

**CABINET, 19<sup>th</sup> March 2018**

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

**113 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

*(The meeting closed at 20.35 hours).*

**114 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:

Corporate Review of Administration – Paragraph 4 – Labour Relations, Consultations and Negotiations.

New Affordable Homes for Calderdale - Paragraph 3 - Financial or Business Affairs.

Local Development Company – Business Model - Paragraph 3 – Financial or Business Affairs.

Northgate Site Redevelopment - Paragraph 3 – Financial or Business Affairs.

Holywell Inn - Paragraph 3 – Financial or Business Affairs.

**115 MINUTES OF THE MEETING OF CABINET HELD ON 12<sup>TH</sup> FEBRUARY 2018**

**RESOLVED** that the Minutes of the meeting of Cabinet held on 12<sup>th</sup> February 2018 be noted as a correct record and signed by the Chair.

**116 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 Miss Stocks and a petition was presented relating to the risk of flooding to over 400 properties in Todmorden.

Councillor Sutherland, Cabinet Member for Planning, Housing and Environment responded and advised that a written response would be provided to the question and the Leader, Councillor T Swift confirmed that the petition would be dealt with in accordance with the provisions of the Council's Petitions Scheme.

- (b) A question was asked by Mr S Loftus.

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

(c) A question was asked by Mr Wood.

Councillor Press, Cabinet Member for Communities and Neighbourhood Services responded and advised that a written response would be provided to the question.

**117 CALDERDALE COHESIVE COMMUNITIES STRATEGY 2018-2023**

Councillor Press, Cabinet Member for Communities and Neighbourhood Services presented a written report of the Director, Public Services seeking consideration of the Calderdale Cohesive Communities Strategy 2018-2023. A Cohesion and Integration Strategy had been drafted as the previous strategy and action plan was out of date. Recent reports including the Casey Review and the All Party Parliamentary Group (APPG) on Integration had raised a number of issues pertinent to Calderdale. Calderdale should now define its own strategic approach, taking into account recent reports, one that worked for the place, the local vision and supported integrated and cohesive communities.

Although significant work had been undertaken to support communities to become more cohesive and resilient there was still more to do. Through meaningful community involvement and engagement to shape neighbourhoods and public services, the Council would continue to build better relations between different communities and seek to address inequalities by 'narrowing the gap' in quality of life outcomes for individuals and communities. Through the emerging Inclusive Growth Strategy, the Active Calderdale Strategy, the proposed Poverty Strategy and the Councils commitment to 'Reducing Inequality' the Council would seek to develop a detailed and collaborative action plan, that was itself cohesive and joined up, with clear measures. Further dialogue with schools and education providers was required to identify the best way to address a lack of integration, where this existed. Opportunities to increase cohesion and integration post age 16, with the proposed new sixth form centre, should be identified and grasped.

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

Councillor Lynn welcomed the report and referred to the approach to school admissions and asked that bridges be built with the Interfaith Council and other broader Community Groups. Good practice from elsewhere should be investigated and considered. The Leader, Councillor T Swift and advised that school admissions and good practice from elsewhere was being considered.

Councillor Baker referred to integration and highlighted an issue regarding waste and recycling collections. Councillor Press responded and advised that if the particular issues were put in writing she would respond.

**RESOLVED** that:

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(a) the Calderdale Cohesive Communities Strategy 2018-2023 be approved; and

(b) the Director, Public Services be given delegated authority in consultation with the Cabinet Member for Communities and Neighbourhood Services to develop an Action Plan that has clear connectivity with the Inclusive Growth Strategy Action Plan and Poverty Action Plan, both of which would be developed over the coming months.

**118 IMPACT OF WELFARE REFORM ON CALDERDALE**

Councillor Press, Cabinet Member for Communities and Neighbourhood Services presented a written report of the Director, Public Services providing an update on the impact of Welfare Reform in Calderdale, the Council's response so far and the wider issues of poverty. Officers were seeking approval to develop an anti poverty action plan, with a particular focus on child poverty in the Borough. The Government was continuing with its policy of welfare reform to reduce dependency on government assistance. Since 2010 welfare reform had been a major theme of government policy and there had been a raft of changes intended to reduce the number of individuals and families dependant on government assistance by supporting recipients into education or employment. People of pension age were protected against many of the wider welfare reform changes.

The report provided detailed background information, economic impacts on the Borough, financial, legal, environmental, health and economic implications.

