

CABINET, Monday, 28th March, 2022

PRESENT: Councillor T Swift MBE (Chair)

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

100 APOLOGIES FOR ABSENCE

No apologies for absence were received.

(The meeting closed at 18:55)

101 MEMBERS' INTERESTS

Councillor Wilkinson advised that in relation to Item 8 – Changes to the Post 16 Transport Policy, Unique Ways was an organisation which had placed a submission in relation to that item. Councillor Wilkinson confirmed that he was fundraising on their behalf and confirmed that Unique Ways had sponsored his place in the Great North Run.

102 MINUTES OF THE MEETING HELD ON 14TH FEBRUARY 2022 TO BE AGREED AS A CORRECT RECORD AND SIGNED BY THE CHAIR.

RESOLVED that the Minutes of the meeting held on 14th February 2022 be approved as a correct record and signed by the Chair.

103 QUESTION TIME

Due to the publication of the notice of Election for the Council to be held on the 5th May 2022 there was no Question Time at this Cabinet meeting.

104 PETITION - MAKE WEST VALE AN AIR QUALITY MANAGEMENT AREA (AQMA)

The Leader advised that Members of Place Scrutiny Board considered a petition calling for West Vale to be made an Air Quality Management Area (AQMA) at a meeting on 3rd March 2022. The report considered by the Scrutiny Board which gave details of the petition was attached to the report at Appendix 1 and the draft published minutes of the meeting were attached to the report at Appendix 2. Having heard the petition, Place Scrutiny Board made the following resolution:

(a) the petitioners be thanked for attending the meeting and presenting the petition;

(b) the Assistant Director, Neighbourhoods, be requested to provide the following information to Members of the Board:

- i. why the monitors were switched off for 3 months in 2018;
- ii. why a national reduction factor was applied to data in 2018;
- iii. why the number of air quality monitors had been reduced from 5 to 2; and

(c) it be recommended to Cabinet that West Vale be declared an AQMA.

The Council's Petition Scheme required that validated petitions with more than 500 but fewer than 2000 signatures should be presented to the relevant Scrutiny Board. The petition seeking to make West Vale an AQMA was considered by Place Scrutiny Board on 3rd March 2022. A Ward Councillor, Councillor Cook and a member of the public presented the petition to the Scrutiny Board.

The report asked Cabinet to consider the recommendation of Place Scrutiny Board that West Vale be declared an AQMA.

The Leader, Councillor T Swift MBE invited Councillor Patient, Cabinet Member with responsibility for Climate Change and Resilience to comment on the report.

Councillor Patient advised that this report was the first stage of the procedural process to consider declaring West Vale an AQMA. He advised that a further report would be submitted to the first meeting of Cabinet in the new Municipal Year which would provide information on the questions received at the Place Scrutiny Board and which would enable Cabinet to make a considered judgement on the recommendation.

Councillor Bellenger attended the meeting and addressed Cabinet and explained that the Liberal Democrat Group supported West Vale being declared an AQMA. He advised Cabinet of a number of pollution monitoring systems which could be deployed in West Vale to monitor air quality and suggested using the Purple Air System that collated data and which could be viewed online. He asked Cabinet to consider trialing this system in West Vale.

RESOLVED that:

- (a) the recommendations contained within the report be received; and
- (b) the Director, Public Services be requested to submit a detailed report to Cabinet in the New Municipal year.

105 REVIEW OF WELFARE ASSISTANCE SCHEME

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities presented a written report of the Assistant Director, Customer Services which sought a Review of the Welfare Assistance Scheme. The current Local Welfare Assistance Scheme replaced the old Discretionary Social Fund which was abolished by the Welfare Reform Act 2012. The scheme acts as a safety net for those facing the greatest difficulty in managing their finances. In April 2013 the Welfare Reform Act 2012 abolished the Discretionary Social Fund scheme administered by the Department for Work and Pensions (DWP) and gave local authorities responsibility for designing and administering a local scheme.

