

CABINET, 4th July 2016

PRESENT: Councillor T Swift (Leader, in the Chair)
Councillors B Collins, Lambert, Metcalfe, Press, Shoukat, M K Swift, Sutherland

12 APOLOGIES FOR ABSENCE

There were no apologies for absence.

13 MOTION TO EXCLUDE THE PUBLIC

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

Regionalisation of Adoption Services – Paragraph 4 – Labour Relations, Consultation and Negotiations

14 MINUTES OF THE MEETING OF CABINET HELD ON 6TH JUNE 2016

RESOLVED that the Minutes of the meeting of Cabinet held on 6th June 2016 be noted as a correct record and signed by the Chair.

15 QUESTION TIME

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

- (a) Mr Fielden referred to an incident regarding the destruction of files and a freedom of information request he made regarding Children's Services and asked if the department getting to grips with their filing system would assist in achieving the efficiency the Chief Officer claims the department has.

Councillor MK Swift, Cabinet Member with responsibility for Children and Young People's Services commented and advised that the most recent files were now stored on computers and the majority of old files had now been scanned and stored on computer. If Mr Fielden could leave a note of the file he was looking for a written response would be provided to the question.

- (b) Mr Fielden referred to Hackney Carriage and Private Hire taxi drivers going on courses regarding safeguarding of children and not receiving payment for safeguarding duties and asked how many employees of Calderdale staff did safeguarding duties entirely without pay.

Councillor MK Swift, Cabinet Member with responsibility for Children and Young People's Services commented that the safeguarding courses were welcomed by the trade, she had visited two towns to see how the courses worked and the Council were really pleased with the take up. If a taxi driver saw or was concerned about a situation they would know how to report it.

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Councillor Shoukat, Cabinet Member with responsibility for Public Health and Inequalities advised that he worked with the Taxi Trade and the syllabus for the safeguarding course was produced with the support of the trade. He understood that the programmes were going so well that other Local Authorities were looking to adopt it.

- (c) Mr Fielden referred to a telephone call he had made to Customer First, asking to be put through to Licensing, but after providing his name was advised that they would respond by email and this had not been received. When was someone going to get to grips with licensing and ensure they were not breaking the law?

Councillors T Swift responded and advised that a written response would be provided to the question.

- (d) Mr Fielden referred to it not being universally accepted that Licensing was the worst run department and asked which department was it accepted universally delivered the worst service.

Councillors T Swift responded and advised that a written response would be provided to the question.

- (e) Mr Wood referred to an email request asking for a clarification of two points; the first was the future of the compulsory application of Housing Benefit and Council Tax Support online and the legality of this process. The second was clarification why claimants cannot receive a receipt to show that they have provided required information, unless they were required to supply further information or needed proof for a landlord.

Councillor Press, Cabinet Member with responsibility for Neighbourhoods and Communities commented and advised that more people applied online due to dwindling resources, but also made it clear that face to face interviews would continue and a full written response would be provided to the question.

- (f) Ms Crosland asked for some information about the current situation with the asbestos at Scout Road, Mytholmroyd and about the plans to make it safe.

Councillor B Collins, Cabinet Member with responsibility for Regeneration and Economic Development commented and advised that work at Scout Road was reported weekly to local residents and details of the progress and the plan going forward could be circulated to Royd Regeneration in Mytholmroyd and could be put out to other local groups. A written response would be provided to the question.

- (g) Mr Bradley asked when the planning/building application was expected to be submitted to facilitate the works required to King Cross Library and how much would this mezzanine floor and highway alterations cost, in order to relocate the Bibliographical Services Department.

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Councillor Press, Cabinet Member with responsibility for Neighbourhoods and Communities commented and advised that a written response would be provided to the question.

- (h) Mr Bradley referred to a response to a question he asked at the Cabinet meeting held on the 14th December 2015, regarding Halifax's New Bus Station, which had referred to the "completion of detailed designs" and asked what has happened to these detailed designs.

