

COUNCIL, Wednesday, 14th February, 2024

PRESENT:

The Worshipful the Mayor (Councillor Evans) in the Chair

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

67 MINUTES OF THE COUNCIL MEETING HELD ON 29TH NOVEMBER 2023 TO BE AGREED AS A CORRECT RECORD AND SIGNED BY THE MAYOR.

It was moved by the Mayor, Councillor Evans
Seconded by the Deputy Mayor, Councillor Holdsworth,

RESOLVED that the Minutes of the meeting of the Council held on 29th November 2023, having been printed and a copy sent to each Member of the Council, be taken as read and signed by the Mayor.

68 MEMBERS' INTERESTS

The Mayor reminded Members of the need to declare any disclosable pecuniary interests or other interests which they might have in relation to the items to be considered at the Council meeting.

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

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

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

(A) Councillor Gallagher presented a petition on behalf of the residents of Elland regarding the "Proposed pedestrianisation of Southgate in Elland"

The Mayor confirmed that the petition would be dealt with in accordance with the provisions of the Council's Petitions Scheme.

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

(A) Question from Rashida Islam to The Leader, Councillor Scullion:

Could Calderdale Council debate a resolution in support of an immediate ceasefire in Palestine-Israel?

Following the International Court of Justice's seismic ruling on the case brought by South Africa charging Israel with genocide, the court found the case made was plausible that Israel's acts could amount to genocide.

Despite this ruling, despite ordering Israel to stop attacking Palestinians and allow humanitarian aid in, Israel continues to attack, maim and kill Palestinian civilians.

The world is calling for an immediate ceasefire. I urge Calderdale Council to do the same.

In response, Councillor Dacre advised that on the agenda for Council there were two motions about Gaza and the question of an immediate ceasefire is referred to in the Labour Motion and I'm sure you may wish to stay on and listen to that debate.

(B) Question from Olive Sheard to Councillor Patient, Cabinet Member with responsibility for Climate Action, Active Travel and Housing:

Calderdale Council is currently using the Old Golf House Hotel in Outlane for temporary accommodation. Resulting in many issues and concerns for those being accommodated and especially for Outlane residents. Including policing, safeguarding, financial cost to the public, a lack of (specialised and non-specialised) facilities, no functioning kitchen at the Hotel (with the kitchen condemned due to structural issues) and poor public transport links.

The Hotel had already been rejected due to issues and concerns in 2021 by the Home Office/Mears for accommodating asylum seekers. Why is Calderdale Council still using the Hotel when there are issues and concerns?

In response, Councillor Patient advised that The Old Golf House Hotel is being used for the purpose of temporary accommodation. The hotel has 51 rooms, and the Homelessness Service is using a small number of the rooms, with the aim of reducing usage over the coming weeks. Decisions on use of temporary accommodation sites are made on a case-by-case basis and are informed by our statutory duties and the needs of those requiring accommodation.

Police colleagues have confirmed that they have no evidence of any increase in crime in the area. If there are any issues that have a negative impact on residents these should be reported to the relevant authorities in Kirklees who will be able to investigate and follow up any concerns.

From the perspective of people placed at the hotel, each individual who is accommodated in temporary accommodation is risk assessed and provided with a Support Worker until they are rehoused. The service holds regular drop-in sessions for Calderdale placements to access advice and support. We also meet regularly with each resident. Any safeguarding issues will be responded to by the service.

Agencies will work together to provide support to people who may need it and Support Workers will help facilitate transport where needed.

We are unable to comment regarding a functioning kitchen as there is no requirement for the provision of food for the residents the Homelessness service has placed there. Breakfast is provided, which will include, cereal, toast, yoghurt, and fruit. Food parcels will be provided from food banks and charities where needed.

Calderdale Council is currently reviewing our use of temporary accommodation and identifying new options for homeless individuals and households. Whenever possible we prioritise finding temporary accommodation in Calderdale, however, due to the increased demand for our service this is not always possible. We are not in a position to cease using temporary accommodation outside of the borough but are committed to find alternative solutions within Calderdale.

(C) Question from Kelly Thornham to Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities:

Despite the measures previously introduced to improve road safety in Southowram over the years, the traffic and congestion has increased a great deal in recent times, and this is having a serious impact on pedestrian safety around Withinfields School. One mum recently reported her daughter was clipped by a car near the school gates.

Can you provide assurances to the residents - and in particular the parents of pupils at Withinfields - that the situation will be looked at by road safety officers as a matter of urgency and further action taken/measures introduced?

