



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

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Decision Summary

Committee:
Date:
Committee Clerk:
TEL:

CABINET
TUESDAY 24 MARCH 2026
Yolande Myers
01484 221000

Chair

Councillor Carole Pattison

Councillors Attended

Councillor Beverley Addy
Councillor Moses Crook
Councillor Tyler Hawkins
Councillor Viv Kendrick
Councillor Amanda Pinnock
Councillor Jane Rylah
Councillor Graham Turner

Observers

Councillor Andrew Cooper
Councillor Susan Lee-Richards
Councillor Cathy Scott

Apologies

Councillor Nosheen Dad

8: Cooper Bridge delegation of executive functions from Calderdale Council to Kirklees Council

To consider the acceptance of executive functions to support the ongoing development and delivery of the Cooper Bridge improvement scheme.

Wards affected: Liversedge and Gomersal, Mirfield and Ashbrow.

Contact: Ilyas Ramjan, Head of Major Projects

RESOLVED –

- 1) That the report and associated appendices be noted.
 - 2) That approval be given for all executive functions under the Town and Country Planning Act 1990 (TCPA 1990), the Highways Act 1980 (HA 1980), and the Road Traffic Regulation Act (1984) (RTRA 1984) required to deliver the Scheme to be accepted by Kirklees Council (KMBC) which have been delegated from Calderdale Council (CMBC).
 - 3) That authority be delegated to the Executive Director for Place, in consultation with the Service Director for Legal, Governance & Commissioning and the Portfolio Holder for Transport, to negotiate and agree the terms of the Agreement with CMBC to enable the delegation of the executive functions under the TCPA 1990, the HA 1980 and the RTRA 1984 as set out in Appendix A of the considered report.
 - 4) That authority be delegated to the Service Director for Legal, Governance & Commissioning to seal and complete the Agreement and enter into any and all additional legal documents necessary to accept the delegation of the specific executive functions under the TCPA 1990, the HA 1980 and the RTRA 1984 as set out in Appendix A.
 - 5) That authority be delegated to the Executive Director for Place, in consultation with the Cabinet Member for Transport & Housing, and the Service Director for Legal, Governance & Commissioning, to accept the delegation of any specific additional executive functions not listed at Appendix A from CMBC should such functions become necessary to enable KMBC to deliver the Scheme and to negotiate and agree the terms of any such delegation of executive functions.
 - 6) That authority be delegated to the Service Director for Legal, Governance & Commissioning to seal and complete any supplemental or additional legal documents necessary to accept the delegation.
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9: Development of land at Gasworks Street - West Yorkshire Investment Zone

To consider the development of land at Gasworks Street.

Ward affected: Dalton

Contact: Chris Duffill, Head of Business and Skills

RESOLVED –

- 1) That approval be given to the draft masterplan and Outline Business Case (OBC) for the project.
- 2) That approval be given to the acceptance of further funding of up to £1m from West Yorkshire Combined Authority (WYCA) as part of the overall capital allocation for the project to support further development of the project including detailed scheme design and full business case development and for the Council to act as Accountable Body for the grant.
- 3) That approval be given for the appointment of a private sector developer partner to progress delivery of the project.
- 4) That authority be delegated to the Executive Director for Place, in

consultation with the Service Director Legal, Governance and Commissioning, to finalise the procurement strategy to appoint a developer partner, for future approval by Cabinet including commencement of pre-market engagement and subsequent procurement stages.

- 5) That authority be delegated to the Executive Director for Place to finalise the masterplan and OBC for submission to WYCA and commence development of the Royal Institute of British Architects (RIBA) Stage 3 design and full business case.
- 6) That authority be delegated to the Executive Director for Place, in consultation with the Service Director Legal, Governance and Commissioning, to agree all necessary legal agreements with WYCA and for the Service Director Legal, Governance and Commissioning to enter into the aforementioned documentation on behalf of the Council
- 7) That authority be delegated for implementation of the programme to the Executive Director for Place including the commencement and award of any related procurement exercises required to progress the project up to and including RIBA Stage 3, in accordance with the contract procedure rules and finance procedure rules and for the Service Director Legal, Governance and Commissioning to enter into the associated legal formalities and documentation on behalf of the Council.

