

**PRESENT:**

Councillors: Scullion, Courtney, Dacre, Lynn and Patient

**42 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Swift MBE, Fenton-Glynn and Wilkinson.

*(The meeting closed at 19.56.)*

**43 ADMISSION OF THE PUBLIC**

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

Item 13 – Social Care Case Management Systems Transformation - Paragraph 3 – Financial or Business Affairs

**44 MINUTES OF THE MEETING HELD ON 26TH SEPTEMBER 2022 TO BE AGREED AS A CORRECT RECORD AND SIGNED BY THE CHAIR.**

**RESOLVED** that the Minutes of the meeting held on 26<sup>th</sup> September 2022 be approved as a correct record and signed by the Chair.

**45 QUESTION TIME**

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

- (a) A question was asked by M Powell which raised a number of concerns regarding the Council's transparency in relation to the Calder Valley Skip Hire Environmental Permit appeal.

Councillor Dacre, Cabinet Member with responsibility for Resources, responded and apologised on behalf of herself, Cabinet and Council that this matter was not dealt with in the correct way, and in accordance with the high standards Calderdale Council held itself to. She advised that Council and Cabinet should have kept the public informed and told the public about the appeal, and that Council made a mistake in believing the notification was a matter for the inspectorate. She advised that consultation did not take place as it was not required or allowed for, that the Air Quality Consultant report was taken into consideration and provided to all sides, and that notice was served as soon as the procedural defects had been realised, and the Inspector would consider submissions from objectors within the time allowed.

- (b) A question was asked by D Farrar.

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

- (c) A question was asked by L Ashton.

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.

- (d) A question was asked by L Maslen.

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

- (e) A question was asked by G Maslen.

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

- (f) A question was asked by E Greenwood.

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

- (g) A question was asked by Councillor Dickenson.

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

- (h) A question was asked by Councillor Hey which concerned the development of an incinerator in Sowerby Bridge.

Councillor Dacre, Cabinet Member with responsibility for Resources, responded and advised that at this stage the appeal was a matter for the Planning Inspector.

- (i) A question was asked by Councillor Leigh MBE which concerned the proper processes for press releases and other communications.

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy, responded and advised that there were proper processes in place for the signing off of press releases.

Councillor Courtney, Cabinet Member with responsibility for Towns, Engagement and Public Health, presented a written report of the Director, Public Health that provided information on the Implementation of the National Drug Strategy within Calderdale. The report highlighted that drug use was preventing too many people in Calderdale from living that larger life; and that trauma, mental health problems, drug use and disadvantage combined to lead to further ill health, premature death, housing insecurity and offending, in an already vulnerable population.

The Independent Review of Drugs and subsequent From Harm to Hope National Drug Strategy placed responsibilities on local authorities and partners to work together to tackle drug related harm, improve drug treatment and improve outcomes for drug users; supported by ring fenced investment for drug treatment.

The report summarised the plans in place locally to improve outcomes and treatment and identified considerations for the Council and partners in meeting our responsibilities, and outlined background information, options considered, consultations, and financial, environmental, health, economic, equality, and diversity implications.

During discussions, Members commented on work by the Drug Action Teams which had previously been a service of Calderdale Council. Members commented that it was good to see strategic drug partnerships working at local authority level, and not at West Yorkshire level, as the 5 authorities had different issues around drug related matters. Members commented that this work being overseen by the Health and Wellbeing Board, removing the view of drug use as a criminal issue rather than a health issue. Members commented that the Strategy would reduce demands on the NHS, the local police force, and emergency services, and would benefit families and local businesses which were impacted by drug use.

