

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 7th February 2017

Present: Councillor David Sheard (Chair)
Councillor Shabir Pandor
Councillor Peter McBride
Councillor Naheed Mather
Councillor Musarrat Khan
Councillor Erin Hill
Councillor Viv Kendrick
Councillor Masood Ahmed
Councillor Graham Turner

170 Membership of the Committee

No apologies for absence were received.

171 Interests

No interests were declared.

172 Admission of the Public

It was noted that all Agenda Items would be considered in public session.

173 Deputations/Petitions

No deputations were received.

174 Public Question Time

No questions were asked.

175 Member Question Time

No questions were asked.

176 Quarter 3, 2016-17 - Corporate Monitoring Report incorporating General Fund Revenue, Housing Revenue Account, Capital and Treasury Management

Cabinet gave consideration to a report which set out information on the Council's 2016-2017 forecast financial outturn position for General Revenue Fund Revenue, Housing Revenue Account and Capital Plan as at Quarter 3.

The report advised that the Council's General Fund (net) revenue budget for 2016-2017 was set at £310.8m and that the forecast net revenue spend was £317.3m in 2016-2017, resulting in an overspend of £6.5m, equivalent to 2.1% against budget. Overall, general fund corporate reserves were forecast to reduce from approximately £93m in April 2016 to approximately £50m in March 2017, equivalent to 46% over the year.

In regards to the Housing Revenue Account, forecast revenue outturn is a surplus of £1.9m against an annual budgeted turnover of £94.5m in 2016-2017, equivalent to 2%. The HRA reserves at 31 March 2016 were £42.8m.

The report advised that the capital budget for 2016-2017 was £82.9m, net of £20.3m assumed slippage. The forecast capital outturn position was £74.3m, resulting in an underspend of £8.6m which equated to a 10.3% variance from budget.

Cabinet noted that the 2016-2017 capital plan assumed that £5.5m of non-earmarked capital receipts would be generated through asset disposal, and the year-end capital receipts projection was maintained at £4.5m.

RESOLVED -

- 1) That in relation to the General Fund Revenue (i) the forecast revenue overspend position for 2016-2017, and the approved drawdown of reserves at £5.8m to an adjusted overall £712k overspend (paras 2.1/2.2 and Appendix 1, Section 1 refer) be noted (ii) officers be requested to submit a report to a future meeting of Cabinet pending clarification of liability for site clearance costs relating to the environmental incident at a commercial site in Lockwood (para 2.3 refers) (iii) the forecast outturn position on collection fund (paras 3.9 /3.10 refer) and forecast remaining reserves at year end (para 3.8 and Appendix B refer) be noted (iv) it be noted that the current forecast monitoring and reserves assumptions reflected as Quarter 3 monitoring do not reflect a number of budget proposals contained in the annual budget report 2017-2021 that would impact on the 2016-2017 position, but will be incorporated within the revenue outturn position (para. 2.7 refers) and (v) it be noted that a number of key issues highlighted within the report regarding service developments and pressures in Children's and Adults Services have been factored into the 2017-2021 budget proposals (paras 3.3 to 3.7 refer).
- 2) That in relation to the Housing Revenue Account , (i) the forecast £1.9m surplus outturn position 2016-2017 (para 2.8 and Appendix 1, Section 1 refers) and (ii) the forecast HRA reserves position at year end (Appendix B refers), be noted.
- 3) That, in relation to Capital, (i) the Council forecast capital outturn position 2016-2017 (para 2.9 and Appendix A, Section 2 refer) be noted and (ii) approval be given to a net increase in grant £91k (£40k grant in 2A Integrated Public

Transport; £51k Defra Air Quality grant in 2B Network Management) and a re-profile of £367k City Cycle Ambition Grant (CCAG2) from 2016-2017 Walking and Cycling programme into 2017-2018.

177 Economic Resilience - Community Learning Works Business Plan

Cabinet received a report which set out plans to implement a community learning approach to support vulnerable residents in participating in learning programmes. The approach aimed to enable individuals and groups to acquire skills, confidence and knowledge to make progression towards employment, improving individual and family circumstances and benefitting their communities. The programme would particularly seek to help those affected by low skills, social isolation, unemployment, mental health or long term illness/disability. The programme was also designed to build the capacity of organisations in the third sector to enable them to take on a greater strategic planning and quality assurance role in the future. A summary of the business plan was appended at Appendix A of the considered report.

