

Public Document Pack

Kirklees Council



Council Chamber - Town Hall, Huddersfield

Tuesday 10 September 2019

Dear Member

The Council will meet on Wednesday 18 September 2019 at 5.30 pm at Council Chamber - Town Hall, Huddersfield.

This meeting will be webcast live and will be available to view via the Council's website.

The following matters will be debated:

Pages

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

3: Minutes of Previous Meeting

1 - 4

To agree and authorise the Mayor to sign the Minutes of Council held on 17 July 2019.

4: Declaration of Interests

The Councillors will be asked to say if there are any items of the Agenda in which they have a Disclosable Pecuniary Interests, which would prevent them from participating in any discussion of them items or participating in any vote upon the items, or any other interests.

5: Petitions (From Members of the Council)

To receive any Petitions from Members of the Council in accordance with Council Procedure Rule 9.

6: Deputations & Petitions (From Members of the Public)

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

7: Public Question Time

The Committee will hear any questions from the general public.

8: Council Petition Debate

In accordance with Council Procedure Rule 9a, Council will discuss the subject matter of a previously submitted petition regarding Flockton Bypass.

- 9: West Yorkshire Combined Authority - Minutes** 7 - 24
- To receive the Minutes of the Meetings of the West Yorkshire Combined Authority held on 25 June and 27 June 2019.
-
- 10: Report of Members Allowances Independent Review Panel (Reference from Corporate Governance and Audit Committee)** 25 - 38
- To consider the report.
- Contact: Carl Whistlecraft, Head of Democracy
-
- 11: Kirklees Active Leisure - Annual Update**
- To receive a presentation from Kirklees Active Leisure.
- Contact: Alasdair Brown, Chief Executive, Kirklees Active Leisure
-
- 12: Scrutiny Annual Report 2018/2019** 39 - 64
- To receive the 2018/2019 Scrutiny Annual Report.
- Contact: Penny Bunker, Governance and Democratic Engagement Manager
-
- 13: Children's Scrutiny Panel - Call In of Cabinet Decision** 65 - 68
- To receive a report following the meeting of Children's Scrutiny Panel (Call-In) regarding the Cabinet decision regarding future options for Almondbury High School.
- Contact: Penny Bunker, Governance and Democratic Engagement Manager
-
- 14: Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons** 69 - 72
- To receive written questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons in accordance with Council Procedure Rule 12/12(1).
- The schedule of written questions will be tabled at the meeting.

15: Key Discussion - Children's Services

Council will receive a presentation from the Director of Children's Services, prior to the Key Discussion debate.

(Under the provision of Council Procedure Rule 5(5), the Key Discussion shall commence no later than 7.00pm. Council Procedure Rule 18 (23) permits a maximum of 60 minutes for this item).

16: Motion submitted in accordance with Council Procedure Rule 14 as to the Proper Funding of Local Services

To consider the following Motion in the names of Councillors Cooper, Lee-Richards and Allison;

"The UK as a member of the Council of Europe (this is not the European Union) and as such is a signatory to the European Charter of Local Self Government.

The provisions of the Charter state;

"The protection of financially weaker local authorities calls for the institution of financial equalisation procedures or equivalent measures which are designed to correct the effects of the unequal distribution of potential sources of finance and of the financial burden they must support. Such procedures or measures shall not diminish the discretion local authorities may exercise within their own sphere of responsibility".

It has been demonstrated that Kirklees Council is seriously underfunded per head of population compared with other Councils with similar responsibilities and characteristics.

This Council calls on the Leader of Kirklees Council to raise this breach with

- the Council of Europe in his role as a member of that body
- the Secretary of State for Housing, Communities and Local Government

This Council further calls on the Leader of the Council, working with all other political group leaders, to request that Government takes steps to ensure that Kirklees is properly able to fund local services and that Government fulfils its obligations as a signatory of the European Charter of Self Government."

17: Motion submitted in accordance with Council Procedure Rule 14 as to Forgotten Workers

To consider the following Motion in the names of Councillors Hill, Pandor, Sokhal, Kendrick, Mather, McBride, Walker, Pattison, P Davies, Ahmed, S Hall, Y Hussain, Warner, O'Donovan, Simpson, Lowe, Loonat, Asif, Dad, A U Pinnock, Murgatroyd, G Turner, Khan, Butt, Griffiths, Uppal, Kane, Ullah, Zaman and Akhtar;

“This Council notes;

- the content and recommendations of the “Forgotten Workers” report, carried out jointly between Durham and Bradford universities, and notes that it is an independent piece of work, carried out with due academic rigour and appropriate research methods
- that this report is the first of its kind into the issues of low pay and multiple employment in this region. The scale and nature of the issues it highlights should be cause for concern for all of us here in Kirklees
- that for the first time in history, the majority of people classed as living in poverty are also in work (55%). Most children in poverty now come from households where at least one adult is in work. The narrative put forward in recent decades by governments of all parties - that work is the best route out of poverty - is clearly now not the case. The social contract of “getting on if you work hard” has demonstrably failed
- with alarm, the kind of stories the report has unearthed, and the implications for the health and well-being of some of our most vulnerable residents and their families. The researchers found workers with 2, 3, 4, 5, 6 and even 7 different jobs who are all struggling to make ends meet due to low-pay and limited working hours. They were typically employed in cleaning, catering, the care sector, security, social services, education, retail, public services, administration and IT services. These workers are employed on a combination of full-time, part-time, agency, temporary, seasonal, casual and zero hours contracts. They all reported high levels of stress and exhaustion, and deteriorating relationships with family and friends
- that people who do legitimately work in more than one low-paid job are largely absent from academic and policy coverage. We note our responsibility not only as a local authority with responsibility for nearly half a million people, but also as one of the largest employers and commissioners in the area

This Council has a duty to consider the practical

recommendations of the *Forgotten Workers* report as an employer, to ensure as far as possible that our suppliers and commissioned services do so too. We also have a duty as a politically led organisation to represent our constituents who are in this situation, and to apply pressure where we can to move the issues which affect this group to the top of the local and national policy agenda.

This Council therefore:

- reiterates its commitment to paying all our employees the Affordable Living Wage, and where we commission and outsource work, to encourage the same commitment from those employers.
- offers all Kirklees employees a guarantee of dignity and fair treatment at work, regardless of position, length of service, or wage.
- asks Cabinet to investigate the possibility of carrying out information gathering across the Kirklees area to find out how many people are currently in multiple employment.
- asks Cabinet to commission work to report on potential actions which would ameliorate the immediate impacts of multiple employment, e.g. poor mental health and diet.”

18: Motion submitted in accordance with Council Procedure Rule 14 as to Universal Credit

To consider the following Motion in the names of Councillors Uppal, Pandor, A U Pinnock, Homewood, Murgatroyd, Griffiths, Kaushik, Walker, Loonat, Hill, McBride, Mather and Khan;

“This Council notes the Universal Credit (UC) policy is flawed, causing unnecessary hardship to local families and people across the country whilst failing to meet its original aims.

This Council further notes, that in Kirklees, following the roll out of UC Full Service in November 2017, 19,804 people are in receipt of UC support (as at 22 July 2019), which has led to problems with rent arrears, and general indebtedness particularly from the 5 week minimum wait for an initial payment. Kirklees Neighbourhood figures as at 1 October 2018 suggest UC claimants represented 32% of rent accounts in arrears which totalled £1.2m of the debt owed.

In addition, there has been an increased use of local welfare service provision referrals to four Kirklees foodbanks, up 27% from the same period in the previous year. Recent figures from The Welcome Centre Foodbank (WCF) in Huddersfield show 1 in 5 people who use

the foodbank do so because of problems with Universal Credit.

Official figures show hundreds of thousands of UC payments made nationally are being subject to deductions used to pay back arrears in rent, council tax and utility bills, pushing families into a downward spiral of debt and poverty. Similarly, the Local Welfare Provision (LWP) team in Kirklees are taking more calls from residents who have not been able to make their UC payment last due to insufficient funds including deductions taken from their payments due to advances, arrears payments or tax credit overpayments. The LWP team told us that there was too much reliance on the advance payments system, in reality a loan, which plunges claimants into debt. 72% of referrals made between 1/4/18 – 31/03/19 for foodbanks / fuel vouchers due to “Budgeting / low income” reason are for UC claimants. This compares to only 33% for the period 1/11/17 to 31/3/18.

In addition, for people on UC who are in work, but are paid weekly, fortnightly or 4 weekly, the monthly UC payment is causing additional issues with two or more wages in one pay period resulting in no UC support the following month; self-employed workers on UC are worse off than under legacy benefits and compared with employees; and disabled people unable to work, are also worse off than under legacy benefits, and may be pushed into poverty as a result.

Although the managed migration of UC has been restricted to a pilot, thousands of people are due to transition on to UC this year as a result of ‘natural migration’ (a change in their circumstances).

Furthermore, although UC payments are to go to the primary carer in the household, there are issues with the childcare element of Universal Credit leaving many households in debt.

The High Court also recently found in favour of four single mothers who had brought a legal challenge against the government on the grounds that Universal Credit failed to take account of fluctuating income when they were paid twice in a month because their payday fell very near the end of the month. T

Policy in Practice has warned 40% of UC claimants will lose out by an average of £59 a week compared to the old system. In addition, research for Mirror Money reveals 80% of people on UC say it doesn't cover their essential living costs, 72% have had to borrow money and ended up in debt and 56% receive less through UC than from the old benefits system.

Despite some tweaks to UC in the Autumn budget, such as an increase in work allowances, and by the new Work and Pensions Secretary, including scaling back the proposed Managed Migration, the policy continues to leave many of our residents on the lowest incomes in poverty and suffering. The Work and Pensions Secretary has gone as far as to say the roll out of Universal Credit may have

led to increased use of food banks.

This Council therefore resolves to write to the Secretary of State for Work and Pensions, making these points, demanding that, if the Government is refusing to scrap Universal Credit, that they:

- Stop the freeze in social security payments
 - Scrap the 5-week wait for UC
 - Provide the option for alternative pay arrangements for UC
 - Make advance payments non repayable loans
 - Pay childcare payments upfront
 - Stop the two-child limit in support”
-

19: Motion submitted in accordance with Council Procedure Rule 14 as to Pension Credit

To consider the following Motion in the names of Councillors Simpson, Pandor, Turner, McBride, O'Donovan, Zaman, Khan, Ahmed, Walker, Warner, Loonat, P Davies, Homewood and Lowe;

“This Council;

- believes that the abolition of free TV licences is a terrible blow to many vulnerable older people who already struggle to make ends meet and particularly to those who are housebound or isolated and rely on their TV for company
- notes the pledge made in the Conservative Party 2017 manifesto to fully fund the TV licence for all over 75s
- notes the Independent Age Credit ‘Credit Where It’s Due’ campaign report, which found that £21m of support for Kirklees’ most vulnerable pensioners is being held back by the barriers to accessing Pension Credit
- does not believe it is acceptable that almost half of all pensioners in Kirklees who are entitled to Pension Credit do not receive it. These vulnerable older residents will also now lose their free TV licences and will be pushed further into deprivation

This Council therefore resolves;

- (i) to write to the new Prime Minister to outline the unacceptable effect that this policy will have on Kirklees’ most vulnerable pensioners and call upon him to back the ‘Credit Where It’s Due’ campaign to reform Pension Credit to better support Kirklees’ most vulnerable older residents
- (ii) to use opportunities that exist within the Council to promote

the availability of Pension Credit to residents to ensure as many residents as possible are aware of its availability.”

20: Motion submitted in accordance with Council Procedure Rule 14 as to Regional Support to Leeds Bradford Airport

To consider the following Motion in the names of Councillors Cooper, Lee-Richards and Allison;

“This Council welcomes;

- the Declaration of a Climate Emergency made by the Leeds City Region on June 27th
- the many Climate Emergency Declarations made by Councils in the Leeds City Region

This Council recognises that;

- aircraft release more than 600 million tonnes of the world’s major greenhouse gas CO2 into the atmosphere each year
- aircraft cause about 3.5% of global warming from all human activities
- aircraft greenhouse emissions if unchecked will continue to rise and could contribute up to 15% of global warming from all human activities within 50 years

This Council notes that;

- Leeds City Region are planning to financially support transport links to Leeds Bradford Airport
- that this investment is aimed to boost activity at Leeds Bradford Airport
- that investment supporting Leeds Bradford Airport and a possible expansion of the airport is incompatible with the Leeds City Regions Declaration of a Climate Emergency and that of the Councils who have declared a Climate Emergency

This Council commits to;

- withdraw support for Leeds City Region funding improved transport links to Leeds Bradford Airport
 - call for a reinvestment of those funds in activities that will promote carbon reductions
 - ensure Leeds City Region applies the principles of their Declaration of a Climate Emergency in all the decisions that they make.”
-

By Order of the Council

A handwritten signature in black ink, appearing to read "J. Geelman". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Chief Executive

Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
Council Chamber - Town Hall, Huddersfield on Wednesday 17 July 2019**

PRESENT

The Mayor (Councillor Mumtaz Hussain) in the Chair

COUNCILLORS

| | |
|---------------------------------|-----------------------------------|
| Councillor Masood Ahmed | Councillor Mahmood Akhtar |
| Councillor Karen Allison | Councillor Bill Armer |
| Councillor Gulfam Asif | Councillor Martyn Bolt |
| Councillor Cahal Burke | Councillor Aafaq Butt |
| Councillor Andrew Cooper | Councillor Nosheen Dad |
| Councillor Paola Antonia Davies | Councillor Paul Davies |
| Councillor Charlotte Goodwin | Councillor Michelle Grainger-Mead |
| Councillor Charles Greaves | Councillor Nell Griffiths |
| Councillor David Hall | Councillor Steve Hall |
| Councillor Lisa Holmes | Councillor Erin Hill |
| Councillor James Homewood | Councillor Yusra Hussain |
| Councillor Christine Iredale | Councillor Paul Kane |
| Councillor Manisha Roma Kaushik | Councillor Viv Kendrick |
| Councillor Musarrat Khan | Councillor John Lawson |
| Councillor Susan Lee-Richards | Councillor Fazila Loonat |
| Councillor Gwen Lowe | Councillor Aleks Lukic |
| Councillor Terry Lyons | Councillor Andrew Marchington |
| Councillor Naheed Mather | Councillor Peter McBride |
| Councillor Bernard McGuin | Councillor Alison Munro |
| Councillor Richard Murgatroyd | Councillor Darren O'Donovan |
| Councillor Shabir Pandor | Councillor Nigel Patrick |
| Councillor Carole Pattison | Councillor Mussarat Pervaiz |
| Councillor Andrew Pinnock | Councillor Mohammad Sarwar |
| Councillor Cathy Scott | Councillor Will Simpson |
| Councillor Elizabeth Smaje | Councillor Anthony Smith |
| Councillor Richard Smith | Councillor Mohan Sokhal |
| Councillor John Taylor | Councillor Kath Taylor |
| Councillor Graham Turner | Councillor Sheikh Ullah |
| Councillor Harpreet Uppal | Councillor Rob Walker |
| Councillor Lesley Warner | Councillor Michael Watson |
| Councillor Paul White | Councillor Habiban Zaman |

1 Announcements by the Mayor and Chief Executive

On behalf of Council, the Mayor conveyed congratulations to Gill Addy, Children and Families Service, who had been awarded the title of Queens Nurse by the Queens Nurse Institute in recognition of her continuing commitment to improve the standards of care given to patients and clients over 30 years of nursing. Congratulations were also conveyed to Christina Fairhead of the CCG and Clair Barrow from Locala who had also been awarded the title of Queens Nurse.

