

CABINET, 2nd October 2017

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

45 APOLOGIES FOR ABSENCE

There were no apologies for absence.

(Councillor Shoukat arrived at 1805 hours).

(Councillor MK Swift left at 2000 hours).

(The meeting closed at 2010 hours).

46 ADMISSION OF THE PUBLIC

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

Transport for the North Regulations (Appendix 2 only) – Paragraph 8 – Confidentiality Obligations.

Northgate House Options – Paragraph 3 – Financial and Business Affairs.

Adults and Children's Services and Public Health – Paragraph 3 – Financial and Business Affairs.

Street Lighting LED Project – Paragraph 3 – Financial and Business Affairs.

47 MINUTES OF THE MEETING OF CABINET HELD ON 4TH SEPTEMBER 2017

RESOLVED that the Minutes of the meeting of Cabinet held on 4th September 2017 be noted as a correct record and signed by the Chair.

48 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) A question was asked by Mr G Fielden.

The Leader, Councillor T Swift responded and advised that a written response would be provided to the question.

(b) A question was asked by Mr M Bradley.

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Development responded and advised that a written response would be provided to the question.

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49 BETTER CARE FUND PLAN 2017-19

Councillor Metcalfe, Cabinet Member for Adults, Health and Social Care presented a written report of the Director, Adults and Children's Services seeking consideration of Calderdale's Better Care Fund (BCF) Plan for 2017-19. The deadline for submitting the BCF Plan to NHS England was 11th September 2017. Timescales were very tight due to the delay in publishing the guidance centrally and this was only made available on the 4th July 2017. The BCF was a programme spanning both the NHS and local government and sought to join up health and care services so that people could manage their own health and wellbeing and live independently in their communities for as long as possible.

BCF in Calderdale was managed through a Section 75 Framework Partnership Agreement between the Calderdale Clinical Commissioning Group (CCCG) and the Council. The Framework approach was agreed to best reflect where the Council and the CCCG were in terms of developing an integrated commissioning approach in that it provided for a dedicated lead commissioner for each scheme. The Section 75 Agreement would need to be updated in 2017 and the NHS required the update to be completed by November 2017.

The Section 75 Agreement must be agreed for the Council to be able to pay providers of services contained within the BCF. This would need to be amended to reflect the 2017-19 Plan for Calderdale. It may be necessary to update the schemes within the plan once reviews against the four National Conditions now stipulated were completed.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

Councillor Tagg requested that positive outcomes resulting from the work of the Health and Wellbeing Board (HWB) be reported. In response, the Leader, Councillor T Swift advised that a monitoring report would be written and that an update would be presented to the meeting of the HWB to be held on 19th October 2017.

RESOLVED that:

(a) the Director, Adults and Children's Services be given delegated authority in consultation with the Head of Democratic and Partnership Services and the Cabinet Members with responsibility for Adults and Children's Services for changes to the Better Care Fund Section 75 Agreement and the Better Care Fund Plan; and

(b) Calderdale's Better Care Fund Plan continue to be developed once a further review of current schemes against the four National Conditions now stipulated was completed which may result in a requirement to change some of the schemes currently outlined in the 2017-19 Better Care Fund Plan.

50 BUSINESS RATES ADDITIONAL DISCRETIONARY RATE RELIEF SCHEME

Councillor Press, Cabinet Member for Neighbourhoods and Communities presented a written report of the Acting Director, Communities and Service Support seeking consideration of the Council's Discretionary Rate Relief Schemes in response to the Government Autumn 2016 and Spring 2017 statements in relation to new business

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rate reliefs. For ease of reference all the current discretionary rate relief schemes were detailed in a single, consolidated document. This would provide transparency and promote economic growth in the Borough by making potential reliefs accessible to businesses. The current schemes were detailed in appendices 1 and 2 of the written report. They were either fully funded by Government or were local discounts, specific to the Calderdale area, that had previously been approved by Cabinet.

