

# Public Document Pack



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

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Tuesday 28 November 2023

## Notice of Meeting

Dear Member

### **Environment and Climate Change Scrutiny Panel**

The **Environment and Climate Change Scrutiny Panel** will meet in the **Council Chamber - Town Hall, Huddersfield** at **10.00 am** on **Wednesday 6 December 2023**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

**Julie Muscroft**

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

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

## **The Panel members are:-**

### **Member**

Councillor Jo Lawson (Chair)

Councillor Timothy Bamford

Councillor Hannah McKerchar

Councillor Matthew McLoughlin

Councillor Will Simpson

Jane Emery (Co-Optee)

Garry Kitchin (Co-Optee)

# Agenda

## Reports or Explanatory Notes Attached

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**Pages**

**1: Membership of the Panel**

To receive apologies for absence from those Members who are unable to attend the meeting.

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**2: Declaration of Interests**

1 - 2

Members will be asked to say if there are any items on the Agenda in which they have any disclosable pecuniary interests or any other interests, which may prevent them from participating in any discussion of the items or participating in any vote upon the items.

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**3: 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 Panel.

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**4: Call in of Cabinet decision in relation to the Revision of Car Parking Tariffs / Charges**

3 - 24

To consider information relating to the Cabinet Decision in relation to the Revision of Car Parking Tariffs/Charges.

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**KIRKLEES COUNCIL**

**COUNCIL/CABINET/COMMITTEE MEETINGS ETC**

**DECLARATION OF INTERESTS**

Environment & Climate Change Scrutiny Panel

Name of Councillor

Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

Signed: .....

Dated: .....

## NOTES

### Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and

(b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

# Agenda Item 4

## Call-In Hearing Timetable Revision of Car Parking Tariffs / Charges

Meeting		Timetable <sup>1</sup>
1.	<p><b>Introduction by Chair of Panel</b></p> <ul style="list-style-type: none"> <li>- explanation of conduct of the meeting</li> </ul>	10am
2.	<p><b>Lead Signatory's Statement</b></p> <p>Explanation of reasons set out in call in request and any supporting evidence.</p> <p><b>Clarification:</b> Panel Members may seek clarification on anything that has been said.</p>	20 minutes
3.	<p><b>Public Participation (Councillors)</b></p> <ul style="list-style-type: none"> <li>- councillors who are not signatories may attend to give evidence relevant to the reasons set out in the Call-In request (up to 5 minutes each)</li> </ul> <p><b>Clarification:</b> Panel Members may seek clarification on points raised by councillors</p>	20 minutes
4.	<p><b>Public Participation (Public)</b></p> <ul style="list-style-type: none"> <li>- members of the public may attend to give evidence on the reasons set out in the call on request (up to 5 minutes each – it is recommended that pressure groups are represented by 1 speaker)</li> </ul> <p><b>Clarification:</b> Panel Members may seek clarification on points raised by members of the public</p>	30 minutes
5.	<p><b>Decision-Makers Statement</b></p> <p>The relevant decision-makers, with support from appropriate officers, will:</p> <ul style="list-style-type: none"> <li>- respond to the reasons set out in the call in request</li> <li>- Have the opportunity to respond to any information that has been raised during the discussion at the meeting.</li> </ul> <p><b>Clarification:</b> Panel Members can raise issues of clarification with the decision-makers</p>	40 minutes
6.	<p><b>Final Panel clarification</b></p> <ul style="list-style-type: none"> <li>- If required, Panel Members can ask any outstanding questions of any of those who have presented information at the meeting</li> </ul>	10 minutes

**Call-In Hearing Timetable**  
**Revision of Car Parking Tariffs / Charges**

<b>BREAK – COMMITTEE WITHDRAW TO FORMULATE DECISION</b>		
7.	<p>The Panel will reconvene to read out their decision and the reasons for this which will be in accordance with the options set out in the Council Procedure Rules:</p> <p>(1) take no further action and free the decision for implementation *</p> <p>(2) refer it back to the Cabinet with recommendation/s for amendment</p> <p>(3) in exceptional circumstances, refer to the next Council - only if the decision is not in line with the budget or any policy previously agreed by the Council**.</p> <p><i>* The Panel may identify areas of learning for Cabinet to consider which do not require the original decision to continue to be suspended from implementation.</i></p> <p><i>** This can only be done with advice from the relevant senior officers and the Service Director for Legal, Governance and Commissioning Head of Legal Services.</i></p>	

1. Please note that the timings are for guideline purposes only and are subject to change on the day at the discretion of the Chair of the meeting.