Council gave recognition to the England Cricket Team upon their recent achievement in winning the 2019 Cricket World Cup.

2 Apologies for absence

Apologies for absence were received on behalf of Councillors Eastwood, Firth, Lees-Hamilton, A U Pinnock, K Pinnock and Thompson.

3 Minutes of Previous Meeting

RESOLVED - That the Minutes of the Meeting of Annual Council held on 22 May 2019 be approved as a correct record.

4 Declaration of Interests

Councillor Pattison declared an 'other' interest in Agenda Item 10 on the grounds that she is Vice Chair of Fusion Housing Board. (Minute No. 10 refers).

5 Petitions (From Members of the Council)

No petitions were received.

6 Deputations & Petitions (From Members of the Public)

Council received deputations from (i) David Rawling requesting a bypass/relief road for Flockton Village (a petition was also submitted) and (ii) Kiran Bali, Jan Walters and Ali Stopher regarding Kirklees Climate Emergency.

The Cabinet Member for Regeneration (Councillor McBride) responded to (i). The Cabinet Member for Greener Kirklees (Councillor Mather) responded to (ii).

7 Public Question Time

Council received questions from;

- (i) Mr David Rawling; pursuant to the deputation at Agenda Item 6.

A response was provided by the Cabinet Member for Regeneration – Councillor McBride

- (ii) Olivia and Elena Delaney; pursuant to the deputation at Agenda Item 6.

A response was provided by the Cabinet Member for Regeneration – Councillor McBride

- (iii) Mr Tejinder Ajiz; regarding the Standards Regime and Access to Information.

Council - 17 July 2019

A response was provided by the Leader of the Council. Mr Ajiz was asked to inform the Monitoring Officer of any issues which he wish to make the Council aware of, or make requests to access information.

8 Council Petition Debate

In accordance with Council Procedure Rule 9a, Council debated the content of a petition which had previously been submitted and exceeded the 3,000 signatures petition threshold regarding the future of the George Hotel, Huddersfield.

The content of the debate was received and noted.

9 Minutes - West Yorkshire Combined Authority

The Minutes of the Meeting of West Yorkshire Combined Authority held on 13 December 2019, 14 February 2019 and 25 April 2019 were received and noted.

10 Preventing Homelessness and Rough Sleeping Strategy 2018-2023 (Reference from Cabinet)

It was moved by Councillor Scott, seconded by Councillor Mather, and

RESOLVED -

- (1) That the Preventing Homelessness and Rough Sleeping Strategy 2018-2023 be approved.
- (2) That the Service Director (Growth and Housing) be requested to ensure that work takes place with key partners in order to develop and implement detailed action plans which would support the achievement of the outcomes as set out in the strategy.

11 Corporate Plan 2019 Refresh (Reference from Cabinet)

It was moved by Councillor Pandor, seconded by Councillor McBride, and

RESOLVED - That the updated Council Corporate Plan 2018/2020 be approved.

12 Council Financial Outturn and Rollover Report 2018-2019 (Reference from Cabinet)

It was moved by Councillor Turner, seconded by Councillor Pandor, and

RESOLVED –

- (1) That, in regards to General Fund; (i) the revenue outturn position 2018-2019 be noted (ii) the year end position on corporate reserves, including financial resilience reserves be noted (iii) the arrangement for regular monitoring and review of corporate reserves in 2019-2020, to be reported to Cabinet within the quarterly financial monitoring cycle, be noted (iv) approval be given to the revenue rollover recommendation, as set out in the report.
- (2) That the Housing Revenue Account outturn and reserves position 2018-2019, be noted.

Council - 17 July 2019

(3) That, in regards to Capital; (i) the outturn position 2018-2019, be noted (ii) approval be given to the £31.7m capital rollover from 2018-2019 to 2019-2020 (iii) approval be given to the revised capital plan for the period 2019-2024, having taking into account rollover, the re-phasing of schemes and changes to grant assumptions and (iv) it be noted that officers will continue to review 2019-2020 in-year budget profiles with a view to transfer budget into future years to ensure a more realistic monitoring profile.

(4) That, in regards to treasury management, the review of treasury management activity for 2018-2019 be noted.

13 Revised Employee Relations Framework (Reference from Corporate Governance and Audit Committee)

It was moved by Councillor Simpson, seconded by Councillor J Taylor, and

RESOLVED - That the recommendations of Personnel Committee and Corporate Governance and Audit Committee be noted, and that approval be given to a constitutional amendment for the deletion of Employee Relations Sub-Committee.

14 Children's Scrutiny Panel - Lead Member

It was moved by Councillor Smaje, seconded by Councillor Munro, and

RESOLVED - That Councillor Andrew Marchington be appointed as Lead Member of Children's Scrutiny Panel with immediate effect.

15 Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons

Item not considered (due to time constraints).

16 Minutes of Cabinet and Cabinet Committee - Local issues

Item not considered (due to time constraints).

17 Holding the Executive to Account

Item not considered (due to time constraints).

18 Minutes of Other Committees

Item not considered (due to time constraints).

19 Oral Questions to Committee/Sub Committee/Panel Chairs and Nominated Spokespersons of Joint Committees/External Bodies

Item not considered (due to time constraints).

20 Motion Submitted in Accordance with Council Procedure Rule 14 as to The Proper Funding of Local Services

Item not considered (due to time constraints).

| KIRKLEES COUNCIL | | | |
|---|--|--|---|
| COUNCIL/CABINET/COMMITTEE MEETINGS ETC | | | |
| DECLARATION OF INTERESTS | | | |
| Council | | | |
| Name of Councillor | | | |
| Item in which you have an interest | Type of interest (eg a disclosable pecuniary interest or an "Other Interest") | Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N] | Brief description of your interest |
| | | | |
| | | | |
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Signed: Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON TUESDAY, 25 JUNE 2019 AT COMMITTEE ROOM A,
WELLINGTON HOUSE, 40-50 WELLINGTON STREET, LEEDS**

Present:

| | |
|---------------------------------------|--------------------|
| Councillor Susan Hinchcliffe (Chair) | Bradford Council |
| Councillor Tim Swift MBE (Vice-Chair) | Calderdale Council |
| Councillor Judith Blake CBE | Leeds City Council |
| Councillor John Pennington | Bradford Council |

In attendance:

| | |
|--------------------------|-----------------------------------|
| Councillor Kim Groves | Leeds City Council |
| Councillor Peter Harrand | Leeds City Council |
| Richard George | SNC-Lavalin |
| Ben Still | West Yorkshire Combined Authority |

1. Combined Authority Member Briefing with Richard George

Richard George (RG) was introduced to the meeting and welcomed the fact that the meeting was held in public. He outlined his role as an honest broker to identify the problems effecting rail in the North of England, particularly in relation to the disruption caused by the May 2018 timetable changes. RG outlined some of the preliminary findings of his report which included:

Capacity

- RG discussed the way in which capacity issues can affect the resilience and efficiency of the system.
- Capacity issues at particular pinchpoints which had a disproportionate impact on the network. The pinchpoints identified were; Leeds station, central Manchester, Leeds Neville Hill Depot, and East Coast Mainline north of York.
- Richard George described the rail network as at capacity, with little scope for appropriate contingency planning in times of disruption.
- It was noted that technology had been introduced to monitor the number of passengers left behind at stations due to short formed trains.
- A realistic approach to capacity issues could have helped to counteract the problems around the May 2018 timetable It was noted that

franchising forced optimism into the rail industry and a frank discussion about the deliverability of franchise commitments was necessary.

System Leadership

- RG identified a lack of appropriate organisational checks and balances as significant issues for the rail industry.
- RG emphasised the need for parties to operate in a more collaborative way and for the needs of the system as a whole to override the commercial needs of any single organisation.
- Members were informed that Network Rail now have processes in place to catch timetable issues before they arise
- RG referenced the Programme Management Office (PMO) that safeguards and scrutinises future timetable changes. Members suggested meeting with Paul McMahon from the PMO team to gain a greater insight into this process.
- The structure of decision making in the rail industry was discussed and RG suggested that the distinction between rail industry decisions and political decisions had been blurred. Planners make decisions which should have input from politicians and the wider public.
- Cllr Blake raised concerns regarding a lack accountability in decision making and a lack of checks and balances and the potential for devolved decision making on rail to benefit the region.

Infrastructure

- It was noted that the North of England had been used to running a cost effective rail service which struggled to cope with increasing demand on what has increasingly become a busy commuter network.
- Richard George discussed the 'grit in the system'; the smaller inefficiencies that clog up the rail network that need to be addressed.

Local Knowledge / Skills

- RG identified a trend in which the rail industry had become centralised and staff less specialist.
- While it was recognised that this centralising trend made the network more efficient; it had also brought about a collective loss local knowledge.
- RG suggested that a training regime could be introduced whereby staff in the centralised offices focus on a station or area in particular for a period of a year before rotating, to ensure some more specialised knowledge could be retained.

**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY, 27 JUNE 2019 AT COMMITTEE ROOM A,
WELLINGTON HOUSE, 40-50 WELLINGTON STREET, LEEDS**

Present:

| | |
|---------------------------------------|----------------------------|
| Councillor Susan Hinchcliffe (Chair) | Bradford Council |
| Councillor Judith Blake CBE | Leeds City Council |
| Councillor Peter Box CBE | Wakefield Council |
| Councillor Stewart Golton | Leeds City Council |
| Councillor David Hall | Kirklees Council |
| Professor Bob Cryan CBE (Substitute) | University of Huddersfield |
| Councillor Shabir Pandor | Kirklees Council |
| Councillor John Pennington | Bradford Council |
| Councillor Jane Scullion (Substitute) | Calderdale Council |

In attendance:

| | |
|----------------------------|---|
| Councillor Kim Groves | Chair, Transport Committee |
| Councillor Elizabeth Smaje | Outgoing Chair, Overview & Scrutiny Committee |
| Ben Still | West Yorkshire Combined Authority |
| Caroline Allen | West Yorkshire Combined Authority |
| Ruth Chaplin | West Yorkshire Combined Authority |

1. Membership of the West Yorkshire Combined Authority

The Combined Authority considered a report of the Director of Corporate Services in respect of the following:

- The appointment of members and substitute members to the West Yorkshire Combined Authority (the Combined Authority) by the constituent councils (West Yorkshire councils) and the non-constituent council (the City of York Council).
- The appointment of the Leeds City Region Local Enterprise Partnership Combined Authority Member (“the LEP Member”) and substitute LEP Member to the Combined Authority.
- Granting of voting rights to the member of the Combined Authority appointed by the City of York Council and to the LEP Member, (and their substitutes).

Resolved:

- (a) That the members of the Combined Authority and their substitutes appointed by the constituent councils and the non-constituent council (the City of York Council) as set out in Appendix 1 to the report be noted.
- (b) That Roger Marsh be appointed as the LEP Member of the Combined Authority, and Professor Bob Cryan as substitute LEP Member, to act in the absence of the LEP Member.
- (c) That the LEP Member and the member of the Combined Authority appointed by the non-constituent council (City of York Council) may vote at any meetings of the Combined Authority (including any committee or sub-committee to which those members are appointed) on any decision, subject to the following exceptions:-
 - budget and levy setting; and
 - the adoption of any implementation plans appended to the West Yorkshire Transport Strategy 2040 which relate specifically to the combined area (that is, West Yorkshire).
- (d) That the substitutes for the LEP Member and the member of the Combined Authority appointed by the non-constituent council (City of York Council) may exercise the voting rights granted to the LEP Member and the member of the Combined Authority appointed by the non-constituent council (the City of York Council) when acting in the absence of their respective member.

2. Appointment of the Chair and Vice Chair

Members were asked to consider nominations for the positions of Chair and Vice Chair of the West Yorkshire Combined Authority (Combined Authority) for the municipal year 2019/20.

Resolved:

- (a) That Councillor Susan Hinchcliffe be appointed as Chair of the Combined Authority.
- (b) That Councillor Tim Swift be appointed as Vice Chair of the Combined Authority.

3. Apologies for Absence

Apologies for absence were received from Roger Marsh and Councillor Tim Swift.

4. Declarations of Disclosable Pecuniary Interests

There were no pecuniary interests declared by members at the meeting.

5. Exempt Information - Possible Exclusion of the Press and Public

Resolved: That in accordance with paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, the public be excluded from the meeting during consideration of Appendix 3 to Agenda Item 17 on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information and for the reasons set out in the report that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

6. Minutes of the Meeting of the Combined Authority held on 25 April 2019

Resolved: That the minutes of the meeting of the West Yorkshire Combined Authority held on 25 April 2019 be approved and signed by the Chair.

7. Announcements

The Chair welcomed Councillor Aspden who was returning to the Combined Authority as the City of York Council's representative and Councillor Jane Scullion who was the new substitute member for Councillor Tim Swift. Thanks were given to the outgoing Chair of the Overview & Scrutiny Committee, Councillor Elizabeth Smaje for her work and valuable input during her term of office and it was reported that Councillor Peter Harrand would be replacing her as Chair of the Committee.

8. Committee Arrangements and Appointments

The Combined Authority considered a report of the Director of Corporate Services in respect of committee arrangements and appointments:

- To appoint committees of the West Yorkshire Combined Authority (the Combined Authority).
- To appoint or co-opt members onto the Combined Authority's committees.
- To appoint the Chairs and Deputy Chairs of the Combined Authority's committees.
- To grant voting rights to some members of the Combined Authority's committees.
- To confirm the continuing appointment of Independent Persons.

It was reported that since publication of the agenda papers, the following outstanding nomination had been confirmed:

- Employment & Skills Panel : Councillor Adam Wilkinson (Calderdale)

The appointment of Councillor Martyn Bolt (Kirklees) as the leader of opposition on Transport Committee was also confirmed.

