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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

CABINET

TUESDAY 8 MARCH 2016

Andrea Woodside

01484 221000

Chair

Councillor Peter McBride

Councillors Attended

S Hall, E Hill, V Kendrick, S Pandor, C Scott and G Turner

Attendees

Co-optees

Apologies

Councillor David Sheard (Chair) and Councillor Jean Calvert

Observers

Councillors Bolt, D Firth, O'Neill, Pattison, A Pinnock and J Taylor

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 Councillors Calvert and Sheard.

2: Minutes of previous meeting held on

To approve the Minutes of the meeting of the Committee held on 17 December 2015, 12 January and 2 February 2016.

That the Minutes of the meetings held on 17 December 2015, 12 January 2016 and 2 February 2016 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.

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 25, 26 and 27 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 a deputation from Dr G Morley in relation to the proposed sports provision at Spenborough pool, and the proposals for the development of a sports hall at the new Whitcliffe Mount site.

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.

(i) Councillor Bolt asked a question in relation to road congestion and asked for an update on proposals to improve traffic flows in the area, specifically regarding the A62.

(ii) Councillor Bolt asked a question from in relation to traffic incidents on the B6118 and asked for an update on the action that was being taken.

(iii) Councillor Bolt asked a question in relation to the Flood Risk Management Strategy and sought clarification as to when the Strategy would be updated, making reference to climate change and flooding issues in the Mirfield area.

(iv) Cabinet received a question from Councillor J Taylor in relation to the use of Council resources by Ward Councillors.

8: Regional Devolution Update

To receive.

That an update on Regional Devolution be submitted to the meeting of Council on 23 March 2016.

9: Inclusion and Diversity in Kirklees - Work on a new policy statement for 2016/17

A report seeking approval to the work undertaken to draft a new policy statement on "Inclusion and Diversity in Kirklees for 2016/17", and to recommend its referral to the Council meeting (23 March) for approval and adoption.

Officer: David Bundy: 01484 221000

That the report be noted and submitted to the meeting of Council on 23 March 2016 with a recommendation that the Inclusion and Diversity Policy Statement be adopted.

10: Tackling Poverty Strategy Refresh

A report seeking endorsement of the Tackling Poverty Strategy Refresh and for its progression for formal adoption by Council on 23 March.

Officer: Nicky Hoyle: 01484 221000

That the Tackling Poverty in Kirklees strategy and Action Plan 2016-2018 be noted and submitted to the meeting of Council on 23 March 2016 with a recommendation that the strategy be adopted.

11: Charging Locala for the use of Council Resources

A report seeking approval for charging Locala Community Partnerships CIC (“Locala”) for providing accommodation and the use of the Council’s IT system.

Officer: Diane Green: 01484 221000

(1) That the proposals as detailed in the report be endorsed.

(2) That authority be delegated to the Director of Commissioning, Public Health and Adult Social Care, and the Assistant Director (Legal, Governance and Monitoring) to (i) enter into negotiations with Locala to finalise the proposed data processing agreement; and (ii) keep the agreement under review and to negotiate and agree any subsequent variations to the terms of the agreement with Locala as and when is necessary.

(3) That authority be delegated to the Assistant Director (Legal, Governance and Monitoring) to (i) execute the final form of the data processing agreement on behalf of the Council, as agreed by the Director for Commissioning, Public Health and Adult Social Care and the Assistant Director (Legal, Governance and Monitoring); and (ii) to enter into any future variations to the terms of the agreement on behalf of the Council, as agreed by the Director for Commissioning, Public Health and Adult Social Care and the Assistant Director (Legal, Governance and Monitoring).

12: Potential implications of the Government's Housing and Planning Bill on the preparation of the Council's Local Plan and Neighbourhood Planning

A report setting out the various implications that the Housing and Planning Bill and other associated consultations being carried by the Department of Communities and Local Government may have on the Council’s Local Plan.

Officer: Richard Hollinson: 01484 221000

That the detail of the potential implications of the Government’s Housing and Planning Bill on the preparation of the Council’s Local Plan and Neighbourhood Planning be noted.

