



Assistant Director of Legal, Governance and Monitoring

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

CABINET

TUESDAY 7 FEBRUARY 2017

Andrea Woodside

01484 221000

Chair

Councillor David Sheard

Councillors Attended

S Pandor, P McBride, N Mather, M Khan, E Hill, V Kendrick, M Ahmed and G Turner

Attendees

Co-optees

Apologies

Observers

Councillors Hughes and Ullah

1: Membership of the Committee

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

No apologies for absence were received.

2: 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.

3: 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.

4: 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.

5: Public Question Time

The Committee will hear any questions from the general public.

No questions were asked.

6: Member Question Time

To consider questions from Councillors.

No questions were asked.

7: Quarter 3, 2016-17 - Corporate Monitoring Report incorporating General Fund Revenue, Housing Revenue Account, Capital and Treasury Management

A report providing information on the Council's 2016-17 forecast financial outturn position for General Fund revenue, Housing Revenue Account (HRA) and Capital Plan, as at Quarter 3 (month 9). The report also incorporates the mid-year summary of treasury management operational activity; covering the period 1 April to 30 September.

Officer: Eamonn Croston: 01484 221000

- 1) That in relation to the General Fund Revenue (i) the forecast revenue overspend position for 2016-2017, and the approved drawdown of reserves at £5.8m to an adjusted overall £712k overspend (paras 2.1/2.2 and Appendix 1, Section 1 refer) be noted (ii) officers be requested to submit a report to a future meeting of Cabinet pending clarification of liability for site clearance costs relating to the environmental incident at a commercial site in Lockwood (para 2.3 refers) (iii) the forecast outturn position on collection fund (paras 3.9 /3.10 refer) and forecast remaining reserves at year end (para 3.8 and Appendix B refer) be noted (iv) it be noted that the current forecast monitoring and reserves assumptions reflected as Quarter 3 monitoring do not reflect a number of budget proposals contained in the annual budget report 2017-2021 that would impact on the 2016-2017 position, but will be incorporated within the revenue outturn position (para. 2.7 refers) and (v) it be noted that a number of key issues highlighted within the report regarding service developments and pressures in Children's and Adults Services have been factored into the 2017-2021 budget proposals (paras 3.3 to 3.7 refer).
- 2) That in relation to the Housing Revenue Account , (i) the forecast £1.9m surplus outturn position 2016-2017 (para 2.8 and Appendix 1, Section 1 refers) and (ii) the forecast HRA reserves position at year end (Appendix B refers), be noted.
- 3) That, in relation to Capital, (i) the Council forecast capital outturn position 2016-2017 (para 2.9 and Appendix A, Section 2 refer) be noted and (ii) approval be given to a net increase in grant £91k (£40k grant in 2A Integrated Public Transport; £51k Defra Air Quality grant in 2B Network Management) and a re-profile of £367k City Cycle Ambition Grant (CCAG2) from 2016-2017 Walking and Cycling programme into 2017-2018.

8: Economic Resilience - Community Learning Works Business Plan

A report seeking consideration and approval of the Community Learning Works Business Plan proposal.

Officer: Martin Green, 01484 221000

- 1) That, subject to Third Sector Leaders providing responses to the matters identified within para 6.2 to the satisfaction of the Assistant Director (Place) in consultation with the relevant Cabinet Member/s, the Assistant Director (Place) be given delegated power to approve the Community Learning Works Business Plan.
- 2) That approval be given to the total funding request for £500k over three years commencing from 1 April 2017.
- 3) That authority be delegated to the Assistant Director (Place), in consultation with the relevant Cabinet Member/s (i) to sign off the matters arising and funding documentation and (ii) to undertake an annual review process and the cessation of activity arising from affordability/value for money considerations.

9: Determination of school admission arrangements for 2018/19

A report seeking approval for:

- Kirklees co-ordinated admission schemes (including in-year admissions)
- Admission arrangements for all Kirklees community and voluntary controlled schools

Officer: Jo-Anne Sanders: 01484 221000

That approval be given to (i) the Kirklees co-ordinated admission schemes for 2018/2019, including in-year admissions, as detailed in Appendix 2 of the considered report and (ii) the admission arrangements for Kirklees community and voluntary controlled schools as detailed in Appendix 1, including the recommended Published Admission Numbers proposed by the Local Authority.