**RESOLVED** that Director, Public Services be requested to develop an anti-poverty action plan, with a cross directorate approach to inclusive growth, which builds on the work already being done, for consideration at a future meeting of Cabinet.

**119 EVERYONE DIFFERENT, EVERYONE MATTERS: MEETING THE EQUALITY DUTY PROGRESS REPORT 2018**

Councillor Press, Cabinet Member for Communities and Neighbourhood Services presented a written report of the Director, Public Services which provided progress on the Everyone Different, Everyone Matters: Meeting the Equality Duty Report 2018. Under the Equality Act 2010 and the Public Sector Equality Duty, public authorities were required to develop and publish equality objectives by 6<sup>th</sup> April 2012 and then at least every four years. Calderdale Council's revised equality objectives were approved and published on the Council's website in 2017. Following the introduction of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017 organisations listed under the Equality Act were now also required to publish and report specific figures about their gender pay gap. The gender pay gap was the difference between the average earnings of men and women, expressed relative to men's earnings. The obligations apply if employers had 250 or more employees on the snapshot date of 31<sup>st</sup> March of a given year.

To comply with the 'Equality Duty' a report was submitted on the equality progress on an annual basis. The Equality Progress Report 2018 attached at Document A outlined progress against the six corporate equality objectives and also provided an analysis of the workforce attached at Document B and gender pay gap attached at Document C. When Cabinet agreed the adoption of its equality objectives in 2017, it requested that a report outlining progress against the Council's equality objectives should be considered by Cabinet on an annual basis.

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Calderdale Council was committed to delivering fair and accessible services to achieve the best outcomes for the people it served. Reducing inequality was one of three priorities in the Council's ambition to be the Best Borough in the North. The Public Sector Equality Duty gave the Council the opportunity to build upon the work it had done already to demonstrate its commitment to the principle of equality of opportunity and the provision of public services that met the needs of all local people. As highlighted in this year's report, Calderdale Council had made good progress against its stated objectives over the last 12 months, and would continue to identify ways to contribute to the promotion of equality, the celebration of diversity and the strengthening of community cohesion within Calderdale.

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

**RESOLVED** that:

- (a) the report presented in accordance with the statutory requirement under the Equality Act 2010 and subsequent regulations be noted;
- (b) the Workforce Action Plan(s) appended to the Director, Public Services written report be approved; and
- (c) the Director, Public Services be requested to submit further annual reports in 2019.

**120 POST 16 PROVISION AND CLOSURE OF CALDER HIGH SIXTH FORM**

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 funding of Post 16 Education Provision and the impact this had on sixth form viability and provided details in relation to the strategies under consideration by local Post 16 providers as they sought to rationalise provision whilst improving the curriculum offer to students and maintaining levels of achievement. Consideration was sought to ratify via a statutory process the decision of governors at Calder High School to cease its intake of Year 12 students from September 2018 and to close the provision on 31<sup>st</sup> August 2019 due to the recent demand for places being significantly below the numbers required for a viable and sustainable curriculum offer. The statutory process would lead to the formal closure of the sixth form.

It was necessary to consider the formal closure of the Foundation Trust sixth form provision due to the financial pressures placed upon the school in maintaining this provision with inadequate funding to cover costs. Department for Education guidance outlined the four stage statutory process to be followed and highlighted the "strong expectation" (albeit no longer a requirement outlined specifically within School Organisation statute) that all interested parties were consulted in developing any proposals prior to formal publication. The Calder High School sixth form provision was no longer sustainable in the light of national changes to funding rates, falling student numbers and the increasing financial deficit.

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

Mrs Battye advised that there was no assessment of the cumulative impact of closure of this provision in the Upper Valley and advised that this could have impact on businesses and jobs and asked if Cabinet had recognised this impact. The Leader, Councillor T Swift advised that Cabinet were aware of the seriousness of this issue and outlined the work jointly commissioned with sixth forms.

**RESOLVED** that the publication of a statutory notice on behalf of the Governing Body for Calder High School to close the sixth form provision from 31<sup>st</sup> August 2019 (after all current students have completed their studies), be approved.

