



**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 12 MARCH 2024

Yolande Myers

01484 221000

Chair

Councillor Cathy Scott

Councillors Attended

Councillor Paul Davies

Councillor Graham Turner

Councillor Viv Kendrick

Councillor Jackie Ramsay

Councillor Moses Crook

Councillor Aafaq Butt

Councillor Karen Allison

Councillor Andrew Cooper

Councillor Will Simpson

Observers

Councillor Susan Lee-Richards

Councillor Karen Allison

Councillor Andrew Cooper

Councillor Will Simpson

Apologies

Councillor Elizabeth Reynolds

Councillor Mussarat Pervaiz

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 Elizabeth Reynolds and Councillor Mussarat Pervaiz.

2: Minutes of Previous Meetings

To approve the Minutes of the Meetings of the Cabinet held on 13 February 2024 and 20 February 2024.

RESOLVED - That the Minutes of the Meetings held on 13 February 2024 and 20 February 2024 be approved as a correct record.

4: Admission of the Public

Most agenda items take place in public. This only changes where there is a need to consider exempt information, as contained at Schedule 12A of the Local Government Act 1972. You will be informed at this point which items are to be recommended for exclusion and to be resolved by the Committee.

Cabinet noted the submission of exempt information, as set out at Agenda Items 13 and 15.

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 in writing, 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.

Cabinet received a deputation from Susie Pavey on behalf of UNISON regarding the Customer Service Centres, the integration with library staff and upskilling of the public to reduce face to face enquiries.

A response was provided by the Cabinet Member for Corporate (Cllr Paul Davies)

Cabinet also received a deputation from Heather Peacock on behalf of Save the Trees Kirklees regarding the trees that had been removed at Queensgate Market, and future removal of trees on Queen Street.

A response was provided by the Cabinet Member for Finance and Regeneration (Cllr Graham Turner)

No petitions were received.

6: Questions by Members of the Public

The Cabinet will receive any questions from members of the public who attend the meeting. 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 in writing at least three clear working days (not including the day of the meeting) in advance.

Cabinet received questions in accordance with Executive Procedure Rule 2.3

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

8: Future Arrangements for the Council-Run Long Stay Dementia Care Homes

To consider the findings of the dementia care homes consultation.

Wards affected: all

Contact: Saf Bhuta, Head of In-House Care Provision

RESOLVED –

- 1) That the consultation process followed and the feedback and impact from the consultation be noted.
 - 2) That authority be given to explore potential opportunities to transfer the dementia care homes to an independent sector provider.
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9: Future of Council provided Supported Living Services

To consider the findings from the Supported Living Consultation.

Wards affected: all wards

Contact: Saf Bhuta, Head of In-House Care Provision

RESOLVED –

- 1) That the outcome of the consultation process with stakeholders and Key Partners be noted.
 - 2) That the options appraised as part of the consultation process be noted.
 - 3) That authority to retain The Mews and to act as care provider across all three schemes including Wilton Terrace and Brighton Court, as consulted upon, be given.
 - 4) That authority be given to redesign the current service model, focusing resources in all three schemes to offer support for service users with high levels of complex needs, and create opportunities for those currently placed out of area to return.
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10: Redesign of short break, respite and support provision

To consider the transformation of short break, respite, and support provision.

Wards affected: all

Contact: Kieran Lord – Service Director, Resources, Improvement and Partnerships

RESOLVED –

- 1) That the views arising out of the consultation and the proposal to move to a personalised flexible, locality-based approach be noted.
 - 2) That the Integrated Impact Assessment be noted.
 - 3) That authority be given to the Strategic Director – Children and Families to take all necessary steps to implement the transformation of short breaks, respite and support services for disabled children, young people, and their families in Kirklees.
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11: Increasing the number of places available at Woodley School and College - Final Decision

To consider a proposal to create additional special school places at Woodley School and College.

