

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 19th March 2019

Present: Councillor Shabir Pandor (Chair)
Councillor Masood Ahmed
Councillor Viv Kendrick
Councillor Peter McBride
Councillor Cathy Scott
Councillor Graham Turner

Observers: Councillor Karen Allison
Councillor Donna Bellamy
Councillor Martyn Bolt
Councillor Cahal Burke
Councillor Andrew Cooper
Councillor John Lawson
Councillor Bernard McGuin
Councillor Alison Munro
Councillor Mohan Sokhal
Councillor Kath Taylor
Councillor Rob Walker
Councillor John Taylor

Apologies: Councillor David Sheard
Councillor Musarrat Khan
Councillor Naheed Mather

201 Membership of the Committee

Apologies for absence were received on behalf of Councillors Khan, Mather and Sheard.

202 Minutes of previous meeting

RESOLVED - That the Minutes of the Meeting held on 19 February 2019 be approved as a correct record.

203 Interests

No interests were declared.

204 Admission of the Public

It was noted that Agenda Item 25 would be considered in private session (Minute No. 225 refers).

205 Deputations/Petitions

Deputations were received at Agenda Item 20 (Minute No. 220 refers).

206 Public Question Time

No questions were asked.

207 Member Question Time

Councillor Bolt asked a question regarding the outcomes of a recent visit of the Leader of the Council to the 2019 MIPIM Conference and also as to how the Leader sought to ensure that travel to the conference was carbon neutral, pursuant to the Motion of Council on 16 January 2019.

A response was provided by the Leader of the Council.

208 Discretionary Retail Discount Scheme 2019/20 & 2020/21

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

Cabinet gave consideration to a report which sought to confirm criteria for a Discretionary Retail Discount Scheme for 2019/20 and 2020/21. The report set out proposals for how the scheme would operate within Kirklees for businesses with a rateable value of less than £51k.

The report advised that it was necessary to determine a qualifying criteria that would be applied, having regard to Government guidance, and that the scheme would award relief of up to one third of a qualifying ratepayer's net rates bill.

Cabinet noted that the scheme was aimed at occupied properties and a proposed schedule of properties which may qualify was listed at Appendices 1 and 2 of the considered report. Appendix 3 set out detail of Government prescribed non-qualifying uses.

RESOLVED -

- 1) That approval be given to the implementation of the Discretionary Retail Discount Scheme in 2019/20 and 2020/21, as detailed within the considered report.
- 2) That approval be given to the property categories as listed in Appendix 2 of the report and that authority be delegated to officers to undertake the administration of the scheme, and related processes, including the determination of any other broadly similar property types.

209 Revised Fees and Charges for Economy and Infrastructure Services

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

Cabinet received a report which set out proposals of revised fees and charges for services within the Economy and Infrastructure Directorate, to take effect from 1 April 2019.

An appendix to the report summarised the revised fees and charges, which could be categorised as (i) introduction of a new charge (ii) increase exceeds the Consumer Price Index (iii) adoption of a revised charging model or (iv) repackaging a service

offer. The report also explained, pursuant to the approval of the 'Events Policy and Associated Charging Framework' at Cabinet on 16 October 2018, the revised daily hire charges for Town Hall Outdoor Spaces and differential hire rates.

The report was submitted to Cabinet in accordance with Financial Procedure Rules as the proposed changes were not within delegated authority.

RESOLVED - That approval be given to the implementation of new fees and charges with effect from 1 April 2019.

210

Dewsbury Riverside Masterplan and Masterplan Framework

(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Bolt and Lawson).

Cabinet received a report which (i) sought the endorsement of the Masterplan and Masterplan Framework for the development of the Local Plan housing allocation at Dewsbury Riverside and (ii) sought authority for the Council to enter into an agreement with the Combined Authority to accept a Local Growth Fund grant to facilitate infrastructure delivery at Dewsbury Riverside.

The report advised that the Masterplan and Framework had been developed in accordance with Local Plan Policies to ensure a planning policy compliant approach which would inform and guide planning applications as the site is delivered, and that a delivery framework was being developed in conjunction with the site promoter and development partners.

Cabinet noted that the vision for Dewsbury Riverside was to create a sustainable urban extension that would deliver social, environmental and economic benefits, provide a mix of high quality homes of different tenures and community infrastructure to create a sustainable, vibrant mixed community.

