

PRESENT: Councillor Scullion (Chair)

Councillors: T Swift MBE, Courtney, Dacre, Fenton-Glynn, Lynn, Patient and Wilkinson

59 APOLOGIES FOR ABSENCE

There were no apologies for absence received.

60 ADMISSION OF THE PUBLIC

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated paragraphs of Part 1 of Schedule 12A of the Act, namely:-

Item 16 – Contract Extension: Children's Centre Services - Paragraph 3 – Financial or Business Affairs.

61 MINUTES OF THE MEETING HELD ON 9TH OCTOBER 2023

RESOLVED that the Minutes of the meeting held on 9th October 2023, be approved as a correct record and signed by the Chair.

62 QUESTION TIME

The Leader, Councillor Scullion, invited members of the public and Councillors to ask questions of the Leader and of the other Cabinet Members. An oral response would, if possible, be provided at the meeting, but if this was not possible a written response would be provided to the questioner within 7 working days. The full details of questions asked, and answers provided would also be published on the Council's website.

- (a) A question was asked by Jools Townsend in relation to sustainable and inclusive transport.

Councillor Patient, Cabinet Member with responsibility for Climate Action, Active Travel and Housing responded and advised that he agreed that the highway network was congested, and this was exacerbated by road works. Currently there was development and planning of the infrastructure around pedestrianisation and cycle routes and the Council were well placed to work with regional partners. There was a Calder Valley Rail Partnership set up to investigate the electrification of the line. There were several projects in the pipeline and active travel had a broad agenda for the Council. He advised that a full written response would be provided.

- (b) A question was asked by Ann Beckwith in relation to the road closure on Moorfield Street.

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities responded and advised that road safety and the school street programmes were important, and a written response would be provided.

- (c) A question was asked by Ed Greenwood in relation to the Village Green status to a piece of land at Hoults Lane Greetland.

The Leader, Councillor Scullion responded and advised that she shared the concerns regarding delays and assured him that the matter would be investigated by the Head of Legal and Democratic Services and a written response would be provided.

- (d) A question was asked by Councillor Prashad in relation to Council Tax Enforcement.

Councillor Dacre, Cabinet Member with responsibility for Resources responded and advised that if the details of the particular case were provided she would forward it to Council Tax and a written response would be provided.

- (e) A question was asked by Councillor Leigh MBE in relation to the Q2 Projected Outturn Report.

Councillor Dacre, Cabinet Member with responsibility for Resources responded and explained the projected deficits that were made by Officers and not Cabinet Members and it was hoped that the quarter 2 monitor and use of reserves would be clearer. The Leader, Councillor Scullion responded and advised that these were sombre times with the deficit. She highlighted the difficult context and gave reassurance that Cabinet did not ignore the issues and challenges being faced. A written response would be provided.

- (f) A question was asked by Vishal Gupta in relation to the North Bridge Leisure Centre.

Councillor Lynn, Cabinet Member with responsibility Public Services and Communities responded and advised that a written response would be provided.

- (g) A question was asked by Councillor Carr in relation to the Gully cleaning.

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities responded and advised that a written response would be provided.

- (h) A question was asked by Councillor Blagbrough in relation to the funding for Town Centre Projects.

Councillor Dacre, Cabinet Member with responsibility for Resources responded and advised that a written response would be provided.

- (i) A question was asked by Councillor Benton in relation to the Leisure Services.

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities responded and advised that a written response would be provided.

- (j) A question was asked by Councillor Dickenson in relation to Waste and Recycling Collection Services.

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities responded and advised that a written response would be provided.

63 TO RECEIVE REPORTS FROM SCRUTINY BOARDS

No reports were received from Scrutiny Boards.

64 SUICIDE PREVENTION PLAN 2022-24 PROGRESS

Councillor T Swift MBE, Deputy Leader, and Cabinet Member with responsibility for Public Health submitted a written report of the Director, Public Health that provided information on the progress being made by partners on the delivery of the Calderdale Suicide Prevention Plan 2022-24 and the intention to update the action plan where necessary to reflect the recommendations of the national suicide prevention plan published in September 2023.

