



**Service Director – Legal, Governance and  
Commissioning**  
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## Decision Summary

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**CABINET**

**WEDNESDAY 21 DECEMBER 2022**

**Andrea Woodside**

**01484 221000**

### **Chair**

Councillor Shabir Pandor

### **Councillors Attended**

Councillor Paul Davies

Councillor Eric Firth

Councillor Viv Kendrick

Councillor Musarrat Khan

Councillor Naheed Mather

Councillor Carole Pattison

Councillor Cathy Scott

Councillor Will Simpson

Councillor Graham Turner

### **Observers**

Councillor Bill Armer

Councillor John Lawson

Councillor Andrew Marchington

Councillor Mohan Sokhal

Councillor John Taylor

Councillor Lesley Warner

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## **1: Membership of Cabinet**

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

All Cabinet Members were present.

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## **2: Minutes of Previous Meeting**

To approve the Minutes of the Meeting of the Cabinet held on 16 November 2022.

Approved as a correct record.

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## **3: Declarations of Interest**

Cabinet Members will be asked to advise if there are any items on the Agenda in which they have a Disclosable Pecuniary Interest, which would prevent them from participating in any discussion or participating in a vote upon the item, or any other interests.

In respect of Agenda Item 11 (i) Councillor Scott declared an 'other' interest on the grounds that she is an employee of Chickenley Community Centre and (ii) Councillor E Firth declared an 'other' interest on the grounds that he is a Board Member of the Community Interest Company.

Both Members left the meeting during the consideration and determination of this item.

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## **4: Admission of the Public**

Most agenda items will be considered in public session, however, it shall be advised whether Cabinet will consider any matters in private, by virtue of the reports containing information which falls within a category of exempt information as contained at Schedule 12A of the Local Government Act 1972.

Cabinet noted the submission of exempt information, as set out at Agenda Items 24,25,26,27,28 and 29.

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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.

None received.

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## **6: Questions by Members of the Public**

In accordance with Council Procedure Rule 11(5), the period allowed for the asking and answering of public questions shall not exceed 15 minutes.

None received.

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## **7: Questions by Elected Members (Oral Questions)**

Cabinet will receive any questions from Elected Members.

In accordance with Executive Procedure Rule 2.3 (2.3.1.6) a period of up to 30 minutes will be allocated.

Cabinet received oral questions under Executive Procedure Rule 2.3.

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## **8: Housing Revenue Account (HRA) rent and service charge setting report and key housing challenges**

To consider the Housing Revenue Account rent and service charge setting.

Wards affected: all

Contact: Jacqui Fieldhouse, Head of Finance – Homes and Neighbourhoods

### **RESOLVED –**

- 1) That approval be given to increase the rents by an average of £5.19 per week (7%) and service charges payable by between 0.03p and £1.30 per week (7%) for social housing from 3 April 2023.
  - 2) That approval be given to the charges for Extra Care Services – Intensive Housing Management to increase by between £1.07 and £4.44 (7%) and Extra Care Services – Night Care Service to increase by £1.35 per week (7%) due to increases to the National Living Wage.
  - 3) That the national and local financial challenges outlined within the report in preparation for the HRA budget discussions in January 2023 be noted.
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## **9: 2022/23 to 2026/27 Council Capital Plan - Proposed allocation of capital funding from the Directorate for Children's Achieve and Aspire Strategic Priorities and Basic Need funding sections of the Capital Plan.**

To consider funding from the 2022/23 to 2026/27 Achieve and Aspire Strategic Priorities and Baseline Basic Need funding of the Council's Capital Plan.

Wards affected: all

Contact: Martin Wilby, Head of Service for Education, Places and Access

**RESOLVED –**

- 1) That approval be given for the proposed £3.0M budget (consisting of £2.9M Basic Need grant capital and £100K borrowing) for the implementation of building work at North Huddersfield Trust to enable the permanent provision of 150 additional secondary school places and an interim modular build solution for September 2023.
- 2) That authority be delegated to the Service Director for Development and the Service Director for Learning and Early Support to increase or decrease the budget allocations to facilitate the delivery of the tendered schemes, providing that the total resources allocated to the programme areas is not exceeded.
- 3) That authority be delegated to the Service Director for Learning and Early Support to manage the implementation of identified works up to a maximum of £500K per year for 2023/24 and 2024/25 from the High Needs Capital Grant allocation. Delegated powers would include the authority to (i) add new urgent projects to the programme without Cabinet approval within the £500K limit per year (ii) slip or delete projects in response to operational need and reallocate the budget between projects.