Resolved:

- (a) That, in relation to appointment of committees –
- (i) That the following statutory committees be appointed on the terms of reference set out in the relevant Appendix attached to the submitted report:
- Governance and Audit Committee (Appendix 1)
 - Overview and Scrutiny Committee (Appendix 2)
- (ii) That the following committees be appointed, on the terms of reference set out in the relevant Appendix attached to the submitted report:
- Transport Committee (Appendix 3)
 - West Yorkshire and York Investment Committee (Appendix 4)
 - Leeds City Region Partnership Committee (Appendix 5)
- (iii) That the following advisory panels be appointed as advisory committees which also report to the LEP Board, on the terms of reference set out in the relevant Appendix attached to the submitted report:
- Business Innovation and Growth Panel (Appendix 6)
 - Employment and Skills Panel (Appendix 7)
 - Green Economy Panel (Appendix 8)
 - Inclusive Growth and Public Policy Panel (Appendix 9)
 - Place Panel (Appendix 10)
- (b) That, in relation to the appointment of committee members –
- (i) That in accordance with Section 17 Local Government and Housing Act 1989 the Combined Authority appoints its members to:
- The Transport Committee and the West Yorkshire and York Investment Committee, as set out in Appendix 11 to the submitted report.
 - The Leeds City Region Partnership Committee as follows:
 - each of the 5 Combined Authority Members singly appointed by each constituent council; and
 - the member of the Combined Authority appointed by the non-constituent council (the City of York Council).
 - The Business Innovation and Growth Panel, Employment and Skills Panel, Green Economy Panel, Inclusive Growth and Public Policy Panel and the Place Panel as set out in Appendix 12 of the submitted report.

- (ii) That the Combined Authority appoints its members to the Governance and Audit Committee, as set out in Appendix 11 to the submitted report, together with Andy Clayton as an independent member of the Governance and Audit Committee for this municipal year, and (in principle) an additional Independent Member.
 - (iii) That the Head of Legal and Governance Service be authorised to progress appointment arrangements for the additional Independent Member of the Governance and Audit Committee, including convening an interview panel to make recommendations to the Combined Authority.
 - (iv) That the Combined Authority appoints members and substitutes to the Overview and Scrutiny Committee as set out in Appendix 11 of the submitted report.
 - (v) That the Combined Authority co-opts members to:
 - the Transport Committee as set out in Appendix 11;
 - the West Yorkshire and York Investment Committee as set out in paragraph 2 of the submitted report;
 - the advisory panels as set out in Appendix 12 with the addition of Councillor Adam Wilkinson (Calderdale) to the Employment and Skills Panel;
 - the Leeds City Region Partnership Committee as set out in paragraph 2.9 of the submitted report, including a substitute for each member as set out in paragraph 2.10 of the submitted report.
- (c) That, in relation to voting rights for committee members, (in addition to any member of the Combined Authority on the committee exercising one vote) –
- (i) It be noted that any member of a constituent council appointed to the Overview and Scrutiny Committee has one vote and that this may be exercised in their absence by their substitute.
 - (ii) That any member of the City of York Council co-opted to the Overview and Scrutiny Committee shall be a voting member of that committee (and of any sub-committee to which they may be appointed by that committee) and that any such vote may be exercised in their absence by their substitute.
 - (iii) That any Independent Member of the Governance and Audit Committee shall be a voting member of that committee.
 - (iv) That any co-opted member of the Leeds City Region Partnership Committee shall be a voting member of that committee and that a vote may be exercised in their absence by their substitute.

- (v) That any constituent council member co-opted to the Transport Committee shall be a voting member of that committee (and of any sub-committee to which they may be appointed by that committee).
 - (vi) That any constituent council member or member of the City of York Council on the West Yorkshire and York Investment Committee shall be a voting member of that committee (and of any sub-committee to which they may be appointed by that committee).
 - (vii) That any of the following co-opted to the advisory panels set out in Appendix 12 shall be a voting member:
 - any local authority representative; and
 - any private sector representative.
- (d) That the Combined Authority appoints:
- Chairs and Deputy Chairs to committees, as set out in paragraph 2.9 of the submitted report for the Leeds City Region Partnership Committee, and Appendices 11 and 12 in respect of other committees and panels; and
 - Councillor Martyn Bolt (Kirklees) to the leader of the opposition position on Transport Committee.
- (e) That Ian Brown and Carolyn Lord continue as Independent Persons in relation to complaints concerning allegations of a breach of the Combined Authority's Members' Code of Conduct on the existing terms for remuneration, until the Combined Authority's annual meeting in 2020.

9. Representation on Outside Bodies

The Combined Authority considered a report of the Director of Corporate Services regarding Combined Authority representation on outside bodies.

It was reported that Rail North Ltd was to be wound up in the near future. However Directors would be re-appointed to the company who will act in the role until Rail North Ltd was wound up.

Resolved: That the appointments to the outside bodies for the municipal year 2019/20 as detailed in Appendix 1 to the submitted report be approved.

10. Governance Arrangements

The Combined Authority considered a report of the Director of Corporate Services in respect of amendments to the Combined Authority's governance documents.

Resolved:

- (a) That the Combined Authority approves the governance documents attached to the submitted report in the following appendices:
- Procedure Standing Orders – Appendix 1
 - Access to Information Annex to Procedure Standing Orders – Appendix 2
 - Code of Practice for recording meetings – Appendix 3
 - Scrutiny Standing Orders – Appendix 4
 - Contracts Standing Orders – Appendix 5
 - Financial Regulations – Appendix 6
- (b) That the Combined Authority notes the summary of recommendations of the Committee on Standards in Public Life set out in the report (including the best practice recommendations set out in Appendix 7), and the Governance and Audit Committee be requested to review the report issued by the Committee on Standards in Public Life and make any further recommendations in respect of the Combined Authority's standards arrangements.
- (c) That in relation to standards arrangements, the Combined Authority approves the following:
- Members' Code of Conduct – Appendix 8
 - Procedure for Considering Complaints against Members – Appendix 9
 - Conflicts of Interest Policy - Appendix 10
 - Conflicts of Interest Protocol - Appendix 11
- (d) That the Combined Authority agrees the proposals set out in the report, in relation to dispensation arrangements.

11. Corporate Governance Code and Framework

The Combined Authority considered a report of the Director of Corporate Services in respect of a revised Corporate Governance Code and Framework and the Annual Governance Statement for inclusion in the annual statutory accounts.

Resolved:

- (a) That the revised Corporate Governance Code and Framework be approved.
- (b) That the Annual Governance Statement be endorsed.

12. Members' Allowances Scheme

The Combined Authority considered a report of the Director of Corporate Services in respect of the Members' Allowances Scheme.

The distribution of basic and special responsibility allowances was discussed and it was noted that these were paid to members of the Overview & Scrutiny Committee and Transport Committee to reflect detailed work undertaken by committee members across the region in addition to attendance at formal meetings.

Resolved: That the Members' Allowances Scheme, attached as Appendix 1 to the submitted report, be adopted for the municipal year 2019/20.

13. Officer Arrangements

The Combined Authority considered a report of the Director of Corporate Services in respect of the Combined Authority's Officer Delegation Scheme.

Resolved: That the Officer Delegation Scheme, attached as Appendix 1 to the submitted report, be approved.

14. Scrutiny Annual Report and Statutory Guidance

The Combined Authority considered a report of the Director of Corporate Services on the scrutiny annual report 2018/19 and statutory guidance.

Councillor Liz Smaje, the outgoing Chair of the Overview and Scrutiny Committee, highlighted the work undertaken by the Committee during the 2018/19 municipal year which was outlined in the summary provided in the report.

It was noted that new statutory scrutiny guidance had been issued by Government in May 2019 and the Combined Authority intend to review the current scrutiny arrangements to ensure they are compliant with the new statutory guidance and in line with best practice in scrutiny nationally.

The benefits of scrutiny as part of the organisation's decision making process were welcomed and Councillor Smaje and the Committee were thanked for their work over the last 12 months. It was noted that Councillor Harrand would take over as Chair of the Committee for the 2019/20 municipal year.

Resolved:

- (a) That the annual report summarising the work undertaken by the Overview and Scrutiny Committee in 2018/19 be noted.
- (b) That the new statutory scrutiny guidance issued by the government and the next steps be noted.

15. Calendar of Meetings 2019/20

The Combined Authority considered a report of the Director of Corporate Services setting out a proposed calendar of meetings for 2019/20.

Resolved:

- (a) That the dates of meetings for the LEP Board as agreed by the LEP Board at its annual meeting be noted.
- (b) That the calendar of meetings of the Combined Authority, its committees and sub-committees for 2019/20, as detailed in Appendix 1 to the submitted report, be approved.

16. Rail Reviews

The Combined Authority considered a report of the Director of Transport Services which provided an update on the following rail reviews:

- Richard George commission
- The Blake Jones Review
- Williams Rail Review

It was noted that Richard George had been invited to the Combined Authority meeting to discuss the main outcomes of the work he had undertaken. However, as he was unable to attend, a briefing for members of the Combined Authority had been arranged and this had taken place on 25 June 2019. The briefing session was held in public. Members had welcomed the meeting which had provided the opportunity for them to ask questions and discuss the work, particularly in respect of the dysfunction of the current state and structure of the railway and the existing franchise process.

Richard George had been appointed by the Government to oversee infrastructure and train operations, working closely with Transport for the North, the Rail North Partnership, Network Rail and the train operators. Richard George's appointment had now concluded and a final report setting out the full details of the findings and responses to the issues raised was due to be published in the near future, subject to Department for Transport sign-off.

Councillor Judith Blake provided an update on the Blake Jones Review which was due to be published in the near future. The review identifies the following four key areas of change:

- A focus on passengers
- Improved accountability
- Better communications and greater transparency
- Improved trust and responsiveness

The review will also feed into the review into the structure of the rail industry led by Keith Williams. The work of the Blake Jones review has also fed into the TfN and Combined Authority's responses to the Williams Rail Review. Members considered the Authority's submission in response to the Second Call for Evidence – Objective and Assessment Criteria which was attached at Appendix 1. It was reported that the TfN proposition calls for a strengthened role for TfN in the management of the railway and this had been discussed at the TfN's recent Board meeting. It was proposed that a letter be sent to the two candidates in the current Prime Ministerial election seeking their

commitment for more investment and devolved powers for the North.

The Williams Rail Review's findings and recommendations are due to be published in a Government White Paper in Autumn 2019, with reform expected to commence in 2020.

Resolved:

- (a) That the discussion held with Richard George following the conclusion of his appointment be noted.
- (b) That the update on the Blake Jones Review be noted.
- (c) That the final submission to the Williams Rail Review be endorsed.
- (d) That a letter be sent to the two contenders in the current Prime Ministerial election to ask for their commitment for more investment and devolved powers for the North.

17. Capital Spending and Project Approvals

The Combined Authority considered a report of the Director of Delivery on the progression and funding for the following schemes through the Combined Authority's assurance process:

- Mirfield to Dewsbury to Leeds
- South East Bradford Link Road
- Gain Lane Enterprise Zone
- Transport Hubs and Connecting Communities

It was reported that some concerns had been raised regarding the South East Bradford Link Road project and members were advised that all local authorities would be consulted on the scheme.

It was noted that since the last meeting, decisions on the following schemes have been made by the Investment Committee:

- City Connect Phase 3
- Halifax Living
- West Yorkshire Combined Authority Head Office Accommodation Project
- Garforth Rail Station Car Park Extension

In addition to the above decisions, the Authority considered a sub-delegation to enable the Investment Committee to make a decision on the revised approval route for the Wakefield City Centre Package Phase 2 Ings Road Scheme.

Details of all the schemes were provided in the submitted report.

Resolved:

(a) In respect of Mirfield to Dewsbury to Leeds (M2D2L) -

That following a recommendation from the Investment Committee, the Combined Authority approves:

- (i) That the M2D2L project proceeds through decision point 2 and work commences on activity 3 (outline business case).
- (ii) That an indicative approval of the Combined Authority's contribution of £12.5 million (which will be funded through the West Yorkshire plus Transport Fund) is given with full approval to spend being granted once the scheme has progressed through the assurance process to decision point 5 (full business case with finalised costs). The total project value will be £13 million, this will be funded from a Combined Authority contribution plus £500,000 from the Leeds City Council Section 106 fund).
- (iii) That costs of £325,000 are approved in order to progress the scheme to decision point 3 (outline business case) taking the total project approval to £535,000.
- (iv) That the Combined Authority enters into an addendum to the existing funding agreement with Kirklees Council for additional expenditure of up to £325,000 from the West Yorkshire plus Transport Fund, taking the total funding agreement value to £535,000.
- (v) That future approvals are made in accordance with the assurance pathway and approval route outlined in the submitted report including at decision point 4 and 5 through a delegation to the Combined Authority's Managing Director following a recommendation by the Combined Authority's Programme Appraisal Team. This will be subject to the scheme remaining within the tolerances outlined in the report.

(b) In respect of South East Bradford Link Road (SEBLR) –

That following a recommendation from the Investment Committee, the Combined Authority approves:

- (i) That the South East Bradford Link Road scheme proceeds through decision point 2 and work commences on activity 3 (outline business case).
- (ii) That an indicative approval to a maximum Combined Authority's contribution of £46.3 million (which will be funded through the West Yorkshire plus Transport Fund) is given with full approval to spend being granted once the scheme has progressed through the assurance process to decision point 5 (full business

case with finalised costs).

- (iii) That additional development costs of £1.213 million are approved in order to progress the scheme to decision point 3 (outline business case), taking the total project approval to £1.304 million.
- (iv) That the Combined Authority enters into an addendum to the existing funding agreement with Bradford Council for expenditure of up to £1.304 million from the West Yorkshire plus Transport Fund.
- (v) That future approvals are made in accordance with the assurance pathway and approval route outlined in the submitted report, including at decision points 4 and 5 through a delegation to the Combined Authority's Managing Director following a recommendation by the Combined Authority's Programme Appraisal Team. This will be subject to the scheme remaining within the tolerances outlined in the report.

(c) In respect of Gain Lane Enterprise Zone –

That following a recommendation from the Investment Committee, the Combined Authority approves:

- (i) That the Enterprise Zone Gain Lane project proceeds through decision point 3 (outline business case) and work commences on activity 5 (full business case with finalised costs).
- (ii) That an indicative approval of up to £9.877 million for the Combined Authority contribution to the scheme (subject to finalised due diligence) is given from the Local Growth Fund with full approval to spend being granted once the scheme has progressed through the assurance process to decision point 5 (full business case with finalised costs).
- (iii) That future approvals are made in accordance with the assurance pathway and approval route outlined in the submitted report including at decision point 5 through a delegation to the Investment Committee following a recommendation by the Combined Authority's Programme Appraisal Team. This will be subject to the scheme remaining within the tolerances outlined in the report.

