

Contact Officer: Andrea Woodside

## **KIRKLEES COUNCIL**

### **CABINET**

**Tuesday 13th December 2016**

Present: Councillor David Sheard (Chair)  
Councillor Shabir Pandor  
Councillor Peter McBride  
Councillor Naheed Mather  
Councillor Musarrat Khan  
Councillor Erin Hill  
Councillor Viv Kendrick  
Councillor Masood Ahmed  
Councillor Graham Turner

**121 Membership of the Committee**

All Cabinet Members were present

**122 Minutes of previous meeting**

**RESOLVED**

That the minutes of the meetings held on 15 November and 28 November be approved as a correct record.

**123 Interests**

No interests were declared.

**124 Admission of the Public**

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

**125 Deputations/Petitions**

No deputations or petitions were received.

**126 Public Question Time**

No questions were asked.

**127 Member Question Time**

No questions were asked.

**128 Corporate Performance Report - 2016-17, Quarter 2**

Cabinet received a report which set out an overview of the Council's corporate performance at the end of Quarter 2 2016/2017. The Quarter 2 Corporate Performance Report was attached as an appendix to the report and provided information on core business indicators, corporate health, service volumes and a stronger focus on outcomes in the Joint Health and Wellbeing Strategy.

Paragraph 2 of the considered report listed the key points to note which included the Council having been successful in accessing government grants for pothole repairs and flood defences, and £220k per annum for five years for culvert repair, and the progress of the North Kirklees Growth Zone and Dewsbury Learning Centre.

**RESOLVED**

That the Quarter 2 Corporate Performance Report 2016/2017 be received and noted.

**129 Regionalisation of Adoption Services**

Cabinet considered a report which provided an update on the regionalisation of adoption services and sought agreement in regard to the arrangements for the delegation of adoption services to a Regional Adoption Agency. Cabinet noted that the Government's adoption proposals contained within the Education and Adoption Act 2016 set out that all local authorities would play a part of a Regional Adoption Agency, or would have delegated their adoption functions to a RAA by 2020.

The report explained that adoption services were being reorganised under regional arrangements whereby local authorities would collaborate to provide services in a newly created Regional Adoption Agency. The changes aimed to achieve outcomes for children by facilitating more timely placements of children for adoption, greater recruitment of adopters and speedier identification for matches.

Pursuant to the decision of Cabinet on 26 July 2016 to support and endorse the progress of arrangements to establish a Regional Adoption Agency (ONE Adoption) and the creation of a sub-regional Yorkshire Adoption Agency, hosted by Leeds City Council, further work had been progressed and Cabinet was now asked to formally delegate the functions of the adoption service to a Joint Committee, comprised of

Elected Members from the five West Yorkshire authorities. The Joint Committee would have formal oversight of the regional agency, and would be invited to sub-delegate the function to the Director of Children's Services (Leeds City Council) to enable the day to day running of services via the host agency. The Director would be accountable to the Joint Committee for the discharge of the adoption functions, though agency decisions on whether adoption would be in the best interest of the child would remain with Kirklees Council.

Cabinet noted that the Sub-Regional Agency would be operated under the terms of a Partnership Agreement, which would confirm the legal and governance arrangements, the budget, and funding contributions for the five local authorities. The report advised that ONE Adoption West Yorkshire was scheduled to come into effect on 1 April 2017.

