



**Service Director – Legal, Governance and  
Commissioning**

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**Tel:** 01484 221000

## **Decision Summary**

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**CABINET**

**TUESDAY 19 MARCH 2019**

**Andrea Woodside**

**01484 221000**

### **Chair**

Councillor Shabir Pandor

### **Councillors Attended**

Councillor Masood Ahmed  
Councillor Viv Kendrick  
Councillor Peter McBride  
Councillor Cathy Scott  
Councillor Graham Turner

### **Observers**

Councillor Karen Allison  
Councillor Donna Bellamy  
Councillor Martyn Bolt  
Councillor Cahal Burke  
Councillor Andrew Cooper  
Councillor John Lawson  
Councillor Bernard McGuin  
Councillor Alison Munro  
Councillor Mohan Sokhal  
Councillor Kath Taylor  
Councillor Rob Walker  
Councillor John Taylor

### **Apologies**

Councillor David Sheard, Councillor Musarrat Khan and Councillor Naheed Mather

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## **1: Membership of the Committee**

To receive apologies for absence of Members who are unable to attend this meeting.

Apologies for absence were received on behalf of Councillors Khan, Mather and Sheard.

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## **2: Minutes of previous meeting**

To approve the Minutes of the meeting of the Cabinet held on 19 February 2019.

That the Minutes of the Meeting held on 19 February 2019 be approved as a correct record.

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## **3: Interests**

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

No interests were declared.

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## **4: Admission of the Public**

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

It was noted that Agenda Item 25 would be considered in private session.

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## **5: Deputations/Petitions**

The Cabinet will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

Deputations were received at Agenda Item 20.

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## **6: Public Question Time**

The Cabinet will hear any questions from the general public.

No questions were asked.

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## **7: Member Question Time**

To consider questions from Councillors.

Councillor Bolt asked a question regarding the outcomes of a recent visit of the Leader of the Council to the 2019 MIPIM Conference and also as to how the Leader sought to ensure that travel to the conference was carbon neutral, pursuant to the Motion of Council on 16 January 2019.

A response was provided by the Leader of the Council.

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## **8: Discretionary Retail Discount Scheme 2019/20 & 2020/21**

To confirm the criteria for the Retail scheme.

Wards: All

Officer(s): Steven Bird - Head of Welfare and Exchequer Services and Jacqui Wilson, Senior Manager Welfare and Exchequer Services, Tel: 01484 221000

- 1) That approval be given to the implementation of the Discretionary Retail Discount Scheme in 2019/20 and 2020/21, as detailed within the considered report.
  - 2) That approval be given to the property categories as listed in Appendix 2 of the report and that authority be delegated to officers to undertake the administration of the scheme, and related processes, including the determination of any other broadly similar property types.
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## **9: Revised Fees and Charges for Economy and Infrastructure Services**

In accordance with Financial Procedural Rule 11.1, proposals to implement new charges or amend existing fees and charges beyond the delegated authority limits of Service Directors must be approved by Cabinet.

Ward: All

Officer(s): Phil Deighton, Head of Commercial Services, Tel: 01484 221000

That approval be given to the implementation of new fees and charges with

## **10: Dewsbury Riverside Masterplan and Masterplan Framework**

A report seeking:

- a) Endorsement of the Masterplan and Masterplan Framework for development of the Kirklees Local Plan housing allocation at Dewsbury Riverside
- b) Authority for the Council to enter into an agreement with the Combined Authority to accept Local Growth Fund grant to facilitate infrastructure delivery at Dewsbury Riverside

Wards: Dewsbury South / Mirfield

Officer(s): Adele Buckley, Head of Regeneration & Strategic Assets, Richard Hollinson, Planning Policy Group Leader and Thomas Fish - Economic Resilience Project Officer Tel: 01484 221000

- 1) That approval be given to the Dewsbury Riverside Masterplan and Masterplan Framework in order to ensure that Dewsbury Riverside is developed in a sustainable manner, enhancing the North Kirklees area.
- 2) That it be noted that two current grant bid submissions (£4.6m Local Growth Fund and £22.5m Housing Infrastructure Fund) will support the delivery of the vision set out within the Masterplan and Masterplan Framework.
- 3) That it be noted that, in accordance with Financial Procedure Rules, the Chief Finance Officer, in consultation with the Service Director – Legal, Governance and Commissioning, and the relevant Strategic Director, is authorised to approve the acceptance of any subsequent Grant Agreement for the two bids, if successful.
- 4) That authority be delegated to the Service Director – Legal Governance and Commissioning, to enter into and execute any Grant Agreement with the Combined Authority for the Local Growth Fund Grant, and also to enter into and execute any ancillary documents relating to the Grant Agreement.
- 5) That it be noted that (2) above will ensure that funding can be obtained in order to deliver the vision set out within the Masterplan and Masterplan Framework.