(d) In respect of Transport Hubs and Connecting Communities –

That following a recommendation from the Investment Committee, the Combined Authority approves:

- (i) That the Transport Hubs Improvement and Public Transport Access scheme proceeds through decision point 3 and work commences on activity 5 (full business case with finalised costs).
- (ii) That an indicative approval to the total project value of £8.905

million is given from the Leeds Public Transport Investment Programme with full approval to spend being granted once the scheme has progressed through the assurance process to decision point 5 (full business case with finalised costs).

- (iii) That future approvals are made in accordance with the approval pathway and approval route outlined in the submitted report including at decision points 4 and 5 through a delegation to the Combined Authority's Managing Director following a recommendation by the Combined Authority's Programme Appraisal Team. This will be subject to the scheme remaining within the tolerances outlined in the report.
 - (e) That the revised approval route for the Wakefield City Centre Package Phase 2 Ings Road Scheme be approved, to enable the Investment Committee to make the decision on behalf of the Combined Authority.
- (a) Mirfield to Dewsbury to Leeds (Transport Scheme)**
 - (b) South East Bradford Link Road (Transport Scheme)**
 - (c) Gain Lane Enterprise Zone**
 - (d) Transport Hubs and Public Transport Access Schemes**

18. CO2 Emission Reduction Commitments and Activity

The Combined Authority considered a report of the Director of Policy, Strategy and Communications which provided an update on Leeds City Region CO₂ emission reduction commitment and activity.

The report provided an update on the latest CO₂ emission reduction commitments at an international, national, regional and local level. It also provided an overview of the Combined Authority's activity to address CO₂ emissions. The ambition to be a zero-carbon economy has been a longstanding ambition of the Combined Authority and it was acknowledged that over the last few months all five West Yorkshire authorities and York have declared a climate emergency.

Members discussed the Authority's strong commitment to tackle climate change which was outlined in the Leeds City Region Energy Strategy and Delivery Plan. It was noted that the 'Special Report on Global Warming of 1.5°C', published by the Intergovernmental Panel on Climate Change (IPCC) in October 2018 describes the enormous harm that 2°C rise is likely to cause compared with a 1.5°C rise. It also confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector. It was agreed this was a climate emergency needing action. Members supported a motion proposed by the Chair to declare a climate emergency in order to strengthen the Authority's commitment. It was agreed that the recommendations of the report be amended and that all future reports to the Combined Authority will

comment on what the impact of its decision will have on the climate emergency agenda. A progress report would be brought to a future meeting.

Resolved:

- (a) That the 'Special Report on Global Warming of 1.5°C', published by the Intergovernmental Panel on Climate Change (IPCC) in October 2018 be noted and that the Combined Authority declare a climate emergency.
- (b) That the Combined Authority strengthen its target in line with the IPCC, and once further carbon abatement work is complete, amend the Energy Strategy and Delivery Plan to deliver this target.
- (c) That in order to achieve significant results the Combined Authority will continue to focus on delivering the five key priorities within the Energy Strategy and Delivery Plan.
- (d) That the Combined Authority continue to support a range of low carbon projects being delivered.
- (e) That the Combined Authority work with the Green Economy Panel and wider Local Enterprise Partnership and new Leeds City Region Climate Coalition to achieve the strengthened target and deliver the Energy Strategy and Delivery Plan.
- (f) That future Combined Authority reports will comment on the impact any decision will have on the climate emergency agenda.
- (g) That a report be brought to a future meeting.

19. Corporate Planning and Performance

The Combined Authority considered a report of the Director of Corporate Services which provided an update on corporate performance including progress against corporate plan priorities, risk management and budget position.

The update on progress against the 2018/19 Corporate Plan headline indicators set out in Appendix 1 was noted. It was reported that four indicators were assessed as 'red' and details were outlined in the submitted report. These largely related to unanticipated issues out of the Combined Authority's control. Members discussed the information provided in respect of the MCard sales target and consideration would be given to its future presentation in order to identify the different products. A review of the risk register had been undertaken and risks updated accordingly which were set out in Appendix 1.

A summary of the 2018/19 final outturn as compared to original budget was attached at Appendix 2 and the draft accounts for 2018/19 have been prepared and published on the website.

Resolved: That the information provided on corporate performance be noted.

20. Proposal to Recruit to the Role of Director, Economic Services

The Combined Authority considered a report of the Managing Director on a proposal to recruit to the role of Director, Economic Services.

It was reported that following a review and re-evaluation of the increased breadth of activities in Economic Services, it was proposed to amend the current Executive Head role to a Director role in the Combined Authority.

Members noted details of the evaluation which were outlined in the report and considered the approach to recruiting to the position.

Resolved:

- (a) That the current Executive Head of Economic Services post be revised to a Director of Economic Services and recruited to on that basis, such change to take effect from the date of appointment.
- (b) That the proposed approach to recruiting to the position, as set out in the submitted report, be endorsed.
- (c) That the Managing Director be delegated authority to undertake the recruitment, including convening an interview panel (with member representation) and, in consultation with the Chair of the Combined Authority and the Chair of the LEP, to make an appointment in accordance with the recommendation of the interview panel.

21. Minutes for Information

The Combined Authority noted the minutes of the committees, panels and LEP Board that have been published on the West Yorkshire Combined Authority's website since the last meeting.

Resolved: That the minutes of the Combined Authority's committees and panels and the LEP Board be noted.

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Name of meeting: Council (Reference from Corporate Governance and Audit Committee)

Date: Wednesday 18 September 2019

Title of report: Report of the Members Allowances Independent Review Panel (MAIRP)

Purpose of report

To receive the report of the Members Allowances Independent Review Panel following its meeting on 5 July 2019, as considered by Corporate Governance and Audit Committee on 9 August 2019.

To recommend that Council approve the SRA paid to the Place Partnerships Lead Councillor Role and the adoption of a Parental Leave Policy for Elected Members as set out in the attached report.

| | |
|---|---|
| Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | Not applicable |
| Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?) | No |
| The Decision - Is it eligible for call in by Scrutiny? | No |
| Date signed off by Strategic Director & name | Rachel Spencer Henshall – Yes, 22.08.19 |
| Is it also signed off by the Service Director (Finance)? | James Anderson on behalf of Eamon Croston – Yes, 22.08.19 |
| Is it also signed off by the Service Director for Legal Governance and Commissioning? | Julie Muscroft – Yes, 22.08.19 |
| Cabinet member portfolio | Cabinet Member responsible for the Corporate Portfolio, namely Councillor Graham Turner |

Electoral wards affected: All

Ward councillors consulted: Not applicable

Public or private: Public

Have you considered GDPR? Yes. There is no personal data within the report.

1. Summary

The Members Allowances Independent Review Panel meets to consider and recommend the Members Allowances Scheme to Council having regard to evidence received and associated developments that will affect the Scheme.

The Panel met on 5 July 2019. The information this report, was considered by Corporate Governance and Audit Committee on 9 August 2019, it captures the outcomes of that meeting and the consequential recommended changes to the scheme that are proposed for agreement by Council as a result.

2. Information required to take a decision

A meeting of the MAIRP has taken place to consider the adoption of a Parental Leave Policy for Elected Members and the SRA paid to the Place Partnerships Lead Councillor Role. Both issues were referred to the Panel following a decision by Council on 16 January 2019 and 22 May 2019 respectively. The Corporate Governance and Audit Committee considered the report of the Panel which is attached at Appendix 1 and which makes the following recommendations:

Place Partnership Lead Councillor Role

- (i) That the Special Responsibility Allowance for the Place Partnerships Lead Councillor Role is paid at Band D (£5,009) and that this be backdated to the date of Annual Council, 22 May 2019, when the Lead Members were appointed.

NOTE: That in making the above mentioned recommendation the Panel made the following points:

- (a) Following its evidence-led method of working the Panel would like to hear from the Place Partnerships Lead Councillors when the Panel meets in November 2019 to get a clearer idea of what work is involved and hear about what has (and has not) been achieved so far. They will consider reviewing the allowance at this time, alternatively the Panel will look at the allowance again when they meet in November 2020.
- (b) The Panel would like to see evidence of the impact of the role and also positive outcomes relating to the pilot theme, Mental Health, Domestic Abuse.
- (c) The Panel would also like to understand more about the relationship between the Place Partnerships Lead Councillors Role and the Cabinet Lead Member and also with the Councillors within their locality. They would like to know what the impact is, and how it has been achieved.

Parental Leave Policy

- (ii) That the Parental Leave Policy is adopted.

NOTE: That in making the above mentioned recommendation The Panel believes the Council ought to consider that its provisions are equitable when compared with those of the Kirklees Council staff Maternity Leave Guidelines which incorporate a Shared Parental Leave Framework.

3. Implications for the Council

- 3.1 **Working with People** Our developing approach to place-based working, is predicated on working outwards from communities with a strong focus on genuine engagement and dialogue. The Place Partnerships Lead Councillor Role should be seen within this context.
- 3.2 **Working with Partners** – Place based working is being developed in a way that recognises the need for certain issues to be discussed and addressed on a larger geographical footprint than the Ward. For example the proposed work looking at mental health will demand wider partnership dialogue, co-production and solutions. Partnership working will be at the heart of our developing approach and the role of the Place Partnerships Lead Councillor Role is essential to facilitate councillor leadership in securing a partnership approach that best meets the needs of specific areas.
- 3.3 **Place Based Working** – This proposal is an important part of our developing approach to place based working.
- 3.4 **Improving outcomes for children** – Place based working will inevitably incorporate the consideration, discussion and progression of issues that will improve outcomes for children within those seven areas.
- 3.5 **Other (eg Legal/Financial or Human Resources)** – Implementing the recommendations set out at section 6 below will result in £35,063 increase to the Councillors' Allowances Budget.

4. Consultees and their opinions

The Members Allowances Panel have been consulted on the contents of the report attached at Appendix 1 and have signed it off as a correct record.

There have been no changes as a result of consideration by Corporate Governance and Audit Committee. The Corporate Governance and Audit Committee agreed the recommendations for consideration by Council.

5. Next steps and timelines

Following approval by Council the revised scheme will be implemented with immediate effect.

6. Officer recommendations and reasons

That Council consider and approve the recommendations of both the Corporate Governance and Audit Committee and the Members' Allowances Independent Review Panel with regards to adopting the proposed changes to the Allowances Scheme in respect of the Place Partnerships Lead Councillor Role and the Parental Leave Policy.

7. Cabinet portfolio holder's recommendations

Not applicable to this report.

8. Contact officer

Deborah Nicholson
Democracy Manager (Councillor Support & Liaison)
Deborah.nicholson@kirklees.gov.uk
Tel: 01484 221000

9. Background Papers and History of Decisions

Appendix 1, Report of Members Allowances Independent Review Panel, 5 July 2019;
Appendix A, Place Partnership Lead Councillor Role Profile;
Appendix B, Parental Leave Motion Approved by Council on 16 January 2019
Appendix C, Extract from 2019/20 Councillors' Allowances Scheme;

Report to Corporate Governance and Audit Committee – 9 August 2019
<https://democracy.kirklees.gov.uk/documents/s30611/V3%20MAIRP%20-%20CGAC%20August%202019.pdf>

Decision relating to Parental Leave Motion (Item 19) – 16 January 2019
<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=138&MId=5651&Ver=4>

Decision relating to Place Partnership Lead Councillor (Item 8) – 22 May 2019
<https://democracy.kirklees.gov.uk/ieListDocuments.aspx?CId=140&MId=5655&Ver=4>

10. Service Director responsible

Julie Muscroft, Service Director – Legal, Governance and Commissioning

Report of The

**Kirklees Council
Members' Allowances
Independent Review
Panel**

5 July 2019

Deborah Nicholson
Councillor Support & Liaison Manager
Civic Centre 3,
Huddersfield, HD1 2TG
01484 221000

1 Panel Membership

The Members of the Independent Review Panel are as follows:

Andrew Taylor (Chair)
Ian Brown
Chris West
Fiona Weston
Lynn Knowles
Stephen Thornton (Apologies received)

The meeting of the Members' Allowances Independent Review Panel took place on 5 July 2019.

The following officers attended the Panel meeting:

Deborah Nicholson, Councillor Support & Liaison Manager
Richard Farnhill, Councillor Business Manager
Georgina Barraclough, Corporate & Executive Team Project Manager

2 Terms of Reference

The Panel's Terms of Reference are:

- (a) To advise the Council on what would be the appropriate level of remuneration for Councillors having regard to the:
 - Roles Councillors are expected to fulfil
 - Varying roles of different Councillors
 - Practice elsewhere and other Local Authorities.
- (b) To consider schemes of Members Allowances for Town and Parish Councils as and when required.
- (c) To make recommendations and provide advice to the Council on any other issues referred to the Panel by regulation or by the Council.
- (d) The Council retains its power to remove a discredited Panel Member.
- (e) The Panel can appoint its Chair from amongst its Members.

3 Place Partnerships Lead Councillor Role

Following reference from Annual Council on 22nd May 2019, Richard Farnhill, Council Business Manager and Georgina Barraclough, Corporate & Executive Team Project Manager, attended the Panel to make a presentation on Place Based Working and to provide information and context relating to the the Place Partnerships Lead Councillor Role. This included details of the following:

- The principles underpinning the developing approach to Place Based Working in Kirklees;

- The importance of placing councilors at the heart of Place Based Working, as part of a changing relationship with citizens and communities, based on local identity and intelligence and insight;
- The thinking behind the development of the Place Partnerships Lead Councillor Role in this context which has a focus on delivering greater outcomes at geographical level than are possible at the Ward level.

Richard explained that the Place Partnerships Lead Councillor Role was designed to undertake the following:

- Gather and assemble intelligence from the Council and Partners relevant to their “place”;
- Work with Councillors within their place to validate and add to that intelligence using local insight;
- Co-ordinate activity to address identified needs, ensuring all communities have a voice and are adequately engaged;
- Work with Councillors to identify gaps in community capacity and opportunities to fill them;
- Broker solutions with Councillors, based on intelligence and insight, that tackles priorities across the entire footprint;
- Monitor progress, evaluate activity, communicate progress and develop responses to issues.

The Panel noted and considered the role profile which had been produced (attached at Appendix A).

In noting the presentation made by Richard Farnhill, the Panel made reference to following:

- The prominence attached to the considerations and implications of balancing and brokering different political views;
- The ways in which competing demands would be addressed and met;
- The basis upon which the 7 areas have been identified;
- The amount of time that a Place Partnerships Lead Councillor Role will be expected to dedicate to this role.