Councillor Lynn advised that following a site visit last year with officers, representatives of the school and Councillor Swift it was agreed that Withinfields school would be added to our Access to Schools programme. We have now commissioned our consultants to undertake the design work for potential interventions at the schools identified within the programme. Unfortunately, due to the limited funding, not all schools on the list will be taken forward and they will be prioritised based on greatest need for road safety.

Consultation will take place with the schools and local communities on the prioritised list between now and July 2024. For the schools selected construction work will begin from November 2024 through to March 2025.

(D) Question from Shane Taylor to Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities:

It is brilliant to note the investment and improvements made in Mixenden with the Hub and the plans for play areas such as Sunnybank. When are those projects due to be completed, and what are the plans for the use of Mixenden Activity Centre and linking their operations with the great work that the Headteacher and staff do at Ash Green Primary School?

Councillor Lynn advised that The construction of Mixenden Hub has continued to progress well, with the next steps being internal finishes and electric secondary installations. The team are working closely with Northern Power Grid who have been instructed to install new electrical connections on the site, however a date has not yet been set for these works. Both the delivery team and contractor are working on solutions to keep the impact on the hub opening dates to a minimum.

When the new library opens in the Hub it will offer a community space with access to books, digital resources and free internet and Wi-Fi

We are committed to working in collaboration with all organisations within Mixenden and North Halifax.

Ash Green School continues to be consulted on all the developments happening within Mixenden, including the development at both of Ash Green's sites and the park at Sunny Bank, due to be completed by the end of summer 2024.

Options are currently being explored for the future of Mixenden Activity Centre and we are working with local groups and organisations on how best to achieve this.

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

(A) ENDORSEMENT OF CALDERDALE'S CLIMATE ACTION PLAN

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

that the recommendation of the Cabinet contained in Minute Number 79 be approved.

RESOLVED that Calderdale's Climate Action Plan be endorsed in line with the Council's declaration of a climate emergency in 2019; the 2023 Environmental Policy Statement and the Council's target to reach net zero by 2038.

Councillors Leigh MBE, Patient, Blagbrough, Dickenson, Thompson, Hutchinson, Hey and Dacre commented on the recommendation.

(B) PHASE 3C PUBLIC SECTOR DECARBONISATION SCHEME (PSDS)

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

that the recommendation of the Cabinet contained in Minute Number 80 (Parts (a) to (d) only) be approved.

RESOLVED that the:

(a) replacement of the heating systems at Victoria Theatre, Halifax Borough Market and Beechwood Library with low carbon alternatives, as detailed in the Director, Regeneration and Strategy's written report be approved;

(b) sum of £2,030,628 be incorporated into the Council's Capital Programme to deliver the Public Sector Decarbonisation scheme;

(c) match funding of £420,392 to deliver the scheme be provided as part of the Budget Process for 2024/25; and

(d) Director, Regeneration and Strategy, be given delegated authority, in consultation with the Head of Legal and Democratic Services, to finalise and agree the terms of the grant.

(C) SECTION 106 AGREEMENT GOVERNANCE AND IMPLEMENTATION OF MONITORING AND MISCELLANEOUS FEES

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

that the recommendation of the Cabinet contained in Minute Number 87 (Parts (b) to (d) only) be approved.

RESOLVED that:

- (a) all Section 106 agreements completed after 1 January 2024, shall include provision for a monitoring fee in accordance with Appendix 1 of the Director, Regeneration and Strategy's written report;
- (b) the Council implements the miscellaneous Section 106 related fees set out in Appendix 1 of the Director, Regeneration and Strategy's written report from 1 January 2024; and
- (c) the Director, Regeneration and Strategy in consultation with the Cabinet Member with responsibility for Resources be given delegated authority for reviewing the fees on an annual basis.

(D) GARDEN COMMUNITIES MASTERPLAN SUPPLEMENTARY PLANNING DOCUMENTS AND DESIGN CODE SUPPLEMENTARY PLANNING DOCUMENTS

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

that the recommendation of the Cabinet contained in Minute Number 96 (Parts (b) only) be approved.

RESOLVED that the following Supplementary Planning Documents be adopted:

- Thornhills Garden Community Masterplan Supplementary Planning Document (Appendix 1 of the Director, Regeneration and Strategy's written report).
- Thornhills Garden Community Design Code Supplementary Planning Document (Appendix 2 of the Director, Regeneration and Strategy's written report).
- Woodhouse Garden Community Masterplan Supplementary Planning Document (Appendix 3 of the Director, Regeneration and Strategy's written report).
- Woodhouse Garden Community Design Code Supplementary Planning Document (Appendix 4 of the Director, Regeneration and Strategy's written report).

