

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 25th July 2017

Present: Councillor David Sheard (Chair)
Councillor Shabir Pandor
Councillor Peter McBride
Councillor Naheed Mather
Councillor Musarrat Khan
Councillor Viv Kendrick
Councillor Masood Ahmed
Councillor Cathy Scott

Observers/Guests Councillor Elizabeth Smaje
Councillor Julie Stewart-Turne

Apologies: Councillor Erin Hill
Councillor Graham Turner

274 Membership of the Committee

Apologies for absence were received on behalf of Councillors Hill and G Turner.

275 Interests

Councillor McBride declared an 'other' interest in Agenda Item 11 on the grounds that he is a Board Member of KSDL and left the meeting during the consideration of this item.

276 Admission of the Public

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

277 Deputations/Petitions

No deputations or petitions were received.

278 Public Question Time

No questions were asked.

279 Member Question Time

No questions were asked.

280 Proposed remedial works for ground stabilisation at A635 Holmfirth Road, Shepley

Cabinet received a report which sought approval to undertake remedial works to mitigate ground movements and stabilise the highway at the A635, Holmfirth Road, Shepley. The report advised that the route was a major classified road linking the M1 to the south of Kirklees, and neighbouring towns. It explained that the road, near its junction with Rowgate had been subject to ongoing ground movement over the past 65 years which had caused the highway, and a substantial retaining wall, to fail on several occasions leading to the partial; closure of the road, pending the implementation of interim remedial measures.

Cabinet noted that the proposed remedial works, which would mitigate ground movements and stabilise the highway, including its retaining structures, were based upon the outcome of extensive site investigation that had been undertaken to identify the underlying cause/s of the movement so as to devise a remedial scheme which would resolve the subsidence problem. The report explained that the current proposals included the construction of large bored reinforced concrete piles over the affected section to mitigate the ground movements and stabilise the highway and substantial retaining wall, and that the works would largely be funded through additional funding secured through a successful Challenge Fund bid. Cabinet were informed that the proposed works could be constructed whilst maintaining a single lane shuttle working to minimise disruption, and that they were anticipated to commence in September 2017, lasting a period of approximately 12 weeks.

RESOLVED -

That approval be given for ground stabilisation remedial works to be undertaken on the A635, Holmfirth Road, Shepley.

281 New Inclusion and Diversity Strategy and Action Plan

Cabinet received a report which sought approval for the Council's new Inclusion and Diversity Strategy, and Action Plan, prior to its submission to the meeting of Council on 13 September 2017. The report explained that, since the adoption of the Inclusion and Diversity Policy statement at Council during March 2016, work had been undertaken to develop a long term strategy to put in place practical measures and embed key principles as outlined in the Statement and Action Plan. Cabinet were advised that, in the first year of the four year action plan, there would be an internal focus in respect of outcomes and measures, and that once progress against outcomes had been measured, there would be a more external focus on outward-facing community related issues, which would be incorporated into the plan in years 2, 3 and 4.

The 2017-2021 Inclusion and Diversity Strategy, and Action Plan, was attached at Appendix One of the considered report.

RESOLVED -

That the Inclusion and Diversity Strategy and Action Plan be endorsed and submitted to the meeting of Council on 13 September 2017.

282 Specialist Provision for Kirklees Children with Communication and Interaction Needs

Cabinet received a report which set out details of the outcomes of the non-statutory consultation on the proposed new communication and interaction provision to be hosted by Windmill Church of England Voluntary Controlled Primary School. The report advised that, following the meeting of Cabinet on 7 March 2017, a process began to identify a host school for the proposed provision, and sought expressions of interest over a four week period, following which four applications were received. A review of the applications determined that Windmill C of E (VC) Primary School was the preferred host. Following this, Cabinet gave authorisation on 4 April 2017 for officers to develop plans for a non-statutory consultation on the proposals, and to complete the legal process to decommission the specialist provision at Ashbrow School for children with speech, language and communication needs.

