

Contact Officer: Andrea Woodside

## **KIRKLEES COUNCIL**

### **CABINET**

**Tuesday 11th July 2017**

Present: Councillor David Sheard (Chair)  
Councillor Shabir Pandor  
Councillor Peter McBride  
Councillor Naheed Mather  
Councillor Musarrat Khan  
Councillor Viv Kendrick  
Councillor Masood Ahmed  
Councillor Cathy Scott

Apologies: Councillor Erin Hill  
Councillor Graham Turner

#### **264 Membership of the Committee**

Apologies for absence were received on behalf of Councillors Hill and G Turner.

#### **265 Minutes of previous meeting**

##### **RESOLVED –**

That the Minutes of the Meeting held on 30 May 2017 be approved as a correct record.

#### **266 Interests**

No interests were declared.

#### **267 Admission of the Public**

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

#### **268 Deputations/Petitions**

No deputations or petitions were received.

#### **269 Public Question Time**

No questions were asked.

**270 Member Question Time**

No questions were asked.

**271 Discretionary Business Rate Relief - 1st April 2017**

Cabinet gave consideration to a report which set out a number of future options for the discretionary business rate relief scheme. The report made reference to the announcement of the Chancellor (March 2017) regarding funding of £300m over a four year period for discretionary relief, from 2017/18, to support businesses which faced the steepest increases in business rates as a result of the 2017 evaluation. Local Authorities would be provided with a share of the funding to support local businesses, which would be administered through discretionary relief powers of the Local Government Finance Act 1988. Cabinet noted that the grant was subject to the condition that the billing authorities consulted their major precept authorities before adopting a new scheme.

The report advised that the £300m funding had been distributed based upon two criteria relating to the size of the property and the increase in rates whereby (i) the rateable property has a rateable value for 2017/18 that is less than £220,000 and (ii) the increase in the rateable property's 2017/18 bill is more than 12.5%. Cabinet noted that a number of options had been considered and the report set out a narrative on the three options of (i) an area based approach (ii) a qualitative approach to target key sectors of the local economy and (iii) a West Yorkshire transitional scheme.

Cabinet noted that the option of a local West Yorkshire transitional relief scheme was identified as the preferred option, and should minimise risks associated with a legal challenge, as well as the possibility of sharing the costs of a legal challenge.

**RESOLVED -**

- 1) That approval be given to Option 3, as detailed at paragraph 2.11 of the considered report, and that a local West Yorkshire transitional relief scheme be the preferred option for discretionary business rate relief.
- 2) That the Service Director (Finance, IT and Transactional Services) be delegated responsibility to conclude the preceptor consultation exercise and, assuming a positive response from the Police consultation exercise, put in place the relevant steps to enable the Council to implement the new business rate relief scheme.

**272 Corporate Plan 2017/18**

Cabinet received a report, prior to its submission to Council on 11 July 2017, which sought endorsement for the approval of the Corporate Plan 2017/2018. The Plan summarised the strategic aspirations for the Council for the financial year and

provided the context within which corporate service planning and performance reporting takes place. It also set out details of key themes for the year, and seven shared outcomes for Kirklees which had been developed with partners in the public, private and voluntary sectors. The report explained that the Plan had been developed within the resource availability and budget approved at Council on 15 February 2017 and that the key themes included activities that would make a positive contribution to (i) early intervention and prevention (ii) economic resilience (iii) improving outcomes for children (iv) reducing demand of services and (v) other, e.g. legal, financial, human resources.

**RESOLVED -**

- 1) That the Corporate Plan 2017/2018 be endorsed and submitted to the meeting of Council on 11 July 2017 for approval.
- 2) That authority be delegated to the Chief Executive, in consultation with the Leader and Deputy Leader, to make any consequential amendments following the meeting of Council on 11 July 2017.

**273 West Yorkshire Joint Services Trading Company**

Cabinet received a report which set out the background to the proposed establishment of a trading company, and a business case to support the decision that had already been made in principle by the West Yorkshire Joint Services Committee and sought approval for the Council to participate in the company. The report advised that the trading company structure would allow certain activities to be sold to the private sector only where there was no power to trade through the Committee, and that work to the public sector would continue to be provided through the Joint Committee structure. The considered report provided an overview of matters relating to the detail of the proposal, future proofing the model, shareholding, reserved matters, procurement issues and finance.

Appendix 1 to the considered report detailed legal implications, and a summary of the business case, which was considered and approved by the West Yorkshire Joint Services Committee in December 2016, was attached at Appendix 2.

The report explained that once all five of the West Yorkshire Councils, who were the signatories to the West Yorkshire Services agreement have agreed to the establishment of the trading company, the Committee would make a final decision to create the company and the necessary legal processes would be completed.

**RESOLVED -**

- 1) That the legal position, as set out at Appendix 1 of the considered report be noted, specifically that the company will be a controlled company for the purposes of the Local Government and Housing Act 1989.
- 2) That it be noted that the Council provides an indemnity to its appointed representative under the terms of the Local Authorities (Indemnities for Members and Officers) Order 2004.

## **Cabinet - 11 July 2017**

- 3) That approval be given to the Business Case as attached at Appendix 2 of the considered report which supports the proposal to trade through the establishment of a trading company.
- 4) That approval be given to the formation of a Holding Company to be limited by shares wholly owned by the founding members of the West Yorkshire Joint Services Committee, and to four subsidiary companies for Materials Testing, Calibration Services, Archaeological Services and Business Hive, to be owned by the Holding Company.
- 5) That approval be given to the Council being involved as shareholder in West Yorkshire Joint Services Trading Company and its subsidiaries, as detailed within the considered report.
- 6) That approval be given to participate as Directors of the company as detailed in the considered report.
- 7) That the proposed governance and funding arrangements for the company be as detailed in the considered report.
- 8) That approval be given to participation through a shareholders agreement on the terms drafted within the report, and that the Service Director (Legal, Governance and Commissioning) be authorised to agree final terms and execute the agreement on behalf of the Council which should be on the same basis as the contribution rates payable to West Yorkshire Joint Services.
- 9) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to agree terms and enter into an agreement with the other four constituent authorities to indemnify Wakefield Council against any loss incurred as a result of making a working capital loan to West Yorkshire Joint Services HoldCo, on the same basis as the contribution rates payable to West Yorkshire Joint Services.