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## **KIRKLEES COUNCIL**

### **CABINET**

**Wednesday 28 April 2009**

Present: Councillor K Pinnock (in the chair)  
Councillor Marchington, Pandor, Sheard, K Smith, Smithson, Stanfield and Walton.

Observers: Councillor Iqbal

**513 Membership of the Committee**

Apologies for absence were submitted by Councillor Mehboob Khan.

**514 Minutes - 17 and 26 March 2009**

The minutes of the meetings held on 17 and 26 March 2009 were agreed as a correct record.

**515 Interests**

No interest were declared at the meeting.

**516 Admission of the Public**

All items were considered in public session with the exception of Agenda Item 22 - Batley Gateway Gyratory.

**517 Deputations/Petitions**

No deputations or petitions were received.

**518 Public Question Time**

No public questions were asked at the meeting.

**519 Member Question Time**

No Member questions were asked at the meeting.

**520 The Jewels Area of Batley - Request for Traffic Management/Road Safety Scheme**

Cabinet considered report setting out actions propose as a result of a petition from residents of "The Jewels" area of Batley, requesting that the Council implement a Traffic Management/Road Safety Scheme in the area. The report indicated that petitioners were concerned that during daily school runs the streets in the area were used for the parking of vehicles and used as a shortcut to Bradford Road with vehicles travelling at high speed. The considered report provided information on the roads making up "the Jewels" area of Batley and provided information on surveys that had been undertaken which, whilst indicating an increase in traffic, particularly during morning peak and school times, revealed that

any potential solutions would be more detrimental to residents than the existing situation.

The considered report recommended that no further action be taken.

**RESOLVED** - That no further action be taken in relation to the contents of the petition and the petitioners be advised that, whilst surveys had shown an increase in traffic, in particular during morning peak and school times, the resolution of the issues would be more detrimental to residents than the existing situation.

**521      Edge lane, Thornhill, Dewsbury - Request for Closure of Public Footpath.**

Cabinet considered a request made for the closure of public footpath number 44 in Dewsbury, which was recorded on the definitive map and was currently obstructed by fencing. The considered report provided information on the current situation with regard to the footpath and in relation to fencing that was currently blocking the route of the path, which had been erected to protect allotments adjacent to the path from vandalism. Paragraph 2.3 of the considered report set out options in relation to the request for the closure of the footpath and information was provided on the statutory position with regard to any decision being taken to close the footpath and the implications that this could have in the current situation.

**RESOLVED** - That no action be taken in respect of the request outlined by petitioners regarding the footpath at Edge lane, Thornhill, Dewsbury.

**522      Commercial Street, Batley - Objections to Traffic Regulation Order Regarding Proposed One Way System**

Cabinet considered a report setting out objections made with regard to a Traffic Regulation Order proposing a One Way System on Commercial Street, Batley. The considered report provided information on the nature of the objections made relating to the proposals for a One Way System and on the situation, including statistics relating to accidents, that had led to the making of a Traffic Regulation Order. Paragraph 2.8 of the considered report set out officer response to objections made and information was provided on a consultation that had taken place with local Ward Councillors.

**RESOLVED** - That objections to the proposed One Way System, as set out in the considered report be overruled and that the Traffic Regulation Order be introduced as advertised, with the introduction of Pedestrian Safety Measures at the junction of Wards Hill with Commercial Street.

**523      Norristhorpe Lane and Surrounding Street, Norristhorpe, Heckmondwike - Objections to Proposed Waiting Restrictions**

Cabinet considered a report setting out objections received regarding a Traffic Regulation Order proposing waiting restrictions for Norristhorpe Lane, School Street, Grove Street, Spring Bank Drive and Elm Tree Close

at Norrithorpe, Heckmondwike. The considered report provided information on the reasons for the Traffic Regulation Order which related to the parking of vehicles associated with the picking up and dropping off of children at a nearby school and provided information on the nature of the objections that had been received. In considering the objections made and the recommendation of officers that the objections be overruled in order to ensure school access is maintained at all times, Cabinet Members asked that Highways officers meet with residents of Lodge Lane to identify solutions to potential parking problems at this location.

**RESOLVED -**

1) That objections made relating to the introduction of waiting restrictions, as set out in the considered report, be overruled and that the restrictions be implemented as advertised to ensure school access is maintained at all times.

2) That Highways officers be requested to meet with residents of Lodge Lane in order to identify solutions to potential parking problems at this location.