The Panel further noted that:

- That this is a major innovation in governance and applaud Kirklees for what they are doing;
- Cross party negotiation will be critical to the success of this role as is persuading members of the public and partners to engage with the process;
- If after 4/5 years, policy has become geographically differentiated and is being handled differently, then the Place Partnerships Lead Councillor Role has worked;
- This role is about the Place Partnerships Lead Councillor Role in a co-ordinating and networking role;

The Panel thanked Richard and Georgina for their attendance.

The Panel recommends:

- (j) That the Special Responsibility Allowance for the Place Partnerships Lead Councillor Role is paid at Band D (£5,009). This to be backdated to the date of Annual Council, 22 May 2019, when the Lead Members were appointed.
- (d) Following its evidence-led method of working the Panel would like to hear from the Place Partnerships Lead Councillor Role when the Panel meets in November 2019 to get a clearer idea of what work is involved and hear about what has (and has not) been achieved so far. They will consider reviewing the allowance at this time, alternatively the Panel will look at the allowance again when they meet in November 2020.
- (e) The Panel would like to see evidence of the impact of the role and also positive outcomes relating to the pilot theme, Mental Health, Domestic Abuse.
- (f) The Panel would also like to understand more about the relationship between the Place Partnerships Lead Councillor Role and the Cabinet Lead Member and also with the Councillors within their locality. They would like to know what the impact is, and how it has been achieved.

4 Parental Leave Policy

Following reference from Council on 16th January 2019, the Panel considered the Motion submitted to Council to adopt a Parental Leave Policy for Elected Members.

The Panel considered the Parental Leave Policy approved by Council (attached at Appendix B) alongside the current Councillors' Allowances Scheme (attached at Appendix C) which incorporates terms and conditions derived from the Council staff maternity policy. The Panel recognised that there is a valuable principle of equity between Councillor and Officer schemes and therefore:

The Panel recommends:

- (i) That the Parental Leave Policy is adopted.

NOTE: That in making the above mentioned recommendation The Panel believes the Council ought to consider that its provisions are equitable when compared with those of the Kirklees Council staff Maternity Leave Guidelines which incorporate a Shared Parental Leave Framework.

Report produced on behalf of the Members Allowances Independent Review Panel by Deborah Nicholson, Democracy Manager - Councillor Support & Liaison, July 2019.

Place Partnership Lead Councillor

Leading, Representing and Working Together

A Kirklees Place Partnership Lead Councillor will work with the designated Cabinet Lead Member to develop and implement Place Based Working within a geographical area using a topic or theme based approach. They will:

- Provide leadership at a locality level to facilitate the involvement of communities, councillors, officers and partners;
- Commission intelligence and insight to facilitate the identification of topics that are a priority for the respective locality in the context of the 7 shared outcomes:
 - Best start;
 - Well;
 - Independent;
 - Aspire and achieve;
 - Sustainable economy;
 - Safe and cohesive;
 - Clean and green
- Identify, support and build community capacity;
- Refine existing, and develop new, approaches to citizen engagement;
- Ensure that locality stakeholders, community organisations are involved in such engagement;
- Develop and maintain effective working relationships with partners;
- Facilitate partnership working with other agencies (e.g. health, police etc) in the context of citizen engagement activity and responding to the outcomes of such work;
- Oversee service delivery;
- Monitor progress against agreed actions and evaluate success and impact;
- Communicate and promote the work carried out in the place.

Place Partnership Lead Councillor

Governance and Decision Making

A Kirklees Place Partnership Lead Councillor will:

- Have responsibility for, and provide a lead on, the initiation and development of the approach within each place.
- Ensure that the work in the place for which they are responsible is reported into the relevant council and partnership governance structures;
- Consider and have regard to professional officer advice when taking decisions.
- Work proactively and constructively with ward councillors within the respective place.
- Attend Overview and Scrutiny Committee and Scrutiny Panels to discuss the work for which they are responsible (as appropriate)

Appendix B

Parental Leave Policy

Introduction

This Policy sets out Members' entitlement to maternity, paternity, shared parental and adoption leave and relevant allowances.

The objective of the policy is to ensure that insofar as possible Members are able to take appropriate leave at the time of birth or adoption, that both parents are able to take leave, and that reasonable and adequate arrangements are in place to provide cover for portfolio-holders and others in receipt of Special Responsibility Allowances (SRA) during any period of leave taken.

Improved provision for new parents will contribute towards increasing the diversity of experience, age and background of local authority councillors. It will also assist with retaining experienced councillors – particularly women – and making public office more accessible to individuals who might otherwise feel excluded from it.

There is at present no legal right to parental leave of any kind for people in elected public office. This applies to MPs as well as councillors, and has been the subject of lengthy debate. These policies can therefore only currently be implemented on a voluntary basis. Discussions are ongoing about changing the law to enable compulsory provision.

Legal advice has been taken on these policies, and they conform with current requirements.

1. Leave Periods

1.1 Members giving birth are entitled to up to 6 months maternity leave from the due date, with the option to extend up to 52 weeks by agreement if required.

1.2 In addition, where the birth is premature, the Member is entitled to take leave during the period between the date of the birth and the due date in addition to the 6 months' period. In such cases any leave taken to cover prematurity of 28 days or less shall be deducted from any extension beyond the initial 6 months.

1.3 In exceptional circumstances, and only in cases of prematurity of 29 days or more, additional leave may be taken by agreement, and such exceptional leave shall not be deducted from the total 52 week entitlement.

1.4 Members shall be entitled to take a minimum of 2 weeks paternity leave if they are the biological father or nominated carer of their partner/spouse following the birth of their child(ren).

1.5 A Member who has made Shared Parental Leave arrangements through their employment is requested to advise the Council of these at the earliest

possible opportunity. Every effort will be made to replicate such arrangements in terms of leave from Council.

1.6 Where both parents are Members leave may be shared up to a maximum of 24 weeks for the first six months and 26 weeks for any leave agreed thereafter, up to a maximum of 50 weeks. Special and exceptional arrangements may be made in cases of prematurity.

1.7 A Member who adopts a child through an approved adoption agency shall be entitled to take up to six months adoption leave from the date of placement, with the option to extend up to 52 weeks by agreement if required.

1.8 Any Member who takes maternity, shared parental or adoption leave retains their legal duty under the Local Government Act 1972 to attend a meeting of the Council within a six month period unless the Council Meeting agrees to an extended leave of absence prior to the expiration of that six month period.

1.9 Any Member intending to take maternity, paternity, shared parental or adoption leave will be responsible for ensuring that they comply with the relevant notice requirements of the Council, both in terms of the point at which the leave starts and the point at which they return.

1.10 Any member taking leave should ensure that they respond to reasonable requests for information as promptly as possible, and that they keep officers and colleagues informed and updated in relation to intended dates of return and requests for extension of leave.

2. Basic Allowance

2.1 All Members shall continue to receive their Basic Allowance in full whilst on maternity, paternity or adoption leave.

3. Special Responsibility Allowances

3.1 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, paternity, shared parental or adoption leave.

3.2 Where a replacement is appointed to cover the period of absence that person shall receive an SRA on a pro rata basis for the period of the temporary appointment.

3.3 The payment of Special Responsibility Allowances, whether to the primary SRA holder or a replacement, during a period of maternity, paternity, shared parental or adoption leave shall continue for a period of six months, or until the date of the next Annual Meeting of the Council, or until the date when the member taking leave is up for election (whichever is soonest). At such a point, the position will be reviewed, and will be subject to a possible extension for a further six month period.

3.4 Should a Member appointed to replace the member on maternity, paternity, shared parental or adoption leave already hold a remunerated position, the ordinary rules relating to payment of more than one Special Responsibility Allowances shall apply.

3.5 Unless the Member taking leave is removed from their post at an Annual General Meeting of the Council whilst on leave, or unless the Party to which they belong loses control of the Council during their leave period, they shall return at the end of their leave period to the same post, or to an alternative post with equivalent status and remuneration which they held before the leave began.

4. Resigning from Office and Elections

4.1 If a Member decides not to return at the end of their maternity, paternity, shared parental or adoption leave they must notify the Council at the earliest possible opportunity. All allowances will cease from the effective resignation date.

4.2 If an election is held during the Member's maternity, paternity, shared parental or adoption leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA if appropriate will cease from the Monday after the election date when they would technically leave office.

Appendix C

Extract from 2019/20 Councillors' Allowances Scheme (relating to Maternity/Adoption/Paternity)

7. Maternity/Adoption/Paternity

Maternity and Adoption

Councillors are entitled to:

Leave

- 52 weeks leave.

Pay

- 6 weeks at 90% of the Basic Allowance and any Special Responsibility Allowance payable.
- 33 weeks at half pay plus the equivalent weekly amount paid to staff in receipt of Statutory Maternity/Adoption Pay.

A replacement to cover the period of absence shall be appointed, by Council, Committee or the Leader (dependent of the role being vacated) and the replacement will be paid the appropriate Special Responsibility Allowance subject to any applicable abatement.

Paternity

- Councillors can take up to two weeks' Paternity Leave.

If an election is held during the Councillor's Maternity, Adoption or Paternity leave and they are not re-elected, or decide not to stand for re-election, their Basic Allowance and SRA (if appropriate) will cease from the Monday after the election date when they would technically leave office and payments under this agreement would cease at that point. If they otherwise stand down from the post or otherwise lose the position, their Basic Allowance and SRA (if appropriate) will cease from the date which would be the position if the member stepped down or otherwise lost their position.

Name of meeting: Council

Date: 18 September 2019

Title of report: Overview and Scrutiny Annual Report 2018/19

Purpose of report

In line with constitutional requirements, this report presents the Overview and Scrutiny Annual Report for the 2018/19 municipal year to Council.

| | |
|---|--|
| Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | not applicable |
| Key Decision - Is it in the Council's Forward Plan (key decisions and private reports?) | not applicable |
| The Decision - Is it eligible for call in by Scrutiny? | not applicable |
| Date signed off by Strategic Director & name | Rachel Spencer Henshall 5.09.19 |
| Is it also signed off by the Service Director for Finance IT and Transactional Services? | Not applicable |
| Is it also signed off by the Service Director for Legal Governance and Commissioning Support? | Julie Muscroft 5.09.19 |
| Cabinet member portfolio | Not applicable |

Electoral wards affected: None specific

Ward councillors consulted: Not applicable

Public or private: Public

Electoral wards affected: All

Has GDPR been considered? GDPR considerations have been fully considered in respect of this report and permission has been given in respect of reference to a particular individual.

1. Information

1.1 The Council's Constitution requires the Chair of Scrutiny to submit a report to Council at the end of each municipal year, highlighting Overview and Scrutiny work in the previous twelve months. Attached at appendix one is the Overview and Scrutiny Annual Report for 2018/19. The Council is asked to receive and note the Annual Report.

2. Implications for the Council

2.1 The work of Overview and Scrutiny contributes to all the Council priorities set out below by considering proposals and pieces of work that contribute to delivering the priorities:

- **Working with People**
- **Working with Partners**
- **Place Based Working**
- **Improving outcomes for children**
- **Other (eg Legal/Financial or Human Resources)**

3. Consultees and their opinions

Not applicable

4. Next steps

Following consideration by Council, the Annual Report will be available for information on the Council's website.

5. Officer recommendations and reasons

That Council receive and note the Overview and Scrutiny Annual Report 2018/19

6. Cabinet portfolio holder's recommendations

Not applicable

7. Contact officer

Penny Bunker Governance and Democratic Engagement Manager
Tel: 01484 221000

8. Background Papers and History of Decisions

Minutes of Overview and Scrutiny Management Committee and Scrutiny Panels during 2018/19.

Lead Member Reports to Overview and Scrutiny Management Committee in 2018/19

9. Service Director responsible

Julie Muscroft Service Director Legal, Governance and Commissioning

Overview and Scrutiny

Annual Report

2018/19

Improvement
Hold to account
Investigation *STP view*
Forward Play Strategy
Domestic **Review**
abuse Resilience
OFSTED **Health**
Proposals Prevention
Virtual school
Ambulatory *Healthy Child*
service
Strategic **Flooding**
Services Intervention
Podiatry **Citizens**
Ward councillors
Edge of Care

Care closer
Recommendations
Democracy Commission
Statutory Social Care
Housing **Briefings**
Regional
working
Rough sleeping
Mental health
Safeguarding
Crime **Children**
Wellness Monitoring
Pre decision Engagement
People strategy
Lessons learned
Ad Hoc Panel

Chair's Foreword

At the start of my first year as Chair of Overview and Scrutiny, I would like to thank former Councillor Julie Stewart-Turner for her work in leading overview and scrutiny since 2014. I also want to thank those councillors who took part in scrutiny work during last year, together with our invaluable voluntary and statutory scrutiny co-optees. I look forward to working with new scrutiny panel lead members, panel members and some newly appointed and returning co-optees.

The annual report 2018/19 reflects some of the highlights of work carried out by scrutiny over the last municipal year. Many strategic areas of change will continue to be the focus of scrutiny in the coming year. Joint health scrutiny work continues to be a priority with new areas of work at a regional level. Moving forward I would like to build on previous work, with particular emphasis on ensuring we have a planned approach to pre decision scrutiny across all panels and the management committee.

This year has also seen the publication of new guidance for effective overview and scrutiny in local government. We will be holding a workshop at the end of September, facilitated by the Centre for Public Scrutiny, to look in detail at the guidance and see how it might support the development of scrutiny in Kirklees.

I look forward to updating Council during the year on key areas of scrutiny work.



A handwritten signature in black ink that reads "Liz Smaje".

Chair of Scrutiny 2019/20

Councillor Liz Smaje

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Overview and Scrutiny Management Committee 2018/19

Committee membership

Cllr Julie Stewart-Turner (Chair)
Cllr Liz Smaje
Cllr Gulfam Asif
Cllr Cahal Burke
Cllr Rob Walker

Committee Work Programme:

- Approach to scrutiny work 2018/19
- Appointment and allocation of co-optees
- Re-establishment of ad hoc scrutiny panel
- Approval and monitoring of scrutiny work programme 2018/19
- Scrutiny communications
- Overview of Transformation Programme (2 meetings)
- Inclusion and diversity - Year 2 update
- Pre-scrutiny workshop - Cohesion and Integration Strategy
- Crime and disorder – refresh of Domestic Abuse Strategy (2 meetings)
- Panel lead member reports
- Leader of the Council priorities (2 meetings)
- Crime and disorder - Crime and Disorder Partnership Plan
- Draft 5 year flood risk management plan – Including update on community and member engagement
- Annual update against flood risk management action plan
- Play Strategy – progress progress
- Introduction to new approach to corporate performance
- Consultation on Kirklees Hackney Carriage and Private Hire Licensing Policy
- Update on cctv operation in Kirklees
- Regional working update
- Supporting and growing the community and voluntary sector

Committee highlights

Domestic Abuse

During 2018/19 as part of the statutory scrutiny of crime and disorder, the committee looked at the incidence rates for domestic abuse in Kirklees and how the council was working in partnership to address the issue. The committee welcomed some of the recent improvements in this area, including the work of Independent Domestic Violence Advocates in supporting victims through the court process.

