



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

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Governance and Commissioning

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

CABINET

TUESDAY 27 JUNE 2023

Andrea Woodside

01484 221000

Chair

Councillor Shabir Pandor

Councillors Attended

Councillor Carole Pattison

Councillor Graham Turner

Councillor Viv Kendrick

Councillor Masood Ahmed

Councillor Naheed Mather

Councillor Musarrat Khan

Councillor Paul Davies

Councillor Eric Firth

Observers

Councillor Charles Greaves

Councillor John Lawson

Councillor Mohan Sokhal

Apologies

Councillor Cathy Scott

1: Membership of Cabinet

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

Apologies for absence were received on behalf of Councillor Scott.

2: Minutes of Previous Meetings

To approve the Minutes of the Meetings of the Cabinet held on 14 March and 11 April 2023.

Approved as a correct record.

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.

No interests were declared.

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 that exempt information had been submitted at Agenda Item 16.

5: Deputations/Petitions

The Cabinet will receive any petitions and/or 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 submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the Public must submit a deputation at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

None received.

6: Questions by Members of the Public

To receive any public questions.

In accordance with Council Procedure Rule 11, the period for the asking and

answering of public questions shall not exceed 15 minutes.

Any questions must be submitted at least three clear working days in advance of the meeting.

No questions were asked.

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 the provision of Executive Procedure Rule 2.3.

9: Council Financial Outturn and Rollover Report 2022/23

To give consideration to the Financial Outturn and Rollover Report 2022/23.

Contact: James Anderson, Accountancy

RESOLVED –

- 1) That, in regards to the General Fund, (i) the revenue outturn position for 2022/2023 including Cost of Living Impacts be noted (ii) the application of the Council's flexible capital receipts strategy to the value of £2.9m applied against eligible transformation in 2022/2023; as approved in the 2023/2024 Annual Budget Report (March 2023) be noted (iii) the Government's £13.5m funding contribution on 31 March 2022 towards the Council's Dedicated School's Grant deficit be noted (iv) the year end position on corporate reserves and balances be noted (v) the proposed use of pre-existing reserves be reaffirmed and the proposed use of new reserves (section 1.9 of the report refers) be endorsed and (vi) it be noted that regular monitoring and review of corporate reserves in 2023/2024 will be reported to Cabinet as part of the quarterly financial monitoring cycle.
- 2) That the year end position on the Collection Fund be noted.
- 3) That the Housing Revenue Account outturn and reserves position 2022/2023 be noted.
- 4) That, in regards to the Capital budget, (i) the Council capital outturn position for 2022/2023 be noted (ii) the £34.5m capital rollover from 2022/2023 to 2023/2024 be approved (iii) approval be given to the revised capital plan for the period 2023/2024 onwards after taking into account rollover, the rephasing of schemes and changes to grant assumptions (iv) £0.9m for replacement parking ticket machines (£0.3m 2023/2024, £0.6m 2024/2025) be approved (v) £0.5m for the land

acquisition and development of new burial provision in North Kirklees be approved (£0.1m feasibility 2023/2024 / £0.4m land acquisition 2024/2025) (vi) approval be given to an additional £0.5m funding for the existing New Street Public Realm Project, in order to complete the landscaped public space contributing to the delivery of the Huddersfield Blueprint (vii) approval be given to £1m top slice of the Cultural Heart programme for internal fees, transfer of £1.7m from Huddersfield Southern Corridors to manage the overspend for the A62 Smart Corridor, and £60k for Accessibility to Public Spaces and Places project, all with net nil borrowing additionality.

- 5) That the Review of Treasury Management activity 2022/2023 be noted.
- 6) That the report be referred to the meeting of Council on 12 July 2023.

10: 2023/24 to 2027/28 Council Capital Plan - Proposed allocation of capital funding from the Directorate for Children's Achieve and Aspire Strategic Priorities of the capital plan

To consider the approval of school capital projects, to be funded from the 2023/24 to 2027/28 Children's Achieve and Aspire Strategic Priorities in the Capital Plan.

Contact: Martin Wilby, Education, Places and Access

RESOLVED –

- 1) That approval be given to the proposed capital expenditure for the projects as set out on in the report at (i) Netherhall St James (VC) C of E Infant (ARP) and Nursery School (ii) Netherhall Learning Campus High School (ARP) (iii) Old Bank Academy (ARP) (iv) Beaumont Primary School (ARP) (v) Carlinghow Academy (ARP) (vi) Southgate Special School (satellite provision located at Newsome High School) and (v) Woodley School and College (post 16 satellite provision).
- 2) That in order to aid the implementation of further capital schemes associated with SEND Transformation Plan at pace, including facilities for additionally resources provision and satellite provision, it be noted that authority is provided to Service Directors (as set out in Financial Procedure Rule 3.12) to (i) transfer resources within a programme area without restrictions (ii) transfer resources within programme areas between any year within the approved capital plan and (iii) transfer resources between any project or programme area up to a maximum of £2,000,000 in any financial year, subject to compliance with Financial Procedure Rules 3.12 to 3.16.

11: Housing Delivery Plan Update

To consider the report and receive an update on the disposal of sites in the Housing Delivery Plan.