**524      Commercial Road, Dewsbury - Objections to Proposed Waiting Restrictions**

Cabinet considered a report seeking consideration of an objection made to a Traffic Regulation Order for Waiting Restrictions at Commercial Road, Dewsbury. The considered report indicated that the original scheme had been identified as a result of an increase in parking in the area. The considered report provided information on the objections that had been received and it was noted that officers had recommended that the objections be overruled for reasons set out at Paragraph 2.5 of the considered report.

**RESOLVED -** That objections made in relation to proposed Waiting Restrictions for Commercial Road, Dewsbury, as set out in the considered report, be overruled and that the order be implemented as advertised.

**525      Leymoor Road, Golcar - Objections to Proposed Speed Plateaux**

Cabinet considered a report seeking consideration of objections made in relation to a proposed Speed Plateaux at Leymoor Road, Golcar. The considered report provided information on the reasons for the proposal for a Speed Plateaux which included the number of accidents in the area and the speed of vehicles using the road and provided detailed information on the nature of the objections received. The report proposed that the objections be overruled due to the possibility that accidents involving pedestrians and other road users would continue to occur without the implementation of the Speed Plateaux.

**RESOLVED -** That the objections made in relation to the proposed Speed Plateaux on Leymoor Road, Golcar, as set out in the considered report, be overruled and that the scheme be implemented as advertised.

**526      A643 Spen Lane, Gomersal - Reconstruction**

Cabinet considered a report seeking approval to a scheme to reconstruct 1.1 kilometres of the A643 Spen Lane, Gomersal between Gomersal Lane and Barrington Parade. The considered report indicated that a Pavement Condition Assessment and Skid Resistance Testing had determined that the section of road in question was a priority for improvement. It was noted that the proposed works included re-curbing and re-surfacing of pavements, bus stop improvements to current standards with raised curb heights and bus stop clearways, drainage repairs, improved access ability with curbs dropped to ease pedestrian access, a review of the existing road markings to meet current standards and road surfacing in line with recommendations of a detailed report on current conditions. The considered report proposed the implementation of the scheme at an estimated cost of £550,000.

**RESOLVED** - That the reconstruction of the A643 Spen Lane, Gomersal, as set out in the considered report be approved.

**527      A652 Bradford Road/A643 Church Lane, Birstall - Reconstruction**

Cabinet considered a report seeking approval of a scheme to reconstruct 1 kilometre of the A652 Bradford Road/A643 Church Lane, Birstall. The considered report set out information on Pavement Condition Assessments and Skid Resistance Testing that had determined that the sections of the roads in question were a priority for improvement and the report provided information on works to be carried out as part of the scheme. It was noted that works to be included in the scheme were, re-curbing and re-surfacing of pavements, bus stop improvements to current standards with raised curb heights and bus stop clearways, drainage repairs, improved accessibility with curbs dropped to ease pedestrian access, road surfacing in line with the recommendations of the detailed report on current condition, a review of existing road markings to meet current standards and street lighting improvements. The considered report recommended the approval of the works at an estimated cost of £600,000.

**RESOLVED** - That the scheme for the reconstruction of the A643/A652, as set out in the considered report, together with measures to minimise disruption to local businesses be approved.

**528      Ottiwells Bridge, Marsden - Bridge Strengthening**

Cabinet considered a report seeking consideration of proposals to strengthen Ottiwells Bridge, Marsden. The report provided information on the proposals for improvements to strengthen the bridge, which carried Mount Road over Wessenden Brook, at Marsden. Paragraph 2 of the considered report set out three options that were available to the Council in relation to the improvements to the bridge together with the associated costings and officers recommended that Option C, a full strengthening scheme for the bridge, be approved using finance from the 2009/10 Capital Plan.

**RESOLVED** - That approval be given to the implementation of Option C, as set out in the considered report, for the full strengthening scheme of Ottiwells Bridge, Marsden, to allow for the removal of all restrictions on the bridge and the completion of the remainder of the Mount Road Improvement Scheme.

**529 Market Strategy - 2009/14**

Cabinet considered a report setting out a draft strategy for Kirklees markets for the period 2009 - 14. The considered report set out information on the factors that had been considered in the drafting of the Market Strategy and provided information on the key objectives of the strategy, including the building on the strengths of key markets and strengthening of smaller markets within the Council's area. The considered report went on to provide information on consultations taken place in relation to the content of the strategy and on proposals for the promotion of its content to the wider public.

**RESOLVED -**

1) That approval be given to the content of the Kirklees Market Strategy for 2009/12 and that the strategy be circulated to all interested parties and promoted to the wider public, market organisations and the media.

