



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

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

CABINET

TUESDAY 26 JULY 2016

Andrea Woodside

01484 221000

Chair

Councillor David Sheard

Councillors Attended

S Pandor, N Mather, M Khan, E Hill, V Kendrick and M Ahmed

Attendees

Co-optees

Apologies

Councillor Peter McBride

Observers

Councillor Donna 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 McBride.

2: Minutes of previous meetings

To approve the Minutes of the meeting of the Committee held on 9 and 24 May 2016.

That the Minutes of the meetings held on 9 May and 24 May 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 all Agenda Items 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 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: Amendments to Parking Tariffs within Wellington Road Station, Wellington Road West and Railway Street Car Parks in Dewsbury

A report seeking approval for amendments in parking tariffs within Wellington Road Station and Wellington Road West Car Parks.

Officer: Peter Margrave

Tel: 01484 221000

(1) That Option 1, as detailed in the report be approved, and that the car parking tariff for Wellington Road West and Wellington Road Station, Dewsbury, be amended to include a payment option of 50p per hour, in addition to the existing tariffs.

(2) That, pursuant to 1 above, the changes be advertised, the Parking Places Order be amended, and that the revised tariff be implemented as soon as is possible.

9: Regionalisation of Adoption Services

A report seeking approval of the formation of a Yorkshire and Humber adoption service.

Officer: Lorraine Wood

Tel: 01484 221000

(1) That approval be given to the formation of a Joint Committee, comprising the five West Yorkshire Councils, to include sub-regional adoption agency arrangements for West, South and North Yorkshire.

(2) That the Director of Children's Services be authorised to continue to work with the other participating Councils to progress the formation of the Hub and Spoke model for the regionalisation of adoption.

10: Update on the implications of the Supreme Court Ruling on Deprivation of Liberty Safeguards

A report providing an update, further to the report to Cabinet on 30 June 2015, on the impact and risks of the 2014 Supreme Court judgement on Deprivations of Liberty (DoLS).

Officer: Keith Smith

Tel: 01484 221000

(1) That the update on the implications of the Supreme Court Ruling on Deprivation of Liberty Safeguards, and the contribution of DOLS activity to pressure on service provision be noted.

(2) That any overspend in this area be drawn down from reserves as a volume pressure, consistent with the approved principle of drawing down volume pressures from reserves in other areas.

11: Proposals to update the Council's RIPA Policy

A report seeking approval to the adoption of an amended Regulation of Investigatory Powers Act 2000 (RIPA) Policy and Guidance document.

Officers: John Chapman

Tel: 01484 221000

(1) That the actions being taken to implement the recommendations of the Office of the Surveillance Commissioners be noted.

(2) That the adoption of the revised RIPA Policy and Guidance document, as detailed at Appendix 2 of the report, be approved.

(3) That authority be delegated to the Chief Executive to nominate officers who are to be Authorising Officers for the purposes of the RIPA regime, and to remove officers from the role of Authorising Officer.

12: Freehold Asset Transfer of Howden Clough Community Centre, Leeds Road, Birstall

A report setting out the proposal, and seeking approval, to transfer the land and buildings on a freehold transfer, which currently make up Howden Clough Community Centre, Leeds Road, Birstall, WF17 0HY to the Howden Clough Community Association. The conditions of the freehold transfer will include covenants to ensure that Howden Clough Community Centre is a building that remains available only for community use.

Officer: Mark Gregory

Tel: 01484 221000

(1) That Officers be authorised to transfer the freehold of Howden Clough Community Centre to Howden Clough Community Association for nil consideration and to include covenants to ensure that the centre can be used for Community Use with an exception of up to 30% of commercial use in line with previous asset transfers.

(2) That it be noted that the Assistant Director – Place, and the Assistant Director – Legal, Governance and Monitoring, have delegated authority to negotiate and agree the terms and red line boundary of the freehold transfer that relate to the transfer of the Howden Clough Community Centre to Howden Clough Community Association.

13: Freehold Asset Transfer of Marsden Mechanics Hall, Peel Street, Marsden

A report setting out the proposal, and seeking approval, to transfer the land and buildings on a freehold transfer, which currently makes up Marsden Mechanics building, Peel Street, Marsden, HD7 6BW to the Marsden Community Trust Limited. The conditions of the freehold transfer will include covenants to ensure that Marsden Mechanics Building is a building that principally remains available for community use.

Officer: Mark Gregory

Tel: 01484 221000

(1) That Officers be authorised to transfer the freehold of Marsden Mechanics Building and Courtyard to Marsden Mechanics Trust for nil consideration, subject to (i) the requirement that there should be a formally agreed license of part of the building for use of the library and information centre and (ii) covenants to ensure that the centre can be used for Community Use with an exception of up to 30% of commercial use in line with previous asset transfers.

(2) That it be noted that the Assistant Director – Place, and the Assistant Director – Legal, Governance and Monitoring, have delegated authority to negotiate and agree the terms of the freehold transfer, including the red line boundary, that relate to the transfer of the Marsden Mechanics Building to Marsden community Trust.

(3) That the Marsden Mechanics Trust be invited to submit a business case requesting the asset transfer, at a future date, of the area currently occupied by the public toilets and that the business case should meet the needs of both the school and the building.