Wards affected: all

Contact: Martin Wilby, Head of Education Places and Access

RESOLVED –

- 1) That it be noted that the advice of Kirklees School Organisation Advisory Group that the proposal to increase the number of special school places at Woodley School and College to 194 places gradually over time, using satellite provision, ahead of and leading up to the new school rebuild is valid and that the required statutory process has been carried out correctly.

- 2) That the decision to increase places be taken within the statutory time period, two months from the end of the representation period.
 - 3) That the outcomes and recommendations of the Kirklees SOAG meeting on 22 February 2024 and the associated officer recommendations for the proposals be noted.
 - 4) That the financial implications of approving the increase in places be noted.
 - 5) That it be noted that regard has been given to the Public Sector Equality Duty contained in section 149 of the Equality Act 2010 and the Integrated Impact Assessment.
 - 6) That approval be given, without modification or condition, to increase the number of special school places at Woodley School and College to 194 places gradually over time, using satellite provision, ahead of and leading up to the new school rebuild.
 - 7) That officers of the Council support and work closely with the governing body of Woodley School and College to finalise arrangements for pupils, parents, staff, and other stakeholders in order to implement the decision in line with the timelines in the considered report.
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12: Funding associated with Huddersfield Open Market, Penistone Rail Line, Dewsbury Long-term plan and West Yorkshire Investment Zone; and delivery of Growth & Regeneration portfolio

To consider funding and recent grant allocations to support the delivery of Huddersfield Open Market, Penistone Rail Line, Dewsbury Long-term plan and West Yorkshire Investment Zone.

Wards affected: all

Contacts:

Huddersfield Open Market Regeneration
Sarah Collins – Programme Manager, Town Centre Programmes

Penistone Line rail upgrade
Joanna Ward – Transport Strategy & Policy Manager

Dewsbury – Long-term plan for Towns
David Wildman – Strategic Partnership Lead, Town Centres

Investment Zone / Station to Station Enterprise Corridor
Chris Duffill – Head of Business, Economy & Growth

Delivery support
Edward Highfield – Service Director, Skills and Regeneration

RESOLVED –

- 1) That the external Levelling Up Funding Round 3 of £16,649,855 from Department of Levelling Up, Housing and Communities (DLUHC) to support the delivery of Huddersfield Open Market Hall Levelling Up

- project, subject to the terms and conditions of the grant funding agreement, be accepted.
- 2) That the external Levelling Up Funding Round 3 of £47,917,122 from DLUHC to support the delivery of Penistone rail line upgrade, subject to the terms and conditions of the grant funding agreement, be accepted.
 - 3) That the external funding of up to £20m (£15m for Capital, and £5m for Revenue) from DLUHC for the development and delivery of the Long-term plan for Dewsbury, subject to the terms and conditions of the grant funding agreement be accepted and that upon acceptance, the £15m would form part of the Council's Capital Plan.
 - 4) That the external capital funding of up to £17m from DLUHC, via West Yorkshire Combined Authority (WYCA) as Accountable Body, to develop and deliver Kirklees projects within the West Yorkshire Investment Zone, subject to the terms and conditions of the grant funding agreement be accepted and that upon acceptance, this would form part of the Council's Capital Plan.
 - 5) That in accordance with Sections 22.4 to 22.8 of the Financial Procedure Rules grant funding would be accepted for external capital and revenue funding for Kirklees projects within the West Yorkshire Investment Zone from DLUHC via WYCA as Accountable Body, should this become available and subject to any related terms and conditions.
 - 6) Pursuant to (5) above, subject to this funding, authority be given to officers to progress projects within the Investment Zone.
 - 7) That authority be delegated to the Strategic Director Growth and Regeneration and the Service Director Legal, Governance and Commissioning, in consultation with relevant Portfolio holders, to finalise and execute all necessary legal agreements and to put in place the necessary governance and assurance arrangements including entering into any grant agreements with DLUHC and WYCA to facilitate delivery of the above projects.
 - 8) That authority be delegated to the Strategic Director Growth and Regeneration, in consultation with relevant Portfolio holders, to develop and deliver the identified schemes for Huddersfield Open Market, the Penistone rail line upgrade and Kirklees projects within the West Yorkshire Investment Zone.
 - 9) That pursuant to (8) above, to include the preparation and submission of necessary statutory consents to ensure delivery and undertake the necessary procurement exercises, including the award of related contracts to deliver the projects, subject to necessary consents and approvals being in place and in accordance with the Council's Contract and Financial Procedure rules.
 - 10) That authority be delegated to the Strategic Director Growth and Regeneration, in consultation with the Portfolio holder, to work with the existing Dewsbury Town Deal Board to establish a new Town Board by 1 April 2024, with the Council continuing to act as Accountable Body, and for officers to work with the Board and Portfolio holder to develop and submit a Long-term Plan by 1st August 2024.
 - 11) That authority be delegated to the Strategic Director Growth and Regeneration, in consultation with relevant Portfolio holders, to progress all necessary delivery arrangements including procurement and award of a contract to a Strategic Delivery Partner to provide professional services that facilitate the effective delivery of the project portfolio, and that authority be given to the Strategic Director for Growth & Regeneration, in

