

Contact Officer: Carol Tague

## **KIRKLEES COUNCIL**

### **CABINET**

**Tuesday 16th October 2018**

Present: Councillor David Sheard (Chair)  
Councillor Masood Ahmed  
Councillor Viv Kendrick  
Councillor Musarrat Khan  
Councillor Peter McBride  
Councillor Graham Turner

Observers: Councillor Martyn Bolt  
Councillor Carole Pattison

Apologies: Councillor Shabir Pandor (Chair)  
Councillor Naheed Mather  
Councillor Cathy Scott

**90 Membership of the Committee**

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

**91 Interests**

No interests were declared.

**92 Admission of the Public**

It was noted that Agenda Item 15 would be considered in private session.

**93 Deputations/Petitions**

No deputations or petitions were received.

**94 Public Question Time**

No questions were asked.

**95 Member Question Time**

Councillor Martyn Bolt referred to the hiring of council land for fairgrounds and the imposition of policy on restrictions before implementation. This was considered under discussion of Item 10 (Events Policy).

**96 Corporate Performance Q1 18/19**

Cabinet received a report which provided an overview of the Council's corporate performance at the end of Quarter 1 2018/19.

The report focused on the key strategic issues faced by the Council, in relation to seven Kirklees Shared Outcomes and demonstrated progress, issues and risks in relation to the aims and aspirations of the 2018/19 Corporate Plan.

**RESOLVED** - That the Quarter 1 Corporate Performance Report be noted.

**97 Special Educational Needs and Disabilities (SEND) Update**

Cabinet gave consideration to a report which set out the impact of the SEND Strategy within the context of the High Needs Review, sought approval of the Accessibility Strategy and provided an overview of the strands of work in relation to children and young people with SEND and the linkages therein.

Cabinet noted that the Accessibility Strategy had been developed in partnership with parents, children and young people and other partners, as part of the work undertaken through the High Needs Review Consultation in 2017 and set out the Council's responsibilities and expectations of schools

It was highlighted that both the SEND and Accessibility Strategies contained clear plans for the improvement of provision for children and young people with SEND in order to help them achieve the best possible outcomes.

**RESOLVED –**

- (1) That the Council's ongoing commitment to deliver the outcomes in the SEND Strategy, in order to continue to drive forward improvements in support, provision and outcomes for children and young people with SEND was registered; and
- (2) The Accessibility Strategy was approved in order that this may support the work of the SEND Strategy and the High Needs Review in improving outcomes for children and young people with SEND.

**98 Huddersfield Town Centre Design Framework and Investment.**

Cabinet received a report which sought approval for the adoption of a Huddersfield Town Centre Design Framework (HTCDF).

The report outlined that the aim of the Framework was to create a more consistent approach with quality, environment and future condition at the fore.

Cabinet noted that the document was a starting point, which presented a framework for the thinking and planning of Huddersfield. It provided a benchmark and set out a criteria for improvement, which considered factors such as the retention and relationship of buildings, improvement of street furniture and interjection of trees and greenery, to ensure that being in the town was a pleasurable experience and that it was welcoming to visitors.

An initial investment of £2.5m was required to ensure that that work could start as soon as possible and the standards set for future developments and public realm enhancements.

As the improvement strategy was rolled out, wider consultation would take with other stakeholders such as shop owners, colleges, the University and the business community.

**RESOLVED –** That approval be given to:

- (1) The Huddersfield Town Centre Design Framework attached to the report;

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- (2) £2.5m capital funding for the town centre public realm enhancements;
- (3) The formation of a steering group to oversee and ratify town centre public realm and infrastructure projects; and
- (4) The reinstatement of town centre mason teams.

### 99 Events Policy

Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillor Martyn Bolt.

Cabinet gave consideration to a report which sought approval of the Events Policy and associated charging framework for outdoor events.

In receiving the report, the important role that events played in the cultural life and vibrancy of the district was highlighted, as was the economic value and contribution to the wellbeing of residents. The Events Policy would provide a more coordinated and consistent approach to supporting event organisers to deliver events safely, with a clear understanding of their role and responsibilities.

With regards to the restricted events outlined in paragraphs 2.3.1 of the report, it was noted that the reference to restriction on animals included the practice of goldfish being given as prizes at events.

The Charging Framework was complimentary to the Events Policy and charges would be set each April as part of the council's Fees and Charges process.

**RESOLVED** - That approval be given to:

- (1) The adoption of the Events Policy, with implementation from 1 April 2019, to ensure future clarity around decisions and processes which better enabled event organisers to deliver their events and publish on the Council's website;
- (2) The Events Charging Framework for outdoor events with implementation from 1 April 2019 and publication on the Council's website, so there was clarity around which event organisers the Council would charge to use its sites in the future and what it would charge for;
- (3) Delegated authority to the Strategic Director of Economy and Infrastructure in consultation with the relevant portfolio holders to refuse permission for an event to go ahead if it contravenes the Events Policy, and/or is assessed to be unsafe and/or make minor amendments to the Policy; and
- (4) Delegated authority to relevant heads of service to reduce or waive charges if a strong case was presented demonstrating that an outdoor event would contribute to the council's outcomes.