**Scrutiny Areas of Focus following Call In request relating to the Revision of Car Parking Tariffs/Charges decision taken at Cabinet on 14 November 2023**

Following consideration of the call in request form, the following areas have been validated as the focus of the call in review meeting on the 6<sup>th</sup> December 2023.

<b>Decision making principle</b>	<b>Area of focus</b>
1. <b>Clarity</b>	<p>Under 13.2 g. clarity of aims and desired outcomes – No financial information as to the cost or revenue implications of the decision was contained in the report or presented at the meeting. The report does not state the reasons why the report has been brought forward for decision.</p> <p>List of supporting evidence:</p> <p>See report and the lack of information contained within it.</p>
2. <b>Options</b>	<p>Under 13.2 i. The ability to explain the options considered and the reasons for decisions – The report doesn't even state why the report is brought forward so certainly is unclear about options. Were other options suggested they would need financial information to support each option which is lacking from the decision.</p> <p>List supporting evidence:</p> <p>See report and the lack of information contained within it.</p>

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**Name of meeting:** Cabinet

**Date:** 14 November 2023

**Title of report:** Revision of Car Parking Tariffs / Charges

**Purpose of report:** To seek approval for revised parking tariffs / tariffs for on-street parking bays and off-street car parking across Kirklees.

<b>Key Decision - Is it likely to result in spending or saving £500k or more, or to have a significant effect on two or more electoral wards? Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.</b>	<b>Yes</b>  Affects all wards
<b>Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)?</u></b>	<b>Key Decision – Yes</b>  <b>Private Report - No</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>Yes</b>
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>  <b>Is it also signed off by the Service Director for Finance?</b>  <b>Is it also signed off by the Service Director for Legal Governance and Commissioning?</b>	<b>David Shepherd – 18 September 2023</b>  <b>Isabel Brittain – 18 September 2023</b>  <b>Julie Muscroft (Legal)</b>
<b>Cabinet member <a href="#">portfolio</a></b>	<b>Cllr Y Hussain</b>

**Electoral wards affected:** All

**Ward councillors consulted:** Cabinet

**Public or private:** Public

**Has GDPR been considered?** This report contains no information that falls within the scope of General Data Protection Regulations.

## 1. Summary

- 1.1. Kirklees Council operates both off-street car parks and on-street parking bays across the district. Parking tariffs vary across the district, with some car parks being free of any charges currently.
- 1.2. Parking tariffs have remained unchanged since 2009.
- 1.3. It is proposed to increase existing tariffs by inflation, retrospectively back to 2009 and to introduce a comparable rate on car parks that are currently free of charges.
- 1.4. Charges for car parking in Council – owned parking areas will be 6 days a week Monday to Saturday inclusive with Sunday charging in a select number of car parks.
- 1.5. A review of short stay and long stay provision will also be undertaken, to reflect changing demand for retail, commuter and cultural time spent in our town and village centres.
- 1.6. Under the Council's Financial Procedure Rules, fees and charges must be reviewed at least once per annum. It is proposed to revise car parking charges / tariffs annually thereafter.
- 1.7. It is anticipated that revised car parking charges will be introduced from January 2024.

## 2. Information required to take a decision

- 2.1. Kirklees Council has the authority to impose charges for parking in Council – operated car parks, as well as designating parking places on the highway and charging for the use of them. The retrospective increase in parking charges is by the rate of inflation retrospectively back to the previous change in 2009.
- 2.2. Car parking tariffs/charges have remained unchanged in Kirklees since 2009. Benchmarking of parking charges across the region indicates that parking charges / tariffs in Kirklees are significantly lower than those in other Yorkshire districts.
- 2.3. This decision seeks to set parking charges that are appropriate and consistent within the region.
- 2.4. The proposal is to uplift tariffs across the district and to expand charging to Council car parks that are currently free of charge. See **Table 1** and **Table 2** for overview of proposed parking tariffs / charges.