consultation with the Portfolio Holder and the Service Director Legal, Governance and Commissioning to finalise and execute all necessary contract agreements.

13: Buxton House high-rise block - site assembly

To consider the scheme to remodel Buxton House high-rise block, Huddersfield.

Wards affected: Newsome

Contact: Chris Kwasniewski – Service Manager, Development

Exempt information is detailed in the appendices to the attached report.

Consideration must be given to whether the public and press should be excluded from the meeting prior to the determination of the matter to enable the exempt information to be discussed by passing the following resolution: -

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 –

- 1) That authority be delegated to the Strategic Director Growth and Regeneration to negotiate and agree terms to acquire the interests and rights identified in paragraph 2.10 of the report and as within the terms outlined in the Private Appendix.
- 2) That authority be delegated to the Strategic Director Growth and Regeneration to negotiate and agree terms to acquire any further interests or rights subsequently identified which are required to deliver the remodel of Buxton House, provided that the values are within those contained in the Scheme of Delegation for Corporate Landlord & Capital, and that the cost of such could be met within the allocated project budget.
- 3) That authority be delegated to the Strategic Director of Growth and Regeneration to take the necessary preliminary steps required for the Council to make a Compulsory Purchase Order (“CPO”) including:-
 - (i) The service of statutory requisitions for information from owners/occupiers of land within the proposed CPO area.
 - (ii) Instructing land referencing agents to begin liaising with affected landowners/occupiers and to identify the full extent of the land required (either to be acquired permanently or temporarily) and any rights to be acquired as part of the CPO (e.g. rights of way, light, support, easement, or restrictive covenants over the land required as required).

- 4) That authority be delegated to the Service Director Legal Governance and Commissioning to finalise and enter into all appropriate contracts, deeds and documents required.
- 5) That should it prove necessary to make a CPO, a further report would be brought for consideration.
- 6) That it be noted the acquisition of required land interests, and any potential CPO process will be funded from the high-rise budget approved by Cabinet on the 27 July 2021.

14: Council Housing Fire Safety Management Plan and Policy

To consider with the Council Housing Fire Safety Management Plan and revised Fire Safety Management Policy.

Wards affected: all

Contact: Hannah Elliott, Head of Assets and Development

RESOLVED – That the Housing Fire Safety Management Plan and updated Fire Safety Management Policy be adopted.

15: Homes and Neighbourhoods Housing Management IT System Replacement

To consider the continued implementation of Civic Cx.

Wards affected: all

Contact: Sarah Thistlethwaite, Service Development Manager, Homes and Neighbourhoods

Exempt information is detailed in the appendices to the attached report.

