

CABINET, Monday, 12th December, 2022

PRESENT: Councillor T Swift MBE (Chair)

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

66 ACKNOWLEDGEMENT

The Leader, Councillor T Swift MBE thanked fellow Cabinet Members who had covered and carried the workload in his absence, in particular Councillor Scullion who had acted as Leader.

67 APOLOGIES FOR ABSENCE

No apologies for absence were received.

(The meeting closed at 19:14).

68 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 involved the likely disclosure of exempt information as defined in the stated paragraphs of Part 1 of Schedule 12A of the Act, namely:-

Local Development Company – Future Direction – Paragraph 3 – Financial or Business Affairs

69 MINUTES OF THE MEETING HELD ON 14TH NOVEMBER 2022

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

70 QUESTION TIME

The Leader, Councillor T Swift MBE, 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 Anne-Marie Miles

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

(b) A question was asked by Ed Greenwood regarding Rule 12 of the Constitution where it did not state a mandated timescale for a response to a public question. Mr Greenwood felt that the lack of timescale was undemocratic and asked if the Cabinet Member with responsibility for Resources would discuss this with the Head of Democratic and Legal Services to close the loophole?

Councillor Dacre, Cabinet Member with responsibility for Resources, responded and advised that following a discussion with the Head of Legal and Democratic Services, Rule 12 of the Constitution related to questions asked at Council, not Cabinet. It was explained however that questions received at Cabinet were, by convention, dealt with in the same way as those from Elected Members and would continue do so. It was not felt there was a democratic shortfall, and Councillor Dacre thanked Mr Greenwood for his question. A written response would not be provided.

- (c) A question was asked by Councillor Prashad.

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.

71 TO RECEIVE REPORTS FROM SCRUTINY BOARDS

Councillor Dickenson, as Chair of Place Scrutiny Board, presented a written report of the Senior Scrutiny Officer on behalf of the Place Scrutiny Board following the decision of Cabinet concerning Centre at Threeways on 14 November 2022 in relation to Minute Number 63 that was “called in” by five Members of Council and considered by the Place Scrutiny Board on the 1st December 2022 where they agreed that:

- (a) in accordance with the provisions of paragraph 21(f) of the Overview and Scrutiny Procedure Rules the decision taken at Cabinet on 14th November 2022 in relation to Minute Number 63 be referred back to Cabinet; and
- (b) the Scrutiny Support Officer be requested to compile a summary of the key concerns and issues raised for consideration by Cabinet.

The Place Scrutiny Board recommended that Cabinet reconsider their decision about Centre at Threeways, considering the views expressed by Members of Place Scrutiny Board. Cabinet was asked to take account of the comments made by Place Scrutiny Board that were set out in paragraph 4 of the report.

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

Councillor Dickenson, Chair of Place Scrutiny Board attended the meeting and addressed Cabinet. Councillor Dickenson summarised the key recommendations within the report detailed at Item 4.5.1 to 4.5.6 and emphasised the importance of clear communication and engagement with tenants and the community. Councillor Dickenson explained that members of the Place Scrutiny Board were concerned about there not being a clear plan in place for the site should the demolition go ahead, and what would be done to support the tenants to find suitable accommodation in the local community. Members were also concerned that the residents of North Halifax would have access to the services and facilities provided on the site within the local community should the demolition be approved. Councillor

Dickenson urged Cabinet to consider the recommendations within the report when making their decision.

Councillor Cairney attended the meeting and addressed Cabinet. Councillor Cairney explained that Councillor Rivron was not able to attend the meeting in person, though asked that Cabinet give serious consideration to the issues raised at the scrutiny meeting. Health and Safety issues on the site were a particular concern and she suggested that if the site did need to be demolished for those reasons it should have been closed sooner rather than later. It was suggested that clear communication and consultation be in place with tenants and the community, and to have a clear plan in place to embed mixed development.

Councillor Cairney asked if the site was to be demolished what would be the future plan for the site? Councillor Cairney explained that at the Call-in meeting he had asked Officers if the site could be included within the North Halifax Strategy, funded by the UK Shared Prosperity Fund (UKSPF), which he was advised that this was not the case. He suggested that if there was not a definite plan for the site after demolition then there needed to be a clear route to a plan for the site in the future. Councillor Cairney explained that Threeways was vitally important for the community of Ovenden and North Halifax and support needed to be provided to enable tenants and the community to continue to have access to facilities and services provided at Threeways.

