

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 17th October 2017

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
Councillor Cathy Scott

Apologies: Councillor Masood Ahmed

Observers: Councillor Cahal Burke
Councillor Andrew Pinnock
Councillor Elizabeth Smaje
Councillor Mohan Sokhal
Councillor Julie Stewart-Turner

332 Membership of the Committee

Apologies for absence were received on behalf of Councillor Ahmed.

333 Minutes of previous meeting

RESOLVED –

That the Minutes of the Meeting held on 19 September 2017 be approved as a correct record.

334 Interests

No interests were declared.

335 Admission of the Public

It was noted that Agenda Item 15 would be considered in private session (Minute No. 346 refers).

336 Deputations/Petitions

Cabinet received deputations in relation to Agenda Item 9 at the consideration of that Agenda Item (Minute No. 340 refers).

337 Public Question Time

No questions were asked.

338 Member Question Time

No questions were asked.

339 Ad Hoc Scrutiny Panel - Bereavement Support in Schools

(Under the provisions of Council Procedure Rule 36(1) Cabinet received representations from Councillors Burke and Stewart-Turner).

Cabinet received a report which set out the findings of the Ad-Hoc Scrutiny Panel on Bereavement Support in Schools. The report advised that the Panel had been established as a result of concerns that there did not appear to be consistency amongst schools in the approach to supporting young people who were experiencing bereavement. The report advised that a preliminary phase of work had been undertaken in July 2013 and September 2014, and that the issue had then been revisited in 2016 and included within the 2016/17 Overview and Management Committee priorities.

The findings of the Panel were attached as an appendix to the report, alongside a summary of recommendations arising from the investigation and an action plan which set out the responses of the Cabinet Member to the recommendations.

RESOLVED -

- 1) That the findings of the Ad Hoc Scrutiny panel for Bereavement Support in Schools, and the response of the Cabinet Member to the recommendations in the report, be received and noted.
- 2) That the report be submitted to the meeting of Council on 15 November 2017, for information.

340 Proposals for the partial conversions of Batley Sports & Tennis Centre and Dewsbury Sports Centre

(Under the provisions of (i) Council Procedure Rule 37 Cabinet received representations from Simon Barraclough, Gavin Sutcliffe, Catherine Overend and Kate Cross and (ii) Council Procedure Rule 36(1) Cabinet received representations from Councillors A Pinnock and Smaje).

Cabinet gave consideration to a report which sought permission for Kirklees Active Leisure (KAL) to convert elements of Batley Sports and Tennis Centre and Dewsbury Sports Centre to provide alternative leisure facilities with a view to generating income and employment opportunities and increasing the numbers of people who engage in physical activity. The proposed conversion would change part of the sports hall at Dewsbury Sports Centre and part of the indoor tennis facility at Batley Sports and Tennis Centre to accommodate soft play, clip 'n' climb and associated facilities. It was noted that as the Council was the landlord for these facilities, it was necessary for KAL to seek the Council's permission in order to make the alternations to the internal arrangements of the buildings, and that in the case of Dewsbury Sports Centre, the consent of the Head Lessee would also be required.

The report explained that the existing spaces were underutilised and that the development proposals aimed to increase usage considerably, hence improving financial performance and creating additional employment opportunities within the local area. Cabinet noted that the impact upon affected existing users could be mitigated by alternative provision being available within a reasonable travel distance. Furthermore, it was noted that the proposals formed part of the plan of investment to improve leisure facilities in North Kirklees.

RESOLVED -

- 1) That approval be given to redevelop the existing indoor and outdoor tennis space at Batley Sports and Tennis Centre, as set out at Option 4 of the considered report, and the Sports Hall at Dewsbury Sports Centre into a soft play, clip 'n' climb and associated facilities, notwithstanding that officers have, currently, been unable to secure Head Landlord's consent to the alterations.
- 2) That the required capital expenditure and method of funding the financing costs, as set out at section 3.5 of the considered report, be approved.
- 3) That it be noted that the change in provision will enable KAL to increase its surpluses as a way to offset the reductions in funding to the Council over the next three years, and to attract more children, young people and adults to be physically active.

341 Access to Services Strategy

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

Cabinet gave consideration to a report which sought approval regarding future Access to Services model principles, following which they would be developed further prior to the submission of a further report. The report advised that the proposals sought to enable residents and communities to more readily access information, signposting and services in order to improve the customer experience and journey, and also to recognise the customer preference of using one central location to access various services. In order to deliver this outcome, the report identified the key principles underpinning the service provision as being the

advancement of (i) digital by design (ii) telephone and face to face (iii) hub approach and (iv) local access points. Cabinet noted that there were five Kirklees Community Hubs in North Kirklees and eleven in South Kirklees.

The report advised that, subject to approval, Officers would continue to implement the transition to the new Access to Services Strategy as detailed within the considered report and that further reports would be submitted as the proposals are developed.

