

CABINET, Monday, 17th January, 2022

PRESENT: Councillor T Swift MBE (Chair)

Councillors: Scullion, Dacre, Fenton-Glynn, Lynn, Patient and Wilkinson

68 ANNOUNCEMENTS

The Leader, Councillor T Swift MBE advised that the meeting was being held remotely due to the guidance and concerns associated with the Omicron variant. The Leader advised that Cabinet would not make any formal decisions that were not permitted within Schedule 12 of the Local Government Act. Cabinet would consider the reports and indicate its recommendations to the Chief Executive who would under delegated authority, as permitted in the Council's Constitution, undertake those executive decisions. Any recommendation that required Full Council approval would be recommended in the usual way.

The Leader advised that Councillor Wilkinson, Cabinet Member with responsibility for Children and Young People's Service would be taking parental leave for a period of eight weeks commencing 24th January 2022. He confirmed that Councillor Sarah Courtney would be appointed to the position for a period of nine weeks to include a handover period of one week.

69 APOLOGIES FOR ABSENCE

No apologies for absence were received.

(The meeting closed at 20:45).

70 MEMBERS' INTERESTS

Councillor Scullion declared an interest in Item 15 – Letting of Farmhouse, Jerusalem Farm, Luddenden and Masionettes at Crown Street, Hebden Bridge as her husband was the Voluntary Sector Secretary of the Community Land Trust.

Councillor Dacre had previously declared an interest in this matter.

71 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in the stated paragraphs of Part 1 of Schedule 12A of the Act, namely:-

Halifax Leisure Centre Project Delivery - Paragraph 3 – Financial or Business Affairs.

72 MINUTES OF THE MEETING HELD ON 6TH DECEMBER 2021 TO BE AGREED AS A CORRECT RECORD AND SIGNED BY THE CHAIR.

RESOLVED that the Minutes of the meeting of Cabinet held on 6th December 2021, be approved as a correct record and signed by the Chair.

73 QUESTION TIME

The Leader, Councillor T Swift MBE, invited members of the public and Councillors to ask questions of the Leader, Deputy 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 D Wager

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy, responded and advised that a written response would be provided to the question.

- (b) A question was asked by E Stead

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

- (c) A question was asked by N Kelly

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

- (d) A question was asked by M Bradley

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy responded and advised that a written response would be provided to the questions.

- (e) A question was asked by A Rae

Councillor Patient, Cabinet Member with responsibility for Climate Change and Resilience responded and advised that a written response would be provided to the questions.

74 DEVELOPING A STRATEGIC PLAN FOR NORTH HALIFAX

The Leader, Councillor T Swift MBE presented a written report of the Chief Executive that set out a proposition to develop a collaborative approach, with local partners, to the future strategic development of North Halifax. All Calderdale's communities had been impacted by the Covid 19 pandemic, but the impact had not been equal. The Council knew that people's health, wealth, and wellbeing in North Halifax had been particularly negatively impacted by the pandemic. The Council was investing in programmes across Calderdale to deliver an inclusive fair recovery across the Borough, to tailor its approach differently for different neighbourhoods and towns. The Council wanted to use this opportunity to build on the current and planned investment in North Halifax and to reset its relationship with the local community to work together to deliver transformational change and better outcomes for local people.

The report provided proposals to develop a strategic place-based community led integrated plan for North Halifax. Members were asked to consider if they wished to progress the proposition put forward and agree the integration of this into the budget setting process for 2022/23. Taking a more strategic, place-based and community led approach to investment in North Halifax would require additional funds to help build capacity in the teams working on the ground to develop a local community led partnership, to support programmes that invested in local education, employment and skills opportunities and to ensure the future of key local assets.

The proposal was about developing a long-term investment plan with the community, therefore a fully worked out timeline was difficult to set out at this stage. It was the intention to set up a steering group with the local community in early spring 2022, with a view to developing a more detailed timeline at the earliest opportunity with the steering group, once this was established. However, existing planned Council investment as set out in this report would continue as envisaged.

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

Members welcomed the Strategic Plan for North Halifax. It was agreed that it was a simple start that would provide a good opportunity for the area, and to learn and understand the best approach to acquire funding for the residents of North Halifax and the wider Borough. Members thanked Officers and noted the valuable contribution of the Voluntary and Community Sector who worked to get the best outcome for all areas of Calderdale.

Councillor Rivron attended the meeting and addressed Cabinet in support of the Strategic Plan and noted three areas in particular from which lessons could be learned: Threeways, Shroggs Park and Schools.

Councillor Baker attended the meeting and addressed Cabinet and noted his support of the report, though he did explain that more could be done to support Wards that were not covered by a Town Board.

