

Contact Officer: Andrea Woodside

## **KIRKLEES COUNCIL**

### **CABINET**

**Tuesday 15th November 2016**

Present: Councillor David Sheard (Chair)  
Councillor Shabir Pandor  
Councillor Peter McBride  
Councillor Naheed Mather  
Councillor Musarrat Khan  
Councillor Erin Hill  
Councillor Viv Kendrick  
Councillor Graham Turner

Apologies: Councillor Masood Ahmed

Observers: Councillor Cathy Scott

#### **97 Membership of the Committee**

Apologies for absence were received on behalf of Councillor Ahmed.

#### **98 Minutes of previous meeting**

**RESOLVED** - That the Minutes of the meetings held on 3 October, 12 October and 18 October 2016 be approved as a correct record.

#### **99 Interests**

No interests were declared.

#### **100 Admission of the Public**

It was noted that Agenda Item 15 would be considered in private session. (Minute No. 111 refers)

#### **101 Deputations/Petitions**

No deputations or petitions were received.

**102 Public Question Time**

No questions were asked.

**103 Member Question Time**

No questions were asked.

**104 Interim Affordable Housing Policy**

Cabinet gave consideration to a report which set out proposed guidelines and an interim policy for dealing with affordable housing contributions in respect of new housing developments. The proposed draft interim affordable housing policy was attached as an appendix to the report.

The report outlined the benefits to the revised policy which provided an up to date and evidenced basis upon which to calculate affordable housing contributions and also was intended to encourage developers to consider a wide range of housing, including extra care housing and a range of housing solutions for older people.

**RESOLVED –**

1. That the report be noted and that the introduction of an Interim Affordable Housing Policy be endorsed, subject to minor wording amendments at paragraphs 2.7 a and 3.3 of the report.
2. That a report be submitted to a meeting of Council to seek approval of the Policy.

**105 Revision of the Local Flood Risk Management Strategy**

Cabinet received an updated version of the flood risk management strategy, which had been reviewed following a resolution of Council on 23 March 2016. The strategy, which was previously published in February 2013, had been updated to take account of new evidence and information, particularly in regards to incidents of flooding during December 2015.

The strategy outlined the Council's duties under the Flood and Water Management Act 2010 and detailed a series of actions to understand local flood risk and identify measures to manage the risk. Paragraph 2(i) of the considered report provided a summary of revisions to the strategy, which included referencing the incident of flooding in Mirfield during December 2015, and strengthening actions to explore natural flood management opportunities. The

strategy set out the general approach on the initiatives and tools that the Council would use to manage flood risk, and specific actions that would contribute to an ongoing mitigation and resilience programme. It was noted that the programme had been developed in partnership with the Environment Agency to maximise opportunities for funding through their grant aid programme.

The report advised that the Council had a legal duty to publish, implement and review a Local Flood Risk Management Strategy, and that the strategy would be implemented within existing revenue and capital budgets, in line with the level of flood risk and external funding opportunities.

**RESOLVED –**

1. That the report and updated Flood Risk Management Strategy be received and noted.
2. That a report be submitted to the meeting of Council on 14 December 2016 to seek approval of the updated strategy.

**106 Christmas Parking Concessions 2016**

Cabinet gave consideration to a report which sought approval for parking concessions in the towns of Huddersfield, Dewsbury and Holmfirth during the 2016 Christmas period. The report set out details of the current Christmas concessions, which had been in place for over 10 years, and requested that consideration be given to offering additional concessions within Huddersfield and Dewsbury in order to encourage greater visitor numbers, promote local shopping and increase trade.

Cabinet noted that suspending parking tariffs should assist in increasing footfall into town centres, although it would result in lost revenue to the Council of £53,000 which included £30,000 from the proposed additional concessions.

**RESOLVED –**

1. That the 2016 christmas parking concessions as detailed at paragraphs 2.2 and 2.3 of the considered report be approved.
2. That businesses within the town centres be asked to encourage employees not to utilise the provision and negate the aim and purpose of the concession.