Cabinet were asked to note the responses to the non-statutory consultation, as detailed within the considered report, and authorise officers carry out the next stage of the legal process to establish twelve transitional places for children with communication and interaction needs at Windmill C of E (VC) Primary School and decommission the twelve transitional places at Ashbrow School. It was noted that the outcomes of representations received during the statutory publication period would be submitted to Cabinet in September 2017, following the four week period of publication of notices during August 2017, and that subject to approval, implementation was expected to take place during October 2017.

RESOLVED -

- 1) That the responses to the non-statutory consultation regarding establishing a new communication and interaction provision to be hosted by Windmill Church of England Voluntary Controlled Primary School, providing twelve transitional places, be noted.
- 2) That Officers be requested to take steps to carry out the next stage of the legal process to;
(i) establish twelve transitional places for children with communication and interaction needs at Windmill Church of England Voluntary Controlled Primary School, (ii) decommission twelve transitional places for speech, language and communication needs at Ashbrow School and (iii) report the outcomes of the representations received during the statutory publication period to Cabinet.

283 Ad Hoc - Adult Mental Health Assessments

(Under the provision of Council Procedure Rule 36(i) Cabinet received representations from Councillors Smaje and Stewart-Turner.)

Cabinet received a report which set out the findings of the Ad-Hoc Scrutiny Panel – Adult Mental Health Assessments. The report explained that the Panel had been established following expressions of concern in relation to waiting times between referral and assessment for mental health problems, difficulties in accessing mental health intervention prior to crisis, and prioritisation by voluntary and statutory services. The terms of reference of the Panel sought to understand the pathway for assessments in Kirklees, from the initial need for referral to assessment, and onto treatment.

The report advised that the Panel met between April 2016 and June 2017 to carry out its work, which included engaging with representatives of the South West Yorkshire Foundation Trust, Greater Huddersfield CCG, and voluntary support groups.

The findings and arising recommendations of the Panel were set out within an appendix to the considered report, alongside an action plan which detailed the completion targets of each recommendation. Cabinet were asked to note the findings, alongside the responses of health partner. It was agreed that it would be beneficial to support the report to the next meeting of Council for the information of all Members.

RESOLVED -

- 1) That the findings of the Ad-Hoc Scrutiny Panel (Adult Mental Health Assessments), and the response on the recommendations from partner organisations, be noted.
- 2) That the report be submitted to the meeting of Council on 13 September 2017 for information.

284 Kirklees Stadium Development Ltd - Request for Short Term Loan Facility

Cabinet gave consideration to a report which set out details of a request from Kirklees Stadium Development Limited (KSDL) to provide a loan facility of £200k for a period of twelve months, on commercial terms. The report explained that KSDL were requesting that the Council considered providing a loan, on full commercial terms, of £200k for a period of twelve months in order to give KSDL the ability to manage its cashflow until the next payment of funds in respect of HD One development is due to be received from the developer of the scheme. It was noted that the proposed loan would be secured as part of the Council's first ranked charge on the assets of KSDL.

Paragraph 2 of the considered report detailed the reasons for the request and the recent change in position from KSDL's bankers, explaining that offering to provide a £200k facility would provide the Council with the opportunity to earn interest on the loan at a fully commercial rate which would be substantially in excess of what the

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Council could generate on a short term deposit, and that KSDL would not be disadvantaged by this as the terms would be equivalent to those by the bank. The report explained that, on balance, it was recommended that KSDL's request be approved, and that rather than providing a guarantee to the company's bank to underpin a facility of £200k, the loan should be provided direct by the Council.

RESOLVED -

- 1) That approval be given to the offer of a loan facility of £200k to KSDL, for the period up to 31 July 2018, at a commercial rate of interest.
- 2) That authority be delegated to the Service Director (Legal, Governance and Commissioning), in consultation with the Strategic Director (Economy and Infrastructure), to enter into a suitable loan agreement and amend existing security arrangements to incorporate the additional £200k advance, entering into all deeds and documents necessary to give effect to the amendments.