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## **11: 2018/19 and 2019/20 Council Capital Plan - proposed allocation of 2019/20 Capital funding from the Directorate for Children's Learning & Early Support baseline section of the Capital Plan along with details of proposed amendments to the 2018/19 approved programme of works**

A report identifying potential projects, for Member approval, to be funded from the 2019/20 Learning and Early Support Capital Maintenance section of the

Capital Plan and present an update on the delivery of the 2018/19 Capital Maintenance programme approved by Cabinet on 17 April 2018.

Wards: All

Officer(s): Jonathan Quarmby - Corporate Facilities Manager and David Martin, Head of Service for Corporate Landlord and Capital, Tel: 01484 221000

- 1) That approval be given to the business case, as attached at Appendix A to the considered report, which outlines the rationale for the schools' condition programme, the availability of funding, the selection process and the main categories of work, thereby enabling the projects concerned to be designed, procured and implemented.
- 2) That approval be given to the detailed list of proposed works in schools, as attached at Appendix B of the considered report.
- 3) That the delegated authority, as set out at paragraphs 2.16 and 2.17 of the considered report be approved.
- 4) That the revised amendments and allocations to the 2018/2019 Schools Capital Maintenance programme applied under delegated authority, as detailed in Appendix C to the considered report, be noted.

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**12: 2018/19 and 2019/20 Corporate Landlord Asset Investment Capital Plan - Amendments to the detail of the approved 2018/19 Corporate Landlord programme and proposed allocation of 2019/20 capital funding**

A report identifying potential projects, for Member approval, to be funded from the 2019/20 Corporate Landlord Asset Investment baseline section of the Capital Plan, seek Officer delegation to manage the plan and present an update on the delivery of the 2018/19 Corporate Landlord Asset Investment programme approved by Cabinet on 17th April 2018.

Wards: All

Officer(s): Jonathan Quarmby - Corporate Facilities Manager – Corporation Landlord and David Martin - Head of Capital Delivery and Facilities Management Tel 01484 221000

- 1) That the amendments to the detail of the approved 2018/2019 Corporate landlord Asset Investment Capital Plan, as detailed in Appendix B of the considered report, be noted.
  - 2) That approval be given to the programme of work for 2019/2020, as detailed in Appendix A of the considered report, which will require capital investment of £2.5m.
  - 3) That it be noted that the first £250k of the 2020/2021 Asset Investment Capital Plan baseline will be contractually committed to the Cliffe House Project.
  - 4) That approval be given to the delegated powers as outlined with the considered report (paragraphs 2.11 to 2.13 refer).
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**13: Implications of the establishment of new schools and discontinuation of schools for land and premises - an extension of delegation to senior officers to action the property transactions**

A report seeking delegation of powers for the Service Director – Economy and Skills, Service Director – Legal, Governance and Commissioning to deal with the disposal of council assets when schools are discontinued and a new school is established.

Wards: All

Officer(s): David Martin - Head of Service for Capital Delivery and Facilities Management and Jonathan Quarmby - Corporate Facilities Manager – Corporation Landlord, Tel: 01484 221000

That authority be delegated to the Service Director – Economy and Skills and the Service Director – Legal, Governance and Commissioning, to deal with the disposal of Council assets as a result of school discontinuations and establishment of new schools and, where necessary, negotiate the terms of any proprietary interest or grant or any other lease or ancillary document.

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**14: Highways Capital Plan 2019/20**

For Cabinet to consider the detailed 2 year Highways Capital Plan for 2019/20.

