risk-based checking of the inventory and must notify the CFO, and the Head of Internal Audit & Risk of any discrepancies revealed by these checks.

Fixed Assets Register

- 7.13 The CFO must ensure that a Register of Fixed Assets is maintained.

Each Service Director must notify the CFO of the:

- 1) Acquisition of any land, property or vehicle and any other assets having a value of more than £10,000.
- 2) Disposal (or transfer to another Service) of any Asset (or part of any Asset) which is included on the Register of Fixed Assets.

- 7.14 Leased assets must also be included in this record (see part 3.25, 3.26).

Land Assets

- 7.15 The Service Director responsible must maintain a detailed record of all Land Assets owned by the Council (except dwellings provided for general letting) and is responsible for the security and custody of all title deeds and must maintain a suitable register of Land Assets.
- 7.16 The disposal of Land Assets is dealt with in the Contract Procedure Rules.

Information Assets

- 7.17 Service Directors are responsible for ensuring that inventories of all information Assets are compiled and kept up to date. New inventory items must be entered promptly, and redundant items deleted and disposed of in accordance with the Council's Information Security Policy Records Management Policy and the appropriate Retention and Disposal Schedule. The form of inventory and the type of Assets recorded thereon will be determined by the CFO.

8. Security

Security of Assets

- 8.1 Service Directors are responsible for maintaining proper security at all times for all buildings, stocks, stores, furniture, equipment, cash and any other assets for which they are responsible. The CFO must be consulted to

establish adequate security arrangements except in relation to Land Assets that are the responsibility of the Service Director responsible for them.

- 8.2 All keys to safes and other places containing money, goods or other valuables are to be the responsibility of specified officers who must retain possession of such keys at all times.
- 8.3 A register of keys and their holders must be maintained by each Service Director. The loss of any key must be reported immediately to the Service Director who must record details of the circumstances of the loss, and take such action as is necessary to protect the property of the Council.

Security of Information

- 8.4 Service Directors must maintain proper security, privacy and use of data and information held in any media including, but not inclusively, documents, magnetic, digital, (such as laptop and tablet computers, mobile phones, memory cards).
- a) All employees are aware of and comply with the Council's Information Security and Records Management policies.
 - b) All sensitive information is protected from unauthorised disclosure.
 - c) The accuracy and completeness of information and software is safeguarded.
 - d) Software and other intellectual property are used only in accordance with licensing agreements.
 - e) Data Protection legislation is complied with.
 - f) The Freedom of Information Act is complied with.
 - g) Proper controls to system and physical access are in place; and
 - h) The Councils intellectual property rights are protected.

Security of Property Relating to Clients and Customers

- 8.5 Service Directors must provide detailed written instructions on the collection, custody, investment, recording, safekeeping and disposal of customer/client's property (including instructions on the disposal of property of deceased clients) for all staff whose duty is to administer, in any way, the property of clients. Due care should be exercised in the management of a customer or clients' money in order to maximise the benefits to the customer/client.
- 8.6 The Council is responsible for taking reasonable care of all items of property found by staff or members of the public on Council premises until the items

are reclaimed or disposed of. Each Service Director must nominate officers who are responsible for the custody of lost property and keep a register of such property received, detailing the item, date, time, name and address of finder and how and to whom the property is returned or disposed of.

- 8.7 Service Directors may seek approval from the appropriate Executive Director and Executive Member, on how lost property will be dealt with. Otherwise, if the lost property is not claimed within three months the Service Director will then determine if the item is of value for use by the Council and arrange for its use for this purpose. All other items are to be disposed of in accordance with Contract Procedure Rules and the proceeds allocated to an appropriate council income code.

9. Treasury Management

Policies and Strategies

- 9.1 The Council will adopt both the Code of Practice for Treasury Management in the Public Services, published by the Chartered Institute of Public Finance and Accountancy, and any associated statutory Government guidance, as issued from time to time.
- 9.2 The Council is responsible for adopting a treasury management policy statement, setting out the policies and objectives of its treasury management activities, and treasury management practices, setting out how those policies and objectives will be achieved and how treasury management will be managed and controlled.
- 9.3 The Cabinet is responsible for the implementation and monitoring of the treasury management policies, practices and performance. The Corporate Governance & Audit Committee has responsibility for scrutinizing treasury management policies and practices.
- 9.4 The CFO is responsible for the execution and administration of treasury management decisions in accordance with the policy statement and agreed practices.
- 9.5 The CFO will report to the Council (via the Corporate Governance & Audit Committee and Cabinet)
- a) before each financial year recommending a treasury management strategy and plan.
 - b) at least once in relation to treasury management activity during the year.
 - c) by way of an annual report after the end of the year.

This will include the planned and actual performance in respect of the prudential indicators and limits.

Administration

- 9.6 All money under the management of the Council is to be aggregated for the purposes of treasury management and will be controlled by the CFO.
- 9.7 Investments other than bearer securities are to be in the name of the Council or nominee approved by the Cabinet. All borrowings are to be in the name of the Council.
- 9.8 The CFO will select the Council's Registrar of stocks, bonds and mortgages and must maintain records of all borrowings by the Council.
- 9.9 A suitable register must be maintained in respect of all investments, securities, bearer securities and borrowings.
- 9.10 The CFO will arrange all loans and (financial instrument) leases including operating leases. (See also 3.25, 3.26)

Trust Funds

- 9.11 All trust funds are to be, wherever possible, in the name of the Council, except where charities legislation dictates otherwise. Officers acting as trustees by virtue of their official position must deposit all documents of title relating to the trust with the Service Director, Legal Governance & Commissioning (unless the Trust Deed otherwise directs) who must maintain a register of all such documents deposited.

10. Banking Arrangements, Electronic Payments, Cheques and imprest accounts

Banking Arrangements

- 10.1 All of the Council's banking arrangements are to be approved by the CFO, who is authorised to operate such bank accounts as he or she considers appropriate.
- 10.2 Bank accounts must not be opened without the approval of the CFO. Where a bank account is opened, the account name must describe the purpose of the account. All new accounts should be named in the format 'KC, XYZ Unit Account'.

Electronic Payments & Cheques

- 10.3 Payments to suppliers and employees will be made by electronic means unless there are good reasons to use a different method.
- 10.4 Banking arrangements made for authorisation of payments to be made or received under electronic transfer are to be in a form approved by the CFO. Checks will be carried out as determined by the CFO to verify the validity of counterparty bank accounts prior to the release of any payments.
- 10.5 All cheques are to be ordered only in accordance with arrangements approved by the CFO, who is to ensure their safe custody. Cheques drawn on the Council's main bank accounts must either bear the facsimile signature of the CFO or be signed in manuscript by him/her or other authorised officers. All alterations and amendments are to be signed in manuscript by the CFO, or other authorised officers.
- 10.6 Service Directors must maintain a register of all officers authorised to sign cheques and other bank documents together with specimen signatures.

Imprest Accounts

- 10.7 Service Directors will determine what amount is appropriate for an individual imprest account and keep a record of every imprest issued, including the name of the imprest holder, amount and location.
- 10.8 Any imprest holder (or sub imprest - see rule 10.10) must at any time account for the total imprest if requested to do so by the CFO and keep adequate records in a form approved by the CFO and supported by valid (VAT) receipts. On ceasing to be responsible for an imprest account the officer must account promptly to the Service Director for the amount advanced.
- 10.9 Payments from imprest accounts are to be limited to minor items of expenditure and to any other items approved by the CFO.
- 10.10 Where deemed appropriate by an imprest account holder a sub- imprest may be provided to another officer for which the main imprest account holder must obtain and retain an acknowledgement. In all cases where this occurs the main imprest holder must notify the Service Director.

11. Income

- 11.1 The Council will determine annual arrangements for amending fees and charges. Service Directors have authority to implement new charges and amend existing fees and charges to achieve budget targets (either in year or future years), to account for changes in legislation and market conditions, or - where full cost recovery is a requirement, or objective- evidenced operating costs, in consultation with the appropriate Executive Director, relevant Portfolio Holder and CFO, and subject also to the decision making threshold processes. (e.g. key decision)

- 11.2 The methods of collecting, recording and banking of all income due to the Council are to be approved by the CFO.
- 11.3 The CFO must be notified, in accordance with practices agreed with the relevant Service Director, of all income due to the Council and of contracts, leases and other agreements and arrangements entered into which involve the receipt of money by the Council.
- 11.4 Service Directors must ensure that to the maximum extent possible income is collected by electronic means. This means that positive action should be taken to promote the use of customer payment by direct debit at the point of order for one off items, and continuous debit arrangements for ongoing services provision. Service Directors must ensure full compliance with all practices necessary to fully protect the banking data of the council's customers.

Collection and Banking of Income

- 11.5 Service Directors must make appropriate arrangements for the control and issue of all receipt forms, books, tickets, ticket machines or other acknowledgements for money.
- 11.6 All income received by the Council must be acknowledged by the issue of an official receipt or by another approved method indicating payment has been received.
- 11.7 In compliance with the Anti-Money Laundering Procedures, Service Directors must not normally accept any cash payment in excess of 10,000 euros (£8,300) in respect of one single transaction on one occasion. The Director of Legal Governance & Commissioning may agree specific circumstances where money in excess of this sum may be collected as cash. If there is any doubt about whether or not to proceed with a transaction, a decision must not be taken until relevant approval has been obtained under the Procedures. Anti-money laundering compliance is the responsibility of the Service Director of Legal Governance & Commissioning who is entitled to issue instruction relating to this matter.
- 11.8 All money received by an officer on behalf of the Council must either be paid to the CFO or to the Council's bank account as the CFO may determine, at intervals taking account of the security of the premises. No deductions are to be made from such monies unless specifically authorised by the CFO. Personal cheques must not be cashed out of monies held on behalf of the Council. Refunds must be made through the payments system.
- 11.9 Arrangements for opening incoming mail must ensure that any money so received is immediately recorded.
- 11.10 Every transfer of official money from one officer to another must be evidenced in the records of the Services concerned by the signature of the receiving officer.

Cash discrepancies

- 11.11 Each Director must maintain a detailed record of all cash surpluses and deficiencies in a manner approved by the CFO.
- 11.12 The Service Director must investigate any apparent patterns of discrepancies. Where such discrepancies are in excess of £100 individually, or in total within any period of 1 month, the Director concerned must immediately investigate and notify the Head of Audit & Risk who may undertake such investigations as he/she deems appropriate.

Debtors

- 11.13 Wherever possible, payment should be obtained in advance, or at the time of provision of a service, goods, letting or works. Where credit is given, Service Directors must ensure that the credit status of each customer is satisfactory. Service Directors are responsible for issuing debtor accounts in a form approved by the CFO immediately a debt falls due. Each Service Director, in conjunction with the CFO, must maintain adequate records to ensure that all credit income due to the Council is promptly recovered.
- 11.14 The CFO must be satisfied that Service Directors are taking appropriate measures to recover credit income due in a timely and efficient manner. The CFO will take appropriate steps to monitor and review the effectiveness of recovery procedures in services, and in conjunction with the relevant Service Director, implement any further actions as required to maximise income recovery within service to appropriate levels.
- 11.15 Where a Service Director agrees that a debtor may defer repayment, the Service Director must ensure that full records of the reason for agreeing repayment deferral are retained and must have arrangements in place to formally reconsider the appropriateness of deferral at agreed regular intervals (that must not be longer than 12 months).
- 11.16 Service Directors must regularly review debts due and ensure adequate year end provisions for bad and doubtful debts. Service Directors are authorised to review and recommend for write off all individual bad debts in a timely manner, as a minimum every 6 months, and subject to the approval of the CFO. A report on the details of all debts written off under delegated authority must be prepared and formally noted by the Service Director in consultation with the Cabinet Member. The CFO must prepare an annual consolidated report of all debts written off for consideration by the Corporate Governance & Audit Committee. Service Directors must ensure that appropriate accounting entries are made following write-off actions, in a manner prescribed by the CFO.
- 11.17 The 'writing off' of a debt does not absolve a Service Director of the responsibility to collect such debts, and the position in relation to such debtors is to be monitored by the Service Director.

12. Payment of invoices

All payments must be made through the councils accounting system (SAP) and should be made by electronic transfer except where there are substantial overriding reasons for alternative means of payment. Service Directors must ensure through a review, at least annually, that SAP authorisations are appropriate to the needs of the service, maintaining an adequate degree of separation of duties and internal control.

- 12.1 Service Directors must ensure that all valid invoices are paid within 30 days of receipt.
- 12.2 The CFO will determine the method and frequency of payment from one of the Council's main bank accounts, except for
 - Petty cash and other imprest accounts
 - Delegated bank accounts approved by the CFO

Automated Payments

- 12.3 When an invoice is matched through the automated procurement and payment system, it will be paid in line with the councils determined procedures.
- 12.4 Any invoices rejected by the automated system must be subject to thorough checking by the Director to determine the reason for variance, and the cause recorded.

Certification & Processing (paper records)

- 12.5 Service Directors must approve a schedule of officers authorised to certify invoices, (names and specimen signatures). This must be supplied if requested to the CFO The schedule must be reviewed at least once per year.
- 12.6 All invoices- that are not the subject of automated processing- must be certified in manuscript, unless an alternative method is expressly authorised by the CFO.

By certifying an account for payment, the authorised officer indicates that satisfactory checks have been carried out to ensure that.

- a) The work, goods or services to which the account relates have been received or carried out, examined and approved.
- b) Prices, extensions, calculations, discounts, other allowances and tax are correct.
- c) There is a proper tax invoice when appropriate.
- d) The relevant expenditure has been properly incurred, is within budget, and is charged to the appropriate budget.

e) Entries have been made in Asset registers, inventories, stores and other records as appropriate; and

f) The account has not previously been paid.

12.7 Where errors on an invoice are detected manual adjustments which reduce the total payment are permissible, provided that this does not change the total amount of VAT payable. In all cases where the amount due increases, or changes the amount of VAT, a replacement invoice and/or credit note must be obtained before payment is made.

12.8 The Service Director must where possible achieve an adequate level of internal check. At least two officers should be involved. The officer certifying the account for payment should not be the same officer who received or checked the items, goods, works or services.

No officer may certify any invoice involving payment to himself or herself.

12.9 All forms of account submitted for payment to a supplier or contractor other than on the original invoice must be accompanied by a special certification stating that the original invoice has not been paid and will not be paid subsequently. The certificate must be signed by an officer authorised to certify accounts for payment.

12.10 The CFO may withhold payment of any invoice where there is evidence to suggest that it is not in order. The CFO must establish rules that control the use of pro-forma invoices, to ensure that these are not used to circumvent council procedures,

Advance Payments

12.11 The council should not pay for any goods or service prior to receipt of the items, and not without an invoice. Where a supplier or contractor requires payment prior to the dispatch of goods or the provision of services, an official order signed by a duly authorised officer and clearly marked that payment is to be made before receipt of the goods or services must be completed. Whenever possible a supplier's invoice must be obtained, and payment made on this. In exceptional circumstances only, a pro-form invoice or supplier's order form detailing fully the goods/service to be obtained may be used. This must be approved by an officer authorised to certify invoices and retained as a record of the payment made, Where VAT features in the advance payment, the issuing officer must then obtain a VAT invoice or authenticated receipt for the transaction, and arrange for its processing to facilitate the recovery of VAT.

Discounts

12.12 All discounts available from a supplier are to be taken as a deduction against the cost of goods purchased and must appear on the invoice. Where a supplier provides any free item, or discount is available in the form of

goods these are the property of the Council, as are loyalty or bonus points or other rewards earned.

Payment by Direct Debit/Standing Order

- 12.13 The Service Director (or Designated Finance Officer) must approve all requests for creation of a Direct Debit mandate, and supply to the CFO such information as is deemed necessary (e.g., codes, profit centre(s) to be charged, a copy of a recent bill, showing signatory certification, for the account in question). If the payment method is Standing Order, the requestor must also specify the frequency of payment and, where appropriate, a termination date.
- 12.14 The Service Director must inform the CFO when any payment is to be terminated.
- 12.15 Services must retain all statements relating to accounts paid by Direct Debit/Standing Order for current plus three previous financial years in order to substantiate the authority's claim for VAT on these accounts.

13. Purchasing Cards

- 13.1 All arrangements regarding purchasing cards must be approved by the CFO. (As set out in the Purchasing Card Procedure Manual)
- 13.2 Service Directors in conjunction with the CFO will determine the monthly credit limit, any cash limits and permissible purchasing categories for individual payment and procurement cards.
- 13.3 Each cardholder must ensure safe custody of the card at all times.
- 13.4 Cards may be used only in accordance with the approved scheme and for legitimate expenses incurred by the cardholder in the course of official Council business.
- They must not be used: -
- a) To avoid any corporate rules on procurement and purchasing (for example to purchase only from approved suppliers)
 - b) To circumvent the procedures for the ordering of and payment for goods and services under these regulations; or
 - c) To purchase items for the private or personal use of cardholders.
- 13.5 Each cardholder must ensure that all expenditure incurred using a purchasing card is supported by adequate records and a VAT receipt is obtained to support all expenditure.
- 13.6 Employees of the council must not use their own debit or credit card to make purchases on behalf of the council. (Other than in circumstances agreed in

advance by the CFO, such as emergencies)

14. Salaries, Wages and Pensions

Service Directors must ensure through a review, at least annually, that SAP authorisations are appropriate to the needs of the service, maintaining an adequate degree of separation of duties and internal control.

- 14.1 All payments of salaries, wages, pensions, compensations, gratuities, allowances and other emoluments to current or former employees are to be made by the CFO in accordance with information supplied by the Director. All payroll transactions must be processed through the Council's SAP payroll system.
- 14.2 Service Directors must ensure that appointments of all employees are in accordance with the appropriate Conditions of Service of the Council or any approved scheme of delegation, and within the approved budgets, grades and rates of pay. Any variations of terms and conditions must be in accordance with arrangements approved by the Cabinet.

Records

- 14.3 Service Directors must maintain adequate records to notify the CFO of all appointments, resignations, dismissals, and retirements together with changes in pay rates, bonuses due, overtime worked and other matters affecting remuneration, and provide all information to ensure that the correct adjustments are made in respect of absences, pensions, income tax, national insurance, sickness and maternity pay and any other additions to or deductions from pay. Service Directors must also advise the CFO of any employee benefit in kind to enable reporting for taxation purposes.
- 14.4 Officers -when instructed- must complete a contemporaneous time record of actual times of attendance at work, electronically or by paper records. Paper records should be signed by the officer as a correct statement. Every manager should check time records of officers for which they have responsibility.
- 14.5 Time records and other pay documents must be maintained in a manner approved by the CFO and be certified by the Service Director or other authorised officers. The Service Director must maintain a list of officers who are permitted to certify payroll documentation –either electronically or by manuscript (and their specimen signatures) and these authorisations must be reviewed at least annually by the Service Director. Details of officers authorised must be supplied to the CFO.

Overpayments

- 14.6 The Service Director, in consultation with the Head of Peoples Services, is entitled to write off any employee debt on compassionate grounds. All other

overpayments of pay must be treated for the purposes of recovery and write off in accordance with Financial Procedure Rule 11.

15. Travel, Subsistence, and Other Allowances

- 15.1 Service Directors must ensure through a review, at least annually, that SAP authorisations are appropriate to the needs of the service, maintaining an adequate degree of separation of duties and internal control.
- 15.2 Payment of all claims must be in accordance with Schemes of Conditions of Service adopted in respect of the employee to which the payment relates and will be paid through the councils SAP payroll system unless otherwise agreed by the CFO.
- 15.3 All claims for payment of car allowances, subsistence allowances, travelling and incidental expenses must be made electronically, or where authorised, on a paper form approved by CFO. The form must provide for certification in manuscript by the Service Director or other officer authorised by the Director.
- 15.4 The Service Director must maintain a list of officers who are permitted to authorise expenses claims electronically and by paper (and their specimen signatures) and these authorisations must be reviewed at least annually by the Service Director. Details of officers authorised to sign such expense claims must be supplied to the CFO on request.
- 15.5 The certification (or electronic approval) of a claim by or on behalf of a Service Director is taken to mean that the certifying officer is satisfied that the journeys were authorised, the expenses properly and necessarily incurred and that the allowances are properly payable by the Council.

16. Taxation

- 16.1 The CFO is responsible for advising the Council on all taxation issues that affect the Council.
- 16.2 Each Director must ensure taxation is treated correctly and consult with the CFO in the event of any uncertainty as to any taxation treatment.
- 16.3 The CFO will lead and co-ordinate discussion or negotiations with HM Revenue and Customs about any taxation matter.
- 16.4 The CFO will complete all of the Council's tax returns.

17. Gifts and Hospitality

- 17.1 Officers must ensure that it is apparent that no cause could reasonably arise for adverse criticism or suggestion of improper influence about the acceptance of any gift or hospitality. They must ensure that in accepting any

offer of gifts and or hospitality to do so would not infringe the requirements of the Bribery Act 2010.

- 17.2 Service Directors must maintain a central record of all gifts, invitations and hospitality offered and or received, including items of token value.
- 17.3 The receipt of personal gifts should be discouraged, but if an officer, during the course of, or as a result of, official duties, receives any personal gift, other than one of only token value (less than £25), the matter must be reported to the Service Director who will decide if the item is to be returned or forwarded to some charitable cause, and the Director must inform the donor what has happened to the gift and explain the reason why gifts should not be sent in the future.
- 17.4 Service Directors and other officers with the permission of the Service Director may accept invitations to events and associated hospitality of any value where this relates to a function promoted by an organisation with which the Council has formal links and attendance constitutes a demonstration of faith in that organisation. It will not normally be appropriate for attendance by a companion. A Service Director must agree that they are satisfied that attendance by the companion is appropriate.
- 17.5 Hospitality must only be given or accepted where it is on a scale appropriate to the circumstances, reasonably incidental to the occasion, not extravagant and justifiable as in the public interest. Particular care must be taken when this involves potential customers or suppliers. The circumstances and the type of hospitality are to be recorded in the central record maintained by the Service Director concerned.

18. Working with Clients and Contractors

- 18.1 Officers who, in accordance with their conditions of service, are permitted to carry out private or other paid work must not do so during Council time, and must not use any Council premises, resources or facilities for the execution of such work. No stationery or publicity material is to indicate that the person is a Council employee nor should the address or any telephone number of the Council be stated. Officers must declare to their Service Director in writing the nature and duration of such private work.
- 18.2 Officers must declare to their Service Director any circumstance where they believe that they may have a pecuniary or non-pecuniary interest in any proposed supply contract, grant award or other transaction for which they have involvement or responsibility.
- 18.3 Officers must not work for any current or prospective supplier or contractor to the Council.
- 18.4 All intellectual property created by employees in the course of their duties is, and remains, the property of the Council. The copyright or equivalent of any material cannot be sold without the permission of Cabinet. Any article, book or similar material for publication that is prepared in the Council's time is the

property of the Council. Any disposal of intellectual property must be made in accordance with contract procedure rules. Any article, book or similar material for publication prepared by an employee (relating to their official duties) requires the written approval of the Service Director prior to publication.

19. Unofficial and Voluntary Funds

These regulations relate to funds administered by officers of the Council, the accounts of which are not included in the Authority's accounts.

- 19.1 Any proposed unofficial funds require the prior approval of the Director concerned who must maintain a record of all such funds and ensure that officers are appointed to administer each fund.
- 19.2 A separate bank account must be maintained for each fund (in the name of the fund) and fund monies must be kept separate from Council monies. Alternatively, the fund may be administered through the Council's bank account and general ledger but should be separately identifiable.
- 19.3 Where a separate bank account is maintained, directors must ensure that they receive a copy of the accounts of each fund and a certificate in the prescribed form from the auditors or independent examiners of each fund that has to be audited or independently examined. Such accounts are to be prepared annually, and at the completion of the purpose for which the fund was set up.
- 19.4 The CFO is to have access to any records relating to such funds and be immediately informed of any irregularities which arise in connection with them.

20. Financial Control of Partnerships, Joint Ventures Associated Organisations and Similar Arrangements

Working in Partnership with Associated Organisations

- 20.1 The CFO is responsible for promoting and maintaining the same high standards of financial administration in partnerships that apply throughout the Council or advising the Cabinet where he/she is aware that arrangements within a partnership are in conflict or are uncertain compared with the practices adopted by the Council.
- 20.2 The CFO must ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory, and must:
 - a) Consider the overall corporate governance arrangements and legal issues when arranging contracts with the partner/joint venture or associated organisation.
 - b) Ensure that the risks have been fully appraised before agreements are entered into with the partner/joint venture or associated organisation.
- 20.3 Service Directors must ensure that in all grant agreements, contribution to partnerships and where appropriate in agreed contracts for the supply of

works, goods and services the CFO has access to the accounts, records and all other documentation, and is entitled to seek explanations from Officers of the funded organisation regarding the deployment of the Council's funding payment.

Working for Other Organisations

- 20.4 Service Directors are responsible for ensuring that approval is obtained from the CFO and the Service Director Legal Governance & Commissioning before any negotiations commence in relation to the provision of new or additional works or services to other organisations expected to exceed £20,000 per annum.
- 20.5 The Cabinet is responsible for approving any arrangements for any new work for other organisations expected to exceed £100,000 per annum. The CFO may agree contractual arrangements below this level.
- 20.6 Service Directors must ensure that any proposed arrangement to work for other organisations does not impact adversely upon the Services provided to or by the Council. All agreements, contracts or arrangements must be properly documented, and appropriate information must be provided to the CFO to enable a note to be entered into the Council Statement of Accounts concerning material items.

21. Purchasing of Works, Goods and Services

Service Directors must ensure through a review, at least annually, that SAP authorisations are appropriate to the needs of the service, maintaining an adequate degree of separation of duties and internal control.

These procedure rules must be read alongside the Contract Procedure Rules which establish the framework that controls the Council's arrangements for procurement.

Orders

- 21.1 Before any official order is issued for works, goods or services, the Service Director or other authorised officer must ensure that.
 - (a) The works, goods or services, are necessary for the discharge of the responsibilities of the Council.
 - (b) Sufficient budget is available to fund the expenditure; and
 - (c) The Contract Procedure Rules (which apply to all purchasing decisions irrespective of value) have been complied with.
- 21.2 Service Directors are responsible for all orders issued. Order will be issued electronically using the SAP system. Paper orders must only be used when authorised by the CFO. Paper orders may only be issued and signed in manuscript by officers authorised by the Service Director. The items, quantities

and prices must be accurately recorded.

- 21.3 Service Directors must keep a record of who is authorised to sign order documentation or issue orders electronically and the extent of this authority. This list must be reviewed at least once per year.
- 21.4 Except where there is a formal contract, in which case work instructions and orders must conform with the provisions of the contract, official orders will be issued for all works, goods or services to be supplied to the Council, except for supplies of continuous services (such as gas), and statutory taxes, for petty cash purchases and other exceptions as the CFO may approve. Orders must clearly indicate the nature and quantity of the work/services/items/supplies required, any related contract or agreed prices, discounts receivable and dates or periods of delivery, and where applicable make specific requirements to obligations placed on the contractor, such as those relating to Data Protection
- 21.5 Verbal orders must be kept to a minimum and be confirmed either the same or next working day by written orders which must be marked as a confirmatory order.
- 21.6 Records of all non-computerised order books must be kept by the Director. Copies of orders must be retained. All copies of spoilt, incorrect or un-issued orders must be appropriately marked and retained in any order book.
- 21.7 The Service Director must record the receipt of the goods, works or services electronically (or where applicable on paper) and (where applicable) all payments made in respect of an order. All Goods Received Notes must be retained.

Management of Suppliers

- 21.8 In respect of each order or contract for construction work, and any order or contract for services exceeding £20,000 the Service Director responsible must appoint an authorised officer, directly employed or otherwise to carry out supervision of the contract. All orders must provide for the reasonable inspection of progression of activity at any stage that the council (acting reasonably) chooses.

Specification

- 21.9 In respect of each order or contract exceeding £20,000 the Service Director must prepare or agree a written brief stating the objective of the order or contract and the sources of funding to meet the estimated cost of the project and appoint an authorised officer.
- 21.10 Unless otherwise agreed with the CFO, the authorised officer must prepare a specification which will indicate relevant issues for the supply, (for example type, quantity, quality, time, location, occasions), and the risks and obligations placed on the supplier including data protection and management where applicable. Specifications should set outcomes or outputs and be prepared on a generic basis and not include named products except where this can be justified on technical grounds. They should be prepared in a way which is likely to bring about the most economically advantageous solution whilst ensuring compliance with minimum statutory requirements and Council policy. The specification may only be altered on the basis of written instructions from the Service Director, who must justify the reason for change and sources of funding.

Variations

- 21.11 The authorised officer may, subject to the provisions of the contract, make any variations essential to the achievement of the objectives of the contract but must have regard to the budget provision. The authorised officer must not issue any variation likely to increase the approved cost of the project without the written agreement of the Service Director responsible, who must state the authority and source of financial provision for the additional expenditure.
- 21.12 Every variation must be immediately recorded in writing by the authorised officer.

Overspending

- 21.13 Any variation – including an extension - to a contract which results or will result in additional costs being incurred on a contract of more than 5% of the contract sum will be reported to the budget holding Service Director and CFO as soon as practicable.

Recording of Contractual Payments

- 21.14 Service Directors must ensure that a Contract Register is kept which shows details of all payments made against any contract. Any payments on account to contractors against a formal contract are to be made only on an approved certificate issued and checked by the authorised officer which must be passed to the CFO.
- 21.15 The certificate authorising final financial settlement of any contract will not be issued until the appropriate officer has produced a detailed statement of account and all necessary supporting documents, and these have been

checked in accordance with arrangements approved by the CFO and the final payment agreed by the budget holding Director.

Claims

- 21.16 All claims (or prospective claims) from contractors for loss and expense will be considered by the authorised officer who will immediately advise the client Director, and they will jointly consider methods for cost reduction to achieve the budgetary provision. The budget holding Service Director and the Chief Finance Officer must be consulted in respect of any claim (or prospective claim) from a contractor for loss and expense in excess of £10,000.
- 21.17 The Service Director will report in detail to the Cabinet if the financial consequences of the claim cannot be accommodated within the approved project budget.
- 21.18 Any claim from a contractor outside the terms of the contract, or under any statutory instrument or any claim for an ex-gratia payment will be jointly considered by the Service Director Legal Governance & Commissioning, CFO and Service Director(s) of the appropriate Service(s) before any recommendation is made to the Cabinet.

Codes of Practice

- 21.19 All procurement must accord with the Contract Procedure Rules, Procurement Policy and all relevant Procedure Guidelines.

22. Grants to and from the Council and Loans from the Council

Grants Receivable

- 22.1 Service Directors in consultation with the appropriate Executive Director and Cabinet Members may apply for grants from any funding body, providing the proposed activity is consistent with the approved Council Plan, service objectives and Council policy where the Council is required to make no contribution, or where the Council contribution can be fully met from an existing budget for that purpose.
- 22.2 Service Directors must ensure a detailed business case is prepared, in consultation with the CFO, in respect of any grant offer sought under clause 22.1. Any application/expression of interest needs to assess:
- a) the alignment of the grant scheme with the current approved policies of the council

- b) the capacity impact on the Council for the deliverability of the project and expenditure,
- c) the parameters of the grant conditions and timescales requirements

The Service Director must agree any material grant conditions with the Service Director Legal Governance & Commissioning.

22.3 Where a proposed revenue or capital budget bid does not align with an existing Council policy, or where there is not sufficient budget allocated appropriately to meet a required council grant contribution, the Service Director must consult with the CFO. After consideration of virement options, it may be necessary to seek authority from Cabinet, or Council (as applicable) to authorise funding to facilitate the grant application.

22.4 Subject to the identification of sufficient resources within existing approved budget, or the approval of cabinet, or Council as necessary Service Directors are authorised to accept any offer of grant and subsequent grant conditions up to a maximum of £500,000.

Executive Directors are authorised to accept a grant of up to:

- a) 5% of the gross revenue budget of the Service to which the grant relates.
OR
- b) For capital projects, £1,000,000.

The CFO, in consultation with the Service Director Legal Governance & Commissioning, and the appropriate Executive Director, is authorised to approve the acceptance of grants in all other circumstances.

22.5 Service Directors are authorised to accept a grant offer of any value from the West Yorkshire Mayoral Combined Authority and any Government department, provided that:

- a) the grant is in fulfilment of a national or regional initiative or requirement, and
- b) the Council is required to make no contribution, or the contribution can be fully met from an existing budget for that purpose.

The Service Director must advise the CFO of the relevant details and obligations of the grant as soon as possible on receiving notice of the grant offer, and on confirmation of the grant award.

Where a grant has a capital element, or revenue grant with discretion on usage, the funding must be identified into the relevant budgets and follow the normal process for approval and control of that funding (for example for capital, a business case as FPR 3.6).

Where a grant offer includes onerous or unusual conditions, including the risk of having to undertake expenditure in a shortened timescale which may leave the Council exposed to the loss of grant when a scheme has commenced, the Service Director, CFO and Director of Legal, Governance & Commissioning must consider if these requirements represent a significant risk to the Council. If they believe that they do so, they must inform and seek authority for acceptance from the Cabinet.

- 22.6 Service Directors must ensure that any grant conditions or obligations are fulfilled, in respect of the allocations, timings, purposes of expenditure and outputs and outcomes. Service Directors must arrange for expenditure consistent with any specific type or purpose of grant, such as capital or revenue budget expenditure.
- 22.7 The value of all grants must be notified to the CFO, who will make arrangements as necessary to receive the grant and record the relevant expenditure. Any revenue or capital budget impacts will be incorporated into the quarterly financial monitoring update reports to Cabinet.

In respect of capital grants, any additional revenue expenditure requirement consequent from any capital grant award must be recognised by budget virements.

Any new capital programme/scheme that requires a council contribution (capital or revenue) must have an appropriate business case and Cabinet approval as per Section 3 FPR requirement, prior to any grant acceptance. Where a scheme is 100% grant funded with specific conditions that do not allow for discretion, with no financial commitment for the Council, then the Service Director in conjunction with the CFO and Service Director of Legal, Governance and Commissioning may progress the scheme. This will be included in the quarterly report to Cabinet as set out in CPR 3.14.

- 22.8 Grant claims, financial returns and submissions must be completed by the relevant Service Director and the CFO for submission to the relevant government department, agency or organisation. The Service Director must provide such additional information as may be required by the CFO and or – when there is a requirement for internal audit authorisation- by the Head of Audit & Risk.

Grants and Loans to Other Organisations

- 22.9 Before issuing any grant the Service Director must be satisfied that the proposed activity or project does not constitute a procurement (to which Contract Procedure Rules would apply).
- 22.10 Except where the CFO agrees otherwise:

- a) Competitive procurement aligning with the council's contract procedure rules must be used in respect of any goods, works or services obtained by another organisation, where the Council is providing a loan or making a grant contribution of £100,000 or more.
- b) The Service Director must carry out all appropriate due diligence on the proposed grant recipient entity, ensuring that it operates with appropriate financial and business controls, is not obtaining duplicate funding for the same project from the Council, or any other funding body.

22.11 The Cabinet can approve a grant of any value, subject to not contravening any statutory obligation or other council policy.

A Service Director may issue a:

- a) Grant or loan of any value provided that it is offered fully in accordance with a scheme of grants or loans that has been approved by the Cabinet.

Or

- b) Grants of up to £10,000 each and £20,000 cumulative in any one year for any single purpose

Subject to:

- c) There is sufficient budget provision.
- d) Grants awarded under clause (b) above in aggregate may not exceed £10,000 in any one financial year for the same beneficiary.

22.12 Where a Service Director proposes to offer a grant, or loan to any organisation which is not covered by 22.11 above he/she may do so only following:

- a) A full financial appraisal of the project to which the grant or loan relates, by the CFO.
- b) A full financial appraisal of the organisation to which the grant or loan is to be granted, by the CFO.
- c) The preparation of a written report that establishes the justification for the financial assistance.
- d) Consultation with the Executive Member responsible for the budget area which is to offer the grant or loan.
and
- e) Establishing that there is sufficient budget provision.

The total value of grants awarded to any single organisation under this clause may not exceed £100,000, cumulatively in any one year, or for any objective, purpose or scheme operating for more than one year.

In carrying out the evaluation at (a) and (b) above the CFO will consider if any surety (legal charges on assets, bonds and or guarantees) is required of the applicant (see 22.15)

22.13 A Member lead forum- may issue a grant of any value provided that.

- a) It accords with, or is not in contravention of, any general scheme rules which are established by the Cabinet.
and
- b) There is sufficient budget provision.

22.14 The Service Director Legal Governance & Commissioning will execute any legal agreement in respect of any grant or loan exceeding £180,000. The Service Director Legal Governance & Commissioning in consultation with the Service Director Finance has the authority to vary terms of the loan, e.g. term or interest rate, subject to consultation with the Executive Director and Executive Member

22.15 The Service Director who is offering the grant or loan may issue any grant or loan agreement below this value (using standard documents where required by the Service Director Legal Governance & Commissioning), except where the CFO considers that a loan or grant should be subject to a surety from the applicant. In such cases grants or loans must then be executed by the Service Director Legal Governance & Commissioning

The Service Director Legal Governance & Commissioning has discretion to delegate the right to enter into such agreements as they think appropriate.

22.16 A Service Director may also administer grants in accordance with a scheme fully supported by

- a) government grants, or
- b) grants from any other third party

provided that the methodology of grant distribution fully follows the obligations of the supported scheme, and where local discretion may apply this is subject to decision making as required by Financial Procedure Rule 22. A scheme that is only partially funded also requires compliance with the Financial Procedure Rules sections 2 and or 3.

22.17 When offering grants or other forms of assistance to entities that operate on a commercial basis Service Directors must ensure that no assistance will infringe -applicable national or international Procurement or State Aid or Subsidy Control Act 2022 requirements. In the event of any doubt about the matter advice must be sought from the Service Director Legal Governance & Commissioning.

22.18 Service Directors must ensure that appropriate records are retained to publish details of grants in accordance with the Local Government Transparency Code. Details of any subsidy under State aid rules or the Subsidy Control Act

2022 must be published as required by law.

22.19 In some cases, an agreed asset transfer, or the transfer of a right to a third party may constitute a form of grant, and these types of transactions must accord both with these FPRs and CPR 9 and 10.

23 Compensation Payments

- 23.1 The Service Director – Legal, Governance and Commissioning, may make compensation payments
- (a) On the basis of an award recommended or required by any Ombudsman
 - (b) On the basis of a derived equivalent compensation, determined by the Corporate Customer Standards Officer, subject to maximum of £500.
- 23.2 The Service Director – Homes & Neighbourhoods, may make compensation payments
- (a) On the basis of an award recommended or required by the Housing Ombudsman
 - (b) On the basis of a derived equivalent compensation, subject to maximum of £500.
- 23.3 The Cabinet or the Cabinet Portfolio Holder for Corporate (and for Housing only; the Cabinet Portfolio Holder for Housing) can authorise compensation payments based on a case specific or general basis without limit to value, subject to identification of the necessary resources.
- 23.4 The Corporate Customer Standards Officer, and Director of Homes and Neighborhoods must maintain a record of all compensation payment made.



REPORT TITLE: Proposed Revisions to Contract Procedure Rules March 2026

Meeting:	Council
Date:	11 March 2026
Cabinet Member (if applicable)	Not applicable
Key Decision Eligible for Call In	No No
Purpose of Report	
To provide information for discussion on proposed changes to Contract Procedure Rules for the municipal year 2026/27.	
Recommendations	
<ul style="list-style-type: none"> Council is asked to approve the proposed changes to Contract Procedure Rules for the municipal year 2026/27. 	
Reasons for Recommendations	
<ul style="list-style-type: none"> These changes were considered, and recommended, by Corporate Governance and Audit Committee on 20 February 2026. The Contract Procedure Rules ensure that the Council is acting in line with current legislation and other development in public law when conducting procurement processes 	
Resource Implications:	
There are no direct resource implications. Contract Procedure Rules (CPRs) cover all aspect of the Councils operations. The legal obligation to have CPR's is to comply with Section 135 Local Government Act 1972. The council is a public authority and a contracting authority for the purpose of, and is therefore subject to, the procurement regulations (the Procurement Act 2023 and the Public Contracts Regulations 2015).	
Date signed off by <u>Executive Director</u> & name	Rachel Spencer-Henshall – Deputy Chief Executive and Executive Director for Public Health and Corporate Resources (22/01/2026)
Is it also signed off by the Service Director for Finance?	Kevin Mulvaney – Service Director Finance (22/01/2026)
Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?	Samantha Lawton – Service Director Legal & Commissioning (15/01/2026)

Electoral wards affected: All

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? Yes, not applicable

1. Executive Summary

- 1.1 This report sets out information on proposed changes to Contract Procedure Rules for the year 2026/27.
- 1.2 Contract Procedure Rules ensure that the Council is acting in line with current legislation and other developments in public law when conducting procurements.
- 1.3 The proposed changes include minor updates to terminology to ensure consistency throughout the document, clarification of the process to be followed if a breach of the Contract Procedure Rules is identified, revisions to Data Sharing and Processing to align with current practice, inviting suppliers from within the Kirklees (and/or West Yorkshire) area to bid for lower-value contracts and updates to reinforce the requirement that all contracts are actively managed.

2. Information required to take a decision

- 2.1 The detail relating to all proposed changes is detailed in the table below;

Section of the Contract Procedure Rules	Proposed changes
RULE 1 – Conduct and Compliance and Waiver	1.3 Rule updated to include reference to exemptions in accordance with CPR 6 to confirm that failure to comply with rule 6 may result in disciplinary action against the officers concerned and may in some cases constitute a criminal offence.
	1.8.1 Rule updated to ensure that all procurements are commenced and awarded in compliance with the Procurement Regulations as well as the CPRs and Financial Procedure Rules (FPRs).
	1.13.1 (Conflicts of Interest and Integrity) New rule added to confirm that a Conflicts Assessment must be completed throughout the procurement lifecycle for all above threshold procurements that are procured under the Procurement Act 2023 (PA23).
	1.17 – 1.23 (Breaches) New rules added to set out the process to be followed should a potential breach of CPRs be identified.
RULE 2 – Preparation and Process	2.3.5 Rule updated to refer to the new requirements for contract management at Rule 11.
	2.3.6 a) (Compliance) Rule amended to refer to an officer with the appropriate seniority and relevant authority, rather than specifically to a Senior Manager as this definition is not reference elsewhere in the document.