Councillors Dickenson and Patient commented on the recommendation.

(E) REVIEW OF DISCRETIONARY AND LOCALLY SET PLANNING RELATED FEES

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

that the recommendation of the Cabinet contained in Minute Number 97 be approved.

RESOLVED that the:

(a) fees set out in Appendix 1 of the Director, Regeneration and Strategy's written report be implemented from 1st March 2024; and

(b) Corporate Lead, Planning be given delegated authority to make any minor corrections to the text in Appendix 1 of the Director, Regeneration and Strategy's written report before it was published.

(F) FUNDING OF INFRASTRUCTURE TO SUPPORT THE DELIVERY OF DEVELOPMENT IN SOUTHEAST CALDERDALE

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

that the recommendation of the Cabinet contained in Minute Number 108 be approved.

RESOLVED that:

(a) the proposed investment detailed in the Directors, Resources and Transformation and Regeneration and Strategy's written report to allow for the work to be undertaken on the A641/A643/Clifton Link Road, Community Hubs and schools infrastructure be approved;

(b) the Director, Regeneration and Strategy, in consultation with the Leader be given delegated authority for the delivery of the projects;

(c) investment of £52.423m in the Garden Communities scheme be added to the Council's Capital Programme, funded by:

- Income from the roof tariff, currently forecast to be in the region of £17.459m, which would be confirmed under Section 106 agreements; and
- Borrowing of £34.964m.

(d) as part of the budget process in 2025/26 and future years that the revenue implications from the investment be included in the Medium-Term Financial Plan. The initial estimates were shown in Appendix 1 of the Directors Resources and Transformation and Regeneration and Strategy's written report;

(e) the latest forecast Garden Communities roof tariff rates for Thornhills and Woodhouse and for other housing development sites in the Brighouse Local Plan Area be noted; and

(f) the Directors Resources and Transformation and Regeneration and Strategy in consultation with Leader and Cabinet Member with responsibility for Resources be given delegated authority to implement any changes required to the roof tariff rates detailed in the report.

Councillors Leigh MBE, Blagbrough, Dickenson, Hey, Lynn, Wilkinson, Patient and Dacre commented on the recommendation.

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

(A) PAY POLICY STATEMENT 2024-25

It was moved by Councillor Foster, and
Seconded by Councillor Parsons-Hulse,

that the recommendation of the Governance and Business Committee contained in Minute Number 31 be approved.

RESOLVED that the Council's Pay Policy Statement for 2024/25 as set out in the Chief Executive's written report and annexes be approved.

(B) PROPOSED CHANGES TO CONTRACT PROCEDURE RULES TO REFLECT PROVIDER SELECTION REGIME LEGISLATION FOR CERTAIN PUBLIC HEALTH PROCUREMENTS

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

that the recommendation of the Governance and Business Committee contained in Minute Number 32 be approved.

RESOLVED that the proposed changes to contract procedure rules to reflect provider selection regime legislation for certain public health procurements be approved.

(C) NEW HR POLICY - EMPLOYER SUPPORTED VOLUNTEERING LEAVE POLICY – EXEMPT

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

that the recommendation of the Governance and Business Committee contained in Minute Number 33 be approved.

RESOLVED that the Employer Supported Volunteering Leave Policy as outlined in the Head of Human Resources and Organisational Development's written report be accepted and approved.

74 TO CONSIDER THE RECOMMENDATIONS OF THE STANDARDS COMMITTEE ON THE FOLLOWING MATTERS:

(A) MEMBERS' ALLOWANCES SCHEME FOR THE YEAR 1ST APRIL 2024 TO 31ST MARCH 2025

It was moved by Councillor Fenton-Glynn, and
Seconded by Councillor Parsons-Hulse,

that the recommendation of the Standards Committee contained in Minute Number 9 be approved.

RESOLVED that the:

(a) Members' Allowances Scheme approved by the Council on 15th February 2023, be approved for the year 1st April 2024 to 31st March 2025; and

(b) annual adjustment provision for Basic and Special Responsibility Allowances for the year 1st April 2024 to 31st March 2025 should be applied, meaning that there would be an increase in those allowances in May 2024 in line with Local Government Staff.

75 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) and the meetings attended for the WYCA, Governance and Audit Committee (deputy chair), Climate, Energy and Environment Committee (chaired), Finance, Resources and Corporate Committee.

Councillor Dacre advised that in the absence of the Leader, she would be happy to try and answer any questions, though would provide a written response if needed.

