

CABINET, 7TH DECEMBER 2020

PRESENT: Councillor T Swift MBE (Leader, In the Chair)
Councillors Dacre, Lynn, Metcalfe, Patient, Scullion and Wilkinson.

205 APOLOGIES FOR ABSENCE

No apology for absence was received.

(The meeting closed at 19:24 hours).

206 MINUTES OF THE MEETINGS OF CABINET HELD ON 9TH AND 25TH NOVEMBER 2020

RESOLVED that the Minutes of the meeting of Cabinet held on 9th and 25th November 2020 be noted as a correct record and signed by the Chair.

207 QUESTION TIME

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

(a) A question was asked by Mr Tagg.

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy responded and advised that a written response would be provided to the question.

(b) A question was asked by Mr Bradley.

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

(c) A question was asked by Councillor Mrs Carter.

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy responded and advised that a written response would be provided to the question.

208 EQUITABLE CHARGING IN COMMUNITY CARE

Councillor Metcalfe Cabinet Member with responsibility for Adult Services and Wellbeing presented a written report of the Director for Adult Social Care that provided an options appraisal, outlined the consultation process and findings. This followed the Cabinet decision made in January 2020 to consider the removal of the maximum weekly charge for people who self-fund and receive community-based home care. The proposal would align to the charging arrangements for residential care and ensure an equitable charging approach was applied across both residential and community-based services.

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Following the recent consultation exercise, a further option was developed that proposed an incremental uplift of the maximum charge from 1 January 2021, combined with an annual inflationary uplift of care costs from 1 April 2021, subject to future annual reviews. The basis upon which this proposal was developed reflected a phased approach, to reduce the impact on those affected over a given period, achieve equity for those self-funders required to pay for residential placements, reach parity of cost with similar packages of support commissioned by the Council and mitigate the potential for legal challenge. This option would result in a budget savings shortfall which would be met by an agreed set of compensatory savings.

Councillor Mrs Carter commented that the charging structure affected many who were under the pension age and asked how many people would reach the Council's Financial threshold of £23,250?

Councillor Metcalfe confirmed that there were some younger age groups affected and the exact number would be confirmed. Those that were affected were advised to get in touch.

RESOLVED that:

(a) the cap be increased by £100 to £500 per week from 1 January 2021, combined with an annual uplift of care costs in line with inflation from 1 April 2021. This will produce a total annual saving of £205,000. Thereafter, using the same methodology, the maximum charge would increase from April 2022 by a further £100 per week, combined with a National Living Wage uplift; and

(b) to offset the full year shortfall of £375,000 based on the original proposal, compensatory savings as set out in 6.3 of this report be agreed, namely additional savings from the handling with dignity project, increased savings from the closure of Ferney Lee and improved debt recovery processes.

209 WEST YORKSHIRE PLUS TRANSPORT FUND A629 CORRIDOR – AMENDMENT TO PREVIOUS DECISION FOR LAND ACQUISITION AND DEPLOYMENT OF COMPULSORY PURCHASE AND SIDE ROAD ORDER POWERS AS NECESSARY FOR THE A629 PHASE 2 - HALIFAX TOWN CENTRE SCHEME

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Director, Regeneration and Strategy which identified that following approvals agreed by Cabinet in July 2016, October 2017 and March 2018, the scope of the scheme and the highway design had matured. This reflected the Secretary of State's decision to approve the listing of Hughes Corporation Building in January 2019 and meant this was no longer part of any demolition plans. It was necessary to revisit the design for the area formally known as "The Piece Gardens". After significant consultation and re-design this area had been renamed to 'The Eastern Gateway'. Changes to land acquisition were necessary to enable the amended scheme to happen.

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

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Councillor Scullion advised that in respect of section 2.2 of the report, the West Yorkshire Combined Authority approved the project at its meeting on 10th November 2020. Between 2015 and 2018 there had been 185 collisions in the Town and of these 2 had injuries that were fatal and 23 were serious. The scheme looked to improve safety but also would make coming into the town a pleasurable experience.

Councillor Mrs Carter asked whether the ring road remained in place or whether it had become a gateway for pedestrians and cyclists into town? It was difficult to isolate a listed building as this would create problems for maintenance with the landowners and parking would be a problem. It was hoped that the links to the past would not be lost, if the street names could not be kept it would be useful to have a plaque within the scheme that detailed the history of the area.