All Government 'local discount' schemes were funded under Section 31 of the Local Government Act 2003, so the Council was effectively fully reimbursed by way of grant for the loss of income arising due to the granting of relief. Whilst operated under the discretionary powers available under Section 47 of the Local Government Act 1988, the Council was always expected to adopt them, particularly where the cost of granting and administering the reliefs was being met by Government funding. This was the case previously with the Retail Premises Relief scheme, Temporary Re-occupancy Relief and the New Build Empty Property Exemption schemes.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

Councillor Scullion asked when the schemes would be reviewed. In response, the Leader, Councillor T Swift advised that it would be sensible to do so annually as part of the budget process.

Councillor Tagg raised the issue of the reduction in rate relief for *Community Sports Clubs* who were classed as charities for tax purposes. The Leader, Councillor T Swift advised that the Acting Head of Customer Services would provide a response for specific organisations.

RESOLVED that

- (a) the business rate relief schemes outlined in Appendices 1 and 2 be noted;
- (b) the new discretionary reliefs as growth items in the budget proposals for 2018/19 report be approved; and
- (c) the administrative and appeals framework set out in Appendix 3 be approved.

51 CALDERDALE SUICIDE PREVENTION PLAN

Councillor Shoukat, Cabinet Member for Public Health and Inequalities presented a written report of the Director, Public Health seeking consideration of the Calderdale Suicide Prevention Plan and the support of on-going work of the Calderdale Suicide Prevention Group. The Council was working with a range of statutory and voluntary partners to reduce the number of people taking their own life in Calderdale and to provide better support for those affected by or bereaved by suicide. The Council had a duty to ensure that Calderdale met the requirement of having a multi-agency suicide prevention plan in place by 2017, which contributed to a 10% reduction in suicide by 2020 as set out in the Five Year Forward View for Mental Health. The Calderdale Suicide Prevention Plan was a new and ambitious plan developed by local partners which builds on national evidence of what worked, national good practice and local insight from the Calderdale Suicide Audit 2012-2014.

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Every suicide was a premature death and the overwhelming majority were preventable. Many suicides could be prevented by straightforward interventions such as opportunities to talk, timely signposting to supportive services, earlier identification of distress, a safer physical environment or a more cautious prescribing regime. The Suicide Prevention Plan sets out a strategic approach to reducing suicides in Calderdale by working with partners across the Borough. This would have a direct impact on the people of Calderdale and supported the necessity for this change if we were to improve the health and wellbeing of our communities.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

Councillor Scullion referred to the excellent work of Andys Man Club and commented on the effect money, credit and housing pressures had on exacerbating the issue.

***RESOLVED that**

(a) it be recommended to the Council that the Calderdale Suicide Prevention Plan be approved;

(b) the Public Health Directorate take the lead on suicide prevention implementation and work with partner agencies to ensure implementation costs were identified; and

(c) assurances of implementation be sought through the Health and Wellbeing Board.

52 RECOMMENDATIONS FROM THE ECONOMY AND INVESTMENT PANEL

Councillor T Swift, Leader presented a written report of the Director, Economy and Environment seeking consideration of the recommendations from the Economy and Investment Panel to extend the Retail Market Towns Officer post for a further 2 years and to make provision of funds to enable delivery of a Business Improvement District (BID) for Brighouse and to extend the existing contract with 'Locality' until the end of August 2018 to support community enterprise in Calderdale. The proposals would secure resource to advance the Council's Key Objectives for its market towns and anchor institutions.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

Councillors M K Swift and Scullion commented on the excellent work that had been carried out and the positive outcomes Brighouse could benefit from.

RESOLVED that

(a) £81,000 revenue funds be allocated from the Economic Investment Fund to facilitate the continued operation of the Retail Market Towns Officer post within the Corporate Projects Service for a period of two years be approved;

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(b) £20,000 be allocated from the Economic Investment Fund to enable delivery of the Brighthouse BID Initiative which was currently in development be approved; and

(c) £20,000 be allocated from the Economic Investment Fund to continue to support the community enterprise in Calderdale by extending the existing contract with 'Locality' until the end of August 2018 be approved.