- Councillor Issott advised that a number of residents had written to the West Yorkshire Mayor with their concerns over single female drivers being followed home and asked that these issues and concerns be shared with WYCA. In response, Councillor Dacre advised that the Council would raise this with WYCA and confirmed that she had recently attended a meeting where the West Yorkshire Mayor reaffirmed her commitment to the safety of women and girls in West Yorkshire.

76 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 events that she had attended within Calderdale, Strategic External Regeneration, and the improvements to the Planning Department.

In the absence of the Leader, Councillor Scullion, Councillor Dacre advised that she did not have anything further to add to the report

(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 Public Health and Halifax Master Planning and Regeneration.

In the absence of the Deputy Leader, Councillor T Swift MBE, Councillor Dacre advised that the report referenced the increase in cases of Measles and she urged parents to check to see if their children have had the two doses of the MMR vaccine.

(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 national adults and children's services conference in Bournemouth, Commissioning Updates and Operations Updates.

(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 Early Intervention and Safeguarding, Children and Young People's Commissioning and Education and Inclusions update.

In addition to his report, Councillor Wilkinson advised that the report noted the creation of a new Multi Academy Trust (MAT) in the Upper Valley and that all secondary schools would be part of the MAT when created. He further advised that Todmorden High School had notified the Council that the Governors had decided against joining the MAT.

(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, Green Spaces and Street Scene. and Transport Services.

In addition to his report, Councillor Patient advised that the West Yorkshire Mayor visited Calderdale to witness the restoration work being undertaken on the moors in Calderdale and the planting of mosses, and also the housing regeneration work undertaken by the Council and Together Housing at Beech Hill.

(v) Public Services and Communities and Operational Highways

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities and Operational Highways, 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 Cultural Services, Bereavement Services, Community Protection, Green Spaces & Street Scene, Waste Services, Tackling Poverty and Cost of Living, Welfare and Benefits, Neighbourhoods and Cohesion, Customer Access, Parking Services, Sports Services, Transport Services, Operation Highways and Major Projects.

(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 and Business Intelligence Transformation, Transformation, Finance, Legal and Democratic Services, Human Resources and Organisational Development, Audit Insurance, Employment and Skills and Adult Learning and Corporate Asset and Facilities Management and Markets.

(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:

- Councillor Blagbrough shared some of his experiences and problems of using electrical vehicle charging points and apps throughout the Borough and asked if the Council had any control over the machines and what can be done to ensure they work. In response, Councillor Patient advised that Officers are working with other authorities and regions to look for best practices. He agreed the systems needed to be streamlined and charging points positioned in the Borough where they were needed.
- Councillor Bellenger asked that following the Governments release of money for pothole repairs, where was the Council in making improvements to the roads within Calderdale? In response, Councillor Lynn advised she would provide Councillor Bellenger with a written response and noted that there had been a robust discussion at Place Scrutiny Board around potholes and highway maintenance.
- Councillor Robinson asked if the meeting of Cabinet could return to a 6pm meeting to allow for transparency and working people to attend? In response, Councillor Dacre advised that the decision of the timing of Cabinet meetings was in the gift of the Leader. She advised that the timing of the meeting was continuously reviewed and that she would relay Councillor Robinson's comments to the Leader.

- Councillor Issott advised that speed restrictions had been enforced in Barkisland and asked for assurance that the remaining road safety measures in Triangle, Lighthazles and on Oldham Road would be forthcoming. In response, Councillor Lynn advised that the remaining road safety measure would be looked at but could not provide timescales. Councillor Lynn thanked Councillor Issott for her questions and asked that she continued to campaign for road safety issues.
- Councillor Leigh MBE asked if Cabinet would reconsider the return to permitting opposition Councillors to debate matters at the Cabinet meetings. In response, Councillor Dacre advised that Cabinet was not an appropriate venue for debate and noted that if a decision was not in the remit of Cabinet, it would be recommended to Full Council for debate by all Elected Members. She confirmed that she would relay the question to the Leader.

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

There were no appointments of Representatives made on Outside Bodies.

78 TO APPOINT REPRESENTATIVES (AS NECESSARY) TO SERVE ON OUTSIDE BODIES

There were no appointments of Representatives made on Outside Bodies.

79 TO ANSWER QUESTIONS ASKED BY MEMBERS OF THE COUNCIL UNDER COUNCIL PROCEDURE RULE 13

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

Reports requiring Cabinet and Council approval always have a section addressing the “Diversity and Equality” implications of a proposal. However, there’s no requirement to specifically address the impact of any proposal on the Climate Emergency.