The report also provided information of the constraints associated with implementing infrastructure and place-making recommendations following engagement with local communities and businesses carried out in 2022, the proposals to strengthen the Council's partnership approach to communications about suicide prevention and the proposals to implement suicide prevention training for appropriate/relevant Council staff subject to the cost and availability of budget.

The report advised that the deaths from suicide in Calderdale were higher than the regional and national averages and improving mental health and preventing suicide was one of the four priority goals of the Calderdale Wellbeing Strategy. Cabinet therefore needed to be assured that the necessary action was being taken to prevent suicide and that the Council was contributing effectively to the delivery of the Calderdale Suicide Prevention Plan 2022-24.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

During discussions Members outlined the six areas of action and that several people had been touched in some way by attempts and suicide. Tribute was paid to the Police and Neighbourhood Wardens working with people that were thinking about taking their lives and the Voluntary Organisations that were doing fantastic work with young men.

RESOLVED that the work being undertaken be noted, along with the proposals to:

- I. establish a project board to develop a detailed business case for effective physical barriers at high-risk public places in Halifax, which include consideration of feasibility and affordability;
- II. incorporate the principles for improved health and wellbeing and reducing suicide into the emerging Calderdale Council approach to place-shaping, and to consider how to include the high-risk public places which connect the two existing Spatial Priority Areas, into the ongoing work in these areas;
- III. develop and implement a communications and engagement strategy with an emphasis on proactive, positive messaging around suicide prevention as well as best practice media guidelines;
- IV. develop and cost a trauma informed approach to embed appropriate and relevant suicide prevention training for Calderdale Council staff into standard practice within Calderdale.

65 WASTE AND RECYCLING COLLECTION SERVICES

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities submitted a written report of the Director, Public Services which sought approval to negotiate a joint venture arrangement with the Norse Group upon the expiry of the current Waste and Recycling contract with Suez, on July 31st, 2026. The report considered the option of extending the current arrangement with Suez, open market tendering and the possibility of insourcing the service but concluded that securing a joint venture arrangement with Norse Group was the preferred course of action.

The Waste Industry was currently going through a period of uncertainty as the implications of a Deposit Return Scheme, Extended Producer Responsibilities (a 'tax' on packaging) and potential changes to how local councils were required to collect waste work their way through the system. The impact of these changes could result in considerable financial disadvantage if things needed to alter in the future. Similarly, 'soft market testing' had indicated that new bidders would be wary of this uncertainty and would reflect this in their pricing (and, indeed, may choose not to tender for the work at all). This meant that the Council could be in the disadvantageous position of facing limited market competition and 'risk pricing' from any bidders, exposing a significant risk through a formal tender process due to the current instability in the market.

For these reasons, the advantages a joint venture arrangement could offer would provide better value for money to the Council in challenging financial times, greater control over the future direction of the service and any changes arising from legislation etc and assurance of a resilient and reliable service for residents.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

RESOLVED that:

(a) the Director, Public Services, in consultation with the Cabinet Members with responsibility for Public Services and Communities and Resources and the Head of Legal and Democratic Services, commence negotiations on the detailed terms of a Joint Venture Arrangement with the Norse group; and

(b) the Director, Public Services be requested to submit a further report to a future meeting of Cabinet providing the details of the Joint Venture arrangement and the timeline for implementation.

66 REVIEW OF PROPERTY DISPOSALS POLICY AND STRATEGY

Councillor Dacre, Cabinet Member with responsibility for Resources submitted a written report of the Director, Regeneration and Strategy which sought approval to implement new arrangements for the disposal of land and property assets that were surplus to the Council's requirements to include:

- the incorporation of an additional stage in the Property Disposal Policy for an initial assessment of the suitability of a surplus asset for community management, as approved at Cabinet in June 2023; and
- an overall review of the Property Disposals Policy and Strategy, which was last updated in 2012.