Councillor Dacre, Cabinet Member with responsibility for Resources thanked Councillor Dickenson for chairing a lengthy and fair meeting, and also to the Ward Councillors and the staff who work at Threeways for contributing to the meeting. Councillor Dacre commended Officers who spoke movingly about the resilience and enterprise of the residents of North Halifax, who had convinced her that with the help of the Local Authority and partners in North Halifax, they would be able to build something better for the future.

Councillor Dacre advised that the Cabinet Members in attendance at the Call-in listened intently to the recommendations made within the meeting and presented them to Officers before receiving a formal report. Cabinet revisited and considered their original decision and had challenged Officers to see if there was an alternative course of action which could be taken. Councillor Dacre confirmed that due to the urgent safety issues at Threeways and upon the advice of Officers, Cabinet felt they could not alter their original decision.

Councillor Dacre explained the decision was to give permission to demolish the site and that preliminary investigations and surveys would need to be taken before work could start, which could take months. This would give time for the Authority to work with tenants to relocate to other sites. It would also give time to consider issues and the practicability of relocating those services that could remain on site in temporary accommodation.

Councillor Dacre noted that this time would also enable the Authority to progress with the consultation and confirmed that the UKSPF was able to incorporate Threeways into the consultation process. Councillor Dacre reassured Councillor Cairney that Cabinet would do everything it could to bring forward plans for the site which would ensure the benefits referenced by the Place Scrutiny Board could be provided from the site for the people of North Halifax for many years.

Councillor Courtney, Cabinet Member with responsibility for Towns, Engagement and Health advised that the future plan was to engage with the local community to understand their views about what was needed within the communities of North and Central Halifax and Warley Ward, and the strengths of those areas. The UKSPF would use money to build up resources in those areas, and through the consultation process work with residents and businesses in the area. There was a programme of engagement which would continue to run and inform plans to improve areas of opportunity.

During discussions Members thanked the Place Scrutiny Board, Officers and staff who worked at Threeways for their contribution in the Call-in meeting.

RESOLVED that:

- (a) the recommendations contained within the Centre at Threeways Report be received and noted, and that the Place Scrutiny Board be thanked for their work;
- (b) Cabinet reaffirmed their original decision detailed within the Minutes of the meeting of Cabinet held on the 14th November 2022, Minute No. 63;
- (c) Cabinet reaffirmed the intention for Officers to work closely with existing tenants over their requirements for alternative and suitable accommodation, that may include temporary accommodation ; and
- (d) The ongoing engagement planned in terms of the UK Shared Prosperity Fund and the Council's North Halifax Strategy, and the future of the Centre at Threeways should form part of the engagement.

(This was considered as a late urgent item).

72 ANTI-POVERTY ACTION PLAN AND ANNUAL REPORT 2022

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities presented a written report of the Assistant Director, Customer Services on the Anti-Poverty Action Plan and Annual Report 2022. The 2022 annual report had been prepared providing an update on the work that had been undertaken across the Borough by the Council and its partners in the key areas of activity. The report presented statistical data on key issues and vulnerable groups and five case studies.

The delivery of agreed actions was key to achieving our Vision 2024 and priority of reducing inequalities and the causes of deprivation. The first Anti-Poverty Action Plan was agreed by Cabinet in December 2018. Since then the Anti-Poverty Steering Group had continued to focus on the key themes of Prevention, Intervention and Resilience. The action plan represented a partnership response to poverty and a wide range of partner organisations were involved in its delivery. The plan had been updated to reflect the national cost of living crisis, which continued to worsen. Members were asked to note the report and agree that the work of the Anti-Poverty Partnership continue for a further 12 months.

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

RESOLVED that the:

- (a) work of the Anti-Poverty Steering Group continue for a further 12 months; and
- (b) Assistant Director, Customer Services be requested to review and update the relevant sections of the action plan regularly over the next 12 months to ensure that resources were focused where they would have greatest impact.

73 THE FUTURE OF CALDERDALE PARKS' TENNIS PROVISION

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities presented a written report of the Assistant Director, Customer Services providing the current position in terms of tennis provision across the Council's Parks and Green Spaces and provided details of the Lawn Tennis Association's (LTA) Capital Parks Funding proposal for Calderdale, including operating models for future management/maintenance of courts.