RECOMMENDED that:

(a) a working group be convened to develop a community led place-based approach in North Halifax with local partners, which bring together existing activity, map assets and build on existing relationships to develop a transformational vision for North Halifax and further detail to inform delivery. This would build on the inclusive economy pilot in Park and Warley areas and the approach and priorities for health and wellbeing recovery set out in the new Health and Wellbeing Strategy and would include what has already been heard from local people about their priorities for recovery. Additionally, the working group would inform development of the Council position and 'ask' to West Yorkshire Combined Authority for North Halifax, potentially alongside areas with similar demographics/IMD challenges not currently attracting external funds. Raising the profile and priority of non-SPA areas within the SEF was required at regional level to widen the investment focus and realise potential benefits and expectations;

(b) the Chief Executive be requested to submit costed proposals for the development of the Threeways site as part of this vision and delivery plan for consideration at a future meeting of Cabinet;

(c) it be noted that the revenue growth would enable the inclusive economy team and voluntary and community sector partners in North Halifax to take forward and bring together the proposed community led health and wellbeing recovery programme with other work to support economic regeneration, employment, and skills opportunities to improve outcomes for local people; and

(d) the consideration of the revenue growth option of £80k per annum for 2022/23 and 2023/24 as part of the Budget Process 2022 be agreed.

75 ANNUAL HEALTH & SAFETY REPORT

Councillor Dacre, Cabinet Member with responsibility for Resources presented a written report of the Head of Human Resources and Organisational Development setting out that Health and Safety was a statutory requirement that all Members and Officers in the Council must give a high priority and embed in all decision making. Health and Safety must continue to be a priority for the organisation. The Council had clear statutory health and safety responsibilities that must be maintained. In the last reporting period, the Council saw a significant reduction in employee, public and pupil accidents but the Health and Safety Executive (HSE) reportable accident rate remained the same. This low accident rate remained well below the normal experience and could predominantly be attributed to the impact of the COVID-19 pandemic.

It should be noted that from April 2020 to March 2021, the Health and Safety Team had to notify the enforcing authority of 83 cases of COVID-19 that met their reporting criteria, 17 cases in the corporate estate and 66 across all community schools. This was a requirement of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR 2013) which stated that diagnosed cases to employees, where there was reasonable likelihood (using evidence provided) of a workplace transmission taking place, must be reported to the HSE. Many other employees also tested positive during this period, but their cases did not meet the reporting criteria.

The primary purpose of this report was to inform Cabinet of the Corporate Health and Safety teams work in both supporting the Council's response to the ongoing pandemic and continuing to meet the Council's statutory Health and Safety responsibilities. The Corporate Health and Safety Team continued to work closely with Corporate Assets and Facilities Management (CAFM) on many work streams. In this period, several Health and Safety issues had been identified by the team through our auditing and inspection programme, and these were being progressed by CAFM at this time. All these matters were listed within the report being submitted by the Corporate Lead for CAFM titled "aligning the estate to support delivery of the Council's priorities". The Health and Safety Manager fully supported the essential risks identified within the report and the need to implement further actions.

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

RECOMMENDED that:

- (a) the robust health and safety arrangements in place to manage Health and Safety across the estate be noted; and
- (b) the three amended documents, the Council's Health and Safety Policy (statement and detailed arrangements), the Council's Driving at Work Policy and the New Agile Working Checklist for Employees (including Display Screen Equipment (DSE) and homeworking arrangements) be approved.

76 CULTURAL STRATEGY FOR CALDERDALE

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities presented a written report of the Director, Public Services which provided information on the draft Cultural Strategy. This was a new strategy for the Borough and would enable people to come together, with greater impact to shout about the positive difference that culture makes in their everyday lives. While funding was important and securing investment would be essential to enable its delivery, this was also about finding new ways of working with and alongside our communities, using existing resources and capacity more imaginatively. Whilst there was no legal requirement to have a Cultural Strategy, it provided a clear statement of intent in terms of the role that culture had and would increasingly play in Calderdale being a place where we celebrate our distinctive enterprising and talented communities, welcome their kindness, and support their resilience.

At their meeting on 4th October 2021, Cabinet approved the draft Cultural Strategy and agreed that a further wider public consultation with our communities should be undertaken and the updated draft be brought back for consideration and for recommendation to Council. The Council recognises the value and crucial role that culture would play in the economic recovery of the Borough. Through building back our town centres and revitalising our tourist economy and in ensuring our citizens could live a larger life. It was recognised that the journey of public consultation, shared development and decision-making was as important as the end strategy. This would provide a key building block to stimulate an environment in which the cultural sector could contribute to assisting the council to deliver on their priorities.

