



**Assistant Director of Legal, Governance and
Monitoring**

Julie Muscroft

Governance and Democratic Services

Civic Centre 3

High Street

Huddersfield

HD1 2TG

Tel: 01484 221000 Ext 1783

Direct Line: 01484 221000

Fax: 01484 221707

Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

CABINET

TUESDAY 30 JUNE 2015

Andrea Woodside

01484 221000

Chair

Councillor David Sheard

Councillors Attended

S Hall, P McBride and G Turner

Attendees

Co-optees

Apologies

Councillor Jean Calvert, Councillor Erin Hill, Councillor Cathy Scott, Councillor Viv Kendrick and Councillor Shabir Pandor

Observers

Councillor Bellamy

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 Councillor Calvert, Hill, Kendrick, Pandor and C Scott.

2: Minutes of previous meeting

To approve the Minutes of the meeting of the Committee held on 5 May 2015.

That the Minutes of the meetings held on 5 May 2015 be approved as a correct record.

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.

Councillor McBride declared an 'other' interest in Agenda Item 13 on the grounds that he is a Board Member of Kirklees Stadium Development.

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 19 would be considered in private session.

5: Deputations/Petitions

The Committee 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.

No deputations or petitions were received.

6: Public Question Time

The Committee will hear any questions from the general public.

No questions were asked.

7: Member Question Time

To consider questions from Councillors.

No questions were asked.

8: Implications of Supreme Court Ruling on Deprivation of Liberty Safeguards

A report providing information regarding the implications and impact of the continuing increase in the number of Deprivation of Liberty Safeguards (DoLS) applications, arising as a result of a Supreme Court judgement, being received by the Council and the risks associated with this increase.

Officer: Keith Smith: 01484 221000

(1) That the funding received by the Council from the Department of Health as a contribution to the cost of Deprivation of Liberty Safeguards be allocated towards alleviating the pressures as set out within the report.

(2) That it be noted that the allocation of funding would assist the Council in meeting its statutory obligations in respect of Deprivation of liberty Safeguards.

(3) That the contribution of Deprivation of Liberty Safeguards activity to overall pressure on service provision be noted.

9: Outcomes from the Statutory Consultation on the proposal about Primary Pupil Places in the Huddersfield South West area

A report noting the feedback in response to the statutory consultation on the proposal about Primary Pupil Places in the Huddersfield South West area and seeking approval for officers to move to the next stage of the process and publish the statutory proposals and notices.

Officer: Jo-Anne Sanders: 01484 221000

(1) That, in regards to the amalgamation of Thornton Lodge Nursery School, Dryclough CE (VC) infant School and Crosland Moor Junior School;

(a) The feedback in response to the statutory consultation, as set out within the report, be noted.

(b) It be noted that the consultation process has not raised any significant

issues that have not previously been considered.

(c) It be noted that the Leeds Diocesan Board of Education are content to act as the Proposer of the new school within the Diocese of West Yorkshire and the Dales, and that the Officers of the Leeds Diocesan Board of Education will work closely with the Local Authority, Governors and staff of the three schools, to successfully implement the proposal.

(d) Approval be given for Officers to move to the next stage of the process and publish the statutory proposals and notices to bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School as a single all-through voluntary controlled primary school for children aged 2 to 11 by (i) discontinuing Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School and (ii) establishing a new replacement Church of England voluntary controlled primary school proposed by the Diocese of West Yorkshire and the Dales.

(e) Officers be requested to carry out preliminary and preparatory work with Officers of the Leeds Diocesan Board of Education, parents, governing bodies and staff, to enable successful implementation (if the proposals are ultimately agreed) by engaging relevant parties as widely as possible in planning the changes and in building confidence in future cohesive and inclusive provision in the community.

(f) Approval be given for Officers to carry out further engagement with stakeholders as part of the period of representation and invite further comments for consideration prior to final decision making.

(g) The next steps and timescales for the subsequent stage of the statutory process be noted, and that a further report be submitted to Cabinet for decision at a future date.

(2) That, in regards to the establishment of a new primary academy on the site of Moor End Academy;

(a) The feedback in response to the statutory consultation, as set out within the report, be noted.

(b) It be noted that the consultation process has not raised any significant issues that have not previously been considered.

(c) Approval be given for Officers to progress to the next stage of the process and engage with the Department for Education and publish an invitation to bid document, in line with statutory requirements, and proactively seek proposals from academy sponsors.

(d) Officers be requested to carry out preliminary and preparatory work with parents, governing bodies and staff to enable successful implementation (if the proposals are ultimately agreed) by engaging relevant parties as widely as possible in planning the changes and in building confidence in the future cohesive and inclusive provision in the community.

(e) Officers be requested to continue to carry out preliminary and preparatory work in relation to the interim building solution that would be required for September 2016 and the permanent solution that would be required overall to deliver the proposals, if approved.

10: Establishment of the Kirklees Economy and Skills Board

A report seeking approval for the establishment of the Kirklees Economy and Skills Board and the proposals for recruitment to the Board.

Officer: Martin Green: 01484 221000

(1) That the establishment of the Kirklees Economy and Skills Board be approved, and that recruitment to the Board be undertaken as detailed within the report.

