

## **CABINET, Monday, 8th November, 2021**

**PRESENT:** Councillor T Swift MBE (Chair)  
Councillors: Scullion, Dacre, Lynn, Patient and Wilkinson

### **48 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Fenton-Glynn.

### **49 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in the stated paragraphs of Part 1 of Schedule 12A of the Act, namely:-

Adult Services and Wellbeing, Children and Young People's Services and Public Health Services, 5-Year Commissioning and Procurement Activity Plan - Paragraph 3 – Financial or Business Affairs.

### **50 MINUTES OF THE MEETING HELD ON 4TH OCTOBER TO BE AGREED AS A CORRECT RECORD AND SIGNED BY THE CHAIR.**

**RESOLVED** that the Minutes of the meeting of Cabinet held on 4<sup>th</sup> October 2021, be approved as a correct record and signed by the Chair.

### **51 QUESTION TIME - CABINET**

The Leader, Councillor T Swift MBE, invited members of the public and Councillors to ask questions of the Leader, Deputy 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 Andrew Tagg.

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

(b) A question was asked by Laura Heptinstall.

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 Charlotte Hughes.

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

(d) A question was asked by Gregg Shillito.

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

(e) A question was asked by Kathryn Caris.

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.

(f) A question was asked by Penny Hutchinson.

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.

(g) A question was asked by Councillor Thornber regarding the maintenance of trees on Sowerby New Road.

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

(h) A question was asked by Councillor Baker regarding the rise of violent and sexual offences in Halifax and what was Cabinet's response to tackle the cause of rising crime.

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

## **SUPPORTING THE VOLUNTARY SECTOR: VOLUNTARY SECTOR COMMISSIONING PROGRAMME 2021-24**

Councillor Patient, Cabinet Member with responsibility for Climate Change and Resilience presented a written report of the Director, Regeneration and Strategy outlining the findings from the review of local funding and the impact of the voluntary community sector in Calderdale undertaken by the Centre for Local Economic Strategy (CLES) during 2021 on behalf of Calderdale Council, Calderdale Clinical Commissioning Group (CCG) and the Community Foundation for Calderdale (CFFC). The report also set out key findings about our collective spend in the local economy beyond the voluntary, community and social enterprises and providing key data that would help us target future investment to strengthen our local economy and build community wealth.

This report informed of the work needed during the next two years to develop a longer-term strategy and funding arrangements to support a thriving voluntary, community, and social enterprise (VCSE) sector in Calderdale. We need strong VCSE partners who can contribute to the development and delivery of our plans for

an inclusive economic recovery and achievement of priority health and wellbeing outcomes and the creation of the new Integrated Care Partnership (ICP) for Calderdale. The VCSE is also important to addressing priorities highlighted in the Government's National Procurement Policy Statement. Our VCSE sector are also key to delivering our Vision for 2024 and our three key priorities of tackling poverty and inequality, climate action and creating sustainable towns across Calderdale. Going forward we need to ensure that our investment adds resilience and creates opportunities to innovate with the sector as part of how we recover our economy and the health and wellbeing of our communities, as well as reflecting the Council's commitment to social value and Keep It Local principles.

The report also set out the re-commissioning proposals for a range of grants and contracts included within Calderdale Council's Voluntary Commissioning programme in the light of the CLES recommendations. Current contracts and grants included in the programme come to an end in March 2022. The report sets out proposals for the extension of these contracts and grants from April 2022 that will minimise disruption to important services being provided by the voluntary and community sector during the ongoing Coronavirus pandemic and as we continued to develop our recovery plans with the sector.

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

Members welcomed the report and agreed that they felt the time was not appropriate to start to renegotiate commissioning contracts following the pandemic and the pressures that partners continued to face due to Covid-19. Members noted that prior to the pandemic the Voluntary Sector, including flood wardens played a huge part in the support during and following flood events.