	<p>2.3.6 c) (Compliance) The rule has been revised to require that all procurements align to the Ethical Procurement Policy as well as the Councils Procurement Strategy.</p> <p>2.3.8 f) (Estimated Value) The rule has been amended to require consideration of the estimated contract value both inclusive and exclusive of VAT when carrying out procurement under PA23.</p> <p>2.11 – 2.12.8 (Data Sharing and Processing) Rules have been updated and broadened to align with current practices in data sharing and processing, ensuring that data is managed effectively throughout every stage of the contract.</p>
<p>RULE 3 – Procurement Process</p>	<p>Table has been updated as follows:</p> <ul style="list-style-type: none"> • Confirmation that the contract value reflects the full term of the contract • All below-threshold procurement processes have been updated to promote engagement with suppliers based in Kirklees and/or the wider West Yorkshire region, including Small and Medium Sized Enterprises (SMEs) and Voluntary, Community and Social Enterprises (VCSEs). Local authorities in England will now have the discretion to reserve below-threshold contracts specifically for local suppliers, SMEs, and VCSEs. This forthcoming legislative change, effective from 2026, aims to boost local economies and widen opportunities for smaller organisations. • The procedure for awarding contracts up to £24,999.99 has been revised to clarify that procurement may be conducted outside the eProcurement portal (via telephone, email, or online). • The process for awarding contracts up to the Supplies and Services threshold has been clarified, confirming that such contracts may be executed by the service responsible under the relevant Scheme of Delegation. It has also been confirmed that where risks are identified, corporate enablers must be consulted. • Approximate threshold values in monetary terms have been added to the table to help officers identify the correct procurement process based on the contract value. • More detailed information on the procurement process required for any service that falls under the Health Care Services (Provider Selection Regime) Regulations 2023.
<p>RULE 4 – Tender Receipt and Evaluation</p>	<p>4.11 Rule updated to confirm that the Head of Risk must be satisfied regarding the financial standing of a proposed Supplier for any type of contract exceeding the UK supplies and services Threshold.</p>
<p>RULE 5 – Standing Lists, Dynamic</p>	<p>5.3 Rule updated to include Dynamic Markets.</p>

Purchasing Systems, Dynamic Markets and Frameworks	5.10.1 (Council Frameworks, Dynamic Purchasing Systems and Dynamic Markets) New rule added to clarify the process for non-competitive call-offs under Frameworks that have been established by the Council.
	5.16.5 (Use of Third Party Procurement Facilities) A new rule has been introduced to clarify the process for calling off an approved third-party framework on a non-competitive basis. Previously, this was treated as an exemption from competition at 6.1.8, but as all frameworks are competitively established at the outset, it is not correct to classify it as such. Approval from the Head of Procurement is still required when using an external framework in this way through submitting a robust business case which demonstrates that the award will deliver value for money without reopening competition based on Council specific requirements.
RULE 6 – Exemptions from Competition	6.1.8 The rule has been broadened to incorporate the provision on trial purchases that was previously set out at rule 6.3.
	6.1.10 New rule to allow for exemptions for any other permitted reason by the Procurement Rules e.g. user choice contracts and advantageous terms on insolvency, which are recognised as valid Direct Award Justifications in Schedule 5 of PA23.
	The footnote has been updated to remove the reference to the Provider Selection Regime, as this is now addressed in the new rule at section 6.12.
	6.7 The rule has been amended to state that any negotiations concerning land must follow the procedure outlined in Rule 9.
	6.12 (Provider Selection Regime) A new rule has been added to clarify that the Provider Selection Regime permits direct awards in certain circumstances.
RULE 8 – Income Contracts and Concessions	8.6 (The sale of a right to exploit a business opportunity) The example has been deleted due to lack of relevance, and references have been revised to subsidy controls, which have replaced state aid.
RULE 9 - Land	9.1 Rule updated to refer to Land transactions and to confirm that the Executive Director of Place can authorise other nominated officers in respect of Right to Buy transactions or the granting of a tenancy under the Housing Act 1985.
	9.2 The rule has been updated to clarify that the Head of Corporate Landlord is responsible for arranging the acquisition or disposal of land, in line with the constitution or authority delegated by an authorised decision maker. The rule has also been updated to make specific reference to the Executive Director of Place as no other directors have this authority nor would they have the skills/knowledge to arrange a land transaction independently of Estates.
	9.4 The rule has been refined to reflect current practice around the bidding process for land sold at public auction.

<p>RULE 10 – Executing Contracts</p>	<p>10.11 (Land) Rule previously included at 10.10 moved and updated to confirm that the Service Director Legal and Commissioning may authorise an external property auctioneer to sign as agent for the Council, a memorandum of sale to record the property price and terms of conditions of sale.</p> <p>10.12 (General) Rule updated to confirm that the Service Director Legal and Commissioning is entitled to sign any agreement.</p>																														
<p>RULE 11 – Contract Management</p>	<p>11.1 and 11.2 New Rules added to confirm that all contracts entered will have a Contract Manager who is responsible for managing the contract throughout its lifecycle.</p>																														
<p>RULE 12 – Modification and Termination of Contracts and Release of Bonds</p>	<p>12.2 Rule updated to confirm that contracts may be terminated by mutual agreement with the supplier.</p> <p>12.6 Rule updated to confirm that the Head of Procurement must be consulted when modifying contracts.</p> <p>12.7 Rule updated to include reference to the Provider Selection Regime.</p>																														
<p>Terminology update</p>	<p>To ensure consistency, the term ‘Solicitor to the Council’ has been updated across the document to ‘Service Director Legal and Commissioning’.</p>																														
<p>DEFINITIONS</p>	<p>The following updates have been made to the definitions:</p> <table border="1" data-bbox="448 1088 1465 2022"> <thead> <tr> <th data-bbox="448 1088 778 1126">Definition</th> <th data-bbox="778 1088 1465 1126">Reason for update</th> </tr> </thead> <tbody> <tr> <td data-bbox="448 1126 778 1164">Breach</td> <td data-bbox="778 1126 1465 1164">New definition proposed</td> </tr> <tr> <td data-bbox="448 1164 778 1238">Conflicts Assessment</td> <td data-bbox="778 1164 1465 1238">New definition proposed</td> </tr> <tr> <td data-bbox="448 1238 778 1350">Contract Management Framework</td> <td data-bbox="778 1238 1465 1350">New definition proposed</td> </tr> <tr> <td data-bbox="448 1350 778 1424">Contract Management Toolkit</td> <td data-bbox="778 1350 1465 1424">New definition proposed</td> </tr> <tr> <td data-bbox="448 1424 778 1462">Contract Manager</td> <td data-bbox="778 1424 1465 1462">New definition proposed</td> </tr> <tr> <td data-bbox="448 1462 778 1536">Covered Procurement</td> <td data-bbox="778 1462 1465 1536">New definition proposed</td> </tr> <tr> <td data-bbox="448 1536 778 1610">Head of Corporate Landlord</td> <td data-bbox="778 1536 1465 1610">Definition updated to include reference to the officers to whom they delegate.</td> </tr> <tr> <td data-bbox="448 1610 778 1684">Land</td> <td data-bbox="778 1610 1465 1684">Definition updated to include any estate including any easement over land</td> </tr> <tr> <td data-bbox="448 1684 778 1722">Legal Officer</td> <td data-bbox="778 1684 1465 1722">New definition proposed</td> </tr> <tr> <td data-bbox="448 1722 778 1796">Light Touch Threshold</td> <td data-bbox="778 1722 1465 1796">New definition proposed</td> </tr> <tr> <td data-bbox="448 1796 778 1870">Procurement Rules</td> <td data-bbox="778 1796 1465 1870">Definition updated to include the National Procurement Policy Statement</td> </tr> <tr> <td data-bbox="448 1870 778 1944">Senior Manager</td> <td data-bbox="778 1870 1465 1944">Definition removed as no longer included in the document</td> </tr> <tr> <td data-bbox="448 1944 778 1982">SME</td> <td data-bbox="778 1944 1465 1982">New definition proposed</td> </tr> <tr> <td data-bbox="448 1982 778 2022">VCSE</td> <td data-bbox="778 1982 1465 2022">New definition proposed</td> </tr> </tbody> </table>	Definition	Reason for update	Breach	New definition proposed	Conflicts Assessment	New definition proposed	Contract Management Framework	New definition proposed	Contract Management Toolkit	New definition proposed	Contract Manager	New definition proposed	Covered Procurement	New definition proposed	Head of Corporate Landlord	Definition updated to include reference to the officers to whom they delegate.	Land	Definition updated to include any estate including any easement over land	Legal Officer	New definition proposed	Light Touch Threshold	New definition proposed	Procurement Rules	Definition updated to include the National Procurement Policy Statement	Senior Manager	Definition removed as no longer included in the document	SME	New definition proposed	VCSE	New definition proposed
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SME	New definition proposed																														
VCSE	New definition proposed																														

- 3. Implications for the Council**
 - 3.1 Council Plan**

The updated CPRs reflect good governance and procurement practice which in turn supports the Council Plan by using procurement activity to help achieve the Council's wider objectives and outcomes.
 - 3.2 Financial Implications**

None directly
 - 3.3 Legal Implications**

The legal obligation to have CPR's is to comply with Section 135 Local Government Act 1972. The Public Contracts Regulations 2015, the Healthcare Services (Provider Section Regime) Regulations 2023 and the Procurement Act 2023 provide the legal framework for procuring goods, works and services which the council must comply with.
 - 3.4 Climate Change and Air Quality**

None directly
 - 3.5 Risk, Integrated Impact Assessment (IIA) or Human Resources**

None directly
- 4. Consultation**

Consultation has been carried out with the Head of Risk, the Head of Corporate-Legal, the Head of Technology, the Information Governance Manager and Data Protection Officer and officers in the Procurement Team, Legal Services, IT and the Information Governance Team. The Portfolio Holder has been briefed and consulted on the proposals.
- 5. Engagement**

Changes will be communicated to stakeholders via the intranet with appropriate training and guidance offered by the Procurement Team.
- 6. Options**
 - 6.1 Options considered**

No other options - the council is required to comply with the legislation accordingly. The document is compliant with all UK Procurement legislation and the proposal represent minor updates.
 - 6.2 Reasons for recommended option**

The Council is required to comply with all UK Procurement legislation.
- 7. Next steps and timelines**

If approved, these changes will be implemented from 1 April 2026
- 8. Contact officer**

Ruth Calladine, Head of Procurement (01484 221000, email – ruth.calladine@kirklees.gov.uk)
- 9. Background Papers and History of Decisions**

[Contract Procedure Rules 2025](#)
[CPR Proposed Changes to CPRs 2025 - Corporate Gov and Audit v2.pdf](#)

10. Appendices

Appendix A – Contract Procedure Rules 2026 with tracked changes

11. Service Director responsible

Samantha Lawton, Service Director Legal & Commissioning

Kevin Mulvaney, Service Director Finance

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**KIRKLEES COUNCIL
CONTRACT PROCEDURE RULES**

MARCH 2026

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INTRODUCTION

These Contract Procedure Rules (CPRs) aim to promote the highest standard of probity, integrity, and impartiality in making a clear, understandable and fair selection of Suppliers and Supplies to the Council. Equally important are the delivery of best value through competitive procedures and the avoidance of practices which may restrict, prevent or distort competition.

These Contract Procedure Rules cover the Procurement of all Supplies (goods, works and services) and Income Contracts and are made in accordance with section 135 of the Local Government Act 1972.

These Contract Procedure Rules must be complied with strictly. They are minimum requirements. A more thorough procedure may be appropriate for particular Supplies. However, when designing the Procurement within the parameters of these CPRs, the process and the Specification should be clearly proportionate and relative to the need which the Supply fulfils and should appropriately balance the value of, and risks associated with, any proposed action.

Where the Council wishes to obtain the delivery of goods, works, or services, the use of procurement is the usual method. Grants should only be used to assist or support objectives of another organisation. In some instances, CPRs will apply to grants (see Appendix 4).

Procurement Objectives:

The objective of every procurement exercise should be to deliver value for money. In pursuit of that objective, procurers shall endeavour to treat suppliers the same, unless a difference between the suppliers justifies different treatment. They must take all reasonable steps to ensure no supplier is given an unfair advantage or disadvantage. Procurers will act, and be seen to act, with integrity at all times.

Procurers should take every opportunity to maximise public benefit by considering how improvements to the economic, social and environmental wellbeing of the district (social value) can be generated and enhanced in contracts and procurement processes. This includes encouraging the participation of local businesses, small and medium-sized enterprises (SMEs) and social enterprises in Council tenders.

RULE 1 – CONDUCT AND COMPLIANCE AND WAIVER

- 1.1 All Council employees, and any person or organisation working on behalf of the Council in Procuring or managing a Supply, must comply with these CPRs.
- 1.2 Cabinet may waive any parts of these CPRs on a case by case basis following consideration of a detailed report setting out in particular: -
 - 1.2.1 the legality of the proposed non-compliant process or action; and
 - 1.2.2 the reputational and financial risks associated with the proposed non-compliant process or action.
- 1.3 Failure to comply with these CPRs without a valid exemption (see CPR 6) may result in disciplinary action against the officers concerned and may in some cases constitute a criminal offence.
- 1.4 Each Service Director must ensure:
 - 1.4.1 compliance with these CPRs and the FPRs, using training, instruction and internal control processes.
 - 1.4.2 appropriate supervision and performance management to ensure that decisions taken are subject to authorisation and quality control procedures.
 - 1.4.3 a suitably experienced and trained officer is identified to adequately manage the Contract for every contractual relationship the Council enters.
- 1.5 When authorising staff to procure Supplies on their behalf, each Service Director must set a financial (or other) limit on the authority vested in individual officers to procure the Supplies. Such limits must be recorded in the relevant Scheme of Officer delegations. An officer wishing to commence a procurement exercise and/or commit the Council to contractual obligations must ensure that:
 - 1.5.1 they have the Cabinet authority or a written approval of the delegated decision by an authorised officer under the Scheme of Officer Delegation to incur the expenditure and provide details to the Head of Procurement.
 - 1.5.2 officer executive decisions are recorded accurately and promptly including the relevant information required, such as the context in which the decision was taken, the reasons for the decision and alternative options considered.
 - 1.5.3 all significant officer decisions taken relating to the procurement exercise (i.e. decisions which may be of interest to councillors and/or the public) are recorded
 - 1.5.4 where a Supply is a Key Decision, a Key Decision Notice (KDN) has been published in a Notice of Forthcoming Key Decisions.
- 1.6 The Head of Procurement may:
 - 1.6.1 authorise officers who are not procurement officers under their managerial responsibility to act on their behalf in respect of any role assigned to the Head of

Procurement in these CPRs;

- 1.6.2 issue waivers in relation to the need to consult them under CPR 1.3;
 - 1.6.3 undertake a review of procurement arrangements and practices, and value for money within any service area, in consultation, as appropriate, with the Service Director, Service Director Legal and Commissioning, Service Director Finance and Head of Risk.
- 1.7 The Head of Procurement must record the precise extent of such authorisations and the officer to which roles have been delegated and share these authorisations with the Service Director Legal and Commissioning and the Head of Risk.
- 1.8 A Service Director has authority to commence and award any Procurement subject to:
- 1.8.1 compliance with these CPRs, FPRs and the Procurement Rules; and
 - 1.8.2 having appropriate delegated authority; and
 - 1.8.3 compliance with management processes designed to ensure that proposed projects
 - 1.8.4 meet the Council's business needs; and
 - 1.8.5 seeking Value for Money.
- 1.9 These CPRs are a minimum standard and a more prescriptive procurement regime must be followed where this is required by UK law and agreements with Grant funding organisations.
- 1.10 The Head of Procurement, the Service Director Legal and Commissioning and the Head of Risk may each issue Guidance Notes to aid the interpretation of these CPRs, with the following leading responsibilities:
- 1.10.1 the Head of Procurement – Good Procurement Practice;
 - 1.10.2 Service Director Legal and Commissioning – Procurement Rules and other laws and Corporate Governance;
 - 1.10.3 Head of Risk – Procurement project related financial management, Best Value and Risk.
- 1.11 Any dispute concerning interpretation of these CPRs must be referred to the Head of Risk who, in consultation with the Service Director Legal and Commissioning, may provide clarification and determination.
- 1.12 Subject to Part 3 of the Council's constitution and without prejudice to the role of the Monitoring Officer or the Service Director Finance, the Chief Executive may reassign specific duties delegated in these CPRs to the Head of Procurement, the Head of Risk, and the Service Director Legal and Commissioning provided that:
- 1.12.1 the post holders to whom these duties are assigned must hold general competencies as follows:

- public sector procurement in respect of duties reassigned from the Head of Procurement.
- finance in respect of duties reassigned from the Head of Risk.
- Law and Court procedure in respect of duties reassigned from Service Director Legal and Commissioning.
- the same degree of separation of officer responsibility for the duties is maintained.

Conflicts of Interest and Integrity¹

- 1.13 Service Directors shall take appropriate measures to effectively prevent, identify and remedy Conflicts of Interest or potential Conflicts of Interest arising at all stages of the procurement process to avoid any distortion of competition and to ensure equal treatment of all economic operators.
- 1.13.1 A Conflicts Assessment must be completed at the outset of all Covered Procurements and revisited throughout the contract lifecycle to record and manage emerging conflicts.
- 1.14 Any Officer, Member or other person acting on the Council's behalf in procuring a Supply must declare any potential Conflict of Interest as soon as they become aware of a potential Conflict of Interest and update the declaration in the event of any changes.
- 1.15 Service Directors must record such declarations and, in each case decide whether safeguards need to be put in place or the Officer or Member concerned should be removed from the Procurement or Disposal process.
- 1.16 In exercising the decisions delegated to them, the Head of Procurement, Head of Risk and Service Director Legal and Commissioning (or any other persons undertaking their responsibilities by application of CPR 1.12 or CPR 1.6) must reach their decisions independently.

Breaches

- 1.17 Breaches of the Contract Procedure Rules are taken extremely seriously. Any failure to comply with the Contract Procedure Rules will be treated as a breach.
- 1.18 All Officers have a duty to report any breaches of the Contract Procedure Rules to the Head of Procurement upon becoming aware of them. Failure to report breaches may result in disciplinary action.
- 1.19 Upon notification of a suspected breach, the Head of Procurement will commence a formal preliminary investigation into the matter. The investigation will thoroughly assess the intent, specific circumstances and impact of the alleged breach, ensuring it is proportionate to its nature. The investigation findings will determine whether a breach has occurred.
- 1.20 The Head of Risk should be informed about all breaches and may take any actions considered appropriate under powers contained in Financial Procedure Rule 5.

¹ Officers should also familiarise themselves with the FPRs 17 and 18, Chapter 7 of the Employee Handbook and Part 5.6 of the Council's Constitution. Members should also refer to Part 5.1 of the Constitution.

- 1.21 Confirmed breaches will be recorded centrally and presented to the Contract Assurance and Oversight Board for review. The Board will identify areas requiring corrective action and ensure tailored training is provided to address gaps in compliance.
- 1.22 Service Directors and Heads of Service alongside officers with specific contract management responsibilities are accountable for breaches occurring within their areas of responsibility.

RULE 2 – PREPARATION AND PROCESS

- 2.1 Before commencing any process to obtain any Supply having an estimated cost exceeding £25,000 (excluding VAT), the Service Director must consult with the Head of Procurement. The Head of Procurement must consider if any issues relating to the procurement may create risks that require consultation with the Service Director Legal and Commissioning and/or the Head of Risk and undertake these consultations as necessary.
- 2.2 The Service Director must provide to the Head of Procurement information necessary to enable the Council to comply with the Procurement Rules. The Head of Procurement is responsible for ensuring the appropriate placing of notices in the UK's e-notification service either via the Central Digital Platform, Find A Tender Service (FTS) or Contract Finder as appropriate. Such notices may only be placed by officers authorised to do so by the Head of Procurement.
- 2.3 Each Service Director must ensure:
 - 2.3.1 That Supplies of a similar type are procured together where it is sensible to do so. A Procurement must not be subdivided with the effect of preventing it from falling within the scope of these CPRs or the Procurement Rules, unless justified by objective reasons or permitted by the Procurement Rules.
 - 2.3.2 Where the cost of the Supply is below the UK Threshold and an approved Framework or Dynamic Purchasing System is not being used, there must be consultation with the Head of Procurement to see whether the value of the Supply needs to be aggregated with any other similar Supplies for the purposes of the Procurement Rules.
 - 2.3.3 That they have regard to the fact that SMEs may face particular barriers in competing for a contract and consider whether such barriers can be removed or reduced.
 - 2.3.4 The process can be adequately resourced.
 - 2.3.5 The appointment of an officer to carry out supervision of the resulting contract(s) in accordance with Financial Procedure Rule 21.8 and Rule 11 of these CPRs.

Compliance

- 2.3.6 Each Procurement complies with the following:
 - a) it is justified by a business case (that includes a risk assessment) approved by an officer with appropriate seniority and relevant authority to purchase; and
 - b) a Whole Life Costing Approach underpins the specification of the Supply; and

- c) it aligns with the Council's Procurement Strategy and the Ethical Procurement Policy; and
- d) it complies with any requirements or agreements regarding the use of in-house Service suppliers (see CPR 6.13), consortia and other suppliers (Service Directors should, for example, consult the Head of Procurement about decisions and options available under CPRs 6.11 & 6.12).

Estimated Value

- 2.3.7 Regard is given to Best Value and the Public Sector Equality Duty and consultations with the public have been carried out as required.
- 2.3.8 An estimate of the full cost of the Supply contract or Framework which is as accurate as possible is made. Valuations must:
- a) be estimated by reference to the gross value of the Supply contract (including installation, supplier maintenance, options, and any income gained by all Suppliers involved in the agreement).
 - b) assess the gross value of a Framework to be the reasonably estimated value of all Supply contracts which might be made through it.
 - c) where the Supply contract includes a fixed duration, cover the entire possible duration of the contract (i.e. including any options, such as for extension or renewal).
 - d) where a maximum contract duration is not certain, treat the contract as if it lasts for 4 years.
 - e) include any Grant funding.
 - f) exclude VAT, however the VAT inclusive value is also required for the purpose of publishing notices required under the Procurement Rules and to assess the value against the UK Thresholds.
- 2.3.9 The Supply will be within budgetary provision (see CPR 10.1).

Bonds and Guarantees

- 2.3.10. The Council will seek a parent company guarantee whenever practical unless the Head of Risk is satisfied that a parent company guarantee is not required.
- 2.3.11. Bonds; All supply contracts relating to;
- a) capital construction works in excess of £500,000
 - b) any IT contracts that involve pre operational payments in excess of £500,000
 - c) any contracts with a total consideration in excess of £5m will be bonded in the sum of 10% of the Tender value, except where the Service Director Legal and Commissioning and Head of Risk agree either:
 - i. No bond is necessary; or
 - ii. A different value (or percentage) is appropriate; and or
 - iii. A cash bond; and or

- iv. A parent company guarantee, or other form of surety can be accepted instead.

The Specification

- 2.4 In preparing a Specification, the Service Director should consider how the procurement activity might meet the Council's wider policy and strategy but subject always to ensuring full compliance with the Procurement Rules. Service Directors must also consider how what is proposed to be procured might improve the economic, social and environmental wellbeing of Kirklees.
- 2.5 Consultation with suppliers in the relevant market is permitted but it must not prejudice any potential Supplier and no technical advice may be sought or accepted from any Supplier in relation to the preparation of any Specification or contract documentation where this may distort competition, provide any unfair advantage or prejudice the equal treatment of all potential Suppliers.
 - 2.5.1 Where the estimated value of any contract may exceed the relevant UK Threshold, guidance must be sought from the Head of Procurement prior to undertaking any market engagement activities.
- 2.6 The preparation of appropriate Specifications, costs/pricing document(s), contract terms (other than Land Contracts and subject to CPR 2.10) and other procurement documentation must be created to be understandable by all reasonably well-informed people in the relevant industry.

Award Criteria

- 2.7 Where a competitive process is being carried out, transparent, unambiguous and clearly set out Award Criteria, which are objectively verifiable and non-discriminatory and are appropriately prioritised, must be prepared and published with the procurement documents. These criteria must be linked to the subject matter of the contract, be sufficiently clear, measurable and specific, must not include unlawful non-commercial considerations or Conditions of Participation (which should be identified separately and must follow CPR 3.5–3.9) and must be proportional to the contract's main objectives, complexity and cost.
- 2.8 The Head of Procurement must be consulted at the preparatory stage if conducting interviews or receiving presentations is considered to be beneficial to the process (also see CPRs 4.16 & 4.17).

Contracting

- 2.9 For contracts up to the UK supplies and services threshold, other than Land Contracts, the Service Director shall wherever possible use appropriate standard contract terms. Otherwise, every contract for Supplies or Income Contract must set out:
 - a) details of the Supply to be made or to be disposed of;
 - b) the price or prices to be paid or received and/or the amounts and frequency or the method of calculation of contract payments with a statement of discounts or other deductions;
 - c) the time(s) within which the contract is to be performed;

- d) termination provisions and break clauses, if appropriate;
- e) appropriate data protection clauses where personal data is involved; and
- f) such other matters as the Service Director Legal and Commissioning considers to be necessary (the Service Director Legal and Commissioning need not be consulted, but guidance must be followed).

2.10 For contracts above the UK supplies and services threshold, other than Land Contracts the Service Director must consult with the Service Director Legal and Commissioning who will prepare contract documentation appropriate for the contract.

Data Sharing and Processing

2.11 The Head of Procurement will maintain a list of all contracts that involve the processing or sharing of personal data.

2.12 Where any Supplier is given possession of, or access to, any personal data, the Service Director must have regard to the Council's obligations as regards the Data Protection Legislation. The Service Director must follow the Council's Information Security Policy and all linked policies, in particular regarding contracting with data processors, sharing data and consulting with the Information Governance Team. The Service Director must ensure that:

2.12.1 a Data Protection Impact Assessment screening exercise should be carried out, and the appropriate document completed, with advice and guidance sought from the Information Governance Team.

2.12.2 the Supplier including any applicable sub-contractors, sub processors or third parties with access to council data are verified as suitable to be trusted with the personal data before allowing access to the data. This may include assessment of cyber security controls, certifications and incident response capabilities.

2.12.3 role-based access controls for sensitive data are implemented and regularly reviewed.

2.12.4 all reasonable steps are taken to ensure that any person accessing Council data receives appropriate data protection and information security training, with periodic refreshers.

2.12.5 written contracts include appropriate guarantees for personal data security and require suppliers to notify the Council of any critical vulnerabilities in systems handling Council data, with a timely remediation process in place.

2.12.6 the performance of the contract is appropriately monitored, with enforcement actions taken when information security guarantees are not being met.

2.12.7 appropriate steps are taken to minimise as far as possible the impact of a breach of data security which should include the requirement for suppliers to maintain and regularly test business continuity and disaster recovery plans that address cyber incidents.

2.12.8 there are arrangements in place for secure transfer, return, or certified destruction of information at the end of the contract, including all backups and sub-processor data.

Collaboration

- 2.13 The potential for genuine collaboration with other public bodies must be considered when planning a procurement exercise.
- 2.14 When taking any benefit from a procurement in which a third party takes any degree of control, Service Directors must ensure that appropriate due diligence steps are taken to be sure that all arrangements are appropriate and compliant. Apart from in the case of Central Purchasing Organisations (like the Yorkshire Purchasing Organisation and the Crown Commercial Service); any addition to procurements on a speculative basis (for example, where the Council is added as a user to a third-party framework without a likelihood the Council will use it) must be approved by the Head of Procurement.

RULE 3 - PROCUREMENT PROCESS

3.1 Subject to complying with the law, the process for procurement must comply with the following:

Value of Supplies (whole contract period value (excl. VAT))	Requirement		
	Procurement Process	Advertising	Min no of Suppliers
£0 - £24,999.99	<p>Any Reasonable Means to select are permitted. Reasons to justify the decision taken must be recorded.</p> <p>The use of suppliers from the Kirklees (and/or West Yorkshire) area (including SME's and/or VCSE's) is encouraged and they should be invited to submit simple quotations</p> <p>Officers must ensure that purchases achieve best value for the Council and an audit trail is maintained to demonstrate this.</p> <p>The procurement process can be undertaken outside of the eProcurement Portal i.e. via telephone, email, online.</p> <p>Contracts can be executed by the service under the applicable Scheme of Delegation.</p> <p>In addition: Where risks are identified; Legal, Governance, Risk, Insurance, Information Governance and Health & Safety teams must be consulted</p>	<p>1. Any reasonable means</p> <p>2. A Contract Award notification form must be completed for contract awarded in excess of £5,000 and up to £24,999. This must be reported to Corporate Procurement</p>	3

<p>£25,000 – Supplies & Services Threshold (approx. £173K)</p> <p>ALL REQUIREMENTS (including Works)</p>	<p>One of the following:</p> <ul style="list-style-type: none"> • Quotations (CPRs 3-4) • Framework Suppliers, (CPR 5) • Exemptions (CPR 6) • Internal, Consortia & Compulsory (CPR 6) <p>The use of suppliers from the Kirklees (and/or West Yorkshire) area (including SME's and/or VCSE's) is encouraged and they should be invited to submit quotations where appropriate.</p> <p>In addition: Where risks are identified; Legal, Governance, Risk, Insurance, Information Governance and Health & Safety teams must be consulted</p> <p>Contracts can be executed by the service under the applicable Scheme of Delegation.</p>	<p>As the Head of Procurement determines</p> <ol style="list-style-type: none"> 1. An approved Framework 2. An approved Dynamic Purchasing System 3. Any other permitted compliant purchasing mechanism 4. Advertise on eProcurement Portal, Central Digital Platform 	<p>Below £100,000 – 3</p> <p>Above £100,000 – 4</p>
<p><u>ANY VALUE Services Covered by the Provider Selection Regime</u></p>	<p>Certain health services are subject always to the Health Care Services (Provider Selection Regime) Regulations 2023 (The PSR). <u>For these services there is no minimum threshold for application of this regime, meaning the prescribed process must be followed for every contract awarded under the PSR.</u></p> <p>The procurement undertaken must comply with defined processes in each case to evidence decision-making, including record keeping and the publication of transparency notices.</p>	<p>The Head of Procurement must be consulted in all cases</p>	
<p><u>Light Touch Services Only Supplies and Services Threshold – Light Touch</u></p>	<p>One of the following:</p> <ul style="list-style-type: none"> • Quotations (CPRs 3-4) • Framework Suppliers, Dynamic Marketplace, Dynamic Markets (CPR 5) • Exemptions (CPR 6) • Internal, Consortia & Compulsory (CPR 6) 	<p>As the Head of Procurement determines</p> <ol style="list-style-type: none"> 1. An approved Framework 2. An approved Dynamic Purchasing System 	<p>4</p>

<p>Regime Threshold² (approx. £552K)</p>	<p>The use of suppliers from the Kirklees (and/or West Yorkshire) area (including SME's and/or VCSE's) is encouraged and they should be invited to submit quotations where appropriate.</p> <p>In addition: Where risks are identified; Legal, Governance, Risk, Insurance, Information Governance and Health & Safety teams must be consulted.</p> <p>The Legal Service will perform the execution of any contract(s) (see also Rule 10).</p>	<p>3. An approved Pseudo Dynamic Purchasing System 4. Any other permitted compliant purchasing mechanism 5. Advertise on eProcurement Portal, Central Digital Platform</p>	
<p>Works Only³ Supplies and Services Threshold – Works Threshold (approx. £4.3M)</p>	<p>One of the following:</p> <ul style="list-style-type: none"> • Quotations (CPRs 3-4) • Tenders (CPR 3-4) • Framework Suppliers, Dynamic Marketplace, Dynamic Markets, Standing Lists, etc. (CPR 5) • Exemptions (CPR 6) • Internal, Consortia & Compulsory (CPR 6) <p>The use of suppliers from the Kirklees (and/or West Yorkshire) area (including SME's and/or VCSE's) is encouraged and they should be invited to submit quotations where appropriate.</p> <p>In addition: Where risks are identified; Legal, Governance, Risk, Insurance, Information Governance and Health & Safety teams must be consulted.</p> <p>The Legal Service will perform the execution of any contract(s) (see also Rule 10).</p>	<p>As the Head of Procurement determines</p> <p>1. From a standing list 2. An approved Framework 3. An approved Dynamic Purchasing System or Dynamic Market 4. Any other permitted compliant purchasing mechanism 5. Advertise on eProcurement Portal, Central Digital Platform</p>	4
<p>Above Threshold</p>	<p>One of the following:</p> <ul style="list-style-type: none"> • Tenders (CPRs 3-4) • Framework Suppliers etc. (CPR 5) 	<p>Advertise on eProcurement Portal, Central Digital Platform; or</p>	5

² Light touch threshold applies to contracts for certain social, health, education and other public services.

³ A separate suitability stage may be included if required in relation to a below threshold Works contract that is valued at over the supplies & services threshold

<p>(see Appendix 1 for threshold values)</p>	<ul style="list-style-type: none"> • Exemptions (CPR 6) • Internal, Consortia & Compulsory (CPR 6) <p>In addition: Where risks are identified; Legal, Governance, Risk, Insurance, Information Governance and Health & Safety teams must be consulted.</p> <p>The Legal Service will perform the execution of any contract(s) (see also Rule 10).</p>	<p>Use approved Framework; or</p> <p>Use approved Dynamic Purchasing System or Dynamic Market</p>	
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A Service Director must invite at least the number of suppliers stated in the table above to submit a written Tender / Quotation, unless: -

- 3.1.1 an **approved** Framework, Dynamic Market or Dynamic Purchasing System is being used (and in which case the rules of the Framework, Dynamic Market or the Dynamic Purchasing System must be followed); or
 - 3.1.2 it is otherwise agreed with the Head of Risk in consultation with the Service Director Legal and Commissioning.
- 3.2 The Suppliers must be reasonably capable of, or have indicated that they are willing to, submit a Tender. If it is not possible to identify the number of suitable and/or willing prospective suppliers indicated above, the Service Director must retain a record of the efforts made and reasons why an appropriate number of suppliers could not be identified.

Conditions of Participation

- 3.3 Service Directors must satisfy themselves that Suppliers have relevant and proportional minimum levels of suitability.
- 3.4 Where the procurement process has an overall value of less than the supplies and services UK Threshold, a qualification stage must not be used (except in the case of Works contracts valued at above the supplies and services UK Threshold but below the works UK Threshold), although key, proportional, suitability questions linked to the subject matter of the contract should, as appropriate, be used to establish the suitability of the supplier. The questions (or absence of any) must be approved by the Head of Procurement.
- 3.5 When operating a procurement process with a value above the UK Threshold, the Service Director must use the Council's standard procurement documentation to assess the Conditions of Participation and/or to establish a shortlist where permitted. Any variations to this must be agreed with the Head of Procurement who will notify relevant authorities as necessary.
- 3.6 The Conditions of Participation assessment of any potential Supplier to submit a Tender must be on the basis of a consistent, fair, justifiable and rational method, approved by the Head of Procurement. Conditions of Participation must be a transparent and proportionate means of ensuring legal and financial capacity and technical ability to perform the contract. When conducting a procurement process which is subject to the Procurement Rules, minimum standard and/or pass marks must be published in the relevant notice or invitation to confirm interest.
- 3.7 The Conditions of Participation also apply to the selection of any associated supplier in accordance with the Procurement Rules
- 3.8 Before any self-employed supplier is awarded a contract, the supplier's details must be obtained and assessed through the HMRC Employment Status Indicator (ESI) Tool. The results of this should be reported to the Head of Procurement. The Service Director and the Head of Procurement must agree on the approach to procurement if the assessment suggests that the Council faces any risk. Any proposal to engage a self-employed person must be agreed with the Head of Procurement.

RULE 4 –TENDER RECEIPT AND EVALUATION

- 4.1 For Procurements which are valued above £25,000, suppliers must be required to submit Tenders by electronic means of communication unless the Head of Procurement agrees otherwise. This must be through the eProcurement Portal unless the Head of Procurement agrees otherwise. (If the Head of Procurement approves another means, they will be required to agree and supervise a fair means of tender opening).
- 4.2 All invitations must state clearly the date and time of return. Electronic Tenders must be returned in accordance with the approved tendering system requirements.
- 4.3 All electronic Tenders received by the appointed time will be opened at the same time by the Head of Procurement.
- 4.4 In the case of Tenders not received through the eProcurement Portal, at the Tendering opening the Head of Procurement will maintain a written record of the:
 - 4.4.1 Procurement reference and title;
 - 4.4.2 name of each supplier submitting a Tender and the time of submission;
 - 4.4.3 name of suppliers failing to submit prices/proposal for any restricted opportunities;
 - 4.4.4 prices from each supplier;
 - 4.4.5 name of opening officer;
 - 4.4.6 names of the persons present at the opening for any tenders submitted outside of the eProcurement Portal;
 - 4.4.7 date and time of opening of Tenders.
- 4.5 Late Tenders must not be accepted unless the lateness is caused by the Council or other matters reasonably outside of the control of the tenderer AND no unfair advantage is given to the bidder which submits the late Tender. Any decision to accept a late Tender will be made by the Head of Procurement following both (a) such verification as they feel appropriate and (b) approval by the Head of Risk. However, deadlines may be extended at any time prior to their arrival so long as this complies with the principle of equal treatment and non-discrimination between tenderers.
- 4.6 Suppliers must always be required to submit bids which comply with the tender documents. Variant may be permitted providing that the tender documents:
 - 4.6.1 say whether a standard or reference bid is also required;
 - 4.6.2 include the minimum requirements to be met by the variants;
 - 4.6.3 set award criteria which can be applied to the variants.
- 4.7 Any variants which are submitted must conform to the requirements of the tender documents.
- 4.8 Tenders which do not comply with the CPR 4.6 may be accepted by the Service Director,

only after approval by the Head of Risk.

- 4.9 Where appropriate, the Head of Procurement will check the debarment list in connection with a procurement process to determine the excluded or excludable status of those parties involved.
- 4.10 The Service Director will carry out an evaluation of the Tenders received against the pre-set Award Criteria (CPR 2.7) and keep a written record of the analysis and outcome.
- 4.11 The Head of Risk must be satisfied regarding the financial standing of a proposed Supplier for any type of contract exceeding the UK supplies and services Threshold.
- 4.12 The use of or participation in e-auctions to set prices is permitted where:
 - 4.12.1 bids can be ranked automatically; and
 - 4.12.2 the mathematical formula to determine the rankings of the bids (or each variant where variants are permitted) is disclosed; and
 - 4.12.3 the written agreement of the Head of Risk has been given; and
 - 4.12.4 the process is subject to supervision by the Head of Procurement.
- 4.13 The Service Director will require tenderers to demonstrate that it will be able to perform the contract for the price offered where tenders appear to be abnormally low.
- 4.14 The Service Director must ensure that, where required by Procurement Rules, appropriate notices of intention to award a contract to a particular supplier, or group of suppliers, are issued, and the necessary standstill period observed, prior to formal acceptance of the Tender. The Head of Procurement will supervise the production and issuance of the mandatory debrief letters and inform the Service Director Legal and Commissioning that the debrief process has completed satisfactorily prior to formal acceptance of any Tender.
- 4.15 Any complaint or challenge to the procurement process at any stage must immediately be referred to the Head of Procurement, who must take steps to investigate and (subject to CPR 4.14) take action as necessary, taking guidance from the Service Director Legal and Commissioning and the Head of Risk.
- 4.16 If a formal challenge is initiated (e.g. a formal letter before Court action is received or Court or arbitration proceedings are commenced) the Service Director Legal and Commissioning must be informed immediately with full objective disclosure of the facts relating to the issue(s), who will manage the claim. At this stage information exchange should be restricted and Service Directors must not copy dispute related information to anybody who has not seen it before until the Service Director Legal and Commissioning advises about confidentiality and Legal Privilege.

Clarifications, Presentations and Interviews

- 4.17 Where information or documentation submitted by a bidder is or appears to be incomplete (including where specific documents are missing) or erroneous or unclear, Service Directors may request the bidder concerned to submit, supplement, clarify or complete the relevant information or documentation, provided that requests for clarification:
 - 4.17.1 set an appropriate time limit for a reply; and

4.17.2 do not request changes or otherwise seek to influence the bidder; and

4.17.3 deal with all of the matters in the Tender which are incomplete or erroneous or unclear; and

4.17.4 treat all tenderers equally and fairly and so, for example, the request:

- a. must not occur before all of the bids have been subject to an initial evaluation or compliance check;
- b. must not unduly favour or disadvantage the bidder to whom the request is addressed; and
- c. must be sent in the same way to all bidders unless there is an objectively verifiable ground justifying different treatment.

4.18 Interviews and/or presentations which form part of the procurement process must be authorised by the Head of Procurement in writing. They must also be:

4.18.1 Comprehensively recorded; and

4.18.2 Assessed according to transparent and objectively verifiable criteria connected to the subject matter of the contract; and

4.18.3 Supervised by the Head of Procurement.

4.19 Where provided for in the procurement process, clarity may also be facilitated through planned presentations, meetings or demonstrations designed to assist in verifying submitted bids as part of the due diligence process to ensure compliance with procurement documentation.

RULE 5 –STANDING LISTS, DYNAMIC PURCHASING SYSTEMS, DYNAMIC MARKETS AND FRAMEWORKS: CREATION AND USAGE

5.1 The Head of Procurement will maintain a list of approved central purchasing organisations, purchasing consortia and Council "trading services".

Standing Lists

5.2 Subject to the Procurement Rules, the Head of Procurement will determine for which types of Supply Council-wide Standing Lists may be kept (see CPR 6.11). The Head of Procurement will notify the relevant Service Director of such decisions where the Standing List is Service specific and be responsible for creation and maintenance of Standing Lists which will be used Council-wide by any Service Director requiring Supplies of that type.

5.3 Standing Lists may be used for Supplies where the aggregated value (in compliance with the Procurement Rules) of the Supply in question does not exceed the relevant UK Threshold. A Framework or a Dynamic Purchasing System or Dynamic Market can be used where the aggregated value exceeds the relevant UK Threshold.

5.4 Standing Lists will be created by the selection of suppliers to be included from those responding to advertisements placed on at least the eProcurement Portal, Contracts Finder and other appropriate media as the Head of Procurement may determine. Standing Lists will remain valid for five years from creation. During that period the Standing List will remain open to the addition of further suppliers meeting the appropriate admission requirements and will remain advertised on the Council's web site for that time. Standing Lists must be renewed every 5 years.

- 5.5 Admission to a Standing List should be on the basis of a transparent, rational, justifiable evaluation of information submitted by prospective Suppliers relating to technical, financial and any other relevant matters determined by the Head of Procurement.
- 5.6 The Head of Procurement (in consultation with the Service Director Legal and Commissioning) may delete a supplier from a Standing List only where there is appropriate evidence and a written report justifying the action.
- 5.7 If there are insufficient suppliers on a Standing List, or too few are willing to submit Tenders, to meet the CPRs' Tender requirements potential Suppliers must be sought as if a Standing List is not maintained.
- 5.8 Each Service Director must establish and advertise a set of fair, proportionate and transparent rules that reflect these CPRs which set out how Supplies will be procured through each Standing List which they are responsible for.