Councillor B Collins, Cabinet Member with responsibility for Regeneration and Economic Development commented and advised that a written response would be provided to the question.

- (i) Mr Bradley asked if Oakapple were yet aware of the fact that the cost of demolishing the Central Library will be footed by them.

Councillor B Collins, Cabinet Member with responsibility for Regeneration and Economic Development commented and advised that a written response would be provided to the question.

- (j) Mr Wood referred to three properties namely, Blenheim Court, Westbrook Court and Cobden Court where these properties seemed to have been empty and uninhabitable from 2003/4. How many properties were there in the three, 17 storey blocks of flats and how much council tax had been lost since 2004, besides the fact that many people could have been taken off the housing list.

Councillor Sutherland, Cabinet Member with responsibility for Planning, Housing and Environment commented and advised that uninhabited homes were not liable for Council Tax and advised that there were plans for the blocks in the Beechhill Area and a written response would be provided to the question.

16 VOLUNTARY SECTOR COMMISSIONING: CALDERDALE ADVICE STRATEGY 2017-20 AND ADVICE AND INFORMATION CONTRACT

Councillor Press, Cabinet Member with responsibility for Neighbourhoods and Communities presented a written report of the Director of Communities seeking consideration of a refresh of the Calderdale Advice Strategy for 2017-2020 to inform recommissioning of the advice and information services. The Council was a key funder of local community advice provision through the voluntary sector commissioning programme. Welfare Reform and changes to Legal Aid had led to an increase in demand while national funding for advice providers was declining, placing greater pressure on fewer resources. As a key local funder of advice services it was essential that we set a strategy to work with the sector to best meet people's needs. The strategy would inform procurement of advice services from 1st April 2017, after the current arrangement ends on 31st March 2017.

The 2017-2020 Calderdale Advice Strategy took a progressive look into the Council's role in the wider advice provision sector, setting out a delivery model more suited to the needs of providers and people accessing their services. It builds on previous work in advice and financial resilience to maintain coherence in how the

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sector worked across Calderdale. The aims and objectives presented a pragmatic view of how the sector could continue to move forward in a time of change.

RESOLVED that:

(a) delivery of the Calderdale Advice Strategy be supported and the strategic objectives for 2017-2020 be approved;

(b) the funding allocation for advice services as detailed in Paragraph 5.6.1 of the Director of Communities report to deliver upon the strategy be approved;

(c) Option 2 as set out at paragraph 5.8.2 of the Director of Communities report be approved; and

(d) the Director of Communities and Services Support in consultation with the Cabinet Member with responsibility for Neighbourhoods and Communities, the Head of Democratic and Partnership Services and the Head of Finance be given delegated authority for procurement of the new advice services.

17 THE ESTABLISHMENT AND GOVERNANCE OF A LOCAL AUTHORITY TRADING COMPANY

Councillor MK Swift, Cabinet Member with responsibility for Children and Young People's Services presented a written report of the Director, Children and Young People's Service seeking consideration of the incorporation and governance of a Local Authority Trading Company (LATC) to provide a range of Council Services for Schools initially, but with the option to extend traded services to other third parties at a later stage. This would enable a range of quality services to develop and thrive in a future environment of radically reduced funding and new relationships would exist between the Council schools and any other third party customers. The report recommended the incorporation of a Local Authority Trading Company, limited by shares, and wholly owned by the Council, to provide a range of surplus-making services to part-fund front-line services and have the option to create subsidiary companies under this governance for specific services.

Commercialisation had been agreed as one of the Council's key enablers and transformation programmes to help deliver its corporate priorities. This was partly being driven by the financial position in which local authorities found themselves. An increasing number of local authorities were seeing LATCs as a means of addressing financial concerns and a first step towards becoming self-financing. They could also be an important way of providing surpluses on discretionary services which could be used to protect the funding of statutory services to vulnerable people. Whilst in 2013 sixty per cent of local authorities owned some form of trading organisation this was now estimated to be nearer ninety per cent.

