

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

GROWTH AND REGENERATION SCRUTINY PANEL

Monday 25th September 2023

Present: Councillor Moses Crook (Chair)
Councillor Zarina Amin
Councillor Susan Lee-Richards
Councillor Harry McCarthy
Councillor John Taylor

In attendance: David Shepherd, Strategic Director, Growth and Regeneration
Edward Highfield, Service Director, Skills and Regeneration
Johanna Scrutton, Planning Policy Team Leader
Simon Taylor, Head of Centre Programmes
Isabel Whitworth, Project Manager, Town Centres

Observers: Councillor Elizabeth Smaje, Chair of Overview and Scrutiny Management Committee

Apologies: Councillor Tyler Hawkins
Jonathan Milner (Co-Optee)
Chris Friend (Co-Optee)

1 Membership of the Panel

Apologies were received from Cllr Tyler Hawkins, Jonathan Milner and Chris Friend.

2 Declaration of Interests

No interests were declared.

3 Admission of the Public

All agenda items were considered in public.

4 Deputations/Petitions

No deputations or petitions were received.

5 Public Question Time

No public questions were asked.

6 Kirklees Local Plan Review Process and Update

Johanna Scrutton, Planning Policy Team Leader, provided the Panel with an update on the Kirklees Local Plan review process, advising the Panel that this is the first of two invitations to attend scrutiny, with today being the first to talk through the local plan review process. The second visit will be to come back later in the year to go

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through the outcomes of the review and any next steps for a potential update of the local plan.

In summary, the Panel was informed that it is a statutory requirement to publish a review of whether the local plan remains fit for purpose, and that has to be carried out, within five years from the date of adoption. For Kirklees, the assessment has to have been undertaken and taken through the cabinet process and be in the public domain by February 2024.

At the end of July 2023, the decision to start the review was taken by the Strategic Director David Shepherd, and this decision was put into the public domain through advertising the significant decision notice, through Kirklees together, local press releases and all social media platforms.

The appended report, outlines that the Planning Advisory Service (PAS) template has been used to undertake the assessment of the local plan. The reason for using this template is that the Local Government Association has worked with PAS to develop this process, and it is a standardised approach which is being promoted nationally.

It sets a standardised approach and allows benchmarking against other authorities. There is also the additional advantage that it feeds into a wider body of what PAS are producing on local plan making, which aims to get consistency across the country in the way that local authorities approach their decision making and their processes.

The Panel was directed to the template that was attached to the appended report and advised that there are 14 main questions aimed at looking at assessing the plan against current national planning policy, and also against the Councils strategies and policies.

It looks at the spatial development strategy and whether Kirklees is delivering the numbers of housing and employment that it said it would across the plan period. It also looks at the performance of the policies both individually and the interrelationships between them.

The Panel was informed that to inform that process, officers have looked at all the national guidance and used ongoing monitoring processes that feed into the annual monitoring report, and spoken to colleagues across different services who use the plan in the delivery of their work and their strategies.

As an additional level of trying to add robustness and transparency to the process, the Planning Officers Society has been commissioned to fulfil a role as a critical friend. They provided advice at the beginning of the process about their experience working with other authorities, which involved looking at the pros and cons of a partial or full review. Those outcomes are listed in the appended report, and they will also provide independent feedback on our assessment.

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The assessment will go to cabinet on the 17 October 2023, seeking ratification of the outcomes and to move forward with a local plan update should the outcomes indicate this and then on to council on the 15 November 2023.

The Panel was advised that in terms of the next steps, the report outlines a potential programme should it be deemed necessary to move forward with the local plan update. This would mean the early part of 2024, would be putting the processes in place, concentrating on the evidence to guide a future strategy, identifying what type of place we want Kirklees to be and what levels of ambition. There would be early engagement towards August 2024, and a submission of a draft plan for examination, in March 2027. It is an ambitious programme, and the report sets out the aim to move forward with that.

In response to the information presented, the Panel made comment and asked questions including some of the following:

- It is positive to be liaising with officers from Barnsley to look at best practice, given that they have recently fulfilled this statutory requirement of a review, and also to be using the critical friend process and using the Planning Advisory Service template which gives some consistency between Kirklees and partner councils and authorities to avoid any pitfalls
- Can clarity be given to if there are any distinctions between preparing a new plan or a plan update, because it seems from reading the report, this is quite a thorough process to where it appears to be going through the entire local plan
- An important aspect of this is communicating with local residents to ensure they have faith in the planning process and making sure that any communication put out is robust
- Communication with local residents is vital as the local plan can often be seen by residence as an imposition, a foregone conclusion, and something that they don't have buy in or inclusion in the process
- It is recognised that there may be a need to go through a full review process as has been advised by the critical friend appointed in this process. Is it worth asking the question around cost and whether there are efficiency savings that can be made in this review process and still reach the same outcome
- The fact that we have fallen below the statutory requirements for land available for housing, does this trigger a renewal of the local plan?
- The last local plan was published before the Council declared a climate emergency, and it does recommend that climate emergency be a key factor in indicating whether an update is required, and therefore it is heartening that the council is taking a robust look at this
- In relation to the consultation, whilst most of this will probably be conducted online and will be a cost saver, it is important to be mindful that there are people

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who don't have access to the internet such as, the elderly, and some people with a disability and therefore it is making sure there are some provision in place to include all those groups

RESOLVED

That:

Johanna Strutton, David Shepherd and Edward Highfield be thanked for providing an update on the Kirklees local plan review process

The Panel supports the officer recommendation that the non-mandatory phases for public consultation be carried out

Officers look at the consultation strategy, which is the same as for LP1, and take any learning points with a view to be more inclusive

7 Update on the Kirklees Wide Town Centres and Small Centres Programme

Simon Taylor, Head of Town Centres Programme, provided the Panel with an update on the Batley levelling up scheme, which forms part of the wider Batley local centres programme.

