

COUNCIL, Wednesday, 27th September, 2023

PRESENT:

The Worshipful the Mayor (Councillor Evans) in the Chair

Ahmed	Durrans	Parsons-Hulse
Ashton	Fazal	Patient
Atkinson	Fenton-Glynn	Pillai
Barnes	Foster	Prashad
Bellenger	Gallagher	Rivron
Benton	Hey	Robinson
Blagbrough	Hutchinson	Scullion
Brundell	Issott	Sutherland
Caffrey	Khan	T Swift MBE
Cairney	Kimber	Thompson
Carr	Kirton	Thornber
Courtney	Kingstone	Tremayne
Dacre	Leigh MBE	Veitch
Dickenson	Lynn	Whittaker
	Monteith	Wilkinson

37 MINUTES OF THE COUNCIL MEETING HELD ON 26TH JULY 2023

It was moved by Councillor Scullion,
Seconded by Councillor Wilkinson, and

RESOLVED that the Minutes of the meeting of the Council held on 26th July 2023, having been printed and a copy sent to each Member of the Council, be taken as read and signed by the Mayor.

38 MEMBERS' INTERESTS

Councillor T Swift MBE declared a non-pecuniary interest in Item 6a – A recommendation to Council for the introduction of a charges policy within Calderdale Adult Services and Wellbeing directorate.

39 TO RECEIVE THE MAYOR'S OR CHIEF EXECUTIVE'S ANNOUNCEMENTS (IF ANY)

There were no Mayor's or Chief Executive's announcements.

40 TO RECEIVE PETITIONS, IF ANY, PRESENTED BY MEMBERS OF THE COUNCIL.

No petitions were received.

41 PETITION CALDERDALE COUNCILS PLANNED CYCLE LANE IN NORTH HALIFAX - OVENDEN WAY/COUSIN LANE

A petition had been received from Mrs A Balme, Petition Organiser regarding a Petition in Opposition to Calderdale Council's Planned Cycle Lane in North Halifax – Ovenden Way/Cousin Lane. The petition contained more than 2000 signatures, therefore, in accordance with the Council's Petition Scheme the petition was presented to the Council for Members consideration.

The petition states:

The Labour run Calderdale Council's planned implementation of a cycle lane in North Halifax after none or little consultation with residents and businesses.

The planned cycle lane will mean residents with no driveways wont be able to park their cars, businesses will lose trade, trees will be cut down, money North Halifax Partnership has spent on improving the area planting plants etc – ripped up.

The residents of Ovenden and North Halifax oppose this cycle lane and do not want it or need it.

Andrea Balme attended the meeting as the Petition Organiser and explained the residents of North Halifax and Ovenden felt they had not been properly consulted or

listened to when consultation meetings had taken place. She advised that many residents did not have driveways and so would be unable to park outside their homes if cycle lanes were put in.

Andrea Balme explained that the North Halifax Partnership had spent money on plants in the local area and it made no sense to rip them up along with trees to put in cycle lanes that no one wanted.

Councillor Patient, Cabinet Member with responsibility for Climate Action, Active Travel and Housing thanked residents for engaging in the consultation. Councillor Patient advised that the cycle scheme was part of a move towards lower car usage and noted residents concerns regarding segregated cycle lanes. Councillor Patient noted the specific concerns regarding trees and advised that final designs were not yet complete and residents voices would be part of that final process.

Councillor Cairney asked if a second look could be taken at the proposals.

Councillor Bellenger congratulated residents on the petition and advised that he had concerns over the cost of the scheme and trees being cut down.

Councillor Blagbrough thanked residents for a very concise and relevant petition. He advised there was comments he agreed with and advised the residents should be involved in the process.

Councillor Caffrey advised that Council should have learned from putting cycle lanes in King Cross and was the consultation numbers available.

Councillor Leigh MBE said he agreed with the previous comments and hoped a better proposition could be found than the one being offered.

Councillor Dickenson advised that he was impressed how the petition had been grass roots led. He had concerns over how well-maintained cycle lanes were and had a business case been built for the cycle lanes?

It was moved by Councillor Patient
Seconded by Councillor Cairney, and

RESOLVED that:

- (a) the ongoing consultation on the Active Travel proposals in North Halifax be noted; and
- (b) Officers be requested to take account of the issues raised in the petition together with other comments and views in developing the next stage of the proposals.

42 TO ANSWER QUESTIONS ASKED BY MEMBERS OF THE PUBLIC UNDER COUNCIL PROCEDURE RULE 12.

(A) Question from Ann Beckwith to Councillor Lynn, Cabinet Member for Public Services and Communities

A survey of 14th July 2021 proposing an experimental closure at school start and finishing times was not delivered to us, however apparently 63% of residents were in favour.

Despite transparency and democracy claims of Calderdale Labour Council, no information regarding which streets received this letter has been forthcoming.

Even so this morphed into a permanent closure without consulting any residents whatsoever.

In view of the wholesale disdain that emails, letters and surveys have received since January 2022, when we found out, when will the neglected formal consultation of residents of Eldroth Road, Eldroth Mount and Rockville Terrace take place?

In response, Councillor Lynn advised:

In July 2021, we conducted a survey with local residents, parents of pupils attending the school and the school staff, where we received 57 responses. The results indicated that the area outside the school wasn't an enjoyable place to be because of the volume of traffic and consequently it didn't encourage pupils to walk to school.

In the survey we asked:

Would you agree a School Street would make the street a more enjoyable place to be? The majority agreed it would have a positive impact on the local area.

- 63% of local residents
- 72% of parents
- 100% of school staff

The survey was sent to Moorfield Street, Eldroth Road, Emscote Avenue, Eldroth Mount, Rockville Terrace, Walsh's Square and Mellor Terrace.

In January 2022 a further letter was issued (to the same addresses) advising of the start date of the scheme and residents were advised they could feedback via the dedicated email address any concerns or comments.

In June 2023 a further period of consultation was undertaken with all residents (Moorfield St, Eldroth Road, Emscote Avenue, Eldroth Mount, Rockville Terrace, Walsh's Square and Mellor Terrace) hand delivered a letter giving options on next steps. Council officers and ward councillors have also undertaken door knocking exercises in the area collating feedback in relation to the scheme.

The current arrangements are still temporary. All feedback in relation to the scheme will be considered by the Governing Body in coming to a decision about the future of the scheme.

(B) Question from Penny Hutchinson to Councillor Patient, Cabinet Member for Climate Change, Active Travel and Housing

Templar's Gate in Halifax a small estate is being flooded from the fields above, the land has already slid into residents properties.

Whilst investigations continue, what is being done to ensure no further damage is done to the properties?

In response, Councillor Patient advised:

The Council has been working with the residents of Templars Gate and other partners to investigate the potential source(s) of flow and mechanisms leading to land instability over many months.