Calderdale Council were awarded funding from the Government to develop a Local Welfare Scheme for two years commencing in April 2013. In December 2012 Cabinet approved the recommendation for a local model for Welfare Assistance from April 2013 which would be subject to future review to ensure it continued to target those most in need, operated effectively and in the longer term supported local businesses. On the 6th November 2017 Cabinet agreed to continue the scheme for a further 3-years which was due for review in March 2022. Permanent funding was in

place, but the operation of the current scheme had been reviewed and recommendations made that would provide more flexibility and allow more people to be supported. Calderdale's Anti-Poverty dashboard indicated a worsening financial picture for many households over the period of the Covid-19 pandemic. Many factors were at play and a co-ordinated approach to tackling poverty was needed more than ever.

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

During discussions Members were supportive of the continuation of the scheme given that residents were facing a cost of living crisis. Members welcomed the increased flexibility that had been built into the scheme and that it was vitally important that the Council provide a safety net for those people and families who needed support the most.

Councillor Leigh MBE attended the meeting and addressed Cabinet and confirmed that he supported the recommendations and suggested Cabinet review the monies allocated to this scheme.

RESOLVED that:

(a) the report be endorsed, and the scheme's revised objectives as set out in Section 7 of the Assistant Director, Customer Services' written report be approved;

(b) the Assistant Director, Customer Services, in consultation with the Cabinet Member with responsibility for Public Services and Communities, be given delegated authority for decision making to implement the new scheme;

(c) the Assistant Director, Customer Services be requested to implement the revised scheme from summer 2022 with the current scheme continuing to operate until the new scheme comes into force; and

the Anti-Poverty Steering Group be requested to explore ways of deepening Calderdale's understanding of the range of support on offer to financially vulnerable residents to ensure efficient use of resources and effective signposting/referral routes across the voluntary and statutory sectors.

106 CHANGES TO THE POST 16 TRANSPORT POLICY

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities presented a written report of the Director, Public Services which provided the changes to the Post 16 Transport Policy. A report to Cabinet was considered in March 2020, which outlined several options to enable potential savings to be made to the Transport budget, one being related to the Post 16 Transport Policy Statement. As a result of the referral, Cabinet delegated authority to the Corporate Leadership Team and gave approval to consult on proposed changes to the Post 16 Transport Policy Statement. The consultation was delayed in 2020, due to the pandemic and was deferred for a year. The consultation had now been completed, with just one formal response being received.

A decision on the adoption of this proposed policy change was required as there was a financial implication on both the Local Authority and service users. The Local Authority currently provided transport assistance to eligible learners with Special Educational Needs or Disabilities (SEND) free of charge, although there was no statutory duty to do so. The transport budget had a significant deficit and the introduction of a parental contribution to a non- statutory service would alleviate some of the budget pressures. These contributions would be reflective of other Local Authority's methodology in determining provision for a non-statutory duty to provide transport to Post 16 learners.

The recommendation was to implement the proposed Post 16 Transport Policy Statement from the beginning of the academic year, September 2022. It should be noted that the recommendation was not to withdraw transport provision for eligible learners, but to request a financial contribution towards it, where there was funding available through the 16 – 19 Bursary. The proposed changes would offer a financial contribution to the Council and would not financially impact the most vulnerable learners who claimed the Bursary to which they were entitled. Based on the current forecasted spend for 2021/22 of £144,932 and the potential costs reducing to an estimated £75,980, this proposed policy change would bring about an estimated potential saving of £68,952, with this figure increasing annually.

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

During discussions Members commented that in an ideal world, and if adequate funding had been provided the Council would not have set out to implement a parental contribution. Members noted that Bursaries were available to low income learners and asked that colleagues ensure that colleges and schools were allocating bursaries accordingly. It was also advised that there was a right to appeal if a Bursary application was rejected.