Consideration must be given to whether the public and press should be excluded from the meeting prior to the determination of the matter to enable the exempt information to be discussed by passing the following resolution: -

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 authority be given to continue with the implementation of Civica Cx and to extend the delivery timetable by eighteen months to approximately September 2025 with an additional budget of £1,279,602.82 capital, funded from the Housing Revenue Account.

16: Council Housing Asset Strategy and Investment Plan

To consider the Asset Management Strategy for Council Housing.

Wards affected: all

Contact: Hannah Elliott, Head of Assets and Development

RESOLVED –

- 1) That the Asset Management Strategy for Council Housing 2024-2029 be adopted.
 - 2) That the 5-year capital plan and the additional £4.4m from the HRA required to fund the strategy be approved.
 - 3) That approval be given to the approach of asset option appraisal.
 - 4) That authority be delegated to the Strategic Director, Growth and Regeneration and the Service Director Finance to agree annual capital plans and programmes in line with the approved 5-year capital plan.
 - 5) That authority be delegated to the Service Director, Homes and Neighbourhoods in consultation with the Service Director Legal, Governance and Commissioning, to agree and negotiate the terms of and to enter into any Funding Agreements and other documentation to enable individual projects and schemes to proceed.
 - 6) That authority be delegated to the Service Director, Homes and Neighbourhoods in consultation with the Service Director Legal, Governance and Commissioning, to agree and negotiate the terms of and to enter into any Funding Agreements and other documentation to enable individual projects and schemes to proceed.
 - 7) That authority be delegated to the Strategic Director, Growth and Regeneration in consultation with the Service Director Legal, Governance and Commissioning to award future tenders for works within the approved 5-year capital plan, subject to the production of robust and affordable business cases.
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17: Level 4 Devolution

To consider the Level 4 Devolution Framework.

Wards affected: all

Contact: Stephen Bonnell – Head of Policy, Partnerships and Corporate Planning

RESOLVED –

- 1) That the recent publication of the Government's Level 4 Devolution Framework which sets out guidance and the powers and flexibilities on offer through a Level 4 Devolution Deal and the associated readiness conditions be noted.
- 2) That the work that has taken place across the partnership to consider the opportunities presented through the Level 4 Devolution Framework and

activity undertaken to develop the West Yorkshire response, including the partnership principles be noted.

- 3) That approval be given to the Council's support for the Combined Authority's application to begin talks on adopting new Level 4 Devolution powers.

18: Marsden Masterplan - proposed approach

To consider the Marsden Masterplan.

Wards affected: Colne Valley

Contact: David Wildman, Strategic Partnership Lead – Town Centres

RESOLVED –

- 1) That approval be given to develop a Masterplan for Marsden and proposed timescales.
- 2) That the 'Marsden Community Partnership' approach with the Council acting as Accountable Body to re-engage with Ward Councillors and the community and to develop the Partnership, including a Terms of Reference, be approved.
- 3) That authority be given to use £60,000 UKSPF funding and a maximum of £60,000 from local centres capital funding for the development of the masterplan.
- 4) That authority be delegated to the Strategic Director for Growth and Regeneration in consultation with the Portfolio Holder to finalise and execute all necessary agreements to progress development of the Masterplan.
- 5) That authority be delegated to Strategic Director for Growth and Regeneration in consultation with the Portfolio Holder to resource, procure, set up governance arrangements including an agreed Terms of Reference and to any necessary revisions thereto for the oversight and delivery of the project.

19: Local Plan Documents: Statement of Community Involvement and Local Plan Timetable

To consider the Statement of Community Involvement and Local Plan Timetable.

Wards affected: all

Contact: Jacob Parker-Henry, Planning Policy Officer

RESOLVED –

- 1) That the Statement of Community Involvement be adopted and published on the council's website.
- 2) That the Local Plan Timetable be adopted and published on the council's

website.

- 3) That authority be delegated to the Strategic Director for Growth & Regeneration to make any necessary minor amendments and corrections to the Statement of Community Involvement and the Local Plan Timetable.
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