This is a very complicated situation, and the Council understands how concerning this must be for affected residents and their families.

As a result of our investigations, we were unable to identify a single source of flow or mechanism leading to the land instability. However, we were also unable to rule out a potential contribution from Yorkshire Water's aqueduct, which runs along the top of the hillside. In response the Council escalated this issue with Yorkshire Water who have subsequently carried out investigations which have confirmed there are a number of leaks from the aqueduct. While Yorkshire Water continue to investigate we believe there is a potential correlation between the leaks identified in the aqueduct, the saturation of land behind Templars Gate and the subsequent land instability.

Throughout the Council have consistently advised residents to seek their own independent legal and technical advice and more recently to commission their own monitoring of the hillside. We have also written to Yorkshire Water to suggest they install appropriate apparatus and undertake monitoring as a matter of priority while their investigations are ongoing.

The Council will continue to work with partners and provide support where it can. However, we do not have any responsibility or liability as a riparian owner or landowner. As a consequence it is not the intention of the Council to install any monitoring equipment or carry out any work to stabilise the hillside.

Responsibility for the damaged watercourse has not been established. The Council, in its capacity as the Lead Local Flood Authority, has investigated this issue, provided information to residents and partners, and continued to support all parties in helping to understand possible causes. However, in the course of discharging its duties, the Council does not have an obligation to take action to prevent flooding.

We are aware that recent physical investigations and changes to the watercourse have taken place. We are investigating this as a matter of priority and working with partners, including Yorkshire Water and Barratt David Wilson Homes to understand the implications of this.

However, should responsibility for the flooding or land instability be established we would look to use our influence and powers, if applicable, to ensure appropriate action is taken.

(C) Question from Woodhouse Residents Association to Councillor Scullion, Leader of the Council

Woodhouse Residents Association have several concerns about stewardship trusts in the Woodhouse and Thornhill Community Suburbs Masterplans. Firstly, the documents state that facilities in the new communities will be open to the wider public beyond the residents and commercial occupants of the Garden Communities, but charges will be applied to those outside of the community who use the new facilities. Please advise if this is correct. Secondly, the feasibility of stewardship trusts is unclear. What guarantees does the Council have that people will engage with the process when Stages 1 and 2 did not consult with existing residents?

In response, Councillor Scullion advised:

The proposal is to create one stewardship Trust which will own and manage all the new community assets and facilities across both Woodhouse and Thornhill. This Trust will be established as a charity, which will therefore be required to ensure public benefit which will be for all residents, both for the new development, and from the surrounding communities including Woodhouse. Most of these new facilities, such as the public open space, footpaths, children's play areas, and the community gardens will be free to use by everyone.

Other facilities such as the sports pitches, pavilion, and community buildings will make small charges to hire or use them to help support their long-term maintenance, cleaning and operation.

Stewardship Trusts are a tried and tested concept, with the first Garden City at Letchworth, now 125 years old, being one such example where the community assets are still owned and managed by a Trust and the town remains a high quality and sought after location. Over the past fifteen years, there are a growing number of Stewardship Trusts created in situations where the developers and/or the local authorities require a high-quality sustainable stewardship solution. Lightmoor (Telford) run by Bourneville Village Trust is one such example, The Steadings Community Management Trust at Cirencester is another, and Chichester Community Development Trust yet another award-winning example.

The Council have engaged a specialist stewardship and placemaking consultancy (CSS – Community Stewardship Solutions) with over 35 years' experience of setting up and running successful Trusts, and so we have looked at the planned business model and are confident of its viability, sustainability, and inclusive governance processes built up strong community foundations.

43 TO CONSIDER THE RECOMMENDATIONS OF CABINET ON THE FOLLOWING MATTERS:

(A) A RECOMMENDATION TO COUNCIL FOR THE INTRODUCTION OF A CHARGES POLICY WITHIN CALDERDALE ADULT SERVICES AND WELLBEING DIRECTORATE

It was moved by Councillor Scullion, and
Seconded by Councillor Fenton-Glynn,

that the recommendation of the Cabinet contained in Minute Number 40 (Part (a) be approved.

RESOLVED that the implementation of the proposed Charges Policy, outlined in the Director, Adult Services and Wellbeing's written report, including public consultation be approved.

(B) ADOPTION OF THE WORKFORCE STRATEGY AND DELIVERY PLAN

It was moved by Councillor Scullion, and
Seconded by Councillor Dacre,

That the recommendation of the Cabinet contained in Minute Number 41 be approved.

RESOLVED that the Workforce Strategy and Delivery Plan be adopted.

44 TO CONSIDER THE RECOMMENDATIONS OF THE AUDIT COMMITTEE ON THE FOLLOWING MATTERS:

(A) MEMBERSHIP OF THE AUDIT COMMITTEE

It was moved by Councillor Whittaker, and
Seconded by Councillor Leigh MBE,

That the recommendation of the Audit Committee contained in Minute Number 15 (Part (a) Only) be approved.

RESOLVED that the Head of Legal and Democratic Services be requested to amend the Constitution to specifically exclude Cabinet Members from being appointed to the Audit Committee.

45 TO CONSIDER THE RECOMMENDATIONS OF THE GOVERNANCE AND BUSINESS COMMITTEE ON THE FOLLOWING MATTERS:

(A) REVIEW OF FRAUD POLICIES

It was moved by Councillor Foster,
Seconded by Councillor Bellenger,

that the recommendation of the Governance and Business Committee contained in Minute Number 13 be approved.

RESOLVED that:

- (a) the Counter Fraud & Corruption Strategy 2021-24 be approved;
- (b) the Anti-Bribery policy and procedure be approved; and
- (c) both the Counter Fraud & Corruption Strategy 2021-24 the Anti-Bribery policy and procedure be adopted.

46 TO RECEIVE A REPORT FROM THE LEADER OF THE COUNCIL ON THE WORK OF THE WEST YORKSHIRE COMBINED AUTHORITY.

The Leader, Councillor Scullion submitted a written report that provided Members with an update on the work of the West Yorkshire Combined Authority (WYCA).

The Leader advised that she had attended and chaired the Place, Regeneration and Housing Committee and was pleased to see that the West Yorkshire Fair Work Charter was almost ready for launch later this year. The Charter, a West Yorkshire Mayoral Election pledge, included collaboration and celebration of employers across the region to ensure better working conditions for employees.

Calderdale Council's Business Engagement team would be working with local businesses to support them to engage with and sign up to the Charter, as part of the commitment to Calderdale's inclusive economy which included Calderdale Council signing up to the Charter as well.

The Leader advised at the last WYCA meeting an update was received in regard to the implementation of the West Yorkshire UK Shared Prosperity Fund (UKSPF) Local Investment Plans, including Core UKSPF, Multiply and the new Rural England Prosperity Fund.