**Table 1 – Proposed tariffs / charges - Huddersfield**

	<b>Current</b>	<b>Proposed</b>
<b>Minimum tariff / charge</b>	70p per hour	£1.10 per hour
<b>Maximum tariff / charge</b>	£4 / all day (long stay)	£6.50 / all day (long stay)

**Table 2 – Proposed tariffs / charges – Dewsbury & other towns / villages**

	<b>Current</b>	<b>Proposed</b>
<b>Minimum tariff / charge</b>	5p per hour	50p per hour
<b>Maximum tariff / charge</b>	£4 / all day (long stay)	£6.50 / all day (long stay)

- 2.5. The revised tariffs/charges are expected to be introduced in January 2024, once the relevant legal procedures have been completed. This includes publishing of Traffic Regulation Orders (TRO's) and undertaking statutory consultation. **Appendix 2** lists the car parks that are currently free of charge.
- 2.6. Future revisions of parking tariffs / charges will be implemented annually to achieve budget targets, account for changes in legislation and market conditions. This will be in line with inflation, rounded to the nearest 10p and will include revision of existing and implementation of new charges. This will be undertaken in accordance with the Financial Procedure Rules, under delegated authority to the relevant Service Director responsible for the Parking Service.
- 2.7. Management of the Council's on and off-street public parking efficiently seeks to assist in achieving the objectives of the Local Transport Strategy, recognising the need to achieve and maintain the balance of supply and demand in the total number of available parking spaces as important factors in providing for local transport needs, retail and for commuters to employment zones. See **Appendix 1** for the draft Kirklees Parking Statement.
- 2.8. Revised parking tariffs recognises the need to maintain the vitality and viability of town centres as centres for shopping / retail, visitors, employment and culture. Short stay and long stay parking provision will be reviewed as town centre vibrancy changes. If there is a change in parking capacity, a review of parking charges will be undertaken.
- 2.9. Local and regional transport and travel planning will continue to encourage alternative means of transport including public transport, walking and cycling as more sustainable modes than car usage.
- 2.10. The Council will continue to actively enforce parking restrictions and regulations across the district, in line with relevant legislation. This prevents misuse of parking facilities, eases congestion and seeks to reduce accidents on our roads.

### **3. Implications for the Council**

#### **3.1 Working with People**

The proposed changes to parking tariffs / charges will require key services to work closely together proactively.

#### **3.2 Working with Partners**

As part of the process for introducing the revised parking tariffs / charges, key partners will be notified to help identify potential opportunities to collaborate.

#### **3.3 Place Based Working**

The proposed changes are intended to provide a comparable rate for parking tariffs / charging across the district.

#### **3.4 Climate Change and Air Quality**

The proposals may encourage more sustainable travel and is not expected to have a detrimental effect on Air Quality or Climate Change.

#### **3.5 Improving outcomes for children**

The proposals seek to manage the Council's car parking options, supporting active travel for all users including children.

#### **3.6 Financial Implications for the people living or working in Kirklees**

The proposals seek to introduce a comparable rate for parking tariffs / charges across the district, reducing the gap between charges in Kirklees and the rest of the region. Long and short stay parking spaces will be available throughout the district to meet the needs of commuters, the retail sector, tourism and residents.

#### **3.7 Other (eg Integrated Impact Assessment (IIA)/Legal/Financial or Human Resources) Consultees and their opinions**

**3.7.1** Under section 35 of the Road Traffic Regulation Act 1984 ("the 1984 Act"), the Council may provide off street parking places and charge for the use of them. Under section 45 of the Act, the Council may designate parking places on a highway and charge for their use and to issue parking permits for a charge.

**3.7.2** Under regulations 3 and 4 of the Local Authority (Transport Charges) Regulations 1998, where the Council has designated a parking place under section 45, it may suspend the parking place and, where that is upon request, charge for the provision of this service.

Also under the 1998 Regulations, where the Council has made a traffic regulation order for the regulation of traffic, it may impose a charge for the consideration of any application to suspend parking restrictions under the order. It is for the Council to decide the appropriate charge and in doing so it should have regard to the cost of providing the service. It is however not bound to set the charges at cost recovery only. The Council therefore has the power to impose parking charges in connection with the provision of on street parking and off street parking. It may also impose charges connected with the suspension of parking bays and provide dispensation for exemption from parking restrictions. It also has the power to make the proposed amendments to those charges as detailed in this report.

**3.7.3** Section 122 of the 1984 Act imposes a general duty on the Council to exercise its functions under the 1984 Act to “secure the expeditious, convenient and safe movement of vehicular and other traffic and to provide suitable and adequate parking facilities on and off the highway”. Collectively, these criteria may be referred to as “traffic management purposes”. In exercising these functions, the Council should have regard to, amongst other things, any other matters appearing to them to be relevant. The Council when exercising the function of setting parking charges is required to have regard to the traffic management purposes.

