



Assistant Director of Legal, Governance and Monitoring

Julie Muscroft

Governance and Democratic Services Crown

Civic Centre 3

High Street

Huddersfield

HD1 2TG

Tel: 01484 221000

Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

CABINET

MONDAY 27 MARCH 2017

Andrea Woodside

01484 221000

Chair

Councillor David Sheard

Councillors Attended

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

Attendees

Co-optees

Apologies

Councillor Masood Ahmed

Observers

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 Councillor Masood Ahmed.

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.

Councillor Peter McBride declared an other interest in respect of agenda items 7 and 9 regarding Kirklees Stadium Development Ltd request to vary existing Council financial security arrangements, due to him being a board member of Kirklees Stadium Development Ltd, and left the meeting during consideration of the items.

Paul Kemp advised Cabinet that he was the company secretary of Kirklees Stadium Development Ltd.

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.

Agreed that agenda item 9 – private information relating to the Kirklees Stadium Development Ltd request to vary existing Council financial security arrangements be taken in private due to the report containing confidential information.

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 or petitions were received.

5: Public Question Time

The Committee will hear any questions from the general public.

No questions were asked at the meeting.

6: Member Question Time

To consider questions from Councillors.

No member questions were asked at the meeting.

7: Kirklees Stadium Development Ltd (KSDL) request to vary existing Council financial security arrangements

A report seeking approval for the Council to alter the financial arrangements for promoting delivery of the HD ONE scheme.

Decision –

- 1) That approval be given to the request from Kirklees Stadium Development Ltd to give a second charge on the John Smith's Stadium site, Huddersfield and to release its charge on the shareholding on the subsidiary company to allow the loan facility for the purchase of the Gas Works Street Huddersfield site to be secured by the relevant subsidiary company of Kirklees Stadium Development Ltd
- 2) That the entering into a deed of priority limiting the amount of the Council's first charge on the stadium site be approved in accordance with the terms set out in the considered report.
- 3) That delegated authority be granted to the Assistant Director, Legal and Governance to enter into and execute all necessary legal documentation required to give effect to decisions 1 and 2 above (the Chair of the Overview and Scrutiny Management Committee had been advised of the entry to the forward plan of key decisions in relation to this matter and the need to make an urgent entry in relation to a private report being considered by Cabinet outside the 28 day notice period and had agreed to the consideration of the report. The Chair of the Overview and Scrutiny Management Committee had also agreed to waive the call in, due to the need to take urgent action on the matter under consideration, to ensure the offer of the sale of the Gas Works site was not withdrawn).

8: 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.

Decision –

Determined

9: A Private Report in Relation to Item 7 Above.

This report is recommended to be considered in private as it contains information as classified 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: Paul kemp: 01484 221000

Decision –

Cabinet considered confidential information relating to the request to vary existing Council financial security arrangements in relation to Kirklees Stadium Development Ltd prior to taking a decision on item 7 above.