53 SUPPORTING THE VOLUNTARY SECTOR: STRATEGIC GRANTS PROGRAMME FOR CULTURE AND STRONGER NEIGHBOURHOODS 2018-21

Councillor Press, Cabinet Member for Neighbourhoods and Communities presented a written report of the Acting Director, Communities and Service Support seeking consideration of supporting the Voluntary Sector and provided a brief update on the overall Voluntary Sector Commissioning programme, including progress on recommissioning voluntary sector infrastructure services. However, it was focussed particularly on the three strategic grant programmes which were designed to support a thriving and resilient voluntary and community sector in Calderdale. These were focused on supporting cultural objectives and supporting stronger neighbourhoods. The current programmes end in March 2018 and needed to be recommissioned and refreshed for the next financial year with new grants in place by April 2018.

The Council recognised that by working in partnership with the voluntary sector it was more likely to achieve its vision to be the best Borough in the North. The programmes of support and funding set out in the report would help achieve this ambition helping voluntary and community organisations to be the best that they could be. The sector needed quality infrastructure support that helped them to access funding, plan for their futures and continuously improve the services they provide to local people. By funding specific programmes of support for cultural objectives and stronger neighbourhoods the Council was demonstrating its commitment to important areas of the social and economic life of our towns and communities. The track record of the previous rounds of funding would indicate that the volunteering and outreach initiatives arising from these programmes would offer people and places real resilience and life changing experiences. More broadly, funding the Voluntary and Community Sector helped the Council achieve good value for money services, including those which drew on the contribution of volunteers, reaching excluded and vulnerable groups, helping to maintain a vibrant voluntary sector that contributed across all population outcomes as well as innovation and creativity in service delivery.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

RESOLVED that

(a) progress towards joint commissioning of voluntary sector infrastructure services with Calderdale Clinical Commissioning Group as approved by Cabinet in May 2017 and in particular the aim to have new contracts in place for services by April 2018 be noted;

(b) the Director, Communities and Service Support in consultation with the Head of Democratic and Partnership Services and the Cabinet Member with responsibility for

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Communities and Service Support be given delegated authority to conclude negotiations on and enter into the new contract;

(c) the overall scope, objectives and approach of the strategic grants programmes for culture and stronger neighbourhoods (larger and smaller grants) set out in the Acting Director, Communities and Service Support's written report be approved; and

(d) the Director, Communities and Service Support in consultation with the Cabinet Member with responsibility for Neighbourhoods and Communities be given delegated authority on decision making about individual grant awards.

54 WINTER MAINTENANCE

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Development presented a written report of the Director, Economy and Environment seeking consideration following the introduction of a new code of practice in October 2016 "Well-Managed Highway Infrastructure" and subsequent agreement by the Economy and Environment Scrutiny Panel, the Highways Service had undertaken a fundamental review of Winter Services. This comprehensive exercise had completely reviewed all areas of the service, and a new Winter Services Policy was now being brought forward for approval and adoption. It was a requirement of the Code that the new policy be formally approved by the Executive before implementation. The implementation deadline was October 2018.

The new Code of Practice put the onus on Local Authorities to carry out a risk assessment on highway maintenance practices and also introduced the concept of "affordability" (which must still be tested in the courts). As a first stage in developing a comprehensive winter maintenance policy, Officers had assessed the network and created the hierarchy of risk shown within the report. However, without an assessment of likely cost it was impossible to examine the "affordability" criteria in any more detail. The likeliest way to determine "cost" (within the limitations of an unknown winter) was to carry out a tender exercise against the criteria within the report.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

Councillor Scullion commented that in the past it had been difficult to explain to the public why some areas had or had not been gritted. The proposed highway hierarchy would allow a more transparent service. The Head of Highways and Transportation added that the service would be trialled over the coming winter and that if necessary could be adjusted.