**121 VISITOR ECONOMY STRATEGY 2015-2018**

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Strategy presented a joint written report of the Directors, Regeneration and Strategy and Public Services seeking consideration of the progress against the themes identified in the current Visitor Economy Strategy 2015-2018. The report concentrated on activity which had taken place throughout 2017 and outlined the work plan for 2018. The visitor economy was crucial to the future success and economic sustainability in Calderdale. It was important that Cabinet approved the strategic direction for the Council's efforts to maximise these benefits. Latest research had identified that tourism in Calderdale was worth an estimated £328 million, an increase of 11% from 2015 and supported 4633 full time equivalent jobs which equated to 6% of the Borough's employment.

In summer 2010, on the recommendation of an external research programme, commissioned by Calderdale Council to examine the state of the visitor economy in Calderdale; Cabinet agreed to the establishment of a Tourism Board and identified the need for a medium term visitor economy strategy spanning three years of work. The current Visitor Economy Strategy 2015-18 celebrated the successful outcome for year two of the plan. Further work would be done in the final year of the strategy to support developing the tourism product in the Borough, supporting grass roots businesses, developing our cultural tourism offer and combining this with high level and measurable marketing and promotional activity. Members were requested to note the updates throughout the second year of the strategy and approve the final work plan to support the development of the visitor economy through product development, business support, marketing the destination and harnessing and developing out cultural offer.

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

Councillor Bellenger asked how the footfall figures at the Piece Hall were broken down. Councillor B Collins responded and advised that the Piece Hall was now run by the Piece Hall Trust, but he would ask them to forward the breakdown of footfall at the Piece Hall.

**RESOLVED** that:

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(a) the progress made with the Visitor Economy Strategy, together with emerging trends outlined in appendix 1 of the Directors Regeneration and Strategy and Public Services' written report be noted; and

(b) the final delivery plan, which identifies specific areas of work across the Council and Partners for the next 12 months, for the three year strategy at appendix 2 of the Directors, Regeneration and Strategy and Public Services' written report be approved.

*(Councillor T Swift declared an interest in the above item as he had been appointed as the Council's representative on the Piece Hall Trust).*

**122 HALIFAX TOWN CENTRE LEISURE PROVISION**

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Strategy presented a joint written report of the Directors, Regeneration and Strategy and Public Services seeking consideration of the next steps in delivering a viable and sustainable combined leisure centre and swimming pool for Halifax and the surrounding area. The report also provided an update of the refreshed feasibility study which had incorporated the conclusions for the Built Facilities Strategy to identify design options with initial costings.

A decision was needed to commence a full public consultation to inform a preferred design option. This would ensure that the communities and individuals of Calderdale had an opportunity for their views to be incorporated into the design where cost effective. This would include consideration of the options for different leisure activities and various scales of provision. Disability and community groups would also be consulted at this early stage so that their needs and requirements could be considered as part of the design. This was now the opportunity to progress the development of the new combined leisure centre and swimming pool to sustain the momentum of improvement in Halifax and ensure a sustainable facility which met modern leisure requirements.

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

A member of the public advised that there was a 38 degrees petition of 250 signatures requesting that sauna, steam room and jacuzzi facilities be considered within the new swimming pool and leisure facilities. It was asked that this be taken into consideration during the consultation, Councillor B Collins responded and advised that these could be fed into the consultation.

**RESOLVED** that:

(a) the commencement of public consultation on a new combined leisure centre and swimming pool for Halifax and surrounding areas be approved;

(b) the Built Facilities Strategy, an independent strategic overview of the current and future sport requirements for Calderdale be received;

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(c) the Director, Regeneration and Strategy and Head of Finance be given delegated authority, in consultation with the Cabinet Member for Regeneration and Economic Strategy, to approve expenditure in line with Section 7 'Next Steps' of the report, funded from the £2 million approved by Council in October 2014; and

(d) the Directors, Regeneration and Strategy and Public Services be requested to submit a further report for consideration by Cabinet in summer 2018 which reviews the results of public consultation and presents a preferred costed option with expenditure profile and funding proposal on the Halifax Town Centre Leisure Provision.

**123 HALIFAX STATION GATEWAY**

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Strategy presented a written report of the Director, Regeneration and Strategy seeking consideration of the Halifax Station Gateway. The Halifax Station was a key gateway not only for Calderdale but for North England. Development at this location supported the Council's aspiration to be the best Borough in the North, and the emerging Vision for Calderdale 2024. It is an entry point into Calderdale's thriving town adjacent to major employers, the national children's museum and heritage destinations including the iconic Piece Hall. Members were asked to approve the concept design for the Halifax Station Gateway project prior to its submission to West Yorkshire Combined Authority (WYCA) for Outline Business Case approval.

