



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 25 AUGUST 2015

Andrea Woodside

01484 221000

Chair

Councillor David Sheard

Councillors Attended

J Calvert, S Hall, E Hill, P McBride, S Pandor, C Scott and G Turner

Attendees

Co-optees

Apologies

Councillor Viv Kendrick

Observers

Councillors Patrick, J Taylor, Stubley

1: Membership of the Committee

To receive apologies for absence of Members who are unable to attend this meeting.

Apologies for absence were received from Cllr Kendrick.

2: Minutes of previous meeting

To approve the Minutes of the meeting of the Committee held on 2 June, 16 June and 30 June 2015.

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.

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 Item 15 would be considered in public 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 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: Corporate Revenue Financial Monitoring Report, Quarter 1, 2015-16

A report presenting the Revenue Financial Monitoring statement for 2015-16, as at Quarter 1.

Officer: Eamonn Croston: 01484 221000

(1) That the forecast position at quarter 1 for the general fund, housing revenue account and collection fund be noted.

(2) That approval be given to the drawdown of £5.6m from earmarked reserves for volume/service pressures.

(3) That approval be given to the use of £246k Special Educational Needs Grant allocation in 2015-2016 to support Children and Families Act implementation, managed through the Learning and Skills Service.

(4) That approval be given to the use of £704k Independent Living Fund, funding transfer from Department of Works and Pensions, to meet transferred client cost commitments, managed through Adults Services.

(5) That it be noted that the Director of Resources had delegated responsibility to the Chair of New Council Programme for overall budget management responsibility of cross-directorate theme related budget activity.

(6) That the £200k commitments to date against the £2.85m New Council Development Reserve be noted.

9: Housing Delivery Plan - Small Sites Project

A report seeking approval of the sale of sites and endorsing the process for disposal of the sites.

Officer: Mark Gregory: 01484 221000

(1) That approval be given to the disposal of sites as listed in Appendix A to the report, subject to there being no objections received in response to current notices advertising the disposal of the open space, and that any further objections received as a result of these notices be brought back to Cabinet for consideration and for a decision on the disposal of the site.

(2) That, having considered the objections to the disposal of sites listed in Appendix B, and the analysis of the objections as detailed in section 3 of the report, approval be given to the disposal of the two sites.

(3) That the process for the disposal of the sites as detailed in the report be endorsed and that authority be delegated to the Assistant Director (Physical Resources and Procurement) to negotiate and finalise the terms of any disposal of a site and any ancillary documents and agreements.

(4) That authority be delegated to the Assistant Director (Legal, Governance and Monitoring) to enter into and execute the instruments of disposition together with any ancillary documents and agreements.

(5) That, notwithstanding the resolutions (1) to (5) above, the disposal of the site at Naylor Street, Batley (site 18), be deferred pending the acquisition of the title deeds and, if acquired, holding a meeting with local residents to further discuss the future of the site.

10: Freehold Asset Transfer of the Public Toilets on Towngate, Holmfirth to the Holme Valley Parish Council

A report seeking approval to transfer the freehold of public toilets on Towngate, Holmfirth to the Holme Valley Parish Council.

Officer: Jonathan Quarmby 01484 221000

(1) That approval be given for the Council to transfer the freehold of public toilets situated on Towngate, Holmfirth to Holme Valley Parish Council for no premium/no consideration and to include covenants to ensure that public toilets situate on Towngate, Holmfirth is a building that is available for community use only.

(2) That, pursuant to (1) above, the transfer shall state that 70% of the floor area of the building is to be used for community use only, though the Parish Council will have the right to grant a single lease of the remaining 30% of the floor area for a commercial use, subject to planning regulations.

(3) That the Assistant Director (Physical Resources and Procurement) and the Assistant Director (Legal, Governance and Monitoring) be delegated authority to negotiate and agree the terms of the freehold transfer that relate to the transfer of the public toilets.

11: Freehold Asset Transfer of the Public Toilets on the South east side of the Village Holme, Holmfirth to the Holme Village Residents Association

A report seeking approval to transfer the freehold of public toilets on the south east side of the Village Holme near Holmfirth, to the Holme Village Residents Association

Officer: Jonathan Quarmby 01484 221000

(1) That approval be given for the Council to transfer the freehold of the public toilets on the south-east side of the Village Holme to the Holme Village Residents Association for no premium/no consideration and to include covenants to ensure that the building is available for community use only.

(2) That the Assistant Director (Physical Resources and Procurement) and the

Assistant Director (Legal, Governance and Monitoring) be delegated authority to negotiate and agree the terms of the freehold transfer that relate to the transfer of the public toilets.

12: Revised Independent Sector Residential and Nursing Home Fees 2015/16

A report seeking approval to increase the fees paid to independent sector residential and nursing home providers to reflect the impact of the 2015 increase in the national minimum wage.

Officer: Keith Smith 01484 221000

That the revised Independent Sector Residential and Nursing Home Fees for 2015/2016, as detailed in Appendix 1 to the report, be approved.

13: Land at Bradford Road, Dewsbury – former Safeway site

A report seeking approval for the marketing and disposal of the Council owned land at Bradford Road, Dewsbury.

Officer: Andrew Jackson 01484 221000

(1) That approval be given to the sale of the land, subject to the requirement that the land must be sold by way of tender on the open market.

(2) That authority be delegated to the Assistant Director (Physical Resources and Procurement), in consultation with the Assistant Director (Investment and Regeneration), to negotiate and agree the terms and conditions of the sale of the land with the successful tenderer.

(3) That authority be delegated to the Assistant Director (Legal, Governance and Monitoring) to negotiate and seal and enter into all appropriate documents in relation to the sale of the land with the successful tenderer.

(4) That it be noted that the development of the site will contribute towards the Council's Economic Strategy and that marketing will ensure that the opportunity to develop the site is exposed to the widest possible audience.

(5) That, pursuant to representations at the meeting, Officers be asked to liaise with all adjoining landowners to examine the possibility of joint development s on the site.

14: 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.

15: Land at Bradford Road Dewsbury - former Safeway Site

Private report in relation to Agenda Item 13.

Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006. It is considered that disclosure of the information could prejudice negotiations regarding the disposal of the land and the Council obtaining best consideration. The public interest in maintaining the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.

Officer: Andrew Jackson: 01484 221000

Cabinet gave consideration to exempt information prior to the determination of Agenda Item 13.