The use of a trading company was also seen as a means of encouraging the behavioural and cultural shift required to be more commercial. It was envisaged that the opportunity to trade and find commercial solutions would drive better services and increased efficiencies. In addition, it removed the risk of legal challenge on the Council's charges for the services it provided. Clearly there were also disadvantages and risks associated with this approach, including the time and expense required to set up and operate a company. The LATC profits would be

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subject to corporation tax (which the Council was not currently subject to) and the company would require other professional and secretarial support. Other risks included the potential staffing and pension implications that would need to be fully examined before they were traded through the LATC. A full risk assessment would be undertaken as part of the business plan for the LATC.

RESOLVED that

(a) the incorporation of a Local Authority Trading Company, limited by shares, and wholly owned by the Council (together with the incorporation of any subsidiary companies of the LATC, where necessary), to provide a range of services primarily to existing school “customers” but also seeking to develop new customers (including schools) and traded service areas be approved; and

(b) the Director Children and Young People’s Service be requested to submit a further report to a future meeting of Cabinet for consideration of the governance arrangements including appointment of the board of directors, statutory posts, Articles of Association and the strategic business plan for the Local Authority Trading Company.

18 WEST YORKSHIRE PLUS TRANSPORT FUND A629 CORRIDOR – LAND ACQUISITION UPDATE AND USE OF COMPULSORY PURCHASE POWERS AS NECESSARY FOR PHASE 1a – SALTERHEBBLE HILL – FREE SCHOOL LANE

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Development presented a written report of the Acting Director, Economy and Environment seeking approval of the finalised land acquisition plans further to Minute Number 68/B53 of the Cabinet approval of land acquisitions to support Phase 1a of the A629 highways corridor improvements on 16th November 2015. Officers had been working on the detailed design of the scheme and were progressing negotiations with the landowners and occupiers. As a result of both, the precise land now required for the scheme had altered, as different options had been explored and designs finalised. The overall land required for the scheme remained broadly the same, though the precise red line boundary had altered as shown in Appendix A of the report.

The main change was the amended scope of land taken from Calderdale Royal Hospital and inclusion of additional land in Falcon Square. Both land owners had previously been consulted with regards to the scheme and it was the scale of land required which had changed marginally. The plan approved on 16th November 2015 did not take into account that the Square was not adopted highway. A strip of private forecourt belonging to 308 Salterhebble Hill was therefore required to be incorporated into the widened A629.

Members were asked to consider whether the economic, social and environmental benefits to be derived from remodelling of the highway corridor under the WY+TF strategy validates the land acquisitions as being in the wider public interest. Whilst emphasis focused on negotiated land purchase settlements, authority was sought to use compulsory purchase powers as reserve option and underwrite costs prior to reimbursement via the West Yorkshire Combined Authority governance mechanisms.

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The report outlined the detailed background information, development need in context – Phase 1a, financial and economic case, consultation, financial, risk, legal and corporate implications.

RESOLVED that

- (a) the report be noted and support for the scheme be continued;
- (b) the final land acquisition plans as set out in Appendix A and the existing delegations in respect of the land included in the final plans be approved; and
- (c) the proposal to acquire and easement over the land identified in green on the acquisition of the subsoil beneath it identified on the Revised Plan (Phase 1a) and presented to Cabinet be approved.

19 WEST YORKSHIRE PLUS TRANSPORT FUND A629 CORRIDOR – LAND ACQUISITION AND USE OF COMPULSORY PURCHASE POWERS AS NECESSARY FOR PHASE 1b – CALDER AND HEBBLE

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Development presented a written report of the Acting Director, Economy and Environment seeking authorisation to secure land ownership by voluntary negotiation for the WY+TF A629 Phase 1b, with a fall back deployment of statutory Compulsory Purchase Orders along with the underwriting costs associated with land purchase and highway/transport enabling works in advance of West Yorkshire Combined Authority (WYCA) Gateway 3 approval.

