



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

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**Tel:** 01484 221000

## **Decision Summary**

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**CABINET**

**TUESDAY 25 FEBRUARY 2020**

**Andrea Woodside**

**01484 221000**

### **Chair**

Councillor Shabir Pandor

### **Councillors Attended**

Councillor Viv Kendrick

Councillor Musarrat Khan

Councillor Naheed Mather

Councillor Peter McBride

Councillor Carole Pattison

Councillor Cathy Scott

Councillor Graham Turner

Councillor Rob Walker

### **Observers**

Councillor Martyn Bolt

Councillor Andrew Cooper, Green Group - Group Leader

Councillor Alison Munro, Liberal Democrat - Group Business Manager

Councillor John Taylor, Conservative - Deputy Leader

Councillor Elizabeth Smaje

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## **1: Membership of Cabinet**

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

All Members of Cabinet were present.

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## **2: Minutes of previous meetings**

To approve the Minutes of the meetings of the Cabinet held on 20 and 28 January 2020.

That the minutes of the meetings of Cabinet held on 20 and 28 January 2020 be approved as a correct record.

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## **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.

Councillor Scott declared an 'other' interest in Agenda Item 13 on the grounds that she is employed by the company that delivered the project.

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## **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 20 and 21 would be considered in private session.

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## **5: Deputations/Petitions**

The Cabinet 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.

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## 6: Public Question Time

The Cabinet will hear any questions from the general public.

No questions were asked.

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## 7: Member Question Time

To receive questions from Councillors.

Cabinet received questions from;

- (a) Councillor Bolt in regards to (i) revising the flood risk strategy due to recent severe weather conditions, and further considerations in regard to flood mitigation and prevention measures (ii) a request to ban planning permissions on floodplains and (iii) the Cabinet's commitment to the climate emergency, including measures to provide to dwellings of high environmental standards and reducing fuel costs.
- (b) Councillor Cooper (i) as to whether the Cabinet would request Government to enable a review the content of the Local Plan and Local Planning Policy Framework due to the recent incidents of flooding and (ii) support being provided to homeowners in terms of flood protection measures.
- (c) Councillor Munro in regards to (i) the robustness of tools for assessing flood risk areas and the impact of new homes upon existing homes within flood risk assessments and (ii) the potential for a meeting to take place with Officers and residents affected by flooding in the Fenay Bridge area.

Responses were provided by the Leader of the Council.

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## 8: Collections Development Policy Review

A report seeking member approval for the review and renewal of the Museums and Galleries Collection Development Policy

**Wards affected:** Almondbury; Batley East; Birstall & Birkenshaw; Newsome

**Portfolio:** Culture & Environment

**Contact:** Deborah Marsland, Museums and Galleries Manager, Tel: 01484 221000

That the Collections Development Policy, as appended to the considered report, be approved.

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**9: Determination of school admission arrangements for 2021/22**

This report presents the results of this year's consultation and seeks to determine admission arrangements for all Kirklees community and voluntary controlled schools for 2021/22.

**Wards affected:** All

**Portfolio:** Children & Learning and Aspiration

**Contact:** Sharon Oldfield, Pupil Admissions Manager and Martin Wilby, Strategic Manager, Education Places and Access Tel: 01484 221000

That approval be given to (i) the Kirklees co-ordinated admission schemes for 2021/2022, including in-year admissions, as set out at Appendix 2 to the considered report (ii) the admission arrangements for Kirklees community and voluntary controlled schools as detailed in Appendix 1 to the considered report and (iii) the Published Admission Numbers as set out in Appendix 1D to the considered report, including changes to Hade Edge Junior and Infant School and Lowerhouses CE (VC) Junior Infant and Early Years School.

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**10: Small Affordable Housing Sites Programme (SAHS) – Consideration of an objection received to the Section 123 Notice on the proposed disposal of land at Kitson Hill Crescent, Mirfield**

To report on the outcome of the Section 123 open space process for land at Kitson Hill Crescent, Mirfield and seek Cabinet approval to proceed with the disposal of the site.

**Wards affected:** Mirfield

**Portfolio:** Regeneration and Housing

**Contact:** Julie Hyde, Housing Growth Officer and James Hinchliffe, Housing Growth Manager, Tel: 01484 221000

- 1) That the objection to the Section 123 open space consultation be dismissed on the grounds that it relates primarily to planning issues and the effect of the scheme on a neighbouring property, rather than the loss of open space to the community.
- 2) That approval be given to the disposal of land at Kitson Hill Crescent, Mirfield.
- 3) That authority be delegated to the Strategic Director (Economy and

Infrastructure) to negotiate and agree terms and complete the sale of land at Kitson Hill Crescent, Mirfield.

