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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

CABINET

TUESDAY 28 JULY 2015

Andrea Woodside

01484 221000

Chair

Councillor David Sheard

Councillors Attended

J Calvert, S Hall, V Kendrick, P McBride, S Pandor, C Scott and G Turner

Attendees

Co-optees

Apologies

Councillor Erin Hill

Observers

Councillors Bolt, Holmes, Light, Marchington, Patrick, K Pinnock, Smith and Smaje

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 Hill

2: Minutes of previous meeting held on 16 June 2015

To approve the Minutes of the meeting of the Committee held on 16 June 2015.

Item deferred.

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.

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 Items 21 and 22 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.

Cabinet received deputations from;

(a) Jenny Tomlinson Walsh on behalf of The Friends of Mirfield Library (in relation to Agenda Item 19)

(b) Hilary Wainwright on behalf of The Friends of Birstall Library and Information Centre (in relation to Agenda Item 19)

(c) Christopher Marsden on behalf of Huddersfield Civic Society (in relation to Agenda Item 18)

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: Highways Capital Plan 2015/16

A report to consider and approve the 2015/16 Highways Capital Plan.

Wards: All

Officer: Graham Mallory 01484 221000

- (1) That the additional £0.861m grant income applied to the highways baseline allocation for 2015/2016 be noted.
 - (2) That the detailed Capital Plan in the sum of £17.228m, as detailed in Appendix 1 of the report, be approved.
 - (3) That authority be delegated, in accordance with Financial Procedure Rules 3.12 and 3.13, to the Director of Place to manage the Highways Capital Plan.
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9: Development Management Charter

A report to inform and seek endorsement from Members of the Development Management Charter for Kirklees.

Wards: All

Officer: Simon Taylor 01484 221000

- (1) That the Development Management Charter for Kirklees be approved and published on the Council's website.
 - (2) That developers, communities and planning agents be made aware of the expectations and standards as set out in the Development Management Charter for Kirklees.
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10: Parks and Open Spaces Maintenance Standards

A report seeking approval of the recommendations to adopt the new service standards and for District Committees to influence local changes within resource allocation.

Wards: All

Officer: Will Acornley 01484 221000

(1) That the new service standards for Parks and Open Spaces Maintenance Standards, as attached at Appendix A of the report, be adopted, and that flexibility to change the service standards identified in Appendix A be devolved to District Committees to allow changes as required to meet community need within the allocated resource.

(2) That regular reviews be completed at key points to capture all seasons and that information be fed via District Committees.

(3) That the Assistant Director (Physical Resources and Procurement) be delegated responsibility to find the most cost effective solution to the future provision of seasonal plants on order to achieve best value.

11: Consideration of the Adoption of the Sexual Entertainment Licensing Regime

A report for Cabinet to consider the adoption of a legislative scheme for the control of sex establishments in Kirklees.

Wards: All

Officer: Catherine Walter 01484 221000

That the report be submitted to the meeting of Council on 29 July 2015 with a recommendation that the legislative scheme and the Sexual Establishment Licensing Policy be adopted with effect from 1 October 2015.

12: Reorganisation of Waste Collection Rounds

A report seeking approval for the introduction of new waste collections rounds, working practices and seeking approval for a change in policy.

Wards: All

Officer: Will Acornley 01484 221000

(1) That the proposals for the reorganisation of waste collection rounds, as detailed within the report, be approved in order to deliver efficiencies to support the Medium Term Financial Plan.

(2) That approval be given to the collection of excess waste at the first collection in order to accommodate residents who may have an extended period of time between collections.

(3) That it be noted that the proposed implementation date for the revised collection rounds was week commencing 7 September 2015.

13: District Committees and the Housing Revenue Account Estate & Environmental Works

A report seeking approval for the delegation of the Housing Revenue Account Estate and Environmental Works budget to District Committees.

Wards: All

Officer: Helen Geldart 01484 221000

(1) That approval be given to the delegation of the Housing Revenue Account Estate and Environmental Works to District Committees.

(2) That the criteria and process for identifying, prioritising and approving schemes, as outlined in paragraphs 2 and 3 of the report, be approved.

14: Use of New Council Development Resources

To report seeking approval for investment in resources to support the council's journey to a New Council.

Wards: All

Officer: Jane Brady 01484 221000

(1) That approval be given to the use of currently uncommitted £2.85m New Council Developments reserve against the broad categories of spend as detailed within the report.

(2) That authority be delegated to the Director of Resources to allocate the reserve to specific activities within the broad categories of spend, and to report the use of the reserve in more detail within the quarterly revenue monitoring report.

15: Bradley Business Park

A report seeking approval for marketing and disposal of the remaining Council-owned land for Phase III of development at Bradley Business Park.