The report outlined that Pillar 2 projects had been appraised following the open call, and Calderdale Officers had been involved in the appraisal process. Pillar 3 calls were in development and in regards to the Rural fund there had been a low level of formal applications and approvals, and this was being actively promoted through the Council's teams.

The Leader advised a report to the Place, Regeneration and Housing Committee meeting on 31 August included reference to energy efficiency and Calderdale having the lowest proportion of C+ rated properties across West Yorkshire (40%). The Leader welcomed the various work being done to develop the Better Homes Hub (BHH), one stop shop and demonstrator projects, and was pleased that Calderdale had been identified to carry out a retrofit demonstrator on a block of stone terraced properties through the BHH programme.

The Leader advised the current 5G funding programme was being taken up with a joint proposal from Leeds and Bradford on their existing robust investments. Calderdale, Kirklees and Wakefield did not feel they were able to propose, administrate, or match fund at such short notice.

Councillor Issott asked what was being done in regard to speed safety after another life had been lost in Ryburn. Councillor Issott cited previous times where work had

been proposed but not carried out and what assurances could be given that something would be done going forward? In response, the Leader advised that Councillor T Swift MBE had taken responsibility for Vision Zero. All drivers should consider the speeds they drive at. Councillor T Swift MBE advised there had been in excess of 20 locations turned down for speed cameras as they did not meet the criteria and speed limits in rural locations was raised at the last meeting in regard to reducing the limit.

47 TO RECEIVE REPORTS FROM THE LEADER AND CABINET MEMBERS ON THE DISCHARGE OF THEIR ROLES AND RESPONSIBILITIES SINCE THE LAST MEETING OF THE COUNCIL:

(A) LEADER'S REPORT TO COUNCIL

The Leader, Councillor Scullion submitted a written report on the work she had carried out since the last meeting of the Council. The Leaders report also covered her role as Lead for Regeneration/Local Plan.

The report provided background information on the Strategic External Regeneration and the improvements to the Planning Department.

(B) CABINET MEMBER REPORTS

(i) Deputy Leader and Public Health

Councillor T Swift MBE, Deputy Leader and Cabinet Member with responsibility for Public Health submitted a written report on the work he had carried out since the last meeting of the Council.

The report identified and provided background information on Halifax Master Planning and Regeneration, Health Partnerships and Public Health.

(ii) Adult Services and Wellbeing

Councillor Fenton-Glynn, Cabinet Member with responsibility for Adult Services and Wellbeing, submitted a written report on the work he had carried out since the last meeting of the Council.

The report identified and provided background information on the Adult Case Recording System, Round Table event on 24th July, Huddersfield Accident and Emergency Department, Establishment of Permanent Transformation and Co-Production Roles, Learning Disability Partnership Board, Home First, Discharge to Assess Model, Quality of Provision, Homecare, Extra Care, Supported Living and Strategic Developments.

(iii) Children and Young People's Services

Councillor Wilkinson, Cabinet Member with responsibility for Children and Young People's Services, submitted a written report on the work he had carried out since the last Council meeting.

The report identified and provided background information on Education, Children's Social Care and Children and Young People's Commissioning.

In addition to his report, Councillor Wilkinson advised Members of a press release in regard to a new film being released about recruiting Foster Carers in

Calderdale. He asked Members, in their capacity as Corporate Parents, to share the film via their social media platforms.

(iv) Climate Action, Active Travel and Housing

Councillor Patient, Cabinet Member with responsibility for Climate Action, Active Travel and Housing submitted a written report on the work he had carried out since the last Council meeting.

The report identified and provided background information on Housing, Green Economy and Active Travel and Strategic Travel Projects including bus and rail, Flooding, Bereavement Services, Transport Services and Green Spaces and Street Scene.

(v) Public Services and Communities

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities, submitted a written report on the work she had carried out since the last meeting of the Council.

The report identified and provided background information on Customer Access, Neighbourhoods and Cohesion, Welfare and Benefits, Sports Services, Cultural Services, Transport Services, Bereavement Services, Waste Management, Community Protection Team, Parking Services, Green Spaces and Street Scene, and Regeneration and Strategy.

(vi) Resources

Councillor Dacre, Cabinet Member with responsibility for Resources, submitted a written report on the work she had undertaken since the last meeting of Council.

The report identified and provided background information on ICT and Digital, Performance Management, Transformation and Business Intelligence, Finance, Legal and Democratic Services, Human Resources and Organisational Development, Employment and Skills and Adult Learning, Corporate Asset and Facilities Management and Markets.

In addition to her report, Councillor Dacre thanked the former Interim Chief of Finance for all her hard work and welcomed the new Director, Resources and Transformation to her new role.

(vii) Towns, Tourism and Voluntary Sector

Councillor Courtney, Cabinet Member with responsibility for Towns, Tourism and Voluntary Sector submitted a written report on the work she had carried out since the last meeting of Council.

The report identified and provided background information on Thriving Towns, Inclusive Economy, Business Start Up, Growth, Resilience and Engagement, Tourism and Visitor Economy, Voluntary and Community and Social Enterprise Sector.

Following the delivery of the Cabinet Member reports Members asked the following questions:

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- Councillor Parsons-Hulse thanked Councillor Rivron and all Members who took part in the Scrutiny Domestic Abuse Review and asked would the Leader back the review and ensure its recommendations were implemented? In response, the Leader advised the Scrutiny review would be coming to Cabinet on 9th October 2023 and would be fully looked at.
- Councillor Blagbrough advised work on the Brighthouse subway had taken place on the wrong subway and asked would the Council get a refund from the Contractor? In response, the Leader advised that a mistake had been made and the Council had been seeking compensation.
- Councillor Kingstone asked what benefits had residents seen with the retrofitting work that had taken place on houses in Shibden? In response, Councillor Patient advised all the benefits would be hard to quantify but a 30% reduction on energy bills had been welcome.
- Councillor Leigh MBE asked what serious delays had there been for the Halifax bus station to be opening in 2024? In response, the Leader advised that part of the bus station was due to open on 1st October 2023 and the remaining parts would not open until 2024 although there were hopes it may be sooner.
- Councillor Whittaker stated that previously the Council said it would review its relationship with Stonewall. What impact had the partnership had and was it involved in certain books being removed from library shelves? In response, Councillor Dacre advised a decision was made by Council to continue the subscription to Stonewall and it was an internal programme to help LGBTQ+ staff who wanted to continue with the subscription. Councillor Dacre advised that Stonewall were not involved in the removal of any books within the libraries.
- Councillor Kimber asked what had been done to ensure variety and opportunity was at the forefront of Healthy Holidays? In response, Councillor Courtney advised over the summer holidays 29 providers across 40 different venues had continued to provide variety of choice for those who used the service.
- Councillor Issott advised that in December 2022 Cabinet agreed to accept £160k for Tennis courts which would be spread over six courts. What assurances could be given that residents of Soyland and Ripponden would not have to use courts in Northowram next tennis season? In response, Councillor Lynn advised that she could not comment directly but assured work was ongoing and Council was grateful for the funding.
- Councillor Veitch asked was the Council sure that no schools in the borough had been impacted by Reinforced Autoclaved Aerated Concrete (RAAC)? In response, Councillor Wilkinson advised that he had written to the Department for Education but had yet to receive a response. The guidelines had changed that schools built between the 1950's through to the mid 1990's needed reviewing. Due to this he could not state no schools had been impacted by RAAC.

