

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 7th March 2017

Present: Councillor David Sheard (Chair)
Councillor Shabir Pandor
Councillor Peter McBride
Councillor Musarrat Khan
Councillor Erin Hill
Councillor Masood Ahmed
Councillor Graham Turner

Apologies: Councillor Naheed Mather
Councillor Viv Kendrick

186 Membership of the Committee

Apologies for absence were received on behalf of Councillors Kendrick and Mather.

187 Minutes of previous meeting

RESOLVED – That the minutes of the meetings held on 17 January, 31 January and 7 February 2017 be approved as a correct record.

188 Interests

No interests were declared.

189 Admission of the Public

It was noted that Agenda Items 17 and 18 would be considered in private session. (Minute Nos 202 and 203 refer).

190 Deputations/Petitions

Cabinet received deputations from (i) Mr Ken Shaw regarding the concerns relating to the Council's application of VAT regulations and (ii) Mr Hasan Badat regarding the provision of non-intrusive autopsies within the Kirklees area.

191 Public Question Time

No questions were asked.

192 Member Question Time

No questions were asked.

193 Corporate Performance Report - 2016-17. Quarter 3

Cabinet received the Quarter 3 Performance Report which provided an overview of the Council's corporate performance at the end of Quarter 3 2016/2017, and included updates on progress against outcomes in the joint Health and Wellbeing Strategy and Kirklees Economic Strategy.

Key points to note within the report were summarised at paragraph 2 and included an update on the Children and Families Act review, the recent Ofsted concerns regarding the Early Help offer, preventions of homelessness, the establishment of the Tackling Poverty Cross Party Working Group and the progress of Dewsbury Learning Quarter.

RESOLVED - That the Quarter 3 Performance Report (October to December 2016) be received and noted.

194 Community Asset Transfer Policy

Cabinet received a report which sought approval of the revised Community Asset Transfer Policy. The report advised that the Asset Advancement Policy had been approved by Cabinet in October 2013 and provided for a review of the policy at a later date. The subsequent reviewed version was appended to the considered report and developed further upon the 2013 version, building upon lessons learned from the asset transfers that had been completed to date, and re-branding the policy to the 'Asset Transfer Policy'. Cabinet noted that the reviewed policy introduced a grant application process for financial support for groups that required it, whereas the 2013 policy had no mechanism for financial report.

Cabinet were asked to give consideration to the approval of the revised Asset Transfer Policy and the implementation of the incentivisation proposals as detailed within the report.

RESOLVED –

- 1) That the updated Asset Transfer Policy be approved.
- 2) That approval be given for the updated Asset Transfer Policy to replace the 2013 Asset Advancement Policy and become effective from 1 April 2017.
- 3) That it be noted that the new policy will be applied to the three Asset Transfers scheduled for consideration at Cabinet Committee – Assets on 28 March 2017.

195 Review of Local Welfare Provision Policy and Credit Union(s) Loan Scheme(s) for Kirklees Residents

Cabinet received a report which set out proposals for implementing change to the Local Welfare Provision Scheme following the decision to reduce the budget for 2017/18 and subsequent years.

The report advised that the reductions (£410,000 in 2017/18, and a further £80,000 in 2018/19) would not impact upon the provision of food, fuel or support with winter coats/uniforms. Cabinet noted that in order to mitigate the removal of the furniture scheme, work had been undertaken with three credit unions to implement a low cost loan scheme in addition to the accessibility of credit unions for Kirklees residents.

RESOLVED –

- 1) That the changes to the Local Welfare Provision scheme, as detailed within the considered report, be noted.
- 2) That the progress being made in relation to the developments at the Credit Union be noted.
- 3) That approval be given to the provision of start-up financial assistance to Borough and Parish Credit Union, subject to further discussions and delegation to the Assistant Director Financial Management, IT , Performance and Risk.

196 Sufficient primary pupil places in the Huddersfield North area

Cabinet gave consideration to a report which sought approval to commence statutory processes with regard to a new primary Free School in the Huddersfield north area. The report set out details of the proposal to establish a new primary Free School within a new build to enable provision to 420 pupils aged 4 to 11 years.

The report provided information relating to the Council's basic duty to secure sufficient primary school places to meet basic need across the wider area of Huddersfield south-west, Huddersfield west, Huddersfield north-west and Huddersfield north, and specifically focused upon the strategy for proposals in the Huddersfield north area.