RESOLVED that the proposed changes to the Post 16 Transport Policy Statement to aid the financial pressure on Calderdale's Transport budget be approved.

107 BRIGHOUSE AND TODMORDEN TOWN DEALS INITIATIVES

Councillor Scullion, Deputy Leader, and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Director, Regeneration and Strategy which sought endorsement to formally accept the Brighouse and Todmorden Town Deal grant awards, acting as Accountable Body for the overall programmes. The report also sought approval for the delegation of approval of the business cases for both the Brighouse and Todmorden Town Deals schemes to the Director, Regeneration and Strategy in consultation with the Cabinet Member with responsibility for Regeneration and Strategy and the Head of Finance. Finally, the report sought approval for the subsequent acceptance of scheme level approvals from the Department for Levelling Up, Housing and Communities (DLUHC) to be delegated to the Director, Regeneration and Strategy in consultation with the Cabinet Member with responsibility for Regeneration and Strategy and the Head of Finance. These approvals were expected in Autumn 2022.

The Council was required to formally approve the acceptance of £19.1m grant funding from DLUHC for the Brighouse Town Deal programme and the £17.5m grant funding from DLUHC for the Todmorden Town Deal programme. Given the challenging time periods set by DLUHC for the preparation and approval of all business cases and to avoid the risk of losing the grant awards if these Government deadlines were not met, an approval process that maximised the business case development time available was needed. The Brighouse and Todmorden Town Deal programmes represented a unique opportunity to revitalise these areas for the longer term and support their economic recovery following the Covid-19 pandemic. The level of investment in these areas of the Borough was a clear match with the Council's established priority for Strong and Resilient Towns.

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

During discussions Members supported the recommendation and thanked voluntary members for their fantastic work and support. Members noted that time was needed to ensure robust business cases could be prepared, and also for the implementation of the schemes. Members thanked and paid tribute to all of those involved in the preparation of the Town Deals and specifically noted the proposal of the retention of skill sets and apprenticeships.

RESOLVED that:

(a) the Town Deal grant award of £19.1m for the delivery of the Brighouse Town Deal scheme and the Town Deal grant award of £17.5m for the delivery of the Todmorden Town Deal scheme be accepted; and

(b) the Director, Regeneration and Strategy in consultation with the Cabinet Member with responsibility for Regeneration and Strategy and the Head of Finance be given delegated authority to:

- i) approve the Brighouse and Todmorden Town Deal business cases; and
- ii) approve the delegated acceptance of scheme level approvals from the Department for Levelling Up, Housing and Communities.

108 SITE DISPOSAL FOR LAND KNOWN AS MIXENDEN ROAD, MIXENDEN FOR THE DELIVERY OF NEW AFFORDABLE HOMES FORMING PART OF THE CALDERDALE AND TOGETHER HOUSING INVESTMENT PARTNERSHIP (CTHIP)

Councillor Scullion, Deputy Leader, and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Director, Regeneration and Strategy which sought consideration to the disposal of the two areas of Council-owned land at Mixenden Road, Mixenden shown edged red on the plan at Appendix 1 ("the Red Land") and shown coloured blue on the plan at Appendix 1 ("the Blue Land") of the Director, Regeneration and Strategy's written report, to stimulate the development of new affordable homes in Calderdale. References in the report to "the Council Land" were to the combined Red Land and Blue Land sites.

The Council Land sits next to a Together Housing-owned site and the Council Land and Together Housing site two combined would support a development of 29 homes, with 16 on the Council land. It was intended that the two sites would be developed at the same time. Cabinet approval was required for the disposal of the Council land to Together Housing Group for the provision of housing delivered through the Calderdale and Together Housing Investment Partnership (CTHIP) and where a wider view of best value was being proposed, in line with the agreed CTHIP process. Cabinet was asked to approve the disposal of the Council land after consideration of the objections received to the open space notices.