RESOLVED -

- 1) That approval be given to the Dewsbury Riverside Masterplan and Masterplan Framework in order to ensure that Dewsbury Riverside is developed in a sustainable manner, enhancing the North Kirklees area.
- 2) That it be noted that two current grant bid submissions (£4.6m Local Growth Fund and £22.5m Housing Infrastructure Fund) will support the delivery of the vision set out within the Masterplan and Masterplan Framework.
- 3) That it be noted that, in accordance with Financial Procedure Rules, the Chief Finance Officer, in consultation with the Service Director – Legal, Governance and Commissioning, and the relevant Strategic Director, is authorised to approve the acceptance of any subsequent Grant Agreement for the two bids, if successful.
- 4) That authority be delegated to the Service Director – Legal Governance and Commissioning, to enter into and execute any Grant Agreement with the Combined Authority for the Local Growth Fund Grant, and also to enter into and execute any ancillary documents relating to the Grant Agreement.
- 5) That it be noted that (2) above will ensure that funding can be obtained in order to deliver the vision set out within the Masterplan and Masterplan Framework.

211 2018/19 and 2019/20 Council Capital Plan - proposed allocation of 2019/20 Capital funding from the Directorate for Children's Learning & Early Support baseline section of the Capital Plan along with details of proposed amendments to the 2018/19 approved programme of works

Cabinet gave consideration to a report which set out proposed projects, to be funded from the 2019/20 Learning and Early Support Capital Maintenance baseline section of the Capital Plan, and presented an update on the delivery of the 2018/2019 Capital Maintenance Programme, as approved by Cabinet in April 2018.

Appendix A to the considered report contained a business case outlining the process for identifying the condition of individual schools, explaining how the backlog of repairs was prioritised across all schools and how the 2019/20 schools' condition programme would be procured and implemented. Appendix B set out a prioritised list of urgent condition works required to be undertaken in schools during the 2019/20 financial year, and Appendix C detailed amendments and variations to the original programme approved by Cabinet in April 2018.

The report advised that, subject to approval, the 2019/20 Capital Plan would be updated and that projects would be developed and implemented. Cabinet noted that approximately 92% of the projects within the 2018/19 plan had been delivered, and that the remaining 8% were scheduled to be delivered or contractually committed before the end of the financial year.

RESOLVED -

- 1) That approval be given to the business case, as attached at Appendix A to the considered report, which outlines 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, as attached at Appendix B of the considered report.
- 3) That the delegated authority, as set out at paragraphs 2.16 and 2.17 of the considered report be approved.
- 4) That the revised amendments and allocations to the 2018/2019 Schools Capital Maintenance programme applied under delegated authority, as detailed in Appendix C to the considered report, be noted.

212 2018/19 and 2019/20 Corporate Landlord Asset Investment Capital Plan - Amendments to the detail of the approved 2018/19 Corporate Landlord programme and proposed allocation of 2019/20 capital funding

(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Lawson and J Taylor).

Cabinet gave consideration to a report which identified projects to be funded from the 2019/20 Corporate Landlord Asset Investment baseline section of the Capital Plan, and set out an update on the delivery of the 2018/19 Corporate Landlord Asset Investment Programme.

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Cabinet were asked to give approval to a schedule of projects, as detailed in Appendix A of the considered report. Appendix B listed the projects which had been either changed, added to or deleted from the 2018/29 work programme.

The report also referenced the major refurbishment works proposed at Cliffe House, at an allocated cost of £600k. Cabinet were advised that, due to the extent of the works, it was requested that £250k be funded from the 2020/21 Investment Programme, and a business case for this proposal was set out at Appendix C to the report.

RESOLVED -

- 1) That the amendments to the detail of the approved 2018/2019 Corporate landlord Asset Investment Capital Plan, as detailed in Appendix B of the considered report, be noted.
- 2) That approval be given to the programme of work for 2019/2020, as detailed in Appendix A of the considered report, which will require capital investment of £2.5m.
- 3) That it be noted that the first £250k of the 2020/2021 Asset Investment Capital Plan baseline will be contractually committed to the Cliffe House Project.
- 4) That approval be given to the delegated powers as outlined with the considered report (paragraphs 2.11 to 2.13 refer).

213 Implications of the establishment of new schools and discontinuation of schools for land and premises - an extension of delegation to senior officers to action the property transactions

Cabinet gave consideration to a report which sought the delegation of authority in respect of the property implications when schools are discontinued and a new school is established.