Councillor Scullion advised that the ring road classification would be checked but essentially it provided both a gateway to pedestrians and cyclists into the town and buses. There were planned improvements to junctions that should improve safety but there was unlikely to be a perfect solution. It was hoped that Members would be able to access the virtual reality scheme once available as this would allow the scheme to be visualised. Parking for the Halifax Station and Eureka would solve many of the issues. The options for Hughes Corporation building were being explored. There was a great fondness of the traditional names of the streets but not all would fit with current cultural values. A plaque within the scheme offered a sensible solution and this would be looked into.

RESOLVED that:

- (a) the acquisition of required land and land interests as shown within Appendix A be approved with delegation of detailed agreements to the Director of Economy and Environment and Head of Democratic & Partnership Services in consultation with the relevant Portfolio Holder(s);
- (b) the use of Compulsory Purchase Orders under sections 239, 240, 246, 250 and 260 of the Highways Act 1980 and all other enabling powers as appropriate in relation to the purchase of land and all relevant interests for delivery of the scheme and shown within Appendix A be approved. Authority be delegated for the Statement of Reasons contained within Appendix D to the Director of Regeneration and Strategy and Head of Finance in consultation with the relevant Portfolio Holder(s) progress all works necessary to deliver the scheme including further detailed design changes as required;
- (c) appropriate agreements be entered into with Government Departments, Agencies and other relevant persons to secure necessary access rights and to undertake any associated works for Phase 2, with delegation to the Head of Legal and Democratic Services in consultation with the relevant Portfolio Holder(s);
- (d) authority be delegated to the Head of Legal and Democratic Services to:
 - finalise the Compulsory Purchase Order, Side Roads Order and Statement of Reasons, drafts of which are at Appendix A, B and C including the power to make any minor amendments to those documents so as to give effect to the scheme approved by Cabinet;

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- make the Compulsory Purchase Order and Side Roads Order and submit them together with the Statement of Reasons to the Secretary of State for Transport for confirmation and thereafter to take all steps necessary to achieve confirmation of and implement those orders; and
- 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.

210 PROPOSED SUPPLEMENTARY PLANNING DOCUMENTS AND CONSEQUENTIAL AMENDMENTS TO THE LOCAL DEVELOPMENT SCHEME

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Director, Regeneration and Strategy that sought Cabinet approval to progress and consult on a number of Supplementary Planning Documents (SPDs) that would be required in connection with the implementation of the Local Plan once it was adopted. The report also set out the need for consequential changes to the Council's Local Development Scheme (LDS). SPDs build upon and provide more detailed advice or guidance on policies in an adopted Local Plan. As they did not form part of the development plan, they were not able to introduce new planning policies into it. Following changes in Legislation in 2011 and 2012 (through the Localism Act 2011 and new Town and Country (Local Plan) (England) Regulations 2012), there was no longer a requirement for Local Planning authorities to specify the timetables for producing SPDs.

Councillor Leigh MBE identified that the SPD supported the Local Plan, but the Local Plan did not quantify the level of prudential borrowing that would be required, was it possible to provide an estimate on the level of borrowing that would be needed?

Councillor Scullion advised that a full written response would be provided. The level of prudential borrowing would depend on how it would be repaid and whether it was being paid by developers as part of a roof tax.

Councillor Leigh MBE confirmed that as a Member of the Audit Committee he was aware that £4 million had been repaid in interest charges but little of the Capital had been repaid. It was important to have an estimate of the amount that would be borrowed.

Councillor Dacre, Cabinet Member with responsibility for Resources advised that the Chartered Institute of Public Finance and Accountancy (CIPFA) had stated that Calderdale had one of the lowest interest payments and had very low borrowing when compared to other local authorities.

The Leader identified that the Local Plan set out planned development and did not necessarily reflect what would be delivered. An accurate answer to the question could not be provided as it would depend on how sites came forward for development.

Councillor Mrs Carter asked about the proposed timescales for consultations in relation to the SPD and asked whether there would be additional SPD's to follow? When would it start to allow the plan to work?

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Councillor Scullion identified that SPDs were not required as part of the Local Plan, but it was considered good practice to implement them.

Officers advised that SPDs were not policy and did not allocate sites, instead they helped to support the Local Plan. The detailed discussions at Local Plan hearings commended the Council on transport questions. The inspector had been provided with the table that brought the transport links together and this would be released publicly once it had been examined and agreed.