The committee felt that the visibility of information in communities to be able to identify where to go for support had declined over recent years. It was therefore important that the quality of information that could be accessed on the council's website was easily accessible, with up to date information and advice.

The committee recommended that given the need for domestic abuse victims to be able to quickly identify where to go for support, the information on domestic abuse on the council's website should be updated and enhanced.

The committee also contributed to the development of a revised Domestic Abuse Strategy, which would focus on 5 priorities;

- partnership working
- preventing violence and abuse
- provision of services
- victim/ survivor support
- Pursuing perpetrators to reduce offending

The committee was concerned about an insufficiency of perpetrator programmes and the lack of clarity about funding for this area from the police and crime commissioner. The chair of the committee raised the issue at a scrutiny liaison meeting with the police and crime panel.

Outcome:

The information on the council website has been updated and is clear about what domestic abuse is and where to go to report it or look for help. Scrutiny raised concerns directly with the police and crime panel about the lack of clarity about funding for perpetrator programmes.

Inclusion and Diversity

In 2017/18 the committee had looked in detail at the refresh of the inclusion and diversity strategy and work to deliver the priorities within the action plan. The committee recommended a move to an outcome focussed action plan so the council can better demonstrate the progress that is being made.

In 2018/19 the committee looked at progress over the last 12 months which included establishing a baseline of internal information from which to measure progress. The year two plan had been developed in an outcome based, intelligence-led manner. There was an increase in external focus with priority areas including high impact work with vulnerable communities and high profile partnership activities such as a diversity award event. There was an ambitious set of actions for year 2 which the committee will measure progress against in the 2019/20 municipal year.

The committee welcomes that the council has become a full member of Inclusive Employers which was the UK's first membership organisation for employers looking to build inclusive workplaces and practices. The committee supported the council working with the organisation to achieve the new inclusive standard.

The committee also explored the role of the employee networks and commended the positive contributions made by some of the networks during 2018/19.

Outcomes:

Following discussion with the committee an outcome focussed action plan has been introduced. The positive contribution of employee networks has been highlighted with a recommendation that more resources are targeted to ensure that all the employee networks are strengthened to achieve similar outcomes.

Health and Adult Social Care Scrutiny Panel

Panel membership

Councillor Elizabeth Smaje (Chair)
Councillor Nell Griffiths
Councillor Fazila Loonat
Councillor Alison Munro
Councillor Habiban Zaman
Councillor Gemma Wilson
David Rigby – voluntary co-optee
Peter Bradshaw – voluntary co-optee
Lynne Keady – voluntary co-optee

Health and Adult Social Care Work Programme 2018/19

- Financial position of the Kirklees health and adult social care economy.
- Kirklees Health and Wellbeing Plan (STP) to include work emerging from the West Yorkshire and Harrogate Health and Care Partnership (WY&H HCP)
- Integration of health and adult social care
- CQC inspections - review progress
- Integrated Wellness Model
- Quality of care in Kirklees
- Suicide prevention - review progress
- Podiatry Services
- Mental health services transformation programme
- Interim changes to acute inpatient elderly medicine, cardiology and respiratory services provision at Calderdale and Huddersfield NHS Foundation Trust (CHFT).
- Wheelchair Services
- Adult Care offer consultation
- Kirklees Safeguarding Adults Board (KSAB) 2017/18 Annual Report
- Mental Health Rehabilitation and Recovery Services Transformation Project.
- Diabetes in Kirklees
- Transforming outpatient care
- Ambulatory care unit Dewsbury Hospital
- Foetal Alcohol Syndrome

Panel highlights

1. Foetal Alcohol Syndrome and Foetal Alcohol Spectrum Disorder

The panel received a request by a member of the public to review the provision of support in Kirklees for children with Foetal Alcohol Syndrome (FAS) and Foetal Alcohol Spectrum Disorder (FASD).

At its January 2019 meeting the panel invited the member of public to attend the discussions on the issue which included input from local commissioners, Kirklees Council, the lead investigator of a UK and Ireland study of FAS and a retired paediatrician who had expertise in this area.

The member of the public presented a deputation to the panel which included a number of proposed solutions. The discussions were extremely constructive and resulted in a number of recommendations from the panel that included endorsing the solutions presented by the member of public.

A key outcome from the meeting was an agreement by the West Yorkshire and Harrogate Health and Care Partnership to establishing a regional protocol and diagnostic pathway for children with Foetal Alcohol Spectrum Disorder.

The issue has been carried forward for inclusion in the 2019/20 work programme to assess progress of the regional work.

Outcome:

The discussion helped to raise awareness of the impact of drinking alcohol during pregnancy and resulted in an agreement to look at developing a regional protocol and diagnostic pathway for children with Foetal Alcohol Spectrum Disorder.

Following the meeting the member of the public gave this feedback on their experience of Scrutiny

“

As far as working with scrutiny for Kirklees is concerned we have nothing but praise, you communicated very effectively and set our expectations as well as I think you could, given that we'd not attended a council meeting before. Thank you and your team for all of your help, most appreciated. Thanks for stopping to speak to us outside as well.

The board were formal as would be expected, but proceedings were well managed, people seemed friendly and helpful. We would like to thank the members particularly for having taken the time to read the papers we sent, as there were quite a few, and asking appropriate and searching questions. It was nice to hear that members actually took an interest in the issue, some also stopped to speak to us outside which was also very gratifying.

”

continues overleaf...

2. Kirklees Integrated Wellness Model

The Kirklees integrated wellness models aim to develop an integrated health improvement approach for adults; to help people build their capacity to maintain good health and be independent.

The wellness model has been a continuing area of work for the panel and at its meeting in September 2018 the panel received an update of the progress of the design and commission of the model.

The panel agreed a number of actions which included: a request to see the engagement plan for comment and to provide assurance that engagement was being carried out across the whole of Kirklees; and a request to receive information that would provide assurance that the model would focus on both physical and mental health.

At a meeting held in March 2019 the panel received a further update on the model design. The panel made a number of comments and recommendations that were aimed at ensuring there was greater input from service users; that there was a clear process for involving clients groups that did not normally engage with primary care or other health and social care bodies; and due to the level of contact that the Wellness Service would have with vulnerable people that the service included the police on its list of key partners.

The panel have agreed to continue monitoring the development of the wellness model during 2019/20.

Outcomes:

The panel's feedback and recommendations helped to ensure that there was greater service user input into the development of the model design; increased focus on involving those client groups that can be overlooked during engagement exercises; and the inclusion of mental health as a key element of the model.

3. Ambulatory Care Unit Dewsbury Hospital

In 2018 the panel was made aware that the Ambulatory Emergency Care (AEC) Unit at Dewsbury District Hospital had closed and until further notice ambulatory care facilities would be provided on the Pinderfields Hospital site.

In October 2018 the panel met with representatives from Mid Yorkshire Hospitals NHS Trust (MYHT) who provided an update on the current position of the AEC unit.

The panel agreed that it should monitor closely the impact of the closure and in particular was keen to ensure there was an assessment of the capacity of the consolidated ambulatory care facility on the Pinderfields site and clarification on the timescales of the closure.

At a second meeting in February 2019 the panel heard that due to continuing workforce challenges the Trust was recommending that the centralised service model be maintained and indicated that the position was unlikely to be resolved in the short term.

As a result of these discussions the panel agreed that a more detailed scrutiny of AEC services was required and to approach Wakefield scrutiny committee to see if they wished to participate in the review of AEC Services.

Wakefield scrutiny has agreed to be involved in the review and this joint piece of work will commence early in the 2019/20 municipal year.

- **4. Mental Health Rehabilitation and Recovery Services Transformation Project**

The panel had two meetings during 2018/19 to look at the work that local commissioners were developing in transforming the provision of mental health rehabilitation and recovery services in Kirklees.

The key focus of these meetings was the engagement work that was being undertaken and at the initial meeting in July 2018 the panel made clear that it would wish to see evidence that engagement activity was robust and included a focus on engaging with service users across the whole of Kirklees and from different communities.

In December 2018 the panel was presented with the findings of the engagement activity and as a result of the discussions a number of actions were agreed with commissioners that included: a request to receive details on how key messages that had

emerged from the engagement would inform the proposed model; and for the panel to be provided with an opportunity to review the new proposed model and take a view on whether any elements of the model constituted a significant change to service.

This item of work has been carried forward for inclusion in the panel's 2019/20 work programme.

Outcome:

Local commissioners agreed to undertake more work on its engagement plan to ensure that more people across the whole of Kirklees and from different communities were provided with an opportunity to inform the development of a new model.



Corporate Scrutiny Panel

| Panel membership |
|---|
| <p>Councillor Gulfam Asif (Chair) Councillor James Homewood Councillor Marielle O'Neill Councillor Hilary Richards Councillor John Taylor Councillor Will Simpson Philip Chaloner – Voluntary co-optee Linda Summers – Voluntary co-optee</p> |

Panel work programme 2018/19

- Corporate Plan
- Libraries review
- Financial monitoring
- Transformation Programme – procurement (2 meetings and introduction to procurement workshop)
- Review of Medium Term Financial Plan including headline assumptions, financial resilience and budget risk
- People Strategy (staff development) (2 meetings)
- Cabinet member priorities and end of year update
- Finance end of year summary /start of next year monitoring plan; including link to corporate plans and service plans & budgets

Panel highlights

Corporate Plan

The panel had a pre decision discussion of the Corporate Plan for 2018-20 prior to it being submitted to council for approval on 11th July 2018. A constructive discussion took place with the panel noting the key shift in terms of emphasis and the 'We're Kirklees' approach.

Financial Monitoring

This is an ongoing priority for the panel with a more robust approach to scrutiny of financial monitoring being developed.

A number of reports were submitted for consideration throughout the year:

- | | |
|------------|---|
| July – | An Introduction to council finances workshop |
| August – | High level overview and approach to financial scrutiny |
| October – | Progress report in relation to the Medium Term Financial Plan |
| November – | Quarter 2 financial monitoring report |
| April - | High level overview of quarter 3 financial monitoring report and other key financial management updates |

The panel will continue to focus on financial management in 2019/20.

The Service Director for Finance who has worked with the panel to develop more robust scrutiny of financial monitoring commented:

“

Given the scale of broader financial challenges facing the council, my view is that corporate scrutiny panel has become much more confident and assured over the past 12 months in terms of a more critical eye and challenge to a range of key financial management information presented to it, including testing critical assumptions around reserves strategy, capital slippage, emerging and key pressures and risks. I see opportunities for Scrutiny going forward to continue to check and challenge officer approaches to managing the continuing impact of key financial challenges, especially around broader sectoral financial resilience/sustainability and the council's approach, and also related opportunities, such as with the forthcoming training around commercialisation, and scrutiny's subsequent role in helping shape the council's approach to this agenda.

”

Outcomes

The panel made a number of recommendations throughout the year to identify actions to contribute towards strong financial management of the authority these included :

- that the forecast process be reviewed in an attempt to set budgets accordingly and avoid high level overspends in areas where need has already become apparent.
- that the difference between the aspirational figures for housing growth within the Corporate Plan and those set out in the base line budget assumptions for council tax revenue, be clearly explained in narrative within the relevant documents;
- that the narrative relating to the review of the Waste Strategy within the corporate risk register be amended to clearly outline the potential risks to the organisation;
- that schemes relating to the development of the high street be developed in readiness for the distribution of the pot of money being made available by Government for “changes to local high streets”.
- that a future report include information in respect of the management of the capital plan in terms of re-profiling and the availability of resources and capacity to deliver its ambitions.

Transformation Programme/ Procurement

Procurement was an important element for the panel's scrutiny in 2018/19; this included:

An introduction to the broader aims of the project which were to challenge and redefine how goods and services were procured, to ensure that all third party spend was necessary, to support local economic growth through local spend and to stimulate local social value and contribute to good growth.

An interactive procurement workshop, held on 1st March 2019, which proved very beneficial in increasing knowledge of the role and approach to procurement. As part of the workshop panel members found it helpful to talk to the category managers, to get a better understanding of operational issues.

At the April meeting an update was presented which included information on the implementation of the new operating model. The panel welcomed that the procurement team had been nominated for three UK national GO Awards.

In 2019/20 the panel hopes to receive training in respect of commercialisation and to contribute to the development of the Commercial Strategy.

continues overleaf...

Kirklees People Strategy

During the year the panel has looked at two areas of the People Strategy.

In October the focus was on the 'development' work stream followed in April by "health and wellbeing". The panel welcomed the change in emphasis for the work of the Employee Health Care Unit from a traditional, reactive approach to becoming a proactive targeted service. In practical terms this meant an emphasis on early intervention and

prevention; a focus on staff wellbeing rather than absence; and a holistic view of wellbeing including physical, mental and financial support.

The various changes introduced had achieved a steady fall in levels of sickness absence across the Council since their inception. The proactive work and positive results of the new approach were welcomed by the panel.

The Head of People Services, who was new to the council in 2018 said of her first experience at a scrutiny panel meeting:

“

I have to admit that in advance of the meeting, I was fairly anxious as I am relatively new to the organisation and it was my first scrutiny panel, so I wasn't quite sure what to expect. My presentation to the panel lasted over an hour and I genuinely don't know where that time went! The panel were engaging, inquisitive and constructively challenging, posing some very thoughtful questions around the work I am leading on; they made some great observations and suggestions and I came away reflecting upon how we might engage better with members going forward when we are developing and implementing workforce strategies. A very helpful and positive experience!

”

The panel has the 'attraction and retention' stream included within its work programme for consideration during 2019/20.

Outcomes:

As a result of the discussion of the People Strategy it was recommended that Councillors be involved in the monthly recognition scheme for employees and able to put forward nominations.



Economy & Neighbourhoods Scrutiny Panel

Panel membership

Councillor Rob Walker (Chair)
Councillor Bill Armer
Councillor Martyn Bolt
Councillor Judith Hughes
Councillor Richard Murgatroyd
Councillor Harpreet Uppal
Mark Mercer – Voluntary co-optee
Andrew Bird – Voluntary co-optee

Work Programme 2018/19

- Kirklees Economic Strategy refresh
- - including social value, local wealth building, links to inclusive growth
- Housing Strategy
- Housing Allocations Policy
- Skills Strategy
- Green Paper – a New Deal for Social Housing consultation
- The recommendations of the Hackitt Review
- Town and communities
- Update on rough sleeping and severe weather emergency protocol
- Draft Greenspace Strategy
- Waste minimisation
- Draft Rough Sleeping and Homelessness Strategy
- Digital Strategy
- Air quality
Local Lettings working group update
- Housing Strategy implementation

continues overleaf...