The draft strategy provided a clear rationale and framework for the development of culture moving forward. Culture was the lifeblood of a vibrant society, expressed in the many ways we tell our stories, celebrate, remember the past, entertain ourselves and imagine the future. Our creative expression helps define who we are and helps us see the world through the eyes of others. Work was underway as we identify the priorities for Calderdale's 50th anniversary, amplified through a year of culture in 2024. The cultural strategy provided a strategic framework for longer-term development. It would encourage and support inward investment through culture into the borough, by linking the development of culture to our landscape, our heritage, and the needs of the area. It would act as an aide-memoire to local, regional, and national cultural agencies/organisations and individual practitioners/freelancers to stimulate/enable partnership working and greater collaboration. It would support the sector to grow, thrive and increase engagement and participation in cultural activities across all communities.

It provided an update on the work taking place with the West Yorkshire Mayor's office and West Yorkshire Combined Authority through her pledge to support the cultural and creative industries across West Yorkshire. A programme of activities was currently in development where a strong focus was to build capacity and expertise to support businesses and communities across West Yorkshire to make sure that people from diverse backgrounds could participate in and benefit from the creative industries.

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

Councillor Baker attended the meeting and addressed Cabinet in support of Cultural Strategy. He suggested that the focus should be on inclusivity of the culture of all areas of the Borough so that people could share their stories.

***RECOMMENDED AND RESOLVED that:**

(a) the wide public consultation that has taken place to inform the changes to the draft Cultural Strategy to incorporate the many voices of our communities be noted; and

(b) it be recommended to Council to approve the Cultural Strategy for Calderdale.

77 GREEN AND HEALTHY STREETS CORPORATE POLICY

Councillor Patient, Cabinet Member with responsibility for Climate Change and Resilience presented a written report of the Director, Regeneration and Strategy that set out the Green and Healthy Streets Corporate Policy. It was proposed as a new policy for all Calderdale Council projects that impact the street scene. The policy methodology ensured that schemes and interventions were compliant with National Government Policy and the Prime Minister's Gear Change Strategy, aligning with LTN 1/20 and Manual for Streets, ahead of future Active Travel England inspections. The Green and Healthy Streets Corporate Policy was an evidence-based and implementation-focused policy that aimed to ensure the long-term quality of the built environment at the street level to unlock the social, economic, and environmental benefits of an increase in walking, cycling, wheeling, and dwelling in Calderdale's public spaces, including the benefits which would be seen from the incorporation of good green infrastructure.

The Policy was being proposed at this moment in time so that regeneration projects and programmes in development incorporated these principles, and so that the Council had sufficient time to incorporate the principles further across the Borough. This would enable the Council to deliver on its commitment to create stronger towns, reduce inequalities, and act on the climate emergency in time to reach Net Zero by 2038.

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

Members discussed the benefits of the Policy and were supportive of its adoption.

***RESOLVED that the Green and Healthy Streets Corporate Policy be recommended to Council for adoption.**

78 WEST YORKSHIRE-PLUS TRANSPORT FUND (WY+TF) ELLAND RAILWAY STATION - LAND ACQUISITION AND DEPLOYMENT OF COMPULSORY PURCHASE POWERS

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Director, Regeneration and Strategy seeking approval to acquire land by agreement within the area of Elland to facilitate the creation of the proposed Elland Railway station and to approve the commencement of negotiations by Officers in order to purchase plots and rights specified in Appendix A with a total estimated value of up to £100,000 required for the successful implementation of the scheme. Approval was also sought, to utilise Compulsory Purchase Powers under Sections 226 of the Town and Country Planning Act 1990, in respect of the land and rights specified in Appendix A and Appendix B which was required for the delivery of the scheme. The making of a Compulsory Purchase Order required Cabinet approval.

While the project teams would continue to attempt to progress the acquisition of land and surrounding of rights detailed in Appendix A through negotiation, the above scheme required the making of a Compulsory Purchase Order to minimise programme risk and provide an alternative route to the timely completion of the scheme in accordance with the funding proposals for the scheme if negotiations proved unsuccessful. Members were asked to consider whether the economic, social and environmental benefits derived from the Elland Rail Station scheme justified the compulsory land acquisition in the wider public interest. Whilst emphasis would remain focused on negotiated land purchase, authority was sought to use compulsory purchase powers in parallel. Stakeholder engagement was an essential on-going element of the WYTF programme and on-going public engagement was being planned as part of the overall programme

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

RECOMMENDED that:

- (a) the purchase of the land specified in Appendix A of the Director, Regeneration and Strategy's written report through negotiation if possible, as agreed in the Grant agreement between Calderdale Council and The Combined Authority be approved;
- (b) the making of a Compulsory Purchase Order in the form set out in Appendix A and B of the Director, Regeneration and Strategy's written report under section 226 of the Town and Country Planning Act 1990 to enable the compulsory acquisition of the required land specified and any associated interests be approved;
- (c) the publication of the Statement of Reasons in the form set out in Appendix C of the Director, Regeneration and Strategy's written report when notifying parties of the making of the Compulsory Purchase Order be approved; and

(d) the Director, Regeneration and Strategy and the Head of Legal and Democratic Services, in consultation with the Cabinet Member with responsibility for Regeneration and Strategy, be given delegated authority to submit the Compulsory Purchase Order, Maps and Statement of Reasons to the Secretary of State and progress confirmation to deliver the scheme.

79 WEST YORKSHIRE-PLUS TRANSPORT FUND (WY+TF) ELLAND RAILWAY STATION ACCESS PACKAGE - LAND ACQUISITION AND DEPLOYMENT OF COMPULSORY PURCHASE POWERS, SIDE ROADS ORDER AS NECESSARY

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Director, Regeneration and Strategy seeking approval to acquire land by agreement within the area of Elland and West Vale to facilitate the creation and improvements of non-motorised user access and routes to the proposed Elland Railway station. Cabinet was asked to approve the commencement of negotiations by Officers in order to purchase the plots specified in Appendix A of the written report, with a total estimated value of up to £517,000 required for the successful implementation of the scheme. Cabinet was also asked to approve the making of a Side Roads Order, under Section 14 and 125 of the Highways Act 1980, for the implementation of the Elland Access Package. Approval was sought to implement a scheme or scheme(s) as required in order to construct a bridge over and works on navigable waters under section 106 and 110 of the Highways Act 1980 and approval was also sought, if required, to utilise Compulsory Purchase Powers under Sections 239, 240, 250 and 260 of the Highways Act 1980, in accordance with the plans in Appendix A required for the implementation of the schemes.

Members were asked to consider whether the economic, social and environmental benefits derived from Elland Access Package improvements under the WY+TF strategy justified the land acquisitions and associated Side Roads Order, Bridge scheme and works within navigable waters were in the wider public interest. Whilst emphasis focused on negotiated land, purchase authority was sought to use compulsory purchase powers in parallel, along with powers to make a Side Roads Order as necessary and a scheme or schemes in respect of bridges over and works on navigable waters. Stakeholder engagement was an essential on-going element of the WY+TF programme and on-going public engagement was being planned as part of the overall programme.

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

RECOMMENDED that:

(a) the purchase of the land specified in Appendix A of the Director, Regeneration and Strategy's written report be approved, through negotiation if possible;

(b) the making of a Compulsory Purchase Order to enable the compulsory acquisition of the required land specified in Appendix A of the Director, Regeneration and Strategy's written report and any associated interests be approved;

(c) the Director, Regeneration and Strategy and the Head of Legal and Democratic Services, in consultation with the Cabinet Member with responsibility for Regeneration and Strategy be given delegated authority to make any Compulsory Purchase submissions to the Secretary of State which are necessary to deliver the scheme;

(d) the making of a Side Road Orders be approved;

(e) the making of a scheme or schemes in respect of bridges over of navigable waters be approved;

(f) Cabinet serves notice of their intention to carry out works on a navigable watercourse on the grounds the carrying out of the works is necessary or desirable in connection with the construction, improvement of alteration of a highway; and

(g) the temporary underwriting of costs associated with these land purchases, prior to them being reimbursed by West Yorkshire Combined Authority be approved.

80 DISPOSAL OF FORMER SOWERBY BRIDGE YOUTH AND COMMUNITY CENTRE (FOUNDRY STREET) - CONSIDERATION OF WARD MEMBER OBJECTION

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Director, Regeneration and Strategy seeking consideration of a Ward Member objection in respect of the proposed disposal of the former Sowerby Bridge Youth and Community Centre, Foundry Street Sowerby Bridge.

Cabinet gave delegated authority to progress and implement the revised structure for Youth Services on 1 June 2020. Following this decision, Youth Services confirmed that they would no longer be delivering the community element of Open Access Youth provision and that they no longer required the use of the building. There was no other Council operational use for the building, meaning that it was now surplus to the requirements. Following Ward Member consultation on the proposal to dispose of the building, an objection was received from a Ward Member. Council policy required that this objection was considered by Cabinet, who would then determine the way forward.