**RESOLVED** that:

(a) the findings and recommendations of the review of funding and impact of the Voluntary, Community and Social Enterprise in Calderdale undertaken by Centre for Local Economic Strategy be noted and the development of an action plan in partnership with the Voluntary, Community and Social Enterprise to respond to this be approved;

(b) the extension of the current contracts for Voluntary Sector Infrastructure Services, Advice Services and Healthwatch for two years until March 2024 be approved;

(c) the Director, Regeneration and Strategy be given delegated authority, in consultation with the Head of Legal and Democratic Services and the Cabinet Member with responsibility for Climate Change and Resilience to conclude negotiations on these new contracts and to enter into them; and

(d) the Director, Regeneration and Strategy be given delegated authority, in consultation with the Cabinet Member with responsibility for the Voluntary, Community and Social Enterprise:

- (i) to extend the existing strategic grants programmes for advice and stronger neighbourhoods relating to individual grant awards for the Voluntary, Community and Social Enterprise;
- (ii) for relaunching the cultural grants programme and making individual grant awards to; and
- (iii) for the relaunching of the Small Grants Programme relating to individual grant awards.

## **ANTI POVERTY ACTION PLAN – ANNUAL REPORT 2021**

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities presented a written report of the Assistant Director, Customer Services that provided the Anti-Poverty Action Plan, Annual Report 2021 that recognised the continued impact of Covid 19 on our communities and the inequalities that they faced. It featured six case studies covering key areas of focus: family poverty, fuel poverty, signposting vulnerable residents, unemployment, debt and mental health. In Calderdale we recognised that tackling Poverty required a partnership response, and a wide range of partner organisations were involved in the delivery of our agreed action plan. The economic impact of the pandemic would take many years to recover from and our focus towards our vision means we would do all we could to address these challenges.

Tackling poverty was key to realising Calderdale's Vision 2024 and delivering our Inclusive Economic Recovery Plan, building back fairer and for Calderdale to always be a place where you could realise your potential whoever you were. Tackling inequality was key to realising Cabinet's key priorities. Data showed that people living in poverty had been more severely affected by the Covid-19 pandemic than people not living in poverty. Services have reported that cases were more complex and more than ever required a joined-up response.

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

During discussions Members supported the report and noted that all anti-poverty strategies should be at the heart of a Labour administration, and it was not only about fairness to individuals but for society as a whole.

Councillor Leigh MBE attended the meeting and addressed Cabinet and commented that tackling poverty was an issue all political parties within Calderdale wanted to address. Councillor Leigh MBE felt that the report did not paint an accurate picture of the work Central Government was undertaking to address poverty and that recognition of this work should have been noted within the report.

Councillor Baker attended the meeting and addressed Cabinet and advised that in relation to the issue of debt, Council Tax arrears was a significant factor in some cases. He asked what support was provided to individuals struggling to pay their Council Tax and suggested that information relating to debt advice could be included within the annual Council Tax Bill letter. In response, Councillor Dacre advised that support was provided to residents and that a Council Tax Relief system was in place.

Calderdale had also participated in the Government Scheme which enabled residents to access advice from the Citizen's Advice Bureau. Councillor Dacre advised that she felt the Council Tax system was outdated with the current banding system and those residents in the poorest areas had a disproportionate amount to pay.

Councillor Lynn thanked Councillor Baker for his comments and suggestions of how the Council could communicate with its residents to access data and debt advice and confirmed she would look into this further.

**RESOLVED** that:

(a) the work of the Anti-Poverty Steering Group be continued for a further 12 months; and

(b) Officers be approved to continue to work with representatives of the Partnership to review and update the relevant sections of the action plan over the next 12 months to ensure that we focus our resources where they will have greatest impact on the people who are in greatest need.

**CALDERDALE COUNCIL'S EQUALITY OBJECTIVES 2021- 2025**

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities presented a written report of the Director, Public Services that set out the Council's Equality Objectives 2021-2025. The Equality Act 2010 introduced requirements for the adoption of equality objectives by all public authorities and replaced previous requirements for the publication of equality schemes. Under the Equality Act 2010 and the Public Sector Equality Duty, public authorities are required to develop and publish equality objectives at least every four years.

Calderdale Council's equality objectives were first published on the Council's website in April 2012 and then reviewed annually alongside the Council's progress on equality improvement. At its meeting on 6 March 2017 Cabinet agreed its current equality objectives for the period 2017- 2021. The draft objectives for the period 2021-2025 were outlined in Appendix 1 of the report. The objectives had been consulted upon to ensure that they take account of the views and priorities of relevant stakeholders. It now remains for Cabinet to consider the draft equality objectives together with comments received from the consultation and make a recommendation to Council.