RESOLVED -

- 1) That the Access to Services model principles be approved.
- 2) That it be noted that reports will be submitted to future meetings, as appropriate, in order to develop the Access to Services Strategy.

342 Reasonable Behaviour Policy

Cabinet gave consideration to a report which sought approval for the implementation of a Reasonable Behaviour Policy, which was attached as an appendix to the considered report. The report advised that the Council was committed to providing a fair, consistent, accessible and respectful service to all residents, and in return, expected employees and Councillors to be treated in a respectful manner. The report highlighted that, in a small number of cases, such standards were not adhered to whereby the actions of some individuals resulted in unreasonable and disproportionate demands which could impact upon the services provided to others, or where communication takes place in such a manner that causes unreasonable offence and upset to employees and Councillors. The report acknowledged that, whilst it was understood that residents could be disappointed or frustrated with outcomes, the Council would no longer tolerate behaviour which was deemed unacceptable, threatening, abusive or unreasonably persistent.

Cabinet noted that the aim of the policy would be to help residents, Councillors and staff to understand the definition of unreasonable behaviour, including examples, and set out a series of measures that the Council would take to try and limit impact and resolve matters. The report advised that the policy covered wider communications including formal meetings and appointments, public meetings, telephone calls, written correspondence and social media.

The report advised that the objective of the policy was to readdress the current situation whereby the behaviour of a number of individuals impacted upon the service delivery to others and aimed to manage the behaviour and expectations of such individuals.

RESOLVED -

- 1) That the introduction of the Reasonable Behaviour Policy be approved, subject to the addition of further text to reinforce the powers of a Chair in terms of managing disruption at public meetings and ensuring that meetings are conducted appropriately.

- 2) That the report be submitted to the meeting of Council on 15 November 2017 to seek endorsement, subject to the additional text as referred to in (1) above.

343 KNH Performance

Cabinet received the Kirklees Neighbourhood Housing (KNH) Annual Report 2016/2017, which provided an update on the performance of NHH in delivering services for tenants and residents over the period of the last financial year. The report set out the organisation's achievements and progress towards (i) the strategic priorities of the Council and its partners and (ii) the Council's core housing management and maintenance contractual requirements of KNH.

The report highlighted key successes over this period which included; creating a new organisation through a merger with building services, achieving 81% tenant satisfaction, 97% tenant satisfaction with repair works, property occupancy of 99.8%, a rent collection rate of 97.4%, and 97.22% of anti-social behaviour cases being successfully resolved. The report also provided detail of opportunities and challenges relating to national policy changes and budget implications.

It was noted that the report would be submitted to the meeting of Council on 15 November 2017, for information.

RESOLVED -

That the KNH Performance report be received and noted, and submitted to the meeting of Council on 15 November 2017 for information.

344 To approve regulations establishing Transport for the North as a Sub-National Transport Body

Cabinet received a report which sought consent for the inclusion of highway powers in the making of regulations by the Secretary of State to establish Transport for the North as a Sub-National Transport Body under Section 102J of the Local Transport Act 2008. The report advised that the consent of each constituent authority was required to the making of Regulations by the Secretary of State. Cabinet were asked to note the transfer of Rail North Limited to Transport for the North following its inauguration and the signing of a new Rail Franchise Management Agreement with Transport for the North, replication as far as possible the arrangements entered into in respect of Rail North Limited.

A report prepared by Transport for the North which explained the development of the proposals and proposed operation was attached as Appendix 1 to the considered report. Appendix 2 set out the draft regulations which all constituent authorities and highway authorities were being asked to approve.

Cabinet noted that once consent had been provided by the 19 constituent authorities, Transport for the North would continue to work closely with the Department for Transport to ensure that Transport for the North was provided with

the statutory powers necessary to carry out functions and that it would keep authorities updated on progress once regulations are finalised and enacted.

(Cabinet gave consideration to exempt information at Agenda Item 15 (Minute No. 346 refers) prior to the determination of this agenda item).

RESOLVED -

- 1) That consent be provided under Section 102J of the Local Transport Act 2008 to the making by the Secretary of state of Regulations to establish Transport for the North as a Sub-National Transport Body, and giving Transport for the North concurrent highway powers.
- 2) That the transfer of Rail North Limited to TfN following its inauguration be noted.
- 3) That the signing of a new Rail Franchise Management Agreement with TfN replicating as far as possible the arrangements entered into in respect of Rail North Limited be noted.
- 4) That the concerns of Cabinet regarding the proposed representation and decision making be noted, and that the Body be asked (a) how the decision making process will operate, and (b) to request the submission of an annual report to the meeting of Council

345 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 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.

346 To approve regulations establishing Transport for the North as a Sub-National Transport Body

(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, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It was considered that the public interest in maintaining the exemption, which would protect the interests of the Council and third party organisations concerned, outweighed 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. 344 refers).