**RESOLVED that:**

- (a) the receipt of Supplemental Substance misuse treatment and recovery grant funding of £800,000 over 2 years to invest in drug treatment, with the potential to bid for further grant investment of up to £700,000 in 2024-25, be approved;
- (b) the establishment of a new multi-agency Calderdale Strategic Drugs Partnership, reporting to Calderdale Health and Wellbeing Board to provide governance of local programmes of work to reduce drug related harm in Calderdale;
- (c) delegated authority be given to the Director, Public Health in consultation with the Cabinet Member with responsibility for Engagement, Towns and Public Health and the new Calderdale Strategic Drugs Partnership to approve the investment of additional grant funding; and
- (d) it be noted that the Senior Responsible Officer for the local implementation of the National Drug Strategy will be the Director, Public Health.

**47 CALDERDALE COUNCIL AIR QUALITY STRATEGY**

Councillor Patient, Cabinet Member with responsibility for Climate Change and Resilience, presented a written report of the Director, Public Health that sought

consideration to recommend to Full Council the adoption of the Calderdale Council Air Quality Strategy. The purpose of the Air Quality Strategy, contained at Appendix 1 of the report was to set out, at a strategic level, Calderdale Council's aspirations for air quality and the actions that needed to be taken to ensure clean air for all in Calderdale.

Air pollution had a significant effect on public health, and poor air quality was the largest environmental risk to public health in the UK. Long-term exposure to air pollution reduced life expectancy, mainly due to cardiovascular and respiratory diseases and lung cancer. Short-term exposure could cause a range of health impacts, including effects on lung function, exacerbation of asthma, increases in respiratory and cardiovascular hospital admissions and death.

The draft strategy described why air quality was so important in Calderdale and set out the Council's air quality goals and the strategic actions the Council would take, and what partners and communities could do to contribute to air quality.

The report outlined background information, options considered, consultations, and financial, environmental, health, economic, equality, and diversity implications.

Councillor Patient advised that there were factors which were outside of the Council's control, such as residents' car usage and what they chose to do at home. He further advised that the Strategy would be implemented in 2 ways by a separate strategic group and operational group.

During discussions, Members commented on the useful information contained in the report on what communities and partner organisations could do to improve air quality, and on the importance of influencing public transport providers, as residents were turning towards car use due to unreliability of public transport.

Councillor Leigh MBE attended the meeting and addressed Cabinet. He asked how Cabinet rationalised ambitions to clean air alongside plans in the Lower Valley for 12-15 thousand new houses, which could equate to up to 20 thousand more vehicles. He further asked Councillor Patient to clarify whether Calderdale Council had the ability to declare Air Quality Management Areas (AQMAs). In response, Councillor Patient advised that Calderdale Council had the same responsibilities regarding AQMAs, however the Strategy allowed for other measures to be implemented to tackle air quality. He further advised that there were assumptions in terms of car use and impact, the aspiration was to negate those assumptions.

Councillor Hutchinson attended the meeting and addressed Cabinet. He spoke about the effects of particulate matter on health, the use of wood burning stoves and their impact in the UK. He commented that the Strategy lacked ambition on tackling the use and standards of wood burning stoves. In response, Councillor Patient added that wood burning was likely to increase as residents tried to combat the rising costs of fuel. He advised that the Strategy was a working document to be built from, and any perceived lack of ambition could be added.

Councillor Smith attended the meeting and addressed Cabinet. She advised that the introduction of the incinerator would increase levels of 2.5 particulates and asked why they were not being monitored. She asked whether the impacts from the Corridor Improvement Plan were being monitored, and commented on the particulates from

electric vehicles, which were not pollution free. She also asked how the Council could remedy the mistrust in Sowerby Bridge around air quality management. Community groups were committed to having clean air and the Council needed to resolve issues and regain community engagement. In response, Councillor Patient advised that various decisions were still being made in the 1<sup>st</sup> stage of the Corridor Improvement Plan. He advised that Council were aware of the issues with electric vehicles, and that the Strategy could be reviewed to consider monitoring 2.5 particulates. He commented that community engagement was the 2<sup>nd</sup> pillar in improving air quality and welcomed discussions around working ideas into the Strategy.