**3.7.4** Section 55 of the 1984 Act requires the Council to keep a separate account of their income and expenditure in respect of designated parking places including the parking charges and this aids decision making on revising charges. Section 55(4) of the Act sets out the purposes for which any surplus income in respect of designated parking places can be used. Any surplus income in respect of designated parking places must be used for these purposes, which include:

- (a) Provision and maintenance of off street parking
- (b) Meeting costs incurred in the provision or operation of public Transport
- (c) Highway and road improvements and maintenance
- (d) Reducing environmental pollution
- (e) Improving public open spaces.

**3.7.5** <https://www.kirklees.gov.uk/beta/delivering-services/integrated-impact-assessments/home/details/IIA-546833559/>

## **4 Consultation**

Statutory Consultation will be undertaken as part of the legal process required to make the changes. Following the consultation, a statutory consultation report will be compiled and presented for consideration prior to the implementation of the new charging regime.

## **5 Engagement**

Cabinet members.

## **6 Next steps and timelines**

To publish the Parking Places Order amendment, in line with the Road Traffic Regulation Act 1984. To amend signage, parking machine tariff / charges and web-based information. To implement in January 2024.

## **7 Officer recommendations and reasons**

The proposed changes to parking tariffs / charges seek to provide a comparable rate for parking across the district, to remove historic areas of free parking and to adjust Kirklees parking tariffs to reflect the regional transportation strategic approach. For these reasons, the Officer recommendation is to support the proposal to revise the parking tariffs / charges.

## **8 Cabinet Portfolio Holder's recommendations**

The Portfolio Holder acknowledges and supports the recommendations.

## **9 Contact officer**

Sarah Durdin, Operational Manager, Highways & Streetscene.  
[Sarah.durdin@kirklees.gov.uk](mailto:Sarah.durdin@kirklees.gov.uk) 01484 221000

## **10 Background Papers and History of Decisions**

<https://democracy.kirklees.gov.uk/Data/Cabinet/201003301600/Agenda/CABINET30031039281D.pdf>

<https://democracy.kirklees.gov.uk/Data/Cabinet/201003301600/Agenda/Cabinet20100330DecisionSummary.pdf>

## **11 Service Director responsible**

Graham West - Service Director: Streetscene and Highways  
[Graham.west@kirklees.gov.uk](mailto:Graham.west@kirklees.gov.uk) 01484 221000



## **Appendix 1 – Kirklees Parking Service Aims (Draft) October 2023**

### **Manage parking provision**

- Manage on and off-street public parking efficiently to support use by the intended categories of user and to minimise the effect of parking on the environment.
- Work with private and public owners of public off-street car parks to assist in achieving the objectives of the Local Transport Strategy, recognising the need to achieve and maintain the balance of supply and demand in the total number of spaces as important factors in providing for local transport needs, retail, and commuters to employment zones.
- Recognise the need to maintain the vitality and viability of town centres and therefore favour short-term( max 2 hrs) parking for shoppers and visitors at the expense of long stay parking.
- Set parking charges at appropriate levels for the local area to balance parking supply and demand, taking account of transport strategies and the economic viability of commercial centres. To monitor the impact of charging – Air quality, Traffic Volume, Road Safety and retail footfall.
- Consider the need for the council to continue to have the ability to influence parking and transport strategies when considering the disposal of land currently used for parking purposes.
- Enforce parking regulations effectively and introduce measures to assist, such as residents' parking and the objectives within the TMA 2004 – CPE Powers.
- Provide alternative payment methods with a focus on cashless payments.

### **Reduce the demand for parking**

- Be consistent with West Yorkshire Combined Authority Policy
- Encourage employers, schools, colleges, and similar establishments to introduce travel plans, school workplace parking charges and other initiatives to reduce the need for parking. Develop a travel plan for KMC, to encourage staff to use alternative means of transport.
- Introduce more cycle parking for public use.
- Promote Cycling, Walking and Public Transport over car usage.

### **Set appropriate charges**

- Give consideration to local facilities or local business with a focus on quality of provision, proximately and duration of stay.
- Set parking charges that do not promote car usage over more sustainable modes of travel.
- Seek to ensure a consistent approach to charging levels by considering the charging strategies of private operators within the borough and those of neighbouring authorities.
- At minimum recover the costs of the service and where appropriate consider options for increasing income through additional charges to support asset improvements.