Councillor Mrs Carter accepted that SPDs were voluntary but commented that the items needed to go together as otherwise the Local Plan could not be implemented.

***RESOLVED that it be recommended to full Council that:**

(a) the programme of Supplementary Planning Document preparation set out in Appendix 1 be approved.

(b) Officers continue to develop the Supplementary Planning Documents listed in Appendix 1 and carry out public consultation on the draft Supplementary Planning Documents at the appropriate time, having first agreed the content of the draft document with the relevant Portfolio Holder/s.

(c) The Local Development Scheme be updated to reflect the preparation of Supplementary Planning Documents set out in Appendix 1.

211 2020/21 HALF YEAR PERFORMANCE REVIEW

Councillor Dacre, Cabinet Member with responsibility for Resources presented a written report of the Head of Finance that addressed the Council's commitment to deliver services effectively and within budget. This approach focused on three overarching priorities to improve the outcomes for all our residents in relation to strong and resilient towns, reducing inequalities, and our climate emergency response. Amidst a backdrop of Covid-19, Council performance against its objectives was core to improving the lives of residents and supporting progress towards Vision 2024. This Vision sought to raise aspirations, instil hope and enable the Council to support the people of Calderdale to reach their potential. These were values and ambitions that had become increasingly important during 2020 and would be even more so, in the months and years to come. The existing 16 Super Key Performance Indicators (SKPIs) had been used to track the Council's performance for several years against its priorities and other Northern Boroughs. They had been regularly reviewed throughout to ensure they reflected current and emerging priorities and met the Council's vision for the future. Detailed options and proposals for this will be presented prior to the commencement of the new performance reporting year, April 2021.

Councillor Scullion identified that statistics needed to be viewed with measured caution and in mind of their frequency of collection. Statistics for Waste Services were likely to be affected by flooding and this would continue to have an impact for some time. Initially during the lockdown, the physical activity of adults improved but subsequently this had declined and more needed to be done.

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Councillor Wilkinson, Cabinet Member with responsibility for Children and Young People's Services welcomed the excellent progress on childhood obesity in each age group. It was important to back the good level of development at foundation stage, but it was recognised that there was more to do to ensure that children from deprived backgrounds and those with special educational needs were supported to achieve their potential.

Councillor Leigh MBE shared the enthusiasm for the areas where the Council was doing well but stated that there was a need to reflect on the areas where the statistics were not so good. The corporate performance framework needed to reflect concerns in relation to economic impact on residents in months and years to come. Looking at the Local Plan in line with unemployment identified that the Council expected 30,000 more people to enter Calderdale to take up jobs. The Council's predicted economic growth was twice the rate of economic analysts over the next five years.

Councillor Dacre advised that it was not possible to base predictions on the Local Plan. An inclusive recovery coordination group was working to build businesses back. The problem with the Local Plan was that people did not want houses to be built but there was a need for more houses in Halifax.

Councillor Baker identified that the stats were a useful tool, but they could distort the delivery of public services and there was a need to reflect on other measures that were more difficult to record including happiness. Waste Services was a good service currently, but the Council's performance dashboard only rated 26% SKPI's green. A 50% green rating would suggest more robust findings. It had been identified that 185 affordable homes needed to be built each year but the green target SKPI for this was set at 150 and the housing strategy appeared to be in need of an update.

Councillor Dacre advised that caution was needed in relation to the statistics as they did not show everything. Waste feedback suggested that recycling increased when waste collection reduced. The commercial approach suggested that the Council needed to look at increasing fees and charges but when this was done complaints were received.

Councillor Patient, Cabinet Member with responsibility for Climate Change and Resilience advised that the Council was committed to working with its partners including Together Housing to continue developing affordable housing schemes. This was an area that the Place Scrutiny Board would be looking at in the new year.

The Leader confirmed that previously the Council had struggled to insist upon affordable housing as it had not been able to support this within the five-year plan. The new development in Rastrick would improve this over the next two years.

Councillor Mrs Carter identified that the statistical dates did not match, and it was not possible to compare like for like as some of the figures reflected 2021 and some reflected 2016.

Councillor Dacre confirmed that the different reporting figures did make it difficult to compare like for like but it had not been possible to improve this as the national and local reporting periods were different.

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RESOLVED that:

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