The concept design for the Halifax Station Gateway project proposed transformational changes to Halifax Rail Station. Approval of this concept design was a key decision for the Council. Cabinet approval of the concept design was required prior to the submission of an Outline Business Case to WYCA. Outline Business Case approval by WYCA was required in order to access further project development funding. Obtaining further development funding would allow Calderdale Council Officers, in association with key stakeholders including Eureka, Nestle, Network Rail, Northern and Historic England to progress the project towards preliminary and detailed design. It was important that work on the approved scheme commenced at the earliest opportunity as the Council's overall scheme incorporating development, design and construction, must be completed by the current deadline of 2021.

The concept design for Halifax Station Gateway was recommended for approval. Approval of the concept design would add significant weight to the validity of the proposal and would support the submission of an outline business case to WYCA. Timely submission of the outline business case was required to access further development funding as soon as possible to enable the project development and design to progress towards full business case approval in 2019/20.

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

Mr Bradley asked if the Council would be publishing the options B and C outlined in the report. Councillor B Collins responded and advised that background details of options B and C could be published.

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**RESOLVED** that:

(a) the concept design for the Halifax Station Gateway project be approved; and

(b) submission of the Outline Business Case for the design to West Yorkshire Combined Authority be authorised to seek approval for the project and further development funding.

**124 WEST YORKSHIRE PLUS TRANSPORT FUND (WY+TF) A629 CORRIDOR – SIDE ROAD ORDER AND COMPULSORY PURCHASE OF WORKING SPACE LAND AS NECESSARY FOR THE WY+TF A629 PHASE 2 – HALIFAX TOWN CENTRE TRANSFORMATION**

Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Strategy presented a written report of the Director, Regeneration and Strategy seeking consideration of the making of a Side Roads Order in accordance with the plans outlined in Appendix A of the report, required for the implementation of the West Yorkshire Plus Transport Fund (WY+TF) Halifax Town Centre Phase 2 Scheme. There was an associated need to request approval for additional rights for use as working space to deliver WY+TF A629 Phase 2, further to the Cabinet approvals of 4<sup>th</sup> July 2016 and 2<sup>nd</sup> October 2017. The report also sought approval to include the use of powers under section 246 of the Highways Act 1980 which may be appropriate to enable the delivery of the scheme.

A Side Roads Order was made under section 14 and section 125 of the Highways Act 1980 and required Cabinet approval. The plans were outlined in Appendix A of the report. Further to approvals agreed by Cabinet in July 2016 and October 2017, the highway design had matured. Further land was necessary for use as working space to enable the proposed interventions on Church Street, Halifax which required approval from Cabinet. The additional land was shown in blue on the plan outlined at Appendix B of the report. An extension of the use of statutory powers further to existing Cabinet approvals required approval from Cabinet.

The West Yorkshire Transport Fund (WYTF) 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 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 and associated Side Roads Order as being in the wider public interest. Whilst emphasis focused on negotiated land purchase settlements, authority was sought to use compulsory purchase powers in parallel. 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, options considered, financial, legal, environmental, health and economic implications.

**RESOLVED** that:

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- (a) the making of a side roads order in accordance with the plans outlined in Appendix A of the Director, Regeneration and Strategy's written report be approved;
- (b) the use of Compulsory Purchase Order powers provided in the Cabinet reports of 4<sup>th</sup> July 2016 and 2<sup>nd</sup> October 2017 be extended to enable the acquisition of new rights required over the land at Church Street, shown blue in Appendix B of the Director, Regeneration and Strategy's written report;
- (c) the use of powers under section 246 of the Highways Act 1980 be approved in relation to land required for the delivery of the Scheme; and
- (d) the necessary powers be delegated to the Head of Legal and Democratic Services to:
  - (i) finalise the Compulsory Purchase Order and Side Roads Order, including the power to make any minor amendments to those orders so as to give effect to the scheme approved by Cabinet;
  - (ii) make the Compulsory Purchase Order and Side Roads Order and submit them to the Secretary of State for Transport for confirmation and thereafter to take all steps necessary to implement those orders; and
  - (iii) negotiate, agree terms and enter into agreements with interested parties, including for payment of compensation and to settle claims in order to give effect to the scheme approved by Cabinet.