- Councillor Bellenger queried if the online gully reporting system was working and how many gully wagons were in operation? In response, Councillor Lynn advised she was unaware of any online issues but advised Members were able to report to Highways directly.
- Councillor Dickenson asked that Councils in England and Wales were sitting on £3bn of funding marked for Section 106 agreements and had the funding the Council received been allocated? In response, the Leader advised that a written response would be provided.
- Councillor Parsons-Hulse asked what had been put in place to stop the misuse of fireworks and when would the Council use public space protection orders? In response, Councillor Lynn advised planning was underway and had involved resident engagement and additional support to try and combat the problem. In addition to that Wardens were deployed to neighbourhoods to remind residents of the laws around use of fireworks.
- Councillor Brundell asked what could the Council do to ensure Landlords had made their homes energy efficient? In response, Councillor Patient advised the Council could continue to push local policy and lobby national government.
- Councillor Foster advised the Learning and Improvement team was able to arrange training events regarding domestic abuse and urged all Councillors to attend.
- Councillor Thompson asked that a press release said £500m investment into wind had been proposed for the borough, where was the money coming from and how sure are we that Calderdale will receive it? In response, the Leader advised she would consult with legal advisers and respond with what information was allowed at this time.

48 TO APPOINT MEMBERS AND SUBSTITUTE MEMBERS (AS NECESSARY) TO SERVE ON SCRUTINY BOARDS/PANELS AND COUNCIL COMMITTEES.

RESOLVED that Members of the Council and others be appointed to serve as Members and Substitute Members of Scrutiny Boards, Panels and Committees for the remainder of the 2023/24 Municipal Year:

Strategy and Performance Scrutiny Board	Delete Councillor Ford as a Member and replace with Councillor Dickenson. Delete Councillor Dickenson as a Substitute and replace with Councillor Blagbrough Delete Councillor Issott as a Substitute and replace with Councillor Leigh MBE
Children and Young People's Scrutiny Board	Delete Councillor Ford as a Substitute and replace with Councillor Blagbrough

Audit Committee	Delete Councillor T Swift MBE and Councillor Dacre as Members and replace with Councillor Barnes and Councillor Ahmed
Planning Committee	Delete Councillor Ashton as a Substitute and replace with Councillor Dacre and Councillor Khan

49 TO APPOINT REPRESENTATIVES (AS NECESSARY) TO SERVE ON OUTSIDE BODIES.

RESOLVED that the following Members of the Council and others be appointed to serve as representatives of the Council on outside bodies unless they resign, become disqualified or are replaced by resolution of the Council as follows:

West Yorkshire Combined Authority, Economy Overview and Scrutiny Committee;	Remove Councillor Ford as a Member and replace with Councillor Caffrey
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50 TO ANSWER QUESTIONS ASKED BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE 13.

(A) Question from Councillor Parsons Hulse to Councillor Dacre, Cabinet Member for Resources

As a part of your 2023/2024 budget proposals, you stated that work would start “promptly” on “Buildings Rationalisation i.e. what buildings do we have and what do we use them for?”

Will you update members of the Council on the reasons why you still refuse to use this beautiful, historic Town Hall building for wedding ceremonies which could be a lucrative source of income for this Council?

Similarly, why are not some of our libraries hosting cafés that could create an income stream to contribute to the maintenance and upkeep of these buildings?

Why is it that, after all the discussions and workshops members have participated in, suggestions such as these are still not being implemented?

In response, Councillor Dacre advised that:

The council has reviewed its property-related spend thoroughly in recent years and continues to do so. This has led to the delivery of £4m of revenue savings per year, and so further opportunities are limited. The savings delivered have involved a range of measures, including a significant reduction in the council’s estate and greater efficiency in its management and operation. Consideration has been given to opportunities in relation to Halifax Town Hall.

Whilst we agree that Halifax Town Hall is a beautiful historic building, the practicalities of making it available for private hire whilst it is utilised as office and civic space mean that opportunities for exclusive use are limited. Existing resources are not sufficient to manage private hire and meet the exacting demands required of modern wedding venues and we must focus our available resources on the primary role of the Council which is to provide public services, rather than event management.

Calderdale has a large range of approved venues for civil ceremonies, including our own Spring Hall and Todmorden Town Hall.

Space within all our libraries to accommodate all the activities that we provide to local communities is already limited. Café facilities are not something that customers have requested, although we do provide free refreshments as part of our Warm Welcome scheme.

(B) Question from Councillor Carr to Councillor Patient, Cabinet Member for Climate Action, Active Travel and Housing

You will be aware of the awful flooding situation that has caused some movement of the land behind houses at Templars Gate.

I have been working on this case for over 18 months. The developers who originally owned the land went into receivership and the land consequently transferred to the Crown. Council flood engineers have been working on this despite the land not being owned by the council.

In April 2022 Calderdale Council's flood engineers carried out a full CCTV survey and could not find any faults at that time apart from a blocked drain which I understand was cleared. They told residents that there could be springs in the field causing ground water to rise from the ground. This has become increasingly worrying for residents as the land has since moved.

In the last six months the flow of water has increased, and both the local MP Holly Lynch and I have been in touch with Yorkshire Water and the Environment Agency to ask for their help to find out what is going on and to fix it. Yorkshire Water are currently on site and investigating this situation and as it has been identified that the water is coming from different sources. I understand that this investigation might take some time.

As the land is now moving, residents are understandably becoming increasingly concerned about the possibility of a further landslide.

Could the Cabinet member state what is being done now and who is responsible to do the work to redirect the water away from residents' properties?

In response, Councillor Patient advised that:

The Council has been working with the residents of Templars Gate and other partners to investigate the potential source(s) of flow and mechanisms leading to land instability over many months.

This is a very complicated situation, and the Council understands how concerning this must be for affected residents and their families.

As a result of our investigations, we were unable to identify a single source of flow or mechanism leading to the land instability. However, we were also unable to rule out a potential contribution from Yorkshire Water's aqueduct, which runs along the top of the hillside. In response the Council escalated this issue with Yorkshire Water who have subsequently carried out investigations which have confirmed there are a number of leaks from the aqueduct. While Yorkshire Water continue to investigate we believe there is a potential correlation between the leaks identified in the aqueduct, the saturation of land behind Templars Gate and the subsequent land instability.