Council Frameworks, Dynamic Purchasing Systems and Dynamic Markets

- 5.9 Frameworks, Dynamic Purchasing Systems and Dynamic Markets may be used to source contracts for appropriate types of Supplies (subject to compliance with the Procurement Rules, as applicable).
- 5.10 Framework Suppliers will be chosen by a competitive process in accordance with these rules as if they were a Supply contract and in accordance with the Procurement Rules.
 - 5.10.1 Frameworks established by the Council that allow for non-competitive call-offs may be used for direct awards, provided such awards are permitted under the terms of the Framework Agreement.
- 5.11 All Frameworks will be in the form of a written agreement detailing the method by which the Council will call off Supplies during the duration of the Framework and stating that there will be no obligation to order any Supplies of any type from a Framework Supplier.
- 5.12 Unless the Framework has been established as an Open Framework, Frameworks above the UK Threshold must be closed to new entrants and must not last longer than 4 years without this being justified in a written assessment of the exceptional factors present and the approval of the Head of Procurement.
 - 5.12.1 Open Frameworks above the UK Threshold must be reopened in accordance with the Procurement Rules.
- 5.13 Dynamic Purchasing Systems and Dynamic Markets must:
 - 5.13.1 be set up by an advertised competitive process which is approved by the Head of Procurement; and
 - 5.13.2 remain advertised; and
 - 5.13.3 not limit the number of suppliers admitted to the system or market (but the system or market may be split into categories or parts (as applicable)); and
 - 5.13.4 be set up with clear operative rules which involve obtaining Tenders from all suppliers on the system or market, or on the relevant category or part on the system or market,

as appropriate; and

5.13.5 be operated wholly electronically; and

5.13.6 be open to new entrants; and

5.13.7 be subject to consistent due diligence assessments of participants

5.14 When using Frameworks, Dynamic Purchasing Systems or Dynamic Markets, the Council must follow the procurement rules set out in the Framework, Dynamic Purchasing System or Dynamic Market.

5.15 The Head of Procurement will ensure that the use of Framework Suppliers, Dynamic Purchasing Systems and Dynamic Markets provide value for money, considering all procurement costs and alternative approaches.

Use of Third Party Procurement Facilities

5.16 Supplies may be obtained through third party Frameworks (provided that the Head of Procurement is satisfied that using such a method is demonstrated to represent value for money) that:

5.16.1 are created in accordance with the Procurement Rules and which is approved by the Head of Procurement (see also CPR 5.1);

5.16.2 have valid mechanisms that exist to enable the Council to use the Framework (including appropriate transparent referencing in the procurement documents and inclusion in the framework call off conditions);

5.16.3 comply with the Council's Contract Procedure Rules, or in the opinion of the Head of Risk, rules which are broadly comparable;

5.16.4 where the Procurement Rules apply, the procurement will not take the use of the framework more than 10% over the framework's advertised value.

5.16.5 where a direct award is proposed from an approved third party Framework, which has validly been set up to be called off on a non-competitive basis and which was set up in accordance with the requirements of these CPR and the Procurement Rules. Approval must be obtained from the Head of Procurement through completion of a direct award business case which demonstrates how value for money will be achieved without exposing to competition, before the contract is awarded.

RULE 6 – EXEMPTIONS FROM COMPETITION

- 6.1 Subject to compliance with the Procurement Rules the following are exempted from the competitive requirements of these CPRs⁴:
- 6.1.1 where there is genuinely only one potential Supplier, such as for works of art and copyrighted material or unique technology, where no reasonable alternative or substitute exists and the absence of competition is not the result of an artificial narrowing down of the parameters of the procurement;
 - 6.1.2 items purchased or sold by public auction (in accordance with arrangements agreed by the Head of Risk);
 - 6.1.3 the selection of a supplier whose usage is a condition of a Grant funding approval;
 - 6.1.4 the selection of a supplier on the instruction of a third party, providing the whole of the funding is met by the third party;
 - 6.1.5 where CPR 6.10 applies;
 - 6.1.6 counsel or other external legal advice, provided that the Service Director Legal and Commissioning takes steps to ensure that value for money is being obtained;
 - 6.1.7 a Supply that is strictly necessary for reasons of extreme and unavoidable urgency, not due to any action or inaction of the Council, with the prior agreement of the Head of Risk;
 - 6.1.8 in respect of the production of a prototype, or supply of other novel goods or services, at the request of the Council (e.g. trial purchase), for the purpose of testing suitability of the goods or services, researching the viability of producing or supplying the goods or services at scale and developing them for that purpose, or other research, study or development;
 - 6.1.8.1 Following any such trial, arrangements must be made to ensure that the Supplier involved in the trial has not acquired any advantage through that involvement when compared to any alternative suppliers of a similar product as far as practicable
 - 6.1.9 for the supply of goods, services or works by the existing Supplier which are intended as an extension to, or partial replacement of, existing goods, services or works in circumstances where a change in Supplier would result in disproportionate technical difficulties in operation or maintenance or additional cost to the Council; or
 - 6.1.10 any other reason permitted by the Procurement Rules e.g. user choice contracts and advantageous terms on insolvency.
- 6.2 The Service Director must make a written record of the justification for the selection of the Supplier. The Service Director must obtain the approval of the Head of Procurement before exercising the decision to apply an exemption in respect of a supply valued in excess of

⁴ When the Procurement Rules apply, these exemptions may not be permitted (Directors must check this).

£100,000. Value for money must be evidenced and recorded.

- 6.3 The procuring Service Director and the Head of Procurement may decide that;
- 6.3.1 An alternative means of selection of Suppliers to those required by these CPRs is appropriate (e.g. a Supplier shortlist other than described in these CPRs, negotiation with a single supplier not otherwise permitted, etc.) but they must record the reason for their decision and obtain the approval of the Head of Risk.
 - 6.3.2 Following receipt of Tenders for the Supply, it is appropriate to seek to reduce the overall cost or change other terms of the Supply by negotiation with one or more suppliers which have submitted Tenders.
 - 6.3.3 It is appropriate to negotiate a repeat, continuation or serial contract with an existing Supplier, by reference to the original Tender for the Supply.
 - 6.3.4 The use of another local authority as a supplier of services by its own labour or as a procurement agent acting on behalf of the Council without competition is appropriate (although subject to the Procurement Rules).

Note in the above; in order to achieve internal check, the Head of Procurement alone cannot reach such decisions. Where the Head of Procurement is making a decision in relation to a Procurement exercise by their own Service Director, there must be consultation with the Head of Risk.

Negotiated Contracts

- 6.4 Verbal negotiation must be undertaken by at least two Council Officers at least one of whom must be independent of the process and approved by (or included on a list of negotiators kept by) the Head of Procurement.
- 6.5 Written negotiation must be subject to evidenced independent check of process, calculation and overall value for money.
- 6.6 For any contract valued at above £100,000 the Service Director must obtain the approval of the Head of Risk of the proposed terms of the negotiated Supply including its cost and the reason for choice before the contract is entered into.

Legal Issues

- 6.7 The Service Director Legal and Commissioning must be consulted in advance of any negotiation in respect of any contract estimated to exceed the UK Threshold (except those in relation to Land where the procedure set out in CPR 9 must be followed).
- 6.8 The Head of Procurement will decide whether the purchase is likely to be on terms which would be acceptable to a private buyer operating under normal market economy conditions. If the Head of Procurement does not think that this is likely to be achieved, they must consult with the Service Director Legal and Commissioning about the possibility of subsidy control before approving the exemption from competition.

Mandatory Suppliers, Frameworks, Dynamic Purchasing Systems or Dynamic Markets

- 6.9 In respect of defined categories of goods, works and services the Head of Procurement may determine (following a written risk assessment which, as appropriate, deals with the Procurement Rules and the possibility of subsidy control) that the use of one (or more) Suppliers is compulsory.
- 6.10 The Head of Procurement may also determine that Supplies of a particular type are to be obtained from Suppliers via a Framework, Dynamic Purchasing System, Dynamic Market or Standing List, and set standards to be established in those arrangements.
- 6.11 Supplies must be obtained from internal Council Services (which are capable of supplying them directly) without competition except:
- 6.11.1 where Cabinet has determined that Supplies of a particular kind will be subject to a competitive process;
 - 6.11.2 in respect of the outsourcing of an activity having a value below £100,000;
 - 6.11.3 in respect of services provided within schools;
 - 6.11.4 in respect of ad hoc services for the design and construction of buildings or parts of buildings.

Provider Selection Regime

- 6.12 Certain healthcare services, by reference to their CPV codes, must be procured in accordance with the Health Care Services (Provider Selection Regime) Regulations 2023 (PSR). The PSR permits the award of contracts in some circumstances without following a competitive process. Where this is the case, such an award will not be considered as an exemption under these CPR 6.1.

RULE 7 - RECORD KEEPING AND REPORTING

- 7.1 Service Directors must keep detailed written records of the progress of all procurement or disposal procedures (including negotiation). To that end, Service Directors must ensure that they keep sufficient documentation to justify decisions taken in all stages of the procedure, such as documentation on:
- 7.1.1 communications with economic operators and internal deliberations;
 - 7.1.2 preparation of the procurement or sale documents;
 - 7.1.3 the dividing large procurements into contract Lots;
 - 7.1.4 consideration of social value in the commissioning and procurement process;
 - 7.1.5 any interviews, other dialogue or negotiation;
 - 7.1.6 a risk log;
 - 7.1.7 supplier vetting; and

7.1.8 reasons for award of the contract.

The documentation must be kept for a period as defined within the Councils relevant retention schedule.

- 7.2 A full trail of electronic Tenders received must be recorded on the eProcurement Portal or retained in a database approved by the Head of Risk.
- 7.3 All contracts over £5,000 must be reported to the Head of Procurement who will arrange to publish these transactions on the statutory contracts register (also see Appendix 2).
- 7.4 Each Service Director must promptly provide to the Head of Procurement the information specified in Appendix 2.
- 7.5 The Head of Procurement must ensure that the appropriate publications are made to comply with the Local Government Transparency Requirements (and each Service Director will notify the Head of Procurement of any expenditure above £500; also see CPR 7.3 above).
- 7.6 The Service Director must keep a written record of the reasons for using a negotiated procedure under Rules 6.5 - 6.7.

RULE 8 - INCOME CONTRACTS AND CONCESSIONS

- 8.1 CPR 8 Includes nil value and disposal contracts but excludes Land.
- 8.2 CPRs 8.2 to 8.8 apply when the Council intends to derive income from:
- 8.2.1 the disposal of property (other than Land);
 - 8.2.2 the sale of a right to exploit a business opportunity;
 - 8.2.3 the operation of business activity.
- 8.3 Where the Council is proposing to enter into an Income Contract at manifestly less than market value where the market value is estimated at £1,000 or more, the Head of Risk must be consulted, and they will decide whether this amounts to a Grant (and so FPR 22 applies instead of CPR 8).

The disposal of an asset (other than Land)

- 8.4 The procedure for the disposal of assets e.g. surplus plant, vehicles, furniture, equipment and stock items (owned by the Council and not leased) is:
- 8.4.1 assets valued up to £25,000 must be disposed of by a method chosen by the Service Director and a written justification of the choice retained.
 - 8.4.2 assets valued above £25,000 must be disposed of following public notice either by open Tender process, closed Tender process involving at least 3 prospective purchasers or public auction, unless the interests of the Council would be better served by disposal in some other way;

8.4.3 Authority for alternative disposal methods must be granted by the Head of Procurement in consultation with the Head of Risk.

8.4.4 All IT equipment should be disposed of in accordance with the contract arrangements put in place by IT services to ensure equipment is securely and safely dealt with in line with requirements.

8.5 Leased assets must be disposed of only in accordance with the instruction of the lessor.

The sale of a right to exploit a business opportunity

8.6

The letting of rights to exploit a business opportunity for the contractor's own benefit (a 'business opportunity contract') must be subject to a written contract and must only take place following a competitive selection process as set out below or written approval of other means from the Head of Procurement based on a detailed business case which, where appropriate, includes consideration of matters such as subsidy control.

8.6.1 A business opportunity contract that will not generate income in excess of £25,000 over the duration of the contract may be sourced by any reasonable means and should be arranged and undertaken by the Service Director responsible for the activity.

8.6.2 The Head of Procurement must direct and supervise the tendering of any arrangement expected to generate income in excess of £25,000.

The operation of business activity, beyond that normally undertaken by a local authority.

8.7 If an Income Contract is intended to be or become profitable or be commercial in nature, advice must be obtained from the Service Director Legal and Commissioning.

8.8 If an Income Contract has any potential to distort the relevant market advice must be obtained from the Service Director Legal and Commissioning.

Concession Contracts

8.9 Concession contracts for works or services are a type of Supply contract and the procurement of all Concessions shall follow the competitive and contracting requirements in these CPRs for Supplies.

8.10 Concession contracts for works or services above UK Thresholds are subject to the Procurement Rules and will be subject to such additional procurement process requirement(s) as the Head of Procurement feels are necessary to comply with the Procurement Rules and these CPRs.

Valuation

8.11 The value of a Concession contract shall be estimated in accordance with the Procurement Rules.

8.12 The value of an Income Contract is the gross income generated by the Council as a result of the rights granted, or goods, works or services supplied by the Council.

- 8.13 When calculating the estimated value of an Income Contract, Service Directors shall, where applicable, take into account:
- 8.13.1 the value of any form of option and any extension of the duration of the contract;
 - 8.13.2 revenue from the payment of fees and fines by the users of the works or services or public other than those collected on behalf of the Council;
 - 8.13.3 payments or any other financial advantages, in any form, from the Council or any other public authority to the contractor;
 - 8.13.4 the value of grants or any other financial advantages, in any form, from third parties for the performance of the contract;
 - 8.13.5 revenue from sales of any assets which are part of the contract;
 - 8.13.6 the value of all the supplies and services that are made available to the contractor by the Council, provided that they are necessary for executing the works or providing the services;
 - 8.13.7 any prizes or payments to candidates or tenderers.

RULE 9 – LAND

- 9.1 Land transactions will be by the means described in this CPR 9. The Head of Corporate Landlord and Capital must be consulted in respect of all Land transactions of any value except where:
- i the Service Director Legal and Commissioning authorises other nominated officers to deal with tenancies or licences for specific purposes (as per CPR 10.9); or
 - ii the Executive [Director of Place authorises other nominated officers in respect of Right to Buy transactions or the granting of a tenancy under the Housing Act 1985.](#)
- 9.2 The Head of Corporate Landlord and Capital (and any other authorised Director) will arrange the acquisition or disposal of Land either pursuant to the general authority delegated to them by the Executive Director of Place in accordance with Part 3.7 (Section F) of the Constitution or, in accordance with a specific authority delegated by an authorised decision maker.
- 9.3 Where any proposed Land transaction cannot be executed within the terms established in this rule, arrangements must be agreed between Corporate Landlord and Capital and the Service Director Legal and Commissioning, and details of the process leading to the transaction must be recorded, and the circumstances reported to Cabinet either for information, if falling within the delegated authority of officers, or in order to secure the relevant authority to give effect to the transaction.
- 9.4 Where Land is sold at an in person public auction, the Head of Corporate Landlord and Capital must submit a sealed reserve price (prepared by a qualified valuer on a professional basis) prior to the auction commencing. If a bid is less than the reserve price, then the Head of Corporate Landlord and Capital may accept a lower bid provided that it is within 10% of that reserve price.

RULE 10 – EXECUTING CONTRACTS

Supplies

- 10.1 A Contract may only be awarded where the Service Director has sufficient approved budget to meet the first year costs and is satisfied that there is sufficient ongoing funding to meet the contractual cost through the anticipated life of the Contract.
- 10.2 Contracts for all Supplies (which includes call-offs from Frameworks and Dynamic Purchasing Systems), Concessions, Income Contracts and Frameworks up to the UK supplies and services threshold must be in writing and can be made by the Service Director either:
- where appropriate, by issuing the order through the Council's electronic purchasing system (currently SAP) and incorporating the correct standard terms; or
 - By issuing (electronically or on paper) contract terms which the Service Director has assessed as being appropriate both in terms of suitability and risk.
- 10.3 If the Service Director and Service Director Legal and Commissioning decide that it is appropriate for the Contract to be sealed (or if it is required by law), the Contract will be executed by the Service Director Legal and Commissioning.
- 10.4 The Head of Procurement must ensure that the Council's electronic procurement systems are set up so that the most appropriate Official Council Order is available to be attached to the supply being purchased.
- 10.5 Contracts for all Supplies (which includes call-offs from Frameworks, Dynamic Purchasing Systems and Dynamic Markets), Concessions, Income Contracts and every Framework with an estimated value above the UK supplies and services threshold must be in writing and must (subject to CPR 10.6) be either:
- made under the corporate common seal of the Council, attested by one Legal Officer: or
 - signed by two Legal Officers;
 - a document shall be properly signed where it is physically signed in hardcopy format, or it is electronically signed in an electronic format approved by the Service Director Legal and Commissioning;
- who have been nominated as Contract signatories by the Service Director Legal and Commissioning under their Scheme of Officer Delegations. The Service Director Legal and Commissioning may authorise an external firm of lawyers to sign documents (and or initial and make amendments to documents) as agent on behalf of the Council.
- 10.6 Notwithstanding CPR 10.5, the Service Director Legal and Commissioning may authorise officers who are not Legal Officers to sign specific or specialist Contracts for Supplies above the UK supplies and services threshold. Two authorised officers must sign each such Contract.
- 10.7 The Service Director Legal and Commissioning may, subject to including appropriate restrictions and/or instructions designed to achieve valid execution of the relevant Contracts and suitable record keeping, provide third parties with a power of attorney to sign Council Contracts of values below the UK Threshold for supplies and services.

Land

- 10.8 The Service Director Legal and Commissioning will complete all Land transactions, including acquisition or disposal by way of freehold or leasehold purchase or sale or the taking or granting of all short or long term leases or tenancies and other deeds and documents associated with Land. The Service Director Legal and Commissioning may nominate other officers to enter into Land commitments and arrangements using documentation previously approved by the Service Director Legal and Commissioning.
- 10.9 Any Contract for the sale or acquisition of, or any other deed or document relating to, Land must either be signed (under hand where executed in hardcopy format or electronically where executed in electronic format) by, or have the corporate common seal affixed in the presence of, the Service Director Legal and Commissioning (or by a Legal Officer nominated by them), and where the corporate common seal is affixed it is permissible to do so electronically (where the law permits in accordance with the Electronic Communications Act 2000). Additionally, the Service Director Legal and Commissioning may authorise other nominated officers to be authorised signatories to tenancies or licences for specific purposes as referred to in CPR 9.1.
- 10.10 Where the Council has listed Land for sale at public auction and a sale is agreed post-auction through the auctioneer under RICS common auction conditions (or such other conditions as appropriate), the Service Director Legal and Commissioning may authorise the external property auctioneer to sign the contract for the sale of the Land (on the same basis as outlined above in this CPR 10.9) as agent for the Council and to deal with exchange of contracts between the Council and the buyer.
- 10.11 In relation to Land that the Council has sold at auction, the Service Director Legal and Commissioning may authorise an external property auctioneer to sign as agent for the Council, a memorandum of sale to record the property price and terms of conditions of sale.

General

- 10.12 The Service Director Legal and Commissioning is entitled to sign any agreement (regardless of whether another officer including the Chief Executive may sign such things), subject to CPR 10.5 and provided that this is not subject to any contrary direction from the Council or Cabinet.

RULE 11 – CONTRACT MANAGEMENT

- 11.1 Every contract entered by the council will have a Contract Manager appointed by the Service Director to manage the Contract.
- 11.2 The Contract Manager is responsible for overseeing the Contract throughout its lifecycle, in line with the Council's Contract Management Framework, ensuring performance meets the specification, service levels, and contract terms. Contract management should reflect the council's Contract Management Toolkit and adhere to recognised good practice.

RULE 12 – MODIFICATION AND TERMINATION OF CONTRACTS AND RELEASE OF BONDS

- 12.1 It is recognised that during the term of a Contract, modifications may be proposed, which if adopted would result in additional Works, Goods and/or Services, which were not considered when the original procurement took place, being procured or otherwise would alter the overall nature of the Contract. There are significant limitations upon the Council being able to make such modifications, especially where the Procurement Rules apply. When considering a variation, modification or the termination of an existing Contract, advice must be sought in advance from the Corporate Procurement Service and the Service Director Legal and Commissioning.
- 12.2 A Service Director may terminate any contract strictly in accordance with any contractual provision which allows for termination without fault, or by mutual agreement with the Supplier, but with prior consultation with the Head of Procurement if alternative Supplies would be required.
- 12.3 A Service Director, in consultation with the Service Director Legal and Commissioning, has the power to terminate any contract in the event of any breach of contract justifying termination, where in the opinion of these officers no other remedy is appropriate. Where the financial implications of a decision to terminate a contract exceed, or may exceed £100,000, the reason for termination and any consequences must be reported to the next meeting of the Cabinet.
- 12.4 The Service Director Legal and Commissioning may release any bond held by the Council, on request from the Head of Procurement.
- 12.5 The Head of Risk is entitled to negotiate with any bond issuer on sums of settlement proposed, and in consultation with the Service Director Legal and Commissioning accept such proposed sums.
- 12.6 Service Directors, in consultation with the Head of Procurement, may modify contracts:
- 12.6.1 awarded under the Public Contracts Regulations 2015 by operating 'clear, precise and unequivocal contractual review clauses' which were advertised in the original Procurement, strictly in accordance with the contract; or
 - 12.6.2 awarded under the Procurement Act 2023 if 'the possibility of the modification is unambiguously provided for in the contract awarded and the tender or transparency notice for the award of contract and the modification would not change the overall nature of the contract'; or
- 12.7 Any modification, whether above or below the relevant UK Threshold including contracts procured under the Provider Selection Regime, to a contract which cannot be fulfilled by following CPR 12.6 must be subject to the approval of the Head of Procurement.
- 12.8 Any modification to a contract which cannot be fulfilled by following CPR 12.6 must be made in writing and signed in accordance with CPR 10 even if it does not need a competitive Procurement process.
- 12.9 Subject to approval of the Service Director Legal and Commissioning and the Head of Procurement, and the Procurement Rules as applicable, contracts may be novated or reassigned to a Supplier who is not an excluded supplier only where this is needed following

a corporate restructuring or similar circumstances, such as a takeover, merger, acquisition or insolvency.

RULE 13 – MISCELLANEOUS

- 13.1 A Special Purpose Vehicle (such as a limited liability company or otherwise) to be wholly or partially owned or controlled by the Council, will only be formed or joined on the approval of the Cabinet, following a detailed evaluation by the Service Director Legal and Commissioning and the Service Director Finance. This does not apply to any purchase of shares or similar for the purpose of investment.

DEFINITIONS

DEFINITION	DESCRIPTION
Award Criteria	Relate directly to the goods, services or works to be provided. Award criteria evaluate supplier's offers made in relation to fulfilling the Council's requirements for the Supply, in particular the Specification.
Breach	<p>A Breach is defined as a failure to comply with these Rules, either wholly or partially, this could include (but not limited to):</p> <ul style="list-style-type: none"> i Awarding a contract or making a purchase outside of the prescribed process. ii Failing to obtain necessary governance approvals and authorisations. iii Failing to disclose a conflict of interest. iv Informing bidders of the procurement outcome before the decision has been formally approved. v Agreeing significant contract modifications outside of the required process.
Central Digital Platform	Means the "online system" established and operated for the publication of notices, procurement documents and other information relating to public contracts
Chief Executive	The Chief Executive is the head of the Council's paid staff and its principal adviser on policy matters and leads the discharge of Council strategy and responsibilities.
Commissioning	The relationship between commissioning and procurement is described in the diagram in Appendix 3.
Concession	Is where a Supplier is remunerated mostly through being permitted to run and exploit the work or service and is exposed to a potential loss on its investment.
Conditions of Participation	is a condition that a supplier must demonstrate they are capable of satisfying in order to be awarded a contract.
Conflicts Assessment	Under the Procurement Act 2023, a conflicts assessment is a structured process designed to identify, manage and document any actual or perceived conflicts of interest that may occur throughout the procurement and contract lifecycle. This assessment should be reviewed periodically to ensure any emerging conflicts are appropriately recorded and addressed.

Conflict of Interest	Means any interest outside of the Council which may appear to an objective bystander to affect the fair judgment of an Officer or Member or any other person acting on the Council's behalf in the Procurement of a Supply or the disposal of property (including Land). The concept of conflict of interest shall at least cover any situation where the relevant person has, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of a Procurement or sale procedure.
Contract	Means any form of contract, agreement for the supply of any works, goods, or services that the Council enters into (whether by purchase, lease, hire or any other arrangement).
Contract Management Framework	Means the tiered framework introduced to bring consistency to contract management across the Council. It sets out best practice standards that all contract managers are expected to apply to the contracts that they are responsible for.
Contract Management Toolkit	Means the contract management tools and templates published on the council intranet to be accessed by contract managers to support effective contract management.
Contract Manager	Officer appointed as responsible for the day to day management of the Contract.
Contract Procedure Rules (CPRs)	Means these Contract Procedure Rules.
Council	Means the Council of the Borough of Kirklees, which is also known by its abbreviated name of Kirklees Council.
Covered Procurement	Covered procurement under the Procurement Act 2023 (PA23) refers to the award, entry into, and management of a public contract that is above the relevant value threshold and not exempted by Schedule 2 of the Act.
Data Protection Legislation	Means all applicable data protection and privacy legislation in force from time to time in the UK including the retained EU law version of the General Data Protection Regulation ((EU) 2016/679) (UK GDPR), the Data Protection Act 2018 (DPA 2018) (and regulations made thereunder), the Privacy and Electronic Communications Regulations 2003 (SI 2003/2426), the Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019/419 and the guidance and codes of practice issued by the Information Commissioner or other relevant regulatory authority.

Dynamic Market	Is a procurement tool established in accordance with sections 34 to 40 of the Procurement Act 2023 and is available for the procurement of above UK Threshold contracts. It is a list of qualified suppliers (i.e. suppliers who have met the 'conditions for membership' of the dynamic market who are eligible to participate in future procurements. A dynamic market may be split into parts, with suppliers only eligible to participate in the parts for which they have qualified. New suppliers can be added through the lifetime of the dynamic market and there is no maximum term or minimum or maximum number of suppliers.
Dynamic Purchasing System (DPS)	Is a procurement tool available for contracts for works, services and goods commonly available on the market. It has its own specific set of requirements (as set out in Regulation 34 of the Public Contracts Regulations 2015); for example, it must be run as a completely electronic process, must remain open to new entrants, all suppliers on the relevant category in the Dynamic Purchasing System must be invited to quote for all contracts and it should be set up using the restricted procedure.
eProcurement Portal (YORtender)	The on-line Supplier and Contract Management System used by the Council to operate e-tenders and for the online management of suppliers and contracts and to advertise contracts. Currently available at https://yortender.eu-supply.com
Financial Ratio	Is a pre-set method of determining a supplier's financial standing, such as turnover, net asset value, and profitability.
Find A Tender Service (FTS)	"Find a Tender" means the UK e-notification service where notices for new procurements and contracts awarded under the Public Contracts Regulations 2015 are required to be published;
Financial Procedure Rules (FPRs)	The Financial Procedure Rules.

Frameworks	Means an agreement between a Contracting Authority and one or more Suppliers which operates as a Procurement tool through which contracts for Supplies can be sourced. Frameworks which deal with Supplies that are above, or aggregate above, the UK Threshold are subject to the Procurement Rules. They set out the terms for the Supply (often including the price) and the method for calling off orders. 'Framework Agreement' and 'Framework Suppliers' shall be construed accordingly. References to Frameworks includes Framework Agreements established under the Public Contracts Regulations 2015 and Open Frameworks as defined in the Procurement Act 2023.
Head of Corporate Landlord and Capital	Means the officer appointed by the Service Director who is responsible for corporate property management functions and the officers to whom they delegate.
Head of Risk	Means the officer appointed by the Chief Executive who is responsible for Internal audit.
Head of Procurement	Means the Head of Procurement and Commissioning or such other officer appointed by the Service Director – Legal, Governance & Commissioning who is responsible for Corporate Procurement.
Income Contract⁵	An Income Contract is one where the main object of the contract is that the Council does something in relation to a Council asset and includes ⁶ situations where the Council does so at nil value (subject to this not being a Grant – see Appendix 4).
Land	"Land" includes any estate or interest in land (including buildings) including any easement or right in or over land
Legal Officer	Officers who are authorised signatories for the Council under the scheme of delegation.
Light Touch Threshold	Light touch threshold applies to contracts for certain social, health, education and other public services

⁵ For contracts where the Council provides services to another body, please refer to FPRs 20.4-20.6

⁶ The words "including", "include", "for example", "e.g.", and "such as" in these CPRs indicate examples and are not intended to be limiting

Local Government Transparency Requirements	Means the statutory codes and legislation requiring the Council to publish information, such as ⁵ the Local Government Transparency Code and certain Regulations within the Public Contracts Regulations 2015.
Official Council Order	A standard form of contract for a Supply for a value of less than the current UK supplies and services threshold approved by the Service Director Legal and Commissioning whether attached electronically or by paper to an order for Supplies.
Personal Data	Means data which relate to a living individual who can be identified— <ul style="list-style-type: none"> (a) from those data, or (b) from those data and other information, which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual (e.g. references) and any indication of the intentions of the data controller or any other person in respect of the individual.
Procurement	The purchase, contract hire, lease, rental ⁷ or any other form of acquisition which results in a contract for Supplies where the Council is the buyer (therefore, in the context of the CPR, this does not include the Council providing the Supply to itself or gifts). Procurement also includes the establishment of Standing Lists, Frameworks, Dynamic Purchasing Systems and Dynamic Markets. 'Procurement' and 'Procured' shall be construed accordingly.
Procurement Rules	The rules on procurement for Supplies above the UK Threshold are subject to the statutory requirements outlined in the Procurement Act 2023 (including the National Procurement Policy Statement), the Health Care Services (Provider Selection Regime) Regulations 2023, Public Concessions Regulations 2016 and Public Contracts Regulations 2015 and those described in the Public Procurement (Amendment etc.) (EU Exit) Regulations 2020 (EU Exit Regulations) as may be applicable in relation to the Procurement or Contract.
Reasonable Means	Methods of selection or advertising which reflect reasonable trade practice. This might include informal briefs, supplier written Tenders or proposals, verbal or telephone quotes (which are then written down), comparative pricing for suitable supplies over the internet.

⁷ Note: Contract hire, lease and rental agreements require the specific advance approval of the Director of Resources or their delegate [**See the FPR**].

Service	A grouping of departments or other sections of the Council which is under the overall responsibility of a Service Director.
Service Director	Means the most senior officer responsible for the day to day functions of each Service.
Service Director Finance	Means the Service Director responsible for finance, also being the s151 Officer
Service Director Legal and Commissioning	Means the Service Director responsible as legal adviser to the Council, also being the Monitoring Officer
SME	Small or Medium-sized Enterprise, with less than 250 employees
Social Value	Means The Public Services (Social Value) Act 2012 ('Social Value Act') that requires the Council to consider how a procurement over the relevant thresholds could improve the economic, social and environmental wellbeing of the district
Special Purpose Vehicle	Companies (limited by shares, or otherwise) or any other legal entity, established by or in which the Council participates whether alone or with others to provide specific Supplies to the Council.
Specification	A written document detailing the Council's requirements. This can include things such as definitions, acceptance test methods, material requirements or characteristics, drawings, plans, certifications of compliance with standards, workmanship, data security measures, quality control including performance testing and KPIs, completion, delivery, safety, timing, key personnel qualities, communication requirements, returns policies and tolerances.
Standing List	A list of suppliers who are assessed as suitable to provide Supplies to the Council prepared in accordance with CPR 5.
Suitability	Means a supplier's general capability, fidelity, skill, competence, etc. to carry out the contract, including, where relevant, whether a Supplier is an excluded or excludable supplier under the Procurement Act 2023.
Supplier	Any person, partnership, company, or other organisation, which provides or contractually offers to provide any Supply to the Council or on behalf of the Council.
Supply / Supplies	Means the supply of any works, goods, or services; being provided, or to be provided, to or on behalf of the Council (whether by purchase, lease, hire or any other arrangement).

Tender	A written offer in relation to a Supply or Disposal of Assets making reference to a price and (where applicable) other information.
UK Threshold	The financial threshold from time to time at which the Procurement Rules are applicable to a Supply. Current UK Thresholds are set out in Appendix 1.
Value for Money	Securing the best mix of quality and effectiveness for the least outlay over the period of use of the goods or services bought.
VCSE	Voluntary, Community or Social Enterprise organisation that operate on a not-for-profit basis, including charities, community groups, voluntary organisations and social enterprises. The term 'VCSE' is often used interchangeably with the terms 'third sector' or 'civil society' organisations.
Whole Life Costing Approach	<p>Is an approach which addresses all the elements of a Supply over its life cycle such as:</p> <ul style="list-style-type: none"> • costs relating to acquisition, • costs of use, such as consumption of energy and other resources, • maintenance costs, • end of life costs, such as collection and recycling costs which can be used to produce a spend profile over its anticipated lifespan.

Appendix 1

Relevant Thresholds under the Procurement Act 2023 inclusive of VAT*	
Supplies and services contracts	£207,720 (£173,100 excl. VAT)
Light Touch Regime Contracts (Annex XIV)	£663,540 (£552,950 excl. VAT)
Works contracts	£5,193,000 (£4,327,500 excl. VAT)
Concession contracts	£5,193,000 (£4,327,500 excl. VAT)

* These are current the values for the purposes of these CPRs. The threshold values to be used will be those applicable at the commencement of the procurement process. The thresholds are updated every two years with the next update due on the 1 January 2028

Appendix 2

Information to be Reported to the Head of Procurement (RULE 7 – RECORD KEEPING AND REPORTING)

	Information	When
A.	Details of all contracts awarded for Supplies of £5,000 or above following a competitive process including the name of the Supplier, and amount of the Tender and if the chosen supplier was not the cheapest, then the same information in relation to unsuccessful Suppliers, and the reason why the successful Supplier was chosen.	When requested
B.	Details of all contracts awarded for Supplies of £100,000 or above, which result from negotiation including the reason for negotiation and the name of the successful Supplier and value of the contract.	When requested
C.	Details of all contracts awarded for supplies of £5,000 or above which a Service Director considered to be exempt from the competitive requirements by virtue of Rule 6, including the reason for the exemption.	When requested
D.	Contracts with a value of £5,000 or more (see Rule 3), with the following information: <ol style="list-style-type: none"> 1. reference number 2. title of agreement 3. Contract Manager; name of person responsible for managing the contract 4. description of the goods and/or services being provided 5. Supplier name and details 6. sum to be paid over the length of the contract (or if unknown, the estimated annual spending or budget for the contract) 7. start, end and review dates, including permitted extensions 8. whether or not the contract was the result of an invitation to quote or a published invitation to tender, and 9. whether or not the Supplier is a small or medium sized enterprise and/or a voluntary or community sector organisation and where it is, provide the relevant registration number 10. whether or not the contract involves processing personal data 	In All Cases on Contract Award
E.	All other information necessary to enable compliance with the Council's obligations under legislation and regulation to publish data about its contractual arrangements and payments.	In All Cases on Request

Appendix 3

Relationship between Commissioning and Procurement



Appendix 4

How to decide if a procurement or grant is applicable

- The Council obtains supplies of goods, works, and services from external suppliers and normally uses competitive processes to do so in accordance with the Contract Procedure Rules (CPRs)
- It is always appropriate to use procurement to obtain **goods** and **works**, and this is the usual preference to obtain **services**.
- There may though be some occasions when a grant may be an appropriate way to achieve the priorities of the Council. The information below aims to provide a guide to support commissioners to think about whether a grant or procurement is the most appropriate method in obtaining and/or supporting a particular **service**.

1. If you are seeking to obtain **goods** or **works** you should **procure as per CPRs**
2. If you are seeking to obtain a **service** and can answer **YES** to **ANY** of the following, you should **procure as per CPRs**
 - Is there an intention to specify service standards and outputs required?
 - Will payment be reduced/alterd if service standards are not met, or additional payment be made if there are claims for additional costs incurred?
 - Are there opportunities for change control?
 - Is there a contractual obligation on both parties?
 - Is there an intention to have active management of the provider?
3. If you are seeking to use a supplier that is a commercial i.e., profitmaking organisation this would generally require procurement as per CPRs. If the organisation is a genuine “not for profit” organization or charity you should discuss further with the Procurement team.
4. If you are seeking a **service** and can answer **YES** to **ANY** of the following, you can consider use of a **Grant as per FPRs**
 - Is there an intention to broadly support an activity, with expected outcomes, but no clear obligations on the provider?
 - Is the intention to support parts of an existing activity?
 - Is the intention to provide a subsidy to existing service users
 - Is the Council’s only ultimate remedy to withhold payment of a next phase of grant, seek clawback or to refuse to fund future activity by the provider?
 - Is the intention to meet a stated set of costs, and an intention that the provider should not profit from the support?

Important notes/advice

- Always remember to check with the Procurement team if unsure.
- A competition will generally be appropriate to select which parties are entitled to receive grants.
- Grants still require a grant agreement.
- Grants which involve procurement by a third party require use of competition in selection of their suppliers (broadly aligning with Council CPRs)



Proposed Revisions to the Constitution (Reference from Corporate Governance and Audit Committee (CGAC))

Meeting:	Council
Date:	11th March 2026
Cabinet Member (if applicable)	Cllr Nosheen Dad
Key Decision Eligible for Call In	No No
<p>Purpose of Report</p> <p>To seek the approval of the proposed changes to the council's constitution set out in paragraph 2 of this report and in more detail in the Appendices (including the report to CGAC). The report is referred from the Council's CGAC, which has in main recommended the proposed updates, with some of its own recommended amendments.</p>	
<p>Recommendations</p> <p>That CGAC recommends that Council:-</p> <ul style="list-style-type: none"> • Notes the changes made to the Constitution in 2024-2025 listed in Appendix A • Approves the proposed changes to the Constitution set out in section 2 of the report considered by CGAC. <p>Reasons for Recommendations</p> <ul style="list-style-type: none"> • It is essential that the Council's Constitution is regularly reviewed and updated to ensure that it remains fit for purpose and to enable Council meetings to be conducted in a fair, business like and effective manner. • It is also essential that the Constitution complies with current legislation, as failure to do so could lead to challenges, unnecessary procedural delays and less transparency in the Council's democratic process. 	
<p>Resource Implications:</p> <p>None</p>	

Date signed off by Executive Director & name	Rachel Spencer-Henshall – 3rd March 2026
Is it also signed off by the Service Director for Finance?	Kevin Mulvaney
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Samantha Lawton – 3rd March 2026

Electoral wards affected: All

Ward councillors consulted: None

Public or private: Public

Has GDPR been considered? Yes

1. Executive Summary

- 1.1 The Council's CGAC considered a number of reports and appendices contained here as appendices at its meeting on the 20th February 2026.
- 1.2 The report set out a number of proposed changes to the council's constitution which are described in paragraph 2 of the CGA report at Appendix F and in the appendices to that report.
- 1.3 It also set out a number of issues to note including:
 - Changes made to the constitution by the monitoring officer using delegated powers during the 2024/25 municipal year – these are set out in Appendix A
 - Other changes made during the year which do not require council consent – these are set out in Appendix A
 - The ongoing work to keep the council's constitution under review
 - The work of the cross party Constitution Working Group in considering the Constitution
 - That all parts of the Constitution have been reviewed, but not all parts were in need of any amendment
- 1.4 The CGAC recommended an amendment to add a time limit to the WYCA update report set out in Appendix C and this has now been incorporated into the Appendix attached to this report.

2. Information required to take a decision

2.1 Safeguarding Protocol – Part 5.10

This protocol has been rewritten and brought up to date. Details are in Appendix B.

2.2 Council Procedure Rules (CPRs) – Part 4.1

A number of changes have been proposed and these are detailed in Appendix C.

CGA proposed that a time limit in respect of the WYCA update be incorporated and this is now in the document at Appendix C.

2.3 Protocol for Public Speaking at Planning Committee – Part 5.7

Minor amendments have been proposed and these can be seen at Appendix D.

2.4 Responsibility for Council (Non-Executive) Functions Part 3.3 Corporate Governance and Audit Committee – Terms of Reference

There are minor amendments to the Terms of Reference, set out in Appendix E.

2.5 Responsibility for Council (Non-Executive) Functions Appeals Panel – Terms of Reference

An amendment is proposed to require panel members to undertake suitable training.

3. Implications for the Council

3.1 Working with People

N/A

3.2 Working with Partners

N/A

3.3 Place based Working

N/A

3.4 Climate Change and Air Quality

N/A

3.5 Improving Outcomes for Children

N/A

3.6 Financial Implications

N/A

3.7 Legal Implications

Regular review of the Constitution will ensure that Kirklees Council is operating lawfully and will also aim to identify any areas where there may be ambiguity with a view to providing clarity.

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

N/A

4. Consultation

A number of relevant officers have been consulted and the views of the Constitution Working Group have been key in forming the proposed amendments.

The Corporate, Governance and Audit committee discussed the proposed changes and overall were supportive of the report.

5. Engagement

None

6. Options

6.1 Options Considered

We are required to review the constitution. Any proposed amendments where there may be options are set out in the report.

6.2 Reasons for Recommended Option

As above

7. Next steps and timelines

Any amendments subsequently agreed by Council will be incorporated into the Constitution.

8. Contact officer

Samantha Lawton – Service Director – Legal, Governance and Commissioning
01484 221 000
samantha.lawton@kirklees.gov.uk

9. Background Papers and History of Decisions

Report to CGA - [Agenda Document CGAC](#)
Decision notice CGA - [Decisions CGAC.pdf](#)

10. Appendices

Appendix A – Monitoring Officer Delegations
Appendix B – Safeguarding Protocol
Appendix C – Council Procedure Rules
Appendix D – Protocol for Public Speaking at Planning Committees
Appendix E – CGA Terms of Reference
Appendix F – report to CGA 20th February 2026

11. Service Director responsible

Samantha Lawton
Service Director – Legal, Governance and Commissioning
01484 221000
samantha.lawton@kirklees.gov.uk

Appendix – A

Monitoring Officer Amendments using delegations

Date	Constitution Section	Amendment
13 October 2025	Part 5.9 Councillors and Officers in Kirklees - A Protocol for Working Effectively	2.2 Both Officers and Councillors ... “Act as a Ambassador Representative for the Council
25 November 2025	Part 4.1 Council Procedure Rules	Correct numbering out of sync – changed from 18.4 to 18.19
17 December 2025	Part 3.4 Section C	Portfolio Holders updated and signed by Cllr Pattison - Notice under Article 7 of Kirklees Council Constitution – signed 10 December 2025
17 December 2025	Part 4.7 Contract Procedure Rules	Updated the new figures for 2026 Thresholds Appendix 1
28 January 2026	Article 4 – Policy Framework	Update legislation and remove requirement for Council adoption – Legislation now requires WYCA to adopt Local Transport Plan not the local authority.

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Kirklees Council - Councillor Safeguarding Protocol

The Council has a Corporate Safeguarding Protocol that sets out the framework for every service and employee in the council in carrying out the statutory safeguarding duties towards children, young people and adults.

This policy also defines the roles and responsibilities for all employees, managers, Councillors and volunteers, and provides support in their responsibility to promote safeguarding of children and adults throughout their work and to ensure that there is a high level of visibility and commitment across the borough and in all services to ensure the best possible service to vulnerable children, young people and adults.

Children and Young People

The Children Act 2004 places a statutory obligation on borough and district councils to ensure they have in place suitable arrangements to safeguard and promote the welfare of children (either directly or via their families who may access or use Council Services).

The definition of abuse and neglect in relation to children is set out in the Children Act, 1989 and also enshrined and discussed in Working Together to Safeguard Children (2023). These are not exhaustive lists, but an illustrative guide to the types of behaviour or issues that could give rise to safeguarding concerns. In relation to children. The four categories of abuse are:

1 - Emotional - the persistent emotional maltreatment of a child, such as to cause severe and persistent effects on the child's emotional development.