Can the Cabinet commit to including a “Climate Emergency” section in any future reports where a decision is required?

In response, Councillor Dacre advised that Cabinet was considering the matter and if appropriate would be included in future Cabinet reports.

(B) Question from Councillor Bellenger to Councillor Lynn, Cabinet Member for Public Services and Communities

Two substantial amounts of money have come into Calderdale recently for improvements to parks and sports facilities.

In July 2023 a request was submitted for some of the £500,000 funding from Sport England to help improve the sports facilities at Stainland Park where a hard surface is already in place. Unfortunately for Stainland, nothing came of that.

A further £230,948 has come into Calderdale from government and the Lawn Tennis Association. Once again, Stainland Park and the community which would benefit extremely from this have missed out or been ignored.

Would the Cabinet member explain why we have missed out again and what will she do to help improve the old multi-use games area in Stainland so it can be put back to good use for the community and for those wishing to get involved with sports?

In response, Councillor Lynn advised that the £500,000 funding from Sport England, whilst most welcomed, was 'ring fenced' to be spent on those parks and green spaces that are located within the top 20% of areas with multiple levels of deprivation. As Stainland does not fall within the criteria we weren't able to utilise the investment to improve open spaces at Stainland as it wouldn't meet the funding objectives.

We are delighted to be working with the Lawn Tennis Association to improve our tennis facilities in 5 parks in Calderdale. Unfortunately a number of sites which previously had tennis courts are no longer deemed operational due to change of use or conditions and as such were also outside of the scope of the LTA funding. Stainland Recreational Ground was one of those.

Where it is not possible to attract external funding, we are always happy to work with local groups to explore funding opportunities and partnerships. If Councillor Bellenger would like to pass on any details from his constituents that have raised concerns, I will ask officers to make contact with them to see what is possible.

(C) Question from Councillor Parsons-Hulse to Councillor Wilkinson, Cabinet Member for Children and Young People's Services

Five years ago, there were just 24 children in Calderdale with Education and Health Care Plans (EHCPs) requiring specialist school placements.

In the current academic year there are 73 children with complex needs and EHCPs in place requiring specialist school placements.

Many children are diagnosed at birth or have medical teams reporting on their developmental delays throughout their early years and so are well known to Children's Services.

Figures are growing year on year: last year saw 40 children receiving special school placements with 13 placed in mainstream schools.

This year, out of 73 children with EHCPs, just 21 children with complex needs are being offered specialist school placements. This has left 52 children being given places in mainstream provision that are unsuitable for their complex needs and many parents are left very worried about their child's education and care.

I understand that there are plans to rectify this situation however, why was this situation not planned for earlier given that these figures have been known to the Children and Young People's Services for several years?

In response, Councillor Wilkinson advised that the figures quoted by Councillor Amanda Parsons-Hulse about the numbers of Calderdale children in special schools are incorrect.

In 2019 we had 424 children placed in a special school – today we have 692. This means we are placing 63% more children in special schools than we were before the pandemic.

There are 2329 children with Education Health and Care Plans in Calderdale and we support every single one of them. They are unique with their own needs and plan to meet those needs. Each one has been carefully assessed and then the right plan put in place, including the type of school they attend.

Before the Covid 19 pandemic the number of requests for Education Health and Care Plans were relatively stable at around 200 a year. No-one could have known the devastating impact that Covid has had on children's mental health and the huge rise in special educational needs. In 2023 we received 536 requests. This is an increase of over 150% that could not have been predicted.

The rise is a national issue and the whole SEND system is struggling with rapidly rising need and years of underfunding. Councils across England have racked up huge deficits on their SEND budgets amid lengthy delays in issuing Education, Health and Care Plans. 75% of Councils have black holes in their SEND funding known as the High Needs Block with some having overspends of over £100m. In Calderdale, we are issuing our Education Health & Care Plans within the 20-week deadline by investing in the SEN team and educational psychology. But we are also seeing a pressure on our SEN funding of a £6m overspend this year.

Nationally and in Calderdale the majority of children with special educational needs are taught in a mainstream school. Attending mainstream school enables children to learn with their peers with the additional support they need in class. It also means that children are more likely to stay on, to get a job and to live independently. However, it is acknowledged that in some cases, a special school placement is the best type of provision to meet a child's needs.

The Council is fortunate to have our own maintained special schools, offering outstanding education:

Primary: Woodbank has 123 places; Highbury has 80 places.

Secondary: Ravenscliffe has 260 places and Springhall sixth form has 110 places.