RESOLVED that

(a) the proposed highway hierarchy and service standard detailed in Part 5 of the Director, Economy and Environment's written report be approved;

(b) the Head of Highways and Transportation in consultation with the Cabinet Member with responsibility for Regeneration and Economic Development be given delegated authority to redesign the current service to reflect the new highway

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hierarchy and service standard, carry out a single year winter maintenance pilot in 2017/18 and make any amendments required to continue to maintain the highest level of service; and

(c) the Director, Economy and Environment be authorised to:

- (i) carry out a full tender exercise based on the proposed hierarchy and service standard, in order to refresh prices and inform the “affordability” of the service further;
- (ii) pilot the use of brine based footway pre-treatment, using All Purpose Vehicles, on the Category 1 footways as described in the report;
- (iii) carry out a reassessment of the grit bin locations in order to ensure that maximum overall benefit was obtained and identify locations for additional bins; and
- (iv) prepare a detailed policy document, based on the results of the 2017/18 winter pilot, in time for the review deadline of October 2018.

55 WEST YORKSHIRE PLUS TRANSPORT FUND A629 CORRIDOR – PHASE 2

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Development presented a written report of the Director, Economy and Environment seeking consideration of the preliminary design of the West Yorkshire Plus Transport Fund (WY+TF) A629 Halifax Town Centre Phase 2 Scheme. There was an associated need to request approval for additional land acquisition to deliver WY+TF A629 Phase 2, further to Cabinet approvals on 4th July 2016. It was also necessary to request approval to pursue the making of Statutory Compulsory Purchase Orders (CPO) under the enabling powers of the Highways Act 1980. These powers to be used, only in the event that land was unable to be acquired by negotiation.

Further to approvals agreed by Cabinet in July 2016, the scope of the scheme and the highway design had matured. Further land acquisition was necessary to enable the amended scheme and design to happen. This required approval from Cabinet. Approval was also required to enable the Council to underwrite costs associated with land assembly/highway enabling works. Costs would be reimbursed in full by the West Yorkshire Combined Authority (WYCA) following approval of a Full Business Case for the finalised scheme. Approval was required to enable the Council to enter into a funding agreement with the WYCA which would release funding at each of the programme activity stages.

The West Yorkshire Transport Fund Phase 2 proposals for Halifax Town Centre represented a once in a lifetime opportunity to deploy a £40 million investment in improved access, improvement to the townscape and economic potential for the town. Members were asked to consider whether the economic, social and environmental benefits derived from the remodelling of the A629 highway corridor under the WY+TF strategy validated 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.

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Permission was also required to allow the Council to underwrite costs for Phase 2 prior to reimbursement via the Combined Authority governance mechanisms. Stakeholder engagement was an essential on-going element of the WY+TF programme and on-going public engagement was being planned as part of the overall programme.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

The Lead for Corporate Projects attended and addressed the meeting.

Councillor Metcalfe was given assurances that the views of the disabled community had been taken into account during the consultation.

Councillor Sutherland commented on the positive effect on air quality pedestrianisation would have on the town centre.

Councillor Tagg raised the issue of Albion Street and its possible pedestrianisation. In response, Councillor T Swift, the Leader advised that the pedestrianisation of Albion Street would be beneficial but very difficult to implement. The Lead for Corporate Projects added it was a difficult balancing act to take into account the wishes of all users and that considerable modelling had been carried out to reach the most efficient access for all modes of transport.

RESOLVED that

(a) the preliminary design at Appendix A, the acquisition of required land and land interests as shown within Appendix B of the Director, Economy and Environment's written report be approved and the Director, Economy and Environment and Head of Democratic and Partnership Services in consultation with the relevant Cabinet Member(s) be given delegated authority of detailed agreements;

(b) the use of Compulsory Purchase Orders under sections 239, 240, 250 and 260 of the Highways Act 1980, section 226 of the Town and Country Planning Act 1990 and all other enabling powers as appropriate in relation to the purchase of land and all relevant interests for Phase 2 shown within Appendix B of the Director, Economy and Environments written report and the Statement of Reasons contained within Appendix C be approved.