### 100 WYTF A629 Halifax Road - Scheme Approval and Compulsory Purchase Order Resolution progression

(Under the provision of Council Procedure Rule 37, Cabinet received representations from 3 residents from Edgerton Road).

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Cabinet received a report which sought approval from Cabinet for the WY+TF A629 Halifax Road Phase 5 project, to progress to construction, subject to full Business Case approval and for the Council to progress preliminary preparation of a compulsory purchase order (CPO).

In receiving the report, it was noted that congestion, long journey times and poor air quality was currently experienced along the A629 between Huddersfield and Halifax town centres. The proposals outlined, would release capacity, reduce congestion and journey times, which in turn would bring long term wealth benefits. Improving speed at peak times would also improve levels of pollution in the area.

Concerns in relation to the CPO were acknowledged, but Cabinet noted that difficult decisions had to be made and this had been handled equitably and fairly. There had been a consultation process, with compensation available to those affected. The CPO would be submitted to the Secretary of State who could challenge if it did not meet requirements and there was a process for appeal.

### **RESOLVED –**

- (1) That approval be given for the Council to enter into a Grant Agreement with the West Yorkshire Combined Authority for additional funding of £4,116,295 for the purposes of enabling the West Yorkshire Transport Fund A629 Halifax Road Phase 5 project to move to the Full Business Case stage;
- (2) Authority be delegated to the Strategic Director for the Economy and Infrastructure to negotiate and agree the terms of the Grant Agreement referred to in paragraph 6.1 of the report, with the West Yorkshire Combined Authority;
- (3) Authority be delegated to the Service Director Legal Governance & Commissioning to enter into and execute the Grant Agreement referred to in paragraph 6.1 of the report together with any documents and agreements that are ancillary to it;
- (4) Authority be given to serve formal requisitions for information for a CPO under Part XII Acquisition, Vesting and Transfer of Land etc., namely Sections 239, 240 and 246 of the Highways Act 1980; and
- (5) Authority be delegated to the Strategic Director for Economy and Infrastructure to implement the West Yorkshire Transport Fund A629 Halifax Road Phase 5 project improvement works in the event that (i) either all third party land that is required for the project has been acquired or any CPO has been confirmed; and (ii) the Full Business Case has been approved by the West Yorkshire Combined Authority (WYCA) and funding from the WYCA has been confirmed (iii) when the necessary Traffic Regulation Orders have been made.

### **101 Community Plus Investment Scheme: Individuals and Community organisations (Do Something Now)**

Cabinet considered a report which sought approval for the 'Do Something Now' scheme which would fund grass root activities delivered by voluntary groups, individuals and the third sector.

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The total fund was £0.5m per year, which would be available for set up rather than continual project running costs. The aim was to build capacity within the third sector, expand initiatives to help communities help themselves and support the early intervention and prevention agenda.

Whilst the delegated authority to agree the Funding Panel was agreed in principle, clarification was required as to the make-up of the Panel and elected Member involvement.

**RESOLVED** - That approval be given to:

- (1) The investment scheme for delivery described within the report and Appendix 1 was approved;
- (2) Delegation of authority to the Strategic Director for Adults or Children's Social Care, in consultation with appropriate portfolio holders to agree the Funding Panel was agreed in principle, subject to clarification as to the make-up of the Panel; and
- (3) Delegated authority to agree changes in criteria for funding projects be given to the Strategic Director for Adults or Children's Social Care in consultation with appropriate portfolio holders.

### 102 **Learning & Early Support Capital Plan: Proposals to allocate funding for New Pupil Places at Birkby Junior School**

Cabinet considered a report which sought approval for capital investment of £1.852m to permanently expand the existing Birkby Junior School from 480 places (4 Form of Entry – 4FE) to 600 places (5FE) in order to meet a Basic Need for additional new junior school places in the Birkby area.

Cabinet noted that the remodelled and refurbished building would act as a permanent base for the school's year 6 pupils. The newly expanded Birkby Junior School would provide 120 additional high quality places which would address the significant shortfall of places for primary school age children in the area. The building would provide modern facilities and had been designed so that the small hall could be made available for hire to the community out of school hours.

The importance of the library service was acknowledged and work was ongoing with local ward members to implement an interim solution following the closure of the Birkby Library provision in its current location to develop a longer term proposal for library services in the area.

**RESOLVED** - That approval be given to:

- (1) The capital allocation of £1.852m to enable the conversion of Birkby Fartown Community Centre building to school accommodation in order to provide 120 additional school places at Birkby Junior School; and
- (2) The interim arrangements being put in place in relation to Birkby Library, which will no longer operate from its existing site on Wasp Nest Road, Huddersfield from 2 November 2018.

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### **103 Exclusion of the Public**

To resolve that 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 they involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

### **104 Learning & Early Support Capital Plan: Proposals to allocate funding for New Pupil Places at Birkby Junior School Wards: All Wards**

The information was considered prior to the determination of Agenda item 13.