

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 5th October 2021

Present: Councillor Cathy Scott (Chair)
Councillor Paul Davies
Councillor Eric Firth
Councillor Viv Kendrick
Councillor Peter McBride
Councillor Naheed Mather
Councillor Cathy Scott
Councillor Will Simpson

Observers: Councillor McGuinn
Councillor Munro
Councillor Taylor

Apologies: Councillor Shabir Pandor
Councillor Musarrat Khan
Councillor Carole Pattison

70 Membership of Cabinet

Apologies for absence were received on behalf of Councillors Khan, Pandor and Pattison.

71 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 31 August 2021 be approved as a correct record.

72 Declarations of Interest

No Interests were declared.

73 Admission of the Public

It was noted that exempt information had been submitted in respect of Agenda Item 12 (Minute No. 81 refers).

74 Deputations/Petitions

No deputations or petitions were received.

75 Questions by Members of the Public

No questions were asked.

76 Questions by Elected Members (Oral Questions)

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Cabinet received the following questions in accordance with Executive Procedure Rule 2.3;

Question from Councillor McGuinn

“Can you tell me how much the Council has paid for architectural advice for the two special schools and how much have the Council paid for advice for all areas throughout this financial year?”

A response was provided by the Cabinet Member for Children (Councillor Viv Kendrick).

Question from Councillor Munro

“Please can the Council tell me when they intend to install charging points for electric vehicles in the Almondbury ward?”

A response was provided from the Cabinet Member for Environment (Councillor Mather).

Question from Councillor Taylor

“Earlier in the year I asked a written question about the museum consultation for the Town Centre and I had a reply that we would see something by September. It’s now October and we’ve still not seen anything, so when are we likely to receive something? At this rate, it will be two years since the consultation was done.”

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

Question from Councillor Taylor

“You will recall earlier in the year I mentioned on several occasions about the Democracy Commission and that it seems to be just ‘hanging’. We have been promised for months now that there will be a report produced and shared with Members of the Commission and I’m still waiting. Nothing seems to be happening. Can we have an update on when we are likely to receive something please?”

A response was provided by the Cabinet Member for Housing and Democracy (Councillor Cathy Scott).

77

Elective Home Education Policy

Cabinet considered a report which sought approval for a new Elective Home Education Policy.

The report advised that the Children’s Scrutiny Panel, following an Ad Hoc Scrutiny review, made several recommendations including the need for a new Elective Home Education Policy rather than a refresh of the existing policy.

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Cabinet was informed that the new policy was compatible with the April 2019 Department for Education, (DfE), Elective Home Education guidance for local authorities. The policy included an 'Information for Parents' guide' (Appendix B), and 'Flexi-schooling' (Appendix C) guidance.

Cabinet heard that the policy and additional guidance would support children and young people who were Electively Home Educated. It made clear parents' responsibility to ensure their children were receiving a full-time, efficient, and suitable education. The new policy aimed to improve engagement with families who Electively Home Educate and enabled officers to signpost to other services where appropriate, such as Calderdale + Kirklees Careers/examination centres.

RESOLVED -

- 1) That the new Elective Home Education Policy be approved and adopted;
- 2) That approval be given to delegate responsibility to the Director of Children's Services in conjunction with the Portfolio Holder for Children's Services, to review the policy and guidance annually and make technical amendments where appropriate, allowing engagement to take place with stakeholders;
- 3) That should there be new legislative requirements that would require a more fundamental change the policy would be brought back to Cabinet for approval.

78 Learning Strategy - Our Kirklees Futures

Cabinet received the Kirklees Learning Strategy – Our Kirklees Futures report which outlined the future strategic approach to learning in Kirklees and provided a roadmap for all children and young people in Kirklees to achieve their potential and realise their ambitions.

The report outlined three areas of focus which were designed to guide the approach and ensure that all learners were at the heart of Our Kirklees Futures: -

- Inclusion – children, young people and all learners of all backgrounds learn and grow side by side, to the benefit of all;
- Resilience – a system where everyone has the ability and support to overcome adversity;
- Equity – everyone gets the support they need.

Cabinet was advised that the primary method for evaluation was the Education and Learning Partnership Board which would evaluate the initial implementation of the strategy.