The Council has responded to the need for additional special places by increasing:

- 10 place Autism resource provisions created at Central Street and Riverside School.
- SEN Satellite Hubs operating at Withinfields School, Copley and Luddenden Dean School.

- 26 new places have been created at Highbury School this year.
- There are plans to increase places at Ravenscliffe this year and next; as well as looking at a new build to increase places for the future

It was disappointing that we did not get the funding from the Government to create a new free special school, but we have the capital to increase places for our children and are committed to them getting the best quality education they can in the Borough. A paper detailing plans to substantially expand capacity in our special schools further has been developed in conjunction with the SEND Strategic Board which includes representatives of SEND families and will be considered by Cabinet shortly.

(D) Question from Councillor Leigh MBE to Councillor Dacre, Cabinet Member for Resources.

As we all know, this Council is currently in the process of setting a budget for the next year, and looking over the past year, there has been projected overspending in each quarter, with reports also showing that most of the Council's Departments are overspending.

Continuing this overspending and filling the gaps with the use of our rock-bottom reserves is not prudent. What is being done to ensure this overspending doesn't continue unabated next year and every subsequent year?

In response, Councillor Dacre advised that the budget being proposed for 2024/25 has been informed by the current position on spend and cost of providing vital services in line with our priorities, and budgets increased to reflect some of the underlying pressures.

The financial planning process is a continuous process, with additional governance processes introduced to ensure achievement of budget savings and budget challenge to ensure the prioritised investments are achieving the desired impact.

The financial pressures facing Calderdale are reflected across the country. We will be focussing our efforts on transformation through service redesign aiming to shift resources down-stream to prevent more costly specialist interventions being required.

There is a limit to what we can do to control costs locally, without fundamental changes in the socio-economic system nationally. It is widely acknowledged that Local Authorities funding model is broken and until this fundamental issue is addressed LAs with responsibility for Social Care will continue to struggle to manage their Budgets. If the need locally continues to increase, the council will need to take more difficult decisions in order to prioritise spend to support the most vulnerable residents.

(E) Question from Councillor Blagbrough to Councillor Fenton-Glynn Cabinet Member for Adult Services and Wellbeing.

The Labour Party has announced a pledge to end Zero-hour contracts, and portfolio holder has made it clear on social media that he supports this pledge.

However, as the Cabinet Member for Adult Health & Social Care, why does this service continue to employ people on Zero Hour Contracts?

In response, Councillor Fenton-Glynn advised that the Adult Services and Well-being Directorate do not employ staff on zero-hours contracts, but we do employ casual workers. It appears that the company the Council uses to promote our vacancies have converted our adverts for Casual Workers to reference zero-hours in the job details within the advert. The post title clearly read Casual Residential Support Workers.

The difference between casual workers and a zero-hours contract is that a casual worker is under no obligation to accept work given to them (and the organisation is under no obligation to provide) whereas a zero-hour employee is required to accept any such work given to them and be available when the employer wants them to work but gives no guaranteed hours/income. This is deemed unfair as it limits their ability to take other work from other organisations. The zero-hour structure can be considered as unethical because employees may not have enough work to satisfy the demands of the workforce, which can result in a reduction of hours offered, or even none at all, seriously reducing an employees' earning potential. The disadvantage of a zero-hours contract is that it limits an employee to being contracted to one employer only.

Adult Services and Well-being and other parts of the Council use Casual Workers to backfill permanent staff whilst on leave, sickness, and other short-term absences. We issue a temporary contract, where appropriate, to cover lengthy absences e.g., long-term sickness, sabbaticals or maternity leave etc. If we advertise a temporary or permanent vacancy, our casualls can apply before the job is advertised externally and move to a permanent contract. Several of our casualls do not want permanent contracts as they are happy to work as and when required to suit their personal circumstances. Our casual staff are treated with dignity and respect. They receive holiday entitlement pro-rata to the hours worked and other benefits that permanent staff receive e.g. priority in applying for temporary/permanent roles before they are advertised externally, as outlined above. We could not run a number of our services without the use of casualls, and we do not offer these contracts as a way of avoiding permanent employment rights. The HR staff review the constant use of Casual Worker pools to ensure they are being used appropriately.

We have requested that the company which advertises our vacancies do not reference our Casual Worker vacancies as zero-hour contracts in future, to avoid any confusion.

(F) Question from Councillor Robinson to The Leader, Councillor Scullion.

