



**Service Director – Legal, Governance and
Commissioning**

Julie Muscroft

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

CABINET

TUESDAY 22 JANUARY 2019

Andrea Woodside

01484 221000

Chair

Councillor Shabir Pandor

Councillors Attended

Councillor David Sheard

Councillor Masood Ahmed

Councillor Viv Kendrick

Councillor Peter McBride

Councillor Cathy Scott

Councillor Graham Turner

Attendees

Councillor Martyn Bolt

Councillor Erin Hill

Apologies

Councillor Musarrat Khan and Councillor Naheed Mather

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 Musarrat Khan and Naheed Mather.

2: Minutes of previous meeting

To approve the minutes of the meetings of Cabinet held on the 11 and 18 December 2018.

The minutes of the meetings of Cabinet held on 11 and 18 December 2018 were agreed.

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 18, 19 and 20 contained private information (in relation to Items 14, 15 and 16) and would be considered in private session if required.

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.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

No deputations or petitions were received.

6: Public Question Time

The Committee will hear any questions from the general public.

No deputations or petitions were received.

7: Member Question Time

To consider questions from Councillors.

Under the provision of Council Procedure Rule 12(8), the Cabinet received the following question from Councillor Hill, which was not dealt with at the previous meeting of Council held on 16 January 2019:-

"I know Cllr Kendrick is aware of a case recently where a human trafficking survivor and her six year old son were moved into Kirklees by G4S with three days' notice to the family and no communication with the Council.

Despite lobbying from the local MP, the local authority, and the school, this little boy was not able to finish his school term before the family were evicted, and they were left here with little food, no money or phone credit, and no support system.

What is the Cabinet member's view on this practice, and is she aware of any other instances where this has happened in Kirklees?"

A response was provided by the Cabinet Member for Children.

Councillor Martyn Bolt referred to a written response received received in relation to the following question not dealt with at the meeting of Council on 16 January 2019:-

"Do you value the standing and regular groups which Kirklees facilitates with its residents and user groups?"

Councillor Bolt asked, that given the response affirmed the value of such groups, did the Leader share concerns that the Public Rights of Way Forum had not met since February 2018?

The Leader of the Council advised that he would look into the matters raised.

Councillor Bolt also asked if the Halal Monitoring Committee referred to during the Petition Debate at Council on 16 January 2019 was located in Leicester.

The Cabinet Member, Learning and Aspiration, advised that there were a number of Committees throughout the UK and he would clarify whether it was the Halal Monitoring Committee based in Leicester or Yorkshire which worked with all 5 authorities, further to the meeting.

Councillor Bolt referred to financial information filed on Companies House in relation to the Halal Monitoring Committee Ltd based in Leicester and asked if this was the Committee the Council dealt with, what due diligence had been carried out?

The Leader of the Council advised that he would look into the matters raised.

8: Kirklees Economic Strategy

To provide an update on the refresh of the Kirklees Economic Strategy (KES) and ask Cabinet for comments and approval of the final draft text, to take to Council for approval.

Officer(s): Alan Seasman, Theme Lead Place and Inward Investment and Kate McNicholas, Strategy and Policy Service Manager Tel: 01484 221000

That Cabinet noted progress and signed off the revised draft Kirklees Economic Strategy for the consideration of Council.

9: Dewsbury Town Centre : Strategic Development Framework & Delivery Programme

To seek Cabinet approval for:

- (i) a Strategic Development Framework to guide the long term development of Dewsbury Town Centre and a Delivery Programme which sets out a broad range of actions that will progress the regeneration of the town centre over the next three years; and
- (ii) £525,000 to be spent on programme of public realm works

Officer: Peter Thompson, Economic Resilience Project Manager Tel: 01484 221000

That Cabinet:-

1. Approved the Dewsbury Town Centre Strategic Development Framework as described in the report;
 2. Approved the Delivery Programme as described in this report;
 3. Authorised officers to progress feasibility and development work that would progress the aims and objectives contained in the Strategic Development Framework and Delivery Programme and that this be funded from the 'Aspirational Regeneration of Major Town Centres – Feasibility' part of the Capital Plan and any other relevant sources available; and
 4. Approved the expenditure of £525,000 on a programme of works as described in the report, that would improve the appearance of the town centre and that this be funded from the approved Capital Plan allocation for 'Strategic Regeneration of Town Centres – Dewsbury.
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10: Capital Investment for Fire Safety in Council Buildings

To seek approval of a £3m capital budget spread over financial years 2018/19 to 2020/21 for investment in fire safety measures across Kirklees buildings.

Officer: David Martin - Head of Service for Capital Delivery and Facilities Management and Jonathan Quarmby - Corporate Facilities Manager Tel: 01484 221000

That Cabinet:-

1. Approved a capital allocation of £1m per annum - £3m in total - for fire safety improvement works in Council owned buildings as part of the Corporate Landlord Asset Investment baseline section of the Council's Capital Plan over financial years 2018/19 to 2020/21;
 2. Noted the schemes undertaken to date and approved the proposed future projects as set out in Appendix A of the report; and
 3. Approved the proposed delegated powers as outlined in section 2.9 of the report.
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11: Land at Hart Street/Newsome Road Huddersfield

To seek Cabinet approval to dispose of the council's freehold reversion.