**125 CORPORATE REVIEW OF ADMINISTRATION**

**(E)**

Councillor Scullion, Cabinet Member for Resources, Performance and Business Change presented a written report of the Head of Finance seeking consideration of the progress in respect of Phase 1 of the Council wide review of Administration and seeking approval to consult on Phase 2 of the review. A Council wide review of Administration had been initiated and a scoping exercise had been undertaken to identify staff with at least 50% administration tasks in their job description. The initial exercise completed in Phase 1 of the review had identified 320 staff who could potentially fall within the scope of the review. Further work undertaken to determine the precise functions completed by staff identified 257 staff in scope. In addition to this, five key areas had also been identified as the substantive functions completed by staff. At this stage there was around 205 staff within scope of the review.

Creating a consistent approach to admin support within the Council would allow the standardisation of roles and responsibilities into five roles. It was recommended that a consultation process commence for a maximum of 90 days on the overall structure and the implementation of the Business Support Officer and Office Support roles. By the end of this consultation period the high level reviews of working practices, requirements of managers and the views of the staff at risk would help inform the number of posts required in the new structure. The Lead for Business Support and Senior Business Support Officers would review the areas of their responsibility and implement new working practices and processes. It was hoped that these changes could be implemented using staff turnover and Voluntary Early Retirement/Voluntary Severance wherever possible.

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

**RESOLVED** that:

(a) the outline structure and two roles of Business Support Officer and Office Support detailed in the Head of Finance's written report be approved as a basis for consultation with staff and trade unions;

(b) subject to the outcome of the consultation, delegated authority be given to the Head of Finance to implement the Business Support Officer and Office Support roles detailed in the outline structure; and

(c) appointment to the Business Support Officer and Office Support posts as detailed in the report be approved.

**126 NEW AFFORDABLE HOMES FOR CALDERDALE**

**(E)**

Councillor Sutherland, Cabinet Member for Planning, Housing and Environment presented a written report of the Director, Regeneration and Strategy seeking consideration of proposals relating to the disposal of surplus Council owned land to stimulate the development of new affordable homes in Calderdale. Cabinet approval was required for disposal of Council owned land in the circumstances where the best consideration (price) was not being obtained, as a wider view of best value was being proposed. A decision was needed now to ensure a future pipeline of affordable accommodation and to capitalise on opportunities linked to wider partnerships and grant programmes. Calderdale Council had a responsibility to enable the delivery of affordable housing to meet identified housing needs within the Borough.

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*". Housing delivery was fundamental to the Council's wider ambitions and its three corporate priorities of Growing the Economy, Reducing Inequalities and Build a Sustainable Future. The overall proposal would drive forward the Council's pledge to help make more homes available for local families and by prioritising the building of sustainable homes by utilising brownfield sites and those with low environmental value.

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

Councillor Lynn commended all that had worked on the scheme and asked for assurances that there would be more affordable homes for rent. Councillor Sutherland responded and advised that a key issue within the partnership was affordable homes for rent.

**RESOLVED** that:

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(a) the appropriation of the Council owned land, Stannary Depot – Beech Hill, for planning purposes to enable it to be used for development purposes free from easements, rights or user restrictions subject to the Head of Legal and Democratic Services confirming that the matters set out in paragraph 8.16 of the Director, Regeneration and Strategy's written report had been considered and appropriation was justified be approved;

(b) the disposal of the Council owned land, Stannary depot – Beech Hill, to Together Housing be approved;

(c) the Director, Regeneration and Strategy be given delegated authority in consultation with the Head of Legal and Democratic Services to negotiate the land disposal outlined in section 5 of the Director, Regeneration and Strategy's written report; and

(d) the investment of up to £400,000 from Section 106 funding and the Stannary depot capital receipt (50/50 match) to underwrite the demolition of Stannary Depot in the event grant funding was not secured for this element of the Beech Hill Phase 1 scheme be approved.

**127 LOCAL DEVELOPMENT COMPANY – BUSINESS MODEL**

**(E)** Councillor Sutherland, Cabinet Member for Planning, Housing and Environment presented a written report of the Director, Regeneration and Strategy seeking consideration of details on the proposed model for establishing a Local Development Company (LDC) which would be able to directly deliver new homes across the Borough as well as other associated developments, such as commercial units. Cabinet approval was required to progress with the formation of the LDC based on the proposed governance arrangements, business and financial model and funding implications outlined in the report. In October 2017 Cabinet approved the principle of a Council owned LDC being created, subject to Officers identifying potential projects and associated costs. Cabinet also requested that a further report be submitted to Cabinet to seek sign off on the legal and governance structure and overarching Business Model.