10: Compactor Relocation at Huddersfield Open Market

A report seeking approval for spend, from the Economic Resilience Capital Budget for the current 2016/2017 financial year, to relocate and improve the compactor facilities at Huddersfield Open Market.

Officer: Chris Cotton: 01484 221000

That approval be given to capital expenditure of £97k from the Economic Delivery Capital budget to fund the compactor relocation.

11: Commissioned Enforcement Partnership

A report seeking approval to commission a 12 month trial of joint working with a private enforcement company for the issuing and management of Fixed Penalty Notices (FPN) in relation to litter, dog and related environmental offences.

Officer: Rob Dalby: 01484 221000

- 1) That approval be given to proceeding with a Commissioned Enforcement Service supporting the other in-house environmental work.
 - 2) That, pursuant to (1) above, the Assistant Director (Place) and the Assistant Director (Legal and Governance) be authorised to make consequential changes to the Fixed Penalty Notices Protocol.
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12: Ashbrow Housing site

A report seeking approval to progress with the Ashbrow housing scheme.

Officer: Liz Jefferson: 01484 221000

- 1) That approval be given for the Ashbrow Housing Scheme to be progresses.
- 2) That approval be given to the preferred bidder, as detailed within the exempt appendix at Agenda Item 15.
- 3) That, pursuant to (2) above, it be noted that a report will be submitted to a future Cabinet meeting setting out the finalised terms of the contract with the preferred bidder before signature.
- 4) That, pursuant to (2) and (3) above, authority be delegated to the Assistant Director (Legal and Governance) to finalise and enter in to all appropriate contracts, deeds, and documents in relation to the appointment of the

- preferred bidder in consultation with the Assistant Director (Place).
- 5) That it be noted that the Extra Care Scheme would be funded through the Housing Revenue Account Strategic Capital Plan and that the expenditure was previously approved by Cabinet (2 February 2016) and Council (17 February 2016).
 - 6) That it be noted that the site would contribute to delivery of the Council's housing strategy and provide a range of products to support housing growth, a long term supply of affordable housing, and meet the housing needs of the most vulnerable groups.
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13: Southgate Huddersfield

A report seeking approval of the Draft Development Brief.

Officer: Adele Buckley: 01484 221000

- 1) That approval be given to the draft Development Brief, as detailed in Appendices 1,2 and 3 of the considered report.
 - 2) That the Assistant Director (Place) be authorised to market the land for disposal for redevelopment.
 - 3) That it be noted that two further reports will be submitted, (i) for a decision to be taken on the preferred purchaser of the site and (ii) to comment upon the preferred developer's draft masterplan for redevelopment.
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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 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 Minute.

15: Ashbrow Housing Site

A private appendix relating to agenda item 12.

This appendix is recommended for consideration in private because the information contained in it is exempt information within Paragraph 3 of part 1 to schedule 12A of the Local Government Act 1972 as amended by the Local Government (access to Information) variation order 2006. It is considered the appendix contains information regarding the financial or business affairs of any person including the Council. It is not in the public interest to disclose the information in the private appendix as disclosure could adversely affect the overall value for money and compromise the confidentiality of the bidders and the council. The public interest in maintaining the exemption outweighs the public interest in disclosure of the information in terms of accountability, transparency in spending public money and openness in council decision making.

Officer: Liz Jefferson: 01484 221000

Cabinet received exempt information prior to the determination of Agenda Item No. 15.

16: Southgate Huddersfield

A private appendix relating to agenda item 13

This appendix is recommended for consideration in private because the information contained in it is 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. Information relates to the financial and business affairs of any particular person (including the authority holding that information), or in respect of which a claim to legal professional privilege could be maintained in legal proceedings. It is considered that disclosure of information would be contrary to the confidential terms on which it has been provided to the council, and could also 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, outweighs the public interest in disclosing the information and providing greater openness in the council's decision making.

Officer: Adele Buckley: 01484 221000

Cabinet received exempt information prior to the determination of Agenda Item No. 15.