RESOLVED -

- 1) That Our Kirklees Futures as the strategy for learning be approved and adopted.
- 2) That approval be given to delegate authority to the Director for Children's Services and the Service Director for Learning and Early Support, in consultation with the Portfolio Holder for Learning, Aspiration and Communities and the Portfolio Holder for Children's Services to take forward

for the Council phase one in collaboration with partners in line with proposed governance arrangements, namely The Education and Learning Partnership Board,

- 3) That approval be given to monitor the impact and progress, evaluated through annual monitoring to both the Education and Learning Partnership Board and the Corporate Performance Report to Cabinet and provide an annual report to the Commission Group

79 Special Educational Needs and Disabilities (SEND) Masterplan - Capital Investment and Rebuild of two Special Schools

(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Munro, McGuinn and Taylor)

Cabinet considered a report which outlined the work that had been undertaken to develop and deliver a plan for the provision of special school places that would contribute to the long-term sufficiency of specialist provision as part of the wider SEND Transformation Plan.

The report advised that the proposal was for rebuilding and replacing two existing special schools, Woodley School and College and Joseph Norton Academy, with the aim of enhancing and extending already good quality provision. Alongside the rebuild of the two special schools there would also be an increase the amount of Specialist Provision attached to mainstream schools in Kirklees – this would include provision for learners with SEMH and ASD.

Cabinet was advised that the buildings for Woodley School and College and Joseph Norton Academy both required significant modernisation and on-going maintenance costs. The rebuild of the two special school and the investment in physical accommodation would secure the right number of places for Kirklees children, now and in the future as well as providing facilities and spaces that children and young people deserve, matching the quality of education they currently receive.

RESOLVED -

- 1) That approval be given for the development, design, tendering and construction of a new SEMH special school building on the Deighton site as detailed in the report with an indicative budget of £15m;
- 2) That approval be given for the development, design, tendering and construction of a new C&I / Autism special school building on the site of the Almondbury site as detailed in the report with an indicative budget of £21m;
- 3) That approval be given to remove the Almondbury site from the PPP1 Contract and delegate authority to the Service Director for Legal, Governance and Commissioning and the Service Director for Development, in conjunction with the Service Director for Finance, to agree to enter into negotiations with Kirklees School Services Limited to agree a Deed of Variation to the Project Agreement and authorise the Service Director Legal ,Governance and Commissioning (or authorised representatives) to enter into and execute on behalf of the Council any appropriate legal agreements ,contracts , instruments and certificates under the Local Government (Contracts) Act 1997 relating to the removal of Almondbury High School from the Grouped

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- Schools PPP1 contract , subject to it remaining within the affordability parameters broadly set out in the public report and private appendix 2;
- 4) That authority be delegated to the Service Director for Legal, Governance and Commissioning and the Service Director for Development, in conjunction with the Service Director for Finance, to enter into negotiations to secure the removal of the telecommunications masts in accordance with the lease(s) or by agreement with the mast providers/tenants to agree the appropriate legal and contractual lease termination and enter into and execute any legal contracts, agreements or instruments on behalf of the Council;
 - 5) That the current capital plan outline approval for this scheme of £28m be noted and that approval be given to the revised outline £36m allocation requirement being incorporated into updated capital plans to Budget Council in February 2022, and on the assumption of potential for external funding options to be explored as part of this outline uplift, officers will report back to Cabinet as appropriate, as costings and funding opportunities become clearer over the next 9-12 months as part of scheme development;
 - 6) That authority be given, at an appropriate time, for officers to undertake the required non-statutory consultation for the proposed changes to Woodley School and College, working closely with the Governing Body of the school, and prepare a consultation outcome report to be presented back to Cabinet;
 - 7) That authority be given for officers to work with Wellspring Multi Academy Trust, providing the support required for them to undertake a local consultation on their proposed changes to Joseph Norton Academy.

80 **Exclusion of the Public**

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

81 **Special Educational Needs and Disabilities (SEND) Masterplan - Capital Investment and Rebuild of two Special Schools**

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, namely Information relating to the financial or business affairs of any particular person (including the authority holding that information) and it is considered that the disclosure of the information would adversely affect a third party, therefore the public interest in maintaining the exemption, which would protect the rights of an individual or the Council, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 12 (Minute No.79 refers).