These changes would lead to a more strategic and efficient property disposal process. The Property Disposals Policy and Strategy required reviewing as it was last updated in 2012 and the disposals governance arrangements, processes and procedures needed to be improved to ensure a more strategic and efficient process. Any changes to the Property Disposals Policy and Strategy required Cabinet approval.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

RESOLVED that it be recommended to Council that:

(a) the revised governance arrangements, for the disposal of surplus land and buildings as set out in the Director, Regeneration and Strategy's written report be implemented;

(b) the revised flowchart for the disposal of surplus land and buildings as set out in Appendix 1 of the Director, Regeneration and Strategy's written report be approved; and

(c) the related internal Officer procedures and processes to be revised under Officers' delegated authority be noted.

67 QUEENS ROAD NEIGHBOURHOOD CENTRE COMMUNITY ASSET TRANSFER

Councillor Dacre, Cabinet Member with responsibility for Resources submitted a written report of the Director, Regeneration and Strategy which sought a Community Asset Transfer (CAT) of the Queens Road Neighbourhood Centre. At its meeting on

12th December 2022, Cabinet agreed that Queens Road Neighbourhood Centre (QRNC) should be made available as a potential CAT. An initial business case had been received from a community group (the group) and the report provided details of that proposal. Cabinet was asked to consider the options and recommendation and determine whether the group's proposal should now progress to development of a full business case. The proposal from the group required Cabinet approval, as stipulated by the policy and procedure.

Calderdale Council was under a legal obligation contained within S123 of the Local Government Act 1972 to obtain best consideration when disposing of land and property assets. Furthermore, the Council's Corporate Property Policy and Strategy required that land and property assets should normally be sold or leased at full market value. Cabinet must approve exercising the provisions contained within the General Consents Disposal Order 2003, to facilitate transfer of the land at less than best consideration. The initial business case requested substantial funding from the Council. Whilst this report did not require a decision on the funding request, should a full business case still request funding, a further report would be required.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

During discussions Members felt confident in the Community Group and felt this centre was important for the area. If the community organisation took this CAT on it was hoped that they could secure additional resources and if they required a contribution, it was hoped that the Council would be able to contribute.

RESOLVED that:

(a) Officers be requested to work with the group to progress their initial business case to full business case within 6 months; and

(b) If the full business case does not contain a request for funding from the Council, the Director, Regeneration and Strategy be given delegated authority in consultation with the Cabinet Members for Resources, Towns, Tourism and Voluntary Sector and the Head of Legal and Democratic Services, to determine whether the full business case represented a sound proposal on which the Council could complete a Community Asset Transfer; and

(c) should the full business case contain a request for funding from the Council, then a further report be submitted for consideration.

68 FLOOD RISK SUPPLEMENTARY PLANNING DOCUMENT – DRAFT FOR CONSULTATION

Councillor Patient, Cabinet Member with responsibility for Climate Action, Active Travel and Housing presented a written report of the Director, Regeneration and Strategy which sought the approval to consult on the draft Flood Risk Supplementary Planning Document. Following adoption of the Calderdale Local Plan on 22nd March 2023, a suite of Supplementary Planning Documents (SPDs) was in preparation. The latest SPD to be brought was the SPD on Flood Risk and Drainage.

In November 2018, consultation was undertaken on a Supplementary Planning Guidance Note on Flood Risk and Drainage. This document had been converted to a Supplementary Planning Document and updated to reflect the most recent guidance relating to flooding and drainage and to assist with implementation of the relevant policies in the Local Plan. The Flood Risk and Drainage SPD was submitted to Cabinet seeking approval to undertake formal consultation as required by the Town and Country Planning (Local Planning) (England) Regulations 2012.

Once adopted by the Council, SPDs became a material consideration which could be taken into account when determining planning applications. This SPD would assist with assessing the flooding and drainage aspects of planning applications for development.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

During discussions Members highlighted that this was the 7-year anniversary of Calderdale Flood Action and outlined the funding brought in over the last 7 years. There was an urgent need for this SPD to be adopted due to recent flooding in the area.