### **Provide facilities for people with mobility impairments**

- Parking spaces for people with disabilities to be designed to take account of best practice and guidance.
- Spaces for people with disabilities to be located close to the entrances to the facilities the car park serves, ideally no further than 50 metres.
- A high degree of enforcement will be provided to prevent the misuse of designated disabled bays by vehicles not displaying a blue badge.
- Support the initiative to inspect blue badges, as provided for by the Traffic Management Act.

### **Provide safe facilities**

- Have the ambition to meet the BPA quality(safer) mark of the borough's car parks.
- All car parks to be regularly patrolled by uniformed staff.
- Detailed safety inspections of the car park infrastructure to be undertaken every six months. Identified defects to be prioritised and rectified within appropriate target times.
- All car parks to be regularly cleaned and broken glass to be removed promptly. Particular attention to be taken where recycling facilities are provided within car parks.

### **Customer service standards**

- To respond to appeals against PCN's within 10 working days.
- Complaints against the service to be dealt with through the council's formal complaints procedure.
- All staff to be trained in their responsibilities to ensure working practices are fully understood and implemented.
- An annual report to be published providing information on expenditure, revenue collected, use of surpluses and PCN statistics.

**APPENDIX 2 – CURRENT FREE OF CHARGE PARKING PLACES**

<b>Car parks</b>	<b>SPACES</b>	<b>Current Restrictions</b>
ALMONDBURY Northgate	6	All day
ALMONDBURY Westgate	10	All day
GOLCAR Town End	12	All day
HOLMFIRTH Sands	50	All day
HONLEY Westgate(Market)	19	All day
HONLEY New Street	14	All day
LINDLEY Lidget Street	24	2 Hours Max
LOCKWOOD Albert Street	14	All day
LOCKWOOD Water Street	10	All day
MARSDEN Argyle Street	8	All day
MARSH Westbourne Road (St James Road)	19	2 hrs max
MELTHAM Carlile Street	50	All day
MELTHAM Clarke Lane	20	All day
MELTHAM Westgate	6	All day
MILNSBRIDGE John Street	16	All day
NETHERTON Meltham Road	15	All day
NETHERTON Mercer Close	6	All day
NEW MILL Holmfirth Road	18	All day
SLAITHWAITE Carr Lane	13	All day
SLAITHWAITE Old Bank	15	All day
SLAITHWAITE New Street	52	All day
BATLEY Henrietta Street	40	4 Hrs Max
BATLEY Market Place	36	2 Hrs Max
BATLEY Wards Hill	120	4 Hrs Max
BATLEY Wellington Street	20	1 Hr Max
BATLEY Field Lane	86	All day
BATLEY New Way	46	All day
BATLEY Station Road	40	All day
BATLEY Well Lane	8	All day
BATLEY Wellington Street (Foxes)	10	All day
BIRSTALL High Street	45	All day
BIRSTALL Low Lane	26	All day
BIRSTALL Market Place	33	1 Hr Max
BIRSTALL Smithies Lane	27	2 Hrs Max
CLECKHEATON Bradford Road	141	4 Hrs Max
CLECKHEATON Crown Street	83	All day
CLECKHEATON Town Hall (Rear)	52	All day
CLECKHEATON Westgate	15	2 Hrs Max
DENBY DALE War Memorial	13	All day
DEWSBURY Sands Lane HGVs	10	All day
EMLEY Church Street	20	All day
HECKMONDWIKE Albion Street East	12	All day
HECKMONDWIKE Albion Street West	20	All day
HECKMONDWIKE Croft Street	16	All day
HECKMONDWIKE High Street	7	2 Hrs Max
HECKMONDWIKE Kaye Street	28	All day

HECKMONDWIKE Market Place	52	2 Hrs Max
KIRKBURTON Riley Lane	9	All day
MIRFIELD Station Road	71	4 hrs
RAVENSTHORPE North Road	16	All day
RAVENSTHORPE Queens Street	40	All day
SCISSETT car park	8	All day
SHEPLEY Marsh Lane(Library)	6	All day
SKELMANTHORPE Coop (Rear)	13	All day
SKELMANTHORPE Council Offices	12	All day
SKELMANTHORPE Huddersfield Road	13	All day