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**10: Final report of the Ad Hoc Scrutiny Panel - Residential Housing Stock Health and Safety Compliance**

To consider the Report of the Ad Hoc Scrutiny Panel – Residential Housing Stock Health and Safety Compliance.

Wards affected: all

Contact: Sheila Dykes, Principal Governance Officer

**RESOLVED –**

- 1) That the recommendations of the Ad Hoc Scrutiny Panel – Residential Housing Stock Health and Safety Compliance be accepted subject to the amendment of recommendation 12 to reflect monthly, in place of weekly, reporting.
- 2) That approval be given to the responses included in the Action Plan, as set out at Appendix 2 of the report.

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**11: Community Asset Transfer of Ashworth Lodge, Moorlands Road, Dewsbury**

To consider the Community Asset Transfer of Ashworth Lodge, Moorlands Road, Dewsbury, WF13 2LD.

Wards affected: Dewsbury West

Contact: Mark Varley, Asset Strategy Officer

**RESOLVED –**

- 1) That authority be delegated to the Service Director Development to negotiate and agree terms for the grant of a 125 year lease of Ashworth Lodge, Moorlands Road, Dewsbury, WF13 2LD.
- 2) That authority be delegated to the Service Director - Legal, Governance and Commissioning to execute and enter into all necessary documentation in connection with the grant of a 125 year lease of Ashworth Lodge, Moorlands Road, Dewsbury to Ashworth New Lodge Community Interest Company and enter into a Polling Station Agreement.

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**12: Half Yearly Monitoring report on Treasury Management activities 2022/23 (Reference to Council)**

To receive the half-year treasury management performance in 2022/23.

Wards affected: all

Contact: James Anderson, Head of Accountancy Service

**RESOLVED –** That the half-year treasury management performance in 2022/23 be noted.

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**13: Establishing an Integrated Care Partnership for West Yorkshire**

To consider the establishment of a statutory West Yorkshire Integrated Care Partnership as a joint committee.

Wards affected: all

Contact: Phil Longworth, Senior Manager – Integrated Support

**RESOLVED -**

- 1) That approval be given to the establishment of the West Yorkshire Integrated Care Partnership as a joint committee.
- 2) That the Terms of Reference, as attached at Appendix 1, and the proposal for the West Yorkshire Integrated Care Board to act as Secretariat to the West Yorkshire Integrated Care Partnership, be endorsed.
- 3) That the authority delegated to the Service Director Legal, Governance and Commissioning, in consultation with Group Business Managers, to make the nominations to West Yorkshire Integrated Care Partnership in accordance with the terms of reference namely, the Leader of the Council and the Chair of the Health and Wellbeing Board be noted.
- 4) That it be noted that the Chief Executive will be a member of the West Yorkshire Integrated Care Partnership, and that the membership will also

include one representative of Directors of Public Health, and one representative of Directors of Adult Social Care in West Yorkshire.

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#### **14: Employment West Yorkshire**

To consider funding arrangements for 'Employment West Yorkshire' in Kirklees.

Wards affected: all

Contact: Gillian Wallace, Head of Employment and Skills

##### **RESOLVED –**

- 1) That approval be given for work to commence on the implementation and delivery of the Employment West Yorkshire programme in Kirklees.
  - 2) That approval be given to accept external funding of £2.3 million from the West Yorkshire Combined Authority to support delivery of the Employment West Yorkshire Programme in Kirklees, and for the Council to act as Accountable Body for the grant.
  - 3) That authority be delegated to the Strategic Director Growth and Regeneration and the Service Director Legal, Governance and Commissioning to finalise and execute all necessary legal agreements with the West Yorkshire Combined Authority and the Council's project delivery partners.
  - 4) That authority be delegated to the Strategic Director Growth and Regeneration to implement the Employment West Yorkshire programme in Kirklees, including the commencement and award of any related procurement exercises.
  - 5) That authority be delegated to the Strategic Director Growth and Regeneration and the Service Director Finance, to submit grant claims and to undertake related project monitoring and reporting.
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#### **15: Alternative Provision (AP) Education in Kirklees**

To consider Alternative Provision Education.

Wards affected: all

Contact: Kelsey Clark-Davies, Head of Education Safeguarding and Inclusion

##### **RESOLVED –**

- 1) That approval be delegated to (i) the Strategic Director for Children's Services to design a procurement strategy to procure and award Alternative Education provision contracts for 3 years with an option to extend for a further 2 years and (ii) the Service Director for Legal Governance & Commissioning to finalise, enter into and execute any agreement where appropriate together with any ancillary documents in relation to the Alternative Provision commissions.
- 2) That approval be delegated to the Service Director for Learning and Early

## **16: Proposals for the redevelopment of Sycamore Grange and tenant engagement**

To consider the redevelopment of Sycamore Grange, Golcar.