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

RESOLVED that:

(a) Cabinet was satisfied that it was appropriate to do so having considered objections to the Public Open Space Notice as set out in Part 9 of the Director, Regeneration and Strategy's written report and the disposal of the Council Land at less than best value to Together Housing Group and where a wider view of best value was being proposed, for the development of new affordable housing under Calderdale and Together Housing Investment Partnership be approved; and

(b) the Director, Regeneration and Strategy, in consultation with the Head of Legal and Democratic Services be given delegated authority to negotiate the land disposal outlined in section 5, option 3 of the Director, Regeneration and Strategy's written report.

109 WEST YORKSHIRE BUS ENHANCED PARTNERSHIP

Councillor Scullion, Deputy Leader, and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Director, Regeneration and Strategy which sought approval for Calderdale Council to formally participate in the West Yorkshire Bus Enhanced Partnership. In March 2021 the Department for Transport published Bus Back Better, the National Bus Strategy for England. This set out that for Local Transport Authorities to access bus funding from April 2022 there was a requirement to produce a Bus Service Improvement Plan (BSIP) by the end of October 2021 and to be in an Enhanced Partnership or actively pursuing bus franchising by the end of March 2022.

The West Yorkshire Bus Service Improvement Plan (BSIP) was submitted to Government in October 2021. It outlined short, medium, and long-term plans to transform local bus services for the people who live and work in and visit our region. The West Yorkshire Combined Authority (WYCA) was now working with the five West Yorkshire Districts and local bus operators to establish an Enhanced Partnership. This was the mechanism for the delivery of the early stages of the BSIP. It provided details on the shared plan to improve bus services and provision in West Yorkshire and built on the ideas and interventions set out in the BSIP in much more granular detail. The Enhanced Partnership was a statutory partnership between the WYCA, as Local Transport Authority, the five West Yorkshire Districts and all operators running bus services in the region and needed to be approved by all these parties to come into operation.

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

During discussions Members supported the recommendations contained within the report and noted that it was a positive step forward, along with Devolution and the support of the West Yorkshire Mayor to provide a robust bus service for the people of Calderdale and West Yorkshire. Members explained that the bus service was extremely important for the people of Calderdale and noted that a petition was recently presented to Place Scrutiny board for the services within rural areas. It was explained that although the report was focused on the strategic elements of the partnership, it was a step in the right direction of providing a service that was reliable.

RESOLVED that:

(a) Calderdale Council's formal participation in the West Yorkshire Bus Enhanced Partnership be approved; and

(b) the Director, Regeneration and Strategy in consultation with the Cabinet Member with responsibility for Regeneration and Strategy be given delegated authority for the submission of appropriate capital schemes into the Bus Service Improvement Plan, and subsequently into the Enhanced Partnership.

110 ISCAL: PROGRESS AND OPTIONS REPORT

Councillor Scullion, Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Directors, Regeneration and Strategy and Adult Services and Wellbeing provided an update on progress to date regarding activity at ISCAL and development planning. The report set out a proposal for consideration regarding the next stages of business planning to put ISCAL on a sustainable footing that ensured it delivered effective services for people with Learning Disabilities and other employability support needs. A decision was required following consultation with Cabinet Members regarding approval to progress with a forward-looking business plan for ISCAL.

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

During discussions Members welcomed and supported the recommendations and thanked Officers for their work in preparing the exemplary report. Members advised that ISCAL provided vital support to those who worked within the service to allow them to work towards independence and gain further employment and had in some cases had taken away the need for more complex interventions. Members felt that the report was visionary in how it looked to integrate different areas of the Council to work together, to modernise the offer to try and embed the service in the local community and economy, and to build relationships with individuals and companies using the service.

RESOLVED that the:

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(a) progression of a period of business planning for ISCAL for it to develop a sustained and sustainable plan for its future delivery be approved; and

(b) Directors, Regeneration and Strategy and Adult Services and Wellbeing be requested to submit an update on the outcomes of the business planning for Cabinet's consideration in Summer 2022 to make a final decision on the future of the service