Councillor Hey attended the meeting and addressed Cabinet. He commented on air quality monitors in East Calderdale which were recording high levels and was concerned that planned building as part of the Local Plan could make the situation worse. He commented that the Strategy had a lack of additional resourcing. In response, Councillor Patient advised that the aim was to go beyond AQMAs and look at other methods to manage exceedances. He advised that involving extra staff was not the only answer to resourcing, it was important to involve communities and partner organisations; air quality could not be solved by the Council alone.

**\*RESOLVED** that:

**(a) it be recommended to Council that the Calderdale Council Air Quality Strategy be adopted; and**

**(b) the governance arrangements in place for the ongoing development and delivery of Calderdale Council Air Quality Strategy, contained on the final page of the draft Calderdale Council Air Quality Strategy, be noted.**

#### **48 CALDERDALE CAR PARKING STRATEGY**

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy, presented a written report of the Director, Regeneration and Strategy that provided information on a proposed Calderdale Car Parking Strategy, which would allow more detailed parking policies to be introduced across Calderdale. This would fully support and contribute to the Council's three overarching organisational priorities: tackling the climate emergency, reducing inequalities and strong and resilient towns. The Calderdale Car Parking Strategy fully aligned with its sister document, the Calderdale Council Air Quality Strategy, and with other emergent West Yorkshire Combined Authority strategy documents.

The report identified that an effective parking strategy needed to account for:

- Hierarchy (the type of parking being prioritised at each location)
- Pricing
- Length of stay
- Customer experience
- Minimising traffic in the town centre
- Levels of enforcement
- Opportunities for electric vehicle charging
- Other land use options at that location.

The report outlined background information, options considered, consultations, and financial, environmental, health, economic, equality, and diversity implications.

Councillor Scullion highlighted the hierarchy of road users and understanding of the ways different groups of people used car parks. She advised that the Strategy attempted to reimagine the balance of long term parking needs with short term, and to encourage use of public transport while ensuring residents still had the ability to choose to use their car.

During discussions, Members commented that, as parking was a contentious issue, it was crucial to have a high level strategy to justify and explain the making of Council decisions. Members commented that it was important to offer choice, whilst trying to provide a better public transport offer.

Councillor Thompson attended the meeting and addressed Cabinet. He commented on the impact on residential areas in areas with high parking demand. He commented on the risk factor for hospitality staff due to night-time car park closures. In response, Councillor Scullion advised that displacement was a real issue, and the impact of the Strategy would be considered at the next review.

Councillor Leigh MBE attended the meeting and addressed Cabinet. He asked whether Ward Councillors would be involved in the decisions, which required local knowledge. In response, Councillor Scullion advised that many stakeholders, including town councils and businesses, would have a part to play in the review.

Councillor Smith asked about the modelling for projecting residential parking. She advised that car ownership was increasing and residential parking, including pavement parking, was a growing concern. In response, Councillor Scullion advised that an item on pavement parking would be seen at a future meeting of Cabinet following a central government exercise in local authorities' responsibility for pavement parking. Councillor Patient advised that car ownership was a complex issue, cohorts were turning to cars due to reliability of public transport but there were also cohorts rejecting car use due to the rising cost of fuel.

Councillor Hutchinson attended the meeting and addressed Cabinet. He advised that he welcomed the proposed investment in enforcement necessary to achieve goals, but the equivalent incentives were lacking. Parking availability and cost needed to be balanced with frequent, fast, and reliable public transport as well as encouraging walking and cycling. In response, Councillor Scullion advised that there had to be a decent bus service to see modal shift. She advised that the Strategy was setting the fundamental principles, that operation was dependent on things such as national government, neighbours in West Yorkshire and the financial context.

**RESOLVED** that the seven principles of the proposed Calderdale Car Parking Strategy be adopted:

- (a) Parking provision and pricing should meet the needs of all users.
- (b) Parking provision and pricing would support the growth of sustainable transport modes.
- (c) Parking provision and pricing would not hinder access to employment, public services, retail, and leisure destinations.
- (d) Parking provision would not hinder regeneration.