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

Councillor A Smith attended the meeting and addressed Cabinet. Councillor A Smith shared with Cabinet how strongly the community felt and wanted the centre to remain open. It was explained that a petition been created which had received enormous community support and had gained over 1200 signatures, and asked that Cabinet consider a Community Asset Transfer (CAT) as there were many groups that used the facility and asked Cabinet to consider this when making a decision.

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy confirmed that she had met with community representatives and confirmed that the building had sat outside the other two CAT

programmes that had recently been undertaken. Councillor Scullion advised that following the meeting she had formed the view to give the groups of Sowerby Bridge the time to explore if a CAT was viable. Councillor Scullion proposed that Cabinet to consider Option 2 of the report and to go against Officers recommendations, noting the concerns of Officers if this option was to be agreed.

During discussions Members supported Councillor Scullion's proposal though were mindful that a clear timescale be implemented in line with previous CAT's for Expressions of Interest to be received to reduce time and costs to the Council.

Councillor Wilkinson, Cabinet Member for Children and Young People's Service and Ward Councillor for Sowerby Bridge confirmed that a CAT would be welcomed by the community and that he had agreed to meet with residents to discuss their options should a CAT be agreed.

RECOMMENDED that Option 2 be approved and the Former Sowerby Bridge Youth and Community Centre be offered as a Community Asset Transfer.

81 CORPORATE ESTATE – CAPITAL INVESTMENT REQUIREMENTS

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Director, Regeneration and Strategy seeking consideration of the implications for the estate arising from service priorities/changes, while identifying opportunities; to address health and safety and other essential maintenance issues; to optimise usage; and to reduce the estate's carbon emissions. Through its cross-cutting scope and focus, this report linked to a number of the items included on the agenda for this meeting. This is a key decision, requiring significant financial investment, which was outside Officers' delegated authority. The aim of this report was to ensure that the Council's estate supported the Council to deliver its Vision 2024, to be a distinctive place of enterprise and talent, kindness and resilience; and its three priorities: developing strong and resilient towns; responding to the climate emergency; and reducing inequalities.

This report set out an approach that sought to ensure that use of the organisation's assets directly supported delivery of the Council's priorities, and that any investment requirements were appropriate and targeted.

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

During discussions Members commended the work of Officers for a comprehensive examination of the maintenance requirements of the corporate estate, and which provided a framework for potential future developments from the information contained in the report.

***RECOMMENDED AND RESOLVED that:**

(a) Option 2 detailed in paragraph 7.2 of the Director, Regeneration and Strategy's written report be approved;

(b) it be recommended to Council that £2.6m be added to the Council's capital programme for the essential health and safety works required, to be funded by prudential borrowing;

(c) it be recommended to Council that the additional £169k revenue funding required to service the borrowing be added to the Council's revenue budget from 2022/23 onwards;

(d) the resultant investment programme be monitored through the cross-party Corporate Asset and Facilities Management, Asset Management Board;

(e) the building/strategic reviews referred to in paragraph 5.5 of the Director, Regeneration and Strategy's written report be noted, to be submitted for separate consideration in due course;

(f) separate business cases for the carbon reduction schemes referred to in the Director, Regeneration and Strategy's written report as priority 2 be submitted for approval by Cabinet and Council when available; and

(g) the further works identified as priority 3, 4 and 5 in the Director, Regeneration and Strategy's written report be considered as part of future reviews of the capital programme.

82 PHASE 3 PUBLIC SECTOR DECARBONISATION SCHEME – TODMORDEN SPORTS CENTRE

Councillor Patient, Cabinet Member with responsibility for Climate Change and Resilience presented a written report of the Director, Regeneration and Strategy seeking approval to support a bid to Phase 3 of the Public Sector Decarbonisation Scheme (PSDS) for £1.726m as part of a £2.076m decarbonisation scheme at Todmorden Sports Centre. The report had significant financial implications, which went beyond Officers' delegated authority. Cabinet approval was required prior to spending the grant, should the bid be approved.

An opportunity had arisen that would directly support delivery of the Council's priority of tackling the climate emergency, by reducing carbon emissions from the Council's corporate estate, contributing towards the Council's target to be carbon neutral by 2038. The project would deliver a 70% reduction in carbon emissions for the project site (275 tonnes CO₂e per annum). Overall, the project would reduce carbon emissions associated with the energy use of the Council's estate by 6% per year, facilitating progress towards the Council target of net zero by 2038. Successful applicants would be able to start spending the grant from 1 April 2022, and projects must be completed no later than 31 March 2023. Unlike Phase 1 of the PSDS, it would seem that no extensions would be given in this round.