13: Kirkburton Parish Council Neighbourhood Area Application for Kirkheaton

A report seeking approval of the Kirkburton Parish Council Neighbourhood Plan Area.

Officer: Richard Hollinson: 01484 221000

That the Kirkburton Parish Council Neighbourhood Area Application, as attached at Appendix 1 of the report, be approved.

14: Implications arising from the Education Funding Agency proposals for the Mount Pleasant Primary School site

A report updating Members on the current position regarding the proposed new build school for Mount Pleasant Primary School and to seek approval in relation to the revised proposals now received from the Education Funding Agency (EFA) and the financial and other implications which arise from them.

Officer: David Martin: 01484 221000

(1) That approval be given to the discontinuation of the off-site decant of Mount Pleasant Primary to the Yews Hill Road site.

(2) That authority be delegated to the Director of Economy , Skills and the Environment authority to negotiate and agree with the Education Funding Agency/Kier as to a revised delivery programme for Mount Pleasant Primary that involves an on-site decant.

(3) That the past and potential future calls on the previously allocated revenue budget for this project, as outlined in paragraphs 2.23 to 2.26, be noted.

(4) That approval be given to a capital budget of up to 425k to be funded from Section 106 contributions/Schools' Basic Need grant to enable officers to negotiate and agree essential capital improvements to the current EFA project.

(5) That authority be delegated to the Director of Economy, Skills and Environment, and the Director for Children and Young People, to negotiate and agree with the EFA and the school the required revenue and capital contributions arising from recommendations (2), (3) and (4) above.

(6) That the Director of Resources be authorised to issue a Section 151 letter in relation to any funds payable to the EFA as a result of the recommendations as set out above.

(7) That it be noted that a further report will be submitted to Cabinet during autumn 2016 outlining the final revenue impact of the revised proposal on the Council.

15: Waste and Street Cleansing Policy Review

A report seeking approval of the implementation of operational and policy changes related to waste management contained within this report.

Officer: Will Acornley: 01484 221000

That approval be given to support the operational changes as set out at Policies W7b, W10, W11, W15, W16, W19 and W21 as detailed within the report.

16: Future provision of Seasonal Plants

A report seeking approval of the recommendation to outsource the supply of seasonal bedding and hanging baskets in the future.

Officer: Rob Dalby: 01484 221000

(1) That the proposal to outsource the supply of seasonal bedding and hanging baskets be approved and implemented with effect from August 2016.

(2) That Officers be requested to identify other supply methods for office planters if Council services consider them suitable to provide future provision.

(3) That Officers be requested to ensure that any available over capacity/supply is available for public sale.

17: Corporate Performance Report - Quarter 3 2015/16

A report, supported by reports on progress against outcomes in the Joint Health and Wellbeing Strategy and Kirklees Economic Strategy, providing Members with an overview of the council's performance at the end of quarter 3, 2015/16.

Officer: Sue Grigg: 01484 221000

That the 2015/2016, Quarter 3, Corporate Performance report be received and noted.

18: Corporate Plan 2016-17

A report seeking approval of the 'Corporate Plan for 2016/17' for subsequent approval by Council on 23 March 2016.

Officer: John Heneghan: 01484 221000

(1) That the report be endorsed and submitted to the meeting of Council on 23 March 2016 which a recommendation of approval.

(2) That Council be recommended to delegate authority to the Chief Executive to make minor changes to the Corporate Plan 2016/2017 for publication purposes.

19: Highways Capital Plan 2016/17

A report seeking approval of the Highways Capital Plan 2016/17.

Officer: Graham Mallory: 01484 221000

(1) That approval be given to the detailed Capital Plan in the sum of £13.683m, as detailed in Appendix 1 of the report.

(2) That authority be delegated, in accordance with Council Financial Procedure Rules 3.12 and 3.13, to the Director of Place to manage the Highways Capital Plan.

(3) That authority be delegated in accordance with Council Financial Procedure Rules 3.14 to 3.16, to the Director of Place to exercise virement within the Highways Capital Plan.

20: Capital Investment Plan 2015/16 - 2019/20, Quarter 3 Capital Monitoring 2015/16

A report presenting the third quarter Capital Monitoring Report.