Wards: All

Officer(s): Graham Mallory, Group Engineer, Tel: 01484 221000

That approval be given to the detailed Capital Plan 2019/2020 in the sum of £13,568k, as detailed within Appendix 1 of the considered report.

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**15: Special Educational Needs and Disabilities - The Parent's Perspective**

To present the findings report from the Children's Scrutiny Panel's investigation into how the Special Educational Needs & Disability Assessment & Commissioning Team (SENDACT) interacts and works with parents and carers and request that Cabinet approve the responses to the recommendations of the Panel.

Wards: All

Officer(s): Helen Kilroy, Principal Governance and Democratic Engagement Officer Tel: 01484 221000

That the findings of the Children's Scrutiny Panel 'Special Educational Needs and Disabilities – The Parent's Perspective' be received and noted, and that

approval be given to the responses to the Panel's recommendations, as detailed within the considered report.

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## **16: Quarter (3) Corporate Performance Report**

This report is to provide Members with an overview of the Council's corporate performance at the end of Quarter (3) 2018/19.

Officer(s): Nick McMillan, Directorate Performance Lead Officer Tel: 01484 221000

That the Corporate Performance Report Quarter (3) 2018/2019 be received and noted.

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## **17: Corporate Financial Monitoring Report Quarter 3 2018-19**

To receive information on financial monitoring for General Fund Revenue, Housing Revenue Account (HRA) and Capital Plan, as at Quarter 3 (month 10), 2018-19.

Wards: N/A

Officer(s): James Anderson, Senior Finance Manager and Sarah Hill, Finance Manager Tel: 01484 221000

- 1) That the Quarter 3 forecast £1.1m revenue monitoring overspend be noted.
- 2) That the expectation that Strategic Directors work to identify opportunities for spending plans to be collectively brought back in line with the Council's overall budget by year end be noted.
- 3) That the additional in-year funding allocations for High Needs and Levy rebate announced as part of the 2019-2020 Finance Settlement and the Brexit funding allocation be noted.
- 4) That the forecast planned use of general fund earmarked reserves in-year, and the forecast year end position at £91.7m be noted.
- 5) That the anticipated overall forecast year end surplus of £5.8m on the Collection Fund be noted.
- 6) That the Quarter 3 forecast HRA surplus at £1.3m and forecast reserves position at year end of £54.1m be noted.
- 7) That the Quarter 3 forecast capital monitoring position, net of budgeted slippage, on line with budget, be noted.
- 8) That approval be given to the virement of £800k uncommitted capital budget from Risks and Pressures to support the Pioneer House Scheme.
- 9) That approval be given to the £500k commitment from the existing Town Centre Action Plan budget to contribute to the Pioneer House project.
- 10) That the proposed drawdown from the Strategic Investment Support reserve, for the proposed waste management revenue developments, be noted.
- 11) That approval be given to the garden waste containers and vehicles scheme (£1m) from the 2019-2020 Council approved capital plan, to

enable early rollout from April 2019.  
12) That the request for works to facilitate the relocation of Almondbury Library be approved.

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## **18: Playable Spaces Strategy and Operational Plan**

A report seeking approval from Cabinet for the revised Playable Spaces Strategy and the implementation of the operational plan.

Ward: All

Officer: Rob Dalby, Greenspace Operational Manager, Tel: 01484 221000

That approval be given to the adoption of the Playable Spaces Strategy and Operational Plan.

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## **19: Draft Kirklees Preventing Homelessness and Rough Sleeping Strategy 2018 - 2023**

To seek approval from Cabinet to the Draft Kirklees Preventing Homelessness and Rough Sleeping Strategy 2018 - 2023 which is attached as an appendix to the report.

Wards: All

Officer(s): Karen Oates, Commissioning Manager (Access to Housing) Tel: 01484 221000

That the draft Preventing Homelessness and Rough Sleeping Strategy 2018-2023 be endorsed and referred to the meeting of Council on 20 March 2019 with a recommendation of approval.

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## **20: Future options for Almondbury Community School**

To seek approval to undertake a non-statutory consultation about future options for Almondbury Community School in the context of wider basic need for school places across Huddersfield South East and South West.