- (e) Parking provision and pricing would ensure that Calderdale remained competitive.
- (f) Where there were competing demands for road space, on-street parking would not be prioritised over the needs of public transport or active travel modes.
- (g) Parking enforcement would be used proactively to further the ends of the strategy.

**49 COMMUNITY MANAGEMENT OF ASSETS: FOUNDRY STREET YOUTH & COMMUNITY CENTRE SOWERBY BRIDGE**

Councillor Dacre, Cabinet Member with responsibility for Resources, presented a written report of the Director, Regeneration and Strategy which provided an update on the offer Foundry Street Youth and Community Centre. At its meeting on 17<sup>th</sup> January 2022, Cabinet approved to offer Foundry Street Youth and Community Centre as a Community Asset Transfer (CAT). The report provided details of an Expression of Interest (Eol) received from a community group (the group).

The report asked Cabinet to consider the options and recommendation and determine whether the group's proposal should progress to development of full business case. The proposal from the group required Cabinet approval, as stipulated by policy and procedure. Calderdale Council was under a legal obligation contained within S123 of the Local Government Act 1972 to obtain best consideration when disposing of land and property assets. Furthermore, the Council's Corporate Property Policy and Strategy required that land and property assets should normally be sold or leased at full market value. Cabinet must approve exercising the provisions contained within the General Consents Disposal Order 2003, to facilitate transfer of the land at less than best consideration.

The report outlined background information, options considered, consultation, and financial, legal, environmental, health, economic, equality, and diversity implications.

During discussions, Members were appreciative of the well-organised, written, and researched Eol.

Councillor Smith attended the meeting and addressed Cabinet. She thanked the group, and Officers for their support, and commented that this was excellent work and a strong community effort.

**RESOLVED** that:

- (a) it be approved that Officers work with the community group to progress their Expression of Interest to Full Business Case within 6 months; and
- (b) delegated authority be given to the Director of Regeneration and Strategy, in consultation with the Cabinet Member for Resources and the Head of Legal and Democratic Services, to determine whether the Full Business Case represented a sound proposal on which the Council could complete a Community Asset Transfer.

**50 MEDIUM TERM FINANCIAL STRATEGY 2023/24 TO 2025/26**

Councillor Dacre, Cabinet Member with responsibility for Resources, presented a written report of the Head of Finance that provided a review and update of the

Medium Term Financial Strategy (MTFS) considering the latest information and taking account of the implications of inflationary and other major risks. The report provided information of issues identified relevant to the update of the MTFS, highlighted the key risks and challenges and presented the proposed approach to the budget process and forecast savings targets for 2023/24.

The Council had developed the MTFS as the cornerstone of the budget process and it had been instrumental in guiding it. The MTFS was a key element within the Council's overall strategic planning framework and a key component of forecasting the resources which might be available to deliver the Calderdale Vision for 2024. The MTFS took a three-year perspective and set a framework to allow Members to make budget decisions within the best estimates of available capital and revenue resources.

The level of uncertainty around the Council's medium-term financial planning had been exacerbated this year by the effects of the cost-of-living crisis and the lack of longer-term Government funding allocations. This uncertainty made it even more important that the Council implemented its existing financial recovery plan, developed the Future Council approach, and started its budget process to create a sustainable financial position over the next three years. The MTFS was a key element of the framework required to allow this to happen.

The report outlined background information, options considered, consultation, and financial, environmental, health, economic, equality and diversity implications.

During discussions, Members commented that they would do their level best to protect services and the wellbeing of Council staff and try to make resources stretch. Members commented that residents would be more in need this winter than ever before and hoped that there were people in central government standing up against the financial strategy to cut funding for local government.

Councillor Leigh MBE attended the meeting and addressed Cabinet. He asked for a formalised 3<sup>rd</sup> quarter review. In response, Councillor Scullion advised that the MTFS was a snapshot of this moment in time, and updates would be shared across groups.