RESOLVED that the public consultation for four weeks on the draft Flood Risk and Drainage Supplementary Planning Document as set out in the Director, Regeneration and Strategies written report at appendix 1 be approved.

(Councillors Patient and Scullion declared a non-pecuniary interest in the above item as they had experienced house flooding).

69 SELF AND CUSTOM BUILD HOUSING SUPPLEMENTARY PLANNING DOCUMENT

The Leader, Councillor Scullion presented a written report of the Director, Regeneration and Strategy which sought the approval of the Self and Custom Build Housing Supplementary Planning Document (SPD). Following adoption of the Calderdale Local Plan on 22nd March 2023, a suite of Supplementary Planning Documents (SPDs) was in preparation. The Self and Custom Build Housing SPD would support the Vision 2024 theme of distinctiveness in creating housing and places where people wanted to live. The SPD would also support the Council's Corporate Priorities to 'Tackle the Climate Emergency', 'Reduce Inequalities', and 'Create Strong, Thriving Towns'.

Following Cabinet approval in June to formally consult on the draft SPD, consultation was undertaken for four weeks between 30th June and 28th July 2023, in line with the Town and Country Planning (Local Planning) (England) Regulations 2012. Comments received during the consultation period had been considered by Officers and a final draft of the SPD had been prepared. Cabinet must decide whether to recommend to Council that the Self and Custom Build Housing SPD be adopted. Once adopted by the Council, SPDs became a material consideration which could be considered when determining planning applications.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

RESOLVED that it be recommended to Council that:

(a) the comments received during the consultation alongside the Officers' responses, as set out in the Consultation Statement, and revised Supplementary Planning Document be noted; and

(b) the Self and Custom Build Housing Supplementary Planning Document be adopted.

70 LOCAL DEVELOPMENT SCHEME UPDATE 2023

The Leader, Councillor Scullion presented a written report of the Director, Regeneration and Strategy which sought approval the Local Development Scheme (LDS) Update 2023. The LDS was required to be prepared as part of the statutory process of plan making and sets out the Council's general timetable for the preparation of Development Plan Documents (DPDs). The LDS was required under the provisions of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). It was required to be kept up to date, and to reflect the latest Regulations and Guidance.

The Council's current LDS was adopted in 2018 and now needed revising in the light of the adoption of the Local Plan in March 2023 and the updated timetable for the preparation of the Gypsy, Traveller, and Travelling Show People Development Plan Document. The documents referred to within the LDS all made an important contribution to the achievement of the Council's Vision 2024, the policies and strategies contained within the Spatial Planning Documents timetabled provided a policy framework that would enable growth whilst protecting and enhancing our valued landscape and heritage. Additionally, the preparation of the Gypsy, Traveller and Travelling Show People Development Plan Document and the various Supplementary Planning Documents were fundamental to all three of the Council's Corporate priorities to 'Tackle the Climate Emergency', 'Reduce Inequalities' and 'Create Strong, Thriving Towns'.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

RESOLVED that it be recommended to Council that the Local Development Scheme Update 2023 attached at Appendix 1 of the Director, Regeneration and Strategy's written report be approved for publication.

71 SECOND QUARTER PROJECTED OUTTURN REPORT 2023/24

Councillor Dacre, Cabinet Member with responsibility for Resources submitted a written report of the Director, Resources and Transformation which provided the Second Quarter Projected Outturn Report 2023/24. The report summarised the revenue and capital projected outturn position as at 30th September 2023 and the availability of reserves to mitigate the impact of any deficits. The Council's Financial

Procedure Rules required the financial position to be reported to Cabinet a minimum of three times a year for noting and to approve any significant budget changes. Members were invited to review the appendices included and consider any action required to manage the overall outturn position.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

During discussions Members highlighted the success of the Green Homes and Public Sector Decarbonisation fund and praised the teams in both the public and private sector. Although not pleasant reading it was felt that this was a well-run authority that were in a better position than they could have been. All parties needed to work together to seek investment going forward.