Since October 2017, Officers across Housing, Legal, Finance and Corporate Assets and Facilities Management (CAFM) had explored these options with professional advice from experienced consultants. Based on this review, the recommended structure of the LDC was a wholly owned company limited by shares. This was the most efficient structure based on the theoretical schemes outlined in paragraph 4.7 of the report. The proposal to form an LDC would continue to drive forward the Council's ambitions to improve access to new quality homes based on evidence of need.

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

**\*RESOLVED that:**

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(a) the incorporation of a Local Development Company limited by shares, wholly owned by the Council and based on the outline Business Model in Appendix 2 of the Director, Regeneration and Strategy's written report be approved;

(b) the Director, Regeneration and Strategy be given delegated authority in consultation with the Head of Legal and Democratic Services, the Head of Finance and the Cabinet Member for Planning, Housing and Environment to make the detailed arrangements necessary for the establishment of the Local Development Company;

(c) the Director, Regeneration and Strategy be requested to submit a further report detailing the full business plan, including potential sites to be developed and the capital funding required for consideration to a future meeting of Cabinet;

(d) the Head of Finance be given delegated authority in consultation with the Head of Legal and Democratic Services to finalise all investment and loan documentation in respect of the Local Development Company and the Council's shareholding in the Local Development Company;

(e) the Director, Regeneration and Strategy be given delegated authority in consultation with Head of Legal and Democratic Services to agree a Service Level Agreement between the Council and the Local Development Company for the required service, and Officer support, and use of resources; and

(f) the Head of Legal and Democratic Services be given delegated authority to:-

(i) authenticate all documents on behalf of the Council as a shareholder of the Local Development Company (acting by a Shareholder Committee) in accordance with Article 14.4 of the Council's Constitution and as the Council's corporate representative in accordance with section 323 of the Companies Act 2006; and

(ii) arrange for the authentication and filing of any statutory documentation with Companies House required from time to time on behalf of the Local Development Company; and

**(g) it be recommended to the Council that:**

**(i) the shareholder role of the Council in respect of a Local Development Company be delegated to a sub-committee to be known as the Shareholder Committee. The Shareholder Committee to oversee the board of directors of the Local Development Company who are responsible for the strategic development of the local delivery company (by delegation or otherwise);**

**(ii) the appointed members of the Shareholder Committee to be determined by the Director, Regeneration and Strategy, in consultation with the Head of Legal and Democratic Services and Head of Finance and such members of the Shareholder Committee be authorised to make any**

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**future changes or further appointments required in accordance with the terms of reference of the Shareholder Committee;**

- (iii) the Shareholder Committee be given delegated authority to carry out all shareholder functions in respect of the Local Development Company in accordance with Article 4.1(f) of the Council's Constitution, the Local Development Company's articles of association, any shareholder agreement to which the Council and the Local Development Company are a party and as generally permitted under legislation; and**
- (iv) the initial terms of reference of the Shareholder Committee be determined by the Director, Regeneration and Strategy in consultation with the Head of Legal and Democratic Services, the Head of Finance and Cabinet Member for Planning, Housing and Environment.**

**128 NORTHGATE SITE REDEVELOPMENT**

**(E)** Councillor T Swift, Leader presented a joint written report of the Directors, Regeneration and Strategy and Adult and Children's Services seeking consideration of the progress update and investment recommendation to Cabinet on the Northgate Site Redevelopment and set out in detail the features, benefits and risks associated with the recommended proposal for a sixth form centre and associated whole site solution. The Northgate site was strategically important to Halifax Town Centre and the Council's future ambitions for Calderdale to deliver their priorities for growing the economy, reducing inequalities and building a sustainable future. The Northgate redevelopment scheme was a Key Decision, with the proposed recommendation requiring Council approval, as there was a requirement for capital monies to fund the new facility. A decision was required now as the programme for redevelopment had challenging timescales in order to meet the proposed September 2019 opening for the sixth form. Delaying the decision would also have implications on the statutory duty of the Council for school place provision.

In October 2017 Cabinet resolved that a 6th form college was the preferred option for the Northgate site, with Officers instructed to work to integrate a college into a whole site solution in the context of an Autumn 2019 target delivery date for the college. Officers were also requested to submit a further report early in 2018 clarifying details of the preferred scheme, governance and approach to delivery and funding. Property consultants prepared a property market appraisal including a fundamental re-evaluation of the Council's options for the Northgate Site in 2017. The review included investigation of wider town centre opportunities including use of the site for alternative purposes, a review of demand levels for operational site uses covering all permissible categories under current planning guidelines, along with consideration of wider Public Sector/Council requirements.