## **RESOLVED**

That the arrangements for the new Regional Adoption Agency be endorsed and, subject to the agreement of partner authorities agreeing to the recommendations, approve;

- (i) that with effect from 10 January 2017, all adoption functions be delegated to the Joint Committee as detailed in appendix a of the considered report
- (ii) that the Cabinet Member – Family Support and Child Protection shall represent Kirklees on the Joint Committee (or a substitute member, if appropriate)
- (iii) that the principles of the partnership agreement, as detailed in appendix b of the considered report, and the process for budget setting, be noted, and that the Director of Children and Young People be authorised to agree the Agency funding formula and terms of the partnership agreement
- (iv) that the Assistant Director – Legal, Governance and Monitoring, be authorised to sign and seal and enter on behalf of the Council into documentation, including but not limited to, the partnership agreement, including documents arising out of support for special guardians and to update the Council's Constitution as appropriate
- (v) that it be noted that the proposed transfer of staff via TUPE from 1 April 2017 into the employment of Leeds City Council to work within ONE Adoption
- (vi) that the Director of Children and Young People's Services be authorised to extend the breadth of delegation relating to support for special guardians, following agreement by the Joint Committee as the project develops and
- (vii) that the Director of Children and Young People's Services be authorised to progress with other local authorities in order to implement ONE Adoption.

## **130 Place Directorate - Introduction of New Fees and Charges**

Cabinet considered a report which sought approval for revisions of existing fees, and the introduction of new fees and charges, for services provided by the Place Directorate, specifically Building Control, Bereavement Services and Driver Training.

Appendix 1 to the considered report set out a breakdown of the revisions and new fees, which would come into effect on 1 January 2017. The charges and fee

increases were required to fully recover the increased costs of providing existing services and the cost of the new services which are offered, and enable the continual sustainability of services at competitive rates.

**RESOLVED**

That the increased fees and charges, as detailed in Appendix 1 of the considered report, be approved with immediate effect, with the exception of the charges relating to Building Control which shall be implemented with effect from 1 January 2017.

**131 Carriageway Asset Management**

Cabinet received a report which requested that consideration be given to the Highways Network priorities in the context of reducing funding and adhering to an asset management methodology.

The report advised that investment at the current levels was likely to lead to an increased backlog of works. Therefore, the Council needed to target Department for Transport funding capital at A, B and C roads in order to mitigate against deterioration and support economic resilience and transportation in the district.

Cabinet noted the proposal as set out in the report that (i) the current investment strategy would continue to target Department for Transport funding grants predominately at A, B and C roads, and borrowing at U road maintenance (ii) reactive maintenance revenue funding and the pothole grant would be targeted at localised repairs, to mitigate deterioration which must increase reducing capital roads funding (iii) the pothole test will be evaluated following winter to identify the most effective reactive repair techniques (iv) a report will be submitted to Cabinet each year of the works programme (v) a sum of £250,000 will be set aside within the Unclassified Roads budget for spending on pavements where the condition presents a risk to the Council and (vi) the unclassified roads budget will only be used for adopted highway roads and footways.

**RESOLVED**

That approval be given to the preparation of a programme of works to reflect Asset Management principles and maximise grant funding to contribute to and compliment the Council's Corporate Plan, and the Council priorities of early intervention and economic resilience.

**132 West Yorkshire Low Emission Strategy 2016 to 2021**

Cabinet received a report which outlined the proposed content and purpose of the West Yorkshire Emission Strategy 2016-2021, and sought approval of the strategy. The report advised that the West Yorkshire Low Emissions Strategy 2016-2021 set out how the Council, together with partners, would improve air quality in Kirklees, and across West Yorkshire, over the next five years, and beyond. It explained that the five West Yorkshire authorities, the Combined Authority, and Public Health

England, had worked together using DEFRA funding to produce an overarching strategy which covered a range of initiatives to tackle transport emissions in the short to medium term, and set out how air quality improvements would be maintained over the long term, balanced against the ambitions for economic and housing growth for the region and the consequent risk of worsening air quality from increased traffic.

The report set out ten objectives of the strategy which included the introduction of Clean Air Zones, the introduction of an Eco-Stars fleet recognition scheme, supporting the taxi industry in the transition to low emission vehicles and raising awareness of the impact of poor air quality.

The report presented two options to Cabinet; Option 1 – to adopt the 2016 to 2021 strategy, as detailed within the considered report, or Option 2 – to not adopt the strategy and consider an alternative strategic approach. It advised that the adoption of the strategy would demonstrate the Council's commitment to improving air quality improvements in the long term.