RESOLVED that the:

(a) projected revenue budget outturn as at Quarter 2 and the analysis of the 2023/24 revenue outturn position, the impact on available reserves, and the underlying budget pressures faced by directorates be noted;

(b) risks to the revenue budget for 2023/24 be noted;

(c) Capital Programme of £206.426 million for the period 2023/24 referred to in Section 6 of the Director, Resources and Transformation's written report and detailed in the attached appendix be approved;

(d) funding allocations agreed by the West Yorkshire Combined Authority referred to in paragraph 6.6 of the Director, Resources and Transformation's written report and detailed in the appendix to allow the funding agreements to be signed by the Council and the West Yorkshire Combined Authority be agreed; and

(e) overall capital expenditure of £18.112million in relation to the Town Centre Office Strategy had been fully funded as detailed in paragraph 6.10 of the Director, Resources and Transformation's written report be noted.

72 MEDIUM TERM FINANCIAL STRATEGY 2024/25 TO 2026/27

Councillor Dacre, Cabinet Member with responsibility for Resources submitted a written report of the Director, Resources and Transformation which provided a review and update on the Medium-Term Financial Plan (MTFP) 2024/25 to 2026/27 and to consider the latest information, national economic factors, and local operating environment. The report informed Members of issues identified relevant to the update of the MTFP and highlighted the key risks and challenges.

The Medium-Term Financial Plan was a key element enabling the Council to set a balanced budget at the Budget Council meeting. Cabinet was responsible for issuing instruction on the preparation of the Annual budget. The review and update provided a forecast position over the next 3-year periods as the basis upon which to formulate budget proposals to recommend to Budget Council in February 2024. The MTFP approved at Budget Council in February 2023 provided the base position and assumptions had been amended, taking account of factors affecting both local

government funding and cost of services, for consideration by Cabinet to create a sustainable financial position over the next three years.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

During discussions Members highlighted the 3-year forecast with several different funding streams for health care and the worry of how pressures would be managed and the seriousness of uncertainty. Officers in the finance department would be working hard during the Christmas period over the budget proposals.

RESOLVED that:

(a) the proposed approach to the financial planning process to achieve setting a balanced budget for 2024/25 be agreed;

(b) the latest Medium-Term Financial Plan 2024-27 be agreed as a basis for formulating budget proposals for consultation in January 2024;

(c) the risks contained within the forecast as highlighted in the Medium-Term Financial Plan and in the Director, Resources and Transformation's written report when finalising their budget plans be noted; and

(d) an update on the latest position be submitted to Council for information in advance of the next stages of the budget setting process be noted.

73 CONTRACT EXTENSION: CHILDREN'S CENTRE SERVICES - EXEMPT

Councillor Wilkinson, Cabinet Member with responsibility for Children and Young People's Services submitted a report of the Director, Children and Young People's Services which sought an extension to the current Children's Centre services (the "Services") contracts with two existing service providers to support the commissioning and procurement process. Preparations for the tender of the Services were well underway. However, the tender timeline had been impacted due to the complexities of the development and implementation of the new Family Hubs, remedying building conditions of the council-owned premises and the implications of TUPE and Local Government Pension Scheme for staff within the provider Services. Tender preparations were dependent on finalising the service shape and details, i.e., requesting the correct Actuarial Assessment(s) from the Local Government Pension Scheme (LGPS) and understanding the repairs and maintenance required on the buildings and occupational requirements of the providers being included in the contract, impacting the likelihood of a successful provider signing an agreement for them. The proposed contract start date of 1st April 2024, was no longer achievable.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

During discussions Members commented on the sensible move regarding community hubs, endorsed the good start these hubs gave children and noted the impact of

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inflation on voluntary sector organisations. The contribution of the Voluntary and Community Sector organisations was valued.

RESOLVED that it be recommended to Council that the extension to the Children Centre Services to 30th September 2025 be approved.