(c) the Council underwrites an additional cost of £224k in relation to land acquisition, enabling works and compensation to be completed up to a value of £1.1m in relation to Phase 2;

(d) the Director, Economy and Environment and Head of Finance in consultation with the relevant Cabinet Member(s) be given delegated authority to progress all works necessary to deliver the scheme;

(e) the Head of Democratic and Partnership Services in consultation with the relevant Cabinet Member(s) be given delegated authority to enter into any appropriate agreements with Government Departments, Agencies and other relevant

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persons to secure necessary access rights and to undertake any associated works for Phase 2; and

(f) the acceptance of West Yorkshire + Transport Fund funding and the entering into of relevant funding or other legal agreements with the West Yorkshire Combined Authority, for release of the funding required to deliver the West Yorkshire Transport Fund Programme be approved with delegation to the Director, Economy and Environment and Head of Democratic and Partnership Services in consultation with the relevant Cabinet Member(s) with respect to the completion of the necessary legal agreement.

56 TRANSPORT FOR THE NORTH REGULATIONS

Councillor T Swift, Leader presented a written report of the Head of Democratic and Partnership Services seeking consideration of the approval of Transport for the North Regulations. The Council as the Local Highway Authority needed to consent to the making of Regulations by the Secretary of State for Transport to establish Transport for the North (TfN) as a Sub-National Transport Body under section 102J of the Local Transport Act 2008. The consent of each Highway Authority within the area of each Combined Authority which was a Constituent Authority of TfN was required to the making of Regulations by the Secretary of State because the Regulations contained provisions giving TfN highway powers to be exercised concurrently with the Local Highway Authorities.

Regulations had now been drafted to create TfN as a Sub-National Transport Body. Before the Secretary of State may make these Regulations, each of the Highway Authorities within the areas of the Combined Authorities which were Constituent Authorities must consent to the making of the Regulations. It was anticipated that the Secretary of State would send a letter to each of these Highway Authorities requesting formal consent to the making of the Regulations. It was understood that the letter would request a response before the end of October 2017

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

RESOLVED that

(a) consent to the making of Regulations by the Secretary of State for Transport under Section 102J of the Local Transport act 2008 to establish Transport for the North as a Sub-National Transport body giving TfN concurrent highways powers to be exercised with the consent of this Council be approved;

(b) consent to the transfer of Rail North Limited to TfN following its inauguration and the signing of a new Rail Franchise Management Agreement with TfN replicating as far as possible the arrangements entered into in respect of Rail North Limited be approved; and

(c) the Head of Democratic and Partnership Services, in consultation with the Leader of the Council, be given delegated authority to approve and deal with all necessary consents required to bring effect to (a) and (b) above.

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57 LOCAL DELIVERY COMPANY – OPTIONS APPRAISAL

Councillor Sutherland, Cabinet Member for Planning, Housing and Environment presented a written report of the Director, Economy and Environment seeking consideration of the setting up a wholly Council owned subsidiary to support the direct delivery of new homes and potentially other associated development in the Borough. Delivery of new homes and associated development was fundamental to sustaining economic growth, supporting communities and meeting housing needs in a sustainable way in Calderdale. Levels of housing delivery in Calderdale were currently at a relatively low ebb. There was an opportunity to consider a direct delivery vehicle to complement existing work with housing association and private sector partners. Cabinet approval was required for the Council to progress plans for a Council led delivery vehicle which would assist in accelerating the provision of new homes in the Borough. A decision was needed now to identify the preferred model.

A number of options were available to the Council to support it in its ambition to provide a wider choice of homes in Calderdale. A new Local Housing Company model would provide a flexible new vehicle to achieve this. In so doing it would support the Council's wider headline goals for economic development, supporting vulnerable people, and building sustainably. The Council owned delivery company would form just one element of a wider approach alongside working with private developers and others, and would complement other activity such as the Calderdale Together Investment Partnership

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

Councillor Scullion raised concern over the number of empty, boarded up houses which should be brought back into use.