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

**Julie Muscroft**

Governance and Commissioning

PO Box 1720

Huddersfield

HD1 9EL

**Tel:** 01484 221000

## Decision Summary

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**CABINET**

**TUESDAY 14 NOVEMBER 2023**

**Andrea Woodside**

**01484 221000**

### **Chair**

Councillor Cathy Scott

### **Councillors Attended**

Councillor Moses Crook

Councillor Paul Davies

Councillor Graham Turner

Councillor Viv Kendrick

Councillor Jackie Ramsay

Councillor Yusra Hussain

Councillor Moses Crook

### **Observers**

Councillor Martyn Bolt

Councillor Charles Greaves

Councillor Adam Gregg

Councillor David Hall

Councillor Tyler Hawkins

Councillor Musarrat Khan

Councillor John Lawson

Councillor Alison Munro

Councillor Amanda Pinnock

Councillor Mark Thompson

### **Apologies**

Councillor Elizabeth Reynolds and Councillor Mussarat Pervaiz

Councillor Elizabeth Reynolds

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## **1: Membership of Cabinet**

To note the appointment of Councillor Moses Crook to Cabinet, with effect from 6 November 2023, in accordance with Article 7.3.4 of the Constitution.

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

Apologies for absence were received on behalf of Councillors M Pervaiz and E Reynolds.

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

To approve the Minutes of the Meetings of the Cabinet held on 26 September and 17 October 2023.

Approved as a correct record subject to the amendment that Councillor Y Hussain declared an interest in relation to Minute No 73. as a Member of the outside body, Suez.

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## **3: Declaration of Interests**

Cabinet Members will be asked to advise if there are any items on the Agenda in which they have a disclosable pecuniary interest, or any other interests, which may prevent them from participating in the discussion or vote on any of the items.

No interests were declared.

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

Most agenda items will be considered in public session, however, it shall be advised whether the Committee 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.

It was noted that all items would be considered in public session.

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## **5: Deputations/Petitions**

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.

No deputations or petitions were received on this item.

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## **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 in writing at least three clear working days in advance of the meeting.

No questions were asked on this item.

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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: Revision of Car Parking Tariffs / Charges**

To consider the revised car parking tariffs.

Contact: Sarah Durdin, Highways and Streetscene

### **RESOLVED –**

- 1) That approval be given to introduce new parking charges and that a statutory consultation process in relation to new charges will be undertaken in order to do this.
  - 2) That approval also be given to increase existing parking charges by inflation, retrospectively and that in addition a non-statutory engagement and consultation process in relation to increased charges will be undertaken.
  - 3) Note that in accordance with usual procedures, on completion of the consultations, a report will be submitted to Cabinet Committee Local Issues for consideration in relation to the Traffic Regulation Order.
  - 4) That authority be delegated to CCLI for the decision prior to implementation of revised charges.
  - 5) That it be noted that any future annual revisions of car parking tariffs / charges may be delegated to the relevant Service Director responsible for the Parking Service, in accordance with the Financial Procedure Rules.
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## 9: Housing Growth Update

To consider the Housing Growth Update report.

Contact: Adele Buckley, Housing Growth and Regeneration

### **RESOLVED –**

- 1) That in relation to Dewsbury Riverside, authority be delegated to the Service Director – Skills & Regeneration, in consultation with the relevant portfolio holder, the Service Director - Finance and the Service Director – Legal, Governance and Commissioning, power to enter into appropriate legal agreements, including an MoU with Homes England and Network Rail, and undertake the appropriate procurement route required for the appointment of a master developer to deliver the site, including relevant agreements with other land owners and interested parties.
- 2) That, pursuant to (1) above, authority be delegated to the Service Director – Skills & Regeneration, in consultation with relevant portfolio holder, the Service Director - Finance and the Service Director – Legal, Governance and Commissioning, to dispose of the Council's land as required to facilitate the delivery of the Dewsbury Riverside site (Local Plan Ref: HS61).
- 3) That, pursuant to (1) above, authority be delegated to the Service Director – Legal, Governance and Commissioning to enter into all agreements necessary to effect the disposals referred to at resolutions 1 and 2 above.
- 4) That in relation to Fenay Lane, approval be given to the disposal of the site at 'less than best consideration' to the preferred partner when appointed in accordance with the General Disposal Consent (England) 2003.
- 5) That, pursuant to (4) above, authority be delegated to the Strategic Director, Growth and Regeneration to negotiate and agree the terms of disposal for the site with the preferred partner; and determine the appropriate level of discount for the site following a comprehensive assessment of the appointed partner's development appraisal reflecting the housing mix which receives planning consent.
- 6) That, pursuant to (4) above, authority be delegated to the Service Director, Legal, Governance and Commissioning to enter into and execute any agreement and other ancillary documents necessary to dispose of the site to the preferred partner for use as affordable and market housing dependent on the final housing mix.
- 7) That in relation to site development, preparation and delivery, a grant (Capital Allowances) be added into the Capital Plan to support the delivery of the Housing Growth Programme.
- 8) That, pursuant to (7) above, approval be given to the capital funding from grant (Capital Allowances) up to the maximum available for this activity which is £1.014M in total for Housing Growth site development, preparation, and delivery costs to support progress of sites in the Housing Growth Programme, whereby the capital funding will be drawn down into the capital plan as each element of expenditure is required and when expenditure is approved by the chair of Housing Growth Board.