The existing capacity of the local highway and wider public transport networks along the A629 transport corridor, both within and around Halifax Town Centre were not sufficient to keep pace with population and economic growth. Significant investment in transport was therefore needed, recognising the A629 corridor's role as an essential linkage for the Borough's primary business centre into regional and national economic markets.

Members were asked to consider whether the economic, social and environmental benefits to be derived from remodelling of the highway corridor at Calder and Hebble under the WY+TF strategy validates the land acquisitions as being in the wider public interest. Whilst emphasis focused on negotiated land purchase settlements, authority was sought to use compulsory purchase powers as a reserve option and underwrite costs prior to reimbursement via the West Yorkshire Combined Authority governance mechanisms.

The report outlined the detailed background information, development need in context – Phase 1b, financial and economic case, consultation, financial, risk, legal and corporate implications.

RESOLVED that:

- (a) entering into the necessary funding agreement(s) with WYCA to release funding and progress the A629 highway improvements be approved and the Acting Director

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of Economy and Environment and the Head of Democratic and Partnership Services, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority and powers to complete the relevant legal documentation;

(b) the continuation of the necessary negotiations to acquire the required land to enable phase 1b to progress with land owners and those with a legal interest in the Order Land be approved and the Acting Director of Economy and Environment, and Head of Democratic and Partnership Services, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority and powers to complete the purchase of land and all relevant interests;

(c) the use of Compulsory Purchase Orders under sections 239 and 260 of the Highways Act 1980, in respect of the land identified as required in Appendix A of the written report to include the submission to the Secretary of State for Confirmation be approved, and the Head of Democratic and Partnership Services, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority and powers to complete the purchase of land and all relevant interests for phase 1b;

(d) to underwrite the costs of land acquisition, enabling works and compensation, as detailed in para Table 1, for phase 1b, pending a Gateway 3 award of funding by WYCA be approved, and the Acting Director of Economy and Environment and Head of Finance, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority to progress the works;

(e) the entering into any appropriate agreements with Government departments, agencies and other relevant persons to secure necessary approvals and access rights and to undertake any associated works for phase 1b be approved, and the Head of Democratic and Partnership Services, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority to undertake any associated works for phase 1b; and

(f) the conceptual road alignment for A629 Phase 1b as shown in Appendix B of the written report and commencement of preliminary and detail design be supported utilising grant funding released by West Yorkshire Combined Authority following Gateway 1 approval be approved and the scheme detail design outputs may reconfigure the final layout, and consequently the land assembly requirements be noted.

20 WEST YORKSHIRE PLUS TRANSPORT FUND A629 CORRIDOR – LAND ACQUISITION AND DEPLOYMENT OF COMPULSORY PURCHASE POWERS AS NECESSARY FOR PHASE 2a – HALIFAX TOWN CENTRE, EASTERN GATEWAY AND STATION ACCESS

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Development presented a written report of the Acting Director, Economy and Environment seeking authorisation to acquire land by agreement to facilitate improvements to the A629 transport corridor and should acquisition by agreement be

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unsuccessful or substantially delayed, to pursue the making of statutory Compulsory Purchase Orders (CPO). The A629 corridor was a major highway scheme included within the West Yorkshire Combined Authority (WYCA) West Yorkshire Plus Transport Fund (WYTF) and sought to deliver phased improvements between Huddersfield and Halifax Town Centres. Phase 2a focuses upon the eastern side of Halifax Town Centre.

The WY+TF funding process involved submission of business cases to WYCA for approval at three "Gateway" (GW) stages, approval of which released funding to progress outline, detailed design and finally construction funding respectively. Release of future funding was subject to entering into a funding agreement with the WYCA. Currently all costs associated with land acquisition were reimbursed by WYCA (at GW3 approval stage), placing the onus upon individual Local Authorities to underwrite costs during earlier stages 1 and 2.