Calderdale Council was committed to delivering fair, inclusive and accessible services to achieve the best outcomes for the people it serves. Reducing inequality is one of the three priorities in the Council's ambition to be the Best Borough in the North. Since 2017, and as identified in Calderdale's Equality Progress Report 2021, a significant amount of work had been done to improve the way the Council considered and responded to the needs of the local community when developing new policies or revising them; designing or reviewing services and how they were delivered. However, it was recognised that more could be done. The Public Sector Equality Duty gave the Council further 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 meet the needs of all local people. The proposed equality objectives 2021-2025, once agreed, would set the future equality direction of

the Council, and help provide the Council with an opportunity to make further improvements.

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

Councillor Dickenson attended the meeting and addressed Cabinet and noted that within the report there were frequent references to increased representations of minority groups into the workforce. He believed these were laudable goals and hoped that positive discrimination was not utilised in the Council's recruitment process.

**\*RESOLVED that**

**(a) it be recommended to Council that the Equality Objectives 2021-2025, as set out in Appendix 1 of the Director, Public Services written report, be approved; and**

**(b) the Director, Public Services be requested to submit a report to Cabinet, outlining progress against the objectives, on an annual basis prior to publication.**

**55**

**EVERYONE DIFFERENT EVERYONE MATTERS: MEETING THE EQUALITY DUTY PROGRESS REPORT 2021**

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities presented a written report of the Director, Public Services which provided "Meeting the Equality Duty Progress Report 2021". Under the Equality Act 2010 and the Public Sector Equality Duty, public authorities were required to develop and publish equality objectives by 6 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 have 250 or more employees on the snapshot date of 31 March of a given year.

To comply with the 'Equality duty' the Council reported on its equality progress on at least an annual basis. This report outlined progress against the six corporate equality objectives and provided an analysis of the workforce. Gender Pay Gap data including the ethnic pay gap was also be presented alongside the analysis of the workforce. Calderdale Council was committed to delivering fair and accessible services to achieve the best outcomes for the people it served. Reducing inequality continued to be one of three priorities in the Council's ambition to be the Best Borough in the North. The Public Sector Equality Duty gives the Council the opportunity to build upon the work it has done already to demonstrate its commitment to the principle of equality of opportunity and the provision of public services that meet the needs of all local people.

Covid-19 and the Black lives Movement (#BLM) campaign had highlighted the inequality that communities face, this was recognised as a Council and as the report demonstrated, the Council had sought to respond to the disproportionate impact that the pandemic has had on certain groups such as BAME people, women, disabled people, people with caring responsibilities and people from certain socio-economic groups by providing targeted support. Mindful that the Covid-19 pandemic had and may continue to limit our level of engagement with communities and staff, the Council was firmly committed to building on what we have already achieved. Against the backdrop of reduced budgets, demographic shifts, changing public expectations, demands for personalisation and choice, changing patterns of working would continue to identify ways to ensure fair access and equitable outcomes, celebrating diversity and strengthening community cohesion within Calderdale as it does so.

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

**RESOLVED** that:

- (a) in accordance with the statutory requirement under the Equality Act 2010 and subsequent regulations the report be noted; and
- (b) following alignment of the reporting timelines, the Director, Public Services be requested to submit a further updated report to Cabinet in 2022 and annually thereafter.

**56**

**REVENUE MONITORING 2021/22 OVERALL POSITION**

Councillor Dacre, Cabinet Member with responsibility for Resources presented a written report of the Head of Finance that provided the second overall revenue monitoring position for 2021/22; the forecast service and centrally controlled variances; the estimated impact of the Covid-19 pandemic and a financial strategy to manage these pressures. At this second revenue monitor, there is a forecast budget overspending of £2.159m after making allowance for the estimated effects of Covid-19 and planned action by Directors. Budget challenge sessions continue to be held with Directors to ensure that the actions and savings previously agreed during 2020 were being delivered as quickly as possible, and to identify where any necessary alternative action was required. In year Covid budget pressures of £5.3m can be met from the Government funding brought forward from last year, but the ongoing impact of these would need to be addressed in the Medium-Term Financial Strategy (MTFS) in November, resulting in additional savings being required.