Residents in Elland deserve more from this Labour-run Council. The Elland Railway Station project is delayed, and the Cabinet is proposing the closure of Elland Tip. Elland Railway Station's initial completion date was 2020. The delay is, quite frankly, embarrassing. Residents in Elland need answers. Please would the Leader of the Council explain the reason for this unacceptable delay, and provide a new completion date for the project?

In response, Councillor Patient advised that the Council is working closely with the West Yorkshire Combined Authority on the delivery of the Elland Railway Station Project and are progressing work in-line with a new approved completion date of late 2026. As with many construction schemes, there have been delays during the development of the project that have required additional work to find solutions to the issues arising. These include significant new design work arising from changes to safety standards after outline designs had been produced, work to overcome objections from statutory consultees as part of the planning process, as well as challenges with supply chains during procurement. Despite the delays there has been significant progress and the project has achieved some key milestones that are crucial for successful delivery. The rail station has outline business case approval, planning permission in place, approval in principle from Network Rail for the outline designs, and has consulted with the rail industry to confirm support for the introduction of Elland rail station on the rail network.

(G) Question from Councillor Whittaker to Councillor Lynn Cabinet Member for Public Services and Communities

It's not surprising to hear that residents in Elland are aggrieved with this Council. You are proposing the closure of their Tip, and the Elland Railway Station project is delayed. Elland Tip is vital to the community in Elland, and the closure will be a massive loss to the area.

Why does the Cabinet believe it is sensible to close the Tip when you are planning to build 1000s of homes in South and East Calderdale? Ultimately, closing the Elland Tip will drive up fly-tipping and increase pollution in East Calderdale as more residents drive to Brighouse to use the Tip.

In response, Councillor Lynn advised that Calderdale currently benefits from an extremely extensive network of Household Waste Recycling Centres (HWRC) throughout the borough. The latest Waste and Resources Action Programme (WRAP) guidance makes the following recommendations in relation to HWRC provision:

- Maximum catchment radii for the majority of the population between 3 and 5 miles
- Maximum driving times for the majority of the population in good traffic conditions of 20 minutes
- Maximum number of inhabitants per HWRC = 120,000
- Maximum number of households per HWRC = 50,000

At present Calderdale has one site for approximately every 42,000 residents or 19,000 households. The potential closure of Elland HWRC would result in figures of one site for every 52,500 residents or 24,000 households, which is still well within the recommended guidelines on provision and would provide a network of sites that far exceeds those seen in our West Yorkshire neighbours.

The choice of Elland as the HWRC to be proposed for closure is in part due to it being one of the least used sites and having a sizeable proportion of the catchment area outside the borough, and therefore is likely to be utilised by Kirklees residents. As a consequence and due to the proposal to introduce a permit scheme limiting access to borough residents, it would further reduce

usage at the site. It is also situated near to three other HRWC's, with Brighouse HWRC being 3.5 miles away, Sowerby Bridge 4.3 miles and Halifax 5.2 miles, so there are several alternatives close by.

However, I would add, it is now proposed, subject to the decision of budget Council on 26th February, that the closure of Elland HWRC would not take place until April 2025 at the earliest and only after Cabinet has had an opportunity to review and be assured that the introduction of the permit scheme has had a positive impact on the waste that is currently being taken to our HWRC's from outside the borough.

Publicity of the changes would of course ensure residents are aware of the planned closure of the site, and robust education and enforcement action will continue to be taken to deter and apprehend fly-tippers. However, people who act responsibly in disposing of their waste at a HWRC are less likely to irresponsibly and illegally fly tip, particularly when there are alternative sites within a reasonable proximity.

(H) Question from Councillor Kirton to Councillor Patient, Cabinet Member for Climate Action, Active Travel and Communities and Lynn Cabinet Member for Public Services and Communities

In September, the Council voted for a motion that resolved "to build on work by the Mayor of West Yorkshire to secure long-term improvements to bus services in Calderdale" and "to fight for a decent bus network in Calderdale at every opportunity."

Therefore, I am very disappointed to hear that Labour's West Yorkshire Mayor has recently reduced Bus Services with Shelf, Norton Tower and Siddal being most affected. Why did your Group propose to fight for better bus services and then once-again, fall at the first hurdle?

In response, Councillor Patient advised that the Council were aware that a number of Calderdale's bus services will be revised from Sunday 18th February, mainly as a result of them being diverted into the new Halifax Bus Station.

With reference to the areas specifically mentioned by Councillor Kirton we are aware the 541/2/3 Norton Tower – Halifax – Siddal and 508 Halifax – Shelf – Leeds have seen some limited reductions in frequencies and we share his disappointment.