Councillor Thompson attended the meeting and addressed Cabinet. He advised that rising energy costs and the cost-of-living crisis impacted massively on local businesses. He asked about the potential to review business rates to get businesses through the crisis. In response, Councillor Dacre advised that assistance needed to come from central government, as it had during Covid-19, otherwise the businesses which were helped then would fail now. She advised that businesses in difficulties should speak to the Council to see what help could be given.

**\*RESOLVED** that:

**(a) it be recommended to Council that the Medium Term Financial Strategy be approved;**

**(b) the draft budget proposals be brought forward by Cabinet for consultation, in accordance with the approach outlined in the report; and**



(c) the risks contained within the forecast, as highlighted in the Medium Term Financial Strategy and covering report, be noted by Members when finalising their budget plans.

## **51 WEST YORKSHIRE JOINT SERVICES - GOVERNANCE CHANGES**

Councillor Dacre, Cabinet Member with responsibility for Resources, presented a written report of the Head of Legal and Democratic Services. The report sought approval for governance changes at West Yorkshire Joint Services (WYJS) and for changes to the underpinning legal agreement. In recent years the non-statutory activity of Joint Services had contracted. The WYJS Committee had recommended a slimmed down model of governance which would still deliver the statutory functions of the 5 councils whilst minimising bureaucracy and increasing accountability and visibility of the service to and in each council.

WYJS was established in 1986 as a shared service between the five West Yorkshire Metropolitan District Councils. It delivered certain important statutory functions on behalf of this Council such as food safety and tackling the sale of age restricted products such as alcohol and tobacco along with doorstep crime and financial exploitation. A well-functioning WYJS benefit and protected residents in Calderdale and across the West Yorkshire region.

The report outlined background information, options considered, and legal implications.

**RESOLVED** that:

(a) the discussions at the Joint Services Committee and its recommendation for a slimmed down governance model be noted; and

(b) delegated authority be given to the Head of Legal and Democratic Services to sign the revised agreement.

## **52 SOCIAL CARE CASE MANAGEMENT SYSTEMS TRANSFORMATION**

Councillor Dacre, Cabinet Member with responsibility for Resources, presented a written report of the Directors, Adult Services and Wellbeing and Children and Young People's Services that presented the rationale for systems replacement.

The Adult Services and Wellbeing and the Children and Young People's Service social care client case management systems (case systems) were critical to the administration, supervision, and governance of individuals' social care journeys. They provided the mechanism to record all relevant data about individuals, their interaction with the Council, and the recording of information for statutory reporting, monitoring, and financial management functions. The current in-house case systems were no longer fit for purpose and required complete redevelopment or replacement.

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

**Monday, 10th October, 2022**

Councillor Courtney, Cabinet Member with responsibility for Towns, Engagement and Public Health, advised that the recording system was in danger of becoming a weak point in services and it was not acceptable.

Councillor Leigh MBE attended the meeting and addressed Cabinet. He commented on forward assumptions for similar situations and predicting the life of software.

**\*RESOLVED** that:

(a) the procurement of externally hosted case management, financial and portal systems and a permanent support team as detailed in paragraph 5.7 of the report, at a cost range as detailed in paragraph 6.3, and incorporation of the revenue funding detailed in paragraph 6.9 of the report to allow for the upper quartile cost be approved;

**(b) it be recommended to Council that the amount detailed in paragraph 6.10 of the report be incorporated into the Council's Capital programme to allow the scheme to be implemented and funded by prudential borrowing up to a maximum of the same amount;**

(c) the revenue funding required to deliver the scheme detailed in paragraph 6.9 of the report be considered as part of the Budget Process 2023/24; and

(d) delegated authority be given to the Director, Adult Services and Wellbeing and the Director, Children and Young People's Service, in consultation with the Head of Legal and Democratic Services, the Head of Finance, the Cabinet Member with responsibility for Adult Services and Wellbeing and the Cabinet Member with responsibility for Children and Young People's Service, to approve the contract award.