Wards: Ashbrow

Officer: Andrew Thompson 01484 221000

(1) That authority be delegated to the Assistant Director (Physical Resources and Procurement), in consultation with the Assistant Director (Investment and Regeneration) to market the land for Business Class B1 (b) research and development and B1 (c) light industry, with any B1(a) offices being ancillary to B1(b) and B1(c) uses.

(2) That authority be delegated to the Assistant Director (Legal, Governance and Monitoring), in consultation with the Assistant Director (Physical Resources and Procurement) and the Assistant Director (Investment and Regeneration), to negotiate, enter into and execute all appropriate documentation with preferred purchaser(s) of the land for best consideration obtainable following marketing.

16: Update on the progress of the final accounts process for 2014/15, including Bad Debts Write Offs

A report noting the progress on the final accounts for 2014/15, and to note the information in the Appendix on bad debt write offs for 2014/15.

Wards: All

Officer: Tim Mitchell 01484 221000

(1) That the progress on the final accounts 2014/2015 be noted.

(2) That the information, as detailed in the Appendix to the report, regarding bad debt write offs 2014/15, be noted.

17: Appointment of Panel Members (Educational Admission Appeals)

A report seeking approval of the re-appointment of named Appeal Panel Members to the Education Admission Appeals Panel to serve for a further term of three years.

Wards: All

Officer: Andrea Woodside 01484 221000

That Mr David Longstaff, Mrs Jan Thornton, Mrs Liz Sharp, Mr Santokh Khangura and Mr Steve Readhead be re-appointed to serve as an Appeal Panel Member for a further term of three years.

18: Implications arising from the Education Funding Agency Proposals for the Mount Pleasant Primary School site

A report updating the current position regarding the new build school for Mount Pleasant Primary and seeking approval to proceed with the implementation of the decant programme for Mount Pleasant Primary School.

Wards: Newsome, Crossland Moor and Netherton

Officer: David Martin 01484 221000

(1) That approval be given for the implementation of the decant programme for Mount Pleasant Primary School, with a maximum revenue budget of £3.85m, subject to the approval of the rollover bid (as referenced in paragraph 3.3 of the considered report) by Council on 29 July 2015.

(2) That, pursuant to (1) above, Officers be authorised to proceed with implementation and, in particular, to provide direction as to whether the contract for the modular accommodation should be signed in advance of planning permission and EFA financial close for the new build school being achieved, or whether signature should be delayed until planning permission and the EFA financial close is achieved.

(3) That, pursuant to (2) above, if a decision is taken to delay signature of the modular accommodation contract, the Director of Resources be authorised to provide an appropriate Section 151 letter to the Education Funding Agency regarding delay costs as detailed in Appendix B of the report.

(4) That, subject to the approval of funding by Council, Officers be authorised to submit an Application for Prior Notification of Demolition seeking approval for the demolition of the Lockwood Community Centre and associated Clock Tower in its entirety.

(5) That if approval is not given for the project to proceed, Officers be authorised to take all appropriate and necessary action to inform relevant parties and other such steps necessary to withdraw the project

(6) That the Member of Parliament for Colne Valley and other interested

community groups be invited to put forward funded proposals for the future use and retention of the clock tower.

19: Library Service Review

A report setting the outcome of the consultation of future library provision.

Wards: All

Officer: Dave Thompson 01484 221000

That the outcome of the consultation on the Library Service Review, as detailed in the report be noted, and that the item be referred to the meeting of Council on 29 July 2015 for further discussion.

20: 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 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.

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 Minutes.

21: Bradley Business Park

Private appendix in relation to Agenda item 15.

This report is to be taken in private because it contains confidential information about a contract the Council is currently in negotiations on.

The public interest in maintaining the exemption, which would protect the interests of the Council and the company and individual concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.

Wards: Ashbrow

Officer: Andrew Thompson 01484 221000

The information contained within the report was considered prior to the determination of Agenda Item 15.

22: Implications arising from the Education Funding Agency proposals for the Mount Pleasant Primary School Site

Private appendix in relation to Agenda Item 18.

This report will be taken in private because it contains information about the finances of a person or organisation outside the Council.

It is considered that it would not be in the public interest to disclose the information contained in this appendix as disclosure could potentially adversely affect overall value for money and could compromise the commercial confidentiality of the bidding organisations and may disclose the contractual terms, which is considered to outweigh the public interest in disclosing information including, greater accountability, transparency in spending public money and openness in council decision making.

Wards: Newsome, Crossland Moor and Netherton
Officer: David Martin 01484 221000

The information contained within the report was considered prior to the determination of Agenda Item 22.