2 - Sexual forcing or enticing the child or young person to take part in sexual activities, whether the child is aware of what is happening or not.

3 - Neglect - the persistent failure to meet a child's basic physical and or psychological needs, likely to result in the serious impairment of the child's health or development.

4 - Physical - may involve hitting, shaking, throwing, poisoning, burning, or scalding, drowning, suffocating or otherwise causing physical harm to a child.

In March 2016 the Government accepted the recommendations of the Wood Report 2015 which summarised the findings of a national review of Local Safeguarding Children Boards (LSCBs). The recommendations in the report led to a change in legislation to the Children and Social Work Act 2017 and Working Together to Safeguard Children, removing the statutory requirement of local authorities to have a Local Safeguarding Children Board.

As a result, three key agencies now collectively hold new statutory responsibilities for safeguarding; namely the Local Authority, Health and the Police.

Working Together to Safeguard Children 2023 placed a duty on the three agencies to work together and define the local Multi-Agency Safeguarding Arrangements. It also placed a duty on other agencies to co-operate with the new arrangements.

The Kirklees Safeguarding Children Partnership (KSCP) is the body that replaces the Kirklees Safeguarding Children Board and works with all agencies to safeguard and promote the welfare of children and young people in Kirklees. The statutory safeguarding partners are Kirklees Metropolitan Council, West Yorkshire police and the NHS West Yorkshire Integrated Care Board.

The Lead Safeguarding Partner (LSP) for the three Statutory partners are the Chief Executive of Kirklees Council, the Chief Constable of West Yorkshire Police and the Chief Executive of the NHS West Yorkshire Integrated Care Board.

Each statutory partner has a Designated Safeguarding Partner (DSP) and those roles are set out in the arrangements linked below.

Link to multi agency safeguarding arrangements

<https://www.kirkleessafeguardingchildren.co.uk/wp-content/uploads/2025/12/MASA-2025-26-Final.pdf>

The partnership is an independent intermediary body and will meet at least four times a year and has a strategic focus leading subgroups who will be expected to report on a workplan for the year. **It has a helpful website here:** www.kirkleessafeguardingchildren.co.uk

How to report Concerns about a child – Worried about a child? - KSCP

Vulnerable Adults

What is adult safeguarding?

Adult safeguarding is a multi-agency procedure for protecting adults, aged 18 years or over, at risk from abuse or neglect, and in need of community care services due to:

- Mental health, disability, age, or illness,
- And being unable to take care of or protect themselves against harm or exploitation.

The Care Act 2014

The Care Act 2014 categorises the types of abuse relating to adults as follows:

1- Discriminatory when values, beliefs or Culture result in a misuse of power that denies mainstream opportunities to some groups or individuals.

2- Domestic abuse incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are, or

have been, intimate partners or family members, regardless of gender or sexuality. Domestic abuse is not just about partners, but all family relationships.

3- Emotional/Psychological acts or behaviour which impinges on the emotional health of, or which causes distress or anguish to, individuals.

4 - Financial, unauthorised, fraudulent obtaining and improper Use of funds, property or any resources of an adult at risk.

5 - Modern slavery encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

6 - Neglect, ignoring or withholding physical or medical care needs which result in a situation or environment detrimental to individual(s).

7 - Organisational, where the culture of the organisation places the emphasis on the running of the establishment of the needs and care of the person.

8 - Physical, the non-accidental use of physical force that resolves (or could result) in bodily injury, pain or impairment, including assault, hitting, slapping, pushing, misuse of medication and restraint.

9 - Self neglect. This covers a wide range of behaviour, neglecting to care for one's personal hygiene, health or surroundings, and includes behaviour such as hoarding.

10 - Sexual direct or indirect involvement in sexual activity without consent.

How to report abuse or neglect

If you are a professional and are aware of abuse or neglect you can report a safeguarding concern online. Before you do this, you must:

- In an emergency, don't wait - call 999
- Ensure the immediate safety and welfare of the adult at risk and any other person at risk,
- If a crime has been committed, ensure the concern has been reported to the police on 101,
- Preserve any evidence,
- Gather an accurate record and details of the incident, and any actions or decisions that have been made or planned

Kirklees Safeguarding Adults Board (KSAB)

Kirklees Safeguarding Adults Board (KSAB) is an independent statutory partnership in its own right set up under the Care Act 2014 and is not a public authority.

The Board is hosted by Kirklees Council and is a multi-agency partnership. The KSAB works within the framework of the law and statutory guidance to strategically assure

itself that local safeguarding arrangements and partners act to help and protect adults at risk in Kirklees in line with the criteria set out in section 42.1 of the Care Act 2014, that is:

- has needs for care and support (whether or not the authority is meeting any of those needs);
- is experiencing, or is at risk of, abuse or neglect, and;
- as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it

The Safeguarding Adults Board is chaired by an Independent Chair and membership to the Board includes representation from the following agencies:

- Kirklees Council
- West Yorkshire Police
- West Yorkshire NHS Integrated Care Board: Working in partnership
- Locala Community Partnerships CIC
- South West Yorkshire Partnership Foundation Trust
- Calderdale and Huddersfield NHS Foundation Trust
- Mid Yorkshire Teaching NHS Trust
- NHS England
- Kirklees Council Housing & Homelessness
- West Yorkshire Fire & Rescue Service
- Healthwatch Kirklees

Kirklees Safeguarding Adults Board has three core duties, namely:

1 – To develop and publish a strategic plan setting out how they will meet their objectives and how their Councillor and partner agencies will contribute.

2 – To publish an annual report detailing how effective their work has been.

3 – To commission Safeguarding Adult Reviews (SARs) for any cases which meet the criteria for these. The Safeguarding Adults Board have their own website and a **helpful link can be found here** <https://www.kirklees.gov.uk/beta/adult-social-care-providers/kirklees-safeguarding-adults-board.aspx>. Councillors can access this to read reports, information, local protocols and agreements that may be helpful. Councillors should know that they should not become individually involved or seek information about individual safeguarding cases, whether they be children or adult focused. The appropriate referrals should be made through the gateway referral points.

General Safeguarding Information

The chief executive is responsible to ensure all Council staff are aware of their roles in safeguarding.

Through the two Statutory Officers, the Chief Executive ensures that effective safeguarding arrangements for children, young people and adults are in place, and the **director of Children's Services** is the key point of professional accountability with responsibility for the effective safeguarding of children and young people. **The Director of Adult Social Services** as Chief Officer and lead for Adult Safeguarding has an important leadership and challenge role to play in Adult Safeguarding. They are responsible for promoting prevention, early intervention and partnership working, which is critical in the development of effective safeguarding.

Councillors have an important part to play to ensure that the council is discharging its statutory responsibilities and its services to safeguard vulnerable children, young people and adults.

All Councillors receive training which includes how to identify and report safeguarding concerns within the appropriate levels of confidentiality.

On occasion Councillors may be approached by constituents seeking assistance in statutory safeguarding procedures relating to members of their families. It is not appropriate for Councillors to attend meetings between constituents and social workers or approach social workers about individual safeguarding matters. If a case relating to a child has progressed to statutory processes, there is a structured scheme for advice and support available to a family. This also applies in cases relating to vulnerable adults. It is inappropriate to attend at any court hearing relating to the Local Authority's safeguarding responsibilities, unless you are specifically asked to by the Court (ie as a witness). If you are asked to assist a constituent in this way, seek advice from the Monitoring Officer and in their absence the Deputy Monitoring Officer.

Councillors are reminded of the "Councillors and Officers in Kirklees – A protocol for Working Effectively" section of the Constitution. This sets out the nature and complexity of the relationships between Councillors and Officers and reminds Councillors and officers that protocols cannot be exhaustive. If any councillor or officer is unclear about a particular aspect of a protocol, they should contact the monitoring officer. The protocol applies whenever councillors and officers are undertaking the council's business whether that be in communications or public/ private meetings.

All Councillors should remind themselves at all times of GDPR and information processing and security. The Our Learning Portal has mandatory training which must be completed by all members of staff.

The lead Councillor for Children's Services is the only role for Councillors defined in legislation and is responsible for taking a strategic view in setting priorities and budgets, supporting the Director of Children's Services and championing the voice of children and young people in decision making across all Council services and partnerships. They also attend the scrutiny panel.

The Cabinet member for Adult Social Care and Health also has a key role to play in overseeing safeguarding activity, retaining the oversight of all commissioning activities and provision of Adult Social Care, public health functions and the interface with the NHS.

The Council has a Corporate Safeguarding policy to underpin its stance that Safeguarding is everybody's responsibility.

Kirklees Council: Cross Council Corporate Safeguarding Policy

Whistle-Blowing and Serious Misconduct Policy

The protocol will be reviewed in line with any changes in legislation, and the periodical reviews of safeguarding policy, protocols and guidance to ensure the Council meets requirements to Safeguard Children, Young People and Adults.

The Prevent Duty

The Counter Terrorism and Security Act 2015 places a duty on the council to have due regard to the need to prevent people from being drawn into terrorism. This statutory duty is about safeguarding and supporting children, young people or adults who may be vulnerable to becoming involved in terrorism or supporting terrorism.

Kirklees Council have implemented the Prevent Strategy and a **helpful link to the leaflet can be found here** <https://www.kirklees.gov.uk/beta/community-safety-partners/pdf/kirklees-prevent-strategy.pdf>.

APPENDIX C

Council Procedure Rules

CPR	Suggested Amendments in red	Comments/Rationale
<p>2</p> <p>NEW</p>	<p>Business to be transacted at Extraordinary Meetings</p> <p>The only business that will be conducted at an Extraordinary Meeting are items for which the meeting has been specifically convened which is limited to urgent, unforeseen or emergency items which are within Council's powers that cannot wait until the next ordinary meeting.</p> <p>The Chief Executive in consultation with the Mayor will determine whether the matter is urgent, unforeseen or an emergency.</p>	<p>To clarify the purpose and scope of extraordinary meetings</p>
<p>14.1</p>	<p>Submission of Motions</p> <p>Each motion must be signed by not less than two Members of the Council. Motions (including re-submitted Motions pursuant to CPR 16(5)) will only be accepted for the next scheduled ordinary Council meeting from 10.00am onwards following the day of the previous ordinary</p>	<p>Delete reference to an incorrect CPR rule</p> <p>Add in 'ordinary' to align with practice and ensure consistency</p>

	Council meeting	
14.7	<p>Motions Not Accepted</p> <p>A Motion on Notice may be rejected if in the opinion of the Chief Executive in consultation with the Mayor it:-</p> <ul style="list-style-type: none"> • Is defamatory, vexatious, frivolous or offensive, • Instructs Officers to perform an unlawful action or take such action as would have unlawful consequences, • Requires the disclosure of Confidential or Exempt Information, • Has the effect of increasing the expenditure or reducing the revenue of the Council other than in compliance of requirements of CPR 14 (5) Rule relating to new or additional expenditure, • Is in some other respect considered to be out of order, unlawful, irregular, improper or incapable of having a practical effect • Seeks to circumvent a decision-making process under way, or • by reason of law or provision in these Rules, should not be considered at the Meeting for which it is given. 	<p>To add the following new areas set out in red.</p> <p>The additional criteria provides further guidance to Members on what is a suitable motion. The current rules lack any provision and often mean officers have to return to Members for amendment without any specific reference within the rules to address areas highlighted.</p>

	If a motion is not deemed acceptable the Chief Executive shall inform the Members who gave notice of the Item.	
14.8	Withdrawal A Member who has given notice of motion may subsequently withdraw by writing to the Service Director - Legal, Governance and Commissioning prior to 5.30pm on the day of the Council meeting.	To clarify the timescales for withdrawal of a motion by the Service Director – Legal, Governance and Commissioning. The CPR rules already address withdrawal once the meeting has begun at 14.14 below.
14.10	Moving of Motions If a motion set out in the summons is not moved debated or voted upon either by the Member who gave notice or by another Member on their behalf either due to lack of time or absence , it shall be treated as withdrawn and shall not be considered again without fresh notice. Alternatively, the Council may consent to postpone consideration of a motion to the next meeting.	Clarifies the reason if the motion is not concluded due either to lack of time at the meeting or through the absence of the relevant Members. This amendment along with 14.8 and 14.14 ensures that Motions that have been submitted on notice and published will be heard unless withdrawn in accordance with the procedure at 14.14.
14.14	Withdrawal of Motion/Amendment A motion or an amendment may be withdrawn from the start of a Council meeting after 5.30pm by the proposer with the consent of the seconder and of the Council (which shall be decided upon without debate). No Member may speak on it after the proposer has been granted permission for its withdrawal	This adds clarity to the timescales so it is clear this applies from the beginning of a council meeting.
NEW	Number of Motions	This provides for a limit on motions.

	Each political group, shall be entitled to submit a maximum of one motion to each ordinary meeting of the Council under this Rule. This will include a re-submitted motion.	
5 (j)	j) To receive Minutes of meetings of the West Yorkshire Combined Authority.	Remove the publication of the WYCA minutes as these are already in the public domain and available on the WYCA website. This will be replaced on the Council agenda with a more up to date written report business item relating to WYCA on at least 2 meetings per year by the Leader. This will provide a wider opportunity for Members to be updated on information relating to Kirklees and an ability to comment or question for 15 minutes and debate the WYCA update without having to find a relevant minute upon which to ask a question.

**PROTOCOL FOR PUBLIC SPEAKING AT
PLANNING COMMITTEES**

Protocol For Public Speaking at Planning Committees

Kirklees Council has two Planning Committees, each meeting on a 6-weekly cycle; Both Committees meet in Huddersfield Town Hall.

The Strategic Planning Committee deals with major applications from across the district. The District Wide Planning Committee deals with applications for minor and other scale developments from across the district.

The meetings usually commence at 1.00pm.

The **meeting** venue has public seating areas, where members of the public are able to observe how the decisions on planning applications are made. All meetings are webcast live.

Fewer than 10% of all planning applications are decided at Planning Committee. Most are determined by officers within a delegation scheme as agreed by the Council. The applications that are decided by Councillors at Committee are usually the most contentious, often relating to large development sites, or proposals that have attracted a lot of public interest.

Members of the public ~~are able to address the Planning Committee to put their views on any~~ **are able to make a verbal representation on the applications which** have been submitted for consideration, subject to the provisions of this protocol. Applicants for planning permission and/or their representatives and Ward Councillors are also allowed to present their views.

~~Interested parties~~ **Any person who wishes** to speak at the meeting must register to do so no later than 5.00pm (for phone requests) or 11:59pm (for email requests) 3 days before the committee meeting.

Registered speakers are asked to aim to arrive by 12.45pm, in order to confirm their attendance before the meeting begins. The Town Hall Reception staff will direct attendees to where the meeting is being held.

The Governance Officer will confirm the names of speakers, the application on which they wish to speak and the capacity in which they will be speaking.

It is not permissible to circulate documents to the Committee on the day or to make powerpoint presentations at the meeting. If a speaker wishes to share such documents, to support their representation, then these must be sent to the planning case officer responsible for the relevant planning application at least 48 hours before the start of the Planning Committee (eg for meetings commencing at 1pm on Thursdays, the deadline for receipt of additional documents/information etc will be 1pm on the previous Tuesday). This is because all parties may not have time adequately to respond to and address the issues raised in those submissions. In particular, members of the committee are unlikely to be able to give proper consideration to the matters raised and officers are unlikely to be able to provide considered advice on any material considerations. The decision to permit in each case is at the discretion of the Chair.

Procedure for the Meeting

- The ~~Chair~~ **meeting** will begin ~~the meeting~~ at 1.00pm. There will be a number of constitutional items on the agenda that will be dealt with first. The Planning Committee will then progress to consider the schedule of Planning Applications.
- At the beginning of each item the Chair will indicate which application is to be dealt with. The Planning Officer will give a presentation and propose their recommendation.
- The Chair will then invite members of the public who have registered to speak to address the Planning Committee. The Chair will have a list of speakers who have indicated that they want to comment on the application, and he/she will call their name at the appropriate time. Ward Councillors, local residents and objectors will usually be called to speak first, followed by any other interested parties, for example, applicants or their agents.
- The case should be concisely made, concentrating on **the 'planning'** issues that the Members of the Planning Committee can take into account. Planning issues include:
 - *The planning history of the site*
 - *The visual impact of the development*
 - *Effect on public amenity*
 - *Access, traffic and highway considerations*
 - *The impact on listed buildings, conservation areas, or protected trees.*
- Matters that cannot be taken into account include:
 - *Effect on property values*
 - *The character or identity of the applicant*
 - *Boundary or property disputes*
 - *How the application affects a view (as opposed to the wider effect on public amenity)*
 - *Issues of commercial competition*
- The presentation to the Planning Committee should reinforce and amplify the representations on the application that have already been made to the Council in writing.
- Once all representations have been made, the Planning Committee will consider the application.
- Officers may be asked for more information, or to respond to specific questions, but further comments from members of the public, applicants or agents will not normally be taken, unless the Chair invites further comment.
- Voting on an application will be by a show of hands or roll call and in each case is recorded.

Please note:

- The meeting will be webcast live and by registering to speak consent to the live webcast will be deemed.
- The number of people who will be allowed to speak is at the Chair's discretion, and his/her decision is final. If there is a large number of attendees who wish to comment on the same application, the Chair may ask the group involved to organise a representative so that the case for/against may be put collectively. Speakers will be asked not to repeat points raised by previous speakers and the Chair may intervene if there is repetition and duplication in the representations.
- For pre-application or position statements, public speaking is not the usual practice and is at the absolute discretion of the Chair. The applicant may be in attendance to present the plans and answer any questions from members.
- Objectors, local residents, applicants or agents will have a maximum of three minutes to present their case to the Planning Committee. A visible timing system will be in operation to assist. The Chair may ask a speaker to conclude their presentation if the allotted time has been exceeded.
- Speakers will only be permitted to speak again in exceptional circumstances (as determined by the Chair) and only for the purposes of addressing wholly new issues that may have arisen during the debate or to correct information that is clearly incorrect.
- Councillors who attend committee as observer under Rule 36 of the Council Procedure Rules or members of the committee who choose to make representations as ward Councillor, rather than participate in the determination of an application, will be bound by the 5 minute time limit set out in CPR 36.
- Any representations should be directed to the Councillor who is 'chairing' the meeting. By convention, this person is addressed as 'Chair'. If you refer to a Member of the Council, then the correct way to do this is to refer to them as 'Councillor (surname)'. Dialogue between members of the public and Members of the Committee or Officers is not permitted once the meeting has started.
- Direct questioning of individual committee members or officers will not be permitted. Any comments must be made to the Chair of the Committee.
- Messages must not be passed to members of the Planning Committee before, during or after a presentation.

Agenda for the Meeting

The agenda for the meeting is available one week in advance of the meeting and can be viewed on the Kirklees Website. If assistance in accessing the information, or a hard copy of a report is required, the Governance Officers whose details are provided below can be contacted to assist.

An update **report** is also usually published on the website the day before the meeting and circulated to **Committee Members**. ~~prior to the beginning of the meeting~~. This provides details of any amendments made to the applications, further consultation responses and representations received since the formal agenda was published and may include legal advice from officers to Councillors on any issues that have been raised in those representations. However, the update should be brief and not raise wholly new issues.

Additional Information

Decisions on planning applications can be challenged by the applicant making an appeal to the Secretary of State.

In the English planning system, third parties eg objectors to the application, have no rights of appeal against the decision but may, in appropriate circumstances, seek to have the decision judicially reviewed in the High Court.

However, the Local Government Ombudsman can investigate any claims that the Council did not follow its own procedures, or allegations of impropriety. Ask a Council Officer for more information if you are considering approaching the Ombudsman.

Contacts:

Governance Team:

District Wide Planning Committee –
Andrea Woodside (ext 74993)
~~Sheila Dykes (ext 73896)~~

Strategic Planning Committee –
Sheila Dykes (ext 73896)
~~Andrea Woodside (ext 74993)~~

Automated switchboard:
01484 221000

Planning Services:

District Wide Planning Committee –
~~Julia Steadman (ext 74220)~~

Kirsty Nicholls (ext 72972)

and use the extension number or ask for the relevant officer by name

Strategic Planning Committee
~~– David Wordsworth (ext 79071)~~

Julia Steadman (ext 74220)

Legal Services:

District Wide Planning Committee –
~~Sandra Haigh (ext 77871)~~
~~Deborah Wilkes (ext 77875)~~
Victoria Leam (ext 79396)

Strategic Planning Committee –
~~Deborah Wilkes (ext 77875)~~
~~Sandra Haigh (ext 77871)~~
Mike Kelly (ext 78804)

Revised February 2024

APPENDIX E

Corporate Governance and Audit Committee Terms of Reference

Delegated authority in respect of all powers and duties set out below and all other Council functions not required to be determined by the full Council and not delegated to any other committee:

1. To be responsible for:

1.1. Monitoring the operation of the Council's Constitution and keeping its terms under review, including all procedure rules.

1.2. Making recommendations to the Council for any change or additions to the procedure rules or Articles of the Constitution or executive arrangements.

2. Determining all matters relating to the adoption and operation of the Members' Allowances Scheme including recommendation to the Council of the adoption of or amendment to any such Scheme.

3. Keeping under review the terms of reference and delegations of Council functions to committees and formally appointed bodies and officers.

4. Consideration of the Council's arrangement relating to accounts including:

a) Consideration of any material changes to accounting policies;

b) Approval of the statement of accounts;

c) Approval of any material amendments to the accounts recommended by the auditors;

d) Keep the Council's financial and management accounts and financial information under review as it sees fit.

5. Consideration of the Council's arrangements relating to the external audit requirements including:

a) The selection and appointment of the external auditor;

b) The consideration of the external auditor's annual reports so as to gain the necessary assurance regarding accuracy, value for money and governance prior to the approval of the Council's accounts, and approval of any other reports;

c) Meeting with the external auditor from time to time and considering any matters that they wish to raise.

The committee shall be entitled to meet the external auditor without the presence of any Council officers (other than for the purposes of minuting the conversation).

6. Consideration of the Council's arrangements relating to internal audit requirements including:

a) Reviewing the nature and scope of internal audit activity;

b) Approval of the annual Audit Plan;

c) Monitoring the performance of internal audit, including compliance with regulatory internal audit standards;

d) Agreeing the adequacy of internal audit resourcing;

e) Considering the annual Internal Audit report, reviewing and making recommendations on issues contained therein;

f) Monitoring progress in implementation of internal audit recommendations;
g) Seeking responses from officers or portfolio holders about matters identified by internal audit. The committee shall be entitled to meet the Head of Internal Audit without the presence of any Council officers (other than for the purposes of minuting the conversation).

7. Reviewing the adequacy of the Council's Corporate Governance arrangements. This will include (but not be limited to) the following:

7.1. Internal control and risk management;

7.2. Oversight of whistleblowing and the Council's whistleblowing policy;

~~7.3 Oversight of the complaints process and the role of the Local Government Ombudsman;~~

7.4. Oversight of Information Governance and the role of the Information Commissioners Office (ICO);

7.5. Reviewing and approving the annual statement of Corporate Governance.

8. Agreeing and regularly updating the Council's Code of Corporate Governance, monitoring its operation and compliance with it, and using it as a benchmark against performance for the annual Statement of Corporate Governance.

~~9. Approving payments or providing other benefits in cases of maladministration as required and make recommendations arising from any review of a report of the Local Government and Social Care Ombudsman.~~

10. Following a decision of Council to undertake a community governance review to agree the terms of reference for and conduct such a review, making recommendations to Council who will determine the outcome of such reviews.

11. Functions relating to Elections and Parishes set out in Part D of Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (or any replacement or amendment of it).

12. Charities and charitable trusts (so far as not the responsibility of Cabinet).
Revised June 2025

13. Responsibility and challenging all treasury management activities.

14. Noting the finalised list of appointments to outside bodies (except school governing bodies) and revocation of such appointments.

15. Determining nominations for charitable trustees in cases where there has been failure reach agreement. 16. Receiving updates and monitor compliance with the Council's Regulation of Investigatory Powers Act (RIPA) policy.

REPORT TITLE: Constitution updates

Meeting:	Corporate Governance and Audit Committee
Date:	20th February 2026
Cabinet Member (if applicable)	Cllr Nosheen Dad
Key Decision Eligible for Call In	No No
Purpose of Report To seek approval for a number of amendments to the Constitution to be recommended to Council.	
Recommendations That the Monitoring Officer delegations in Appendix A be noted. That the suggested amendments to the following areas set out at paragraph 2 be recommended to Council:- <ul style="list-style-type: none"> • Councillor Safeguarding protocol • Council procedure rules • Protocol for Public Speaking at Planning Committee • Responsibility for Non- Executive functions - CGA – Terms of Reference • Responsibility for Non-Executive functions - Appeals Panel – Terms of Reference • That the work of the cross-party Constitution Working Group be noted • That it be noted that the Constitution has been subject to a review and no amendments other than those set out below are required at this time. Reasons for Recommendations <ul style="list-style-type: none"> • The suggested amendments are intended to update and modernise the Constitution 	
Resource Implications: None	
Date signed off by Executive Director & name	Rachel Spencer-Henshall

<p>Is it also signed off by the Service Director for Finance?</p>	<p>Kevin Mulvaney</p>
<p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p>	<p>Samantha Lawton</p>

Electoral wards affected: All

Ward councillors consulted: Members of the Monitoring Officer’s Constitution working group

Public or private: Public

Has GDPR been considered? Yes

1. Executive Summary

- 1.1 It is essential that the Constitution is subject to regular review and, where necessary, is amended to ensure that it both follows any legal requirements placed on the Council and is fit for purpose.
- 1.2 Whilst certain changes to the Constitution can be made by the Monitoring Officer using delegated powers, most changes need to be made by Council, on the recommendation of this Committee. Appendix A contains a list of all amendments made by the Monitoring Officer using delegated powers since Annual Council in 2025.
- 1.3 The Monitoring Officer set up a cross party Constitution working group in 2024, comprised of officers and members, to review the Constitution and to consider proposed amendments. The group requested to focus only on the Council Procedure Rules and has been meeting again in this municipal year and the proposed changes set out below follow from the discussions by the group.
- 1.4 Not all parts of the Constitution are in need of amendments, but all have been reviewed during the current municipal year. Amendments are requested to the following areas:-

2. Information required to take a decision

2.1 Safeguarding Protocol – Part 5.10

2.1.1 The Safeguarding Protocol has been rewritten and updated. The proposed version adds more information for Members and explains the safeguarding landscape as well as clear explanations regarding relevant officer roles.

2.1.2 The purpose of the rewrite was to modernise and update the Protocol and to make it easier to read and understand.

2.1.3 A copy of the proposed amended Protocol is attached at Appendix B.

2.2 Council Procedure Rules (CPRs) – Part 4.1

2.2.1 A number of changes have been proposed to the CPRs. The wording in black is the current wording within the rules and the wording in red is the proposed new wording

Details of these are in table form in Appendix C, which also provides details of the reasons for the proposed changes.

2.3 Protocol for Public Speaking at Planning Committee – Part 5.7

2.3.1 There are minor amendments to the protocol, visible on the ‘track change’ version at Appendix D.

2.4 Responsibility for Council (Non-Executive) Functions Part 3.3 Corporate Governance and Audit Committee – Terms of Reference

There are minor amendments to the Terms of Reference, visible on the ‘track change’ version at Appendix E.

Section of the Council (Non-Executive) Functions	Proposed changes
TBC	Add a requirement to for the mandatory training and refresher training for all Members sitting on the Corporate Governance and Audit committee, as per Planning and Licensing requirements
7.3	Remove the following from the Terms of Reference for Corporate, Governance and Audit Committee – 7.3 Oversight of the complaints process and the role of the Local Government Ombudsman. This is to meet the new and updated Local Government Ombudsman Guidance which recommends reporting to Cabinet where there is a Cabinet and Leader model form of Governance.
9	Amend the Terms of Reference paragraph 9 to read – Make recommendations arising from any review of a report of the Local Government and Social Care Ombudsman as required following any Cabinet referral (Remove – Approving payments or providing other benefits in cases of maladministration as required)

2.5 Responsibility for Council (Non-Executive) Functions Part XXX Appeals Panel – Terms of Reference

2.5.1 Add a requirement to the Non Executive functions for the mandatory training and refresher training for all Members sitting on the Appeals panel as per Planning and Licensing requirements.

3. Implications for the Council

3.1 Working with People N/A

3.2 **Working with Partners**
N/A

3.3 **Place Based Working**
N/A

3.4 **Climate Change and Air Quality**
N/A

3.5 **Improving outcomes for children**
N/A

3.6 **Financial Implications for the People Living or Working in Kirklees**
N/A

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

Regular review of the Constitution will ensure that Kirklees Council is operating lawfully and will also aim to identify any areas where there may be ambiguity with a view to providing clarity.

4. Consultees and their opinions

4.1 The Constitution Working Group has considered the proposed amendments to the Council Procedure Rules and provided feedback which has informed a number of the changes.

5. Next steps and timelines

5.1 Any amendments recommended by this Committee will need to be considered by Council and a report to Council will be prepared.

5.2 Any changes to the Constitution agreed by Council will then be put into place.

6. Officer recommendations and reasons

6.1 That members approve the proposed amendments to the Constitution.

6.2 That members note the work of the cross-party Constitution Working Group

7. Cabinet portfolio holder's recommendations

N/A

8. Contact officers

David Stickley
Principal Lawyer
david.stickley@kirklees.gov.uk
01484 221000

Samantha Lawton
Service Director – Legal, Governance and Commissioning
01484 221000

9. **Background Papers and History of Decisions**

N/A

10. **APPENDICES**

Appendix A – Monitoring Officer amendments under delegations

Appendix B – Councillor Safeguarding Protocol

Appendix C – Council Procedure Rules

Appendix D – Protocol for speaking at Planning Committee

Appendix E – Corporate Governance and Audit Committee – Terms of Reference

11. **Service Director responsible**

Samantha Lawton

Service Director – Legal, Governance and Commissioning

01484 221000

Samantha.lawton@kirklees.gov.uk

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Dates of Council Meetings – 2026/2027 Municipal Year (Reference from Corporate Governance and Audit Committee)

Meeting:	Council
Date:	11 March 2026
Cabinet Member:	Not applicable (Non executive decision)
Key Decision: Eligible for Call In:	No No
Purpose of Report	
To determine dates and times for Meetings of Council for the 2026/2027 Municipal Year.	
Recommendation – That the schedule of Council Meetings for the 2026/2027 Municipal Year be approved.	
Reasons for Recommendation – To enable the scheduling of forthcoming meetings of Council. The report was considered at the meeting of Council on 30 January 2026 and is submitted to Council with a recommendation of approval.	
Resource Implications: The overall cost of facilitating Council meetings is met from within existing resource/budget. Any additional meetings of Council incur an approximate additional cost of £1100 per meeting.	
Date signed off by <u>Strategic Director</u> & name	Rachel Spencer Henshall 5.1.26
Is it also signed off by the Service Director for Finance?	Not applicable
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Samantha Lawton 9.1.26

Electoral wards affected: Not applicable

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? Not applicable

1. Executive Summary

Council Procedure Rule 2 (1) advises that the dates of ordinary Council Meetings in each Municipal Year will be determined by the Council following recommendations made by the Corporate Governance and Audit Committee.

Council Procedure Rule 5(1) states that there shall be two types of Ordinary meeting of the Council, one which focuses on Holding the Executive to Account, and the other for Key Discussions. No less than four ordinary meetings must be designated as Holding the Executive to Account. Council Procedure Rule 5(6) sets out the requirement that the Elected Mayor of West Yorkshire Combined Authority shall attend at least one meeting each municipal year.

The following dates/times are proposed, with all meetings commencing at 5.30pm.

The meeting of Annual Council, scheduled for Wednesday 26 May 2027, will commence (with a civic ceremony) at 12.30pm. (The agreed scheduled meeting of Annual Council for 2026 will take place on 20 May 2026)

Date	Council Meeting
2026	
Wednesday 15 th July	Holding Executive to Account
Wednesday 16 th September	Key Discussion
Wednesday 21 st October	Holding Executive to Account
Wednesday 18 th November	Key Discussion
Wednesday 16 th December	Holding Executive to Account
2027	
Wednesday 20 th January	Key Discussion
Wednesday 24 th February	Budget Council
Wednesday 17 th March	Holding Executive to Account
Wednesday 26 th May	Annual Council

2. Information required to take a decision

Not applicable

3. Implications for the Council

- 3.1 **Council Plan – Not applicable**
- 3.2 **Financial implications –** The cost of facilitating each Council meeting is approximately £1100.
- 3.3 **Legal implications – Not applicable**
- 3.4 **Other (eg Risk, Integrated Impact Assessment or Human Resources)**
4. **Consultation – Group Leaders have been advised of the proposed dates.**
5. **Engagement – Not applicable**
6. **Options**
 - 6.1 **Options considered – Not applicable**
 - 6.2 **Reasons for recommended option - Not applicable**
7. **Next steps and timelines –** Subject to approval by Council, the proposed dates will be confirmed for the 2026/2027 Municipal Diary.
8. **Contact officer – Leigh Webb, Head of Governance**
9. **Background Papers and History of Decisions – Not applicable**
10. **Appendices – Not applicable**
11. **Service Director responsible – Samantha Lawton (Service Director – Legal, Governance and Commissioning)**

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Cooper Bridge Improvement Scheme – Acceptance of delegated non-executive functions from Calderdale MBC to Kirklees MBC (Reference from Strategic Planning Committee)

Meeting	Council
Date	11th March 2026
Cabinet Member	Cllr Crook
Key Decision Eligible for Call In	No Yes
<p>Purpose of Report: The purpose of this report is to seek Council approval for non-executive powers which have been delegated by Calderdale Council (CMBC) to Kirklees Council (KMBC) (the Authorities) to enable the delivery of the A62 to Cooper Bridge Corridor Improvement Scheme (the Scheme). The specific powers KMBC require to deliver the Scheme within the administrative areas of both Authorities are within the Town and Country Planning Act 1990 (TCPA 1990) and the Highways Act 1980 (HA 1980). This report relates solely to the delegation of functions and powers within those Acts deemed to be ‘non-executive powers’. Subject to Full Council’s approval, the Authorities have agreed to enter into a legal agreement (the Agreement) to effect the delegation.</p>	
<p>Recommendations:</p> <p>A report went to the Strategic Planning Committee on 10th February, where the delegation of powers was noted. Following this, it is recommended that Council:</p> <ol style="list-style-type: none"> 1. Note the contents of this report and the attached appendices which include: Appendix A: Executive and non-executive functions Appendix B: Preferred option Appendix C: Cabinet Report (January 2024) 2. Provide approval for KMBC to accept the delegation by CMBC of all necessary non-executive powers and functions under the TCPA 1990 and the HA 1980 necessary to deliver the Scheme. 3. Delegate authority to the Executive Director for Place, in consultation with the Service Director for Legal, Governance & Commissioning and the Portfolio Holder for Transport, to negotiate and agree the terms of the Agreement with CMBC to enable the delegation of the non-executive powers and functions under the TCPA 1990 and the HA 1980 set out in Appendix A. 4. Delegate authority to the Service Director for Legal, Governance & Commissioning to seal and complete the Agreement and enter into any and all additional legal documents necessary to accept the delegation of the specific non-executive powers and functions under the TCPA 1990 and the HA 1980 as set out in Appendix A. 5. Delegate authority to the Executive Director for Place, in consultation with the Cabinet Member for Transport & Housing and the Service Director for Legal, Governance & Commissioning, to 	

accept the delegation of any specific additional non-executive powers or functions not listed at Appendix A from CMBC should such powers or functions become necessary to enable KMBC to deliver the Scheme and to negotiate and agree the terms of any additional legal agreement required to effect the delegation of non-executive powers or functions.

6. Delegate authority to the Service Director for Legal, Governance & Commissioning to seal and complete any supplemental or additional legal agreement or legal documents necessary to accept the delegation pursuant to the recommendation 5, above.

Reasons for Recommendations

To enable KMBC to determine the planning application for both KMBC and CMBC and subsequently monitor the implementation of the planning permission for the Scheme in its entirety within both Authority's land, in a lawful manner, KMBC requires particular non-executive powers and functions to be delegated from CMBC.

As discussed later within this report, having considered the options available to deliver the Scheme in an efficient and timely manner, both Authorities agree that it will be more efficient for KMBC to determine a single planning application for the entirety of the Scheme, despite it falling within both Authorities' boundaries. If Full Council do not accept the delegation of non-executive functions, there would remain a significant risk of the Authorities taking inconsistent approaches when determining the planning application and discharging its conditions, which is likely to lead to confusion for both public stakeholders and officers of each Authority and result in consequent delays. The associated risks are detailed within Section 3.5.

A separate report is being taken to Cabinet in relation to approving the acceptance of executive functions being delegated by CMBC to KMBC, and Members can review these executive functions in Appendix A for information purposes if necessary. In summary, they relate to executive functions under the TCPA 1990, HA 1980 and Road Traffic Regulation Act 1984.

Resource Implication:

KMBC are the lead Council for the Scheme and responsible for progressing the various stages in the process, including preparing the business case, the joint planning application and the design, securing funding and managing all associated costs.

The additional resources required for the delegation of non-executive powers from CMBC to KMBC includes time spent by the Authorities in appointing and instructing external solicitors for the provision of legal advice and the drafting and negotiation of the Agreement. KMBC will cover CMBC's professional costs in connection with negotiation and completion of the Agreement.

It should also be noted that the Scheme will fully be funded up to a defined amount by WYCA. If the costs of the Scheme exceed this defined amount, there is a risk that WYCA will not fund the shortfall. As KMBC are the contracting party with WYCA, the financial risk falls entirely to KMBC. However, there are measures in place to ensure the risk of exceeding the funding allocation is minimised through the use of Early Contractor Involvement (ECI) and the WYCA assurance process (see Figure 3) as detailed within the Financial Implications section of this report (section 3.2).

Date signed off by Executive Director & name

David Shepherd – 10.02.26

<p>Is it also signed off by the Service Director for Finance?</p>	<p>Kevin Mulvaney – 10.02.26</p>
<p>Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?</p>	<p>Samantha Lawton – 10.02.26</p>

Electoral wards affected:
Liversedge and Gomersal, Mirfield and Ashbrow.

Ward councillors consulted:
Ward Councillors have been consulted at previous stages of the Scheme during November and December 2024.

Public or private
Public.

Has GDPR been considered?
This report contains no information that is considered as being personal data nor does it identify any individuals.

1. Executive Summary

It is intended that the delivery of the Scheme will provide highway benefits by improving bus journey times and reliability, supporting future bus franchising, in alignment with regional growth priorities and WYCA’s LTP4 ambitions for a more efficient, sustainable transport network. The successful delivery of the Scheme will also unlock new housing and employment land in accordance with KMBC’s Local Plan. The Scheme’s extent (Figure 1 below) spans the administrative boundaries of both Authorities.

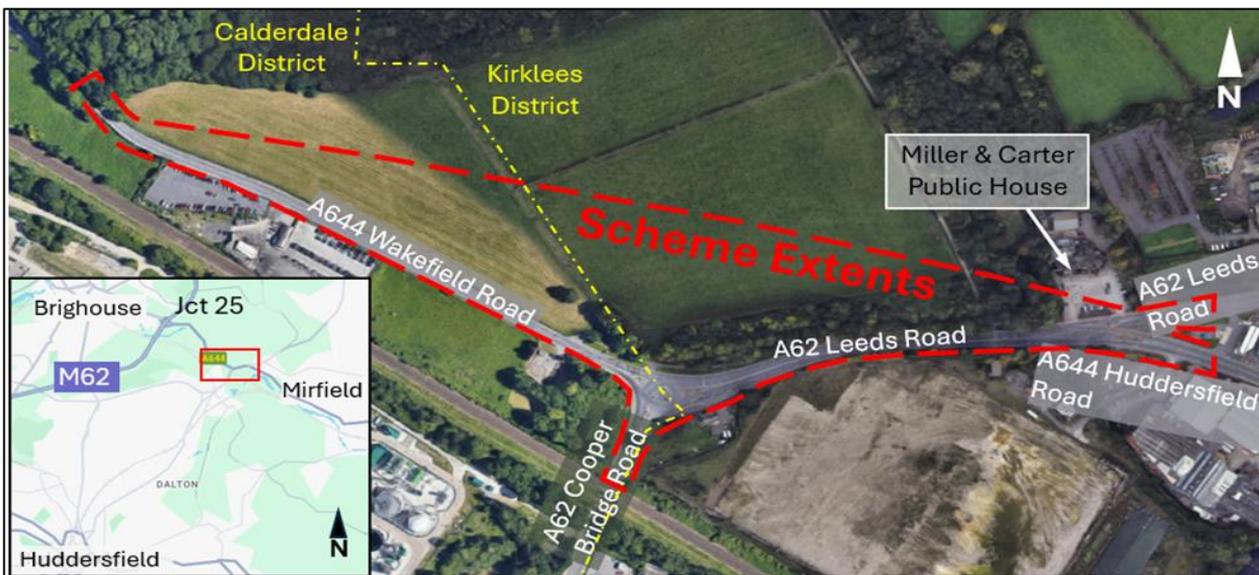


Figure 1: Scheme extent

Although the Scheme is jointly promoted by KMBC, CMBC and WYCA, the majority of the Scheme lies within KMBC’s administrative area and, as such, is led by KMBC. The Authorities have agreed in principle, subject to the necessary delegation of powers, that KMBC shall have

the ability to determine the planning application, implement the planning consent and monitor compliance with its conditions or obligations within its own and CMBC's boundaries.

The non-executive powers to be delegated by CMBC to KMBC are limited to specific powers within the TCPA 1990 and the HA 1980 and limited to those powers required to deliver the Scheme. Following the delegation of the requisite powers and functions, KMBC may only exercise those powers within the defined boundary of the Scheme permitted by the planning consent.

The delegation of powers is affected by the Authorities entering into the Agreement. The Authorities have agreed many of the principles of the Agreement and are in the process of finalising Heads of Terms (HOTs) capturing these. The HOTs shall then inform the drafting of the Agreement.

This report relates solely to the delegation of non-executive functions from CMBC to KMBC under the HA 1980 and the TCPA 1990. The receipt of such powers will enable KMBC to prepare a single planning application rather than separate applications to each Authority. KMBC will be able to determine the planning application for the entirety of the Scheme, acting as the local planning authority for both Authorities by using the powers delegated to it by CMBC to do so. A full list of the specific non-executive powers is set out at Appendix A, alongside the executive ones that will be decided upon by Cabinet.

Due to the Full Council's status as a non-executive body, it may only make decisions concerning the non-executive functions of KMBC. A separate report will therefore be submitted to Cabinet in respect of decisions concerning the delegation of those executive functions required to deliver the Scheme.

It should be noted a report went to the Strategic Planning Committee on 10th February, and the delegation of powers was noted. It is now the Full Council's decision if the transfer of non-executive functions from KMBC to CMBC in accordance with Appendix A is to be approved.

2. Information required to take a decision

Background

The existing A62/A644 Cooper Bridge junction operates as a signalised three arm roundabout linking the A62 Cooper Bridge Road to the south, the A644 Wakefield Road to the west, and the A62 Leeds Road to the east. The junction forms one of the busiest corridors in the district and currently experiences significant congestion during both morning and evening peak periods, contributing to slow journey times and poor air quality. The area is constrained, with protected trees located to the north and several key transport structures, including railway, river, and canal bridges, immediately to the south.