2) That consultations take place with Ward Members in those towns where consolidation of markets and market days was recommended.

**530 Play Provision for Young People - Multi Use Games Area**

Cabinet considered a report seeking approval to delay schedule of development schemes that aimed to improve the quality of provision of play facilities for young people across the authority. The considered report set out proposals for the use of an allocation of £675,000 as part of the 2008 Budget settlement and the report went on to make detailed recommendations regarding proposed improvements across the Council area.

**RESOLVED** - That the schemes set within the considered report relating to the provision on multi-use games areas be approved and implemented during 2009/11.

**531 Migration Impact Fund**

Cabinet considered a report setting out proposals for the allocation of a new two year funding stream, entitled the Migration Impact Fund, aimed at supporting local Council's and Partners to manage and support legal migration and integration. Paragraph 2.2 of the considered report provided information on proposals that had been identified at a local level for the use funding and Cabinet were asked to endorse the content of the proposals for submission to the Government Office for Yorkshire and Humber in order to meet a deadline of 1 May 2009. Cabinet were asked to give their approval to the project set out within the considered report and the principles for their inclusion in the proposals

**RESOLVED** - That approval be given to the project, as set out in the considered report, in relation to the Migration Impact Fund and that the principles associated with the implementation of the project be endorsed.

**532 Civic Invitation to Besançon, France**

Cabinet considered a report seeking approval for the Mayor to accept an official invitation to Besançon, the Council's French twinned town, for an event to take place from 16 - 20 September 2009.

The report indicated that the Mayor had been invited to attend a seminar entitled "For a Sustainable Energy Future, Partner Cities Take Action!" and for the Mayor to participate in events to mark the 50th anniversary of twinning between Besançon and the German city of Freiburg.

**RESOLVED -**

1) That approval be given to the visit to Besançon on 16 - 20 September 2009 as set out in the considered report.

2) That a report be produced for Cabinet Members on the outcomes of the seminar.

**533 Civic Invitation to Bielsko - Biala, Poland**

Cabinet considered a report seeking approval for the attendance of the Mayor at the Festival of Partner Cities in the Council's twin town of Bielsko - Biala, Poland from Friday 12 June - Monday 15 June 2009. The considered report provided information on the proposed programme for the Festival of Partner Cities and further information was provided in relation to recent links between Kirklees and Bielsko - Biala.

**RESOLVED -**

1) That approval be given to the visit to Bielsko - Biala, Poland from the 12 - 15 June 2009, as set out in the considered report.

2) That a report be produced for Cabinet Members on the Festival of Partner Cities event.

**534 Exclusion of the Public**

**RESOLVED** - 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 each of the under mentioned Minutes.

**535 Batley Gateway Gyrratory**

(Exempt information relating to the financial affairs of a particular person. It is considered that the need to maintain confidentiality regarding a proposed property acquisition and its implications for a third party outweighed the public interest in disclosing the information providing greater openness in the Council's decision making).

Cabinet considered a report seeking confirmation of previous support for the Batley Gateway Gyratory, updated on progress in relation to negotiations for the acquisition of business premises required for the scheme and arrangements to re-locate businesses and seeking approval to expenditure up to £875,000 on land and property acquisition necessary for the implementation of the project and for expenditure of up to £250,000 on project development. The considered report provided information on the benefits of the implementation of the scheme and Paragraph 4 provided information on land acquisition that was required and its implications for third parties.

**RESOLVED -**

- 1) That progress made on the scheme design in relation to the Batley Gateway Gyratory be noted.
- 2) That the acquisition of the business, identified on Options 1 and 2, together with terms to be offered, as described in Paragraph 4.11 of the considered report, be approved.
- 3) That approval, in principle, be given to the use of the Council's Powers of Compulsory Acquisition should negotiations fail and that Officers be authorised to begin preparatory work on a potential Compulsory Purchase Order (CPO), to safeguard the Council's position and that, if it becomes necessary to make a CPO, that the matter be referred back to Cabinet for further consideration and decision.
- 4) That the legal Service be authorised to prepare and complete all necessary documentation in respect of the required acquisitions and disposals necessary to acquire all the land/premises needed to satisfy the Batley Gateway Gyratory Scheme requirements.
- 5) That approval be given to expenditure up to £250,000 on technical feasibility and detailed design, as set out in the considered report, to be funded from the Regeneration Capital Plan Allocation for North Kirklees Regeneration.