The existing capacity of the local highway and wider public transport networks along the A629 transport corridor, both within and around Halifax Town Centre were not sufficient to keep pace with population and economic growth. Significant investment in transport was therefore needed, recognising the A629 corridor's role as an essential linkage for the Borough's primary business centre into regional and national economic markets.

Members were asked to consider whether the economic, social and environmental benefits to be derived from remodelling of the A629 highway corridor under the WY+TF strategy validates the land acquisitions as being in the wider public interest. Whilst emphasis focused on negotiated land purchase settlements, authority was sought to use compulsory purchase powers as reserve option and underwrite costs for Phase 2a of the A629 prior to reimbursement via the West Yorkshire Combined Authority governance mechanisms. Stakeholder engagement was an essential on-going element of the WYTF programme and on-going public engagement was being planned as part of the overall programme.

The report outlined the detailed background information, development need in context – Phase 2a, financial and economic case, consultation, financial, risk, legal and corporate implications.

RESOLVED that

(a) the conceptual road alignment for A629 Phase 2a as shown in Appendix B of the written report and continued progression of consultation, preliminary and detailed design be supported utilising grant funding released by West Yorkshire Combined Authority following Gateway 1 approval be approved and consultation and detailed design outputs may reconfigure the final layout and land assembly requirements, which would be reported at future Cabinet meetings, be noted;

(b) the commencement of the necessary negotiations to acquire the required land as shown within Appendix A of the written report to enable phase 2a to progress with land owners and those with a legal interest in the Order Land be approved and the Acting Director of Economy and Environment, and Head of Democratic and Partnership Services, in consultation with the Cabinet Member with responsibility for

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Regeneration and Economic Development be given delegated authority and powers to complete the purchase of land and all relevant interests;

(c) the use of Compulsory Purchase Orders under sections 239 and 260 of the Highways Act 1980 and section 226 of the Town and Country Planning Act 1990, as appropriate and if required, including the submission to the Secretary of State for Confirmation be approved, and the Head of Democratic and Partnership Services, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority and powers to complete the purchase of land and all relevant interests for phase 2a;

(d) to underwrite the costs of land acquisition, enabling works and compensation, as detailed in paragraph 6.3 of the written report, for phase 2a, pending a Gateway 3 award of funding by WYCA be approved, and the Acting Director of Economy and Environment and Head of Finance, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority to progress the works;

(e) the entering into any appropriate agreements with Government departments, agencies and other relevant persons to secure necessary approvals and access rights and to undertake any associated works for phase 2a be approved, and the Head of Democratic and Partnership Services, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority to undertake any associated works for phase 2a;

(f) acceptance of WYTF funding and the entering into relevant funding agreements with the West Yorkshire Combined Authority for release of the funding required to deliver the West Yorkshire Transport Fund be approved and the Acting Director of Economy and Environment and the Head of Democratic and Partnership Services, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority to complete the necessary legal agreements; and

(g) a pre-planning application consultation exercise in Autumn 2016 be supported to further record and consider the views of local residents, town centre businesses, stakeholders and visitors and the findings of this consultation to be reported to a future meeting of Cabinet along with the final feasibility design and confirmation of land assembly requirements for the phase 2a scheme.

21 COMMUNITY MANAGEMENT OF ASSETS: THE SPACE @ FIELD LANE GROUP – FIELD LANE COMMUNITY CENTRE, RASTRICK

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Development presented a written report of the Acting Director, Economy and Environment seeking consideration to a proposal that had been submitted by The Space @ Field Lane Group (the group) to take over responsibility of Field Lane Community Centre, Rastrick (the asset) under the Council's Community Management of Assets Policy and Procedure. Calderdale Council was under a legal obligation contained within S123 of the Land Government Act 1972 to obtain best consideration when disposing of land and property assets. Furthermore, the Council's Corporate Property Policy and Strategy required that land and property

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assets should normally be sold or leased at full market value. Cabinet must approve exercising the provisions contained within the General Consents Disposal Order 2003, in order to facilitate transfer of the land at less than best consideration.