It was recommended that Directorates continued to implement as early as possible agreed savings, and identify ways in which costs can be reduced, income increased, and services managed within available resources; The approach identified in section 7.5 of the report for managing any service overspendings at the year-end be adopted, and unachievable savings and long-term funding shortfalls be considered as part of the MTFS report in November.

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

Councillor Leigh MBE attended the meeting and addressed Cabinet and asked if the allocated use of reserves stated within the report could be made clearer when producing the next Revenue Monitoring report submitted to Cabinet, as he felt there was reference to some allocated reserves and not others for example the allocation of funding received to meet the costs of Covid-19.

Councillor Baker attended the meeting and addressed Cabinet and advised that he understood the pressures that local government was under in relation to covering costs of the pandemic and the loss of income caused by facilities being closed, in addition to budget cuts that were needed to reduce the impact on reserves. He asked to see further details of what cuts directorates were making to meet budget challenges and what the 'real world' implications of those cuts were.

During discussions Members briefly explained the challenges directorates faced specifically in relation to Adult Services provisions and the school transport service and encouraged Members to contact portfolio holders if they had any questions.

The Leader, Councillor T Swift MBE, noted the report did show an improvement on the first quarter's return and explained that the NHS are under extreme pressure which would have a 'knock on' effect and have a further impact on adults' health and social care services.

**RESOLVED** that:

- (a) the current budget position and future pressures be noted;
- (b) Directorates be requested to continue to taking action to manage budgets in year;
- (c) the proposed approach in section 7.5 of the Head of Finance's written report for containing any overspendings at the year-end be adopted;
- (d) any budget pressures along with any funding shortfalls in the current year together with the on-going impact of Covid-19 be considered as part of the Medium Term Financial Strategy for 2022/23 to 2024/25; and
- (e) the Head of Finance be requested to submit the report to the Strategy and Performance Scrutiny Board for their consideration.

**CAPITAL PROGRAMME MONITORING - 2021/22 TO 2023/24**

Councillor Dacre, Cabinet Member with responsibility for Resources presented a written report of the Head of Finance that provided an update on the delivery of schemes in the Capital Programme and details of the forecast Capital Programme for the period 2021/22 to 2023/24. It was currently forecast that there would be a surplus in funding of £2.085m for the period subject to future capital receipts being generated and schemes being delivered within budget. Cabinet approval was required to increase the overall Capital Programme to £138.931 million as detailed in Appendix 1 of the report, to allow for the latest forecast expenditure in relation to Highways, West Yorkshire Plus Transport Fund (WY+TF), Schools, Future High Street and Brighthouse Investment Plan during the next 3 years.



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

Councillor Leigh MBE attended the meeting and addressed Cabinet and explained that at the previous Strategy and Performance Scrutiny meeting he had raised a question to understand at what point do these projects become too expensive to carry on with especially in the current climate with Covid-19 inflation. Councillor Leigh referred to the Leisure Centre project and advised that at point 4.32 of the report related to Prudential borrowing, he questioned whether it would be appropriate to look to refurbishing the existing leisure centre and swimming pool to free up some of this funding which would have a positive effect on the finances. Councillor Lynn responded and advised of the difficulties and potential downfalls that would arise from repurposing the monies received from the 'Levelling up' fund for the new leisure centre and acknowledged Councillor Leigh's concerns.

Councillor Baker attended the meeting and addressed Cabinet and advised that there were exciting projects which benefitted some areas of the Borough and asked that when bids were being put forward could consideration be given to those areas of the Borough which were not as affluent as others, to address poverty, increase transport and provide jobs in those areas.

During discussions Members commented on existing work that was being undertaken to address the disparity in different regions of Calderdale. Members confirmed that the Council was constrained by Treasury rules in relation to Output Areas and noted that for small Councils such as Calderdale it could be difficult to meet those requirements. It was noted that the Council did need to focus on grouping programmes together to benefit smaller areas of the Borough.