Wards affected: Golcar

Contact: Michelle Anderson-Dore, Head of Partnerships – Homes & Neighbourhoods

### **RESOLVED –**

- 1) That approval be given to demolish Sycamore Grange and redevelop the full site, within the Housing Revenue Account, and as detailed on the location plan as set out at Appendix 1.
- 2) That approval be given to enter into formal engagement with affected tenants as set out at paragraphs 2.5.1. and 2.5.2. of the report.
- 3) That authority be delegated to the Service Director (Homes and Neighbourhoods) to carefully consider responses from the formal engagement, and any resulting mitigating steps before implementing the next stage of the redevelopment proposals, namely the application of the decant plan.
- 4) That the Integrated Impact Assessment at Appendices 3 and 4 be noted, and that it also be noted that Human Rights issues have been considered.
- 5) That authority be given to officers to serve Initial Demolition Notices followed by final Demolition Notices pursuant to the Housing Act 1985, for Sycamore Grange at the appropriate time, as may be required in order to suspend Right to Buy rights.
- 6) That authority be given for officers to seek a Possession Order under the Housing Act 1985 for Sycamore Grange if required (following the grant of planning permission for redevelopment of the site).
- 7) That a further report be submitted by summer 2023, setting out the final redevelopment proposals informed by further public consultation, including a robust financial appraisal.

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## **17: Future Management of Kirklees Stadium - Update**

To consider the arrangements for the standalone Stadium management and development business.

Contact: David Shepherd, Strategic Director – Growth & Regeneration

**RESOLVED –** That approval be given to the Strategic Director (Growth and Regeneration) in consultation with the Chief Executive, Service Director (Finance), Service Director (Legal, Governance and Commissioning), Cabinet Members for Regeneration and the Cabinet Member for Corporate Services to:-

- 1) Conduct negotiations with the current principal occupier- Huddersfield Town Association Football Club (HTAFC), with a view to HTAFC taking full operational control of the facility.
  - 2) Conduct negotiations with other current leaseholders, etc as necessary
  - 3) Agree terms that involve an element of debt write off (as detailed in the exempt appendix to the report) to facilitate such an agreement.
  - 4) Enter into such any agreements on the Council's behalf necessary to give effect to such an agreement if they are satisfied with such outcomes.
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## **18: Station to Stadium Enterprise Corridor Masterplan**

To consider the Station to Stadium Corridor Masterplan.

Wards Affected: Dalton and Newsome

Contact: Chris Duffill, Head of Business and Skills

- 1) That the proposals as set out at Appendix 2 (exempt) not be incorporated in the consultation draft Station to Stadium Enterprise Corridor Masterplan.
  - 2) That approval be given to the Station to Stadium Enterprise Corridor Masterplan as contained in Appendix 1 of the report.
  - 3) That authority be delegated to the Service Director for Skills and Regeneration to undertake a wider public consultation exercise to further inform the masterplan process.
  - 4) That once consultation has been completed, the Strategic Director for Growth and Regeneration, in consultation with the Cabinet Member for Regeneration, be authorised to make all necessary changes to the masterplan and formally agree the plan.
  - 5) That once finalised, the plan be published on the Council's website to form the basis for informing investment decisions in the masterplan area.
  - 6) That authority be given to officers to continue to develop the masterplan, its principles and the propositions as set out in the report with a particular emphasis on the next steps set out in section 5 of the considered report.
  - 7) That approval be given for officers to begin work to put in place the appropriate planning framework for the area.
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## **19: The Arcade, Market Place Dewsbury**

To consider the Arcade project and associated funding and grant applications.

Wards affected: Dewsbury East

Contact: Peter Thompson, ER Project Manager

### **RESOLVED -**

- 1) That approval be given to the submission to the Heritage Lottery Fund of a Stage 2 application, and if it should be successful, the acceptance of



- any offer of grant from the Heritage Lottery Fund be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Legal, Governance and Commissioning) to agree and complete any related grant or any other associated legal agreements.
- 2) That approval be given to the granting by the Council of an agreement for lease and lease of the Arcade to the Arcade Group/Arcade Company under the Heads of Terms contained in the Appendix 3 (exempt) and that authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Legal, Governance and Commissioning) to agree and complete the lease once preconditions outlined in the Agreement for Lease have been met and all other legal documentation.
  - 3) That approval be given to allocate £500,000 for the Arcade project from the Dewsbury Town Centre Action Plan programme part of the approved capital plan, subject to the resources being available.
  - 4) That the intention to seek tenders for the project prior to all funding being confirmed be noted.
  - 5) That it be noted that, subject to approval of a grant from Heritage Lottery Fund, the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Legal, Governance and Commissioning) has delegated authority to let the construction works contract.
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## **20: Homes and Neighbourhood Governance Review by David Tolson Partnerships (DTP)**

To consider the report and findings of the review by David Tolson Partnerships.