Councillor Baker commented on the quality of housing and some landlords who were not bringing homes up to standard.

***RESOLVED that**

(a) it be recommended to the Council that a Council owned Delivery Company be created to build homes for sale and rent, together with other associated development;

(b) the principle of funding initial start-up costs be agreed and that a sum of up to £75,000 be made available from Housing Section 106 funds; and

(c) the Director, Economy and Environment be requested to commence work on identifying initial projects and work up scheme costs and viability and submit a further report to a future meeting of Cabinet seeking sign off for details of the Company Legal and Governance structure and the Company Business Plan.

58 CALDERDALE TOGETHER HOUSING INVESTMENT PARTNERSHIP

Councillor Sutherland, Cabinet Member for Planning, Housing and Environment presented a written report of the Director, Economy and Environment seeking consideration of the proposal to increase housing supply and choice in the Borough

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by a minimum of 500 units over the next 5 years in partnership with Together Housing Group. Cabinet approval was required for the investment of Council owned land in the circumstances where the best consideration (price) may not be obtained on some proposed sites, as a wider view of best value was being proposed. A decision was needed now to ensure a future pipeline of affordable accommodation.

The Housing Act 1985 required all local housing authorities to consider housing conditions in their district and the needs of the district with respect to the provision of further housing accommodation. The National Planning Policy Framework Part 6 sought to 'boost significantly the supply of housing' (para 47) and as part of that aim required Councils to ensure, year on year, 'a supply of specific deliverable sites sufficient to provide 5 years worth of housing against their housing requirements with an additional buffer of 5%'. The overall proposal would drive forward the Council's pledge to help make more homes available for local families and by continuing to identify viable brownfield sites where possible to minimise the impact on greenfield and greenbelt sites.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

Councillor Tagg raised concern that the £5k per unit capital receipt received by the Council seemed low. In response, the Director, Economy and Environment advised that at the current level the returns allowed the business plan to work. If specific sites prove to be more profitable, the capital receipt for that site could be increased.

RESOLVED that

(a) the transfer of Council owned land, sufficient to deliver at least 250 homes, into an investment partnership with Together Housing Group (THG), on a best value basis, for the purpose of delivering affordable housing, across a range of tenures be approved in principle;

(b) the Director, Economy and Environment be given delegated authority to agree the investment and replacement Council owned sites into the partnership as required, subject to the Council's established process of consultation and decision making with respect to individual sites as set out in paragraph 9.2 of the Director, Economy and Environment's written report; and

(c) the Director, Economy and Environment and the Head of Democratic and Partnership Services in consultation with the Cabinet Member with responsibility for Housing and Environment be given delegated authority to negotiate and agree the legal agreement necessary to deliver the delivery of homes by the partnership as outlined in the Director, Economy and Environment's written report.

59 NORTHGATE HOUSE OPTIONS

(E) Councillor T Swift, Leader and Cabinet Member for Regeneration and Economic Development presented a written report of the Director, Economy and Environment seeking consideration of the Council's Northgate Site, comprising the Northgate House municipal office complex and the Halifax Central Library and Archive, which had previously been marketed for a development partner in early

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2015. The Option Agreement between the Council and Oakapple Group Ltd. had now been formally terminated following Cabinet approval in April 2017. Cushman and Wakefield had prepared a Property Market Appraisal for the Northgate site to enable the Council to re-consider its development strategy for the site and the creation of a high quality and sustainable solution. In the interim period the Council had been approached by a number of parties interested in developing the Northgate Site.

Members were asked to review the 4 options referred to in the report which were summarised in Appendix 1 and to indicate a preferred direction of travel.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

RESOLVED that

(a) Option 1 a 6th Form College be the preferred option;

(b) the Director, Economy and Environment be requested to work to integrate a College into a whole site solution, in the context of an Autumn 2019 target delivery date for the College; and

(c) the Director, Economy and Environment be requested to submit a further report early in 2018 clarifying details of the preferred scheme, governance and approach to delivery and funding.