10: Our Cultural Heart - Phase 1 Food Hall

To consider Our Cultural Heart, Phase 1 Food Hall.

Ward affected: Newsome

Contact: David Glover, Senior Responsible Officer - Our Cultural Heart

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 in relation to the Phase 1 Food Hall Tenant/Operator authority be delegated to the Executive Director of Place, in consultation with the Service Director Finance, the Service Director Legal, Governance and Commissioning and the Portfolio Holder for Finance & Regeneration to conclude the food hall tenant/operator selection process (options are lease, management agreement or direct operation by the council) to determine the best outcome for the council. Where third parties are to be used under a lease to negotiate and agree the terms of the lease or if

there is a management agreement procure (for a management agreement), negotiate the contract terms and award the contract(s). This delegation shall include any grant of a lease at an undervalue if appropriate.

- 2) That in relation to the Phase 1 Food Hall Contract authority be delegated to the Executive Director or Place, in consultation with the Service Director Legal, Governance and Commissioning and the Portfolio Holder for Finance and Regeneration to approve the commencement and award of a concession contract or a management services contract under the Procurement Act 2023 in accordance with the Council's Procedure Rules.
- 3) That in relation to the Phase 1 Food Hall Fit Out authority be delegated to the Executive Director of Place, in consultation with the Service Director Finance, the Service Director – Legal, Governance and Commissioning and the Portfolio Holder for Finance & Regeneration to procure and award the necessary contract(s) to complete the food hall fit out.
- 4) That in relation to the SDP, Architect and Engineer Services, Extension of Appointments, subject to agreement on fees and in line with the council's procurement process and Contract Procedure Rules, approval be given to the extension of the services being provided by the external Client construction delivery team (SDP, architect and the engineer) to progress the Phase 1 food hall fit out. The same delivery team is Our Cultural Heart, part of the Huddersfield Blueprint, Phase 1 Food Hall 2 providing the necessary services on Phase 1, Phase 2, the retail demolition and the rest of the feasibility work on the master plan.
- 5) That in relation to Our Cultural Heart Committed Expenditure
 - (i) approval be given to the further draw down of £3.0m from later phases of the OCH programme to fund the food hall fit out thereby increasing the committed expenditure for Phase 1 from £58.370m to £61.370m and for the overall programme from £136.983m to £139.983m.
 - (ii) the potential revenue implications of the operation of the Food Hall, taking into account the current offer and using the latest available PWLB rates for borrowing be noted.
- 6) That in relation to Agreements and Executing Documents authority be delegated to the Service Director – Legal, Governance and Commissioning to negotiate, agree, enter into all agreements and enter into and execute any documents necessary to enable the delivery of the Our Cultural Heart food hall.

11: 2026/27 Proposed allocation of funding from the Children and Families Directorate, Learning and Early Support Schools Capital Maintenance baseline section of the Capital Plan.

To consider capital projects from the 2026/27 Learning and Early Support Capital Maintenance baseline section of the Capital Plan.

Wards affected: all

Contact: David Martin, Head of Service for Property

RESOLVED –

- 1) That approval be given to the business case found at Appendix A of the considered report, which outlined the rationale for the schools' condition and Health and Safety (H&S) works programme, the availability of funding, the selection process and the main categories of work, thereby enabling the projects concerned to be designed, procured and implemented.
 - 2) That approval be given to the list of proposed condition and H&S related works in maintained schools for 2026/2027, which was appended to the report (Appendix B).
 - 3) The authority be delegated to the Executive Director for Place and/or Service Director Development as outlined in the considered report to aid the management of the schools' baseline condition and H&S programme.
 - 4) That authority be delegated to the Executive Director – Place to procure and award contracts arising from the programme of works and to authorise the Service Director – Legal, Governance and Commissioning to enter into the necessary contracts / legal documents in accordance with the Council's Contract Procedure Rules.
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12: White Rose Forest -Trees for Climate Programme 2026-2030

To consider a new funding agreement for the delivery of the Trees for Climate programme.