(2) That it be noted that the establishment of the Board would strengthen the district's influence and representation in the City Region Local Enterprise Partnership/West Yorkshire Combined Authority structures, and support increased levels of investment in the district.

11: Term Dates for the Academic Years September 2016 to July 2017 and September 2017 to July 2018

A report seeking approval of the proposed term dates for the school year 2016/2017 and 2017/2018.

Officer: Jo-Anne Sanders: 01484 221000

(1) That it be noted that the Kirklees Policy for school terms dates generates dates for 2016/17 and 2017/18 where there are some variations between the proposed dates in Kirklees when compared with the dates set by neighbouring authorities.

(2) That it be noted that, following consultation, the start date of the autumn term 2016/2017 and 2017/2018 be adjusted to the first Monday in September which supports the learning and attendance for children, and brings Kirklees in line with the majority of neighbouring authorities.

(3) That the collective view of the majority of consultees, supporting the adoption of the term dates, be noted.

(4) That the term dates for the 2016/2017 and 2017/2018 academic years, as set out in appendices 3 and 4 of the report, be approved, and that it be noted that the number of school days is in accordance with the statutory requirements.

12: Proposed introduction of Public Space Protection Orders

A report seeking authorisation to introduce Public Space Protection Orders (PSPO), as set out in the Anti-Social Behaviour, Crime and Policing Act 2014.

Officer: Rob Dalby

(1) That a consultation process for the introduction of Public Space Protection Orders be undertaken.

(2) That, following the completion of the consultation exercise, authority be delegated to the Director of Place, in consultation with the Assistant Director (Legal, Governance and Monitoring), to introduce Public Space Protection Orders in accordance with the regulations as set out in the Anti-Social Behaviour, Crime and Policing Act 2014.

13: Council Capital Outturn & Rollover Report 2014-15 and Capital Investment Plan 2015/16 - 2019/20 Inclusive of Rollover

A report detailing the Council's capital expenditure and funding for the year 2014/15 and seeking approval of the Capital Investment Plan for referral to Council on 15th July 2015.

Officer: David Smith: 01484 221000

(1) That £7 million uncommitted rollover be removed from the Capital Investment Plan as detailed in paragraph 3.10a of the report.

(2) That the £127,000 uncommitted balance of grant (school broadband) be applied against the capital elements of the Digital Infrastructure rollover bid (£444,000) being considered as part of the Revenue Outturn and Rollover report, as detailed in paragraph 3.10a of the report.

(3) That the potential liability for the Business Innovation and Skills grant repayment be transferred to Risks and Pressures, as detailed in paragraph 3.10a of the report.

(4) That £2 million of additional capital investment be included within the Strategic Asset Utilisation priority to meet cost pressures relating to clearance works at strategic sites, as detailed in paragraph 3.12 of the report.

(5) That a new strategic priority be established which provides match-funding for European Grant opportunities and that the priority be allocated £3 million over two years, as detailed in paragraph 3.12 of the report.

(6) That resources of £9 million be included within the Capital Investment Plan so that an option to offer a loan facility to Kirklees Stadium Development Ltd can be explored, as detailed on paragraph 3.14 of the report.

(7) That the updated Capital Investment Plan be approved and referred to the meeting of Council on 29 July 2015.

14: Annual Report on Treasury Management 2014-15

A report noting the review of treasury management activity for 2014/15.

Officer: Tim Mitchell

That the review of Treasury Management activity 2014/2015 be noted.

15: Council General Fund Revenue Outturn & Rollover 2014-15

A report noting the Revenue Outturn position for 2014-15

Contact: Eamonn Croston: 01484 221000

(1) That the Revenue Outturn Position for 2014-2015, as detailed in Appendices 1 and 2 of the report, be noted.

(2) That the Revenue Rollover Proposals, as set out in the Revenue Rollover Report and Appendix 3, be approved

(3) That the use of other Corporate Reserves be noted.

(4) That recommendations (1) to (3) be referred to Council on 29 July 2015 for approval.

16: Housing Revenue Account (HRA) - Financial Outturn 2014-15

A report detailing the Revenue and Capital Outturn of the Housing Revenue Account (HRA) for 2014-15.

Officer: Helen Geldart: 01484 221000

(1) That the 2014-2015 year end Housing Revenue Account Revenue and Capital Outturn be noted.

(2) That the 2014-2015 year end Housing Revenue Account reserves position be noted.

(3) That the Council's Treasury Management Policy underpinning the capital financing charge incurred by the Housing Revenue Account 2014-2015, which forms part of the wider Council Annual Report on Treasury Management, be noted.

4) That it be noted that the Housing Revenue Account Capital Outturn position forms part of the wider Council Capital Plan Outturn and Rollover update report.

17: Old Leeds Road Huddersfield: Exit Agreement

A report noting the decision of the Chief Executive, through the exercise of his emergency powers, to authorise the Council to enter into an Exit Agreement with Tesco Stores Ltd and other Tesco group companies.

Officer: Adrian Lythgo: 01484 221000

That the report be noted.

18: 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.

19: Old Leeds Road Huddersfield: Exit Agreement

Private appendix in relation to the previous public agenda item.

Officer: Adrian Lythgo: 01484 221000

The information contained within the report was considered prior to the determination of Agenda Item 17.