Throughout the Council have consistently advised residents to seek their own independent legal and technical advice and more recently to commission their own monitoring of the hillside. We have also written to Yorkshire Water to suggest they install appropriate apparatus and undertake monitoring as a matter of priority while their investigations are ongoing.

The Council will continue to work with partners and provide support where it can. However, we do not have any responsibility or liability as a riparian owner or landowner. As a consequence it is not the intention of the Council to install any monitoring equipment or carry out any work to stabilise the hillside.

Responsibility for the damaged watercourse has not been established. The Council, in its capacity as the Lead Local Flood Authority, has investigated this issue, provided information to residents and partners, and continued to support all parties in helping to understand possible causes. However, in the course of discharging its duties, the Council does not have an obligation to take action to prevent flooding.

We are aware that recent physical investigations and changes to the watercourse have taken place. We are investigating this as a matter of priority and working with partners, including Yorkshire Water and Barratt David Wilson Homes to understand the implications of this.

However, should responsibility for the flooding or land instability be established we would look to use our influence and powers, if applicable, to ensure appropriate action is taken.

(C) Question from Councillor Prashad to Councillor Dacre, Cabinet Member for Resources

The recent events leading to Birmingham City Council effectively declaring itself bankrupt and the subsequent appointment of commissioners have highlighted the struggles that many local authorities are having in managing their budgets to continue to provide services for their residents.

Other local authorities are facing extremely difficult financial situations due, at least in part, to their high levels of indebtedness. Some of these authorities have borrowed money from other councils.

Bearing this in mind will Calderdale Metropolitan Borough Council be reviewing the risk associated with the practice of issuing loans to other local authorities?

In response, Councillor Dacre advised that:

The Council sets a Treasury Management policy each year through Cabinet and Council. This policy includes a maximum investment limit of £6m per local authority. In practice, as the cashflows of local authorities tend to be in sync with each other (e.g. Government pays grant funding out to all authorities on the same day) lending money to other ones is less common than to other market participants. Although (as far as is known) no UK local authority has ever defaulted on any loans, as an added safeguard, we also keep a register of councils who are reporting financial distress and use this to inform our investment decisions on a day-to-day basis. It should also be noted that at the time of writing this response the Council does not have any outstanding investments with another local authority.

(D) Question from Councillor Blagbrough to the Leader, Councillor Scullion,

It was great to hear that the High Court has given the green light to a Judicial Review of Labour's Local Plan. The focus of the request by Clifton Neighbourhood Forum to seek Judicial Review mainly concerned Calderdale's deeply flawed Strategic Transport Model, which does not adequately prepare Calderdale's highways and transport network for the extraordinary number of houses that Labour wants to build on our Green Belt.

The Council should now suspend work on the Local Plan until the Judicial Review is completed. This will avoid additional and potential unnecessary spending, at a time, when the Council is already looking to make savings across departments to deal with the projected £5 million overspend as reported in the 2023 Q1 Outturn Report. Therefore, please advise if the Local Plan will be suspended until the Judicial Review is completed.

In response, Councillor Scullion advised that:

The Claimants applied to pursue their challenge on three grounds. Two of the grounds were rejected as not even being arguable. In relation to the one ground that was found to be arguable, the judge's reasoning focused on just one part of that ground - the judge considered that arguments could be made about whether the Planning Inspector adequately explained her conclusions on transport impacts. So, the judge was identifying an arguable point around reasons, rather than the alleged errors of fact relating to transport modelling.

Significantly, since we received notice of the decision, we have discovered that what appears to have been an administrative mistake by the court resulted in the Council's summary ground for resisting the claim not being put before the judge when she took her decision. So, in essence, the decision was taken without consideration being given to the Council's very robust arguments.

This is obviously very disappointing for the Council who put significant time and resources into responding to the claim, nevertheless we will move to the next stage confident that we will present strong legal arguments to defend the

lawfulness of the Local Plan, which was adopted following a vote by the majority of Calderdale Councillors.

The Secretary of State, Michael Gove, is the Second Defendant in this case. The Council is standing shoulder to shoulder with the SoS resisting the challenge. The Calderdale Local Plan remains the statutory Development Plan for Calderdale, unless it is successfully quashed. It therefore continues to be the legal starting point for decision making on planning applications.

It is noteworthy that the Housing Minister has recently ordered a Council in the Southeast not to withdraw its controversial Local Plan from examination. It was stated that the decision was to give the people of Spelthorne "the best chance of having a sound local plan... protecting the area... from speculative development". With an adopted Plan in place, Calderdale is not subject to the vagaries of such speculative development.

This Council is responding robustly to the bid to challenge the Local Plan process. The Local Plan will remain in place because it will build a better Calderdale for everyone, open opportunities for new investment, help create jobs, develop much-needed, high-quality new homes, and protect our natural environment.

(E) Question from Councillor Dickenson to Councillor Lynn, Cabinet Member for Public Services and Communities

My question concerns the removal of books from libraries in Calderdale. I asked a question on this issue at Cabinet in August, and I accept that you cannot discuss the details of the HR matter. However, I was advised that the Director for Public Services would investigate the process leading to the decision taken and how the decision to remove books fitted within Council policy and external legislation, but I have received no update.

Please advise me on the outcome of this investigation. This is important because in June 2021 the High Court ruled gender-critical beliefs are legally protected; hence, the removal of books is potentially unlawful.

In response, Councillor Lynn advised that:

As previously advised the Director of Public Services is carrying out a review of the recommendation to relocate six book titles from the library shelves to the 'lending store'.

This review includes:

1. Reading the six books
2. Consideration of the 'Stock management Policy' and various external professional guidance documents.
3. Review of practice in relation to these titles in other areas
4. Consideration of the HR matter and the process applied

5. Review of information provided on the respective loan information (frequency borrowed whilst on the shelves compared to the lending store).
6. Consideration of Equality Act implications

Whilst largely complete, the Director of Public Services is still waiting for some information, which is expected within the next few days, allowing the completion of the review and the production of the final report.

(F) Question from Councillor Robinson to the Leader, Councillor Scullion,

I was glad to hear that the new North Bridge Leisure Centre is back on track after 9 months of stagnation. I was not glad to hear that the number of facilities will be cut at the new Leisure Centre to keep costs down. I would be grateful if you could answer each of the following questions in turn:

1. Please advise which facilities will be cut and how much this is expected to save the Council.
2. Have the income and viability models been reassessed given the removal of the facilities?
3. This also begs the bigger question of how much the project is estimated to cost now.
4. In addition, I noticed that you have appointed new contractors to the Leisure Centre Project. Does this mean the funding spent on the previous contractors is a sunk cost and that they will be incurred for a second time by the Council. Please advise how much extra this is costing the Council.
5. Finally, when should we expect the Leisure Centre to be open?