In summary, the Panel was advised that Batley is the biggest investment in the smaller local centres, and, by way of a reminder, there has been a successful outcome to the LUF2 bid, and since then work has been undertaken with Deluc to agree the terms of that award. An external project management team, Turner and Townsend, has been appointed, and they came on board in June 2023. There are many projects across the council, and there was a need to bring in specialised people to assist with the project in Batley.

They were asked to undertake a review the cost of that scheme to ensure that it was within budget. The reason for the review, was that between submission and the announcement, there was a long delay, and during that time there has been a fluctuation in interest rates. It is therefore important to understand exactly what can be afforded from that award. Whilst the award has not changed in its number, the costs that go into the scheme has. That exercise has now been completed, and at this stage, the money that has been awarded and put to one side from the Council is sufficient to deliver each of the four elements, however, this will be kept under review while going through the design phases.

It is currently at rebalancing stage two, and there is a cost assigned to that, and each stage costs will be reviewed, and recommendations will be made to the board about how to deliver elements of the scheme be it through value engineering or pausing or doing something slightly different.

A review of the programme has also been undertaken, and importantly, some of the time has been filled with surveys that needed to be done, for example, surveys around 39 Commercial Street in Batley, and all the condition surveys have been completed.

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There are four elements to Batley:

Tesco Link - the link between Commercial Street and Tesco, which is effectively trying to bridge the gap between the large supermarket to allow people to move more freely between the supermarket and the main part of the town.

Commercial Street - is an upgrade of the main St in Batley. It is very much as streetscape project, however, one of the key objectives, is to make it much more pedestrian friendly, particularly as the feedback received is that there is a lot of anti-social driving behaviour, people parking where they should not be parking and speeding through the town.

Market Place - upgrading Market Place, which is the area outside of the town hall, which is approximately 30 to 40 years old, and therefore needs an uplift with the aim to make more of a usable space for events and markets.

39 Commercial Street – the largest building on Commercial Street which is owned by the Council. The aim is to repair that, bringing it up to a white box standard so that it can be marketed for new use.

The Panel was given an overview of the programme to date, which is part of the early review. Commercial Street and Market Place will be running at a similar time, going through and looking at options between now and the end of the year, that needs to be undertaken to fulfil the business plan requirements with Deluc.

The expectation is that there will be some stakeholder engagement later this year. From that process, the intention is to start to develop detailed designs, which means taking it past the stage that it is at the moment, and embedded within that is another round of public consultation. With regard to construction, the aim is to be on site by September 2025 through to March 2026, a 6 month program.

The programme is constantly being kept under review, and there are discussions with colleagues in government about the program, and where there might be some slippage.

The Tesco Link falls slightly alongside that, with the designs being developed later next year. There will need to be re-engagement with Tesco regarding land acquisition which will happen later this year. There will also be public consultation, planning application sometime later next year. Construction is expected towards the back end of 2025.

With regard to Commercial Street, a few surveys are being undertaken, in addition to dealing with internal matters to do with the asbestos and condition. A scope of works is being developed, which will give a clear idea of what can be afforded with the money available. From March 2024, the aim is to start the repairs and bring the building up to the required standard to market it.

That is currently the Batley levelling up program, and there is a full team in place, moving through the processes, engaging with Deluc. There will be engagement

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with stakeholders, consulting those when past the detailed design stage.

In response to the information presented, the Panel made comment and asked questions including some of the following:

- It is positive that Kirklees is able to continue to invest in the towns, even if there might be some phasing issues. Local residents need this kind of aspirational project and the jobs and economic development that it will result in, is positive and very much needed
- From the photographs, it is clear that there will be some landscaping which is welcomed, however it is important to give thought to the long term maintenance of that landscaping. For example, maintenance appears to have been missed on the Leeds Rd corridor, where there has been some planting in the central reservation which has developed moss, and litter, and the cleansing team, say they are unable to remove it because it is in the middle of the road, and they would need to put traffic management in place

RESOLVED:

That Simon Taylor be thanked for providing an update on the Kirklees wide town centres and small centres programme.

8 Work Programme and Forward Plan

Cllr Crook advised that in terms of the work programme it was important not to overburden meetings if possible with too many agenda items. The aim will be to pre-triage, to maintain an oversight of some items and concentrate the Panel's time on more critical items.

Panel members were asked to recommend which items they feel needed the most thorough scrutiny, to focus attention particularly as it is a busy work program, whilst recognising that some issues are time sensitive because they are on route to cabinet for a decision.

The Panel was informed that the Chair of Overview and Scrutiny has requested that this Panel maintain oversight of the recommendations from the ad hoc scrutiny panel, on building safety and combined action plan, to confirm that the recommendations made to cabinet have been acted upon.

The next meeting will be on the 10 October and will include the Economic Strategy and Skills post 16.

RESOLVED:

That the work programme and Forward Plan of Key Decisions be noted.