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

Councillor Fenton-Glynn, Cabinet Member with responsibility for Adult Services was supportive of the report and advised that the Council should discuss and share more often the incredible work that was being undertaken within the Council's estate to

tackle climate change and thanked Officers and Councillor Patient for their leadership and contribution to the work involved.

***RECOMMENDED AND RESOLVED that:**

(a) subject to approval of the bid the replacement of the heating system at Todmorden Sports Centre with a low carbon alternative, as detailed in the Director, Regeneration and Strategy's written report be endorsed;

(b) it be recommended to Council that £2.076m be added to the Council capital programme for 2022/23 for the scheme with £350k of this to be funded by prudential borrowing; and

(c) it be recommended to Council that the additional £23k revenue funding required to service the borrowing be added to the Council's revenue budget from 2022/23 onwards.

83 LETTING OF FARMHOUSE, JERUSALEM FARM, LUDDENDEN AND MAISONNETTES AT CROWN STREET, HEBDEN BRIDGE

Councillor Patient, Cabinet Member with responsibility for Climate Change and Resilience presented a written report of the Director, Regeneration and Strategy seeking consideration of the proposal to let part of the council-owned land at Jerusalem Farm and the maisonettes at Crown Street, Hebden Bridge to a Registered Housing Provider, Calder Valley Community Land Trust (CVCLT), where best consideration was not being obtained, as a wider view of best value was being proposed. This proposal would allow residential properties, that the Council was unable to let for legal reasons, to be brought back into use.

Cabinet approval was required to enable a letting to proceed to a Registered Housing Provider (CVCLT) where the best consideration (price) was not being obtained as a wider view of best value was being proposed. The proposal would assist in addressing the need to provide affordable housing for the people of Calderdale and bring back into use three residential properties. This proposal would help to address the Council's priorities of Strong and Resilient Towns, Reducing Inequalities and Tackling the Climate Emergency by delivering more, better quality and greener homes.

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

RECOMMENDED that the:

(a) letting of the farmhouse at Jerusalem Farm and the maisonettes at Crown Street to Calder Valley Community Land Trust, a registered provider, where best consideration was not being obtained be approved;

(b) terms of the leases to Calder Valley Community Land Trust are drafted so that rights to acquire are not created, to protect the Council's wider property interests of the two sites; and

(c) Director, Regeneration and Strategy and the Head of Legal and Democratic Services in consultation with the Cabinet Member with responsibility for Climate Change and Resilience be given delegated authority to agree the terms of the leases with Calder Valley Community Land Trust.

84 CALCULATION OF THE COUNCIL TAX BASE 2022/23

Councillor Dacre, Cabinet Member for Resources presented a written report of the Head of Finance which sought consideration and approval of the calculation of the Council's Tax Base for the tax year 2022/2023. In order to determine the amount of Council Tax to levy for this financial year, it was necessary for each Local Authority to calculate its Tax Base so that when the Council's Budget is fixed at Budget Council (for Calderdale this is 28th February 2022) the amount to levy on each property band in each area is readily known. In accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, as amended, Members were asked to approve the various Tax Bases which would apply to the Calderdale MBC area for 2022/23 in connection with Council Tax. The calculation of the Council Tax Base is expressed as a product of a £1 Council Tax on a Band D property.

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

RECOMMENDED that:

(a) the calculation of the Council's Tax Base and grants to Parish Councils (as identified in the report) for the year 2022/23 be approved; and

(b) in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as amended, the amount calculated by Calderdale MBC as its Council Tax Base for the year 2022/23 be:

That part of Calderdale for which there is no Parish Council	48,462.15
Blackshaw Parish Council	366.55
Erringden Parish Council	64.18
Hebden Royd Town Council	3,255.83
Heptonstall Parish Council	550.26
Ripponden Parish Council	2,924.10
Stainland & District Town Council	1,520.05
Todmorden Town Council	4,795.27
Wadsworth Parish Council	568.72
The whole of Calderdale	62,507.11

85 LEEDS CITY REGION BUSINESS RATES POOL 2022/23

Councillor Dacre, Cabinet Member for Resources presented a written report of the Head of Finance which advised that since the introduction of the Business Rates Retention system in 2013/14, Calderdale had been a member of the Region's Business Rates Pool and sought consideration of the proposals for 2022/23 along

with the associated governance arrangements. Cabinet's approval was required to ratify the decision to enter the Regional Pool.

Although much reduced due to the Government's recent policy change on pilots, and more recently the impact of the pandemic on business rates more generally, pooling was still expected to result in increased funding for the Region. Risks around safety nets were highlighted within the report, but it was felt that the reward expected from the Pool outweighed the risks to the Council. It was therefore recommended that Members ratify Calderdale's inclusion in the Leeds City Region Business Rates Pool in 2022/23.