(Councillor B Collins declared an interest in the above item as he is a Governor at Trinity Academy and left the meeting for the discussion and voting thereon).

60 SCHOOL CAPITAL STRATEGY

Councillor MK Swift, Cabinet Member for Children and Young People's Services presented a written report of the Director, Adult and Children's Services seeking consideration of a Capital Strategy for the Schools Capital Programme which was made up of a maintenance programme for existing school buildings and an expansion programme to provide additional school places across Calderdale. A decision was needed to ensure the maintenance programme would continue to meet its highest priorities and that the expansion programme continued to deliver the right number of places in the right locations. The Schools Capital Programme was currently financially over committed and future liabilities would only worsen the position. It would be important to have a strategy that dealt with that situation. The increase in primary aged pupils in recent years was now flowing into secondary schools. Work had recently been undertaken to identify where these additional places were required across Calderdale, for which there was Government funding.

The report set out the increasing demands on the Schools Capital Maintenance Programme beyond the funding currently available and included options for addressing that funding gap. The report also set out the Local Authority's plans for increasing the number of secondary school places and presented options for consideration.

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The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

Mr Kevin McCallion, representing Calderdale Association of Secondary Heads addressed the meeting and posed a number of questions on the expansion programme that were responded to by Councillor MK Swift, Cabinet Member Children and Young Peoples' Services.

Councillor Tagg commented on the benefit to students and the positive effect a post 16 education provision would have on the economy of the town centre.

***RESOLVED that**

(a) the Maintenance programme to meet the current and immediate financial commitment identified in the Director, Adult and Children's Services written report be approved;

(b) It be recommended to Council that the following recommendations be supported:

(i) the schools capital programme be allowed to retain any future school capital receipts from the disposal of land or buildings to support future school maintenance programmes of work;

(ii) the funds available for flood protection, releasing funding towards the cost of storm damage at the 3 primary schools currently being funded from the schools maintenance programme be explored;

(iii) the Council includes £2.4 million in its additional capital expenditure plans within the new Medium Term Financial Strategy towards the cost of the Copley School project, dependent upon the identification of sufficient savings to fund the prudential borrowing costs as part of the budget process for 2018/19;

(c) all schools involved in capital maintenance project be asked to make a 10% contribution towards their project (to be made up of a combination of their devolved formula capital, school balance or a Council loan on which the school meets the annual repayments);

(d) the Director, Adult and Children's Services be requested to submit a report to a future meeting of Cabinet, with more information on individual small schools (of less than one form of entry), proposing the most economic and sustainable ways of managing these school buildings to meet the educational needs of these communities;

(e) the Director, Adults and Children's Services be requested to commission building surveys at 5 maintained schools considered the worst condition, to get a clearer picture of future commitments, exploring the least costly ways of gather this information; and

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(f) Option 1 – to create a sixth form college on the Central Library/Northgate House site, releasing current sixth form space to provide additional secondary school places be approved and the Calder High School proposal is selected to provide the remaining 150 places needed be approved;

Option 2 – to provide the required secondary school places by working with a combination of secondary schools, in the required geographical locations, as set out in paragraph 5.6 be approved.

(Councillor B Collins declared an interest in the above item as he is a Governor at Trinity Academy and left the meeting for the discussion and voting thereon).

**61 ADULTS AND CHILDREN'S SERVICES AND PUBLIC HEALTH SERVICES – 5
(E) YEAR COMMISSIONING AND PROCUREMENT PLAN**

Councillor Metcalfe, Cabinet Member Adults, Health and Social Care presented a written report of the Directors of Adult and Children's Services and Public Health seeking consideration of the Adult and Children's Services and Public Health 5-year Procurement Plan (the Procurement Plan) and sought approval of any necessary extensions to contracts, to enable the plans to be implemented and undertake the appropriate activities to ensure continuity of service provision and improve outcomes for individuals. The 5-year Adult and Children's Services and Public Health Procurement Plan was submitted on an annual basis to inform Cabinet and regularise the approval of any necessary contract extensions.