Officer: David Smith: 01484 221000

That the Quarter 3 (2015-2016) Capital Monitoring report, and Prudential Indicator information, as detailed in the report, be received and noted.

21: Corporate Revenue Financial Monitoring Report, Quarter 3, 2015-16

A report presenting the third in an agreed quarterly cycle of consolidated revenue budget monitoring statements.

Officer: Eamonn Croston

That the Quarter 3 (2015-2016) Corporate Revenue Monitoring report, be received and noted.

22: Pioneer House and land at Bradford Road, Dewsbury

A report seeking approval for the Council to support Kirklees College in the creation of a new education facility in Dewsbury incorporating the Council owned properties at Pioneer House and the land at Bradford Road, Dewsbury. (Private Appendix)

Officer: Andrew Jackson: 01484 221000

(1) That the Council's commitment to work with Kirklees College to bring Pioneer House back into use as a new education facility be endorsed.

(2) That it be agreed that, while the Dewsbury Learning Village is being progressed, it will not take forward any of the offers received for the disposal of the land at Bradford Road.

(3) That further reports setting out the detailed terms of any disposal of Pioneer House and the land at Bradford Road be submitted to a future Cabinet meeting for consideration before a final decision is taken on its future use.

23: Dewsbury Townscape Heritage Initiative (THI) - Grant Applications: Northgate House, 38 Northgate/47 Foundry Street & 13-17 Corporation Street

A report seeking approval to award THI grants for Northgate House, 38 Northgate/47 Foundry Street and 13-17 Corporation Street. (Private Appendix)

Officer: John Lambe: 01484 221000

(1) That approval be given to the award of Townscape Heritage Initiative grants (as detailed in Appendix 2 of the report) for; Northgate House, 38 Northgate/47 Foundry Street and 13-17 Corporation Street.

(2) That authority be delegated to (i) the Assistant Director for Place to authorise actual payment of the grants, upon receipt of a completed application form and all necessary supporting information and (ii) the Assistant Director (Legal, Governance and Monitoring) to enter into and seal all grant agreements legal charges and ancillary documents relating to the grants.

24: 2015/16 and 2016/17 Council Capital Plan - Proposed allocation of 2016/17 capital funding from the Directorate for Children and Young People (DCYP) baseline sections of the Capital Plan along with details of proposed amendments to the 2015/16 approved programme of works

A report seeking approval of the Condition Programme along with named projects.

(Private Appendix)

Officer: David Martin: 01484 221000

(1) That approval be given to the business case as attached at Appendix A of the report.

(2) That approval be given to the detailed list of proposed works in schools for 2016/2017 as attached at Appendix B.

(3) That authority be delegated to the Director of Economy, Skills and the Environment to enable the programme to be managed and the identified works contained within the respective agreed total programme budgets to be implemented.

25: 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 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.

26: Pioneer House and land at Bradford Road, Dewsbury

Private appendix in relation to the public report above.

(This Appendix (one) is recommended to be taken in Private because the information contained in it is considered to be exempt information under Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that it would not be in the public interest to disclose the information contained in the report 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.)

Officer: Andrew Jackson: 01484 221000

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 21.

27: Dewsbury Townscape Heritage Initiative (THI) - Grant Applications: Northgate House, 38 Northgate/47 Foundry Street & 13-17 Corporation Street

Private appendix in relation to the public report above.

(The reason that Appendix 2 is private, is that the information in it relates to the financial or business affairs of persons (or the Authority holding that information), specifically information relating to the applicant's financial status and contractors' tender prices. It is considered that disclosure of the information would adversely affect the companies concerned. 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: John Lambe: 01484 221000

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 22.

28: 2015/16 and 2016/17 Council Capital Plan - Proposed allocation of 2016/17 capital funding from the Directorate for Children and Young People (DCYP) baseline sections of the Capital Plan along with details of proposed amendments to the 2015/16 approved programme of works

Private appendix in relation to the public report above.

(This Report's Appendices are recommended to be taken in Private because the information contained in them is considered to be exempt information under Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that it would not be in the public interest to disclose the information contained in the report 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.)

Officer: David Martin: 01484 221000

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 23.