Wards affected: All

Contact: Eric Hughes, Head of Assurance and Transformation

### **RESOLVED –**

- 1) That the recommendations of David Tolson Partnerships be noted.
- 2) That approval be given to establish a Homes and Neighbourhoods Improvement Board.
- 3) That the Terms of Reference for the Homes and Neighbourhoods Improvement Board, as set out at Appendix 2, be approved.
- 4) That approval be given to establish a new Tenants Voice Panel.
- 5) That the Terms of Reference for the Tenants Voice Panel, as set out at Appendix 3, be approved.
- 6) That the Homes and Neighbourhoods Board Member and Independent Chair role profiles, as set out at Appendices 4 and 5, be approved.
- 7) That authority be delegated to the Service Director (Homes and Neighbourhoods) to recruit and appoint non-elected members to the Homes and Neighbourhoods Improvement Board and Tenants Voice Panel.
- 8) That authority to delegate the remuneration for the Independent Chair for the Homes and Neighbourhoods Improvement Board, in conjunction with the Cabinet Member for Housing and Democracy, be given to the Service Director (Homes and Neighbourhoods).

- 9) That it be noted that the appointment of Elected Members to the Homes and Neighbourhoods Improvement Board will be in accordance with the Council's Constitution.
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## **21: Strategic Acquisition of a property in relation to the rationalisation of Corporate Stores**

To consider the acquisition of a Strategic Long Leasehold asset on the outskirts of Huddersfield Town Centre.

Wards affected: Greenhead

Contact: David Martin, Head of Service for Corporate Landlord and Capital

### **RESOLVED –**

- 1) That approval be given for the strategic acquisition, as detailed in the red line boundary set out at Appendix B (exempt).
  - 2) That approval be given for the required capital funding from the Strategic Acquisitions Fund as identified in the Council's Capital Plan.
  - 3) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter and execute any agreements or instruments relating to the acquisition.
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## **22: Strategic Acquisition of a property in relation to the Huddersfield Blueprint Cultural Heart**

To consider the acquisition of a strategic long leasehold asset in Huddersfield Town Centre.

Wards affected: Newsome

Contact: Matthew Garbutt: Disposal and Acquisition Surveyor

### **RESOLVED –**

- 1) That approval be given to the strategic acquisition, as detailed in the red line boundary set out at Appendix B (exempt), and in line with the Agreed Heads of Terms at Appendix C (exempt) for the purchase price outlined in the Valuation Report in Appendix E (exempt).
- 2) That approval be given for the required capital funding from the Strategic Acquisitions Fund for Huddersfield Town Centre as identified in the Council's Capital Plan.
- 3) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into and execute any agreements or instruments relating to the acquisition.
- 4) That authority be delegated to the Service Director (Development) to undertake the strategic and operational management, in conjunction with the Service Director (Legal, Governance and Commissioning) to agree

relevant leases and management agreements as required.

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## **23: 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.

**RESOLVED** – 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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## **24: Future Management of Kirklees Stadium - Update**

To consider exempt information in relation to agenda item 17.

**RESOLVED** - The exempt information was noted prior to the consideration of Agenda Item 17.

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## **25: Station to Stadium Enterprise Corridor Masterplan**

To consider exempt information in relation to agenda item 18.

**RESOLVED** - The exempt information was noted prior to the consideration of Agenda Item 18.

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

To consider exempt information in relation to Agenda Item 19.

**RESOLVED** - The exempt information was noted prior to the consideration of Agenda Item 19.

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## **27: Homes and Neighbourhood Governance Review by David Tolson Partnerships (DTP)**

To consider exempt information in relation to agenda item 20.

**RESOLVED** - The exempt information was noted prior to the consideration of Agenda Item 20.

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**28: Strategic Acquisition of a property in relation to the rationalisation of Corporate Stores**

To consider exempt information in relation to agenda item 21.

**RESOLVED** - The exempt information was noted prior to the consideration of Agenda Item 21.

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**29: Strategic acquisition of a property in relation to the Huddersfield Blueprint Cultural Heart project**

To consider exempt information in relation to agenda item 22.

**RESOLVED** - The exempt information was noted prior to the consideration of Agenda Item 22.

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