**RESOLVED** that the:

- (a) Capital Programme of £138.931 million detailed in Appendix 1 of the Head of Finance's written report be approved; and
- (b) Head of Finance be requested to submit the report to the Strategy and Performance Scrutiny Board for their consideration.

Councillor Dacre, Cabinet Member with responsibility for Resources presented a written report of the Head of Finance that provided a review and update of the Medium Term Financial Strategy (MTFS) considering the latest information and taking account of the implications of Covid-19 and other major risks, information of issues identified relevant to the update of the MTFS and highlight the key risks and challenges and to agree the proposed approach to the budget process and forecast savings targets for 2022/23. The level of uncertainty around the Council's medium term financial planning had been exacerbated this year by the continuing impact of Covid-19 and other risks such as the potential implications of rising prices and Brexit and the lack of longer-term Government funding allocations. This uncertainty made it even more important that the Council implements its existing financial recovery plan, develop the Future Council approach, and start its budget process to create a

sustainable financial position over the next three years. The Medium Term Financial Strategy was a key element of the framework required to allow this to happen.

The Council has developed the MTFS as the cornerstone of the budget process and it had been instrumental in guiding it. The MTFS and the three-year budget plans which sit behind it, along with other financial management arrangements, had helped the Council through a period of sustained austerity in the public sector. The warning signs for the public sector were however becoming increasingly clear as several local authorities took measures to restrict or reduce spend to statutory core services. This had been exacerbated by the financial implications of Covid-19. The MTFS highlighted how the general Government grant funding to local authorities for Covid-19 related costs and losses in income would be used to support the ongoing costs within the revenue budget. All other specific Covid related funding for businesses or the social care sector has been allocated to the eligible areas in full. The MTFS should be used to guide how the available resources should be used to deliver the Calderdale Vision for 2024.

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

**\*RESOLVED that**

**(a) it be recommended to Council that the Medium Term Financial Strategy, as set out in the Head of Finance's written report, be approved;**

(b) the draft budget proposals be brought forward by Cabinet for consultation in accordance with the approach outlined in the Head of Finance's written report; and

(c) the risks contained within the forecast as highlighted in the Medium Term Financial Strategy and the Head of Finance's covering report when finalising their budget plans be noted.

**59**

**ADULT SERVICES AND WELLBEING & CHILDREN AND YOUNG PEOPLE'S SERVICES AND PUBLIC HEALTH SERVICES 5-YEAR COMMISSIONING AND PROCUREMENT ACTIVITY PLAN**

The Leader, Councillor T Swift MBE presented a written report of the Directors, Adult Services and Wellbeing, Children and Young People's Service and of Public Health which provided the Adult Services and Wellbeing, Children and Young People's Service and Public Health's 5-year Commissioning and Procurement Activity Plan. It outlined current commissioning and procurement activity and sought approval of any necessary extensions to contracts. This enabled procurement planning to be implemented and undertake the appropriate activities to ensure continuity of service provision and improve outcomes for individuals.

The Coronavirus pandemic impacted on all commissioning and procurement activity planned for 2020/21. Whilst 2021/22 activity was not unforeseen a higher than normal number of procurements through the financial year, had impacted on the tender schedule for 2021/22. The majority of contract extensions requests are to enable the scheduling of procurements to a safe and manageable level over the year and in some cases slightly into 2022/23. The Commissioning and Procurement

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Activity Plan is submitted on an annual basis, to inform Cabinet, and regularise the approval of any necessary contract extensions.

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

**\*RESOLVED that**

**(a) it be recommended to Council that the Commissioning and Procurement Activity Plan attached to the Directors, Adult Services and Wellbeing, Children and Young People's Service and of Public Health written report at Appendix B, and Appendix C – Equality Impact Assessment be approved;**

**(b) the Procurement Activity Plan and the extensions highlighted to allow Adult and Children's Services and Public Health to comply with the Contract Procedure Rules and deliver high quality services that meet people's needs and improve their outcome be approved; and**

(c) the Director, Adult Services and Wellbeing, Director, Children and Young People's Services and the Director, Public Health be given delegated authority in consultation with their relevant Cabinet Member with responsibility for their Directorates and following consultation with the Head of Legal and Democratic Services and Head of Finance to implement the extensions if required.