Cabinet noted that, over the last several years, the school age population in Kirklees had increased by approximately 20% and that the proposals to develop the additional primary school would meet basic need in the area by placing a new primary school at Clare Hill Playing Fields, subject to the Council's acquisition of the site and planning approval. The report advised that it was anticipated that the school would need to initially open in modular accommodation in September 2018, with the new school building to be in place by September 2019.

RESOLVED –

- 1) That officers be authorised to develop plans for seeking proposals to run a new primary free school for Huddersfield North that supports a community wide approach for enough high quality learning places to serve the families in the area by establishing a new 420 place primary free school within a new build located on Clare Hill Playing Fields.

- 2) Pursuant to (1) above, the proposed school shall cater for pupils aged 4 to 11 years and shall have a Published Admission Number of 420 places.
- 3) That authority be delegated to the Director of Children's Services, in consultation with the relevant Cabinet Member to (i) engage and liaise with all stakeholders in conjunction with the Department for Education and the Education Funding Agency and (ii) develop 'invitation to submit proposals to run a new primary academy school' materials on the basis of the proposals.
- 4) That Offices be requested to report the outcomes of the 'invitation to submit proposals' to a future meeting of Cabinet for further consideration.
- 5) That Physical Resources and Procurement be authorised to continue to develop options appraisals, undertake further feasibility studies as necessary, and design development to firm up costings and proposals for the new school building at the Clare Hill Playing Fields site.

197 Proposals for changes to specialist provision for Children with Speech, Language and Communication Needs and Autism

Cabinet received a report which advised of the outcome of the statutory processes for proposals to discontinue the ten transitional places plus outreach for children with autism at Moldgreen Community Primary School.

The report also provided an update on progress with determining a new host school for communication and interaction provision, and advised of the conclusions and recommendations of the School Organisation Advisory Group regarding the statutory process followed for the proposals to discontinue the ten transitional places.

The report advised that, subject to the approval of the recommendations, officers would support and work alongside the Governing Body of Moldgreen Community Primary School to finalise arrangements to implement the proposals from 1 April 2017. It was noted that the absence of take-up of transitional places for children at Moldgreen Community Primary School had meant that no places had been allocated since July 2014.

RESOLVED –

- 1) That the advice of the Kirklees School Organisation Advisory Group that the proposals for Moldgreen Community Primary school to discontinue the provision of 10 transitional places for children with autism are valid, and that the required statutory processes have been carried out, be noted.
- 2) That it be agreed that the decision regarding the proposals will be taken within the statutory time period.
- 3) That the outcomes and recommendations of the Kirklees school Organisation Advisory Group on 16 January 2017, and associated Officer recommendations be noted.
- 4) That the human resource and financial implications of approving the proposals be noted.
- 5) That it be confirmed that, in meeting the obligations of the Equality Act 2010 and the Public Sector Equality Duty 2011, full regard has been given to the Equalities Impact Assessment throughout the statutory process for the proposal including the decision regarding approval.

- 6) That approval be given, without modification or condition, to discontinue the provision of 10 transitional places for children with autism at Moldgreen Community Primary School.
- 7) That Officers be requested to support and work closely with the Governing Body of Moldgreen Community Primary School to finalise arrangements in order to implement the proposals from 1 April 2017.

198 Children's Improvement Plan

Cabinet received a report which sought approval for the submission of the Children's Improvement Plan to Ofsted. The report set out details of how the Council planned to improve outcomes for Children and Young People by working with partners to achieve improvement against the Ofsted recommendations which were set out within the Improvement Plan.

The report advised that the Council's vision for all children in the in the area was 'to have the best possible start in life through every child and young person being safe, loved, healthy, happy, supported to be free from harm and having the chance to make the most of their talents, skills and qualities to fulfil their potential and become productive members of society'. The Improvement Plan had been structured around the four themes of the Single Inspection Framework; (i) children who need help and protection (ii) children looked after and achieving permanence (iii) leadership, management and governance and (iv) effectiveness of the Kirklees Safeguarding Children Board, each of which addressed a number of Ofsted recommendations.

Cabinet noted that the Council were responsible for delivering improvement against the 27 Ofsted recommendations contained in the Improvement Plan and that the Independent Chair of the Safeguarding Children's Board was responsible for delivering improvement against the 10 Kirklees Safeguarding Children's Board recommendations. All 37 recommendations were combined within the Improvement Plan.