To achieve the Schemes objectives the proposed improvements are to:

- Increase the junction's capacity and improve traffic flow for all vehicles through targeted highway upgrades and optimised signal timings to help relieve congestion and improve journey time reliability.
- Deliver segregated cycling infrastructure around the Cooper Bridge junction to encourage safer and more attractive active travel options.
- Improve walking and shared use routes by upgrading footways and providing enhanced pedestrian and cyclist environments.

- Introduce new and improved signal-controlled crossings to support safer and more accessible movements for both pedestrians and cyclists throughout the junction area
- Contribute to public transport improvements across the wider corridor.

Further detail on the preferred option for the improvements is provided in Appendix B.

These improvements will require additional land in third party ownership to the north of the existing highway boundary. KMBC are negotiating with landowners to purchase this land by agreement. The land requirements are highlighted within Figure 2 and include:

- Land 1: land in third party ownership which crosses the CMBC and KMBC administrative area boundary line.
- Lands 2, 3 and 4: land in third party ownership which is wholly within the KMBC boundary.



Figure 2: Landownership plan

The Scheme will be subject to the grant of planning permission for the Scheme. The planning application is being prepared by and will be submitted on behalf of KMBC. The Authorities agree (subject to obtaining the necessary Cabinet and Full Council approvals) that KMBC shall then determine the application, grant the planning consent, if minded to do so, and then implement and monitor the Scheme within both Authority's areas.

Cost Breakdown

The Scheme is projected to cost in the region of £53.5 million which shall be funded by WYCA. KMBC is the lead Authority and therefore shall incur the costs associated with the delivery of each element of the Scheme, from start to finish. In addition to the costs associated with the preparation of the planning application, KMBC has met the cost of preparing the business case to secure funding, designing the Scheme, carrying out stakeholder and public consultations and negotiating the sale of land required for the Scheme currently in third party ownership. KMBC will meet all future costs associated with the determination of the planning application and monitoring its implementation.

The Scheme is currently at the Outline Business Case (OBC) stage (Activity 3) of the WYCA Assurance process (see Figure 3).

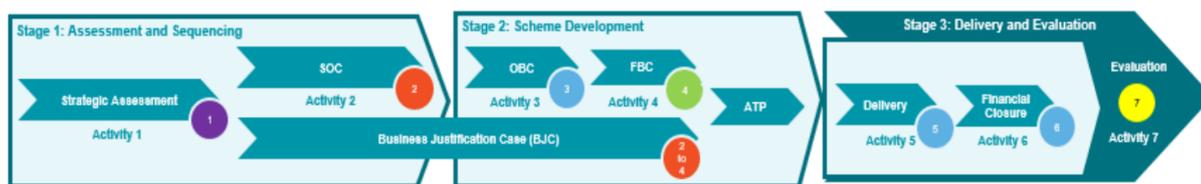


Figure 3: Overview of the WYCA assurance process

The costs associated with the delegation of the required non-executive powers detailed in this report are included within the overall cost of the Scheme. The costs associated with the lawful delegation of powers and functions from CMBC to KMBC include the cost of officer time, of appointing and instructing external solicitors for the provision of legal advice and for the drafting and negotiation of the HOTs and the Agreement. KMBC will also cover CMBC's professional costs in connection with the Agreement.

Timescales

CMBC have received approval from the Full Council and Cabinet to delegate executive and non-executive powers to KMBC. Subject to receiving KMBC's Cabinet and Full Council approvals to accept executive and non-executive functions the Scheme shall be progressed in accordance with the following timeline:

- Consultation: Summer 2026
- Submission of planning application: Autumn 2026
- Approval to proceed to Full Business Case: Early 2027
- Construction: Early 2028 to late 2029 (subject to WYCA approval through the assurance process – see Figure 3 above).

Expected impacts, outcomes, benefits and risk management

As highlighted within Section 6, two options have been considered.

- Option one proposed the delivery of the Scheme without a delegation of functions to KMBC.
- Option two proposed the delivery of the Scheme following the delegation of functions to KMBC.

Option two was determined to be the most effective and efficient use of public funds and allowed the delivery of the Scheme in an expedient manner. It is anticipated that option two would avoid the duplication of both work and costs by the Authorities, reduce any confusion as to which Authority is responsible for discrete elements or phases of the Scheme and remove any inconsistency of approach between the two Authorities. It would provide reassurance to the residents of both Authorities, WYCA and the third-party landowners that the Scheme can be delivered (or the Secretary of State in the event a compulsory purchase of land is required).

Risks associated with the delegation of the non-executive powers have been highlighted within Section 3.5 of this report. All associated risks have been logged within the risk register and all risks will be managed by KMBC.

The risks of the Scheme are captured, assessed and reported upon on a continual basis. The topic of 'Risk' is a standing agenda item at all Cooper Bridge Board meetings, which take place at six weekly intervals and are chaired by the Service Director for Skills and Regeneration for KMBC and attended by KMBC's Head of Risk, who sits as a board member. Reassurance should be taken from the continuous monitoring and reporting of risks to the board, which enables risks to be addressed, and mitigated where possible, at an early stage.

Services and agencies involved

The Scheme is a complex, multi-disciplinary project involving a number of KMBC's services and the appointment of external professional and construction services from the following:

- KMBC Major Projects
- KMBC Highways
- KMBC Legal
- Professional external consultants from disciplines such as planning, land strategy and acquisition, surveying and legal.

CMBC officers attend the Cooper Bridge Board meetings and have been involved in reviewing and approving designs produced by the lead designers at KMBC.

Should Full Council decide not to approve KMBC's acceptance of the delegation of the non-executive functions from CMBC, there could be an appreciable impact upon the agreed timeline for the delivery of the Scheme. Should the required non-executive functions not be delegated to KMBC, CMBC would be required to play a far greater role and incur additional time and costs. CMBC would also need to provide additional resources to carry out its statutory functions. Without the benefit of non-executive powers being delegated to KMBC, the delivery of the Scheme would be far more complex and risk being delayed, which may also affect its funding by WYCA.

3. Implications for the Council

Approval by Full Council of KMBC's acceptance of the delegation of non-executive powers from CMBC would allow for the most cost effective and efficient delivery of the entire Scheme by KMBC in both Authorities' administrative areas.

The delivery of the Scheme will support the objectives for development and infrastructure set out in KMBC's adopted Local Plan, which is currently being revised and updated, including the target of delivering 31,140 new homes during the current Local Plan period. This is highlighted within Figure 4 and 5 below which shows Cooper Bridges location in relation to KMBC's site allocation within the Local Plan and a table showing the location and size of the site allocations near Cooper Bridge.

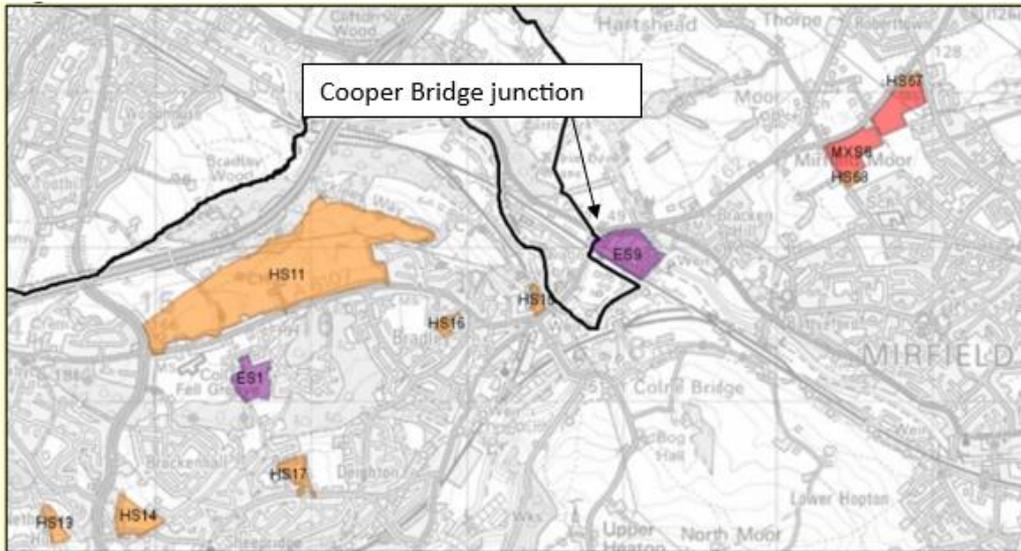


Figure 4: Site allocation map within the Local Plan

Ref:	Site Description	Size & Site Allocation
ES9	Site of former Cooper Bridge Waste Water Treatment Works	8.49 hectares 14,910m ² employment space
ES1	Land south of Bradley Business Park, Dyson Wood Park, Bradley	4.76 hectares 15,155m ² employment space
HS11	Land north of Bradley Road, Bradley	68.32 hectares Housing capacity 1,958No.
H16	Land south of St Thomas Gardens, Bradley	0.95 hectares Housing capacity 18No.
H10	Land west of Lower Quarry Road, Bradley	0.87 hectares Housing capacity 30No.
MXS6	Land at Slipper Lane, Leeds Road	12.26 hectares mixed use 21,528m ² employment space and 166No. housing capacity
HS67	Former allotments, Leeds Road, Mirfield	0.65 hectares Housing capacity 22No
HS68	Land to the east of Slipper Lane, Mirfield	0.69 hectares Housing Capacity 21No

Figure 5: Table showing site allocation within the Local Plan

The Local Plan references Cooper Bridge within Allocations and Designation document, Policy Site TS1- A62:

‘Improved access to the M62 will provide wider connectivity improvements. The Scheme also supports employment growth in the Cooper Bridge area and general development growth along Leeds Road corridor by providing better access to and from existing and new housing in Huddersfield, Dewsbury, North Kirklees and parts of Calderdale, in particularly South Dewsbury and Bradley’.

Without Full Council approval for the acceptance of the delegation of the non-executive powers set out at Appendix A from CMBC to KMBC, the deliverability of the Scheme would be compromised. This would further impact KMBC’s ability to achieve the objectives of its adopted Local Plan.

3.1 Council Plan

The A62 Cooper Bridge junction is the primary link between Huddersfield and North Kirklees as well as linking Huddersfield with Leeds (via the M62). Current and future congestion and its impact at Cooper Bridge, as well as the relatively poor public transport services result in a significant

constraint in the labour market, future job opportunities and capacity to facilitate the transformational growth opportunities identified in the Local Plan. Delivery of the Cooper Bridge Scheme will facilitate transformational growth and in doing so support the Council Plan.

The Scheme supports Council Plan priorities such as promoting sustainable and inclusive economic growth and development and delivering an effective road network.

Without the delegation of non-executive powers from CMBC to KMBC, delivering the Scheme and the associated objectives of the Local Plan will be more difficult.

3.2 Financial Implications

Without Full Council approval for the acceptance of the delegation of non-executive powers from CMBC to KMBC both Authorities would need to progress and implement the Scheme within their own land. Both Authorities would have to resource for procuring contractors and professional services, resulting in additional costs and a less efficient use of public funds. In addition to the risk of cost escalation, this approach may risk uncertainty or inconsistencies in timings due to potential delays in the Authorities being able to resource the additional work required.

It should be noted that this Scheme is funded by WYCA under a contract with KMBC alone. The Scheme does not currently include any requirement for borrowing. Should Scheme costs escalate and exceed the funding allocation there is no guarantee that WYCA would fund any shortfall.

Various measures are in place to ensure the risk of exceeding the funding allocation is minimised. This includes:

- The appointment of Early Contractor Involvement at the Outline Business Case stage to provide a greater level of cost assurance during the development phase which minimises the chance of high-cost fluctuations.
- The business case is subject to the WYCA assurance framework (see Figure 3). This ensures that if any cost shortfalls are identified they can be reviewed at the Gateways.

3.3 Legal Implications

The relevant legal provisions regarding delegation of functions between local authorities are Section 101 of the Local Government Act 1972 and Section 9EA of the Local Government Act 2000 (LGA 2000).

When dealing with the issue of delegation of functions between local authorities, it is important to distinguish which of the functions to be delegated are executive functions (i.e. responsibility of Cabinet) and which are non-executive functions (i.e. responsibility of Full Council). In this regard, Section 9D of the LGA 2000 and the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (the 2000 Regulations) provide clarity on this point. The 2000 Regulations set out a list of powers which cannot be executive functions and provide that, as a starting point, any function which is not expressly set out in the 2000 Regulations as a non-executive function can (subject to a small number of exceptions) be considered as an executive function.

The Parts and Sections of the legislation set out at Appendix A of this report have been considered against the provisions of Section 9D of the LGA 2000 and the 2000 Regulations to ascertain the classification of each power or function. This ensures that the delegation of such functions is subject to the proper scrutiny and approval of the appropriate committees and persons within the Authorities (i.e. Cabinet or Full Council).

Depending on the terms of the Agreement it might also be necessary to utilise the powers under Section 8 of the HA 1980. This section empowers local highway authorities to enter into a legal agreement to carry out works upon another local highway authority’s highway. Each of the Authorities is a local highway authority.

Article 11.4(a) of CMBC’s Constitution, which provides for delegation of non-executive functions to other local authorities, permits CMBC to delegate all non-executive functions set out in Appendix A to KMBC. Article 11.4(c) of KMBC’s Constitution enables KMBC to accept the delegation of non-executive functions from another local authority.

3.4 Climate Change and Air Quality

A Full Council decision to approve the acceptance of the delegation of non-executive functions would not have a direct impact on climate change and air quality.

3.5 Risk, Integrated Impact Assessment (IIA) or Human Resources

Risk

The non-executive functions delegated from CMBC to KMBC will enable KMBC to deliver the Scheme. Discrete activities KMBC must undertake include designing the Scheme, undertaking surveys, submitting the planning application, discharging planning conditions, progressing the business case through the WYCA assurance process, procurement for construction, overseeing construction, managing finance and monitoring compliance with ongoing planning obligations and conditions, for example. Some of which are executive and others non-executive decisions.

Should the Agreement not be entered into by the Authorities and all non-executive functions not be delegated to KMBC, the Scheme would not be deliverable without significant additional resources required.

As KMBC is the contracting party it will be taking any financial risks associated with the project. It should also be noted that the Scheme will fully be funded by WYCA from a defined amount. If the project should exceed the defined amount, then there is a significant risk that WYCA will not fund the shortfall. However, this risk has largely been mitigated against as explained in section 3.2 Financial Implications.

High level risks associated with not delegating non-executive functions for the Scheme are summarised within Figure 6.

Figure 6: Risk assessment

Category	Risk	Impact	RAG
Planning	Two separate applications will have to be submitted to each authority with CMBC and KMBC both being the determining authorities	Additional resources required to submit two planning applications.	Green
Planning	Two separate applications will have to be submitted to each authority with CMBC and KMBC both being the determining authorities	Could lead to public and stakeholder confusion on who is responsible for progressing discret elements or phases of the scheme.	Green
Planning	Two separate applications will have to be submitted to each authority with CMBC and KMBC both being the determining authorities	Could lead to delays to achieving planning consent. This is due to two separate authorities determining the respective planning applications.	Green
Planning	Two separate applications will have to be submitted to each authority with CMBC and KMBC both being the determining authorities	May result in slightly different requirements to discharge the associated planning conditions from each authority. This will require additional resources and add complexities to the process.	Green

Integrated Impact Assessment

The decision for KMBC to accept delegated non-executive powers and functions from CMBC has no impact on protected characteristic groups as defined in the Public Sector Equality Duty, under the Equality Impact Act 2010. As such an IIA has not been included with this report.

4 Consultation

There has been no public or external stakeholder consultation in respect of the delegation of non-executive functions from CMBC to KMBC. The decision would have no direct impact on the public or external stakeholders and is an agreement between CMBC and KMBC.

The previous iteration of the scheme was subject to two public engagement exercises the first being in 2019 and the second 2021. However, in September 2024 there was a change request approval to phase the works with the funding being reduced from £75.1m to £53.5m.

As part of the reduced scope three designs were put forwards which included option A (roundabout), option B (gyratory) and option C (T-junction). From 28 October to 8 December 2024 these three options were consulted on with the consultation being hosted on the YourVoice webpage ([A62 to Cooper Bridge Corridor Improvement Scheme - second consultation | Your Voice](#)). The consultation also included two face-to-face events held at Battyeford Sporting Club on 13th and 19th November 2024.

During the consultation period 1,725 visits were made to the YourVoice page and 123 survey responses were submitted. The consultation outcome report concluded that there was support for each of the three options.

In addition to the public consultation two stakeholder workshops were held which helped inform the optioneering process. The workshops were held on 28th October 2024 and 11th December 2024.

The feedback received from the 2024 public consultation and stakeholder engagement was used as part of a sifting exercise to help determine the preferred option. The preferred option is presented as Appendix B.

A further consultation is planned summer 2026 on the preferred option (Appendix B). The consultation is a requirement for a planning application which will be submitted later in 2026.

5 Engagement

There has been no wider stakeholder engagement in respect of the delegation of non-executive functions from CMBC to KMBC, as the decision is an operational matter between CMBC and KMBC

As highlighted previously, public consultation and stakeholder engagement were undertaken most recently in 2024, with the stakeholder engagement element occurring over two workshops on the 28th October 2024 and 11th December 2024. The feedback was used as part of a sifting exercise to help determine the preferred option. The preferred option is presented as Appendix B.

6 Options

6.1 Options Considered

Two options for the delivery of the Scheme were considered:

- Option 1: KMBC Major Projects Service, being the applicant, shall submit separate and distinct planning applications to each Authority, each planning application limited to development on the determining authority's land. Each Authority may determine the planning application for that part of the Scheme within its boundary and subsequently determine applications for the discharge of planning conditions and be responsible for the monitoring of ongoing conditions and any planning obligations.
- Option 2: pursuant to all necessary powers and functions being delegated to them by CMBC, KMBC would determine one planning application for the entirety of the Scheme as it falls within both Authorities' boundaries. It would subsequently determine applications for the discharge of planning conditions and be responsible for the monitoring of ongoing conditions and any planning obligations. CMBC would remain involved in a supporting role and as a statutory consultee.

6.2 Reasons for recommended Option

Option 1 was considered and dismissed. KMBC intend to deliver the Scheme in an efficient, cohesive and expedient manner using grant funding (of which KMBC is the sole recipient), to meet only those costs reasonably and properly incurred. The risk of duplication of work and consequent increased cost is high and further may lead to the confusion of stakeholders and residents of each Authority in respect of consultation and engagement. In addition to the potential increased cost, this approach may risk delay due to lack of resources available, uncertainty or inconsistencies in decision making, planning judgment or timing which would risk the Scheme not being delivered in its entirety or only being part built within one Authority's land.

Option 2 was determined to be the most efficient use of public funds and the most expedient way the Scheme could be consented. It would reduce the burden to CMBC of resourcing the time and cost of playing a substantial role. A single planning application to a single determining Authority would avoid duplication of work, and, broadly, halve the number of internal governance requirements, decisions to be made at committee and procedural steps to be taken, which then lowers the risk of delays stemming from postponed committees or the availability of persons with authority to make decisions.

A single planning consent and one set of planning conditions provides clarity and ease of understanding to the public and stakeholders as to the nature of the development consented, the limitations imposed through planning conditions and the way in which the impact of the development is mitigated through any planning obligations. It would reduce any public or stakeholder confusion as to which Authority is responsible for consenting or monitoring discrete elements or phases of the Scheme. This option would also remove any inconsistency of approach between the two Authorities, providing reassurance to the residents of both Authorities, WYCA and third-party landowners the Scheme can be delivered.

6 Next steps and timelines

Should the delegation and acceptance of both executive and non-executive functions from CMBC to KMBC be approved by Cabinet and Full Council, the Authorities shall progress the drafting,

negotiation and completion of the Agreement, subject to the terms of the Agreement being approved by the respective Executive Directors for each Authority.

The report went to the Strategic Planning Committee on 10/02/26 for information and has now progressed to Full Council. It will be the decision of Full Council to consider approval to accept the delegation of non-executive functions under the TCPA 1990 and the HA 1980 which are required to deliver the Scheme

A separate Cabinet Report has been submitted to cover the executive functions and will be considered on 24 March 2026. The approval to accept the delegation of executive functions are under the TCPA 1990, the HA 1980 and the Road Traffic Regulation Act 1984 which are required to deliver the Scheme. For clarity, as the Cabinet decision relates to separate powers and functions, it does not need to be considered before Full Council consider this report.

CMBC Cabinet decision to cover executive functions was 09/02/26, and CMBC Full Council decision for non-executive powers was 11/02/26 – where the transfer of powers was approved. As a result, CMBC has received approval to delegate executive and non-executive powers to KMBC.

Subject to KMBC Cabinet and Full Council approval to accept the delegation of executive and non-executive functions (as listed in Appendix A) the following timelines apply:

- Submission of planning application: Autumn 2026
- Approval to proceed to Full Business Case: Early 2027
- Construction: Early 2028 to late 2029 (subject to relevant approvals).

8 Contact officer

Farhad Rahman, Project Manager, Major Projects
Ilyas Ramjan, Head of Major Projects

9 Background Papers and History of Decisions

Cabinet report 23 January 2024 has been attached (Appendix C). The key decisions the Cabinet report approves include:

- To phase Cooper Bridge Scheme due to escalating cost. The report states '*to make Phase 1 the Coper Bridge roundabout element only. Subsequent phases could then look to address widening under the rail bridge and improvements to Bradley junction at a later date if traffic modelling demonstrated the need still existed and other funding sources were available*'.
- To allocate £53.5m to Cooper Bridge Phase 1. The previous allocation from the WYTF programme was £75.1m. The difference is to be allocated to other projects within the WYTF which had a shortfall.

10 Appendices

Appendix A: Executive and non-executive functions

Appendix B: Preferred option

Appendix C: Cabinet Report 23 January 2024 (error with the date on the Cabinet Report)

11 Service Director responsible

David Wildman, Service Director for Skills & Regeneration.

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Act	Parts of Act	Sections within Part	Sections of Parts containing Executive Powers	Sections of Parts containing Non-Executive Powers
Town and Country Planning Act 1990	Part III (Control over development)	Ss 55 to 106D	<i>All sections between Ss 55 to 106D (inclusive) not listed in next column</i>	S59A(1)(b) S69 S70(1)(a) S70(1)(b) S70A S72 S73 S73A S76 S92 S94(2) S102 S106
	Part VI (Blight)	Ss 137 to 171	<i>All sections</i>	
	Part VII (Enforcement)	Ss 171A to 196E	<i>All sections between Ss 171A to 196E (inclusive) not listed in next column</i>	S171C S171E S172 S183(1) S187A S187B S191(4) S192(2) S196A
	Part VIII (Special controls)	Ss 197 to 225E	<i>All sections between Ss 197 to 225E (inclusive) not listed in next column</i>	Ss 197-214D S215(1) S220
	Part IX (CPO powers)	Ss 226 to 246	<i>All sections</i>	
	Part X (Highways)		<i>All sections between Ss 247 to 261 (inclusive) not listed in next column</i>	S247 S257 S258
	Part XII (Validity)	Ss 284 to 292	<i>All sections</i>	
	Part XIV (Financial provisions)	Ss 303 to 314	<i>All sections</i>	
Highways Act 1980	Part I (Highway Authorities and agreements between	Ss 1 to 9	<i>All sections including specifically S8</i>	

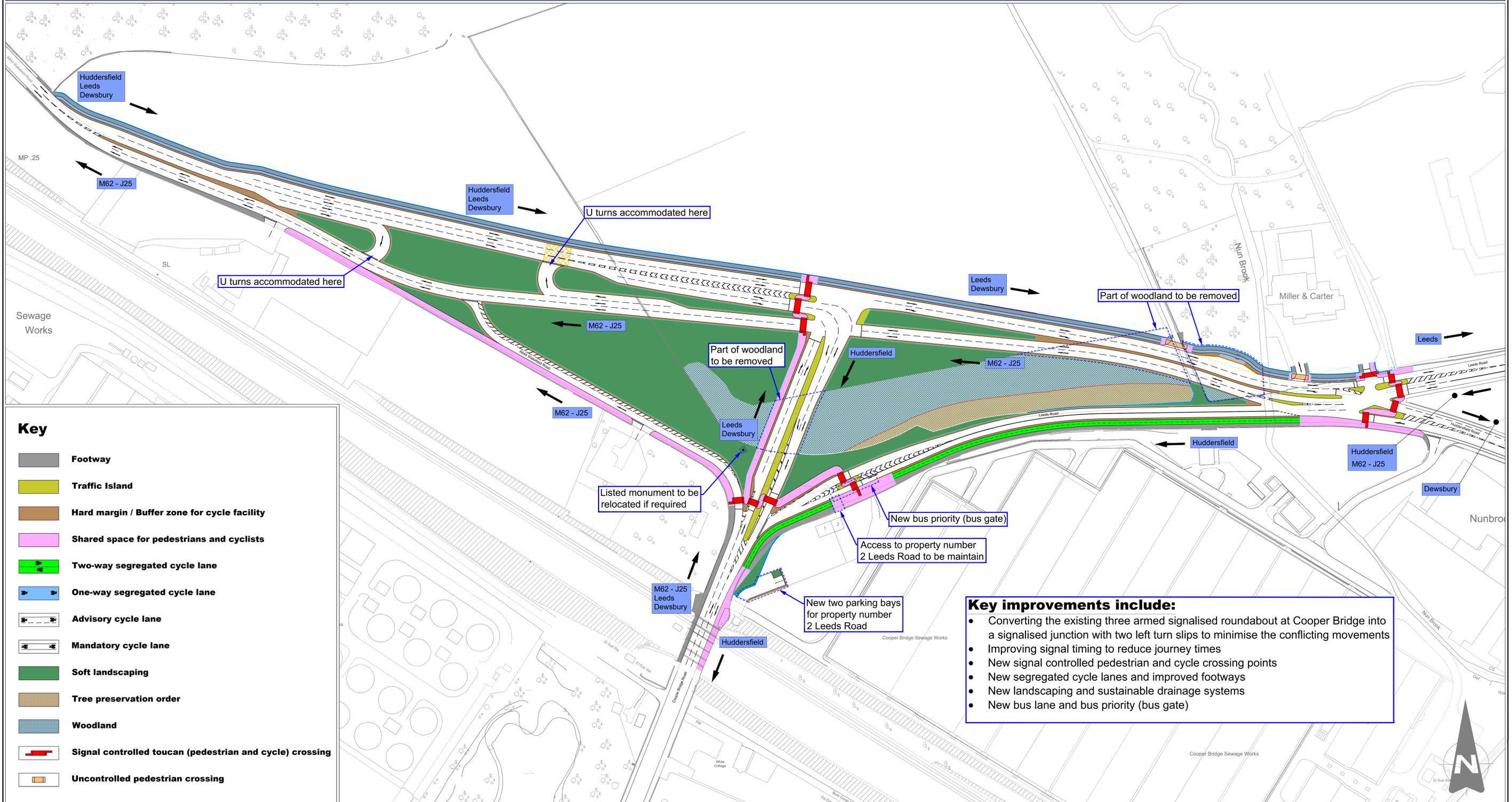
	Authorities)			
	Part III (Creation of highways)	Ss 24 to 35	<i>All sections between Ss 24 to 35 (inclusive) not listed in next column</i>	S25 S26 S31A
	Part IV (Maintenance of highways)	Ss 36 to 61	<i>All sections</i>	
	Part V (Improvement of Highways)	Ss 62 to 105.	<i>All sections</i>	
	Part VIII (Stopping up and diversion)	Sections 116-129	<i>All sections between Ss 116 to 129 (inclusive) not listed in next column</i>	S118 S118ZA S118C(2) S118A S118B S119 S119ZA S119C(4) S119A S119B S119C(3) S119D S121B S121C
	Part IX (Enforcement)	Ss 130 to 185	<i>All sections between Ss 130 to 185 (inclusive) not listed in next column</i>	S130 S130A S130B(7) S135 S135A S135B S139 S142 S147 S149 S169 S171 S172 S178 S179 S180
	Part XII (CPO powers)	Ss 238 to 272	<i>All sections</i>	
	Part XIII (Financial Provisions)	Ss 272 to 281A	<i>All sections save for section 278 which is</i>	Section 278 if so deemed by

			specified as being a function which can be an executive function but need not be	Authority
	Part XIV (Miscellaneous)	Ss 282 to 345	<i>All sections</i>	
Road Traffic Regulation Act 1984	All parts	All sections	<i>All sections</i>	

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A62 - A644 Cooper Bridge Junction Improvement Scheme

Option - C (T - Junction Layout)



Developed and supported by:



Tracy Brabin
Mayor of West Yorkshire



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Name of meeting: Cabinet

Date: 23 January 2023

Title of report:

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

Purpose of report:

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

<p>Key Decision – A key decision is an executive decision to be made by Cabinet which is likely to result in Council spending or saving £500k or more per annum, or to have a significant positive or negative effect on communities living or working in an area compromising two or more electoral wards. Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.</p>	<p>Yes</p> <p>If yes give the reason why It involves a decision that will result in the Council spending over £500K and will effect more than 2 wards.</p>
<p>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u></p>	<p>Key Decision Yes</p> <p>Private Report/Private Appendix No</p>
<p>The Decision - Is it eligible for call in by Scrutiny?</p>	<p>Yes</p>
<p>Date signed off by <u>Strategic Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning?</p>	<p>David Shepherd 3rd January 2024</p> <p>Isabel Brittain</p> <p>Julie Muscroft 3rd January 2024</p>
<p>Cabinet member portfolio</p>	<p>Cllr Moses Crook</p>

Electoral wards affected:

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

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

Public or private: Public.

Has GDPR been considered? Yes.

1. Summary

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

2. Funding position

2.1 Summary of main funding streams

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

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

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

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

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

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

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

2.2. Kirklees WYTF and TCF/CRSTS Programme Overview

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

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

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

2.3 Previous Programme Reviews

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

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

The impacts for Kirklees at that time were as follows:

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

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

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

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

2.4 Current Funding Gaps

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

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

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

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

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

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

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

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

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

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

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

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

2.5 Proposed Funding Strategy; WYTF Programme

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

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

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

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

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

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

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

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

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

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

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

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

2.6 Proposed Funding Strategy for TCF/CRSTS Programme

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

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

2.7 Delivery; approvals sought

2.7.1 Holmfirth Town Centre Action Plan

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

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

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

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

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

2.7.2 Huddersfield Southern Corridors

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

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

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

3. Implications for the Council

3.1 Working with People

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

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

3.2 Working with Partners

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

3.3 Place Based Working

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

3.4 Climate Change and Air Quality

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

3.5 Improving outcomes for children

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

3.6 Financial Implications for the people living or working in Kirklees

None.

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

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

4 Consultation

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

5 Engagement

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

6 Risk

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

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

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

7 Next steps and timelines

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

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

8 Officer recommendations and reasons

Cabinet is requested to:

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

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

9 Cabinet Portfolio Holder's recommendations

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

10 Contact officer

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

11 Background Papers and History of Decisions

Appendix 1 – Summary Project Status (Live Schemes)

Appendix 2 – Cooper Bridge Phase 1 (concept layout)

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

Cabinet Report – 18 September 2018 Huddersfield Town Centre Works

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

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

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

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

Cabinet Report – 01 September 2020 Transforming Cities Fund Programme

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

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

Cabinet Report – 12 October 2021 A62 Cooper Bridge Improvement Scheme

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

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

12 Service Director responsible

Edward Highfield – Service Director, Skills and Regeneration



REPORT TITLE: Member Development Framework

Meeting:	Council
Date:	11 March 2026
Cabinet Member (if applicable)	Cllr Dad - Cabinet Member - Adult Social Care and Corporate
Key Decision Eligible for Call In	No No
<p>Purpose of Report This report sets out details of a draft Member Development Framework that seeks to support the development of all Councillors in Kirklees, providing them with the skills and knowledge to carry out their roles.</p>	
<p>Recommendations Council are asked to</p> <ol style="list-style-type: none"> 1. Approve the Member Development Framework set out at Appendix 1 2. Delegate authority for any minor amendments and consequential constitutional changes to the Code of Conduct or other relevant constitutional documents, incorporating reference to the Framework, to the Monitoring Officer. <p>Reasons for Recommendations Approving the Member Development Framework will ensure that all councillors are equipped with the skills, knowledge, and support needed to carry out their roles effectively.</p>	
<p>Resource Implications: There are no direct resource implications. The training and development opportunities included in the Framework will be met from within existing resources, requiring input from relevant departments as required</p>	
<p>Date signed off by <u>Executive Director</u> & name</p> <p>Is it also signed off by the Service Director for Finance?</p> <p>Is it also signed off by the Service Director for Legal Governance and Commissioning (Monitoring Officer)?</p>	<p>Rachel Spencer-Henshall – Deputy Chief Executive and Executive Director for Public Health and Corporate Resources</p> <p>Samantha Lawton – Service Director Legal & Commissioning</p>

Electoral wards affected: All

Ward councillors consulted: Group Leaders and individual independent Councillors were consulted on the draft scope of the Framework.

Public or private: Public

Has GDPR been considered? Not applicable

1. Executive Summary

1.1 The attached Member Development Framework (Appendix 1) has been drafted following a recommendation from the Corporate Peer Challenge. The Framework sets out our commitment to supporting Members with their continuous development, and details how we will equip Members with the skills and knowledge needed to fulfil their roles effectively.

2. Information required to take a decision

2.1 The Local Government Association (LGA) came to Kirklees Council in November 2024 to carry out a corporate peer challenge, which is a key part of the LGA's improvement and assurance framework and is required at least every five years. The LGA produced a feedback report which included a number of recommendations which were incorporated into an action plan which was agreed by Cabinet on 8th April. One recommendation related to the importance of the Council continuing to work at good governance across a range of issues including Member Development Programmes.

2.2 The Councillor Development Framework sets out Kirklees Council's approach to supporting the ongoing development and excellence of its elected councillors. The framework outlines a clear vision: to ensure all councillors have the skills, knowledge, and support needed to fulfil their roles effectively and to deliver the Council's strategic priorities. Developed in consultation with councillors, the framework is designed to be flexible and inclusive, offering a range of learning opportunities regardless of experience, seniority, or political affiliation.

2.3 Key elements include:

- **A robust induction programme** for councillors, ensuring they are well-prepared for their roles.
- **Ongoing training and development** covering core skills, committee responsibilities, compliance, and leadership.
- **Support for all councillors and the Mayor**, with training delivered through a mix of in-person, online, and partnership-based methods.
- **Commitment to inclusivity and accessibility**, ensuring all councillors can participate fully, with adjustments for different needs and learning styles.
- **Regular review and evaluation** of the framework to ensure it remains relevant and effective, with feedback mechanisms in place.

2.4 The framework also includes an illustrative schedule of development sessions for 2025–2026, covering induction, IT support, chairing skills, corporate parenting, service overviews, and social media training. This approach aims to equip councillors with the tools and confidence to serve their communities and contribute to the Council’s ambitions for Kirklees.

3. Implications for the Council

3.1 Council Plan

The Member Development Framework aligns closely to the Council Plan to ensure all activities contribute to delivery of key priorities to meet the needs of our diverse communities.

3.2 Financial Implications

None directly

3.3 Legal Implications

The Localism Act, 2011, requires the Council to have a Code of Conduct and a formal standards process in place. It is important for the Council to make sure that it complies with this obligation and ensures that elected members are both trained and supported in modelling good behaviours.

3.4 Climate Change and Air Quality

None directly

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

None directly

4. Consultation

Prior to drafting the Member Development Framework, consultation on the scope of the Framework was undertaken with all Group Leaders via individual in person sessions. Individual Independent Councillors were also contacted for views and input on the proposed scope along with Group Business Manager and the Standards Committee. Members were generally supportive of the proposed approach and whilst recognising the importance of ensuring all Members are equipped with the skills and knowledge to fulfil their duties, the responsibilities of individual Members and Groups within the process was also raised.

The draft Framework was submitted to the Overview and Scrutiny Committee for input and comment. The Committee welcomed the Framework and suggested that all Councillors be consulted rather than limiting to those referred to above. The Committee welcomed reference to the Member–Officer Protocol to help manage expectations and to support improved understanding of processes. It was acknowledged that the provision of detailed information on the purpose and remit of committees would assist those interested in sitting on specific committee.

5. Engagement

Subject to the Framework being approved by Council, engagement will take place with all Councillors to finalise a programme of events/sessions.

The Member Development Framework will be subject to ongoing engagement with Elected Members through regular evaluation and discussion with Member Champions, Group Business Managers and wider Councillors.

6. Options

6.1 Options considered

The option of not developing the Framework would have resulted in the Council not responding to a recommendation arising from the Corporate Peer Challenge.

6.2 Reasons for recommended option

Approving the Member Development Framework will ensure that all councillors are equipped with the skills, knowledge, and support needed to carry out their roles effectively.

7. Next steps and timelines

Subject to being approved by Council, the Member Development Framework, will be introduced during the upcoming induction sessions and delivered during the 2026/27 Municipal Year.

8. Contact officers

Leigh Webb - Head of Governance email – leigh.webb@kirklees.gov.uk)
Deborah Nicholson - Councillor Support & Liaison Manager email – deborah.nicholson@kirklees.gov.uk

9. Background Papers and History of Decisions

10. Appendices

Appendix A – Member Development Framework

11. Service Director responsible

Samantha Lawton, Service Director Legal & Commissioning

Councillor Development Framework

Supporting Councillor Excellence in Kirklees

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Introduction

We recognise Councillors bring with them a diverse range of skills and experience and we are committed to ensuring that each of our Councillors receive the support they need to enhance their skills and enable them to fulfil their elected role in serving their communities and be consistent with the principles of good governance.

This Framework, put in place for Councillor Development, provides a robust programme to enable Councillors and ensure they have the appropriate skills to respond to future challenges and legislative changes which will help the Council deliver on its ambition and strategic priorities.

It has been developed in consultation with Councillors to ensure that their development is relevant, appropriate to their needs and provides Councillors with the necessary ‘tools for the job.’ This is a flexible Framework for Councillors to access the learning, support and development they need as well as setting out the support officers will provide and which will evolve as required to reflect changing priorities and circumstances.

In this Framework, ‘Councillor Development’ is any activity or training that is intended to help support their communities, enhance/further develop the knowledge and skills of Councillors both in their individual roles and in their collective roles so as to meet the Council’s priorities and any individual aims of benefit in their role.

Our Vision and Ambition

The vision is for all elected Councillors to have the necessary skills outlined in Role Profiles and knowledge to perform successfully in their current or future roles within the Council.

This vision is shaped by the principles of “Our Council” and demonstrates Kirklees Council’s commitment to the development of all its elected Councillors (including the Mayor) as a key to success in delivering high quality and valued services to the public. The Council believes that Councillors play a pivotal role in supporting our communities.

The Council supports the Group selection, recruitment and retention of high-quality individuals from all sectors of the community across Kirklees into local government as Councillors and believes that a robust and inclusive development programme will be the foundation to successful leadership succession planning and meeting the needs of their communities.

The Councillor Framework aims to:

- Support elected Councillors to fulfil their roles
- Ensure that a long-term view is taken of Councillor Development that also affords flexibility to reflect changing priorities.
- Ensure each Councillor has appropriate skills and access to training which will enable them to be successful in their roles, so that they can better serve their constituents and communities.
- Continue to develop a clear structured Councillor Development Framework that responds to Councillor and organisational needs.
- Enable the sharing of learning and good practice within Groups.
- Ensure Councillors have a full understanding of, and are confident in, their different roles, for example: decision-making; scrutiny; community leadership; representation on outside organisations.
- Ensure that all newly elected Councillors are properly inducted into the Council and their role and provide updated training for existing and returning Members.

Our Vision Principles

To help achieve this vision, the following principles will apply:

- Training and development is available to all Councillors, and its take-up will be encouraged for all Councillors and the Mayor irrespective of seniority, length of service or political affiliation and will be provided in accordance with the Council's commitment to inclusive opportunities for all.
- Groups will be asked to identify a Member Champion or Group Business Manager who will be consulted on Councillor training and development on behalf of the Council including strategies and programmes for Councillors and the Councillor Induction Programme and, who will encourage and promote a culture of learning and continuous improvement.
- Kirklees Council is committed to the principle of inclusivity for its residents and for Councillors irrespective of age, disability, ethnicity, gender, race, religion, sexual orientation or marital status. Additionally, the working commitments of Councillors should not be a barrier to learning and development.
- Development activities will be based upon agreed training needs as identified through 121s and Personal Development Reviews (PDRs) undertaken within Groups.
- Councillor Development will be delivered through methods which ensure inclusive access and taking into account different learning styles.
- The Council will recognise that Councillors may have transferable skills which can be utilised in the Council to help them perform their Council role.
- Where appropriate and possible, officers and Councillors will be trained together, to help build trust, mutual understanding, co-operation and more sustainable relationships.

Ownership

The effectiveness of this framework is dependent upon the commitment of both officers and Councillors. Officers will be expected to identify appropriate learning opportunities and support Councillors to access those opportunities, support Councillors who choose to do so to and collate and record feedback on training and provide support to the Member Champions.

Councillors are asked to make a commitment to their own individual learning and development and engage in activities that are offered to them.

The Council has a responsibility to demonstrate compliance with its legal obligations and to provide training to Councillors that enables them to fulfil their role safe from undue criticism. To help the Council in doing this, Councillors are required to participate in activities that are identified as being:

- **Essential Training**

Appeals Panel

Standards and Code of Conduct

Corporate Governance and Audit Committee

Licensing Panel

Planning Committee

Failure to undertake Essential Training would preclude Councillors from taking a decision in relation to the remit of the relevant Committee and/or may constitute a breach of the Code of Conduct which all Councillors are required to adhere to.

Councillors are also encouraged to participate in activities that are identified as being:

- **Compliance Training**

Corporate Parenting and Safeguarding

Chairing skills

Councillors are asked to provide honest feedback using the feedback mechanisms provided at the end of each activity so that officers can review and evaluate the effectiveness of the learning and development programme.

The Council will:

- Encourage and support all Councillors to develop their roles using those in the agreed Councillor Role Profile.
- Plan formal events or training sessions in advance as possible to avoid clashes and the committee cycle.
- Make all Councillors aware of development opportunities available through all means possible, including email, Group Business Manager meetings and Member Champions.
- Ensure Councillors are equipped with the necessary skills to make maximum use of all sources of learning, including internet and social media sources.
- Use a variety of delivery methods including face to face training, remote means such as Microsoft Teams, and e-learning.
- We will work, kindly and flexibly, and assist those with special needs, family or work commitments to carry out their role as a Councillor.
- Development activities will be considered to ensure value for money and events will be reviewed to ensure quality and effectiveness.
- Where possible, events will be carried out on a partnership basis within the Region and other partner organisations.
- Regularly evaluate the Councillor Development Framework, with input from Councillors.

Political Groups will:

- Help Councillors identify development needs and consider this at least annually by a combination of organisational, statutory and individual requirements.
- Group Leaders, Group Business Managers, Cabinet Members and Member Champions will promote the opportunities available through the Councillor Development Framework to their respective Councillors and encourage participation.
- Councillors will be encouraged and supported to consider their developmental needs through a 121 or other tool and to assist them in identifying their learning and skills.
- Create the right environment where learning is encouraged and supported.