- 4) That a detailed update on the Small Affordable Housing Sites Programme be submitted to a future meeting of Cabinet, including the outcome of the Section 123 consultation process for other sites within the programme.

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## **11: Annual RIPA Update**

To brief Cabinet on the use of the Regulation of Investigatory Powers Act 2000 by the Council since the last report in 2019 and to provide an update on the training recommendations made by the Office of the Surveillance Commissioners at the last inspection.

**Wards affected:** All

**Portfolio:** Corporate

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

- 1) That the Annual RIPA update be noted.
- 2) That authority be delegated to the Senior Responsible Officer to finalise the RIPA Social Media Policy.

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## **12: Early Education and Childcare SEND Inclusion Funding Policy**

To approve the SEND Inclusion Funding Policy (SENDIF).

**Wards Affected:** All

**Portfolio:** Learning and Aspiration

**Contact:** Jayne Whitton, Principal Educational Psychologist, Tel 01484 221000

That approval be given to the Special Educational Needs and Disability Inclusion Fund Policy.

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## **13: Kirklees Youth Alliance Holiday Programme**

A report to inform Cabinet about the work and impact of the 2019 Council funded Kirklees Youth Alliance Healthy Holidays programme, including consideration of officer proposals for future Programme support.

**Wards affected:** All

**Portfolio:** Children

**Contact:** Tom Brailsford, Service Director Resources, Improvement & Partnerships, Mary White, Commissioning & Partnerships Manager, Resources, Improvement & Partnerships and Susan Greenwood, Development Manager, Kirklees Youth Alliance

- 1) That the impact of the 2019 Kirklees Youth Alliance Healthy Holidays Programme be noted.
- 2) That support be given to the continuation of work with Kirklees Youth Alliance and the development of the programme in order to achieve positive outcomes for children, particularly those living within the most deprived communities.
- 3) That approval be given to the offer of a grant to Kirklees Youth Alliance in order to enable the scheme to be operated, in accordance with a process to be agreed with the Service Director (Resources, Improvement and Partnerships) under Financial Procedure Rule 20.8a.

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## **14: Kirklees Flood Recovery Support Scheme**

This report seeks approval for the Council to create a local Flood Recovery Support Scheme for businesses and householders in light of the serious flood event which occurred across the district on 9<sup>th</sup> February 2020 and the potential for further flood events in the near future.

**Wards affected:** All

**Portfolio:** Leader of the Council

**Contact:** Chris Duffill, Head of Business and Skills Tel: 01484 221000

- 1) That approval be given to the implementation of the proposed package of financial support measures for households, businesses and charities that are severely affected by flooding, as outlined in section 2 of the considered report.
- 2) That authority for implementation and monitoring of the Flood Recovery Grant scheme be delegated to the Strategic Director Economy and Infrastructure and the Service Director (Finance).
- 3) That authority be delegated to the Service Director (Finance) to award Council Tax Reductions under s13A(1)(c) of the Local Government Finance Act 1992 in any case where properties have experienced internal flooding, as defined in section 2 of the report, and that such reductions be limited to a maximum of three months.
- 4) That authority be delegated to the Service Director (Finance) to award Business Rate Discounts under s47 of the Local Government Finance

Act 1988, as amended by the Localism Act 2011, in any case where properties have experienced internal flooding as defined in section 2 of the report, and that such reductions be limited to a maximum of three months or until the business is able to resume trading from the premises if longer.

- 5) That authority be delegated to the Strategic Director (Economy and Infrastructure) and the Service Director (Finance) in consultation with the Leader of the Council for the monitoring of the programme and development of further financial and other measures to support recovery from severe weather events
- 6) That authority be delegated to the Service Director (Finance) to negotiate with the Ministry for Housing, Communities and Local Government in relation to the recovery of any eligible costs arising from the implementation of the Flood Recovery Grant scheme, Council Tax and Business Rate Discounts; and the reimbursement of the Council's uninsurable costs under the Bellwin Scheme.

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## **15: Huddersfield Blueprint - Next Steps**

The purpose of this report is to seek approval of the Huddersfield Blueprint and approval to proceed with the statutory planning process to convert the Blueprint to a Supplementary Planning Document (SPD).