Wards affected: all

Contact: Iwan Downey, White Rose Forest Programme Director

RESOLVED –

- 1) That approval be given to accept grant funding of approximately £47m of capital and £2.6m of revenue from Cheshire West and Chester Council to implement and deliver a new Trees for Climate programme for 2026-2030.
- 2) That authority be delegated to the Executive Director for Place, in consultation with the Service Director for Finance and Service Director for Legal, Governance and Commissioning and with the Portfolio Holder for Finance Regeneration to:
 - (i) enter into both capital and revenue funding agreements with Cheshire West and Chester Council (the accountable body for the national Defra funded programme).
 - (ii) Implement and deliver the Trees for Climate programme for West and North Yorkshire (and a wider geography, where appropriate and feasible) including recruitment and procurement of the resources required to deliver the programme objectives including the ongoing monitoring of the outcomes, over multiple years, working in partnership with the

- Community Forest Trust, and England's Community
- (iii) receive both capital and revenue funding from the Trees for Climate [2026-2030] programme funders both as the accountable body for the WRF and to make offers of grant funding in order to pass funds on to eligible project applicants.
 - (iv) pursue other funding including match-funding opportunities, private sector donations and sponsorships to support the delivery of the WRF strategic objectives and where appropriate enter into funding agreements with funders.
- 3) That authority be delegated to the Service Director Legal, Governance and Commissioning to enter into any external funding agreements including with Cheshire West and Chester Council as accountable body for DEFRA; any funding agreements with third party landowners and /or other ancillary legal agreements / legal instruments/land management service agreements.

13: Kirklees Local Plan Update: Commencement and Delivery Arrangements

To consider the new regulations to commence the Kirklees Local Plan.

Wards affected: all

Contact: Jo Scrutton, Group Leader Policy and Strategy

RESOLVED –

- 1) That approval be given to a full update of the Kirklees Local Plan commences in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2026.
- 2) That approval be given to the submission of a notice of intention to commence the Kirklees Local Plan update to the Ministry of Housing, Communities and Local Government (MHCLG) and its publication (Regulation 19).
- 3) That approval be given to the updated Local Plan Timetable, to its submission to MHCLG and its publication (Regulation 4 and 5).
- 4) That authority be delegated to the Executive Director of Place in consultation with the Finance and Regeneration Portfolio Holder to update and publish the Local Plan Timetable monthly or as required to ensure an up-to-date timetable is publicly available (Regulation 6).
- 5) That authority be delegated to the Executive Director of Place in consultation with the Finance and Regeneration Portfolio Holder to agree commencement of the scoping consultation (Regulation 20).
- 6) That authority be delegated to the Executive Director of Place in consultation with the Finance and Regeneration Portfolio Holder to approve, submit and publish documents for Gateway 1 self-assessment (Regulation 21), Gateway 2 (Regulation 26) and Gateway 3 (Regulation 31).
- 7) That authority be delegated to the Executive Director of Place in consultation with the Finance and Regeneration Portfolio Holder to agree

the content of and commencement of Consultation: Proposed Local Plan content and evidence, including draft vision (Regulation 23) and Consultation on the proposed local plan (Regulation 27) with feedback brought back to a future meeting.

14: Corporate Financial Monitoring Report Quarter 3 for 2025 - 2026

To consider the Corporate Financial Monitoring Report for 2025-2026.

Wards affected: all

Contact: James Anderson, Head of Accountancy

RESOLVED –

- 1) That the revenue outturn position at Quarter 3 of a forecast overspend of £4.1m (Q2: £5.1m) be noted, and to note that there would be a requirement to balance the budget using reserves should the overspend remain;
 - 2) That the Quarter 3 position on the Dedicated Schools Grant (DSG) be noted, being an in year deficit of £17.4m (2024/25 £20m) to take the cumulative deficit to £81.3m;
 - 3) That the Quarter 3 HRA position be noted, being a projected underspend of £921k. Any underspends would be taken to HRA reserves at year end. The current forecast year-end reserves position was now £27.4m;
 - 4) That the Quarter 3 forecast capital monitoring position for 2025/26 be noted, and to note a proposed net reduction in the 2025/26 position of £14.7m due to: -
 - (i) £14.2m re-profiling of spend into future years (£11.6m General Fund and £2.6m HRA)
 - (ii) £0.5m decrease in the capital plan due to the removal of UKSPF grant.
 - 5) That the Quarter 3 treasury management prudential indicators be noted.
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