However, these decisions are not within the control of the Mayor and the Council was not consulted on the latest changes. The decision to revise the services was a commercial decision taken by the operator First working under the current licencing agreement.

Consultation on reform of West Yorkshire's bus services closed in January 2024 and a decision by the Mayor on whether to proceed is currently scheduled for March 2024.

The proposals for bus reform look to replace the current system and provide a bus network that is fully responsive to the needs of the people of West Yorkshire.

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

(A) Cease Fire in Palestine/Israel

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

This Council notes with growing alarm the climbing death toll of Palestinian civilians subject to Israeli bombardment. The systematic destruction of residential buildings, mosques, and churches and attacks on hospitals have destroyed Gaza's social infrastructure leading to many civilian deaths.

The situation in Gaza is profoundly disturbing to many residents of Calderdale who have links with, or feel affinity for, those directly affected be they from the Palestinian or Israeli communities. Local residents, especially those from the Jewish, Muslim and other faith communities, look to this Council to provide civic leadership that expresses their concerns on this issue.

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This Council acknowledges the call for an immediate ceasefire, an end to the occupation of Palestinian territory and to the 16 year long blockade of Gaza, and respect for Palestinian rights including the right to self-determination and the right to return.

Only through this process can a lasting peace for both Israelis and Palestinians be achieved, that is consistent with international law.

This Council therefore resolves to:

1. Call on the UK government (specifically, through the Foreign, Commonwealth and Development Office) to support an immediate ceasefire
2. Request that the borough's two MPs also support such a ceasefire, and
3. Welcome and support displaced Palestinian refugees in Calderdale as part of the City of Sanctuary scheme.

It was moved as an **AMENDMENT** by Councillor Dacre,
Seconded by Councillor Kingstone

Delete all and replace with:

Call for compassion and an end to conflict in the Middle East

This Council notes and acknowledges:

- The impact that the conflict in the Middle East is having on many citizens in Halifax and other communities in Calderdale.
- That Calderdale is a global place. People have friends and family in many parts of the world. What happens in Palestine and Israel matters to us, and as councillors we have had representations from our residents whose families have been affected by these events.
- That there have been peaceful demonstrations across Calderdale.
- That thanks are due to West Yorkshire Police for their responsible and respectful policing of these demonstrations.
- That the Council has heard the concerns of communities across the borough and joins with them in asking for an immediate and permanent ceasefire.
- That we understand there are great differences in how people view the conflict and the solutions to bring peace to the area, but despite those differences we want to see peace, safety, dignity, and security across the region.
- That we are appalled by the extreme violence and thousands of civilian lives lost since October 2023, and horrified by the events we have seen unfolding daily on our TV screens as people, including children, are displaced and suffering.
- That we believe that the international rule of law must be respected and that where there is evidence of war crimes prosecution must take place.

The Council therefore resolves to:

- Work together with key representatives and community leaders across the borough towards a common objective of ensuring that people can continue to feel safe in Calderdale and live without fear of intimidation, harassment, or hatred.
- Call for an immediate and permanent ceasefire, the release and return of all hostages, proper access to food and water, medical supplies, and access to health services; and beyond that a lasting resolution to deliver peace and a long-lasting solution that allows states to live in peace.
- Call for the UK Government to lift the temporary pause in future funding for UNRWA
- Record its unequivocal condemnation of the conduct of the Israeli government in its campaign which has meant 1.5 million people have been displaced, some several times.
- Unequivocally condemn the terrorist attacks by Hamas against civilians in Israel, including the use of violence against women and girls.
- Continue to take a stand against Islamophobia, antisemitism, and all forms of hatred.
- Offer a kind and compassionate welcome to displaced Palestinians, reaffirming our commitment as a Valley and local authority of sanctuary.

Councillors Hutchinson, Rivron, Fazal, Veitch, Lynn, Hey, Sutherland, Durrans, Carr and Dacre commented on the Motion.

RESOLVED that:

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(B) Call for compassion and an end to conflict in the Middle East

Councillor Dacre confirmed that due to the successful passing of the Labour Amendment to the previous motion on the Cease Fire in Palestine/Israel the Labour Group would be withdrawing their original Motion.

(C) Backing Rural Businesses and Communities

Councillor Leigh MBE advised that due to the emotive nature of discussions in the meeting the Conservative Group would be withdrawing their Motion.

81 COMMENTS ON THE WORK OF SCRUTINY BOARDS, PANELS AND COMMITTEES AND QUESTIONS WITHOUT NOTICE TO THE CHAIRS OF SCRUTINY BOARDS, PANELS AND COMMITTEES

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