Panel highlights

Economic Strategy

The panel contributed to work being undertaken to refresh the Kirklees Economic Strategy (KES), considering the issue at 3 meetings during 2018/19. This included associated work in relation to social value, local wealth building and links with inclusive growth. One of the meetings included input from Tom Lloyd Goodwin from the Centre for Local Economic Strategies (CLES) which had provided support to the council in reviewing its social value policy, specifically in relation to procurement and spend.

The refreshed KES was approved by full council in March 2019. In 2019/20 the panel will retain a monitoring brief in terms of the progress made in respect of the strategy's priorities and has requested information on economic outcomes. It has also included an item on its work programme in relation to the strategic approach to inward investment.

Towns and communities

The panel received an initial overview of the issues facing the district's town centres and the programmes in place to address those challenges, including a masterplan for Huddersfield town centre (now called the Huddersfield Blueprint). Further

to this, Members of the Panel visited Barnsley in January 2019 to hear about the Council's Town Centre Regeneration Strategy. The visit incorporated a walk around the town to see at first-hand the ongoing works which included a new purpose built market placed at the heart of the development.

Members observed that there were a number of differences between Barnsley and Kirklees which would affect the approach that could be taken in Kirklees. The panel agreed that the visit had both interesting and informative. Particular note was taken of some of the measures used to engage with wider stakeholders, including local people, in respect of the regeneration proposals.

The Panel intends to continue to assess proposals as they are developed and has stressed the importance of partnership working and effective engagement. It also wishes to give consideration to the wider context of other town centres and villages across Kirklees, including a focus on the key challenges and opportunities that could influence this agenda.



Sue Weston, Strategic Partnership Lead for Business and Skills commented:

“

Scrutiny provided us with the opportunity to raise awareness of the digital agenda and sense-check the proposed direction of travel. It provoked an interesting debate; generating a number of suggestions that we have incorporated into the delivery plan before committing further resource in order to achieve the ambitions set out.

”

Housing

Various aspects of the housing agenda were scrutinised during 2018/19 including:

- In July 2018 the panel reviewed the draft Kirklees Housing Strategy and action plan 2018-23, which was subsequently adopted by full council in September 2018. Then in March 2019 they received a report in relation to the progress made against the 11 priorities set out in the year 1 action plan.
- In October a special meeting was arranged to contribute to the council's response to the Government's green paper; A New Deal for Social Housing which had arisen from the recommendations made by the Hackitt Review.
- The Panel considered the draft Kirklees preventing homelessness and rough sleeping strategy prior to it being submitted to Council for adoption on 17th July 2019 and looked at changes to the Severe Weather Emergency Protocol (SWEP). This work included undertaking a visit to Clare House in Huddersfield; a provider of supported accommodation for homeless people.

The panel will be expecting to be kept apprised of progress during 2019/20 and, in particular, has requested post implementation data in respect of rough sleepers and homelessness.

During 2018/19 the panel also gave consideration to the draft greenspace strategy in December 2018 and a draft digital plan in March 2019. It was also updated on the progress and approach being taken

in relation to the development of the council's 5 Year Air Quality Strategy and action plan and the Kirklees Learning and Skills Strategy.

Outcomes:

Pre decision scrutiny has been embedded in the panel's work programme and enabled a cross party panel to influence and comment on strategic proposals at an early stage. This has included recommendations such as: strengthening the reference to developing and using digital capacity to build business, encourage entrepreneurship and retain wealth in the district, within the council's Digital Plan; and that statistics in relation to the uptake of the Severe Weather Emergency Protocol provision be included in the documentation to council when it considered the Homelessness and Rough Sleeping Strategy.

The panel has been able to get out and about and see aspects of service delivery at first hand, including getting views of service users and frontline staff.

Two members of the panel took part in a working group considering the Open Age Policy and Local Lettings Framework which resulted in recommendations in respect of the adoption of a revised and more streamlined 'sensitive lettings' approach and the designation of one-bedroomed bungalows.

Children's Scrutiny Panel

Panel membership

Councillor Cahal Burke (Lead Member)
Councillor Donna Bellamy
Councillor Lisa Holmes
Councillor Darren O'Donovan
Councillor Sheikh Ullah
Dale O'Neill – Voluntary co-optee
Fatima Khan-Shah - Voluntary co-optee

Panel work programme 2018/19

- Elective home education update
- CAMHS Transformation Plan and autism waiting list
- Ongoing monitoring of the number of children in care
- The Virtual School
- Kirklees Annual Educational Quality and Standards Report 2017-18
- Schools as community hubs
- CSE, Safeguarding and Licensing
- Learning Support Strategy
- Early support partnership
- Outcomes of OFSTED monitoring visits
- Updates on the Children's Improvement Plan

Panel highlights

SENDACT report – the Parent's Perspective

During 2018 the panel considered the developments taking place within the Special Educational Needs and Disability Assessment and Commissioning Team (SENDACT). The Panel wanted to hear the views of families who regularly engage with the service, to understand their experience of the support available and the SEND practice and process. The Panel met with parents and carers on two occasions and used the information gathered to report back to the Service and the Cabinet portfolio holders. There were approximately 35 families that took part in the coffee morning style discussions with panel members.

The resulting report "SENDACT – the Parent's Perspective" had fourteen recommendations on issues ranging from communication and casework standards to the accessibility of information and advocacy support.

The scrutiny panel has also asked that the support group PCAN should be consulted to check if the changes made have been effective for families. The panel will continue to monitor the implementation of the agreed recommendations.

Outcomes:

(1) Scrutiny facilitated the views of carers and families using the SENDACT service to influence development work in the service.

(2) A positive example of pre decision scrutiny, where the informed views of scrutiny were able to influence service development.

CSE and Contextual Safeguarding

Members considered a joint presentation from senior officers from Children's Services, Licensing and West Yorkshire Police advising that due to emerging concerns for young people the approach to contextual safeguarding had been changes. This was to enable agencies to understand and respond to young people's experiences of significant harm beyond their families. The Director of Children's Services advised the panel that a response on the Dr Peel review was expected towards the end of April and assured the panel that scrutiny would be engaged as part of the work plan.

Members agreed that it was reassuring to see the joint work taking place to share good practice and requested that the panel be kept informed and engaged so that they could continue to contribute to the future work on CSE, safeguarding and licensing.

Outcomes:

Timely information to enable Scrutiny to understand and comment on the changes in approach.
Improved engagement to ensure scrutiny is integrated into updates on key cse and safeguarding issues.

Virtual School

The Panel wanted a better understanding of the role of the virtual school in Kirklees, including the role of the Virtual School Head (VSH) and its statutory duties.

National guidance indicates that " looked-after and previously looked-after children start with the disadvantage of their pre-care experiences and, often, have special educational needs. VSHs have a key role to ensure these children have the maximum opportunity to reach their full educational potential."

The information provided to the panel included a number of anonymised case studies which enabled the panel to see the breadth of work that the VSH is involved in. The panel's recognised the positive and continuous improvements that are being made to achieve better educational outcomes for looked after children.

Outcomes:

An improved understanding of the virtual school. Through use of case studies, assurance that the statutory role of the VHS, working with other key partners, is resulting in better educational outcomes for looked after children in Kirklees.

Looking forward to 2019/20

The panel agreed that as well as considering reports on important issues relating to children, they want to continue to get out and about within Children's Services and arrange visits to a children's home, the Fostering Service and Duty and Advice Team. This will enable members to talk to staff and see for themselves how the service is delivered.

There are a number of areas where the panel continue to scrutinise progress including addressing OFSTED recommendations and work connected to the exploitation strategy, such as updates on sexual harm prevention orders and embedding the learning from the historic cases.

Joint Health Scrutiny Committees' headlines

1. Calderdale and Kirklees Joint Health Scrutiny Committee

Kirklees Membership:

Councillors Liz Smaje, Richard Eastwood, Julie Stewart-Turner, Carole Pattison

Following the Secretary of State's response and the Independent Reconfiguration Panel's (IRP) assessment report local NHS have been reviewing the proposals to address the concerns expressed by stakeholders and the issues highlighted in the IRP's recommendations

Local NHS has actively engaged with the jhsc while it has been developing an enhanced plan and discussions on this work took place at the jhsc meeting held in September 2018.

In December 2018 the Department of Health and Social Care (DHSC) confirmed that capital funding had been allocated to support implementation of the enhanced proposal. At the jhsc meeting held in February 2019 local NHS presented the progress report to the Secretary of State. This included a description of the enhanced proposed model of care and confirmation that approval of a Strategic Outline Case (SOC), Outline Business Case (OBC) and Full Business Case (FBC) by NHS Improvement, DHSC, Ministers and HM Treasury would be required.

At the February 2019 meeting the jhsc agreed an updated terms of reference (ToR) which included confirmation that it would review the revised proposals to include assessing its impact on patients and the public.

The jhsc will continue its work during 2019/20 which will include scoping out its plans for future meetings and activities.

2. West Yorkshire Joint Health Overview and Scrutiny Committee

Kirklees Membership:

Councillors Liz Smaje and Judith Hughes.

The jhosc met 5 times during 2018/19 and covered a wide range of issues across the West Yorkshire and Harrogate footprint.

Specific areas that were considered included: changes to the arrangements of the West Yorkshire and Harrogate Health and Care Partnership (WY&H HCP) which was moving to an integrated care system in shadow form; an update on the specialist stroke care programme; the activity taking place to mitigate workforce risks; proposed changes to specialist vascular services for adults in West Yorkshire; an outline of the activity taking place across the partnership relating to mental health and urgent and emergency care programmes ; and the work being done by the partnership to drive delivery of the national cancer strategy.

During the year significant work has taken place in drafting new rules of procedure and terms of reference for the jhosc. It is hoped that they can be agreed by all constituent members during 2019/20.

Outcomes:

As a consequence of the concerns regarding the regional workforce challenges the committee established a working party that will look in more detail at the West Yorkshire and Harrogate Health and Care Partnership Strategy on human resources. The outcomes and recommendations from this work will be presented to the partnership during the 2019/20 municipal year.

Ad hoc panel headlines

Panel membership

Councillor Cahal Burke (Lead Member)
Councillor Lisa Holmes
Councillor Habiban Zaman
Kimberley Stock – Voluntary Scrutiny Co-optee (until end 2018)
Dale O'Neill (from June 2019)
Councillor Andrew Marchington (from June 2019)

The ad hoc scrutiny panel has been working to the following terms of reference;

To scrutinise Elective Home Education in Kirklees, with a particular focus on;

- Developing an understanding of why some parents and carers choose to home educate, and for how long children are typically home educated for.
- Scrutinising the Local Authority's responsibilities for home educated children.
- Scrutinising how the Local Authority identifies, supports and ensures the safety and wellbeing of electively home educated children.
- Scrutinising elective home educated children's progression onto further education and employment and the outcomes achieved at Key Stage 4 & 5.

Work undertaken to date:

The Ad Hoc Panel has met with a number of senior officers to explore the background and context to Elective Home Education (EHE) from both a national and a Kirklees Council perspective. The Panel has also taken evidence from C & K Careers who outlined the support on offer to EHE children in the equivalent KS4 cohort.

The panel was keen to hear the views of parents who have chosen to home educate their children and visits were made to talk to parents at drop-in events in September and December 2018. Parents highlighted the challenges facing home educators, the benefits they believed home education had for their children, the support that was currently available and how the local authority might be able to support home educators more effectively. The panel also spoke to those who had previously home educated about the educational and employment achievements of their children.

Since the ad-hoc panel commenced its work, new guidance has been published by the Government on 'Elective Home Education, Departmental Guidance for Local Authorities, April 2019' and the implications of this for Kirklees will be taken into consideration. As the final phase of work the panel will be gathering further evidence from adjoining local authorities in respect of their approach to EHE; meeting with the author of the website Ed-Yourself, and seeking input from Kirklees Head Teachers.

Work programme for 2019/20

| Overview and Scrutiny Management Committee | |
|---|---|
| Crime and Disorder, including Domestic Abuse Strategy | Corporate Plan refresh |
| Flood risk management annual review of strategy and action plan | Regional working, including inclusive growth |
| Transformation Programme – overview of progress | Place Based Working |
| Overview of major consultations | Update on progress of Council Working Parties |
| Panel Lead Member Reports | |
| Children's Panel | |
| Special Educational Needs | Exploitation Strategy |
| Kirklees Safeguarding Children's Board (KSCB) | Early Support Partnership (Edge of Care) |
| Elective Home Education | Ofsted Inspection (Children's Services) |
| Learning Outcomes and the Learning Support Strategy | Child and Adolescent Mental Health Services (CAMHS) Transformation Plan |
| Number of children in care | Performance Information (Children's Services) |
| Visits to Copthorne Children's Home; the Fostering Team; and the Duty & Advice service. | |
| Corporate Panel | |
| Financial Monitoring | Corporate Plan |
| Libraries Review (to include Access to Services) | Commercialisation Strategy |
| People Strategy | IT Strategy Development |
| Leaving the EU preparations | Land and Property Lettings Policy |
| Organisational Communications Strategy | |
| Economy And Neighbourhoods Panel | |
| Economic Strategy | Skills Strategy |
| Towns and Communities in Kirklees | Green Space Strategy |
| Playable Spaces Strategy | Digital Strategy |
| Planning and Related Issues | Waste Strategy |
| Housing | Economic Strategy |
| Air Quality | Housing |
| Poverty Strategy | |
| Health and Adult Social Care Panel | |
| Financial position of the Kirklees Health and Adult Social Care Economy. | Care Closer to Home |
| Integration of Health and Adult Social Care | Integrated Wellness Model |
| Quality of Care in Kirklees | Suicide Prevention |
| Mental Health Rehabilitation and Recovery Services Transformation Project. | Kirklees Safeguarding Adults Board (KSAB) 2018/19 Annual Report |
| Mid Yorkshire Hospitals NHS Trust (MYHT) Ambulatory Emergency Care (AEC) Services | Foetal Alcohol Spectrum Disorder (FASD) and Foetal Alcohol Syndrome (FAS). |
| Transforming Outpatient Care at Calderdale and Huddersfield NHS Foundation Trust (CHFT) | Yorkshire Ambulance Service (YAS) Response Times |
| Primary Care Networks (PCNs) | West Yorkshire and Harrogate Local Maternity Network |
| Kirklees Immunisation Programme | Update on Winter Planning |

Frequently asked questions

Here are some brief answers to the most frequently asked questions about Overview & Scrutiny.