#### **RESOLVED**

That Option 1 as detailed in the considered report be approved, thereby adopting the West Yorkshire Low Emissions Strategy 2016 to 2021 as the Council's strategic approach to improving air quality in Kirklees and across West Yorkshire.

### **133 Flood Response Policy and Flooding Operational Plan**

Cabinet received a report that presented a new Flood Response Policy and associated Flooding Operational Plan. It advised that the Policy and Plan had been developed jointly between Flood Management, Emergency Planning and Highways Operational teams and outlined the Council's responsibilities during flood events and how it intends to manage the risk of flooding to communities with drainage asset management, flood risk management initiatives and community awareness. The policy also promoted targeted and proportionate support to communities affected by flooding, informed by the best possible evidence and information. The policy also revised the Council's approach to providing sandbags and gave clarification on prioritisation for the supply of sandbags.

The operational plan set out details on the actions to be taken before, during and following severe flooding. Cabinet noted that whilst the policy set out the Council's responsibilities and intentions, the plan provided a detailed action plan which would be adjusted to reflect upon new evidence of flood risks, and associated revised priorities.

#### **RESOLVED**

That the Flood Response Policy and Flooding Operational Plan be approved.

**134 Transition to Kirklees Wellbeing Integrated Model and Redesign of Smoking Cessation services**

Cabinet received a report which provided information on the transition towards the Integrated Wellbeing Model, including redesigning the approach to smoking cessation. The report advised that smoking cessation services were currently delivered by South West Yorkshire Foundation Trust (Smoke Free Service) and GPs, and that the contract with the Smoke Free Service was due to end on 31 March 2017. Cabinet were asked to consider issuing a notice to the current provider and commencing a new approach on this date, rather than extending the contract to 1 April 2018 which is the date that all other contracts (eg, weight management) were due to end.

Paragraph 3.2 of the considered report set out details of the integration of health improvement services and outlined the reasons as to why the Health and Wellbeing Board and Clinical Commissioning Groups were intending to commission an integrated Wellness Service as part of a wider wellbeing model that would be better aligned with New Council and the Target Operating Model, Early Intervention and Prevention, and the NHS Five Year Forward View/Sustainability and Transformation Plans.

Cabinet noted that the Wellness Model would support the aims of New Council to empower people to live their lives to the fullest potential by enabling people to increase control over their health.

**RESOLVED**

That the transition towards a Kirklees Wellbeing Integrated Model, including not renewing the current contract for the Kirklees Smoke-free service, and designing a primary care based approach to commence on 1 April 2017, be approved.

**135 Quarter 2, 2016-17, Corporate Monitoring - Learning Disabilities**

Cabinet received a report which provided an overview of the action being taken to mitigate the increasing overspend within Learning and Disability Services. The report outlined the background to the current financial position, information relating to the demands on Learning Disability Services, needs assessment data, and the current range of service actions and projections relating to future demand for and cost of services.

Cabinet noted that the key pressures on the Learning Disability Budget included a demographic volume change, care and community package cost changes, including the impact of the national minimum wage, and the impact of Continuing Health Care reviews. It was also noted that the key areas of projected overspend were placement budgets and community package and direct payment budgets. The report explained the mitigating actions being planned included (i) overseeing and matching costs with prevailing market rates to meet identified care needs (ii) promoting choice and control within affordable costs (iii) purchasing with partners to

secure value for money and (iv) securing more accommodation in communities to promote choice and control and secure value for money.

**RESOLVED**

1. That the Quarter 2 2016-2017 Corporate Monitoring (Learning Disability Services) report be received and noted.
2. That the action as set out within the considered report be endorsed and
  - i. it be noted that a report will be submitted to a future meeting providing further detail on mitigating actions and their impacts and
  - ii. the risk to the Medium Term Financial Plan arising from volume growth that cannot be met through the managements actions be noted.