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

RECOMMENDED that Calderdale Council's participation in the Leeds City Region Business Rates Pool in 2022/23 be confirmed.

86 GENERAL FUND REVENUE BUDGET FORECAST (MTFS UPDATE)

Councillor Dacre, Cabinet Member with responsibility for Resources presented a written report of the Head of Finance. The report provided, as part of the budget process, a statement updating the Standstill Revenue Budget for 2022/23 as provisionally agreed at Budget Council 2021 and an estimate for 2023/24 to 2024/25 in line with the principles stated in the Medium Term Financial Strategy (MTFS) agreed by Council on 24th November 2021 as updated for recent Government announcements. The report also provided background information to Cabinet's draft budget proposals, addressing issues which impact on final Council Tax decisions for 2022/23 and service and budget planning decisions for 2023/24 to 2024/25.

The budget forecast provided a snapshot of the Council's finances for the next three years based on currently agreed expenditure budgets and expected funding levels. The forecast forms the position from which any subsequent budget amendments requiring policy and other resource changes would be based. It incorporated the impact of the 2022/23 spending review and Provisional Local Government Finance Settlement and showed a revised position of budget deficits of £1.0m, £2.1m and £3.8m in 2022/23 to 2024/25 respectively. It provided the basis from which Members consider recommended amendments before determining the final 2022/23 budget and indicative 2023/24 and 2024/25 budgets on 28th February 2022.

Members were requested to consider and note the forecast revenue budget position for the financial year 2022/23 as set out in the report and the forecast standstill position for 2023/24 to 2024/25 based on previous Council policy decisions. It is recommended that Members agree the revenue budget forecast and maintain the underlying level of unallocated balances at £5 million or above over the period of the MTFS.

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

RECOMMENDED that the:

- (a) revenue budget forecast as part of the budget process be noted; and
- (b) underlying level of unallocated balances above £5m over the period of the MTFS consistent with external audit recommendations be maintained.

87 CAPITAL AND INVESTMENT STRATEGY

Councillor Dacre, Cabinet Member for Resources presented a written report of the Head of Finance which sought the approval of a Capital Strategy, an Investment Strategy (including the Treasury Management Strategy), the Treasury Management Policy, the Council's Minimum Revenue Provision (MRP) Policy and Prudential Indicators for 2022/23, 2023/24 and 2024/25. It was required by part 1 of the Local Government Act 2003, related statutory guidance, Prudential code for Capital Finance in Local Authorities and the CIPFA Code of Practice for Treasury Management in the Public Sector that the Council approves a number of policies and strategies in advance of the next financial year.

The Authority was also required under the Local Authorities (Capital Finance and Accounting) (England) (Amendment) regulations 2008 to prepare an annual statement of their policy on making MRP for submission to full Council. The Council had previously been required to set both a Treasury Management Policy and Minimum Revenue Provision (MRP) Policy along with a suite of prudential indicators prior to the start of the new financial year. Following recent updates of both the Prudential Code for Capital Finance in Local Authorities and the CIPFA Code of Practice for Treasury Management in the Public Sector, councils now needed to produce both a capital strategy and investment strategy reflecting the requirements of these documents as well as the related Statutory Guidance on Local Government Investments. There was no prescribed way in which the disclosures needed to be made in order to satisfy the various publications, but it was felt that reporting them all together would aid understanding of how they complement each other as a whole.

The report sets revised prudential indicators and specifically recommended that an Operational Boundary for external debt of £163m, £157m and £149m and an Authorised Limit for external debt of £171m, £164m and £157m for the financial years 2022/23, 2023/24 and 2024/25 be approved. The report also recommended the approval of the Council's Capital Strategy, Investment Strategy, Treasury Management Policy and Minimum Revenue Provision policy.

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

***RESOLVED that it be recommended to Council that:**

(a) the following strategies and policies be approved:-

- 1. The Capital Strategy (Appendix 1)**
- 2. The Investment Strategy (Appendix 2)**
- 3. The Treasury Management Policy (Appendix 3)**
- 4. The Council's Minimum Revenue Provision Policy (Appendix 4)**
- 5. The Prudential Indicators (Appendix 5)**

and

(b) an Operational Boundary for external debt of £163m, £157m and £149m and an Authorised Limit for external debt of £171m, £164m and £157m for the financial years 2022/23, 2023/24 and 2024/25 respectively be approved.