Ward: Almondbury

Officer(s): Jo-Anne Sanders, Service Director Learning and Early Support, Martin Wilby, Senior Manager – Education Places & Access. Tel: 01484 221000

- 1) That Officers be authorised to develop plans for consultation to retain Almondbury Community School with the removal of the secondary phase (Key Stages 3 and 4), consolidate the school as a 210 place primary provision (with nursery) in the Key Stage 1 building at Fernside Avenue and seek an Academy Sponsor, in partnership with and approved by the



RSC, in order to retain necessary Key Stage 1 and 2 places for Almondbury and the wider Huddersfield South East area.

- 2) That authority be delegated to the Director for Children's Services, in consultation with Cabinet Portfolio Holders, to (i) develop consultation materials on the basis of the proposals and (ii) organise and carry out a non-statutory consultation about the proposals.
- 3) That Officers be authorised to work with neighbouring schools (King James's School and Newsome High School) to explore their willingness for the realignment of the existing Almondbury Community School secondary Priority Admission Area in order that future children have priority for their secondary education in one of the neighbouring secondary schools.
- 4) That Officers be authorised to work with King James's Academy Trust to assess the level of capital investment that would be required to enable King James's School to create 30 additional planned places from September 2020.
- 5) That Officers be authorised to assess the level of investment that would be required to enable the existing Key Stage 1 building of Almondbury Community School on Fernside Avenue to be utilised by the revised age range.
- 6) That the outcomes of the non-statutory consultation be submitted to Cabinet for further consideration of next steps.
- 7) That it be noted that the school is a PFI school and to request that Officers provide a future report on the impact of changes upon the future use of the site and options for the use of the site/buildings.

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## **21: Place Based Public Realm Improvement Schemes Budget Allocation**

A report asking Cabinet to consider the range of schemes that have been submitted by ward members and identified eligible for funding via the Capital Budget allocated for Environment, Infrastructure & Road Safety bid fund.

Wards: All

Officer(s): Will Acornley, Head of Operational Services, Tel: 01484 221000

- 1) That the recommendations and ratings of the submitted schemes, as detailed within the considered report, be approved.
- 2) That the suggested criteria for the identification of schemes, as set out within the report, be endorsed.
- 3) That approval be given to the schemes and allocation of capital funding as set out within the Appendix to the considered report.
- 4) That authority be delegated to the Strategic Director (Economy and Infrastructure), in consultation with the Cabinet Portfolio Holder, to approve the allocation of funding in order to enable work to be undertaken as identified by the Chief Executive's Ward Visits, and based upon the agreed criteria.

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## **22: 2019/2020 Road Surfacing Programme (Large Schemes)**

To seek approval for a programme of road resurfacing schemes for 2019/20. These are schemes that each requires spend of more than £250,000 on the road network.

Wards: Ashbrow, Dalton and Newsome

Officer(s): Daniel Smith, Principal Engineer, Tel: 01484 221000

That approval be given to road resurfacing works to take place at (i) A62 Leeds Road, Huddersfield/Deighton and (ii) B6432 Firth Street, Huddersfield, commencing summer 2019.

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**23: Land at St Johns Avenue Newsome, Huddersfield (Former Newsome Working Men's Club)**

To consider a request received by the Council to negotiate the removal of a restrictive covenant on land at St Johns Avenue, Newsome, Huddersfield and look at the alternative of selling the freehold reversion.

Ward: Newsome

Officer(s): Giles Chappell, Asset Strategy Officer, Tel: 01484 221000

- 1) That the objections to the scheme, submitted by Newsome Ward Members and Newsome Community Forum Ltd, be noted.
- 2) That authority be delegated to the Strategic Director – Economy and Infrastructure to negotiate and agree terms for either the removal of the restrictive covenant, or the disposal of the freehold reversionary interest in the land at St Johns Avenue, Newsome, Huddersfield.
- 3) That authority be delegated to the Service Director – Legal, Governance and Commissioning, to enter into and execute all necessary documentation to remove the restrictive covenant or dispose of the freehold reversionary interest in the land.

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**24: Exclusion of the Public**

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business, on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

That acting under Section 100(A)(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 Part 1 of Schedule 12A of the Act, as specifically stated in the undermentioned Minute.

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**25: Land at St Johns Avenue, Newsome**

Private appendix in relation to item 23.

The information was considered prior to the determination of Agenda Item 23.

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