In response, Councillor Scullion advised that:

1. Please advise which facilities will be cut and how much this is expected to save the Council.

The following facilities have been removed from the brief for the new Halifax Leisure Centre:

- Steam room
- Sauna
- Wellness Suite

It should be noted, however, that there will be no overall loss of provision as a result of omitting the Wellness Suite, as those same services can be delivered within the gym.

It is difficult to state exactly the cost saving to the project as a result of omitting these facilities, as the team are also reviewing a number of other changes including overall reduction in massing and reducing the amount of circulation and other ancillary spaces. Total changes identified to date are expected to reduce construction costs by 11-15%, with an overall reduction in project cost of 6-10%.

2. Have the income and viability models been reassessed given the removal of the facilities?

This work will be carried out as part of the current review and presented alongside the capital costs to ensure that the facility is financially sustainable. However, it should be noted that none of the omitted facilities are revenue generating and are therefore not expected to impact income.

3. This also begs the bigger question of how much the project is estimated to cost now.

As stated previously, total changes identified to date are expected to reduce construction costs by 11-15%, with an overall reduction in project cost of 6-10%. A design team has now been appointed to develop the design further with the expectation that further cost savings can be identified.

4. In addition, I noticed that you have appointed new contractors to the Leisure Centre Project. Does this mean the funding spent on the previous contractors is a sunk cost and that they will be incurred for a second time by the Council. Please advise how much extra this is costing the Council.

A multi-disciplinary design team has been appointed. The strategy for the redesign is that it is to be based on the current proposals, but simplified. Much of the historic design information and survey work produced will be reused and used to inform the redesign.

5. Finally, when should we expect the Leisure Centre to be open?

We are working closely with colleagues at the Department for Levelling Up to agree the new programme for delivery, but we currently expect that construction of the new Leisure Centre will begin in autumn 2024, factoring in the time required to complete the redesign and carry out a compliant tender exercise. We expect the new Leisure Centre will open in early 2026.

(G) Question from Councillor Thornber to the Leader, Councillor Scullion,

Kirklees Council has a £45 million blackhole in its finances and consequently are having to make huge savings which include the closure of Leisure Facilities. Birmingham City Council is effectively bankrupt due to liabilities over equal pay claims of up to £760 million. Please advise if Calderdale's Leisure Centres are under threat, and whether Calderdale Council will be affected by major liabilities of equal pay claims?

In response, Councillor Scullion advised that:

Leisure Centres

Cabinet remains committed to supporting sport and leisure across the borough, this is reflected through the Council's investment in a new Leisure Centre in Halifax, together with Levelling Up Funding amounts to just over £31m.

We have started the financial planning process for 2024/25 and future years and any changes to the budget policy framework will be identified as part of this process, there are currently no plans to close leisure centres, however as a Council we must ensure that our services continue to provide value for money and meet the needs of residents.

Equal Pay

Whilst there are no significant issues identified at this point, we regularly review our pay policies and in light of the issues at Birmingham a focussed piece of work is being undertaken. Cabinet recently agreed the Workforce Strategy which prioritises the importance of pay and reward, ensuring that our pay policies remain fair and equitable.

(H) Question from Councillor Whittaker to the Leader, Councillor Scullion,

Residents in Rastrick rightly have many concerns about the Local Plan and Woodhouse Garden Community, which will build over 1200 houses on Green Belt against their wishes. I am pleased to hear that the court have recently granted permission to the Clifton Neighbourhood Forum's request to challenge the Council's Local Plan, and I praise the hard work and fundraising efforts of residents across Calderdale in bringing this action.

Studying the land ownership in the Woodhouse Masterplan, about a third of the land, which critically includes a section of the main access road to serve the Woodhouse site, appears to be unregistered land with an absent landowner.

Engagement with landowners is paramount to the deliverability of the site. Please can the Council confirm how it has engaged with this landowner to verify that the land is actually available and that the site can be delivered in its entirety.

In response, Councillor Scullion advised that:

The Council's property advisor, Avison Young were appointed in late 2021. They have been in regular contact with the key landowners, via their appointed agents, since being appointed to support commercial matters relating to project delivery.

The key landowners (including those with an interest in the land alluded to in the question) have also employed their own agents. The Council has been kept informed regularly, by Avison Young, of these landowners' intention to permit development on their landholdings and to work collaboratively to deliver the development in its entirety, over the course of time.

These owners' or their appointed representatives have signed a memorandum of understanding which provides initial comfort to Council officers that the land is available for comprehensive delivery. Additionally, we are aware that a legally binding landowners collaboration agreement is at an advanced stage of drafting which will confirm this approach.

There were no questions to the Chairs of Scrutiny Boards, Panels and Committees or comments from Members.

**52 TO CONSIDER THE FOLLOWING MOTIONS UNDER COUNCIL PROCEDURE
RULE 14:**

(A) Car Parking Concessions will boost Local Economy

It was moved by Councillor Leigh MBE,
Seconded by Councillor Blagbrough,

This council notes that:

- The hard work and determination of Calderdale Council to support residents and local businesses through the Covid-19 Pandemic and Cost-of-living Crisis.
- The Cost-of-living Crisis and Covid 19 Pandemic had devastating effects on residents and businesses in Calderdale, many SME's and high-street businesses have been particularly affected.
- The recent Review of Parking Charges will increase Parking Charges across the Borough with Halifax, Brighouse and Hebden Bridge all facing increases up to 100%. This policy also includes a planned 300% increase to Parking Charges at Shibden Park.
- That the imposition of higher Parking Charges will compound existing difficulties for residents and businesses in Calderdale.

This Council acknowledges that:

- The increases in Parking Charges will discourage people from visiting our towns and will exacerbate the disastrous policy change in 2021 which extended Parking Charges from 6 PM to 8 PM and to include Sundays in many popular areas.
- The recent increases will reduce footfall in our town centres and the spending power of residents will be further squeezed, resulting in adverse economic effects and potential job losses to the region.
- That residents and businesses oppose the increases. Research by Brighouse BID showing that 92% of businesses oppose the increases in on-street charges and that 100% are in opposition to the off-street charges. This opposition also extends to the planned 300% increase at Shibden Park, and residents and local groups continue to actively campaign to mitigate those increases.
- There was a shortfall of £800,000 in the Parking Services Budget last year, part of which was due to lower revenue having been estimated.

Therefore, actual income realised by the recent increases could well produce less than estimated in the budget because income was already being underachieved during the previous scale of Parking Charges.

