

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Thursday 24th March 2016

Present: Councillor David Sheard (Chair)
Councillor Jean Calvert
Councillor Steve Hall
Councillor Viv Kendrick
Councillor Peter McBride
Councillor Graham Turner

Apologies: Councillor Erin Hill
Councillor Shabir Pandor
Councillor Cathy Scott

255 Membership of the Committee

Apologies for absence were received on behalf of Councillors C Scott, Hill and Pandor.

256 Interests

No interests were declared.

257 Admission of the Public

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

258 Deputations/Petitions

No deputations or petitions were received.

259 Public Question Time

No questions were asked.

260 Member Question Time

No questions were asked.

261 Allocation of Supported Living Accommodation

Cabinet gave consideration to a report which sought approval to amend the Council's Housing Allocation Policy to incorporate a new section to cover the allocation of all accommodation that has support as integral to it, including extra care housing.

Cabinet noted that the current policy, which had been approved in December 2012 included a section that included the allocation of extra care housing. It was proposed that this section is now amended and expanded to cover the allocation of both extra care housing and specialist support housing for all groups of people. The proposed policy was detailed at Appendix A of the report.

The report explained that the amended policy would ensure that the allocation of supported accommodation was carried out in a consistent manner.

RESOLVED -

(1) That the amendments to the Housing Allocation Policy, as set out in Appendix A of the considered report, be approved.

(2) That authority be delegated to the Assistant Director of Place, in consultation with the Cabinet Portfolio Holder, to make future minor amendments to the Housing Allocations Policy in order to comply with legislation, guidance and case law.

262

Leasehold Asset Transfer of East Bierley Playing Fields

(Under provisions of Council Procedure Rule 37, Cabinet received a representation from Ed Filtness on behalf of East Bierley Community Sports Association)

Cabinet gave consideration to a report which set out a proposal to grant a long lease of the land and buildings that currently make up East Bierley playing fields to East Bierley Community Sports Association. The report also advised that the Association had requested a loan for £175,000 over a period of 20 years. The report advised that the loan would enable them to continue with a planned rebuild of the changing facilities at the club, which were in a poor state of repair and required significant capital investment to bring them up to suitable standard.

Cabinet noted that the Association wished to take on a leasehold asset transfer of the site and had submitted a community asset transfer application. They aimed to use the facilities to support local rugby and football activities, as well as wider community use for recreation, fitness and social activities.

The report advised that the Association had submitted a robust application and business plan which had met with the requirements of the Asset Transfer Policy.

RESOLVED -

(1) That approval be given to a grant of a 125 year lease of East Bierley Playing Fields to East Bierley Community Sports Association for no premium/nil consideration, including covenants to ensure that the majority of the building and land can only be used for community use.

(2) That a loan of £175k be offered to East Bierley Community Association for a term of twenty years.

(3) That the timing of the release of the loan be negotiated with the Assistant Director (Physical Resources and Procurement), in conjunction with the Director of Resources.

(4) That it be noted that the Assistant Director (Physical Resources and Procurement) and the Assistant Director (Legal Governance and Monitoring) have delegated authority to negotiate and agree the terms of the lease that relate to the transfer of East Bierley playing fields.

(5) That it be noted that the Director of Resources has authority to negotiate and agree any additional terms of the loan.

263 Local Authority Searches: Proposed Introduction of VAT and Launch of New Con29 Search

Cabinet received a report which advised of a recent decision by HMRC to introduce VAT at the standard rate to Local Authority Con29 searches and sought approval to pass on the full VAT increase as part of the Con29 search fee. The report also provided an update on a proposed revision of the Con29 search to be effective from July 2016, and sought approval to review and amend fees as appropriate.

RESOLVED -

(1) That the VAT applicable to Con29 search fees, which comes into effect from 4 July 2016, or as otherwise advised by HMRC, be added to the current chargeable rate.

(2) That the search fees for 2016/2017 remain at current levels (expecting the addition of VAT and the identification of any unexpected issues during the spring cost analysis).

(3) That it be noted that a full review of the costs will take place during Spring 2017, following the new Con29 being launched and operated.

264 District Committee Budgets 2016/17

Cabinet received an update on District Committee Year End Spend, and set out recommended criteria for District Committee Budgets for 2016/2017. Appendix 1 of the report set out the District Committee Activity Fund, New Homes Bonus, and budgets carried forward from 2015/2016.

The report set out a framework and criteria for District Committee devolved budgets which (i) allowed flexibility for varied and diverse projects, activities and services (ii) enabled a positive contribution to New Council priorities and (iii) provided better outcomes for local people.

RESOLVED - That the District Committee Budget Criteria, as detailed in paragraphs 3, 4 and 5 of the considered report, be approved and implemented for 2016/2017 subject to;

(i) It being noted that the New Homes Bonus New Allocation for 2016/2017 is; Batley and Spen - £282,059, Dewsbury and Mirfield - £148,170, Huddersfield - £320,568 and Kirklees Rural - £175,203.

(ii) The criteria not being retrospectively applied to allocations already approved by District Committees in relation to New Homes Bonus funding.

Cabinet - 24 March 2016

- (iii) The deletion of paragraph 4.2 of the report.
- (iv) The insertion of an additional criteria to state that any allocations shall not be contrary to any policies agreed by Cabinet.
- (v) The information as referred to in paragraph 4.7 being provided as soon as is possible.