As with any “business case” approach, a decision needed to be made as to whether the likely benefits justified and outweighed the costs. In this case, the benefits were not easy to quantify financially, but if the project was successful, economic, social and community benefits would be achieved. The proposal from The Space @ Field Lane Groups fitted well with the Council’s agreed Framework for Community Management of Assets. It met several Council priorities and would intensify the use of the building and for the local community.

The report outlined the detailed background information, options considered and financial and legal implications and consultation undertaken.

RESOLVED that

(a) the transfer of the Asset to The Space @ Field Lane Group on a leasehold basis subject to agreement of detailed lease terms and a Joint Working Arrangement be approved; and

(b) the Acting Director of Economy and Environment and the Head of Democratic and Partnership Services, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority to complete a 125 year lease to The Space @ Field Lane Group, subject to agreement of the terms set out at paragraph 3.1 of the written report.

22 DEPLOYMENT OF CALDERDALE COUNCIL FLOOD BUDGET

Councillor T Swift, Leader presented a written report of the Acting Director, Economy and Environment seeking consideration of the proposals for the deployment of the £3 million flood budget identified as part of the 2016/17 budget setting process. The money was available for flexible deployment and it was therefore appropriate to consider a range of needs and delivery mechanisms. The proposals set out at Appendix 1 of the report set a direction of travel and broad parameters for the delivery of specific projects under the headings:

- Investing in Flood Prevention;
- Boosting Business;
- Supporting People and Communities;
- Helping Households;
- Organisational Capacity.

RESOLVED that

(a) the broad programme of expenditure deployment as set out at Appendix 1 of the report be approved and the Acting Director of Economy and Environment and the Head of Finance, in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority to develop more detailed programmes of activity within the broad parameters set out at Appendix 1;

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(b) progress against expenditure be monitored by the Calderdale Flood Partnership; and

(c) the Acting Director, Economy and Environment be requested to submit a review of the programme to a future Cabinet meeting in one year's time.

23 CRAGG VALE JUNIOR AND INFANT SCHOOL

Councillor MK Swift, Cabinet Member with responsibility for Children and Young People's Services presented a written report of the Director, Children and Young People's Service seeking consideration on the long term future of Cragg Vale Junior and Infant School. The school was a small rural school located in Cragg Vale, Hebden Bridge and had an average intake of less than 10 pupils each year and as at September 2016 there would be 59 pupils on roll. This size of school required three year groups to each class. The majority of these pupils travelled from the Hebden Bridge and Mytholmroyd areas.

The school operated within an old Victorian building, the condition of which was one of the worst of schools in Calderdale. The future maintenance costs for the school far exceeded the funds available. Due to the nature of the site and difficult access issues, simple maintenance costs were also often at a premium. In addition, structural concerns with the building were now being closely monitored. It was now urgent that a decision was taken regarding the long term future of this school.

The Cragg Vale Junior and Infant school site was in need of significant and costly improvement work. Ideally a rebuild was required, but there was insufficient funding spare to do this. The most efficient and effective use of the possible DfE funding available was to look at relocating the school to another site and options for this were contained in the report. It was in the interests of the Local Authority to now commence with the publication and consultation process to avoid any consequential delays.

Mr Wright attended the meeting and advised that the report on Cragg Vale School seemed not to cover two areas: Cragg Vale is a very good school, with good results, cultivated good student behaviour and was very popular with parents and the school played a very positive and important role in the Cragg Vale community and he asked how would these "gaps" in the report be dealt with.