What is Overview & Scrutiny?

Overview and Scrutiny acts as a check and balance on the Council's decision maker (the Cabinet) by holding it to account for its decision. Overview and Scrutiny aims to:

- Contribute to the development of strategic decisions before the Cabinet makes them
- Ensure Cabinet is accountable for the decisions it has made
- Improve the performance of the Council's services;
- Improve the performance of other public services for which the Council has responsibility or is a stakeholder in;
- Actively engage local people in scrutiny and promote issues which are of importance and of relevance to them.

Who is involved?

Any councillor, other than those who hold a cabinet post, can take part in scrutiny work. Panels in Kirklees also include statutory and voluntary co-optees and are supported by officers of the Council's Democracy Service. Cabinet members, senior officers, representatives from partners and members of the public, are invited to attend scrutiny panels to contribute to discussions on items in the panels' work programme.

Is scrutiny a party political activity?

Scrutiny is a key part of the political process; however it is not party political. The scrutiny committee and panel structure is made up of Councillors from across all the political groups.

Councillors aim to leave their party politics at the door and look objectively at issues, basing their findings on the information they have heard and received reports on.

How do you choose what to scrutinise?

The councillors and voluntary co-optees decide which issues to prioritise, with the overview and scrutiny committee having overall responsibility for the scrutiny work programme. Carrying out effective scrutiny takes a lot of time, commitment and effort so it is simply not possible to look at every issue. When choosing issues, scrutiny will consider whether it is can make a real difference by looking at the issue (for example, whether recommendations could result in improved services).

What can't Scrutiny look at and why?

Scrutiny is not appropriate for considering individual complaints. The panels also cannot investigate regulatory or 'quasi-judicial' decisions, such as planning or licensing decisions.

How can the public get involved?

- Attend public meetings of the scrutiny committee or one of the scrutiny panels
- Suggest a topic for scrutiny
- Provide evidence at a panel or send us your views.
- Join a pool of people interested in being co-opted on to a panel when vacancies are advertised.
-





A landscape photograph showing rolling green hills under a sunset sky. Two tall radio towers are visible on the horizon. In the foreground, a magnifying glass is positioned over the word "Scrutiny", which is written in large white letters. The magnifying glass handle extends towards the bottom right.

Scrutiny

Team contact details

Contact the team at:

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Lead officer details

Overview & Scrutiny Management Committee Lead –

Penny Bunker, Governance & Democratic Engagement Manager

Health and Adult Social Care Panel / Joint Health Scrutiny Committees

Richard Dunne, Principal Governance & Democratic Engagement Officer

Children's Panel

Helen Kilroy, Principal Governance & Democratic Engagement Officer

Economy and Neighbourhoods Panel

Sheila Dykes, Principal Governance & Democratic Engagement Officer

Corporate Scrutiny Panel

Sheila Dykes, Principal Governance & Democratic Engagement Officer

Name of meeting: Council

Date: 18 September 2019

Title of report: Outcome of Call-in review into aspects of the Cabinet decision in relation to Future Options for Almondbury Community School

Purpose of report:

In accordance with constitutional requirements, this report informs Council on the outcome of the Children’s Scrutiny Panel call in review meeting into the Cabinet decision of 16 July 2019 on Future Options for Almondbury Community School. The report also sets out the decision of Cabinet on 13 August 2019 when it considered the learning points identified by the call in review.

| | |
|--|---|
| Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | Not Applicable |
| Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u> | No |
| The Decision - Is it eligible for call in by Scrutiny? | Not Applicable |
| Date signed off by <u>Strategic Director</u> & name | Rachel Spencer Henshall – 27.08.19 |
| Is it also signed off by the Service Director for Finance IT and Transactional Services? | Not Applicable |
| Is it also signed off by the Service Director for Legal Governance and Commissioning Support? | Yes 06.09.19 |
| Cabinet member <u>portfolio</u> | Councillor Carol Pattison – Learning, Aspiration and Communities / Councillor Viv Kendrick – Children |

Electoral wards affected: All

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? Yes, there are no GDPR implications in respect of this report.

1. Summary

1.1 On 7th August 2019, the Children’s Scrutiny Panel held a call in review meeting on aspects of the Cabinet decision of 16 July 2019 on ‘Future options for Almondbury Community School – Final Decision. The scrutiny panel considered evidence from the councillors who were signatories to the Call-In, the Cabinet Member for Learning, Aspiration and Communities, the Cabinet Member for Children, senior officers from the Children’s Service, and members of the public.

1.2 The conclusion of the Children’s Scrutiny Panel was that the decision should be freed for implementation but there were a number of learning points arising from the decision making process that Cabinet was asked to consider. Cabinet considered the findings at its meeting on 13 August 2019.

2. Information

2.1 The call in review meeting focussed on three decision making principles that had been identified as part of the call in request. These were;

| | |
|---------------------------------------|--|
| 1. Relevant considerations | Issues connected with the capacity of secondary school places |
| 2. Openness | Issues relating to the availability of information |
| 3. Lawfulness and financial propriety | Clarity of the legislation relevant to the issue of the statutory notice |

2.2 The findings of the Children’s Scrutiny Panel were that members understood the significant impact on pupils, parents and staff at Almondbury Community School and deliberated at length about how some of the information around the proposals was communicated with the community. It was felt that there needs to be careful thought given to the support available for children and parents. In future, better consideration needs to be given around communication, engagement and the timeliness of the sharing of information with those affected.

Having considered all the information provided, the Panel’s recommendation was that the decision should be freed for implementation, but that Cabinet must consider the learning points identified in respect of the three decision making principles the panel focussed on.

Capacity

The Panel was satisfied that all relevant factors were taken into account including the Local Plan, however, the panel felt that was not explained as clearly as it could have been in the Cabinet reports or the consultation documentation.

Whilst the Panel was reassured that there is sufficient capacity in the system, they acknowledge that if Almondbury Community School closes there will be limited choice at local schools from September 2020. It was not clear about where pupils will be allocated places in September 2020.

Openness

The panel concluded that it appeared that all relevant financial information had been taken into account, but the Panel felt that this could have been more clearly stated in the Cabinet report. It appeared that an assumption was made at the outset that the school was not viable and would fail a due diligence test for academisation. Whilst that might be right, the rationale for making that assumption was not fully explained in the Cabinet reports, for example, the fact of the school operating a £500k deficit budget only became apparent at the July Cabinet meeting. In future the Panel would like Cabinet to ensure that there is better explanation within reports.

Lawfulness

The Panel understand why signatories to the call-in raised issues given the complex nature of the decision making process. The Panel accepted that the statutory notice was correctly published and acknowledged the legal advice given.

The panel requested that regular updates on Almondbury Community School be considered by the Children's Scrutiny Panel.

2.3 Cabinet decision

The Cabinet considered the findings of the Children's Scrutiny Panel at its meeting on 13 August 2019. The decision of that meeting was as follows:

- (i) That the outcome of the Call-In Review (Children's Scrutiny Panel), held on 7 August 2019, be received and noted.
- (ii) That it be noted that, pursuant to (i) above, the determination of the Panel was that the decision of Cabinet on 16 July 2019 be freed for implementation, but that learning points relating to capacity, openness and lawfulness were highlighted.
- (iii) That it be noted that regular updates on Almondbury Community School will be considered by Children's Scrutiny Panel.

3 Implications for the Council

This report is for the information of Council and there are no additional implications.

- **Working with People**
- **Working with Partners**
- **Place Based Working**
- **Improving outcomes for children**
- **Other (eg Legal/Financial or Human Resources)**

4. Consultees and their opinions

There was no consultation in preparing this information report.

5. Next steps and timelines

n/a

6. Officer recommendations

That Council notes the outcomes of the call in review meeting on the Cabinet decision of the Future Options for Almondbury Community School – final decision

7 Cabinet Portfolio Holder's recommendations

Not applicable

8. Contact officer

Penny Bunker, Governance and Democratic Engagement Manager

Carl.whistlecraft@kirklees.gov.uk

9. Background Papers and History of Decisions

The decision of the Children's Scrutiny Panel meeting on 7 August 2019.

Cabinet response to the findings of call in review meeting, Cabinet 13 August 2019.

10. Strategic Director responsible

Rachel Spencer Henshall, Director of Corporate Strategy, Commissioning and Public Health

COUNCIL MEETING

Wednesday 18 September 2019

AGENDA ITEM 14 – WRITTEN QUESTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 12

| | |
|---|---|
| 1 | <p>Question by Councillor Christine Iredale to the Cabinet Member for Culture and Environment – Councillor Rob Walker</p> <p>“I would like to congratulate the Council for eventually re-opening the Greenhead Park Conservatory, but why did the restoration works take so long to complete?”</p> <p>The Cabinet Member to respond</p> |
| 2 | <p>Question by Councillor Christine Iredale to the Cabinet Member for Regeneration – Councillor Peter McBride</p> <p>“The old Queen Hotel on Market Street in Huddersfield is in a poor state. Can the Council do anything to improve its condition?”</p> <p>The Cabinet Member to respond</p> |
| 3 | <p>Question by Councillor Anthony Smith to the Cabinet Member for Housing and Democracy – Councillor Cathy Scott</p> <p>“Could the Council confirm how many KNH buildings do not have accessible entrances for disabled people?”</p> <p>The Cabinet Member to respond</p> |
| 4 | <p>Question by Councillor Anthony Smith to the Cabinet Member for Regeneration – Councillor Peter McBride</p> <p>“Can we get an update from the Council on what is happening with the George Hotel?”</p> <p>The Cabinet Member to respond</p> |
| 5 | <p>Question by Councillor Richard Eastwood to the Cabinet Member for Culture and Environment – Councillor Rob Walker</p> <p>“Are the confiscated green bins being returned to residents?”</p> <p>The Cabinet Member to respond</p> |

| | |
|-----|---|
| 6 | <p>Question by Councillor Christine Iredale the Cabinet Member for Culture and Environment – Councillor Rob Walker</p> <p>“Why are the grey bin collections so irregular?”</p> <p>The Cabinet Member to respond</p> |
| 7 | <p>Question by Councillor Alison Munro to the Cabinet Member for Learning, Aspiration and Communities – Councillor Carole Pattison</p> <p>“Can the Council confirm they have got transport arrangements in place for children at Almondbury Community School secondary provision who will be displaced post 2020-2021?”</p> <p>The Cabinet Member to respond</p> |
| 8 | <p>Question by Councillor Richard Eastwood to the Cabinet Member for Culture and Environment – Councillor Rob Walker</p> <p>“Following the recent flooding in parts of the borough, can you tell me if we are going to reinstate a work programme for checking and clearing gullies?”</p> <p>The Cabinet Member to respond</p> |
| 9 | <p>Question by Councillor Bernard McGuin to the Cabinet Member for Learning, Aspiration and Communities – Councillor Carole Pattison</p> <p>Parents who would normally send their children to Almondbury Community School are not now in a catchment area. When will Kirklees give an indication of where children currently in year 6 will progress to in September 2020?</p> <p>The Cabinet Member to respond</p> |
| 10. | <p>Question by Councillor Bernard McGuin to the Cabinet Member for Learning, Aspiration and Communities – Councillor Carole Pattison</p> <p>“Are Ofsted still monitoring progress at Almondbury Community School?”</p> <p>The Cabinet Member to respond</p> |
| 11. | <p>Question by Councillor Alison Munro to the Cabinet Member for Regeneration – Councillor Peter McBride</p> <p>“Following the announcement of a £95m fund to restore historic high streets, how much of this money will be coming to Huddersfield?”</p> <p>The Cabinet Member to respond</p> |

| | |
|-----|---|
| 12. | <p>Question by Councillor Aleks Lukic to the Cabinet Member for Regeneration – Councillor Peter McBride</p> <p>Kirklees Council has been invited to bid for up to £25 million investment in Dewsbury regeneration from the new Towns Fund. Will the cabinet treat any funds received as new money, on top of existing commitments?</p> <p>The Cabinet Member to respond</p> |
| 13. | <p>Question by Councillor Aleks Lukic to the Cabinet Member for Regeneration – Councillor Peter McBride</p> <p>In June I was told that I would be briefed on the Dewsbury Market renovation by the end of July, but this has not taken place. Is a firm timeline yet in place for this development and when can our struggling traders expect to be fully informed?</p> <p>The Cabinet Member to respond</p> |
| 14. | <p>Question by Councillor Aleks Lukic to the Cabinet Member for Housing and Democracy - Councillor Cathy Scott</p> <p>An increasing number of local authorities are moving to four yearly all-out elections as this model offers both significant cost savings and greater flexibility in warding arrangements. How much money would we save in Kirklees by moving to all-out elections, and has the cabinet considered making this change?</p> <p>The Cabinet Member to respond</p> |
| 15. | <p>Question by Councillor Aleks Lukic to the Cabinet Member for Housing and Democracy - Councillor Cathy Scott</p> <p>In Kirklees we have a tradition of permitting election candidates to display posters on street lighting columns. This tradition will deter some people with physical impairments from standing for election, as they would find it more difficult to erect sufficient posters to effectively compete. This policy also generates significant plastic waste across the borough at every election, with the disposal of thousands of cable ties and boards. The candidate posters do not seem to increase turnouts in Kirklees when compared with neighbouring boroughs. Will the cabinet therefore consider revoking permission for candidates to display posters on public infrastructure, either on a permanent or trial basis?</p> <p>The Cabinet Member to respond</p> |
| 16. | <p>Question by Councillor John Taylor to the Cabinet Member for Culture & Environment – Councillor Rob Walker</p> <p>“Could the Cabinet Member inform me how long it takes to replace damaged or missing road safety signs?”</p> <p>The Cabinet Member to respond</p> |

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| 17. | <p>Question by Councillor Mark Thompson to the Cabinet Member for Regeneration – Councillor Peter McBride</p> <p>“What, if anything is Kirklees Council doing and going to do about the skills gap in the construction industry in our borough? We have an immediate shortfall in the number of skilled/trained people for the growth of our borough in the following areas; the local plan delivery, trans pennine upgrade and of course our rollout of gigabit infrastructure. The industry hasn’t enough skilled workers at this moment so goodness knows what effect that will have on the borough as time ticks away. What is the training plan the council have to mitigate this shortage and when and who will be responsible”?</p> <p>The Cabinet Member to respond</p> |
| 18. | <p>Question by Councillor David Hall to the Cabinet Member for Culture & Environment – Councillor Rob Walker</p> <p>When will Dewsbury Crematorium be back in operation?</p> <p>The Cabinet Member to respond</p> |