The Council accepts:

- That enlightened Local Authorities will be doing everything in their power to encourage residents to use local shops and support local businesses. Therefore, our Council should endeavour to create a new Parking Strategy that will not deter people from our town centres, by introducing lower parking charges and limited free parking at set times and certain times of the year.
- It should embrace and enhance the Conservative Government investment of over £50 million to revitalise town centres in Calderdale - with Halifax receiving £11.7m, Brighouse £19m, Todmorden £17.5 and Elland £6.3m, together with £20m for a new rail station in Elland.
- That the decision to impose recent increases means the Council not only chooses to ignore the potentially damaging effects which these Parking policies will have on our town centres, and the finances of people in Calderdale - but ignores public opinion.
- The implementation of the Green Permit will increase inequalities across the Borough because owners of expensive electric cars will enjoy cheaper parking, subsidised by non-electric cars that will be paying more.
- The decision to increase Parking Charges at Shibden Park by 300% will deter people from visiting, and the suggestion by the Cabinet that residents should purchase a £100 parking permit for the year during the Cost-of-living Crisis is unrealistic. Many residents cannot afford to pay a £100 lump sum to the Council, especially those on low-income who want to have an occasional and affordable day-out with their families.

This Council resolves:

- To call on the Executive to develop fully-costed proposals designed to attract visitors to Calderdale. This new strategy should explore opportunities for lower parking charges and limited free parking at set times. Examples could include Friday evenings, Sunday all day, and special holidays and during the Christmas period. These proposals will also examine the affordability and opportunity cost of the Green Permit.

After being put to the vote, the **Motion** was not carried.

Councillors T Swift MBE, Bellenger, Kingstone, Courtney, Lynn, Fenton-

Glynn, Issott, Barnes, Robinson, Blagbrough and Leigh MBE commented on the motion.

(Councillor Blagbrough declared a non-pecuniary interest as the Director of Brighouse BID, Trustee of the Piece Hall Trust and Chair of Brighouse Town Board.)

(Councillor T Swift MBE declared a non-pecuniary interest as Trustee of Piece Hall Trust.)

(B) Save Calderdale's Bus Routes

It was moved by Councillor Patient,
Seconded by Councillor Hutchinson,

This council notes that:

- Bus services are a critical element of an effective and interconnected public transport system. As a universal, accessible, and affordable means of transport they are vital to supporting economic growth and tackling the climate emergency.
- The privatisation of bus services has been a failure. The Conservative Government introduced legislation in 2017 banning local authority ownership of bus services. Since then, services have been run into the ground by private companies who prioritise making maximum profit.
- Routes which are important for communities but deliver lower levels of revenue are frequently cut. Since 2010 1,969 bus routes have been lost in the North East of England (including West Yorkshire), a loss of 50%. This reflects the national picture, with 8,613 or 50% of bus routes lost in the same period.
- Bus companies receive government subsidies to help maintain services including the Bus Service Operators Grant. Following the Covid pandemic the Bus Recovery Grant was also available as passenger numbers gradually recovered. That funding was withdrawn by the Government at the end of June 2023, and a lower level of support is now offered through the Bus Services Operators Grant Plus.
- In the last 12 months bus operators in Calderdale have cut or reduced vital routes to Northowram, Shelf, Rishworth and North Halifax, in addition to earlier cuts to services to West Vale. Some of these areas now have a bus service just once an hour; no evening service; only two buses a day on weekdays; or no service at all.
- Deprived areas in North Halifax are being worst hit by bus cuts. Essential public services such as the NHS and social care are needed 24/7, and it will now be more difficult to recruit and retain staff in these areas. It will also reduce employment and leisure

opportunities for some of the poorest residents of the borough.

This Council believes that:

- Decent and reliable buses are a cornerstone of any public transport network. In Calderdale they act as a lifeline to communities where they are the only form of public transport. The loss of bus services makes life more isolated for residents who do not have access to private cars, particularly in rural areas.
- Reliable buses are needed to connect our villages and hill-top communities with rail services, as well as giving access to health services and local businesses.
- Buses allow people a means to access work and vital public services. They also support leisure and the night-time economy, providing a safe way for all to get home. Cuts to early and late-night bus services have a negative impact on care workers and those in the hospitality industry.
- Bus services are being cut at a time when we are encouraging people to reduce their reliance on the car. It is critical we do this for the sake of our physical health, the quality of the air we breathe, and to reduce the impact on climate change locally and globally.
- The government needs to start viewing public transport as a service rather than a business, with services that we can all rely upon. Under the current model infrequent and unreliable services negatively impact passenger numbers, leading to a loss of fares and routes eventually being lost. This profit-driven vicious spiral of decline will not stop without a bold change in approach.

This Council resolves:

- To build on work by the Mayor of West Yorkshire, Tracy Brabin, and West Yorkshire Combined Authority (WYCA) to secure long-term improvements to bus services in Calderdale.
- To ensure that in the forthcoming mass transit planning process in West Yorkshire the importance of buses to Calderdale is highlighted at every opportunity.
- To ask the Chief Executive of the Council to write to the Mayor of West Yorkshire urging her to press bus operators to collate and share route-specific reliability data under the current 'enhanced partnership' arrangement. This data should include not just punctuality but also cancellation of scheduled services. These insights will allow more effective analysis around the potential causes of declining passenger numbers.
- To fight for a decent bus network in Calderdale at every opportunity.

It was moved as an amendment by Councillor
Leigh MBE,
Seconded by Councillor Blagbrough

Delete

- The privatisation of bus services has been a failure. The Conservative Government introduced legislation in 2017 banning local authority ownership of bus services. Since then, services have been run into the ground by private companies who prioritise making maximum profit.

And replace with

- Whilst the Government introduced legislation in 2017 preventing local authorities from creating new municipal-owned bus companies, it has since empowered English Devolution by providing Mayoral Combined Authorities, including West Yorkshire, with the ability to establish statutory partnerships and public-controlled franchising models similar to the Greater London Authority and the recently introduced Greater Manchester Combined Authority.

This council notes that:

- Bus services are a critical element of an effective and interconnected public transport system. As a universal, accessible, and affordable means of transport they are vital to supporting economic growth and tackling the climate emergency.
- Routes which are important for communities but deliver lower levels of revenue are frequently cut. Since 2010 1,969 bus routes have been lost in the North East of England (including West Yorkshire), a loss of 50%. This reflects the national picture, with 8,613 or 50% of bus routes lost in the same period.
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- In the last 12 months bus operators in Calderdale have cut or reduced vital routes to Northowram, Shelf, Rishworth and North Halifax, in addition to earlier cuts to services to West Vale. Some of these areas now have a bus service just once an hour; no evening service; only two buses a day on weekdays; or no service at all.
- Deprived areas in North Halifax are being worst hit by bus cuts. Essential public services such as the NHS and social care are needed 24/7, and it will now be more difficult to recruit and retain staff

in these areas. It will also reduce employment and leisure opportunities for some of the poorest residents of the borough.