Ms Chrisanthou attended the meeting and referred to Cragg Vale Junior and Infant School having an attempted closure forced upon it. One of the main alternatives was to relocate to the Calder High School 6th Form Block. This building had capacity for approximately 4 times the number of children in Cragg Vale, how do you propose to fill this new school when there is some capacity in the local schools at the present time.

Councillor Smith-Moorhouse attended the meeting and advised that there had been several meetings with the parents of Cragg Vale School, welcomed the consultation period and asked what was happening with the Government grant that was awarded to Cragg Vale. The Director, Children and Young People's Service explained the position on funding for Cragg Vale.

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Councillor Evans attended the meeting and referred to the Borough having many rural communities and schools that can offer very good education and advised that Calderdale should be looking at ways to retain these small schools.

Councillor MK Swift, Cabinet Member with responsibility for Children and Young People's Services commented and advised that there was a need to ensure a safe building and each school was considered differently and individually. All points raised were noted and would be included in the consultation.

RESOLVED that a pre-consultation exercise being undertaken with parents to look at relocating Cragg Vale pupils at other more appropriate site(s) based on options within the Director, Children and Young People's Service report be approved.

24 BURNLEY ROAD CAR PARK, MYTHOLMROYD: PROPOSED ASSIGNMENT OF LEASE TO STOKERS LTD

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Development presented a written report of the Acting Director, Economy and Environment seeking assignment of the lease to enable the development of Burnley Road Car Park to take place in order to future proof the retail space against future flooding whilst retaining a free public car park at ground floor level. The Council holds the long leasehold of this free public car park on the residue of a 999 year lease (circa 779 years) and was proposing to assign it to Stokers Ltd at open market value in order to allow them to future proof the furniture showroom, known as Russell Dean, against further damage from flooding by building over it at first floor level and above, but retaining the ground floor level as a free public car park. As part of this process the three Ward Members were consulted in line with the Council's Disposals Policy and one objection was received.

Councillor Smith-Moorhouse attended the meeting and advised that the issue was to keep the car park from flooding and it was essential to keep the public car park to this area. Russell Dean could develop the footprint they had already and she was strongly against taking away the public car park.

Councillor B Collins read out a letter submitted by Councillor Scullion in support of the proposals, as she was unable to attend in person.

Councillor Tagg attended the meeting and advised that it was not the cost of building, but the disruption caused and he was in favour of the proposals.

RESOLVED that the negotiations for the proposed assignment of the lease be approved and the Acting Director of Economy and Environment and the Head of Democratic and Partnership Services in consultation with the Cabinet Member for Regeneration and Economic Development be given delegated authority to enable the development to take place whilst future proofing the retail space against flooding and retaining a free public car park at ground floor level with at least the existing number of spaces be approved.

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25 CABINET MINUTE 9/B8 RECOMMENDATION (C) IN RELATION TO CALDERDALE ADMISSIONS FORUM FOR 2016/17 SEEKING CONSIDERATION OF A NOMINATION FROM THE LIBERAL DEMOCRAT GROUP FOR COUNCILLOR EVANS TO BE APPOINTED TO SERVE ON THE FORUM

Councillor T Swift, Leader also requested consideration of appointments to the Fostering Panel and the Calderdale Flood Partnership Board.

RESOLVED that

(a) Councillor Evans be appointed to serve on the Calderdale Admission Forum for the 2016/17 municipal year; and

(b) the Head of Democratic and Partnership Services be requested to action the changes to the Membership of the following Cabinet Working Parties and Other Bodies:

- (i) Councillor J Hardy as an appointed Member to serve on the Fostering Panel;
- (ii) Councillor Holden as an Independent appointed Member to serve on the Calderdale Flood Partnership Board (formerly, Calderdale Flood Recovery Steering Group).