In October 2021, the LTA announced that over £30 million was to be invested into public park tennis courts across Britain to bring back to life poor or unplayable courts for the benefit of their local communities. Park tennis court facilities were owned by local authorities and were vital community assets that could help widen the impact of the physical and mental health benefits that being active through tennis could bring. There were currently 1.7 million adults and many more children who played tennis in a local park every year with park courts being particularly important in providing affordable, engaging and accessible opportunities for all sections of the community.

Cabinet was required to propose a way forward for sustainable tennis provision across Calderdale in the future, to determine a future operating model which would ensure investment in our tennis courts in the future and whether the funding from LTA be accepted.

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

Councillor Hey attended the meeting and addressed Cabinet. Councillor Hey advised that he attended a fundraising event for the Friends of Shelf Hall Park and he confirmed that members were pleased and excited with this news. Coupled with the help Officers had given the group in the potential bid for funding from Active Calderdale, and the recent discussions around the Village Hall, it felt there was a real chance of revitalising the community and he asked Cabinet for their continued support.

RESOLVED that the:

- (a) position in relation to the Council's current tennis offer be noted;

(b) Lawn Tennis Association's Capital Parks Funding offer for Calderdale of £165,123 be accepted; and

(c) the suggested way forward for tennis provision across Calderdale's Parks and Green Spaces as outlined in the 'Next Steps' section of the Assistant Director, Customer Service's written report be approved.

74 PARK WARD NEIGHBOURHOOD PLAN - EXAMINER'S REPORT

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 the Park Ward Neighbourhood Plan, Examiner's report. Park Ward Neighbourhood Forum had prepared a Neighbourhood Development Plan for the Park Ward Neighbourhood Plan Area. The report requested that Cabinet agree the Examiner's recommendations and other minor, non-material modifications to enable the Neighbourhood Plan to proceed to Referendum. The Park Ward Neighbourhood Plan Examiner's Report was Appended to the report and Appendix 3 set out a Decision Statement which included the Council's proposed response to the Examiner's recommended modifications.

Following receipt of the Examiner's Report, legislation required that the Council considered each of the modifications recommended, the reasons for them, and decided what action to take. The Council was also required to consider whether to extend the area to which the referendum was to take place. These decisions were outside Officers' delegation and needed to be made to allow the Neighbourhood Plan to progress in line with neighbourhood planning legislation.

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

During discussion Members commended the report and gave credit to the people that had worked on the referendum and agreed that it evidenced good planning decisions for the community. Members noted that the report was an interesting and inspiring read and showcased the heritage of the neighbourhood, the potential for the area and for the people that lived and worked there.

RESOLVED that the:

(a) Examiner's modifications and other minor non-material modifications set out in Appendix 3, Tables 1 and 2 of the Director, Regeneration and Strategy's written report, to the Park Ward Neighbourhood Plan and that subject to those modifications the Neighbourhood Plan met the Basic Conditions and other legislative requirements be agreed;

(b) Park Ward Neighbourhood Plan as amended proceeds to a local referendum based on the boundary of the designated Park Ward Neighbourhood Area as recommend by the Examiner be agreed; and

(c) Decision Statement attached at Appendix 3 of the Director, Regeneration and Strategy's written report to be published on the Council's website be approved.

75 **QUEENS ROAD NEIGHBOURHOOD CENTRE**

Councillor Dacre, Cabinet Member with responsibility for Resources presented a report of the Director, Regeneration and Strategy that provided an update on the Queens Road Neighbourhood Centre. The report set out a headline property appraisal of Queens Road Neighbourhood Centre (QRNC), to inform a potential way forward for the site.

QRNC was in a deteriorating condition, with significant fire and health and safety risks and issues present. Since the vacation of Youth Services in 2020 the building has had no significant primary user in place to manage any wider secondary or sessional users. Additional capacity and management would be required to open the building as a polling station.

To make the building fit for purpose, a substantial primary user would need to be identified, along with the funding required to reconfigure, refurbish, and fit out the building to accommodate such a use. An expression of interest had recently been received from Halifax Opportunities Trust (HOT) for a Community Asset Transfer (CAT) of the building.