Cabinet noted that the total funding request to support the Community Learning Works project over three years would be £500,000, commencing 1 April 2017. However, the funding would be allocated on an annual basis and would be subject to an annual review of delivery and outcomes and would be based on performance and ongoing affordability and value for money. The report advised that the amount requested in 2017/2018 was £190,000.

RESOLVED -

- 1) That, subject to Third Sector Leaders providing responses to the matters identified within para 6.2 to the satisfaction of the Assistant Director (Place) in consultation with the relevant Cabinet Member/s, the Assistant Director (Place) be given delegated power to approve the Community Learning Works Business Plan.
- 2) That approval be given to the total funding request for £500k over three years commencing from 1 April 2017.
- 3) That authority be delegated to the Assistant Director (Place), in consultation with the relevant Cabinet Member/s (i) to sign off the matters arising and funding documentation and (ii) to undertake an annual review process and the cessation of activity arising from affordability/value for money considerations.

178 Determination of school admission arrangements for 2018/19

Cabinet received a report which sought approval of the Kirklees schemes for the co-ordination of the admission of rising five year olds and admission to the first year of junior, middle and secondary schools in 2018/2019 (including in-year admissions). Cabinet noted that the Council was required by law to produce admission schemes to co-ordinate the admission of children to the first year of all schools in Kirklees. The schemes cover the admission of rising 5 year olds, and admissions to the first year of junior, middle and secondary schools. Appendix 2A to the considered report

set out the co-ordinated schemes for normal year of entry admissions for rising 5 year olds, junior schools, middle schools and secondary schools. Appendix 2B set out the Kirklees scheme for in year admissions.

Cabinet noted that the proposed arrangements and schemes were subject to the statutory six week consultation process, between 1 November and 12 December 2016.

RESOLVED -

That approval be given to (i) the Kirklees co-ordinated admission schemes for 2018/2019, including in-year admissions, as detailed in Appendix 2 of the considered report and (ii) the admission arrangements for Kirklees community and voluntary controlled schools as detailed in Appendix 1, including the recommended Published Admission Numbers proposed by the Local Authority.

179 Compactor Relocation at Huddersfield Open Market

Cabinet gave consideration to a report which sought approval for spend from the Economic Delivery Capital Budget for the current 2016/2017 financial year for a project to relocate and improve the compactor facilities at Huddersfield Open Market, which was estimated to cost approximately £97,000, excluding the purchase of a new compactor.

Cabinet noted that the current facility did not allow for the separation of waste at the market and there was therefore no recycling of waste at from this site. The provision of a larger purpose built compactor enclosure would allow for the addition of a further compactor for cardboard waste in order to support recycling, and reduce disposal costs by approximately £15k per year.

The report set out two options, (i) for a non-covered option, costing approximately £97k, and (ii) a non-covered option at approximately £141.5k. The preferred option was option (i), though there was structural provision for a roof to be added in the future.

RESOLVED -

That approval be given to capital expenditure of £97k from the Economic Delivery Capital budget to fund the compactor relocation.

180 Commissioned Enforcement Partnership

Cabinet received a report which sought permission for a 12 month trial to be commissioned of working with a private enforcement company for the issuing and management of Fixed Penalty Notices in relation to litter, dog and related environmental matters. It advised that the trial would commission a company who supply services to local authorities of patrolling and issuing fixed penalties for

littering and similar offences, and managing case files for the payment of fines or prosecution. The report advised that the significant change to protocol would be that the early repayment discount would be removed, as would the restorative justice option of attending a good citizen course.

The report sought permission to undertake a 12 month trial of a suitable service provider to determine whether it has a positive effect on the actual and perceptual issues around littering and dog fouling and related issues. It stated that, in terms of financial implications, there would be a saving of capacity to support other enforcement activity, and that the contract would be cost positive, with any surplus being used to support activities.