**Wards affected:** Newsome, Greenhead, Dalton

**Portfolio:** Regeneration

**Contact:** Simon Taylor, Head of Town Centre Regeneration Tel: 01484 221000

- 1) That approval be given to the Huddersfield Blueprint and that it be endorsed as a Council document.
- 2) That approval be given to proceed with the statutory planning process to convert the Blueprint to a Supplementary Planning Document, with consultation commencing 2 March 2020.
- 3) That authority be delegated to the Strategic Director (Economy and Infrastructure) to make any further additional modifications that relate exclusively to factual updates, grammatical and formatting corrections, in the process of publishing the Huddersfield Town Centre Blueprint SPD.

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## **16: Corporate Finance Report Quarter 3**

This report provides information on financial monitoring for General Fund Revenue, Housing Revenue Account (HRA) and Capital Plan, as at Quarter 3 (month 9), 2019/20.

**Wards affected:** All

**Portfolio:** Corporate

**Contact:** James Anderson, Head of Accountancy Tel: 01484 221000

- 1) That the roll forward of £11.2m High Needs overspend through the Dedicated Schools Grant mechanism be noted.
- 2) That the 2019/2020 forecast revenue overspend of £0.5m as at Quarter 3, net of (1) above, be noted.
- 3) That it be noted that Strategic Directors will work to identify opportunities for spending plans to be collectively brought back in line with the Council's overall budget by year end.
- 4) That the forecast year end position on corporate reserves and balances be noted.
- 5) That the forecast position on the Collection Fund as at quarter 3 be noted.
- 6) That the Quarter 3 forecast Housing Revenue Account surplus and forecast year-end reserves position be noted.
- 7) That the Quarter 3 forecast capital monitoring position for 2019/2020 be noted.
- 8) That approval be given to the re-profiling across years of the capital plan, as outlined at para. 1.10.2 of the considered report.
- 9) That the increased capital expenditure budget for the works at Cliffe House, as outlined at para 1.10.9 of the considered report.

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## **17: The Arcade, Market Place Dewsbury**

To seek authority to purchase The Arcade, Market Place Dewsbury; take action to repair the building and work with third parties to reopen the Arcade

**Ward affected:** Dewsbury East

**Portfolio:** Regeneration

**Contact:** Peter Thompson, ER Project Manager, Tel: 01484 221000

- 1) That approval be given to the acquisition of the Arcade by the Council on the terms as outlined in Part B of the considered report.
- 2) That, pursuant to (1) above, approval be given to the subsequent grant by the Council of a lease of the Arcade to a third party to manage and operate the Arcade, and that the Council enter into any supporting or



ancillary agreement to that lease with the third party.

- 3) That authority be delegated to the Strategic Director (Economy and Infrastructure) in consultation with the Cabinet Member (Regeneration Portfolio).
- 4) That approval be given to the funds required to purchase the building and carry out works to the building, as set out in Appendix 6 (exempt) of the considered report.

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## **18: Dewsbury Riverside Development Strategy**

A report seeking endorsement of the approach outlined in the report to bring Council owned land in the Central Gateway of the Dewsbury Riverside site forward as first phases of development.

**Wards affected:** Dewsbury South and Mirfield

**Portfolio:** Regeneration, Housing and Democracy and Corporate

**Contact:** Chris Kwasniewski, Strategic Partnerships Lead, Housing Growth and Regeneration, Tel: 01484 221000

- 1) That the approach as outlined within the report be endorsed in order to bring Council owned land within the Central Gateway of the Dewsbury Riverside site forward as the first phases of development.
- 2) That approval be given for the Council to acquire 11.5 hectares pf land currently owned by Leeds Diocese, subject to the parameters as set out at the (exempt) appendix to the report.
- 3) That approval be given for the Council to acquire land interests within the Dewsbury Riverside within the cap, subject to the parameters as set out at the (exempt) appendix to the report.
- 4) That approval be given to capital expenditure of up to £1,050,000 in the 2020/2021 and 2021/2022 financial years in order to (i) facilitate the relocation of the Council owned Ravenshall allotments (ii) procure the preparation of a detailed and costed delivery plan for the development of Council owned land within the Dewsbury Riverside site and (iii) prepare detailed designs and invite tenders for the construction of the Forge Lane junction, spine road and associated drainage.

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## **19: 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 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.

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of 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.

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**20: The Arcade - Market Place**

A private appendix in respect of agenda item 17.

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 17.

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**21: Dewsbury Riverside Development Strategy**

A private appendix in respect of agenda item 18.

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 18.

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