The report sets out in detail the features, benefits and risks associated with the recommended proposal for a sixth form and associated whole site solution of the Northgate site along with the detailed background information, options considered, financial, legal, environmental, health and economic implications.

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**\*RESOLVED that:**

- (a) the vision to refurbish the Northgate site as a mixed use development, consisting of a sixth form college and other commercial or residential uses be supported;
- (b) the Head of Legal and Democratic Services be given delegated authority to enter into appropriate agreements with the Trinity Multi Academy Trust and other related stakeholders with respect to the funding and operation of the Sixth Form College;
- (c) a procurement method based on a 'Construction Management' approach as set out at paragraph 7.7 of the joint report of the Director, Regeneration and Strategy and Adult and Children's Services be approved and the Director, Regeneration and Strategy and the Head of Legal and Democratic Services be given delegated authority to enter into necessary contracts to progress the design and construction of the project.
- (d) in line with this procurement approach, approval be granted to enter into contracts to deliver:-
- (i) the full package of design and enabling works required to bring forward the sixth form college element of the scheme (as defined in section 7 of the Directors, Regeneration and Strategy and Adults and Children's Services written report);
  - (ii) design and enabling works associated with the development of the remainder of the Northgate Site; and
  - (iii) enabling works packages, including strip out (as defined in section 7.10) of the Directors, Regeneration and Strategy and Adults and Children's Services written report);
- (e) it be recommended to Council that provision of £2.5m be made in the capital programme in relation to the cost of works and activity set out above; and**
- (f) the Directors, Regeneration and Strategy and Adult and Children's Services be requested to submit a further report in summer 2018 outlining the preferred mix of uses in the part of Northgate not required for the sixth form college and the approval of further required contracts to advance project delivery.

*(Councillor Sutherland declared an interest in the above item as he had been appointed to the Local Governing Body of Trinity Multi Academy Trust and left the meeting for the discussion and voting thereon).*

**129 HOLYWELL INN**

- (E)** Councillor B Collins, Deputy Leader and Cabinet Member for Regeneration and Economic Strategy presented a joint written report of the Directors, Public Services and Regeneration and Strategy seeking consideration of a loan from Calderdale

**CABINET, 19<sup>th</sup> March 2018**

Council to the Holywell Community Pub Limited (HCPL) in order to facilitate the purchase of the Holywell Inn, Holywell Green by HCPL in order to turn it into a community pub and wider social hub for the village. The intentions of HCPL complement the Council's desire to build resilient communities and address a number of other stated priorities, such as tackling social isolation and a commitment to place-based regeneration, as set out in the emerging vision for 2024.

The building had been empty, in a semi-derelict condition, for a number of years, and a recent Planning Inspector's decision had vindicated the Council's view that it was not suitable for residential use. The report outlined how the current deadlock between the owner and HCPL could be broken in a way that minimised risk to the Council but allowed HCPL to draw down external funding already secured towards refurbishment, to establish a viable community enterprise in a village with few facilities and to remove a visual blight on the main road through Holywell Green.

There was a need for Cabinet approval as this was outside Officers' delegations and existing policy. By making a loan to HCPL, the Council would allow the group to develop a much needed community facility in Holywell Green. This could be done without exposing the Council to unmitigated risk and was in line with the Council's ambition for the Borough. The fact that HCPL had secured funding corroborated the view that this was a high-capacity voluntary organisation with a viable business plan which had every chance of success.

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

Councillor Pearson advised that the Holywell Community Pub Limited had worked tirelessly on their models, the group were held in high regard and this scheme ticked all the boxes in terms of tackling our isolation in communities.

Councillors Mrs Greenwood and Bellenger whole heartedly supported this scheme.

**RESOLVED** that:

(a) a long term loan of £85,000 and a short term loan facility of £21,000 to the Holywell Community Pub Limited on the terms set out in section 6 of the Directors, Public Services and Regeneration and Strategy's written report, with the Council having first charge on the property in order to protect its investment be approved;

(b) the Director, Public Services and Head of Finance be given delegated authority to finalise the agreement in consultation with the Cabinet Member for Communities and Neighbourhood Services; and

(c) Ward Councillors be kept fully informed of the continuing consultation.