RESOLVED -

- 1) That approval be given to proceeding with a Commissioned Enforcement Service supporting the other in-house environmental work.
- 2) That, pursuant to (1) above, the Assistant Director (Place) and the Assistant Director (Legal and Governance) be authorised to make consequential changes to the Fixed Penalty Notices Protocol.

181 Ashbrow Housing site

Cabinet received a report which provided an update on the Ashbrow housing site and made recommendations regarding the appointment of a development partner. It advise that, during February 2016, tender documents had been issued seeking a development partner to construct a Council Extra Care scheme and open market housing site for sale on the site. The report sought approval for the appointment of the preferred bidder, following an evaluation against pre-determined award criteria.

The report provided information on the vision for the site, the procurement and evaluation process, timescales, and the expected impact, outcomes, benefits and risks.

(Cabinet gave consideration to exempt information at Agenda Item 15 (Minute No. 184 refers), prior to the determination of this item).

RESOLVED -

- 1) That approval be given for the Ashbrow Housing Scheme to be progresses.
- 2) That approval be given to the preferred bidder, as detailed within the exempt appendix at Agenda Item 15.
- 3) That, pursuant to (2) above, it be noted that a report will be submitted to a future Cabinet meeting setting out the finalised terms of the contract with the preferred bidder before signature.
- 4) That, pursuant to (2) and (3) above, authority be delegated to the Assistant Director (Legal and Governance) to finalise and enter in to all appropriate contracts, deeds, and documents in relation to the appointment of the preferred bidder in consultation with the Assistant Director (Place).

- 5) That it be noted that the Extra Care Scheme would be funded through the Housing Revenue Account Strategic Capital Plan and that the expenditure was previously approved by Cabinet (2 February 2016) and Council (17 February 2016).
- 6) That it be noted that the site would contribute to delivery of the Council's housing strategy and provide a range of products to support housing growth, a long term supply of affordable housing, and meet the housing needs of the most vulnerable groups.

182 Southgate Huddersfield

Cabinet received a report which sought approval for a Draft Development Brief, noted the assessment of potential Council usage, and sought agreement to market the site for disposal. The report advised that the Development Brief had been drawn up for the Council as landowner, in consultation with the Local Planning Authority, and was in three parts; land use planning policy and property market appraisal, an urban design study, and technical appendices. Cabinet noted the information contained within the report regarding the development brief, the assessment of potential council uses, and marketing the site for disposal. Subject to approval, it was noted that the next stage of the process would be for officers to prepare an information pack prior to the marketing of the land.

(Cabinet gave consideration to exempt information at Agenda Item 16 (Minute No. 185 refers), prior to the determination of this item).

RESOLVED -

- 1) That approval be given to the draft Development Brief, as detailed in Appendices 1,2 and 3 of the considered report.
- 2) That the Assistant Director (Place) be authorised to market the land for disposal for redevelopment.
- 3) That it be noted that two further reports will be submitted, (i) for a decision to be taken on the preferred purchaser of the site and (ii) to comment upon the preferred developer's draft masterplan for redevelopment.

183 Exclusion of the Public

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

184 Ashbrow Housing Site

(Exempt information under Paragraph 3 of Part 1 to Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Variation Order 2006 as the information relates to the financial or business affairs of any particular person (including the authority holding that information). It is not in the public interest to disclose the information as disclosure could adversely affect the overall value for money and compromise the confidentiality of the bidders and the Council. The public interest in maintaining the exemption outweighs the public interest in disclosure of the information in terms of accountability, transparency in spending public money and openness in Council decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 12 (Minute No. 181 refers).

185 Southgate Huddersfield

(Exempt information under Paragraph 3 of Part 1 to Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) Variation Order 2006 as the information relates to the financial or business affairs of any particular person (including the authority holding that information), or in respect of which a claim to legal professional privilege could be maintained in legal proceedings. It is considered that disclosure of the information would be contrary to the confidential terms on which it has been provided to the Council, and could also prejudice negotiations regarding the disposal of the land and the Council obtaining best consideration. The public interest in maintaining the exemption which protects the interests of the Council, outweighs the public interest in disclosure of the information and providing greater openness in Council decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 13 (Minute No. 182 refers).