88 CABINET BUDGET PROPOSALS 2022/23 TO 2024/25 FOR CONSULTATION

The Leader, Councillor T Swift MBE presented the draft Cabinet Budget Proposals for Consultation 2022/23 to 2024/25. The Leader announced that these were difficult times for public services and once again these budget proposals were being brought forward in the context of continuing uncertainty about the impact of the pandemic upon the Council's finances. And once again there were no longer term plans from Central Government about funding for Local Government. This made forward planning difficult. The additional funding for Local Government announced by the Chancellor for 2022/23 was welcomed but would not meet the growing gap between the on-going budget pressures, particularly around caring for vulnerable children and adults, and the actual funding available. This was important because around 70% of the Council's budget was spent on these services. Added to that context was the background of the £120million reduction in the Council's settlement from Central Government since austerity cuts started for Local Government in 2010.

For nearly two years now, the overriding purpose of this Council and this administration had been to do all it could to keep our communities safe in the face of a global pandemic. Our continued priority for next year would be protecting and supporting our residents, our communities and our businesses, working with our partners to protect public health and in particular playing the fullest possible role in supporting our health partners in continuing to roll out the vital vaccination and booster programme and hopefully return to a new form of normality.

With no guarantees about government funding beyond 2022/23 and continuing uncertainty, this meant that Cabinet had focussed on the steps needed to deliver a balanced and robust budget for 2022/23. At the same time to find some small scope for investment into some areas of the Council. The Council were investing in services which were not performing as well as we would want, into maintaining the building and ICT infrastructure required to deliver first class services, to develop new facilities for the people of Calderdale as well as making plans for further investment in tackling inequalities and the challenge of climate change. This was an essential step in positioning the Council to give support to our communities and businesses as it moved further towards recovery from the impact of the pandemic.

The report outlined background information on a robust and balanced budget, supporting social care, targeted help for those who need it, ambitious for the future, climate change, Council Tax increases and to seek the public's View.

Four weeks of consultation on the proposals would begin following the Cabinet meeting.

During discussion Members commented that it was the fourth year in a row that Government had handed down one-year settlements which made it extremely difficult for Councils to plan ahead. Members explained that there were no easy options when preparing the budget proposals and asked that when taking part in the

consultation that people did include alternatives if they commented or disagreed with the information contained within the budget proposals.

RECOMMENDED that the

(a) draft Cabinet Budget Proposals for Consultation 2022/23 to 2024/25 now circulated, be released for consultation; and

(b) responses to the consultation be submitted to Cabinet at a meeting to be held on Monday, 14th February 2022, to enable Cabinet to make recommendations to Budget Council on 28th February 2022.

89 HALIFAX NEW LEISURE CENTRE: PROJECT DELIVERY

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Directors, Regeneration and Strategy and Public Services which providing an update on the progress of the Halifax Leisure Centre project, covering design development and operations management planning phases. The report covered background on decisions made to date and provided options for further delivery of construction elements of the scheme. The report explained how the new Halifax Leisure Centre was compatible with the Council's overall vision and strategies for economic development, the visitor economy and health and wellbeing. Members were asked to consider the advancement of the project to construction phase and allocate required capital funding in line with consultant capital estimates included in the most recent cost plan.

Construction of the proposed Halifax leisure facility was a key decision and the proposed recommendation required Cabinet and Council approval, as there was a requirement to release capital monies to fund the new facility. Cabinet and Council approval was required to release further funding via Prudential Code Borrowing, for the delivery of the Halifax Leisure Centre project to construction phase, based on the RIBA Stage 4 (Technical) design and associated cost plan summarised in the report. A decision was needed now due to the challenging, volatile and inflationary construction market and to ensure leisure facilities are available within Halifax Town Centre.

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

During discussions Members and Elected Members commented on the benefits and disadvantages to each option provided within the report, taking into consideration the turbulent economic environment in relation to costs associated the building and maintenance with large developments.

***RESOLVED** that it be recommended to Council:

(a) that the vision to provide modern combined leisure and sport facilities at the existing North Bridge Leisure Centre site continues to be supported and option 1 set out part (e) to “deliver the New Halifax Leisure Centre in line with the November 2021 cost plan and associated operations management plan” be approved;

(b) that the capital sum detailed in the report be incorporated into the Council's Capital Programme and funded by prudential borrowing up to the maximum figure detailed in the report, to allow for lower than expected levels of grant funding from the Sport England Strategic Facilities Fund;

(c) that the additional sum of revenue funding detailed in the report, required to service the net borrowing (after taking into account additional income) and provide for the contingency detailed in the report, be incorporated into the Council's revenue budget from 2023/24 onwards (£100k in 2022/23);

(d) That required construction works be procured through the UK Leisure Framework described in section 4 of this report.

(e) Subject to approval of option 1, that Council agrees to progress plans for demolition and disposal of the existing Halifax Swimming Pool site.