**107 Quarter 2, 2016-17 - Corporate Monitoring Report incorporating General Fund Revenue, Housing Revenue Account, Capital and Treasury Management**

Cabinet received a report which set out the Council's 2016-2017 forecast financial outturn position for the General Fund Revenue, Housing Revenue Account and Capital Plan as at Quarter 2. The report also incorporated the mid-

## Cabinet - 15 November 2016

year summary of treasury management operational activity covering the period 1 April to 30 September 2016.

The report advised that the General Fund Revenue for 2016-2017 was set at £310.8m and that the Council's forecast net revenue spend was £315.9m in 2016-2017 resulting in an overspend of £5.1m, equating to 1.7%, against budget. Cabinet noted that, overall general fund corporate reserves were forecast to reduce from approximately £93m (April 2016) to approximately £53m (March 2017), equating to a 43% reduction. The projected £5.1m projected overspend, if not corrected, would be a further call on available reserves.

Cabinet noted that the Housing Revenue Account forecast revenue outturn was a surplus of £490k, against an annual budgeted turnover of £94.5m in 2016/2017, equating to 0.5%. In terms of the Capital Budget, the report advised that that the forecast capital outturn position was £78.7m, resulting in a relatively small underspend of £3.6m, which equated to 4.4% variance to budget.

Appendix A to the considered report set out the detail of the forecast financial outturn position at Quarter 2 in relation to the Council's General Fund Revenue, Housing Revenue Account and Capital Budgets.

### **RESOLVED –**

1. That, in relation to the General Revenue Fund, (i) the proposals to increase earmarked (risk) reserves drawdown by a further £1.9m to £4.8m to resources additional children's service development costs be approved (para 2.2 refers) (ii) the forecast £5.1m forecast revenue overspend position for 2016-2017, net of the proposed reserves drawdown in (i) above (para 2.1 refers) be noted (iii) it be noted that a report will be submitted to a future Cabinet meeting following clarification of liability for site clearance costs relating to the environmental incident at a commercial site in Lockwood (iv) the forecast outturn position on collection fund (paras 3.9 and 3.10 refer) and forecast movements in reserves and balances in-year (paras 3.6 to 3.8 refer) be noted (v) the proposals to bring the forecast £5.1m overspend in line with budgets by current year end, and other actions to build up available reserves to support the Medium Term Financial Plan from 2017 onwards (para 3.4 refers) be noted (vi) a report be submitted to Cabinet on 15 December 2016 regarding management actions being taken to mitigate the increasing overspend in Learning Disabilities (para 3.5 refers) and (vii) a report be submitted to a future Cabinet meeting to consider how the Mount Pleasant £3.3m potential release from the rollover reserve could be used (para 3.8 refers).
2. That, in relation to the Housing Revenue Account, the forecast revenue outturn position for 2016-2017 (para 2.10 and Appendix A refer) and the forecast HRA reserves position at year end (Appendix B refers) be noted.
3. That, in relation to Capital, (i) the forecast capital outturn position for 2016-2017 (para 2.10 and Appendix A) be noted and (ii) approval be given to the transfer of £500k from the IT Revenue budget into the 'Corporate Facilities IT' Capital

Programme budget.

4. That, in relation to Treasury Management, the mid-year summary on Treasury Management activity for 2016-2017 (Appendix A refers) be noted.

**108 Outcomes from the non-statutory consultation for Members consideration on proposals for changes to specialist provision for children with Speech, Language and Communication Needs (SLCN) and autism**

Cabinet gave consideration to a report which set out the outcomes of the non-statutory consultation process that had taken place between 16 May and 17 June 2016 regarding proposals to change specialist provisions at Ashbrow School, Moldgreen Community Primary School and Thornhill Junior and Infant School. The proposals were (i) for the provision of twelve transitional places and outreach for children with speech, language and communication needs at Ashbrow School to be discontinued (ii) for the provision of twelve transitional places for children with speech, language and communication needs and outreach at Thornhill Junior and Infant School to be discontinued (iii) for the provision of ten transitional places for children with autism at Moldgreen Community Primary School to be discontinued (iv) to increase resources to a centralised primary outreach provision 'hub' to serve the whole of Kirklees for children with speech, language and communication needs, and autism. Cabinet noted that the rationale for the proposals was a result of the positive outcomes from outreach support in mainstream schools which enabled children to be supported within their local school.