Cabinet was asked to consider that should a CAT not be an appropriate option, then the site would need to be marketed for disposal. Overall, a disposal would remove forward liability and present an opportunity for a capital receipt. However, conditions would need to be considered to ensure the site did not remain vacant and become more of a blight for the locality. This, alongside the grade II listed status of the building, may impact on the possible capital receipt that could be realised by the council.

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

During discussions Members explained the complexities of maintaining these types of buildings for the Authority and felt it was right to give local community groups the option to take over these buildings. Members confirmed that over recent years the Authority had developed a robust process for CATs.

Members were pleased to see that within the short Expression of Interest received, HOT stated that they would envisage that the services which were already hosted from the QRNC would continue should their application be approved. Members explained that HOT had a proven track record within the area and already provided valuable services to the community from existing venues in their care.

RESOLVED that:

(a) Halifax Opportunities Trust be given until 31 March 2023 to provide an initial business case for a Community Asset Transfer, consistent with the procedure for recent Community Asset Transfers; and

(b) if no business case was forthcoming or the business case was not deemed appropriate, then the Council's disposals process should be followed with the aim of marketing QRNC for sale.

76 2022/23 HALF YEAR PERFORMANCE REVIEW

Councillor Dacre, Cabinet Member with responsibility for resources presented a written report of the Head of Finance on the 2022/23 Half Year Performance Review. Calderdale Council was committed to delivering our Vision 2024 and three strategic priorities to reduce inequalities, develop thriving towns and tackle the climate emergency. Our ability to deliver change and meet current and future challenges and improve the lives of our residents, businesses, and visitors was evidenced within our corporate performance framework. Council performance against our priorities and its associated 12 deliverables were core to improving the lives of our residents and supporting progress towards Vision 2024. Our performance framework underpinned our new Corporate Plan 2022-2024 recently approved by Cabinet and was a key statement of intent to deliver change over this period.

With the significant challenges in the last couple of years and the unprecedented cost of living rises and other economic/geopolitical challenges now facing our residents, it was important to reflect on how well we had performed as a Council in meeting these pressures. More importantly it served as a baseline to inform our areas of focus for the remainder of this financial year and beyond, to address new and emerging challenges going forward and identify improvements to our approach. Cabinet received a half yearly progress reports which summarised the performance to date against these priorities outlined in Appendix 1 of the report. The report updated the Council's corporate performance for the period April – September 2022 inclusive.

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

During discussions Members noted it would be interesting to see the National Census statistics and how it would affect these figures. In relation to some of the red rated areas of the report, Members explained some of the challenges faced by the Authority to provide a high level of service with reduced budgets.

Councillor Wilkinson, Cabinet Member for Children and Young People's Service advised that he was pleased with the results in relation to the Primary Phased Education outcome. He explained that although the rating was red, the authority's performance relative to national figures had improved during the challenging times within the Covid-19 pandemic.

RESOLVED that the current performance of the Council to date this financial year and action(s) to improve performance be noted.

77 LOCAL DEVELOPMENT COMPANY – FUTURE DIRECTION EXEMPT

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 the Local Development Company, future direction of the Council's wholly owned Local Development Company, Weave

Monday, 12th December, 2022

(Yorkshire) Limited. The report set out progress to date and the extent of the challenges experienced in trying to bring forward viable proposals for the three Council-owned sites that were originally identified for development.

The report provided details of the continued need for quality new homes across Calderdale to provide Strong Thriving Towns and Places in support of the Council's Vision 2024. This was set in the context of other opportunities that the Council was progressing to enable housing delivery, alongside volatility in the wider operating environment, in particular the impact of rising inflation and interest rates. Cabinet approval was sought to give clear direction for the Council's wholly owned Local Development Company (LDC), based on the recommendations of the LDC's Shareholder Committee. The future role of the LDC had financial implications with a sum of £4m previously approved by Council for inclusion in the Capital Programme as loan funding in April 2019.

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

***RESOLVED** that:

(a) the content of the Director, Regeneration and Strategy's written report and the recommendations from the Local Development Company's Shareholders Committee and retain Weave (Yorkshire) Limited as a dormant company, as set out at Option 5.2 of the report be noted;

(b) it be recommended to Council that the previously agreed Capital Scheme and loan funding of £4m be removed from the Capital Programme; and

(c) the costs incurred to date from the Council's revenue budget in the financial year 2022/23, as set out in the Financial Implications at Section 6.2 of the Director, Regeneration and Strategy's written report be funded.