26 REGIONALISATION OF ADOPTION SERVICES

(E) Councillor MK Swift, Cabinet Member with responsibility for Children and Young People's Services presented a written report of the Director, Children and Young People's Service seeking consideration of the proposals for adoption reform contained within the government's Education and Adoption Act 2016. It sets out the Yorkshire and Humber regional plan for adoption and requests delegated authority for the Director of Children and Young People's Service to form a central hub and West Yorkshire spoke model. This would include the development of the West Yorkshire adoption agency, which was to be hosted by Leeds City Council and would be sub-regional adoption agency arrangements for West, South and North Yorkshire. Calderdale with the other West Yorkshire councils would form the West Yorkshire agency and take the relevant adoption functions of Calderdale Council.

There was an agreed regional and sub-regional approach to the future delivery of adoption services. It would benefit Calderdale in delivering a more efficient and cost effective service and it would utilise central Government funding to help facilitate the change.

RESOLVED that

(a) the formation of a West Yorkshire adoption service be approved;

(b) the Director, Children and Young People's Service be given delegated authority for the development of the West Yorkshire adoption agency to be in place for April 2017; and

(c) the Director, Children and Young People's Service be given delegated authority to proceed fully with the revised team structure subject to the 45 day consultation

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process commencing with staff at the appropriate time, which would propose the transfer of staff to Leeds City Council, who will host the West Yorkshire service.

27 RESPONDING TO THE EU REFERENDUM: ACTION PLAN

Councillor T Swift, Leader, read out the following Cabinet statement on hate crimes and cohesion:

“In the aftermath of the referendum, there have been reports of an increase in hate crime across the country. As a Cabinet, we believe that Calderdale Council should condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable. We will stand with victims of hate crime and encourage everyone to report incidents to the police. We will work with faith and community leaders across the Borough to ensure that Calderdale remains welcoming to all, and to support everyone in challenging prejudice and hate where it occurs. The report we are considering tonight regarding the outcome of the EU referendum includes specific actions to support and promote community cohesion. Further, the Council already has in place a working group that is looking at what more the Council can do to promote cohesion. We will ensure this work continues and report on its outcome to future meetings of full Council”.

Councillor T Swift, Leader presented a written report of the Chief Executive seeking consideration and adoption of an initial action plan for the Council to frame its response to the outcome of the EU Referendum. The plan encompasses short term action and a broad indication of longer term action. The details of how the United Kingdom would operate in future terms of trading, legislative and other relationships with EU countries was yet to be determined and such detail would be needed in order to inform both future action and our understanding of risks and opportunities.

In the period following the referendum, strong political leadership and a clear understanding of, and response to, the needs of Calderdale residents and businesses was imperative. Many would look to the Council to provide reassurance and stability and the Council itself would need to seek assurances from Government on on-going investment and funding decisions, such as funding for flood defences and repair. The Council would want to provide this leadership in the context of finding the opportunities in this on-going change and getting the best deal for Calderdale and its partners.

The decision to leave the EU would have major implications for UK institutions. For Calderdale Council there was likely to be organisational impact, in terms of finances and possible legislative changes, and wider impacts in terms of responsibility for community cohesion and community relationships, support needs of local businesses, investment plans, environmental issues and impact on other civic institutions.

The report set out key themes and initial actions recommended for adoption.

Councillor Baker attended the meeting and welcomed the approach of a working party on a cross party basis.

CABINET, 4th July 2016

Councillor Tagg attended the meeting and welcomed the setting up of a working party.

Councillor Smith-Moorhouse attended the meeting and clarified what the legal process was following the EU Referendum.

RESOLVED that:

(a) the Calderdale EU action plan be adopted as set out in the Chief Executive's report and that it be updated regularly in the light of new information; and

(b) a Calderdale EU Referendum Working Party, on 3:3:1 basis, be approved in principle, with the meetings held in public (where appropriate), nominations to be advised to the Chief Executive and the initial meeting of working party be requested to consider the action plan and terms of reference.

(The above was considered as an urgent item at the meeting as the response to the outcome of the EU Referendum.)