Contact: Adele Buckley, Housing Growth and Regeneration

RESOLVED –

- 1) That approval be given to a capital funding allocation of £800,000 for Bradley Park to support preparation for next steps and delivery of phase 1, including additional feasibility and development activity.
- 2) That the progress of the Housing Delivery Plan, as set out at Appendix 1, be approved.
- 3) That authority be delegated to the Service Director (Development), in consultation with the relevant Cabinet Member, the Service Director (Finance) and the Service Director (Legal, Governance and Commissioning) to dispose of any of the 41 sites identified within the report (para 2.4 refers) irrespective of the value of the site and on such terms as officers deem most appropriate after consultation and the agreement of the relevant Cabinet Member, subject to all relevant policies and applicable legislation.
- 4) That, pursuant to (3) above, where any of the 41 sites in the housing growth programme are also identified in the report at Agenda Item 13 (Surplus Property Disposals) they be dealt with in line with the recommendations within that report.
- 5) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into all agreements necessary to effect any of the disposals referred to at (3) and (4) above.
- 6) That approval be given to the fee charging proposals as set out at Appendix 2 of the report.

12: Round 2 Levelling Up Funding (LUF2) and Local Centres Investment

To consider progress and next stages of the local centres programme.

Contact: Simon Taylor, Town Centre Programmes

RESOLVED –

- 1) That approval be given to accepting external LUF2 funding of £12.0032m from the Government to support delivery of the Batley Town Centre Levelling Up project, subject to the terms and conditions of the grant funding agreement.
- 2) That, pursuant to (1) above, match funding (para 3.1 refers) is authorised to be allocated to the project and used for development and delivery.
- 3) That approval be given to the acceptance of external LUF2 funding of £5.605m to support delivery of the Marsden Levelling Up project and for the Council to act as Accountable Body for the LUF2 grants, subject to the terms and conditions of any grant funding agreement.
- 4) 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 Council's project delivery partners and put in place the necessary governance and assurance arrangements to ensure that the projects identified are delivered.

5) That, pursuant to (1) and (2) above, the Service Director (Development) be authorised to develop and deliver the identified scheme for Batley.

6) That approval be given to utilise the identified UKSPF funding to develop a masterplan for Marsden that draws on recent place standard outcomes.

7) That the final sign off of any masterplan for Marsden is delegated to the Strategic Director (Growth and Regeneration) in conjunction with the Cabinet Member for Regeneration.

8) That the programme of priority projects in the local centres programme (table 2 refers) be noted that that approval be given to the continued development and delivery of these, and any other agreed as part of the Heckmondwike masterplan exercise, subject to the necessary funds being in place.

9) That, subject to funding being in place, Officers be authorised to develop and deliver any projects for Marsden that are agreed as part of the Masterplan process as outlined in (7) above.

13: Surplus Property Disposals 2023/24

To consider the proposed Capital Receipts Schedule for 2023/24 to be brought forward for delivery.

Contact: Daniel McDermott, Assets and Estates

RESOLVED –

- 1) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the relevant Cabinet Member and Service Director (Legal, Governance and Commissioning) to dispose of any land and property identified in the Capital Receipts Schedule 2023/2024 to support the Council's income targets, irrespective of the value of the site and on such terms as deemed most appropriate.
- 2) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into all agreements necessary to affect any disposals referred to at (1) above.

14: Kirklees Cultural Heart - part of the Huddersfield Blueprint - Gateway 3

To receive an update on the progress of the Cultural Heart Programme and consider approval to progress the delivery of parts of the adopted master plan to the next stage at Gateway 4.

Contact: David Glover, Cultural Heart

RESOLVED –

- 1) That approval be given to proceed in line with RIBA 3 and the associated developments for the master plan.
 - 2) That approval be given to (i) the implementation of phasing and phase one (new library, food hall, events square, public realm and associated service areas) and (ii) the delegation of authority to the Strategic Director (Growth and Regeneration) in consultation with the Cabinet Member for Regeneration to make decisions on the programme timeline in order that the cultural heart master plan and associated objectives can be completed within an appropriate timescale, reflecting the Council's position.
 - 3) That approval be given to extend the appointment of the Strategic Development Partner (Project Manager) to Gateway 4 under direct award from the NHS Shared Business Services Construction Consultancy Services framework in compliance with Contract Procedure Rules and Financial Procedure Rules.
 - 4) That approval be given to extend the appointments of the architect and the engineer for the monitoring roles to Gateway 4 in compliance with Contract Procedure Rules and Financial Procedure Rules.
 - 5) That approval be given to the allocation of necessary Council staff and resources to support the programme and it be noted that, in the absence of sufficient internal resources, additional external resources will be sourced from existing/future framework arrangements.
 - 6) That agreement be given, in principle, to the combining of the museum and the gallery within the master plan.
 - 7) That (i) approval be given to the exploration of interest from, and negotiation with, development partners to promote the alternative complimentary use for the Queen Street plot and (ii) authority be delegated to the Strategic Director (Growth and Regeneration) to progress and draft contractual agreements that will be submitted to Cabinet at a later date.
 - 8) That approval be given to the reallocation of the existing approved budget of £5.620m to progress from Gateway 3 to Gateway 4.
 - 9) That the service revenue and capital budgets be noted and that authority be delegated to the Strategic Director (Growth and Regeneration), the Strategic Director (Adults and Health) and the Strategic Director (Environment and Climate Change), in consultation with the Service Director (Finance) to determine the service budgets associated with phase one, with any additional budget provision required being met from savings elsewhere within the Council budget.
 - 10) That authority be delegated to the Strategic Director (Growth and Regeneration), in consultation with the Cabinet Member for Regeneration and the Cabinet Member for Corporate Services to conclude the social value strategy for the Cultural Heart Trust Fund.
 - 11) That authority be delegated to the Strategic Director (Growth and Regeneration) to work within approved budgets to deliver the programme to Gateway 4 including appointing third parties in compliance with Contract Procedure Rules and Financial Procedure Rules.
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15: 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 it involves the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

Determined.