Councillor Development Framework

It is proposed that the Councillor Development Framework will be delivered through the following themes:

Councillor Induction

All new Councillors will be required to undertake the Councillor Induction in the first few months following election. This will cover the basic areas of knowledge necessary and will allow Councillors to participate within a supportive environment.

The Induction will be delivered in person or in part as e-learning and each Councillor will receive an Induction Pack containing helpful and practical information to assist them in their new role.

Induction sessions will also be open to existing Councillors.

Council/Committees

The training provided under this category will be aimed at those who may have an additional role such as committee member, or committee chair.

It will include understanding how officers support Councillors at committees and will include both essential and compliance training.

Councillors will be supported to have an awareness of the social, economic, environmental, and legal context in which the Council operates and how the Council works with partners, including local partners, regional partners such as the Combined Authority, and national partners such as government departments or agencies. This includes understanding the impact of external decisions and activity on how the Council operates (e.g. new Government policy, or regional programmes).

Training will be held annually in respect of each of the Council's Committees, including on how the Council conducts its business. The courses will take place at the first meeting of each Committee following the Annual General Meeting and will outline the terms of reference and provide any information needed to participate fully in the work of the Committee.

Mayoral Support

Training and support are provided to the Mayor and Deputy Mayor including a full Civic induction, Council Chamber equipment training and a briefing on Council Procedure Rules (and ongoing support).

Public speaking training will also be provided if required and additional Civic training is organised by the National Association of Civic Officers.

Core Skills

This training will enable Councillors to undertake development that will enable them to fulfil their roles in the best way possible.

Training will be provided in matters such as community leadership, effective negotiating and influencing skills, community engagement, conflict resolution, evaluating reports and framing questions etc. Councillors will also be supported with use of technology to help them work as efficiently as possible.

Ad-hoc training

This will be training identified by officers and Councillors, informed by the learning needs following 121 discussions with GBMs/Member Champions and will be subject to appropriate budget being in place. This will also include training for Councillors identified for leadership roles or specific responsibilities. As part of the approval process Councillors are asked to cascade their learning to Committee or political groups as appropriate. Training will be delivered through a varied programme provided by but not limited to in-house officers, through the Council's Learning Management System, external trainers or LGA resources.

Development sessions will be promoted throughout the year.

Review and Monitoring of the Framework

It is vital that Councillors are well equipped to undertake their work and be effective as local representatives.

We will measure the effectiveness in implementing the Framework:

- An annual questionnaire will be sent to Councillors regarding confidence in role and knowledge of various areas such as decision making, scrutiny, ethics etc.
- An increase in the number of Councillors undertaking development activities – data analysis.
- Review and analysis of feedback forms and attendance statistics where the Council has provided the event.

The Councillor Development Framework will be reviewed regularly by the Member Champions and the Head of Governance.

Councillor Development Programme May 2025 – April 2026 (for illustrative Purposes only)

Table 1: Table of Events for Councillor Induction and Development

Date	Time	Session	Purpose	Facilitator	Delivery	Attendees / Notes
Monday 11 May	10am – 4pm	Welcome to Kirklees Council	To meet the Chief Executive, Executive Directors and key officers who will welcome you to Kirklees and let you know about the support you will receive during your Term of Office	Deborah Nicholson Councillor Support & Liaison Manager	In person Huddersfield Town Hall	All new/returning elected Councillors
Tuesday 12 May	10am – 4pm	IT Equipment and Councillor Support	Receive your IT equipment, spend time with support staff who will go through how to access your e-mails and online agendas. Get your ID badge, car parking permit, have a photo taken for the website	Deborah Nicholson Councillor Support & Liaison Manager	In person Huddersfield Town Hall	All new/returning elected Councillors
REST OF AGREED INDUCTION SESSIONS TO BE ADDED ONCE FINALISED						
Monday 22 June	9.30am - 3.30pm	Chairing Skills	Learn how to chair face-to-face or online meetings, pick up skills and techniques and how you can deal with challenging situations	Person X X Job title X X Local Government Association	In person Dewsbury Town Hall	Open to all Councillors
Tuesday 23 June	10 am – 2.pm	Corporate Parenting	Hear about the role of Corporate Parent and what this means for you as a Councillor.	Officer X X Job title X X	Online via Microsoft Teams	Compliance Training for all Councillors

Date	Time	Session	Purpose	Facilitator	Delivery	Attendees / Notes
Wednesday 24 June	6pm – 8pm	Spotlight on Services	Come along and find out more about the X X service. Meet the team, have a cuppa and put a face to a name	Service X X	In person Civic Centre 1	Open to all Councillors
Saturday 27 June	10am- 12pm	Social Media Training	New to social media or been doing it for years. Come along to this interactive session where you can pick up tips and understand what to avoid	Officers X X	In person Batley Town Hall	Open to all Councillors

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Department
for Transport

Councillor Carole Pattison
Leader of Kirklees Council
By email: Carole.Pattison@kirklees.gov.uk

From the Parliamentary
Under Secretary of State
Simon Lightwood MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: simon.lightwood@dft.gov.uk

Web site: www.gov.uk/dft

Our Ref: MC/00059727

4 February 2026

Dear Carole,

Thank you for your letter of 22 January, addressed to the Secretary of State, regarding concessionary bus travel. I am responding as the Minister for Roads and Buses.

I was very sorry to read of your concerns regarding access to bus travel for disabled people. As you will be aware, the English National Concessionary Travel Scheme (ENCTS) provides free off-peak bus travel to those with eligible disabilities and those of state pension age between 9.30am and 11.00pm on weekdays and all day at weekends and on Bank Holidays. The duration of the concessionary period was set out in the Transport Act 2000. As I hope you will appreciate, the ENCTS costs around £795 million annually in reimbursement costs to operators. Any changes to the statutory obligations would therefore need to be carefully considered for its impact on the scheme's financial sustainability.

However, local authorities in England can choose to offer concessions in addition to their statutory obligations, for example, by extending the times travel passes can be used. This is the case in the Cambridgeshire and Peterborough Combined Authority area, for example, where concessionary passholders can travel for free on local bus services at all hours. Similar schemes also exist in other parts of the country. These are additional local concessions provided and funded by local authorities from local resources.

The Government is investing in bus services long-term and has confirmed over £3 billion from 2026/27 to support local leaders and bus operators across the country to improve bus services for millions of passengers over the remainder of the spending review period. This includes multi-year allocations for local authorities under the Local Authority Bus Grant (LABG) totalling nearly £700 million per year, ending the short-term approach to bus funding and giving councils the certainty they need to plan ahead to improve services for local communities.

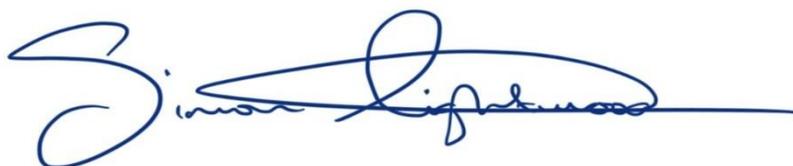
West Yorkshire Combined Authority will be allocated £103.8 million under the LABG from 2026/27 to 2028/29, in addition to the £36.4 million they are already receiving this year. Funding allocated to local authorities to improve services for passengers can be used in whichever way they wish, including extending the travel times for concessionary bus passes locally.

In regard to the accessibility of public transport more widely, accessible travel for disabled people is one of the Department's highest priorities. We also recognise the importance of receiving a consistently inclusive service when travelling in order to make journeys independently and with confidence. We are currently developing a plan for an Accessible Travel Charter which aims to empower disabled voices in establishing clear, unified principles that guide passengers, and assists operators and enforcement bodies in upholding accessibility standards. The Charter aims to set out what disabled travellers can expect from their journeys. Looking further ahead, accessibility will be a central consideration in our integrated national transport strategy which will set out our long-term vision for transport in England. We intend to publish this soon.

In the more immediate term, the Bus Services Act 2025 will introduce a new requirement for local authorities to develop 'Bus Network Accessibility Plans' assessing the current levels of accessibility of their networks and how they will improve them in future; measures to improve the consideration of accessibility within Enhanced Partnership schemes; and a requirement for local bus operator drivers and customer facing staff to complete both disability awareness and assistance training.

I know that too many journeys taken by disabled people continue to be more difficult than they should be. I am, however, determined that disabled people should be able to travel as easily as anybody else, and I hope I have reassured you, both of the progress we are making, but importantly also of our resolve to continue learning about remaining barriers and improving transport accessibility for all.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Simon Lightwood', with a long horizontal flourish extending to the right.

**SIMON LIGHTWOOD MP
MINISTER FOR ROADS AND BUSES**



Councillor Carole Pattison
Civic Centre, 3 High Street
Huddersfield
HD1 2TG

DECS Reference: MIN/1441368/25

14 January 2026

Dear Carole,

Thank you for your letter of 18 December to the Home Secretary on Kirklees Council's local response to tackling Violence Against Women and Girls (VAWG). I am replying as the Minister for Safeguarding and Violence Against Women and Girls.

We align with the Council's position that VAWG is a significant issue on a local, regional and national level. Tackling VAWG is a top priority for this Government, and we are treating it as the national emergency it is. Our mission is to halve levels of these crimes in a decade, using every lever available to us. On 18 December 2025, we published our transformative cross-government strategy, setting out the strategic direction and concrete actions we will take to prevent violence and abuse, pursue perpetrators, and support victims. You can find the strategy "Freedom from Violence and Abuse: a cross-government strategy to build a safer society for women and girls" here: <https://www.gov.uk/government/publications/freedom-from-violence-and-abuse-a-cross-government-strategy>.

We welcome the work your council is doing to tackle these crimes and behaviours at a local level. The Strategy recognises we must take a whole system approach to tackling VAWG to halve it in a decade, including innovation at a local level.

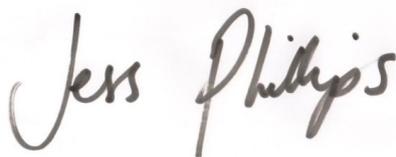
In your letter you asked whether we would be appointing a Royal Commission into male violence against women, focused on gathering evidence and making binding cross-government recommendations that address systemic issues. Although I appreciate your suggestion, we are confident that the VAWG Strategy and accompanying Action Plan address many of the areas of concern without needing a new Commission.

Our approach is informed by the best available evidence, with the Strategy underpinned by evidence of 'what works' to address VAWG and a Theory of Change. The VAWG Strategy is a ten-year adaptive plan, designed to evolve in response to changing contexts. We will continue to be informed by new and emerging evidence and analysis of what is working.

We are taking a truly cross-government approach to tackling VAWG, placing a real focus on prevention and early intervention to prevent VAWG from happening in the first place and stopping harmful behaviours early. This is alongside a robust, proactive response to pursuing perpetrators and tailored support for victims to help them move on and rebuild their lives.

Thank you for your engagement and commitment to this vital issue. The work you are doing at a local level is invaluable and I look forward to hearing from you in the future on the work you have committed to.

Yours sincerely,

A handwritten signature in black ink that reads "Jess Phillips". The signature is written in a cursive, flowing style.

Jess Phillips MP
Minister for Safeguarding and Violence Against Women and Girls



Department for
Business & Trade

Kate Dearden MP
Parliamentary Under-Secretary of State for
Employment Rights and Consumer Protection
Department for Business and Trade

Old Admiralty Building
Admiralty Place
London
SW1A 2DY
United Kingdom

T +44 (0) 20 4551 0011
E Dearden.Correspondence@businessandtrade.gov.uk
W gov.uk

Councillor Carole Pattison
Leader of the Council

Our ref: MCB2025/16347

By email: LeaderandCabinet.Office@kirklees.gov.uk

29 January 2026

Dear Carole,

Thank you for your correspondence of 19 December, regarding fireworks. I am sorry to hear about the antisocial use seen with fireworks in Kirklees and appreciate you and Council colleagues bringing this to my attention.

On 19 January MPs debated two e-petitions relating to the sale and noise of fireworks respectively. I recognise that many people who have contacted their local MP or the Department directly about fireworks have watched the recent debate or have since read details of it. I understand that their correspondence is not simply seeking reassurance about government intentions, but is intended to share their own experience of how fireworks have affected them, their families, their animals, or their wider community. I am grateful to you for taking the time to set these out.

The lived experience of individuals is an important form of evidence. It helps to show how fireworks are used in practice, and the real-world impact that they can have, particularly where use is prolonged, unexpected, or disruptive. These accounts add valuable context alongside the data provided by local authorities, emergency services, animal welfare organisations and the fireworks industry.

I recognise that people hold a range of views on this issue. Many have significant concerns about noise, safety and the distress that fireworks can cause, while others value their role in celebrations and community events. Please be assured that all perspectives will be considered carefully, reflecting the breadth of opinion on this important topic.

As the Minister responsible, I will continue to ensure that all evidence gathered, including experiences shared by members of the public, is fully taken into account. I will use this evidence to determine how best to minimise harm while recognising the important role that fireworks play in cultural and community life. I can assure you that public safety, and the impact on people, animals and property, will remain central to this work.

Thank you again for writing to me and for your contribution to this ongoing consideration.

With best wishes,

A handwritten signature in blue ink that reads "Kate Dearden." The signature is written in a cursive, flowing style.

Kate Dearden MP
Minister for Employment Rights and Consumer Protection
Department for Business and Trade

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

CABINET

Tuesday 2nd December 2025

Present: Councillor Carole Pattison (Chair)
Councillor Beverley Addy
Councillor Moses Crook
Councillor Nosheen Dad
Councillor Tyler Hawkins
Councillor Viv Kendrick
Councillor Amanda Pinnock
Councillor Jane Rylah

Observers: Councillor Andrew Cooper
Councillor Jo Lawson
Councillor Susan Lee-Richards
Councillor Harry McCarthy
Councillor Matthew McLoughlin

59 Membership of Cabinet

No apologies were received.

60 Minutes of Previous Meeting

RESOLVED – That the Minutes of the meeting held on 21 October 2025 be approved as a correct record.

61 Declaration of Interests

No interests were declared.

62 Admission of the Public

All agenda items were considered in public session.

63 Deputations/Petitions

No deputations or petitions were received.

64 Questions by Members of the Public

No public questions were received.

65 Questions by Elected Members (Oral Questions)

Question from Councillor Cooper

“Is the Leader aware of the government's solar for schools' programme, which is a £100m solar programme being delivered by Great British Energy? 250 schools across the country will benefit from this programme which has helped schools reduce their energy bills and demonstrates the value of renewable energy in cutting their carbon emissions. In West Yorkshire, eight schools are scheduled to have solar panels under this scheme. Two schools in Bradford, two schools in Calderdale, two schools in Leeds, two schools in Wakefield, but no schools in Kirklees. When the scheme was announced in March this year, did Kirklees suggest some schools or didn't we bother?”

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

Question from Councillor J C Lawson

“Why is it that pockets of Kirklees land, vested with the housing department on both Springdale Avenue and Springdale Street in Thornton Lodge, are not being cleared in a timely fashion? Why are my residents living on Springdale Avenue subjected to having to live next door to land that is overgrown, fly tipped, with vermin often being seen in and around the site with it still in situ for months and possibly years later because it is deemed to be Kirklees housing land. Why is there disparity in clear clearing the land just because it is vested with Kirklees housing? If this was private land, I'd have requested environmental enforcement help in contacting the landowners to get it cleared long ago. My residents deserve better. Can the cabinet lead for housing confirm when the land on Springdale Avenue will be cleared and what measures will be put in place?”

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

66 Council Proposed Budget Report 2026/27; incorporating Capital, Treasury Management, General Fund Revenue and Housing Revenue Account

Cabinet considered a report which provided the Council's proposed budget for 2026/27 for consultation, which included the Capital, General Fund Revenue and Housing Revenue Account (HRA). The report set out details of the overall budget position prior to the submission of a final budget to Council in February 2026.

The report explained the application of financial strategy and that the proposed budget included estimated changes to the Council's main sources of income, corporate expenditure and service pressures based upon current information. Cabinet noted that the draft budget balanced the council's ambition to transform and improve services for residents while focusing funding on local people and services that needed support the most. It built on the significant investment coming into Kirklees while setting a stable and prudent platform for service and economic development for future years.

The report advised that a public consultation on the proposals would take place from 3 December 2025 to 7 January 2026 and that a summary of the outcome would be presented at Cabinet on 10 February 2026.

RESOLVED –

- 1) That it be noted the proposed budget was balanced based on assumptions around the potential impact of the Fair Funding Review 2.0 as outlined in the Medium Term Financial Strategy (MTFS) in September. It was noted these assumptions may be subject to change when the provisional local government finance settlement was published by Government (expected mid-December) and furthermore once the final settlement was published. A balanced budget must be set no later than 10th March 2026.
- 2) That approval be given to a 5 week consultation on the Proposed Budget for 2026/27 starting on 3 December 2025 and closing on 7 January 2026. This includes the proposed 2.99% increase in core Council Tax and the 2% increase in the Adult Social Care precept.
- 3) That the forecast spending and funding plans for the 2026-27 year and indicatively the following 2 years (Appendix B) be noted;
- 4) That it be noted the Proposed Budget for 2026/27 presented in the considered report was based on the approval and delivery of £6.9m of new savings for 2026/27 as identified in the report (Appendix D).
- 5) That the forecast levels of statutory and other Council reserves as set out at Appendix C be noted;
- 6) That the proposed savings as set out in Appendix D be noted.

Capital

- 7) That the draft updated Capital Plan for 2025-33 for consultation as part of the budget (Appendix E) be noted
- 8) That it be noted the proposed release of £57.7m uncommitted budget across the multi-year capital plan (£1.3m 2025/26, £56.4m 2026/27 onwards) to assist treasury management of the capital financing budget
- 9) That the proposed addition of £35.1m budget towards a new sport and leisure facility in North Kirklees (£0.1m feasibility 2025/26, £35m construction budget 2028/29 – 2032/33) be noted.
- 10) That it be noted that following changes to the operation of business rates pools set out by Government, there would be no Leeds City Region business rates pool in 2026/27.

Housing Revenue Account

- 11) That it be noted that the proposed budget including rent and service charges increases for the HRA which was considered as a separate report at the meeting.
- 12) The Integrated Impact assessments referred to in paragraph 3.5 be noted.

67 Rent & service charge setting for Housing Revenue Account properties for 2026-27

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

Cabinet - 2 December 2025

Cabinet considered a report which provided the financial context and basis for the annual rent and service charges inflationary uplift for 2026-2027, which would form part of the Housing Revenue Account budget proposals.

Cabinet was advised that, if approved, the approach to maximises rent and service charge income, ensured compliance with the requirements of the Local Government and Housing Act 1989 to have a balanced HRA and the Welfare Reform and Work Act 2016 and the rent standard. The approach ensured sufficient resources were available to invest in tenants' homes, prioritising safety and maintaining compliance with the decent homes' standard.

The report outlined that the proposed Housing Revenue Account budget was £115m, whereby 28% was budgeted to be spent on repairs and maintenance, 24% on management costs, 5% on community facility costs which was recoverable through a service charge, 10% to be spent on extra care schemes which was recoverable through grant, rents and service charges, 23% to contribute to the cost of capital and major works, 7% for financing costs and 3% for other provisions and taxes.

RESOLVED –

- 1) That approval be given to the rent uplifts by an average of £4.19 per week (CPI, 3.8% +1%) and service charges payable between 0.01p and £0.87 per week (4.8%) from 1 April 2026, after taking into consideration the affordability to tenants, as summarised in Appendix 1
- 2) That approval be given to the increase the rent by a further £1 or £2 per week in line with the government announcement to move towards rent convergence.
- 3) That approval be given to increase the service charge for communal grounds maintenance services capped at £1.00 per week each year until full cost recovery is achieved.
- 4) That approval be given to increase the charges for Extra Care Services – Intensive Housing Management to be uplifted by between £1.47 and £3.74 (4.8%) and Extra Care Services – Night Care Service to be uplifted by £1.13 per week (4.8%).
- 5) That the national and local financial challenges outlined as part of the HRA budget proposals for 2026-27 be noted.
- 6) That authority be delegated to the Executive Director of Place in consultation with the Portfolio Holder for Transport and Housing to approve any changes to the rate for sheltered heating and district heating.
- 7) That the draft HRA Revenue Budget for 2026/27 be recommended to Council in February 2026 for approval as outlined at appendix 2
- 8) That the revised proposed five-year Capital Plan Budget be recommended to Council for approval as outlined at appendix 6. (Funding summary Appendix 4)

68 Proposed Updates to Procurement Strategy

Cabinet gave consideration to a report which sought approval for proposed updates to the Procurement Strategy, which was prompted by the implementation of the Procurement Act 2023 and the Provider Selection Regime. The report also sought

Cabinet - 2 December 2025

approval of an Ethical Procurement Policy and Ethical Code of Conduct for Suppliers.

Cabinet noted that whilst the existing Procurement Strategy remained relevant, it had been refreshed and updated to ensure alignment with legislation and to reflect what had been achieved since the strategy was introduced. The revised strategy would remain in effect until 2028.

The report advised that the Ethical Code of Conduct would apply to all suppliers and individuals acting on behalf of the Council, whether directly or through subcontracted arrangements, for contracts valued over £25,000 (excluding VAT), initiated from January 2026 onwards. Adherence to this Code would be a mandatory requirement for engagement with the Council.

RESOLVED –

- 1) That approval be given to the updated Procurement Strategy.
- 2) That approval be given to the introduction of an Ethical Procurement Policy and Supplier Code of Conduct.
- 3) That authority be delegated to the Service Director – Legal & Commissioning, in consultation with the relevant Portfolio Holder, to make any minor amendments required to the Procurement Strategy, the Ethical Procurement Policy and Ethical Code of Conduct for Suppliers.

69 Marsden Master Plan - Approval and Next Steps
(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors McCarthy and McLoughlin, and under the provision of Council Procedure Rule 37 received a representation from Mr Tom Lonsdale).

Cabinet considered a report which sought approval for the Masterplan for Marsden and the proposed next steps.

The report advised that the Masterplan was non-statutory, but it signalled political and institutional backing which would enhance funding credibility, enable market engagement and help align stakeholder priorities. Although the Masterplan did not have formal planning status it would be used as a consideration in the determination of planning applications where appropriate. Cabinet also noted that funding for additional design development, momentum would be maintained to align with the emerging proposals for the New Mills development.

The report outlined that the Masterplan set a 10-to-15- year vision for change, with it serving as a baseline for ongoing engagement, project development, and future investment. The plan aimed to strengthen community life, improve public spaces, protect heritage, support the local economy, deliver affordable housing, and promote sustainability. The New Mills redevelopment was central to this vision, acting as a catalyst for wider improvements and would address local priorities for housing, employment, heritage, parking, and public realm.

RESOLVED –

- 1) That the final draft Masterplan, as appended to the considered report, be noted.
- 2) That the Masterplan be approved.
- 3) That authority be delegated to the Executive Director for Place in consultation with the Portfolio Holder for Finance & Regeneration to finalise the Masterplan document and formally adopt the plan.
- 4) That the Masterplan be published on the Council's website to form the basis for informing investment decisions in the masterplan area.
- 5) That authority be delegated to the Executive Director for Place in consultation with the Portfolio Holder for Finance & Regeneration to continue to develop the masterplan, its principles and the propositions along with approval to spend up to £140,000 to progress design development on Peel Street as the initial priority project.
- 6) That authority be delegated to the Executive Director for Place in consultation with the Service Director for Finance, Service Director for Legal Governance and Commissioning, and the Portfolio Holder for Finance & Regeneration, to agree all necessary legal agreements with any potential external funders and for the Service Director Legal, Governance and Commissioning to enter into, on behalf of the Council, any external funding agreements and/or legal formalities related to the Masterplan.

70 Corporate Financial Monitoring Report; Quarter 2 2025-26

Cabinet received a report which set out financial monitoring information for General Fund Revenue, Housing Revenue Account and Capital Plan, as at Quarter 2.

The report advised that the forecast outturn position at Quarter 2 was an overspend of £5.1m which was the lowest Q2 forecast overspend since Covid and that the additional resources included in Directorate base budgets as part of the 2025/26 budget were having the desired effect in that the majority of the projected overspend related to delays in delivery of savings.

The report provided a breakdown of the projected outturn financial monitoring position in terms of (i) forecast general fund revenue outturn position in 2025/2026 by service area (ii) general fund reserves and balance movements in year (iii) forecast Housing Revenue Account outturn position including movements in the Housing Revenue Account reserves in-year (iv) forecast capital outturn position in 2025/2026 and (v) treasury management prudential indicators.

RESOLVED –

- 1) That it be noted the revenue outturn position at Quarter 2 was a forecast overspend of £5.1m (Q1: £5.9m) and that there would be a requirement to balance the budget using reserves should the overspend remain;
- 2) That it be noted the Quarter 2 position on the Dedicated Schools Grant (DSG) was an in year deficit of £14.7m (2024/25 £20m) to take the cumulative deficit to £78.5m;
- 3) That it be noted the Quarter 2 HRA position was a projected underspend of £318k and any underspend would be taken to HRA reserves at year end.

That it also be noted the current forecast year end reserves position was £19m;

- 4) That the Quarter 2 forecast capital monitoring position for 2025/26 as set out in the accompanying slides (Appendix 1 slides 39-43 and Appendix 3) be noted along with a proposed net reduction in the 2025/26 position of £29.3m due to (i) £28.9m re-profiling of spend into future years (£23.4m General Fund and £5.5m HRA) (ii) £0.8m net increase in the capital plan due to increased grant and S106 contributions (iii) approval to fully fund injection into the capital plan for an MHCLG Community Cohesion Grant (£170k) and WYCA Mayoral Renewables Grant Phase 1 (£110k) (iv) delegated authority to the Executive Director of Place and Service Director Finance to accept Mayoral Renewables Grant Phase 2 in the event the Council is successful with its bid (v) approval of the draw down of a fully repayable £250k from the Investment & Modernisation Fund towards an Energy Efficiency Invest to Save Scheme for LED lighting and control upgrades across six Council-owned leisure centres operated by Kirklees Active Leisure (KAL) and (vi) that as a means of helping reduce revenue overspends, an exercise to identify expenditure that could be charged to capital would be undertaken. Any such capitalisation would be funded from capital receipts.
- 5) That the Quarter 2 treasury management prudential indicators (slide 43-57, Appendix 1) be noted.

71 Q2 2025/26 Council Plan and Performance Update Report

Cabinet received the Quarter 2 2025/2026 Council Plan and Performance Update Report which provided information on progress against the 2025/2026 Council Plan priorities, and performance against the 2025/2026 Council key measures.

The report outlined that during Q2 2025/26, performance improved in several areas which included (i) the timeliness of Education, Health and Care Plans (ii) stability for looked after children (iii) freedom of Information requests completed on time (iv) improved Business Rates collection (v) the fall of open damp, mould and condensation cases and (vi) non-emergency housing repairs completed within timescale.

Cabinet was advised that some challenges remained which included (i) an increase in the number of adults aged 18–64 open to social care services (ii) Council Tax collection rates being slightly lower than last year; and (iii) sickness absence remaining high.

RESOLVED – That the Quarter 2 (2025/2026) Council Plan and Performance Update Report be noted.

72 Corporate Risk Report, Quarter 2 2025-26

Cabinet received the Corporate Risk Quarterly Report (2) 2025/2026 which provided information about an assessment of risks faced by the Council at a significant corporate level.

The report highlighted the importance of having effective risk management arrangements for part of a strong assurance and governance framework and it was noted that identifying current and potential future controls played a key role in this.

The report advised that risks remained stable during the quarter with no new risks raised and no risks removed. It was noted that there would be continual monitoring and reporting through the Council's governance and management processes.

RESOLVED – That the Quarter 2 (2025/2026) Corporate Risk Report be noted.

73

Local Government Association (LGA) Corporate Peer Challenge - Kirklees Council Action Plan Progress Report

Cabinet received a report which set out a summary of the report produced following the Local Government Association (LGA) progress review carried out on 23 September 2025. The report also highlighted the progress against the actions contained within the action plan.

The report advised that the LGA acknowledged the progress that the Council had made on delivering its recommendations made in November 2024. The LGA recognised the continued strengthening of working relationships between the Leader, Cabinet, Chief Executive, and Senior Management Team, which brought stability, clarity, grip, and renewed energy to the Council. The peer team also observed greater confidence, tempered with realism, within the senior political and managerial leadership regarding their approach to current and future challenges.

RESOLVED –

- 1) That the Council's progress update against the LGA recommendations, along with the delivery status ratings, be noted.
- 2) That the progress review report produced by the LGA from their September 2025 visit be noted.

74

Surplus Property Disposals - December 2025

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

Cabinet considered a report which sought approval to the disposal of land and property as outlined within the Capital Receipts Schedule as appended to the report.

Cabinet noted that the Council had a capital receipts target of £6M in Financial Year 2025/6 and £4M in 2026/7 with sites for disposal either at auction, private treaty or through freehold reversion based on previous cabinet reports and the scheme of delegations. The report advised that whilst there were some assets declared surplus in previous Cabinet reports that were still to be disposed of, by identifying additional assets as surplus, it provided further opportunities to support the Capital Plan through capital receipts either in 2026/27 or future years for which further targets of £4M had been set.

RESOLVED –

- 1) That approval be given to the disposal of the land and property within the Capital Receipts Schedule December 2025 as appended to the considered

report, to support the Council's income targets subject to consultation with the Portfolio Holder for Finance and Regeneration.

- 2) That authority be delegated to the Executive Director for Place to negotiate and agree terms and complete the sales of any land and property identified within the Capital Receipts Schedule December 2025 to support the Council's income targets on such terms as officers deem most appropriate.
- 3) That authority be delegated to the Service Director – Legal, Governance and Commissioning authority to enter into all agreements necessary to affect any of the disposals.

75 Huddersfield Health Innovation Incubator Programme

Cabinet gave consideration to a report which sought approval to receive external funding from West Yorkshire Combined Authority (WYCA) to deliver the Huddersfield Health Innovation Incubator (HHII) programme.

Cabinet noted the HHII programme was part of a partnership with the University of Huddersfield and Huddersfield Innovation and Enterprise Centre Ltd trading as the 3M Buckley Innovation Centre. The programme would create wrap around support for businesses in the health, wellbeing and digital sectors that were seeking to start-up or scale up. It would also deliver tailored start-up support, workspaces, events and networking activity and would create a thriving community of businesses, academics, clinicians and other professionals focused on supporting and embedding innovation across health and care systems.

RESOLVED –

- 1) That approval be given to the delivery of the Huddersfield Health Innovation Incubator.
- 2) That approval be given to accepting external revenue funding of £2,023,576.25 from the West Yorkshire Combined Authority to support delivery of the programme, and for the Council to act as Accountable Body for the grant.
- 3) That authority be delegated to the Executive Director for Place, in consultation with the Service Director Legal, Governance and Commissioning, to agree all necessary legal agreements with the West Yorkshire Combined Authority and the flow down grant agreements with the Council's project delivery partners the University of Huddersfield and 3M Buckley Innovation Centre.
- 4) That authority be delegated to the Service Director Legal, Governance and Commissioning to enter into the aforementioned documentation in resolution (3) on behalf of the Council and for the Executive Director for Place to put in place the necessary governance arrangements for the programme.
- 5) That authority be delegated for the implementation of the programme to the Executive Director for Place to include the commencement and award of any related procurement exercises and for the Service Director Legal, Governance and Commissioning to enter into the associated legal formalities and documentation on behalf of the Council.
- 6) That authority be delegated to the Executive Director for Place and the Service Director Finance to submit grant claims and to undertake related

Cabinet - 2 December 2025

project monitoring and reporting in accordance with the contract procedure rules and finance procedure rules.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 13th January 2026

Present: Councillor Carole Pattison (Chair)
Councillor Beverley Addy
Councillor Moses Crook
Councillor Nosheen Dad
Councillor Viv Kendrick
Councillor Amanda Pinnock
Councillor Jane Rylah
Councillor Graham Turner

Observers: Councillor Masood Ahmed
Councillor Andrew Cooper
Councillor Hanifa Darwan
Councillor Cathy Scott
Councillor Habiban Zaman

Apologies: Councillor Tyler Hawkins

76 Membership of Cabinet

Apologies for absence were received on behalf of Councillor Hawkins.

77 Minutes of Previous Meeting

RESOLVED –

That the Minutes of the Meeting held on 2 December 2025 be approved as a correct record.

78 Declaration of Interests

No interests were declared.

79 Admission of the Public

It was noted that Agenda Item 12 (Minute No. 87 refers) contained exempt information.

80 Deputations/Petitions

No deputations or petitions were received.

81 Questions by Members of the Public

No public questions were received.

82 Questions by Elected Members (Oral Questions)

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

Question from Councillor Scott

“In a BBC report on 2 December 2025, the Leader said that Officers would bring forward options for new burial spaces in the next few weeks, at a time when burial provision was described as being at a critical point. Given that there is no effective burial space in Dewsbury, where do you believe families should be burying their loved ones right now?”

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

Question from Councillor H Zaman

“In regards to burial land, what practical interim arrangements are currently in place to support families from Dewsbury who cannot access burial plots nearby?”

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

Question from Councillor Darwan

“You have said there are sufficient burial plots in Kirklees for several years, whilst also confirming that Dewsbury cemetery for Muslim burials is effectively full. Families in Dewsbury are already being directed elsewhere. Given that reality were do you believe families from Dewsbury should be burying their loved ones right now?”

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

Question from Councillor Cooper

“All party groups on the Council get a budget for sending letters to constituents. It has been common practice by the Labour Group to send mass mailouts promoting their Councillors in wards that they represent to 1000s of voters just before the pre election period. Will you be doing this again this year and if so which wards will you be sending letters to?”

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

Question from Councillor Safdar

“I’ve received numerous messages from residents regarding an increase in fly tipping and problems surrounding overflowing bins. Many residents think this is linked to missed bin collections, which is causing a lot of issues in the community. I believe that Councillor Hawkins and Officers have been in communications with my ward colleagues but can the Cabinet have conversations with the ward councillors about reversing waste collection arrangements over festive periods and can we potentially have the odd swap of grey bin collections just after Christmas, and then go back to the normal routine?”

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

Question from Councillor Scott

“Residents are telling us that they did not want the permit parking removed. They want the cost reduced to nothing, or a minimal cost, yet people were encouraged to support the removal so they don’t have to pay. Does the Leader accept that this

misrepresents what residents are actually asking for? People are now not using the car parks in the town centre and are parking on the streets in the Eastborough area.”

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

Question from Councillor H Zaman

“If enforcement levels are below what residents where led to expect will the Council consider refunds, credits or fee reductions for these that have already paid?”

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

Question from Councillor Safdar

“I welcome the comments from Councillor A U Pinnock recently regarding drug enforcement and awareness, especially regarding the problems with nitrous oxide. I'd like there to be a further conversation with Cabinet, and maybe a walkabout, to see how we can work with different agencies, organisations and the voluntary sector about how we can challenge this scourge of drug related waste being tipped?”

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

Question from Councillor Darwan

“In regards to parking permits, residents are furious as they feel that it has been framed as them not wanting permit parking when in reality they objected to the price, not the scheme. Why was reducing the cost not properly explored before encouraging removal?”

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

Question from Councillor Scott

“In regards to parking permits, do you accept that the burden has been put on families? Its another burden per car, plus visitor permits to pay for on top of that.”

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

83 Annual RIPA Update

Cabinet received the annual RIPA (Regulation of Investigatory Powers Act) update, which advised that there had been no incidents which required RIPA to be used since the previous report to Cabinet in 2024.

It was noted that the number of RIPA authorisations granted since the previous annual report was zero and that the Council would be subject to an IPCO (Investigatory Powers Commissioners Office) inspection during 2026.

RESOLVED - That the Annual RIPA report be received and noted.

84 Kirklees Tourism Strategy 2026-2029

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

Cabinet gave consideration to a report which sought approval of the Kirklees Tourism Strategy 2026-2029. The report advised that the strategy sought to develop the current offer in the district, link activity with the emerging Kirklees cultural and heritage strategies and plans and guide future activity, investment decisions and partnership working in the visitor economy.

Cabinet noted that, in 2026, local delivery plans for culture would be co-developed with communities, which would support the shaping of tourism related actions. The report advised that the strategy would give direction to promoting the district to residents, visitors and businesses and would connect to improved infrastructure and regeneration schemes, forming part of the region wide activity to deliver a Local Visitor Economy Partnership Destination Management Plan, in conjunction with other West Yorkshire Local Authorities and WYCA.

It was noted that, during 2026, Local Cultural Delivery Plans would be developed with communities through a programme of work led by the Council, the University of Huddersfield and cultural organisations.

RESOLVED - That the Kirklees Tourism Strategy 2026-2029 be adopted.

85 Admission Arrangements for Community and Voluntary Controlled Schools in 2027/2028

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Darwan, Scott and H Zaman).

Cabinet received a report which presented the results of this year's consultation and sought to determine admission arrangements for all Kirklees community and voluntary controlled schools for 2027/2028. It was noted that arrangements must be determined by 28 February 2026 in order to comply with the national School Admissions Code.

The report explained that the proposed arrangements for 2027/2028 were similar to the arrangements agreed for 2026/27, with the exception of (i) three proposed reductions in Published Admission Numbers (PAN) detailed in section 2.4 of the report and (ii) updates to Appendix 1C for tie-break arrangements, the wording around how oversubscription criteria is applied, admission requests for out of normal year group (including summer born requests). It was noted that these changes intended to bring clarity to parents and schools and ensure compliance with the national School Admission Code.

RESOLVED –

- 1) That the Kirklees co-ordinated admission schemes for 2027/28, including in-year admissions, as set out in Appendix 2, be approved.
- 2) That admission arrangements for Kirklees community and voluntary controlled schools, as detailed in Appendix 1C, including the updated

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sections related to tie-break arrangements and admission requests for out of normal year group (including summer born requests), be approved.

- 3) That approval be given to the Published Admission Numbers (PAN) for each community and voluntary controlled school, as set out in appendix 1D, including: Birkby Junior School – PAN decrease from 150 to 120 in 2027/28, Dalton School – PAN decrease from 70 to 60 in 2027/28 and Roberttown CE (VC) J & I School – PAN decrease from 34 to 30 in 2027/28.

86 **Half Yearly Monitoring on Treasury Management activities 2025/2026**

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Darwan, Scott and H Zaman).

Cabinet received a report which set out the treasury management performance during the first half of 2025/2026, prior to its submission to Council.

The report provided assurance that the Council's treasury management function was being managed prudently and pro-actively and that the Council complied with its treasury management prudential indicators in the year, as set out at Appendix 4.

The report advised that external investments, including the £10.0 million Local Authority Property Fund (LAPF), averaged £98.8 million during the period at an average rate of 4.21% and that investments ranged from a peak of £139.2m million in July 2025 to a low of £58.0 million in April 2025. It advised that the Council's net borrowing increased by £10.2 million in the 6 month period, from £715.4 million at 31 March 2025 to £725.6 million at 30 September 2025. It was noted that the treasury management revenue budget for 2025/26 was £36.1 million.

Cabinet noted that all treasury management activities undertaken during the period complied fully with the principles in the Treasury Management Code and the Council's approved Treasury Management Strategy.

RESOLVED - That the half yearly treasury management activity 2025-2026 be noted and that the report be referred to the meeting of Council on 21 January 2026.

87 **Special Educational Needs and Disabilities (SEND) - Capital Plan Investment for the new build Woodley School and College**

(The report included exempt information in accordance with Schedule 12A of the Local Government Act 1972 (Access to Information) (Variation) Order 2006, namely it contains information relating to financial and business affairs of third parties (including the Authority holding that information)).

(The report included exempt information in accordance with Schedule 12A of the Local Government Act 1972 (Access to Information) (Variation) Order 2006, namely that it contains information relating to financial and business affairs of third parties (including the Authority holding that information). It was considered that the disclosure of the information would not be in the public interest as disclosure could adversely affect overall ability to obtain value for money, compromise the commercial confidentiality of organisations mentioned in the report, which is considered to outweigh the public interest in disclosing information including, greater

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accountability, transparency in spending public money, and openness in Council decision-making).

(Under the provision of Council Procedure Rule 36(1), Cabinet received a representation from Councillors Darwan and Scott).

Cabinet gave consideration to a report which sought approval to draw down capital allocations, primarily from the Children's and Families section of the Capital Plan, approved by Council on 16th July 2025, in order to enable the construction and completion of the new build Woodley School and College, which would expand special school provision to replace the existing school sites.

The report advised that the anticipated start on site date for the new build Woodley School and College was during Summer 2026, with completion scheduled during Autumn 2027, and that these dates aligned to the most recent report issued by Children's Services colleagues in relation to the DfE safety valve targets/funding.

The report sought permission to draw down capital funds to enable a building contract to be awarded for the construction of the new build Woodley School and College, within the budget as set out in Appendix 3. It was noted that, subject to approval, a robust procurement exercise would take place to appoint a construction partner to deliver the new build school in line with the estimated programme stated in this report. Appendix 2 included images to illustrate what the new building and site.

RESOLVED –

- 1) That approval be given to the draw down of capital funds as detailed in Appendix 3 of this report to enable the procurement and appointment of a building contractor to construct a 180 place new build Communication & Interaction / Autism school to replace the existing Woodley School and College site at Dog Kennel Bank, Huddersfield and to facilitate the completion of this project, in line with procurement regulations and the Council's Contract Procedure Rules.
- 2) That in order to manage the successful delivery of the new build Woodley School and College site at Fernside Avenue without the need to return to Cabinet should any further unexpected costs arise that exceed the approved budget as stated in Appendix 3, authority be delegated, if required, to the Service Directors for Development and for Learning and Early Support in consultation with the Service Director for Finance (S151 Officer) to use the provisions within the Council's Financial Procedure Rules dated June 2025, specifically paragraphs 3.9 to 3.10.
- 3) That authority to the Executive Director of Place to authorise the award of the contract to ensure that a construction contract can be signed for the proposed new build school and the project completed so that the required additional SEND school places can be successfully delivered.
- 4) That authority be delegated to the Service Director – Legal, Governance and Commissioning to enter into any necessary legal agreements or instruments to facilitate the recommendations.

88 Homes and Neighbourhoods Service Governance Review

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Darwan, Scott and H Zaman).

Cabinet received a report which set out the outcome of a review of the governance arrangements for the Homes and Neighbourhoods Service. The report outlined a process of review that had assessed (i) the current format of governance, considering strengths and gaps (ii) the requirements of the regulator, reflecting upon the changing environment and implications for the service, and (iii) the current service risk register. Cabinet noted that the proposals sought to evolve the model of governance, while maintaining a critical focus on tenant scrutiny, and the role of the Tenant Led Panel.

It was also noted that strategic and key decisions would be referred to Cabinet, along with new policies and significant changes to policy. The report set out information on the approach to the review, service risks, the existing and proposed structures and the role of corporate and operational governance.

It was noted that the review process had sought to amend and develop the Homes and Neighbourhoods structure to ensure control over areas of significant risk and provide assurance to tenants.