The report advised that the consultation had been carried out with key stakeholders in order to gather views on proposals, and that 39 responses had been received. The key themes arising from the consultation were detailed at paragraph 2.1 of the considered report and Appendix C set out the detail of the responses. The officer recommendations to Cabinet, following the conclusion of the consultation process, were set out at paragraph 2.2.

**RESOLVED –**

1. That the feedback to the non-statutory consultation process, as detailed within the considered report, be noted.
2. That, with regard to Moldgreen Community Primary School, officers be authorised to publish statutory proposals and notices to discontinue the 10 transitional places for children with autism, and that a report be brought back to a future meeting of Cabinet for final decision, with a view to implementing the proposals from 1 April 2017, if approved.
3. That, with regard to Thornhill Junior and Infant School, it be noted that as part of the conversion to become an Academy, the matter of discontinuance of specialist provision was considered and the agreement does not include any

specialist provision.

4. That a proposal to discontinue the 12 transitional places for children with speech, language and communication needs at Ashbrow School in order to commission outreach provision as referred to in (5) below be noted.
5. That, with regard to primary outreach provision for Speech, Language and Communication Needs and Autism across Kirklees, a proposal to increase resources to a centralised primary outreach provision 'hub' to serve Kirklees be noted and that approval be given to seeking expressions of interest for a school to host a specialist provision with 12 transitional places, following which a further report will be submitted to Cabinet.
6. That the next steps and timescales for the subsequent stage of the statutory process be noted, and that a further report be submitted to Cabinet for decision following the representation period.
7. That officers be requested to carry out preliminary and preparatory work with parents, governing bodies and staff to enable a successful implementation, subject to agreement of the proposals, by engagement with relevant parties in the planning stages of the future specialist resource provision in mainstream schools.

**109 Dewsbury Education Village - Pioneer House and land at Bradford Road, Dewsbury**

(Under the provisions of Council Procedure Rule 36 (1) Cabinet received a representation from Councillor Scott).

Cabinet received a report which sought approval for the Council to support Kirklees College in the creation of a new education facility in Dewsbury, through the disposal of the Council owned property at Bradford Road, Dewsbury (formerly Safeway) site. The report also provided an update on progress regarding the refurbishment of Pioneer House as part of the wider Dewsbury Learning Quarter Project.

The report explained that the new education base would be undertaken in three distinct stages, initially the acquisition and development of the Bradford Road site, followed by the landlord's programme for Pioneer House and finally the College undertaking an occupation fir-out programme at Pioneer House.

Cabinet noted that the disposal of the land at Bradford Road was an essential element of the overall project and would enable the works to commence. The disposal would secure a large capital receipt for the Council and allow the wider project to progress and subsequently for the Local Enterprise Partnership grant to be spent. It was also noted that the West Yorkshire Combined Authority approved a capital envelope of £11.1m grant and £4 capital loan towards the redevelopment of Pioneer House and the creation of Dewsbury Learning Quarter.

(Exempt information as detailed at agenda item 15 (Minute No. 111 refers) was considered prior to the determination of this agenda item.)

**RESOLVED –**

1. That approval be given to the disposal of Land at Bradford Road, Dewsbury, as illustrated in Appendix 1 of the considered report, to Kirklees College, for the provision of the Dewsbury Learning Quarter.
2. That authority be delegated to the Assistant Director (Legal, Governance and Monitoring) in consultation with the Assistant Director (Place) to enter into all appropriate contracts, deeds and documents in relation to the sale of the land at Bradford Road, Dewsbury, with Kirklees College.
3. That authority be delegated to the Assistant Director (Place) in consultation with the Assistant Director (Legal, Governance and Monitoring) to agree any reasonable adjustments in relation to abnormal site costs associated with the specific college development.

**110 Exclusion of the Public**

That acting under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting for 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, as specifically stated in the undermentioned Minute.

**111 Dewsbury Education Village - Pioneer House and land at Bradford Road, Dewsbury**

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, namely because the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and third party organisations concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 13 (Minute No. 109 refers).

**RESOLVED –**

The exempt information was noted prior to the determination of Agenda Item 13.