RESOLVED –

- 1) That the Children's Improvement Plan, as attached at Appendix 1 of the considered report, be endorsed for submission to the Secretary of State and Her Majesty's Chief Inspector (as stated in The Education and Inspections Act 2006 (Inspection of Local Authorities) Regulations 2007) by 9 March 2017.
- 2) That authority be delegated to the Director of Children's Services, in consultation with the relevant Cabinet Member, to finalise the Children's Improvement Plan prior to its submission to Ofsted.

199 2016/17 and 2017/18 Council Capital Plan – Proposed allocation of 2017/18 capital funding from the Directorate for Children and Young People (DCYP) baseline section of the Capital Plan along with details of proposed amendments to the 2016/17 approved programme of works

Cabinet gave consideration to a report which identified potential projects to be funded from the 2017/2018 Directorate for Children and Young People Capital Maintenance section of the Capital Plan and provided an update on the delivery of

the 2016/2017 Capital Maintenance programme as approved by Cabinet on 8 March 2016.

(Cabinet gave consideration to exempt information at Agenda Item 17 (Minute No. 202 refers) prior to the determination of this item).

RESOLVED –

- 1) That approval be given to the business case as attached at Appendix A of the report, which sets out the rationale for the schools' condition 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 detailed list of proposed works in schools for 2017/2018 as attached at Appendix B of the considered report.
- 3) That authority be delegated to the Director of Economy, Skills and Infrastructure, in accordance with Financial Procedure Rules 3.9 to 3.14 (dated June 2016), to enable the programme to be managed and the implementation of the identified works contained within the respective agreed total programme budgets.
- 4) That the revised amendments and allocations applied by officers using delegated powers to the detail of the 2016/2017 Schools Capital Maintenance and Basic Need programmes, as detailed in Appendix C of the considered report, be noted.

200 Transport Services - 1 year Capital Investment Vehicle Replacement Programme 2017 - 2018

Cabinet gave consideration to a report which sought approval for a one year Capital Investment Vehicle Replacement Programme to continue the previous replacement programme which was agreed by Cabinet on 9 February 2016.

The report advised that there were currently 332 vehicles over their replacement age profile, equating to 40% of the vehicle fleet. Following the approval of the Vehicle Replacement Plan in February 2016, 62 vehicles had been procured and replaced, which had helped to reduce the over aged vehicles by 12%. It was noted that income of £320k had been generated from vehicle sales.

The report advised that the 2017/2018 baseline capital of £2m would fund the replacement of approximately 57 vehicles

Cabinet were asked to delegate authority for the management of the implementation of the Capital Investment Vehicle Replacement Programme, in accordance with the Council's Financial Procedure Rules.

(Cabinet gave consideration to exempt information at Agenda Item 18 (Minute No. 200 refers) prior to the determination of this item).

RESOLVED –

- 1) That approval be given to the continued investment of £2m in the vehicle replacement programme, for financial year 2017/2018, as identified in the capital plan approved by Council on 15 February 2017.
- 2) That authority be delegated to the Director of Economy, Skills and the Environment, as outlined in para 2.6 of the considered report, to manage the implementation of the vehicle replacement programme within the agreed budget and in accordance with Council Financial Procedure Rules 3.9 to 3.14 (dated June 2016).

201 Exclusion of the Public

RESOLVED - That acting under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items 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.

202 2016/17 and 2017/18 Council Capital Plan – Proposed allocation of 2017/18 capital funding from the Directorate for Children and Young People (DCYP) baseline section of the Capital Plan along with details of proposed amendments to the 2016/17 approved programme of works

(Exempt information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that it would not be in the public interest to disclose the information contained within the report as disclosure could potentially adversely affect overall value for money and could compromise the commercial confidentiality of the bidding organisations and may disclose the contractual terms, which is considered to outweigh the public interest in disclosing information including greater accountability, transparency in spending public money and openness in Council decision making)

Cabinet received exempt information prior to the determination of Agenda Item No. 14 (Minute No.199 refers).

203 Transport Services - 1 year Capital Investment Vehicle Replacement Programme 2017 - 2018

(Exempt information relating to the financial or business affairs of any particular person (including the authority holding that information). It is considered that it would not be in the public interest to disclose the information contained within the report as disclosure could potentially adversely affect overall value for money and could compromise the commercial confidentiality of the bidding organisations and may disclose the contractual terms, which is considered to outweigh the public interest in disclosing information including greater accountability, transparency in spending public money and openness in Council decision making)

Cabinet received exempt information prior to the determination of Agenda Item No. 15 (Minute No.200 refers).