RESOLVED –

- 1) That the service risks as set out at paragraph 2.12 of the report be noted.
- 2) That the proposed structure as set out at paragraph 2.14 of the report be noted.
- 3) That it be noted that the proposal includes (i) the change of title for Homes and Neighbourhoods Improvement Board to Homes and Neighbourhood Assurance Board (ii) delegation of the decision for timing of the name change to Portfolio Holder for Transport and Housing and Executive Director of Place (iii) the broadening scope of Homes and Neighbourhood Assurance Board to cover all areas of regulation (iv) the continued importance of the Tenant Led Panel as a bridge between the service and our tenant base (v) the addition of two new officer operational boards (Housing Capital and Revenue Investment Board and Service Quality Assurance Board) to cover risks as identified in section 4.3 and (vi) the broadening of scope of the Transformation Board to include data, and service culture workstreams.

89 Response to Awaab's Law - Interim Policy Updates, Repairs, and Maintenance Policy and Damp, Mould and Condensation Policy

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Darwan, Scott and H Zaman).

Cabinet received a report which set out proposed interim policy updates that would ensure meeting the requirements of Awaab's law and build upon the work carried out in recent months to reduce the significant backlog of damp, mould and condensation cases, and provide a proactive repairs service to Council tenants. It was noted that Awaab's Law introduced new statutory duties for social landlords to address damp,

mould and condensation hazards, and other hazards, within strict timescales.

The report set out the detail of the proposed policy updates and proposed an intention to embark on a meaningful programme of tenant engagement which would allow tenants to inform the services provided. It was noted that the proposals to engage with tenants on related policies sought to provide meaningful opportunities for tenants to influence and scrutinise the Council's strategies.

Cabinet noted that, for 2025-2026, there was a budget for repairs and maintenance works of £31.3m, increasing to £32.7m in 2026- 2027, which included a budget of £12.6m for responsive repairs and damp and mould. The report advised that a budget of £3.1m had been provided to carry out stock condition surveys over the next three years.

RESOLVED –

- 1) That the Repairs and Maintenance Policy: Interim Update be noted and approved.
- 2) That the Damp, Mould and Condensation (DMC) Policy: Interim Update be noted and approved.
- 3) That the intention to consult further with tenants on the detail and effectiveness of these policies, which may lead to subsequent policy amendments be noted.
- 4) That the intention to develop further supporting policies and procedures in consultation with tenants.

90 Huddersfield Station Gateway Masterplan

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Darwan and Scott).

Cabinet received a report which provided an update on the development of a Masterplan for Huddersfield Gateway Station and sought approval of the proposed next steps.

The report advised that the Huddersfield Station Gateway Masterplan provided a strategic framework designed to drive regeneration and investment in Huddersfield town centre and set out a vision to transform the Station Gateway into a dynamic and inclusive transport hub, enhancing connectivity, supporting economic growth, and inspiring wider regeneration.

Cabinet were advised that the proposals centred around opportunities presented by the Transpennine Route Upgrade (TRU), and integrated key assets including Huddersfield Railway Station, St George's Warehouse, The George Hotel, and St George's Square, and that it also aligned with other major initiatives such as the

Huddersfield Blueprint, Our Cultural Heart, and the Station to Stadium Enterprise Corridor.

The report explained that approval of the masterplan would establish a clear framework for future project development, partnership working, and stakeholder engagement, and that the ambition was for the masterplan to guide the preparation of business cases and funding strategies for individual projects, ensuring readiness to capitalise on future opportunities and deliver long-term benefits for Huddersfield and the wider district.

RESOLVED –

- 1) That the report and Masterplan document be received and noted.
- 2) That approval be given to the Masterplan.
- 3) That authority be delegated to the Executive Director for Place, in consultation with the Cabinet Member (Finance and Regeneration), to adopt the plan and publish it on the Council's website to form the basis for funding bids and investment decisions in the masterplan area.
- 4) That authority be delegated to the Executive Director for Place, in consultation with the Service Director for Legal Governance, and Commissioning, Service Director for Finance and the Cabinet Member for Finance and Regeneration to (i) progress continued engagement with partners to explore funding opportunities (ii) engage with partners, progress market engagement and explore development partner options, and (iii) enter any appropriate agreements with WYCA and other partners to further develop the masterplan in line with the Council's policies and constitution.
- 5) That authority be delegated to the Service Director Legal, Governance and Commissioning to enter into, on behalf of the Council, any external funding agreements or legal agreements related to the Masterplan as appropriate and in accordance with the Contract and Finance Procedure Rules.
- 6) That it be noted that authority related to the procurement of a development partner, and specific projects which emerge from the Masterplan, and associated details regarding funding and delivery, will return to Cabinet for approval as required.

91 Adoption of Moving Traffic Enforcement Powers

(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillors Ahmed, Cooper, Darwan, Scott and H Zaman).

Cabinet received a report which provided an update on the results of the Council's application to the Department for Transport to apply for trial Moving Traffic Enforcement (MTE) powers, including the outcome of public consultation, and sought approval to progress with enforcement.

Cabinet noted that the Council had applied to the DfT for trial powers at sites at Armitage Bridge, Barnsley Road (Flockton) and Heckmondwike Bus Station, following a six week public consultation period and that approval had been received in October 2025.

The report advised that the trial would be supported by WYCA, and that,

after 6-12 months after the start of the trial, a review would be undertaken as to whether the use of MTE powers should continue. It was proposed that, subject to approval, the trial would commence during summer/autumn 2026 and that, 12 months after this period, consideration would be given to new future sites.

RESOLVED –

- 1) That approval be given to the introduction and trial of MTE powers (introduction would be subject to receiving external funding) using Automatic Number Plate Recognition (ANPR) cameras now that the Council has been granted powers from the Secretary of State – per DfT approval in October 2025.
- 2) That authority and the decision to begin enforcement be delegated to the Executive Director for Place, in consultation with the Service Director for Finance and the Portfolio Holder for Transport, once necessary financial and operational matters on implementation are in place.
- 3) That authority be delegated to the Service Director for Legal, Governance and Commissioning to enter into on behalf of the Council any associated legal formalities including any external funding agreements.
- 4) That authority to the Executive Director of Place, in consultation with the Service Director for Finance and the Portfolio Holder for Transport, the introduction, implementation and enforcement in relation to MTE power (including authority to continue with the MTE powers following any trial, discretion over; future site selection, review periods, relocation of cameras, cost, procurement of equipment, key decisions involving ticketing and disputes, entering into funding agreements and spending of surplus revenue generated by ticketing, in line with strict DfT mandate on appropriate use of surplus, as outlined herein).
- 5) That approval be given to the trial of the civil enforcement powers coming into place at the three proposed locations, as submitted within the Kirklees application to DfT in July 2025. The three locations being (i) Armitage Bridge – HGV weight limit no entry through the village (ii) Barnsley Road, Flockton – one way (eastbound) HGV weight limit and (iii) Heckmondwike Bus Station – no stopping 2 yellow boxes, at the bus station entrance.
- 6) That approval be given to the proposed approach (as set out in section 2.3 of the report) for the introduction and use of moving traffic enforcement at appropriate future locations as identified in accordance with the same process as the trial.

Public Document Pack

Contact Officer: Jodie Harris

KIRKLEES COUNCIL

CABINET COMMITTEE - LOCAL ISSUES

Wednesday 19th November 2025

Present: Councillor Graham Turner
Councillor Nosheen Dad

In attendance: Phil Waddington, Group Engineer
Gail Bentley, Senior Technical Officer
Karen North, Principal Technical Officer
Lucy Carter, Principal Engineer

Apologies: N/a

24 Membership of the Committee

No apologies were received.

25 Minutes of Previous Meeting

RESOLVED –

That the Minutes of the meeting held on 11th June 2025 and the 10th September 2025 be approved as a correct record.

26 Declaration of Interests

No interests were declared.

27 Admission of the Public

All agenda items were considered in public session.

28 Deputations/Petitions

No deputations or petitions were received.

29 Public Question Time

No public questions were received.

30 Member Question Time
No questions were asked

31 Proposed Traffic Calming, Scar Lane, Golcar

RESOLVED: That The objections to the traffic calming proposed under HighThe Committee considered one objection and comments received in relation to the traffic calming proposed under Highways Act 1980 – Section 90 A-F – Scar Lane, Golcar.

Lucy Carter, Principal Engineer presented the report and the Committee were advised that;

- Scar Lane had a documented history of personal injury collisions (PICs) over a five-year period from 2019 to 2024. Ten of the collisions recorded along its length, resulted in twelve casualties, six of whom sustained serious injuries as a result of speeding traffic and rear end shunts.
- This suggested that vertical traffic calming measures in the form of speed cushions and tapered free-draining humps would be appropriate mitigation, in line with current guidance.
- The proposals then underwent local public consultation in August 2025, during which 192 letters were distributed to adjacent affected properties and businesses
- The scheme was formally advertised from 9th September 2025 to 30th September 2025 in line with the Road Hump Regulations 1999 and one objection was received.
- The objection was from a resident who was not included in the public consultation due to their address not been in the vicinity of the proposed scheme.
- The objector suggested that accelerating after passing over “speed humps” will seriously increase levels of exhaust pollution.
- In response, officers acknowledged concerns around air pollution but highlighted that the benefits of reduced speeds, and therefore fewer collisions and injuries were weighed against any possible minor negative impact on air quality. Given the collision and injury history along Scar Lane, the introduction of traffic calming along this length to increase the safety of all road users, could be justified.

In the discussion to follow, the Committee highlighted that 12 casualties, of which 6 suffered serious injury, during the past 5 years was high, and that contributory factors suggested issues with inappropriate speeding along Scar Lane. On balance, the Committee felt that the benefits of the scheme in reducing the number and severity of collisions and injuries outweighed concerns raised in the objection. The Committee also noted it may be helpful to monitor the success of traffic calming should this be agreed going forwards.

Having considered all the information presented to it verbally and in writing the committee agreed that:

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RESOLVED: The objections to the traffic calming proposed under Highways Act 1980 – Section 90 A-F – Scar Lane, Golcar be overruled and that the scheme be implemented as advertised.

ways Act 1980 – Section 90 A-F – Scar Lane, Golcar be overruled and that the scheme be implemented as advertised.

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Contact Officer: Nicola Sylvester

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 28th November 2025

- Present: Councillor John Taylor (Chair)
Councillor James Homewood
Councillor Caroline Holt
Councillor Harry McCarthy
Councillor Kath Pinnock
Councillor Angela Sewell
Councillor Nosheen Dad (ex-Officio)
Councillor Graham Turner (ex-Officio)
- Co-optees Nicholas Booth
Andrew North
- In attendance: Chris Read, Corporate Customer Standards Officer
Ruth Calladine, Head of Procurement and Commissioning Support
Samantha Lawton, Service Director Legal and Commissioning (Monitoring Officer)
Rachel Spencer-Henshall, Deputy Chief Executive and Executive Director for Public Health and Corporate Resource
James Anderson, Head of Accountancy
Rachel Firth, Finance Manager
Alice Carruthers, Senior Risk Officer
Martin Dearnley, Head of Risk
Gareth Mills, Grant Thornton
Gregg Charnley, Grant Thornton
- Apologies: Councillor Bill Armer (ex-Officio)

- 46 Membership of the Committee**
Apologies for absence were received on behalf of Councillor Bill Armer (ex-Officio).
- 47 Minutes of Previous Meeting**
- RESOLVED –**
That the Minutes of the meeting held on 26 September 2025 be approved as a correct record.
- 48 Declaration of Interests**
No interests were declared.

49 Admission of the Public

It was noted that Agenda item 13 would be considered in private session.

50 Deputations/Petitions

No deputations or petitions were received.

51 Public Question Time

No public questions were received.

52 Corporate Customer Standards Annual Report 2024/25

The Committee received the Annual Report on Corporate Customer Standards 2024/25.

The report highlighted that complaint handling performance had remained broadly consistent with the previous year and provided a detailed breakdown of the overall number of complaints received, which included Ombudsman complaints. Appendix 1 of the report highlighted the comparisons across Yorkshire and Humber which showed Kirklees in the upper half of Councils in terms of performance, and appendix 2 provided a detailed summary of Ombudsman cases that were upheld. There had been no formal reports issues against the Council in 2024/25. The report also highlighted the increase in housing complaints which had risen from 190 to 250 and that Whistleblowing cases had returned to pre-covid levels. Information was provided in relation to Third Stage Complaints, in total 901 cases passed through the Corporate Customers Standards section in 2024/25 which was very similar to previous years. The report set out the number of complaints by service area and internal investigations had identified elevated numbers in waste collection and Special Educational Needs and Disabilities, as well as a small increase in highways and planning.

The report also included details of the Councils approach to adopting the Local Government Ombudsman Complaint Handling Code which required the Council to transition to a two-stage complaints process in April 2026.

During discussion, regarding broader performance, the committee was advised that the Ombudsman Code included Key Performance Indicators that would be reported on annually and would provide more detailed comparisons between services and other Councils. The Council also produced a quarterly performance report which was submitted to Cabinet. The Committee queried the increase in Housing complaints (8 to 49) and were assured that work had been undertaken within the service to improve processes.

In response to queries regarding the two-stage complaint process, the implementation across services and the importance of having a consistent approach across the organisation, the Committee was advised that a new complaints system would be introduced to collate the number of complaints received for each service.

RESOLVED-

- 1) That the Corporate Customer Standards Annual Report 2024/25 be noted.
- 2) That the Whistleblowing outcomes as in Appendix 4 of the report be noted.

- 3) That the proposed implementation of the Local Government Ombudsman Complaints Code by Kirklees as in Appendix 3 of the report be noted.

53 Contract Management Arrangements Update

The Committee received the Contact Management Arrangements Update Report which provided an update on the work undertaken in relation to the recommendation in the External Auditors' Annual Report 2023/24.

The report detailed the Councils response to the recommendation which had seen the establishment of a Contract Management Transformation Project in April 2025. The initiative focused on laying strong foundations and embedding core principles to better support colleagues involved in Contract management activities. A detailed action plan had been developed and a stakeholder team established to ensure the delivery of key milestones and outcomes at pace. The work had been divided into four workstreams, Learning Resource, Contract Management Framework, Governance Framework and Data Management. In relation to the Contract Management Framework, the Committee was informed that a tiering process to assess and categorise contracts (bronze, silver, gold) based on risk had been introduced. A suite of tools which included guidance documents and various training options had been developed to support contract managers and a specific role had been created to manage the contracts register.

During discussion, the Committee noted the framework but queried the timescale for roll out and the application to existing contracts. The Committee was informed that guidance was readily available and that the application to existing contracts was a long-term goal. The Committee suggested mapping gold and silver tier contracts to risk registers to ensure the right level of categorisation.

RESOLVED - That the Contact Management Arrangements Update be noted.

54 Half Yearly Monitoring report on Treasury Management activities 2025/26

The Committee received the mid-year Treasury Management Report for 2025/26 which provided assurance that the Council's treasury management function was being managed prudently and pro-actively and that the Council had complied with its treasury management prudential indicators. The report highlighted that External investment, including the £10 million Local Authority Property Fund (LAPF), averaged £98.9 million during the period at an average rate of 4.21%. Investments ranged from a peak of £139.2 million in July 2025 to a low of £58 million in April 2025 and the majority of funds were placed in instant access accounts. The report also highlighted that the Councils external borrowing stood at £789.9 million which reflected new loans and scheduled repayments.

The Committee noted that the Treasury Management budget for 2025/26 was £36.1 million with a forecast underspend of £1.8 million. This reflected higher levels of investment balances and borrowing at rates below budget assumptions. It was also noted that all treasury management activities undertaken during the period complied fully with the principles in the Treasury Management Code and Council's approved Treasury Management strategy.

During discussion, the Committee queried the information presented in table one of the report in relation to forecast and estimated, and actual borrowing figures, both internal and external. The Committee was informed that estimates were part of the Capital Finance Requirement and historically had found that the outturn against Capital expenditure / Capital Plan was lower than estimated. The committee acknowledged that investment decisions were balanced on risk and reward and prioritised liquidity.

RESOLVED - That the Half Yearly Monitoring report on Treasury Management activities 2025/16 be noted.

55 External Audit Update Report

Gareth Mills and Greg Charnley, Grant Thornton External Auditors provided an update on the 2024/25 external audit and advised the Committee that the accounts audit was nearing completion, with only minor points outstanding. The ISA260 report and Value for Money (VFM) report were expected to be presented at the Corporate Governance and Audit Committee meeting in January 2026. A draft VFM had been issued in preparation for finalisation, with some ongoing issues highlighted.

The Committee noted that Kirklees remained outside the national backlog and was on track for a full audit opinion and that future statutory deadlines would move forward significantly, which would require earlier completion in subsequent years.

RESOLVED- That the External Audit Update report be noted.

56 Risk Management Update Report

The Committee received a report which provided an update on the Council's delivery of its risk management strategy and areas of focus for the next year.

The report highlighted that continual development and promotion of risk management was integral to strong performance, financial sustainability, ongoing compliance and the delivery of planned outcome for the Council. The Executive Leadership Team (ELT) were responsible for risk management, supported by the Risk Management Framework which provided a structure and process to identify, assess, monitor and report on risks. Service Risk Registers continued to form the basis of the risk management process and the standard service risk register template had been adopted by most services, with full adoption expected at the end of Quarter 4 2025/26. This would provide consistency and direct comparisons between risks on different risk registers. The report included a heat map which provided details of the change in distribution of corporate risks. The Corporate Risk Register formed part of the quarterly performance and risk report to ELT, as well as the Executive Board, Cabinet and the Overview and Scrutiny Management Committee on a quarterly basis. In addition, from Quarter 1, 2025/26, risk metrics had been included as part of the quality Check and Challenge process.

The report also highlighted the ongoing work with regards to the provision of a Risk Appetite Statement for Kirklees, which would be used as a strategic tool to help the organisation determine how much risk it was willing to take. A draft copy could be found at Appendix 2 of the report.

During discussion, the Committee highlighted the larger complex projects and the lack of independent programme assurance. The committee noted the continued work to embed risk management across governance frameworks, enhanced training, and regional collaboration.

RESOLVED - That the Risk Management Update report be noted.

57 Risk Assurance on selected services

The Committee received a report which provided assurance on the effective and operationalisation of risk management processes throughout the Council.

Two case studies were shared with the Committee in relation to Highways Service Risk Management and Corporate Risk CAS01 Community tension, resilience and wellbeing, as part of a request from the Committee to understand how the Risk Management Policy was operationalised at both a Service and Corporate level. The report highlighted that the Risk Management Framework was designed to ensure risks were identified, monitored and managed at a Service level, and, where required, there was clear escalation routes. The report provided detailed information in relation to Service Risk Registers and the Corporate Risk Register, which both followed the same quarterly review process.

The Committee welcomed the approach as a way of providing deeper assurance and suggested extending similar reviews to long-standing risks with limited movement. The Committee also highlighted the importance of managers undertaking self-assessments of control, effectiveness and design as a way of consistency.

RESOLVED - That the Risk Assurance on Selected Services report be noted.

58 Internal Audit Quarterly Report 2 2025/26 - July 2025 to September 2025

The Committee received a report which set out the Internal Audit activity during Quarter 2, 2025/26. Appendix 1 of the report provided an update on all recommendations from 2024/25 and 2025/26 that were due to be implemented by 30th September 2025 but had not yet been fully carried out. Of the outstanding recommendations, two fundamental recommendations had not been fully completed, two major recommendations had not been implemented and eighteen had seen partial implementation. This was an improved position from Quarter 1. The report also highlighted the Regulation of Investigatory Powers Act investigations, of which there had been none for this period.

Corporate Governance and Audit Committee - 28 November 2025

During discussion, the Committee sought confirmation that recommendations prior to 2024/25 had been fully implemented and agreed that a retrospective review should be undertaken and added to the report as required.

RESOLVED – That the Internal Audit Quarterly Report 2025/26 – July 2025 to September 2025 be noted.

59 Agenda Plan 2025/26

RESOLVED- That the Agenda Plan 2025/26 be noted.

60 Exclusion of the Public

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

61 Internal Audit Quarterly Report 2 2025/26 - July 2025 - September 2025

RESOLVED - That the Committee noted the exempt information, which was an appendix to Agenda item 13

Contact Officer: Nicola Sylvester

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 30th January 2026

Present: Councillor John Taylor (Chair)
Councillor Paola Antonia Davies
Councillor Angela Sewell
Councillor Mohan Sokhal

Co-optees Nicholas Booth
Andrew North

In attendance: Steve Mawson, Chief Executive
James Anderson, Head of Accountancy
Ginette Beal, Grant Thornton
Greg Charnley, Grant Thornton
Martin Dearnley, Head of Risk
Rachel Firth, Finance Manager
Nick Howe, Policy and Partnership Manager
Grant Mills, Grant Thornton
Kevin Mulvaney, Service Director Finance (S151 Officer)
Rachel Spencer-Henshall, Deputy Chief Executive and
Executive Director for Public Health and Corporate Resources
Samantha Lawton, Service Director Legal and Commissioning
(Monitoring Officer)
Leigh Webb, Head of Governance

Apologies: Councillor James Homewood
Councillor Caroline Holt
Councillor Harry McCarthy
Councillor Kath Pinnock
Councillor Graham Turner (ex-Officio)

62 Membership of the Committee

Apologies for absence were received on behalf of Councillor Harry McCarthy, Councillor Caroline Holt, Councillor James Homewood, Councillor Kath Pinnock and Councillor Graham Turner (Ex-Officio).

Councillor Mohan Sokhal substituted for Councillor James Homewood and Councillor Paola Davies substituted for Councillor Kath Pinnock under the provision of Council Procedure Rule 35 (7).

63 Minutes of Previous Meeting

RESOLVED –

That the Minutes of the meeting held on 28th November 2025 be approved as a correct record subject to an amendment to Minute 52 as follows:

(3) That the proposed implementation of the Local Government Ombudsman Complaints Code by Kirklees as in Appendix3 of the report be noted.

64 Declaration of Interests

No interests were declared.

65 Admission of the Public

All agenda items were considered in public session.

66 Deputations/Petitions

No deputations or petitions were received.

67 Public Question Time

No public questions were asked.

68 Auditor's Annual Report 2024-25

The Committee received the Auditor's Annual Report 2024-25.

The report highlighted the work the external auditors had undertaken with Kirklees Council during 2024-25, including commentary on the Value for Money (VFM) arrangements, the responsibilities of the Council (as set out in Appendix A) and the VFM auditor's responsibilities (as set out in Appendix B).

With regards to the VFM assessment, the three key recommendations had been retained from the previous year, acknowledging, however, that progress had been made/was continuing to be made by the Council. There had been positive improvements in the Council's overall financial position.

There was recognition that the report provided a retrospective view, as at 31 March 2025, and the management actions in the report did not impact on the assessment; there had been ongoing and robust engagement between Council officers and the External Auditor. It was anticipated that the positive changes would be reflected in the 2025/26 report.

The progress in respect of recommendations 1 and 3 was acknowledged and it was noted, in respect of the second key recommendation, concerning the DSG deficit, action was being taken by the Council but this was an issue that needed to be addressed at a national level.

The action in relation to Improvement Recommendation 2 (IR2) relating to the oversight of major capital projects was queried in respect of the long timeline for reviewing arrangements. The Committee was assured that significant oversight already existed through Cabinet and Scrutiny processes but there may be a need for better alignment between decisions and updates and perhaps there was a need for more visibility of this for the Auditors.

RESOLVED –

That the Auditor's Annual Report 2024-25 be noted.

69 Audit Findings (ISA260) 2024-25 Report

The Committee received the Audit Findings (ISA260) 2024-25 report, submitted by Grant Thornton, which highlighted that the External Auditors were on track to issue a full, unqualified, 'clean' audit opinion in February 2026 which was positive outcome for the Council.

It was explained that there were no audit adjustments impacting usable reserves, and although some technical adjustments and recommendations were included within the report, including one linked to IFRS 16 lease accounting, there was no impact on useable reserves.

The Committee sought assurance on the resources/capacity for the 2025-26 audit cycle to help achieve earlier deadlines . It was noted that the Council had an experienced finance team and a consistent experienced team on the audit side who would work closely together to achieve the November 2026 completion date. A post-audit review meeting would take place to evaluate the processes and streamline future audits.

During discussions, the Committee asked for an explanation of the level of assurance in respect of IT and cyber security arrangements and were advised that the arrangements were robust and adequately resourced. In respect of the progress in implementing recommendations from previous audits, the auditors advised that although these were not material issues in terms of the opinion, monitoring/oversight of this would be helpful and full implementation would support a smoother and more efficient process for 2025-26.

RESOLVED –

That the Audit Findings (ISA260) 2024-25 Report be noted.

70 Annual Governance Statement

The Committee received the Annual Governance Statement 2024-25, which all local authorities must produce to demonstrate how the Council ensures effective, efficient, and compliant service delivery. This Statement outlined the Council's responsibilities, the governance framework, key components, a review of effectiveness for 2024-25, criteria for identifying significant governance issues, and an assessment of progress on previously identified issues, as well as any new concerns arising during the year.

One new governance issue had been identified in relation to improvements in contract and project management and six previous issues had been carried forward, three of which had been completed. The other three related to housing, addressing SEND financial challenges and data management, which were still rated amber.

RESOLVED –

That the Annual Governance Statement 2024/25 be approved.

71 Approval of the Councils final accounts for 2024-25

The Committee received a report which set out the final accounts and audit processes for 2024-25. The report requested that Members approve the Council's Statement of Accounts for 2024-25 including the final version of the Annual Governance Statement.

The preparation of the Statement of Accounts is a statutory requirement, and Local Authorities were required to have them signed by the Section 151 Officer by 30 June. Despite significant challenges to the Council's finance team, dealing with competing demands, the draft accounts had been completed and signed on 27th June 2025. A six-week public inspection period ran from 27th June 2025 to 8th August 2025 and no queries or objections were raised.

The Chair would be advised of any changes prior to signing the final version.

In response to a question, the position in respect of the surplus and actuarial valuation of the pension scheme was explained noting that position was highly volatile. The fund had been in surplus for several years but had been in deficit prior to that.

RESOLVED –

1. That the Statement of Accounts 2024-25, including the Annual Governance Statement be approved and that the Chair of the Committee certify the Statement of Responsibilities on Page 21 upon completion of the audit.
2. That the draft Letter of Representation (Appendix C to the report) be approved and that the Chair of the Committee sign the final version, on behalf of the Committee, upon completion of the audit.

72 Treasury Management Strategy and Investment Strategy 2026-27

The Committee received the Treasury Management Strategy and Investment Strategy 2026-27, in accordance with the framework of the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management in the Public Services: Code of Practice 2021 Edition, which the Council was required to approve prior to the start of each financial year.

The report provided information regarding:

- (i) the outlook for interest rates and a recommended investment strategy,
- (ii) the current and estimated future levels of Council borrowing and a recommended borrowing strategy,

- (iii) methodologies adopted for providing for the repayment of debt and a recommended policy for calculating the Minimum Revenue Provision (MRP),
- (iv) other treasury management matters including the policy on the use of financial derivatives, prudential indicators, the use of consultants, and the policy on charging interest to the Housing Revenue Account,
- (v) a recommended annual Investment Strategy (Non-Treasury Investments) for the Council in 2026/27.

During discussion, the Committee was advised that the Council's investment strategy, was governed by the regulations and the CIPFA Prudential Code, which required decisions to be based on security, liquidity and yield, in that order.

RESOLVED –

That it be recommended that the Treasury Management Strategy 2026/27 incorporating:

- The borrowing strategy outlined in paragraphs 2.15 to 2.27 of the report.
- The investment strategy (treasury management investments) outlined in paragraphs 2.28 to 2.36 of the report and Appendices A and B.
- The policy for provision of repayment of debt (Minimum Revenue Provision) outlined in paragraphs 2.37 to 2.38 of the report and at Appendix C.
- The treasury management prudential indicators set out in Appendix D, and
- The investment strategy (non-treasury investments) set out at Appendix F.

be submitted for consideration by Cabinet and for approval by Council.

73 Dates of Council Meetings 2026-2027 (Reference to Council)

The Committee received a report which set out a schedule of Council meeting dates for the 2026-27 municipal year. The dates included two types of ordinary meetings of the Council: 'Holding the Executive to Account' and 'Key Discussions', as required by Council Procedure Rule 5 (1).

RESOLVED –

That the schedule of Council meetings for the 2026-27 municipal year be approved.

74 Kirklees Community Governance Review - Stage 1 consultation summary and stage 2 recommendations

The Committee received the Community Governance Review Report which provided a summary and analysis of the responses received in the first stage of public consultation and set out the proposals that would form the basis for stage 2.

The report detailed that the Community Governance Review (CGR) was a process that allowed upper-tier councils to review and make changes to the governance arrangements of parishes within their area to ensure they continued to reflect the identity and interests of local communities and remained effective and convenient.

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On 16th July 2025, Council had agreed to the undertaking of a CGR in accordance with the relevant legal framework and Government guidance, and delegated authority to the Corporate Governance and Audit Committee to agree the Terms of Reference and oversee the delivery.

On 26th September 2025, the Committee had resolved to undertake a review of the areas of Kirklees which were currently parished and relevant adjoining land, to enable the Council to consider if any changes were required to existing parish arrangements. The Terms of Reference for this review had been published on 1st October 2025, and the first stage of the public consultation took place between 1st October and 12th December 2025.

The Committee highlighted the low level of public engagement and suggested that additional methods of communication and wider publicity should be used to encourage more engagement in stage two, noting the responsibility of ward councillors to raise awareness and encourage engagement. The Committee also queried the potential cost implications with regards to creating or altering Parish Councils and were advised that costs to the Council were expected to be minimal; more detail would be provided later in the review process. In respect of numbers of councillors; Stage 2 of the consultation would seek views on this.

RESOLVED –

1. That the draft proposals arising from stage one of the consultation on the Community Governance Review be approved.
2. That the arrangements for the second stage of consultation, scheduled to commence on 9th February 2026 be noted.

75

Agenda Plan

RESOLVED- That the Agenda Plan for 2025/26 be noted.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

DISTRICT-WIDE PLANNING COMMITTEE

Thursday 27th November 2025

Present: Councillor Sheikh Ullah (Chair)
Councillor Donna Bellamy
Councillor Eric Firth
Councillor Susan Lee-Richards
Councillor Alison Munro
Councillor Mohan Sokhal

Apologies: Councillor Zahid Kahut
Councillor Tony McGrath
Councillor Cathy Scott

31 Membership of the Committee

Apologies for absence were received on behalf of Councillors Kahut, McGrath and Scott.

Councillor Munro substituted for Councillor Davies.

32 Minutes of the Previous Meeting

RESOLVED – That the Minutes of the meeting held on 9 October 2025 be approved as a correct record.

33 Declaration of Interests and Lobbying

Councillors Bellamy, Firth, Lee-Richards and Ullah advised they had been lobbied in respect of Application 2025/90487.

34 Admission of the Public

All agenda items were considered in public session.

35 Public Question Time

No public questions were received.

36 Deputations / Petitions

No deputations or petitions were received.

37 Site Visit - Application No: 2025/90487

Site visit undertaken.

38 Site Visit - Application No: 2025/91657

Site visit undertaken.

39 Planning Application - Application No: 2025/90487

The Committee gave consideration to Application 2025/90487 – Change of use and alterations to convert from vacant bank (Class E) to hot food takeaway (sui generis) with installation of extract and ventilation equipment and external alterations to the front and rear elevations at 47 Huddersfield Road, Mirfield.

Under the provisions of Council Procedure Rule 36(3), the Committee received a representation from Councillor Lees-Hamilton (local member).

Under the provisions of Council Procedure Rule 37, the Sub-Committee received representations from Christine Sykes and Stephen Carden (local resident) and Chris Binns (applicant's agent).

RESOLVED – That, contrary to the Officer's Recommendation, the application be refused on the grounds of (i) road safety (ii) swept analysis (iii) noise pollution and (iv) impact upon residential amenity of Trinity Street.

In regard to (i) road safety, the Committee considered that the proposed location of the premises would likely result in customers parking on double yellow lines, blocking the entrance/exit to the adjacent fire station and encourage pedestrians to cross a busy section of the highway with no crossing point. In regard to (ii) swept analysis, the Committee raised concerns over the impact of no swept path analysis having been undertaken, and the impact upon access to bin storage and accessibility for waste collection wagons. In regard to (iii) noise pollution, the Committee raised concerns over the noise impact of the flue upon residential amenity and, in regard to (iv) residential amenity, the Committee raised concerns of the impact of the application upon the residents of Trinity Street, due to the width of the road, traffic generation, noise generation and impact upon the loss of the existing residential amenity.

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

For: Councillors Bellamy, Firth, Lee-Richards, Munro and Sokhal (5 votes)

Against: (no votes)

Abstain: Councillor Ullah

40 Planning Application - Application No: 2025/91657

The Committee gave consideration to Application 2025/91657 – Erection of a first floor side extension (within a conservation area) at Kelvin Villa, 1 Newsome Street, Dewsbury.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Haris Kasuji (applicant's agent).

RESOLVED - That authority be delegated to the Head of Planning and Development to approve the application, issue the decision notice and complete the list of conditions including matters relating to;

District-Wide Planning Committee - 27 November 2025

- Standard condition regarding 3 year timescale to commence development
- Development to be in accordance with plans
- Noise mitigation measures
- Kitchen extract scheme
- Pollution prevention
- Hours of use
- Delivery management plan

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

For: Councillors Bellamy, Firth, Lee-Richards, Munro, Sokhal and Ullah (6 votes)

Against: (no votes)

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Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 25th September 2025

Present: Councillor Beverley Addy (Chair)
Councillor Carole Pattison
Michelle Cross
Professor Warren Gillibrand
Liz Mear
Catherine Riley
Rachel Spencer-Henshall

In attendance: Lucy Wearmouth, Head of Improving Population Health
Jo-Anne Sanders, Service Director, Learning and Early Support
Liz Towns-Andrews, Regional and Business Lead
Helen Duke, Director of Operational Services, Locala
Phil Longworth, Kirklees Healthy Working Life Programme Manager
Jessica Taylor, Young Adults Employability Officer
Steve Brennan, Kirklees Director Partnership Development
Allison Porter, G&R Project Manager, Employment Lead
Ian Bennett, Director of Nursing and Quality, Kirklees and Calderdale Place, West Yorkshire ICB
Adrian Wisniewski, Programme Manager, Strategy Innovation and Planning
Melvyn Ingleson, Chair, Healthwatch Kirklees and Calderdale

Apologies: Councillor Nosheen Dad
Councillor Ashleigh Robinson
Tom Brailsford
Alasdair Brown
James Creegan
Karen Jackson
Brent Kilmurray
Sheran Loran
Dr Vanessa Taylor
Izzy Worswick

14 Membership of the Board/Apologies

Apologies were received from Tom Brailsford, Stacey Appleyard, James Creegan, Alasdair Brown, Brent Kilmurray, and Karen Jackson.
Helen Duke, attended as sub for Karen Jackson.

15 Minutes of previous meeting

That the minutes of the meeting held on the 7th August 2025 be approved as a correct record.

16 Declaration of Interests

No interests were declared.

17 Admission of the Public

All agenda items were considered in public session.

18 Deputations/Petitions

No deputations or petitions were received.

19 Public Question Time

No public questions were asked.

20 Partner updates on actions taken following health and well-being board discussions

Melvyn Ingleson, Chair of Healthwatch Kirklees and Calderdale, reminded the Board that Healthwatch has a statutory function under the Health and Social Care Act 2012. He explained that its role extends beyond the Act, reaching deep into communities and amplifying the voices of those who are seldom heard.

He informed the Board that the NHS 10-year plan, sets out a new vision for giving power to the patient and enabling the public to shape services. Alongside the 10-year plan, a report was also published by Dr Penny Dash, who is now the Chair of NHS England.

The report was a comprehensive review of five patient safety bodies in England which included Healthwatch in terms of its role. This has led to a decision by the government to disband Healthwatch England, and to move its role as a national champion of the patient, into a department of patient experience within the Department of Health and Social Care. It has also led to a decision to remove the funding that is received from Local Government, to provide core funding to each local Healthwatch and to pass responsibility for communicating patient experience to the Integrated Care Board (ICB) for health, and the responsibility for patient experience in social care to the local authority.

The Board was informed that the 10-year plan and the recommendations from the DASH review, will require enabling legislation. The challenge for Healthwatch will be maintaining the motivation of committed staff and volunteers until April 2027. The issue for the Board is how it wishes to consider the role of the independent voice that is critical for service users moving forward, and in particular, it is critical for service users who are not confident with accessing or navigating the system.

The Board was informed that, as the landscape becomes clearer, the intention is to work collaboratively with partners to explore the future role of an independent patient voice. A paper may be brought in due course to reflect the continued importance of this function, which may or may not be delivered under the Healthwatch name. In addition, plans are being considered to convene a major

Health and Wellbeing Board - 25 September 2025

forum in the New Year, aimed at understanding how the health and care system and the strong partnerships across West Yorkshire, particularly in Kirklees and Calderdale can work together to ensure that the independent voice of service users is preserved and strengthened.

Vicky Dutchburn, Interim Accountable Officer, Kirklees ICB, provided an update to the Board advising that the West Yorkshire Integrated Care Board (ICB) held a meeting earlier in the week, during which the importance of maintaining an independent voice for service users was discussed. She confirmed a continued commitment to joint working both at the West Yorkshire level and across local places with Healthwatch, ensuring that Healthwatch remains a key partner in shaping the future approach to patient and public involvement.

Ms Dutchburn raised an issue regarding the unrest currently being experienced across some communities, particularly in relation to incidents of racism. She emphasised that work is underway both at the West Yorkshire level and across local places, to reinforce the region's commitment to anti-racism and its status as a place of sanctuary. She highlighted a series of videos and public commitments launched this week, aimed at demonstrating to patients, staff, and service users that these values are central to the work being carried out. The initiative seeks to ensure that communities feel supported and included, and that the health and care system reflects these principles in practice.

In addition, further work is taking place across staff networks and within communities to provide support and promote inclusion. A "We Stand Together" page has been created on the share board, offering a range of helpful resources for staff. A series of lunchtime webinars has been launched, providing a space for individuals to share their stories, and access signposting to relevant services. These initiatives aim to reinforce the region's commitment to being a place of sanctuary and to supporting all members of the community.

Councillor Addy provided an update on the Kirklees Armed Forces Covenant, informing the Board that the covenant group had recently met for its first meeting since before the covid pandemic. The group now meets online, which has proven beneficial in enabling participation from members based across various locations to have discussion on a regular basis.

Cllr Addy informed the Board that, upon taking on her role, she advocated for at least one in-person meeting each year. As a result, a networking event was held yesterday, with approximately 45 participants. This event provided a valuable opportunity for connection and collaboration among members from across the region. The event included representation from a wide range of organisations, including Luke's Lads in Batley, Tommy's in town, the Rural Veterans Hub, based near Denby Dale, and the newly established "The Served" in Slaithwaite. These groups engage with veterans and service users in an informal and socially supportive ways, contributing to a strong and inclusive network across the district. Representatives from the DWP, who have special service champions who work specifically with veterans were also in attendance.

Cllr Addy highlighted that Kirklees had recently been awarded the Gold Standard under the Armed Forces Covenant Employer Recognition Scheme. This recognition places Kirklees at the forefront of best practice in supporting members of the armed forces community, reflecting a strong commitment to inclusion and support.

RESOLVED

That Board members be thanked for providing updates.

21 Kirklees Healthy Working Life Programme

Phil Longworth, Kirklees Healthy Working Life Programme Manager, Allison Porter, Programme Manager Business and Skills, and Jessica Taylor, Young Adults Employability Officer, Fresh Futures, presented the Kirklees Healthy Working Life Programme.

In summary, the Board was informed that the government produced a white paper in November 2024, which identified a range of actions that needed to happen, to increase the number of people in work. These were people who had previously been out of work because of ill health and also to increase the support for people who are in work, who might be at risk of losing their job because of ill health.

West Yorkshire was selected for two key national programmes, namely:

1. Health and Growth Accelerator, led by the West Yorkshire Integrated Care Board (included in the new NHS Plan)
2. Economic Inactivity Trailblazer led by West Yorkshire Combined Authority (included in the spending review)

The Board was informed that the intention is to deal with those as a single entity. Although funding has only been confirmed for the current financial year, there was specific reference to the accelerator programme in the NHS Plan. This provides some optimism that the approach will continue and that future funding may be made available through the Integrated Care Board (ICB). Similarly, the trailblazer was referenced in the spending review, which again gives some hope that funding will continue beyond this year. Work on this has been ongoing since April 2025 and has now progressed to the implementation phase.

This work was established in response to national recognition of the link between health and employment. West Yorkshire was selected due to having some of the highest rates of unemployment related to ill health. While a reasonable level of funding has been confirmed for this year and for the Trailblazer programme next year, the details of future funding remain uncertain.

It is well established that mental health, musculoskeletal conditions, and cardiometabolic issues are key factors affecting people's ability to work. Historically, mental health and musculoskeletal issues contributed equally, but recent evidence shows a shift around 40% of those at risk of leaving work or struggling to return due to ill health are now affected by mental health conditions. This highlights mental health as a growing area of concern.

Health and Wellbeing Board - 25 September 2025

Due to the nature of the conditions, the greatest numbers of people are in the 50 plus age group, however, the group that is growing fastest in terms of people who are not in work due to ill health is young people aged 16 to 24. One of the distinguishing features of the approach in Kirklees, compared to other areas in West Yorkshire and the two other areas receiving accelerator funding, is a strong focus on supporting young people. It is also important to highlight that out of the people who are not currently working, who are classed as economically inactive, approximately one in four, it is because of long term, ill health issues.

Referring to the presentation slides, the Board was shown a summary on a page, of the various schemes available and the actions being taken to help people. The Board was advised that a webpage is also available which provides an overview of each of the schemes, including their focus areas and target groups and links to further information. In addition, each scheme is developing its own communication materials to engage with its intended audience and outline what support is available.

Jessica Taylor provided the Board with a real-life example from Fresh Futures, based at Brian Jackson House, highlighting the Elevate programme which supports young people aged 18 to 26.

The Board was informed that a session was held which brought together approximately 40 participants from across the various schemes. Despite the busy nature of the work, there was a strong sense of enthusiasm and a clear desire among attendees to build new connections across the work and health agenda.

A national evaluation is currently underway, with each scheme required to collect detailed data on their activities and the individuals they support. Over the coming months, it will be possible to share more in-depth insight into who has been engaged, the impact of the support provided, and how many participants have successfully moved into employment. This data will contribute to the national evidence base, supporting a more detailed understanding of the relationship between health and employment.

The Board was informed that further focus is needed on marketing and communications, particularly now that all schemes are live and work is underway to strengthen this over the coming weeks. Efforts are also being made to build stronger links with businesses, and engagement has already begun with Primary Care Teams through Primary Care Networks, as well as with local services such as Talking Therapies.

RESOLVED:

That:

- a) Phil Longworth, Allison Porter and Jessica Taylor be thanked for providing an update on the Kirklees Healthy Working Life Programme
- b) The Board supports the implementation of the Kirklees Healthy Working Life programme and
- c) endorses the approach of adopting an integrated approach that provides coordinated, joined-up delivery of work, health, and skills support.

22 Changes to the Integrated Care Board landscape

Vicky Dutchburn, Interim Accountable Officer, Kirklees Integrated Care Board (ICB), informed the Board that the ICB landscape has been rapidly changing over the last week and the position has evolved since the last update. The Board was reminded that during the previous update, a detailed overview was provided regarding the organisational changes across West Yorkshire and the specific impact that would have for Kirklees.