The governance arrangements for commissioning and procurement of services for adults and children were managed through the formal process of the Integrated Commissioning Board (ICB) which was the Local Authority's internal gateway process. A restructure was currently taking place to form an integrated commissioning and contracting team following the outcome of the consultation as approved by Cabinet on 19th June 2017. This would enable the joint working which had already commenced to develop at pace. Work had been on-going to strengthen ways of working in relation to integrated commissioning with the Clinical Commissioning Group (CCG). The Integrated Commissioning Executive (ICE) had been in place since December 2016 and reported to the Health and Wellbeing Board. It had undertaken activities, initially around contracting and procurement, in order to develop joint approaches and reduce duplication. A recent output had been the process to jointly re-procure third sector infrastructure services in Calderdale. The Board was exploring opportunities to develop/and or strengthen broader joint commissioning opportunities; for example around care homes and mental health. The role of ICE would continue to develop and grow.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

RESOLVED that

(a) the 5-year Procurement Plan attached at Appendix 1 of the Directors, Adults and Children's Services and Public Health be approved;

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(b) the Directors, Adults and Children's Services and Public Health be given delegated authority in consultation with the Cabinet Members with responsibility for Adult Health and Social Care, Children and Young People's Services and Public Health, following consultation with the Head of Democratic and Partnership Services and Head of Finance, to implement the extensions if required; and

(c) the contract extensions detailed at 3.3 of the Directors, Adults and Children's Service and Public Health written report be approved.

62 STREET LIGHTING LED PROJECT

(E) Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Development presented a written report of the Director, Economy and Environment seeking consideration of progress in developing the Street Lighting Light Emitting Diode Project (the LED Project) to reduce energy, maintenance and risk associated with the Council's street lighting stock and to seek approval to commit £21.6m for the purpose of renewing the Councils 'life expired' lighting columns, including the upgrade of all lighting to LED. Approval was required to implement a capital scheme of £21.6m and finance the expenditure from existing capital resources, revenue savings from the implementation of the project and prudential borrowing.

The tender process had now been completed and the maintenance Contract and LED Project had been awarded to J.M. McCann and Co.(Nottm), a street lighting specialist based in Nottingham who operated contracts nationwide. As a result of the award of the contract for the LED Project, it was anticipated that upgrading or replacing the Council's street lighting stock would cost in the region of £21.6m. It was also anticipated that prudential borrowing of £14.7m would be required to finance the scheme over a 16 year period. Based on a business case that allowed for zero energy inflation, minimum revenue savings in relation to energy/co2 of £824k in 2034/35 and £1.202m in 2035/36 onwards, for reinvestment in the Council's network.

The report outlined the detailed background information, options considered, financial, legal, environmental, health and economic implications.

Members commented on the number of cast iron lamp posts that existed across the Borough. The Council would work with the Civic Trust to retain some of them on a case by case basis.

***RESOLVED that**

(a) it be recommended to the Council that a sum of £21.6m be included in the Capital Programme to allow the Borough wide LED Project to be implemented;

(b) the LED Project be financed in part by revenue savings earmarked throughout the payback period, and prudential borrowing up to a maximum value of £14.7m;

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(c) approval be given to agree and to draw down a secured 0% repayable loan funding for £4.6m for the project from Salix Finance Limited, to be paid back over five years after the completion of the project;

(d) the Director of Economy and Environment be given delegated authority to appoint the Project Management Team required to deliver the LED Project;

(e) it be noted that a contract had been awarded for the maintenance of the street lighting and highways electrical asset (the Maintenance Contract) to J.M. McCann & Co. (Nottm), to begin after completion of the existing agreement with the Council's current provider on 15 October 2017; and

(f) it be noted that the same contractor who had been awarded the maintenance Contract, had also provided the most economically advantageous tender, based on whole life costs, for the LED Project.