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## 10: Council Owned Tree and Woodland Management Policy

To consider the Council Owned Tree and Woodland Management Policy.

Contact: Joe Robertson, Woodland Development Manager

**RESOLVED** – That the Council Owned Tree and Woodland Management Policy be adopted and that authority be delegated to the Service Director for Highways and Streetscene to make any future updates to the policy document.

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## 11: Asset Review November 2023

To consider the Asset Review (November 2023).

Contact: Daniel McDermott, Assets & Estates

### **RESOLVED** –

- 1) That approval be given to the ongoing and planned activity being managed under business as usual, including the surplus declaration of the four identified assets to be brought forward for disposal:
    - (i) 1 Beech Street, Huddersfield, HD1 4JN
    - (ii) (DRAM Sports & Community Centre, Ridgeway, Dalton, Huddersfield, HD5 9QJ
    - (iii) HUDAWI Centre, Great Northern Street, Huddersfield, HD1 6BG
    - (iv) Red House, 281 Oxford Road, Gomersal, Cleckheaton, BD19 4JP
  - 2) That authority be delegated to the Strategic Director for Growth and Regeneration in consultation with the relevant portfolio holder, Service Director – Legal, Governance and Commissioning, to dispose of the identified property assets to support the Council's income targets, irrespective of the value of the site and on such terms as officers deem most appropriate,
  - 3) That authority be delegated to the Service Director – Legal, Governance and Commissioning power to enter into all agreements necessary to effect any of those disposals referred to at (1) above.
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## 12: Data Network

To consider the procurement of new corporate data network services.

Contact: Terence Hudson, Head of Technology

## **RESOLVED –**

- 1) That approval be given to proceed with procurements for the core network hardware and the corporate data network services in line with the Technology Strategy and to ensure that procurements are delivered within existing capital and revenue budgets.
  - 2) That approval be given to provide data network services into existing library and information centres, children's centres, and community centres and that the contract will include options for more cost effective connections and aim to provide social value tariffs for community based assets across Kirklees.
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### **13: Corporate Financial Monitoring Report - Quarter 2, 2023-24**

To consider the Quarter 2 Monitoring report.

Contact: James Anderson, Head of Accountancy

## **RESOLVED –**

- 1) That the forecast revenue outturn position at Quarter 2 for 2023/24 (£16.1m overspend), and the forecast year end position on the Council's reserves and balances (£47.4 Reserves, of which £35.4m are Usable Reserves) be noted;
  - 2) That the Quarter 2 forecast HRA position (£34k surplus) and forecast year-end reserves position be noted;
  - 3) That the Quarter 2 forecast capital monitoring position for 2023/24 in regard to Capital (£57.9m underspend) be noted;
  - 4) That approval be given to the re-profiling of the 2023/24 capital plan as set out in the slides appended to the considered report;
  - 5) That approval be given to £0.32m to purchase three highways tipper vehicles with delivery expected before April 2024;
  - 6) That the Quarter 2 treasury management prudential indicators be noted.
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### **14: Withdrawal of Netherton & South Crosland Neighbourhood Plan Forum Designation**

To consider the withdrawal of Netherton and South Crosland Neighbourhood Plan Forum designation.

Contact: Jacob Parker-Henry, Planning Policy

## **RESOLVED –**

- 1) That approval be given to the withdrawal of the designation of the Netherton and South Crosland neighbourhood Forum in accordance with the Town and Country Planning Act 1990, Section 61F(9).
- 2) That approval be given to the publication of the withdrawal statement in compliance with Neighbourhood Planning (General) Regulation 2012, Regulation 12(2).



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