By way of context, the Board was informed that there are key missions that the government has set out. The first, is that they are looking at the cross governmental work for health, and there is going to be significant changes across the four key elements that deliver health services. These include the Department of Health and Social Care, NHS England, regional bodies, and local ICBs. Recently the 10-year plan for the NHS has been published, and in addition there are reforms for adult social care that have also been included.

The Board was informed that there are three key shifts in care identified within the 10-Year Plan. These include a move from treatment to prevention, which emphasises the importance of neighbourhood-level health initiatives and transitioning care from hospitals into the community; a stronger focus on neighbourhood health as a foundation for integrated care; and the shift from analogue to digital approaches, supporting more efficient and accessible service delivery.

At the previous meeting, the Board was informed of the rapid timeline for designing new structures to support the proposed functions of the ICB. A formal mandate was issued in April 2025, and within approximately eight weeks, the expectation was that draft structures were to be in place and submitted to NHS England on behalf of West Yorkshire. The required milestones were met.

During the process, it was identified that there were four key components requiring change across the wider NHS system. At the time, the only available blueprint for consideration related to expectations for the future ICB. As a result, designing the new structures were undertaken with limited clarity regarding the roles and requirements of emerging regional and national teams. Despite these constraints, draft structures were successfully developed and submitted for West Yorkshire.

Board members may recall that during the last update, attention was drawn to the scale of proposed changes, including a potential staffing reduction of up to 50%, with implementation expected to begin from October 2025. Concerns were also raised regarding the uncertainty around funding arrangements for any resulting redundancies. The current position with regard to redundancies is that there still remains a lack of funding for any redundancies this year and this is national. It is clear that it was never planned for national level to fund any redundancies, and it is unlikely that any funding will be coming down, from central to ICBs. It is expected that this will be funded from within existing resources.

It is recognised that the current financial position makes it unfeasible to implement the required changes within this financial year. This is not unique to Kirklees but reflects the broader position across West Yorkshire. The primary directive from the

Health and Wellbeing Board - 25 September 2025

national team is to meet control totals. As this requirement was issued after the submission of plans for 2025/26, redundancies were not factored into the budget and therefore cannot be actioned this year. However, it is now acknowledged that future planning assumptions for 2026/27 and beyond will need to incorporate this consideration, subject to the confirmed allocation."

The Board was advised that West Yorkshire has taken the decision to pause any formal consultation on staffing reductions or new service configurations until the next financial year. This position has been communicated to the West Yorkshire Board. However, a letter from Sir Jim Mackey issued earlier this week highlighted that discussions with the Treasury are still ongoing and expected to conclude within the next two weeks. As such, there remains a small possibility that the current position may be subject to change.

The Board was informed that, based on the current position that no funding will be made available for redundancies and following a risk-based assessment, staff have now been advised that formal consultation will not begin before April 2026. This is a challenging decision and a difficult message to communicate to staff both within Kirklees and across West Yorkshire. The revised timeline provides an opportunity to better align proposed changes with the evolving functions and structures of the ICB. It also allows for broader and more meaningful engagement at multiple levels, including with the proposed regional teams and their blueprints once these are fully published.

In addition, it also allows the opportunity to put existing resource as in staffing behind some of those priorities that have been identified, for example managing winter. One of the factors in the original blueprint, was that the regional team were going to be more proactive in delivering winter plans and local ICBs will have the resource to be able to do that. It also means that the expectation to develop three- and five-years strategic plans will also have the full complement of the planning teams to be able to support the delivery of that piece of work.

Communication plans are being revised to reflect the updated timelines. Staff engagement has remained a priority throughout the process, and while regular updates have been provided, it was recognised that weekly or fortnightly briefings were not always appropriate when there was no new information to share. Going forward, the approach will be adjusted to ensure at least monthly meetings are held, maintaining continuity of business-as-usual activity and supporting staff motivation during this period of change.

Written updates will be maintained to all staff, ensuring that staff and partners receive those updates moving forward. There will be regular meetings that have already been put in place with partner organisations and NHS England to ensure that communication flow is maintained, and people feel involved in the work being undertaken.

The Board was informed that two further aspects to note is that future planning requirements include the development of a one-year operational plan, alongside three- and five-year strategic plans. Further guidance is awaited regarding the expected content of these plans. Currently, initial discussions have commenced and

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working groups are being established with partners to begin gathering the necessary information.

A key focus of this work will be the response to the national 10-Year Plan and the development of the Integrated Neighbourhood Health Plan. Kirklees already demonstrates strong alignment with this strategic direction, with longstanding efforts to embed integrated neighbourhood health approaches. Examples include the establishment of integrated teams between the local authority and Locala, initiatives to move services from hospital settings into community-based care, and the development of primary care services operating effectively within integrated neighbourhood teams aligned to the Primary Care Network footprint.

This approach is not new but builds upon existing work and further develops it to ensure care is delivered in a preventative, person-centred way. This model has already been embedded within communities, supporting the delivery of high-quality, integrated, and efficient services.

The Board was informed that three areas across West Yorkshire have been successful in joining the National Neighbourhood Health Implementation Programme. A dedicated Board has been established within West Yorkshire to support the dissemination and adoption of learning across the region. There is clear national guidance outlining the required components of the programme. However, within West Yorkshire, there is a shared understanding that while the overarching concept and some metrics may be consistent across the region, implementation will vary between places. This reflects the distinct characteristics and needs of each local population, which must be appropriately addressed.

Within Kirklees, clear plans are in place for the development of Neighbourhood Health, incorporating the six core service components. These plans have been developed in partnership, with extensive opportunities for engagement with system partners to support further development. While there is a good degree of consistency across the Primary Care Network (PCN) footprints on which these plans are based, the pace of progress varies slightly between areas. However, it is anticipated that by September next year, Operational Integrated Neighbourhood Health Teams will be in place across all nine localities.

The Board was informed about recent organisational changes at Leeds Teaching Hospitals NHS Trust. These changes were introduced in response to ongoing pressures within the Trust and are expected to have a local impact.

RESOLVED:

That Vicky Dutchburn be thanked for providing an update on changes to the Integrated Care Board landscape and will continue to receive timely updates.

23 Midpoint Evaluation of the Kirklees Health and Wellbeing Strategy 2022-2027 and Next Steps

Rachel Spencer-Henshall, Deputy Chief Executive and Executive Director for Public Health, advised the Board that the information being presented, represents a midpoint assessment of the Kirklees Health and Wellbeing Strategy (KHWS), which

Health and Wellbeing Board - 25 September 2025

launched in 2022 and is due to expire in 2027. A few next steps are being proposed in terms of plans to refresh the strategy in preparation for its finish.

Referring to the presentation slides, the Board was reminded of the strategic diagram previously agreed and endorsed in 2022. The diagram sets out the shared vision and the intended outcomes of Best Start, Well and Independent. To achieve these outcomes, three priority areas were identified: Mental Wellbeing, Healthy Places, and Connected Care and Support. The Board was reminded that it has received regular updates on progress within each of these priority areas over the past two years.

It includes factors which serve as a lens to determine how the priorities are being delivered. This includes a consistent focus on inequalities and inclusion, which are reflected in the annual reports that are produced. Shaped by People has considered the impact of poverty on health and wellbeing, and the role of digital approaches in improving reach and effectiveness of services. There is also a focus on housing, because it is recognised that people's homes are important in terms of the effect on their health and well-being. In addition to contributing to the climate emergency.

The Board was informed that an informal midpoint evaluation was undertaken by council officers. Partners were not involved at this stage, as it was a first draft within the council office space. By presenting it to the Board, there is an opportunity for other people to have input and ascertain whether they agree with the initial summary.

The purpose of the initial review was to:

- Assess whether the strategy is on track to achieve its intended outcomes
- Identify early signs of change and emerging impacts across the three priority areas
- Understand what is enabling or hindering successful implementation
- Inform practical recommendations to enhance the strategy's effectiveness through to 2027 and beyond.

The general reflections were:

Strategic Ownership

- The vision remains relevant & widely supported, especially the focus on the wider determinants of health
 - Some system-wide embedding of the strategy, but it could be further strengthened

Delivery and Accountability

- Roles of project management, delivery and accountability would benefit from further clarity

Outcomes Focus

- Current outcomes framework would benefit from being less complex
- Questions around how outcomes are demonstrated

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- The strategy would benefit from a simplified, outcome-driven approach with clearer measurements

Key challenges and opportunities

- The Board was informed that there is a need for clear leadership and governance of the strategy, and how can the Board and respective organisations be used to look at that.
- In terms of accountability, ensure clear roles, responsibilities and monitoring are in place.
- Develop a simplified version of the outcomes framework, refresh the language and structure of the strategy and adopt a 'Theory of Change' model to clarify how activities lead to measurable outcomes and responsibilities.
- In respect of delivery ensure consistent implementation across the three priorities.
- Community Voice - Develop mechanisms for community input to be consistently used.
- Fully Integrate Mental Health - embed mental wellbeing across all themes.
- Focus Healthy Places Delivery - co-design clear, measurable priorities with key partners and assign leadership.
- Organisational Context - national NHS reforms and priorities create uncertainty and highlight the need for strategic alignment.
- Align with National Policy and Health Plans: Refresh the strategy to reflect the 10-Year Health Plan and government priorities, enabling place-based planning and investment.

The Board was informed that, in terms of next steps, it is proposed to pause any immediate refresh of the strategy. This reflects the current uncertainty around the future role of the Health and Wellbeing Board in neighbourhood-level delivery, as well as the evolving structure of the local integrated care system.

The current strategy remains fit for purpose and will be retained in its existing form. The proposal is to bring it back to the Board in six months, once there is greater clarity on the direction of travel. At that point, a more comprehensive evaluation will be undertaken to assess what needs to be done differently. This will help ensure that the next iteration of the strategy, over its five-year lifespan, delivers meaningful and measurable improvements for the local population.

RESOLVED:

That:

- a) Rachel Spencer-Henshall be thanked for presenting a midpoint assessment of the Kirklees Health and Wellbeing Strategy (KHWS) 2022-2027 and next steps
- b) the Board notes the findings and recommendations of the KHWS midpoint evaluation.
- c) the Board supports the proposal that the strategy is brought to the Board in six months, and;
- d) supports the proposal that when the strategy is refreshed that the Health and Wellbeing Board provides a strategic steer on how this progresses.

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Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Friday 5th December 2025

Present: Councillor Cahal Burke (Chair)
Councillor Itrat Ali
Councillor Zarina Amin
Councillor Jo Lawson

In attendance: Councillor Carole Pattison, Leader of the Council
Councillor Graham Turner, Portfolio Holder for Finance and Regeneration
Clair Ashurst-Bagshaw, Head of Transformation and Culture Change
John Bartlett, Head of Commercial Services
Stephen Bonnell, Head of Policy, Partnerships and Corporate Planning
Martin Dearnley, Head of Risk - Internal Audit and Risk Management
Rachel Spencer-Henshall, Deputy Chief Executive and Executive Director for Public Health and Corporate Resources
Andy Simcox, Service Director - Strategy & Innovation

Apologies: Councillor Andrew Cooper

- 49 Membership of the Committee**
Apologies for absence were received on behalf of Councillor Andrew Cooper.
- 50 Declaration of Interests**
No interests were declared.
- 51 Admission of the Public**
All agenda items were considered in public session.
- 52 Deputations/Petitions**
No deputations or petitions were received.
- 53 Public Question Time**
No public questions were received.
- 54 Corporate Financial Monitoring - Quarter 2 Report 2025-2026**
John Bartlett, Head of Commercial Services presented the Corporate Financial Monitoring Report for Quarter 2 2025-2026, with reference to the report submitted to Cabinet on 2nd December 2025.

Overview and Scrutiny Management Committee - 5 December 2025

The Portfolio Holder for Finance and Regeneration, Councillor Graham Turner, introduced the item.

The presentation set out:

- Revenue headlines
- Revenue monitoring, with a breakdown across each directorate.
- Key pressures on each directorate.
- Housing Revenue Account position and variances.
- Capital Headlines.
- Direct Schools Grant (DSG) Headlines.

Highlighted points included:

- The projected outturn pressure had reduced from £5.9 million to £5.1 million since Quarter 1; the lowest Q2 overspend since the pandemic.
- The key reasons for variances were due to demand-led pressures in children's and adults' services.
- There was slippage of £6.6 million in relation to the savings target. The authority was currently on track to deliver 78% of the savings target of £30.2 million.
- Any overspend remaining at year end would need to be funded from General Fund Reserves.
- The Housing Revenue Account (HRA), had a forecast underspend of £318k but pressures remained in relation to building safety and disrepair cases.
- The Capital Plan had been reviewed and reprofiled to £254.6 million from £283.9 million with slippage of £28.9 million into subsequent years. The multi-year capital plan would continue to be kept under review.
- The Direct Schools Grant position showed an in-year deficit of £14.7 million. The statutory override had been extended to March 2028.

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

- Children's Services were working to develop more in-house provision which would help to address issues with the cost of external residential placements. The focus was on maintaining children living at home wherever possible and additional budget investment was going into an edge of care service and fostering.
- Two new special schools were being constructed which would assist significantly in bringing external placements back into the district.
- In respect of reflecting the rising demand on adult health and social care services, investment would be included within the budget for next year to address those pressures.
- In relation to the variance associated with in-house residential and supported living provision, specifically in respect of Ings Grove, further information could be provided after the meeting.
- At the current time there were £63 million of useable reserves of which £37 million was earmarked. This figure would reduce if needed to cover an overspend position at the year end. The administration was satisfied that the level of reserves was adequate at this point in time.

Overview and Scrutiny Management Committee - 5 December 2025

- Investment was proposed in the budget for 2026/27 to mitigate increases in demand and inflation.
- It was considered that the level of risk was lower than in previous years and that an anticipated fall in interest rates would improve the treasury management position.

RESOLVED –

- (1) That the Portfolio Holder for Finance and Regeneration and the Head of Commercial Services be thanked for attending the meeting and updating the Committee.
- (2) That the current position be noted and it be recommended that these reports continue to be submitted to the Committee on a regular basis so that Lead Members can pick up any items within the remit of their Panel that may require further scrutiny.

55

Council Plan and Performance Update - Quarter 2 Report 2025-2026

Councillor Carole Pattison, the Leader of the Council introduced the report in respect of the Council Plan and Performance for Quarter 2 of 2025/26, supported by Mike Henry, Head of Data and Insight.

The report had been submitted to Cabinet on 2nd December 2025 and included:

- Details on activity and delivery against the four priorities within the Council Plan and planned activity for Quarter 3.
- The latest data against the Council's Key Measures for 2025/2026, including a summary of the direction of travel and planned activity for Quarter 3.
- Benchmarking data to contextualise the demand and performance trends and enable comparison of Kirklees with regional and national rates.
- Update in respect of transformation activities/priorities.

The following points were highlighted:

- The timeliness of Education, Health and Care Plans (EHCPs) had continued to improve.
- The proportion of children looked after in the same placement for two or more years had improved.
- The percentage of freedom of information requests completed in time had increased.
- Collection of business rates was higher than twelve months previously.
- The number of open damp, mould and condensation cases continued to reduce and the number of non-emergency housing repairs completed within the timescale had improved.
- The percentage of mothers smoking during pregnancy had reduced.
- The number of people accessing adult social care services had increased.
- Collection rates for Council Tax were lower than twelve months previously.
- The level of sickness absence for employees was 0.19 FTE days higher than 12 months ago and this was a priority for action.
- The Transformation Portfolio brought together a range of programmes and initiatives designed to deliver the ambitions set out in the Council Plan:
 - The aim was to improve outcomes for residents, communities and the organisation, foster a culture of innovation and continuous improvement,

Overview and Scrutiny Management Committee - 5 December 2025

achieve better value for money and enhance customer experience and service delivery.

- The governance, oversight and assurance arrangements, which included a dashboard with RAG ratings for each programme.
- It was suggested that if there were queries in respect of specific programmes then these might be best addressed through the relevant Scrutiny Panel.

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

- There had been a slight increase in levels of sickness, but it was considered that this may be due, in part, to better recording as a result of a focus on this issue. In areas where levels were high, action plans to address the issue had been requested.
- There were issues in respect of anxiety and mental health issues and staff were supported through 'Care First' and Employee Healthcare provision, including access to counselling.
- Assessing the effectiveness of counselling was a complex area acknowledging that different approaches worked for different people. A new technique called EMDR had been introduced and appeared to be having positive results.
- It was noted that early access to support could be helpful in preventing people going off sick.
- The service worked alongside colleagues from the NHS to try and ensure that staff got access to the services they needed.
- Monitoring was undertaken both from the perspective of Employee Healthcare and through managers using the sickness absence procedures.
- Assurance was given in respect of the Health and Safety at Work Act plans being in place and early assessments being undertaken for any staff that may be at risk of particular conditions. Rigorous reporting was in place for workplace incidents and accidents to ensure continuous learning.
- The Chair had recently had a briefing in respect of the People Strategy, which had included information in respect of sickness monitoring and this would be shared with the other members of the Committee.
- Work related stress was not concentrated within any particular service areas. It was acknowledged that it could become an issue in areas that were undergoing significant service change.
- The results of a recent examination of the data had indicated that in many cases where staff were off work due to anxiety, this was not work related. Work was being undertaken to identify how staff, such as those with caring responsibilities, could be supported to avoid this leading to them being off sick.
- An update in respect of the People Strategy would be included on the Committee's future work programme.
- Up-to-date figures in respect of the collection rates for Council Tax would be available the following week. A slight decrease had been anticipated associated with changes to support.
- The improvements in respect of EHCPs was welcomed and the importance of ensuring that this continued was stressed. Changes had been made in terms of customer communication, to try and ensure that assessments were completed and that clients were kept updated as much as possible.

Overview and Scrutiny Management Committee - 5 December 2025

- In relation to whether the performance indicators were able to demonstrate outcomes and improvements in the quality of life of residents, it was pointed out that there had been a significant increase in the amount of data provided. Part of the data development agenda was to consider if there were more appropriate measures to accurately reflect residents' experience.
- There was an item on the Growth and Regeneration Scrutiny Panel Work Programme, provisionally scheduled for January 2026, associated with building safety compliance, which included damp, mould and condensation so specific questions on that issue could be dealt with at that meeting.

RESOLVED -

- (1) That the Leader of Council and officers be thanked for attending to present the update.
- (2) That the current position be noted and it be recommended that these reports continue to be submitted to the Committee on a regular basis so that Lead Members can pick up any items within the remit of their Panel that may require further scrutiny.

56 Corporate Risk - Quarter 2 Report 2025-2026

Councillor Graham Turner, the Finance and Regeneration Portfolio Holder, introduced the Corporate Risk Report for Quarter 2 2025/26 with reference to the report submitted to Cabinet on 2nd December.

Martin Dearnley, the Head of Audit and Risk, highlighted the following points:

- The position was fairly stable with only two areas showing a change during the period: the 'emergency planning and business continuity' (HP01) risk score had reduced and a change had been made to the title of DEV03, previously 'project management and delivery' to reflect the emphasis on economic growth and resilience.
- Lead Members were invited to raise any issues within the remit of their Panels with him or the Service Directors if any further information or oversight was considered necessary.

In response to a question, it was explained that the key issue in terms of delivery of priorities was risk FIN02 'medium term financial sustainability' and the impact of the Government settlement that was expected within the next few weeks.

RESOLVED -

- (1) That the Cabinet Member for Finance and the Head of Audit and Risk be thanked for attending to update the Committee.
- (2) That the current position be noted and it be recommended that these reports continue to be submitted to the Committee on a regular basis so that Lead Members can pick up any items within the remit of their Panel that may require further scrutiny.

57 Council Plan Pre-Decision Scrutiny

The Committee received a presentation from Stephen Bonnell, Head of Policy, Partnerships and Corporate Planning in respect of the key components of the next Council Plan for discussion and feedback.

Overview and Scrutiny Management Committee - 5 December 2025

Councillor Carole Pattison, the Leader of the Council, introduced the item and invited Member's comments.

The following points were covered:

- The purpose of the Council Plan in terms of setting out the overarching priorities and how it links with partnership strategies.
- The approach from 2026/27 and the development of a three-year plan.
- The draft priorities, which were based on the existing priorities.
- Next steps, including proposed engagement prior to submission to Council.

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

- The move towards developing a plan covering a three-year period was welcomed. It was noted that this approach had been aided by the implementation of a three-year financial settlement. In terms of the impact, this would assist in forward planning and allow improved communication of the Council's plans across the whole range of priorities over the longer term and how it planned to build on activity and progress year on year.
- The priorities had not been changed but had been strengthened and made more specific, with clarity on what the organisation was aiming to achieve.
- In respect of plans to review and refresh the plan it was anticipated that this may continue to be undertaken on an annual basis and that would involve a similar process in terms of consultation, including engagement with scrutiny. It would also be informed by all the available information in respect of financial reporting, performance monitoring and transformation activity.
- A significant level of engagement with partners had taken place. This had resulted in feedback in respect of the shared outcomes and the vision, for example setting it over a particular timeframe. It had also made clear that partners were keen to work collaboratively on longer-term opportunities, a message that had also been highlighted through the corporate peer challenge. All the feedback would be considered in taking this work forward and a revised partnership framework document would be developed.

RESOLVED -

- (1) That the Leader of the Council and the Head of Policy, Partnerships and Corporate Planning be thanked for attending to update the Committee.
- (2) That the comments/feedback made by the Committee be considered in the further development of the Council Plan 2026-29.
- (3) That the production of a Council Plan that will cover a 3- year period, as previously discussed with scrutiny, be welcomed.

58 Local Government Association Corporate Peer Challenge Action Plan Update

The Committee received an update, from Councillor Carole Pattison, Leader of the Council and Stephen Bonnell, Head of Policy, Partnerships and Corporate Planning in respect of progress in responding to the recommendations contained in the Local Government Association's (LGA) Corporate Peer Challenge Report 2024, with reference to the report considered by Cabinet on 2nd December 2025. This also referenced the progress review report produced by the LGA further to the second visit in September 2025.

Overview and Scrutiny Management Committee - 5 December 2025

The following points were highlighted:

- The LGA had noted the progress that had been made in delivering the recommendations set out in the related action plan and that working relationships had further matured and brought stability, clarity, grip and more energy to the Council. It had also stated that there was greater confidence, tempered with realism, from the collective senior political management team about how current and future challenges would be addressed.
- 14 of the 42 actions had been completed, 27 were ongoing and on-track.
- The timescale for the action concerning review of the Capital Programme had slipped to allow account to be taken of the impact of the Government's Fair Funding Review, further detail on which was expected prior to the end of the year, and clarity in relation to the digital transformation work. Timescales for the delivery of a Kirklees Economic Summit and the review of economic partnership arrangements had been re-profiled to reflect the results of engagement undertaken with partners and ongoing work to support events focussed on investment in the district.
- The key successes to date including the culture refresh, approval of the Inclusive Economic Strategy and the publication of a 'budget book'.
- The ongoing work, key activities and next steps.

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

- In respect of which actions were the most challenging to implement. these included the review of the Capital Programme due to both the complexity and the current uncertainty around funding. The review of economic partnership arrangements was affected by economic growth which was influenced by a wide range of factors both nationally and locally.
- The collaborative working of the senior management team and the Cabinet was commended. In terms of the approach across the whole organisation/workforce it was considered that there was awareness of the Council's priorities; the end of year celebration event for staff, which tied in with the 'Our Council' principles, had been very positive and the culture refresh 'our council' reflected the whole Council approach. It was recognised that different forms of communication worked for different groups of staff and varied forms of communication were used to relay the messages.
- A staff survey had recently been undertaken and, further to this, employee engagement sessions were being planned to give staff the opportunity to talk issues through in a safe space and enhance the information that had come out of the survey. There was an intention to maintain an on-going dialogue and the employee networks were helpful in highlighting any issues. In areas where the response had been low action plans were being developed to ensure inclusion.
- There was confidence that the necessary resources were in place to progress all the actions; this had been considered in the development of the action plan.

RESOLVED -

- (1) That the Leader of the Council and the Head of Policy, Partnerships and Corporate Planning be thanked for attending to update the Committee.
- (2) That the update report be noted, the progress made against the actions be welcomed and a final update be provided to Scrutiny in 2026/27.

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Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 23rd October 2025

Present: Councillor James Homewood (Chair)
Councillor Bill Armer
Councillor Susan Lee-Richards
Councillor Andrew Pinnock
Councillor Cathy Scott
Councillor Mohan Sokhal
Councillor Mark Thompson

22 Membership of the Committee

All members of the Committee were present.

**23 Minutes of the Previous Meeting
RESOLVED –**

That the minutes of the meeting held on 31st July 2025 be approved as a correct record.

24 Declaration of Interests and Lobbying

In the interests of transparency, Councillor Pinnock advised, in respect of Application No. 2025/91279 that he was a Ward Councillor and had spoken to the objector. He had always made it clear that he would keep an open mind and would consider all the evidence before reaching a conclusion.

25 Admission of the Public

All agenda items were considered in public session.

26 Public Question Time

No public questions were received.

27 Deputations/Petitions

No deputations or petitions were received.

28 Site Visit - Planning Application 2025/91279

Site visit undertaken.

29 Planning Application - Application No: 2025/91279

The Committee considered Application 2025/91279 relating to the variation of Condition 2 (plans) on previous permission 2020/91746 for the erection of extra care development providing 80 apartments with associated communal facilities and landscaped gardens at land off Kenmore Drive, Cleckheaton.

Strategic Planning Committee - 23 October 2025

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Joel Purnell (in objection). Ricky Boden and Tom Watkin were also in attendance (applicant and acoustic consultant).

RESOLVED –

That consideration of the application be deferred and that the Head of Planning and Development be requested to explore alternative options for siting the air source heat pumps, plant area, sub-station and bin store, including within the area designated for car parking, or additional mitigations.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5), as set out below:

For: Councillors Armer, Homewood, Lee-Richards, Pinnock, Scott, Sokhal and Thompson (7 votes)

Against: 0 votes

30 Pre-Application Report - Planning Application 2024/20252

The Committee received a pre-application report in relation to an application for demolition and mixed-use development at New Mills, Brougham Road, Marsden.

Presentations were made by Councillors Harry McCarthy and Matthew McLoughlin (Ward Councillors) and Matthew Sheppard (agent).

RESOLVED –

That the report be noted.

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 4th December 2025

Present: Councillor James Homewood (Chair)
Councillor Bill Armer
Councillor Eric Firth
Councillor Susan Lee-Richards
Councillor Andrew Pinnock
Councillor Cathy Scott
Councillor Mark Thompson

31 Membership of the Committee

Apologies for absence were received on behalf of Councillor Mohan Sokhal.

Councillor Eric Firth substituted for Councillor Sokhal under the provision of Council Procedure Rule 35 (7).

32 Minutes of the Previous Meeting

RESOLVED –

That the minutes of the meeting held on 23rd October 2026 be approved as a correct record.

33 Declaration of Interests and Lobbying

Councillor Scott advised that she had been lobbied in respect of Application 2020/92350. She also advised, in the interests of transparency, that the site was in her local area but she had no pre-determined position on the application and would consider it with an open mind and assess it solely on the planning merits, the evidence presented, the relevant policies and the professional advice provided.

Councillor Firth advised, in the interests of transparency and in respect of Applications 2025/91122 and 2025/91645, that he was acquainted with the applicant as a trustee on a local community organisation.

Councillor Pinnock advised, in the interests of transparency, that he had been a member of the Strategic Planning Committee at the time that Application 2020/92350 was originally considered. He would consider the application with an open mind and in light of the evidence presented.

Councillor Pinnock advised that he had been lobbied in respect of Application 2025/91279. He would consider the application with an open mind and in light of the evidence presented.

Strategic Planning Committee - 4 December 2025

Councillor Lee-Richards advised, in the interests of transparency, and in respect of Application 2020/92350 that she was a member of the Woodland Trust and the Yorkshire Wildlife Trust and sat on White Rose Forest partnership meetings.

Councillor Lee-Richards advised, in the interests of transparency and in respect of Applications 2025/91122 and 2025/91645, that the applicant company was storing some equipment for a local community organisation.

Councillor Armer advised that he had been lobbied in respect of Application 2020/92350.

All Councillors had been given/sent information on behalf of the Chidswell Action Group in respect of Application 2020/92350.

34 Admission of the Public

All agenda items were considered in public session.

35 Public Question Time

No public questions were received.

36 Deputations/Petitions

No deputations or petitions were received.

37 Site Visit - Application Nos: 2025/91122 and 2025/91645

Site visit undertaken.

38 Site Visit - Application No: 2020/92350

Site visit undertaken.

39 Planning Application - Application No: 2020/92350

The Committee considered an outline application: 2020/92350 for residential development (Use Class C3) of up to 181 dwellings, engineering and site works, demolition of existing property, landscaping, drainage and other associated infrastructure at land to the south of Heybeck Lane, Chidswell, Shaw Cross, Dewsbury.

Under the provisions of Council Procedure Rule 36(3), the Committee received a representation from Councillor Habiban Zaman.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Iqbal Mohamed MP, Sally Naylor, Jim Aveyard and Mark Lewis (in objection) and Matthew Naylor (on behalf of the applicant).

RESOLVED -

That authority to refuse the application and to finalise the wording of the reason be delegated to the Head of Planning and Development based on the following decision:

The proposed development, due to its size and proximity to Dum Wood, due to the hydrological impacts that would be caused, due to the increased residential population that the development would introduce, and due to the insufficient depth of the proposed buffer, would result in changes to local hydrology, significant intensification in the use of Dum Wood and resultant unacceptable harm to and deterioration of this ancient woodland and Local Wildlife Site, contrary to Policies LP30 and LP33 of the Kirklees Local Plan and Chapter 15 of the National Planning Policy Framework.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5), as set out below:

For: Councillors Armer, Lee-Richards, Pinnock, Scott and Thompson (5 votes)

Against: Councillor Firth and Homewood (2 votes)

40 Planning Applications - Application Nos: 2025/91122 and 2025/91645

The Committee considered the applications below in respect of Turnbridge Mills, Quay Street, Huddersfield:

(i) 2025/91122 for the re-development of the site for mixed-use E(g)(i, ii and iii) and B8 including: demolition of buildings and re-cladding of southern elevation of retained adjoining building; retention, conversion and renovation of existing mill/office/workshop/engine house building including alterations; erection of two new buildings; formation of two vehicular access points, service yard and parking areas; and other associated works, and

(ii) 2025/91645 - Listed Building Consent for redevelopment of site for mixed-use E(g) (i, ii and iii) and B8 including: demolition of buildings and re-cladding of southern elevation of retained adjoining building; retention, conversion and renovation of existing mill/office/workshop/ engine house building including alterations; erection of two new buildings; formation of two vehicular access points, service yard and parking areas; and other associated works,

Under the provisions of Council Procedure Rule 36(3), the Committee received representations from Councillors Munir Ahmed, Tyler Hawkins and John Taylor.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Manisha Kaushik (in support), Nick Willock, Ian Brierley and Emma Thornhill (on behalf of the applicant).

(i) 2025/91122:

RESOLVED -

(1) That authority be delegated to the Head of Planning and Development to approve the application and issue the decision notice in order to:

(a) complete the list of conditions, including those contained within the report, subject to the revision of Condition 3 to include Building D1, and as set out below:

1. Three years to commence development.
2. Development to be carried out in accordance with the approved plans and specifications.
3. Building recording of Buildings B, C, D1, E and G prior to their demolition.
4. Building recording of engine house prior to works commencing to that building.
5. Submission of demolition method statements for Buildings B and C.
6. A detailed structural report on the grade II listed chimney within the site, including analysis of how removing surrounding buildings may affect its stability, details of measures to protect the chimney during construction and demolition works and following completion of the development, and details of construction of new wall alongside the chimney.
7. Submission of details of all external materials, to include provision for re-use of stone and slate from demolition of existing buildings.
8. Details of doors, windows and shutters to new building, and any new and/or replacement doors and windows to Building D.
9. Details of proposed photovoltaic panels.
10. Submission of Phase 2 Intrusive Site Investigation Report
11. Submission of Remediation Strategy
12. Implementation of Remediation Strategy (and unexpected contamination)
13. Submission of Verification Report
14. Restriction on operating hours to 0600-1900 hours Monday to Friday inclusive, and 0800-1600 hours on Saturdays, Sundays and Bank Holidays.
15. Submission of detailed drainage scheme.
16. Details of proposed demolition/modification of existing building retaining walls abutting Quay Street, together with design of any new building retaining walls adjacent to the highway to be submitted.
17. Submission of Construction Environmental Management Plan to include highways matters, pollution prevention plan for the canal, and measures for the sustainable disposal of waste from demolition and construction on site.
18. Access to the site to be provided in accordance with submitted details prior to first occupation.
19. Laying out of proposed car parking areas.
20. Submission of details for cycle storage provision within the site.
21. Submission of Full Travel Plan within 3 months of first occupation of the development.
22. Installation of electric vehicle charging points.
23. Submission of details of refuse storage areas.

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24. Submission of details of proposed maintenance and management of refuse storage areas, including arrangements for access to be provided for waste crews on collection days.
 25. Development to be carried out in accordance with submitted Climate Change Statement.
 26. Submission of details relating to retaining walls adjacent to the canal, including matters specified in comments from the Canal & River Trust.
 27. Submission of European Protected Species Licence and mitigation method statement in relation to bats.
 28. Submission of Precautionary Working Method Statement in respect of bats.
 29. Submission of Construction Environmental Management Plan: Biodiversity, to include mitigation/precautionary measures relating to the Huddersfield Broad Canal Local Wildlife Site.
 30. Submission of Biodiversity Enhancement Management Plan, to include installation of 6 no. swift boxes as part of the development.
 31. Timing of works outside bird nesting season unless relevant checks first carried out by an Ecologist.
 32. Submission of scheme of security and crime prevention measures to be incorporated as part of the development.
 33. Submission of hard and soft landscaping details, including: boundary treatments (including any gates to the proposed service yard); surfacing materials to hard-surfaced areas; and details of proposed planting and landscaping to service yard adjacent to the canal, together with details of arrangements for future maintenance and management of that area.
 34. 5-year replacements for new trees and planting.
 35. Interpretation boards to explain the history of the site, including with reference to Building B which is proposed for demolition.
 36. Details of new substation if satisfactory design not submitted prior to committee.
 37. A condition for details education or training programmes to be delivered.
- (b) to secure a Section 106 agreement to cover the following matters:
1. Contribution to fund amendments to the Traffic Regulation Order (TRO) on Quay Street relating to waiting restrictions – £13,000.
 2. Travel Plan monitoring fee - £10,000
 3. Package of obligations to provide security for the delivery of the identified public benefits, to include:
 - a) The lease agreement to be signed between the owner and the intended occupant (the two applicants in this case);
 - b) Confirmation of the agreement for grant funding from West Yorkshire Combined Authority (WYCA);
 - c) Confirmation of the arrangement and agreement of any other external funding which would be necessary to allow the development to take place (e.g. from a bank);
 - d) Other specified works had been carried out and completed on site, including structural stabilisation works to Building D.

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

A recorded vote was taken, in accordance with Council Procedure Rule 42(5), as set out below:

For: Councillors Armer, Firth, Homewood, Lee-Richards, Pinnock, Scott and Thompson (7 votes)

Against: 0 votes

(ii) 2025/91645

RESOLVED -

- (1) That authority be delegated to the Head of Planning and Development to approve the application and issue the decision notice in order to:
- (a) complete the list of conditions including those contained within the report, subject to the revision of Condition 3 to include Building D1, and as set out below:
 - 1. Three years to commence works.
 - 2. Works to be carried out in accordance with approved plans and specifications.
 - 3. Building recording of Buildings B, C, D1, E and G prior to their demolition.
 - 4. Submission of demolition method statements for Buildings B and C.
 - 5. A detailed structural report on the grade II listed chimney within the site, including analysis of how removing surrounding buildings may affect its stability, details of measures to protect the chimney during construction and demolition works and following completion of the development, and details of construction of new wall alongside the chimney.
 - 6. Interpretation boards to explain the history of the site, including with Reference to Building B which is proposed for demolition.
 - (b) to secure a Section 106 agreement to cover the following matters:
Package of obligations to provide security for the delivery of the identified public benefits, to include:
 - a) The lease agreement to be signed between the owner and the intended occupant (the two applicants in this case);
 - b) Confirmation of the agreement for grant funding from West Yorkshire Combined Authority (WYCA);
 - c) Confirmation of the arrangement and agreement of any other external funding which would be necessary to allow the development to take place (e.g. from a bank);
 - d) Other specified works had been carried out and completed on site, including structural stabilisation works to Building D.

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

A recorded vote was taken, in accordance with Council Procedure Rule 42(5), as set out below:

For: Councillors Armer, Firth, Homewood, Lee-Richards, Pinnock, Scott and Thompson (7 votes)

Against: 0 votes

41 **Planning Application - Application No: 2025/91279**

The Committee considered an amended proposal in respect of the variation of Condition 2 (plans) on previous permission 2020/91746 for the erection of an extra care development providing 80 apartments with associated communal facilities and landscaped gardens at land off Kenmore Drive, Cleckheaton.

Under the provisions of Council Procedure Rule 37, the Committee received representations from Hayley Knight (on behalf of the applicant).

RESOLVED –

That approval of the application and the issuing of the decision notice be delegated to the Head of Planning and Development, in order to complete the list of conditions including those contained within the report, and subject to the amendment of conditions 26 and 27 as set out in the Planning Update and as set out below:

Conditions from previous application

1. Omit. Condition to be marked [deleted] to avoid affecting subsequent condition numbering, for ease of review.
2. Development shall be carried out in complete accordance with the plans and specifications schedule. With updated plans table to reflect recommended approval.
3. Details of all facing and roofing materials
4. The proposed car park shall be laid out surfaced, marked out into bays and drained.
5. Construction Management Plan (CMP).
6. Detailed Scheme of hard and soft landscaping.
7. Replacement Landscaping within five years.
8. Construction Environmental Management Plan (CEMP: Biodiversity).
9. Biodiversity Enhancement & Management Plan (BEMP)
10. Details of foul, surface water and land drainage.
11. Details of Assessment of the effects of 1 in 100- year storm events
12. Details of the operation, maintenance and management of the surface water drainage infrastructure
13. Details of scheme, detailing temporary surface water drainage for the construction phase (after soil and vegetation strip)

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14. Site to be developed with separate systems of drainage for foul and surface water on and off site.
15. All works that form part of the sound attenuation scheme shall be completed and retained thereafter.
16. Details of a Ventilation Scheme
17. The combined noise from any fixed mechanical services and external plant and equipment at the development shall be effectively controlled so that the combined rating level of noise from all such equipment does not exceed the background sound level at any time. "Rating level" and "background sound level" are as defined in BS 4142:2014+A1:2019.
18. Phase II Intrusive Site Investigation Report
19. Remediation Strategy
20. Revised Remediation Strategy
21. Validation Report
22. Reporting of unexpected contamination
23. Electric Vehicle Charging Points
24. External Lighting
25. Design and construction specifications of the proposed Public Rights of Way (PROW)

New/additional Conditions

26. The hereby approved Air Source Heat Pump Enclosure (ASHP), External Plan Area, and Substation, as shown on plan ref. CLK-BBA-XX-XX-DR-A-91- 0001 Rev. C07 shall be constructed in accordance with the specification and mitigation measures contained in the Noise Impact Assessment referenced NP-013449 revision 03. The Air Source Heat Pump Enclosure (ASHP), External Plan Area, and Substation shall thereafter operate and be maintained in accordance with the manufacturer's recommendations.
Reason: In the interest of mitigating potential noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan.
27. Prior to first occupation of the hereby approved development, but after the works required by condition 26 having been undertaken, a Noise Impact and Mitigation Validation Report, to be undertaken in accordance with BS4142, shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall demonstrate whether that the mitigation measures implemented via condition 26 have been successful. In the scenario where they have not, a further noise mitigation strategy shall be detailed for approval. Thereafter, if required, the approved further noise mitigation shall be implemented prior to the approved development being brought into use.
Reason: In the interest of mitigating potential noise pollution, in accordance with Policies LP24 and LP52 of the Kirklees Local Plan

A recorded vote was taken, in accordance with Council Procedure Rule 42(5), as set out below:

For: Councillors Armer, Firth, Homewood, Lee-Richards, Pinnock, Scott and Thompson (7 votes)

Against: 0 votes

Contact Officer: Sheila Dykes

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 15th January 2026

Present: Councillor James Homewood (Chair)
Councillor Bill Armer
Councillor Susan Lee-Richards
Councillor Andrew Pinnock
Councillor Cathy Scott
Councillor Mohan Sokhal

42 Membership of the Committee

No apologies were received.

43 Minutes of the Previous Meeting

RESOLVED –

That the minutes of the meeting held on 4th December 2025 be approved as a correct record.

44 Declaration of Interests and Lobbying

No disclosures of interest or lobbying were received.

45 Admission of the Public

All agenda items were considered in public session.

46 Public Question Time

No public questions were received.

47 Deputations/Petitions

No deputations or petitions were received.

48 Planning Applications

49 Site Visit - Application No. 2025/92335

Site visit undertaken.

50 Planning Application - Application No:2020/92350

The Committee considered a report in respect of Planning Application 2020/92350, an outline application for residential development (Use Class C3) of up to 181 dwellings, engineering and site works, demolition of existing property, landscaping, drainage and other associated infrastructure on land to the south of Heybeck Lane, Chidswell, Shaw Cross, Dewsbury.

RESOLVED –

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That authority be delegated to the Head of Planning and Development to refuse the application for the reason set out below:

The proposed development, due to its size and proximity to Dum Wood, and due to the increased residential population that the development would introduce nearby, and the insufficient depth of the proposed buffer, together would result in significant intensification in the use of Dum Wood, and unacceptable harm to and deterioration of this ancient woodland and Local Wildlife Site, contrary to policies LP30 and LP33 of the Kirklees Local Plan, and Chapter 15 of the National Planning Policy Framework.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5), as set out below:

For: Councillors Armer, Homewood, Lee-Richards, Pinnock, Scott and Sokhal (6 votes)

Against: (0 votes)

51 **Planning Application - Application No: 2025/92335**

The Committee considered Planning Application 2025/92335 in respect of the discharge of details reserved by Condition 5 (retaining walls) of previous Reserved Matters approval 2022/91047 for the development of 91 dwellings, pursuant to outline permission 2019/90527 (for erection of up to 127 dwellings, with details of access) on land at Blue Hills Farm, Whitehall Road West, Birkenshaw.

In accordance with Council Procedure Rule 36(3), the Committee received a representation from Councillor Elizabeth Smaje.

Under the provisions of Council Procedure Rule 37, the Committee received a representation from Andrew Poyner (on behalf of the applicant).

RESOLVED –

That consideration of the application be deferred to a future meeting and that the Head of Planning and Development be asked to negotiate with the applicant, including engagement with ward councillors, on other options such as cladding and green options, for example moss, to achieve a more acceptable, high-quality solution in terms of the visual impact of the wall.

A recorded vote was taken, in accordance with Council Procedure Rule 42(5), as set out below:

For: Councillors Armer, Homewood, Lee-Richards, Pinnock, Scott and Sokhal (6 votes)

Against: (0 votes)