Officer: Andrew Thompson, Disposals and Acquisitions Surveyor Tel: 01484 221000

That Cabinet:-

1. Approved the disposal of the Council's freehold interest in the land at Hart Street and Newsome Road shown on the plan attached at Appendix 1 of the report;
 2. Delegated authority to the Strategic Director, Economy and Infrastructure and Service Director, Legal Governance and Commissioning, to negotiate and agree terms for the disposal; and
 3. Authorised the Service Director, Legal Governance and Commissioning to enter into and execute any agreements or instruments relating to the disposal of the land.
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12: Additional Local Highways Maintenance Funding 2018/2019

This is a key decision to seek approval for an enhanced programme of highway maintenance on Local Community Roads.

Officer: Graham Mallory, Group Engineer, Tel: 01484 221000

That Cabinet:-

1. Noted the Council's grant allocation dated 13 November 2018 from the Department of Transport of £2,711,000 as a result of the Chancellor's 2018 Budget for local highways maintenance which would form part of the Council's Highways capital plan to be used before 31st March 2019;
2. Authorised the allocation of the grant funding in paragraph 6.1 of the report, where condition surveys showed the greatest need, namely, Local Community Roads (the unclassified road network); and

3. That the Strategic Director, Economy and Infrastructure, in consultation with the Portfolio Holder for Communities and Environment, be authorised to agree a programme of highway surfacing works to implement paragraph 6.2 of the report.
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13: Annual RIPA update

To brief Cabinet on the use of the Regulation of Investigatory Powers Act 2000 by the Council since the last report on this and to seek approval to an amendment to the RIPA policy.

Officer: David Stickley, Senior Legal Officer, John Chapman, Head of Legal Services Tel: 01484 221000

Cabinet approved the adoption of the amended RIPA policy set out in Appendix 1 of the report in principle, but requested clarification as to the use of CCTV in relation to fly tipping.

14: Dewsbury Townscape Heritage Initiative DTHI-014 – '9 Market Place' Grant Application

To seek approval for a Dewsbury Townscape Heritage Initiative (THI) grant towards improving 9 Market Place, Dewsbury

Officer: John Lambe - Dewsbury THI Officer, Tel: 01484 221000

That Cabinet:-

1. Approved the award of a Townscape Heritage Initiative grant up to the maximum amount specified in Appendix 2 of the report;
 2. Delegated authority to the Strategic Director, Economy and Infrastructure, in consultation with the Cabinet Portfolio Holder, to agree the amount of grant and authorise payment of the grant, subject to Heritage Lottery Fund approval, satisfactory completion of the due diligence process and all necessary supporting information being supplied and in accordance with the terms of the grant agreement; and
 3. Delegated authority to the Service Director, Legal, Governance and Commissioning, to enter into and seal all grant agreements legal charges and ancillary documents relating to the grant.
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15: Proposal to allocate funding from the Learning & Early Support Strategic Priorities Capital Plan for the provision of new pupil places in Huddersfield North

To seek Cabinet approval to allocate capital funds to build a new 420 place primary school at Clare Hill, Edgerton, Huddersfield.

Officer: David Martin – Head of Service for Capital Delivery and Facilities Management. Tel: 01484 221000

That Cabinet:-

1. Approved an overall capital allocation of £9.7m from the Council's Capital Plan for the project as defined in the report, to create a new 420 place primary school building and associated facilities at Clare Hill, Edgerton to serve Huddersfield North;
2. Approved the proposed mix of government grant, Section 106 monies and prudential borrowing as detailed in sections 2.20-2.23 and Appendix B of the report;
3. Noted the information contained in Appendix B of the report which detailed the name of the successful contractor and the agreed contract price, which has been determined through a competitive tender exercise in accordance with the Council's Financial and Contract Procedure Rules; and
4. Delegated authority to the Service Director, Legal, Governance and Commissioning, in consultation with the Service Director, Commercial, Regulatory and Operational Services, to finalise and enact all contractual agreements in relation to the building contract and the land purchase.

16: Kingsgate Phase 2 Request for Funding from the Property Investment Fund

To consider a request for loan support from the Property Investment Fund towards the remodelling of the Kingsgate Centre.

Officer: Adele Buckley - Head of Strategic Assets and Regeneration and Liz Jefferson - Strategic Partnership Lead - Regeneration Delivery Tel: 01484 221000

That Cabinet:-

1. Agreed to a loan from the Property Investment Fund for the remodelling of the Kingsgate Centre in accordance with the details set out in the private appendix of the report;
2. That the Strategic Director, Economy and Infrastructure, in consultation with the Portfolio Holder for Corporate, having sought appropriate advice from the Service Director, Legal, Governance and Commissioning and the Service Director, Finance, be authorised to carry out appropriate due diligence on the proposal to offer a loan from the Property Investment Fund; and
3. That the Service Director, Legal, Governance and Commissioning, be

authorised to enter into any documentation required to agree the Property Investment Fund loan and to protect the Council's position as lender.

**18: Dewsbury Townscape Heritage Initiative Grant Application
DTHI-014 -9 Market Place**

Private appendix in relation to agenda item 14.

The information was considered prior to the determination of Agenda Item 14.

19: Proposals to allocate funding from the Learning and Early Support Strategic Priorities section of the Capital Plan for the provision of new pupil places in Huddersfield North

Private appendix in relation to agenda item 15.

The information was considered prior to the determination of Agenda Item 15.

20: Kingsgate Phase 2 -Request for funding from the Property Investment Fund

Private appendix in relation to agenda item 16.

The information was considered prior to the determination of Agenda Item 16.