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This Council resolves:

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- To ask the Chief Executive of the Council to write to the Mayor of West Yorkshire urging her to press bus operators to collate and share route-specific reliability data under the current 'enhanced partnership' arrangement. This data should include not just punctuality but also cancellation of scheduled services. These insights will allow more effective analysis around the potential causes of declining passenger numbers.
- To fight for a decent bus network in Calderdale at every opportunity.

The **AMENDMENT** with the replacement wording on being put to the vote was not carried.

Councillors Bellenger, Caffrey, Parsons-Hulse, Fenton-Glynn, Dacre, Lynn, Hey, Rivron, Durrans, Carr, Cairney, Patient and Leigh MBE commented on the Motion.

RESOLVED that:

This council notes that:

- Bus services are a critical element of an effective and interconnected public transport system. As a universal, accessible, and affordable means of transport they are vital to supporting economic growth and tackling the climate emergency.
- The privatisation of bus services has been a failure. The Conservative Government introduced legislation in 2017 banning local authority ownership of bus services. Since then, services have been run into the ground by private companies who prioritise making maximum profit.
- Routes which are important for communities but deliver lower levels of revenue are frequently cut. Since 2010 1,969 bus routes have been lost in the North East of England (including West Yorkshire), a loss of 50%. This reflects the national picture, with 8,613 or 50% of bus routes lost in the same period.
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- Reliable buses are needed to connect our villages and hill-top communities with rail services, as well as giving access to health services and local businesses.
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This Council resolves:

- To build on work by the Mayor of West Yorkshire, Tracy Brabin, and West Yorkshire Combined Authority (WYCA) to secure long-term improvements to bus services in Calderdale.
- To ensure that in the forthcoming mass transit planning process in West Yorkshire the importance of buses to Calderdale is highlighted at every opportunity.
- To ask the Chief Executive of the Council to write to the Mayor of West Yorkshire urging her to press bus operators to collate and share route-specific reliability data under the current 'enhanced partnership' arrangement. This data should include not just punctuality but also cancellation of scheduled services. These insights will allow more effective analysis around the potential causes of declining passenger numbers.
- To fight for a decent bus network in Calderdale at every opportunity.

(C) Unadopted Streets

It was moved by Councillor Carr
Seconded by Councillor Bellenger

This council notes that:

- There are many hundreds of unadopted streets within Calderdale.
- These are unsightly and can cause damage to the vehicles of residents and visitors and to deliver vehicles etc.
- There is a perception among some residents that their streets should be brought up to adoptable standard by the Council as this is what they pay their Council Tax for. While such a belief is unfounded, it still exists.
- Bringing unadopted roads up to an adoptable standard, or even making significant improvements, is beyond the financial means of most residents and the Council.
- Not all residents would wish their street to be adopted by the Council.

This Council believes that:

- That making improvements to these roads would bring significant benefits to the frontagers and to the wider area.

This Council resolves:

The Cabinet to consider a report, within the next six months, which:

- Sets out the scale of the issue within the borough.
- Sets out the options open to the Council to use its powers, influence and budgets to work with residents to bring about improvements to unadopted streets.
- Sets out any additional sources of funding available to residents and/or the Council.
- Sets out the implications for the Highways budget of adding further streets to those already maintainable at the public expense, and
- Considers ways of gauging public interest and support for any scheme of improvement.

Along with any additional information thought to be relevant and useful.

It was moved as an amendment by Councillor T
Swift MBE,
Seconded by Councillor Lynn

Delete all and replace with:

This council notes that:

- Unadopted streets are private roads which are not maintained at public expense. The maintenance of these roads is usually the legal responsibility of the landowner, or owners of adjacent land.
- In Calderdale the council maintains over 600 miles of adopted highways. In addition, there are approximately 2,000 unadopted streets.
- Most unadopted streets in Calderdale are hundreds of years old. They are often cobbled, dirt or rubble tracks. Many do not have basic services such as drainage or street lighting, and due to lack of maintenance can be in a poor state of repair.
- It is possible for unadopted streets to be adopted by the council, but they must meet national standards in areas such as surfacing, lighting and drainage. There would usually be significant costs and other legal issues for residents to navigate to achieve this.
- When new housing is built developers can pay a fee to the Council for the adoption of completed roads. However, some choose not to, or roads are not completed to a 'finished' standard and therefore do not meet required standards for adoption.
- There are significant legal complexities concerning unadopted streets, and residents may not fully understand the extent and nature of their responsibilities for maintenance. In addition, not all residents wish their street to be adopted by the Council.
- Local government budgets have been squeezed by 13 years of Tory austerity and cuts. Since 2010 Calderdale has had to find savings of over £120 million, whilst continuing to fund statutory services such as maintaining the existing network of adopted highways, making it difficult to take on substantial new financial responsibilities.

This Council believes that:

- Unadopted streets are a national issue, particularly affecting the North of England, and require a national approach.
- In a cost-of-living crisis it is mostly beyond the means of many residents to bring unadopted streets they are responsible for maintaining to an adoptable standard.
- It would not be fiscally prudent for the Council to take on new responsibilities at this particular time, without external financial support from central government.

This Council resolves:

- To ask officers to report to the relevant portfolio holder, outlining

potential legal enforcement options open to the Council regarding the maintenance of unadopted streets.

- To be robust in discussions with developers about this issue as new developments are built in order to avoid problems in the future.
- To ask officers to enhance information available to the public regarding unadopted streets on the Council website. This could include general information on the standard of repair required for adoption by the council.

After being put to the vote, the **Amended Motion** was carried.

Councillors Thompson, Hey, Issott, Carr and Swift MBE commented on the Motion.

RESOLVED that:

This council notes that:

- Unadopted streets are private roads which are not maintained at public expense. The maintenance of these roads is usually the legal responsibility of the landowner, or owners of adjacent land.
- In Calderdale the council maintains over 600 miles of adopted highways. In addition, there are approximately 2,000 unadopted streets.
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- When new housing is built developers can pay a fee to the Council for the adoption of completed roads. However, some choose not to, or roads are not completed to a 'finished' standard and therefore do not meet required standards for adoption.
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- Local government budgets have been squeezed by 13 years of Tory austerity and cuts. Since 2010 Calderdale has had to find savings of over £120 million, whilst continuing to fund statutory services such as

maintaining the existing network of adopted highways, making it difficult to take on substantial new financial responsibilities.

This Council believes that:

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- In a cost-of-living crisis it is mostly beyond the means of many residents to bring unadopted streets they are responsible for maintaining to an adoptable standard.
- It would not be fiscally prudent for the Council to take on new responsibilities at this particular time, without external financial support from central government.

This Council resolves:

- To ask officers to report to the relevant portfolio holder, outlining potential legal enforcement options open to the Council regarding the maintenance of unadopted streets.
- To be robust in discussions with developers about this issue as new developments are built in order to avoid problems in the future.
- To ask officers to enhance information available to the public regarding unadopted streets on the Council website. This could include general information on the standard of repair required for adoption by the council.