The report advised that, currently, when a maintained school is discontinued and a new school is established, a Cabinet decision is required to authorise the disposal of land and buildings within the Council's ownership. It stated that, as the means of disposal is prescribed by legislation, it would be pertinent to delegate authority to the relevant Service Director/s to enable processes to proceed in order to give effect to the statutory vesting, which would improve efficiency within the process.

RESOLVED - That authority be delegated to the Service Director – Economy and Skills and the Service Director – Legal, Governance and Commissioning, to deal with the disposal of Council assets as a result of school discontinuations and establishment of new schools and, where necessary, negotiate the terms of any proprietary interest or grant or any other lease or ancillary document.

214 Highways Capital Plan 2019/20

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

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Cabinet received a report which set out the Highways Capital Plan 2019/20. Appendix 1 to the considered report added individual scheme detail to the approved high level programme for 2019/20 and 2020/21.

It was noted that Integrated Transport grant allocation had not yet been confirmed, but was estimated to be £500k. The report advised that, in addition to the works within the Capital Plan, there were also a number of major transport improvement schemes being developed for implementation in future years as part of a £1bn West Yorkshire Transport Plus Fund.

RESOLVED - That approval be given to the detailed Capital Plan 2019/2020 in the sum of £13,568k, as detailed within Appendix 1 of the considered report.

215 Special Educational Needs and Disabilities - The Parent's Perspective (Under the provision of Council Procedure Rule 36(1) Cabinet received a representation from Councillor Burke).

Cabinet received a report which set out the findings of the Children's Scrutiny Panel investigation into how the Special Educational Needs and Disability Assessment Team interacts and works with parents and carers. Cabinet were advised that the Panel had met with parents involved within the process to gain feedback and views on service provision and had formulated an action plan. The action plan, which was appended to the report set out a number of recommendations, and detailed the response of the Cabinet Members to the recommendations, along with the estimated timescale for implementation.

The recommendations with the report related to matters concerning (i) service standards (ii) effective participation (iii) parenting courses and (iv) timescales and content.

It was noted that the Scrutiny Panel would receive regular progress updates to monitor the implementation of the recommendations.

RESOLVED - That the findings of the Children's Scrutiny Panel 'Special Educational Needs and Disabilities – The Parent's Perspective' be received and noted, and that approval be given to the responses to the Panel's recommendations, as detailed within the considered report.

216 Quarter (3) Corporate Performance Report

Cabinet received a report which set out an overview of the Council's corporate performance at the end of Quarter 3, 2018/2019. The report listed key highlights from the quarter, which included; (i) the sign off of the Community Investment Fund (ii) the highest delivery figure of new housing completions in 2017/18 compared to the previous five year period (iii) two successful bids to the European Social Fund to deliver 'Works Better 1525' schemes and (iv) securing £180k from the Home Office for preventative work in relation to reducing gang violence.

The report also set out details of key activities in the quarter, and the progress that had been made since Quarter 2 reporting.

RESOLVED - That the Corporate Performance Report Quarter (3) 2018/2019 be received and noted.

217

Corporate Financial Monitoring Report Quarter 3 2018-19

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

Cabinet received the Corporate Financial Monitoring Report, Quarter 3, 2018/2019. The report advised of a forecast overspend of £1.1m against the £291.1m revised budget at Quarter 3, equivalent to a 0.4% variance, and that good progress was being made with a forecast headline delivery of £12.4m against £16.2m planned savings, equivalent to 77% forecast delivery. The report stated that the balance of undelivered savings of £3.8m included continued pressures on school transport, volume pressures on external residential placements and other volume led placements within Children's Services.

Appendix 2 to the considered report set out the Council reserves strategy and approach and it was reported that general fund reserves and balances were forecast to increase through 2018-2019 by £2.9m from £88.8m at the start of the year to £91.7m at 31 March 2019, including the additional £4.4m in-year MRP overpayment unwind transfer to financial resilience reserves.

Further appendices to the report set out (i) the forecast general fund revenue outturn position (2018/2019) by service area (ii) a summary of the forecast HRA financial position including HRA movements in HRA reserves in-year (iii) highlights of the more significant general fund and HRA forecast variances across service areas and (iv) the forecast capital outturn position in 2018-2019 by outcome area, and the reasons for the more significant forecast capital variances across strategic priority and baseline capital schemes.

RESOLVED -

- 1) That the Quarter 3 forecast £1.1m revenue monitoring overspend be noted.
- 2) That the expectation that Strategic Directors work to identify opportunities for spending plans to be collectively brought back in line with the Council's overall budget by year end be noted.
- 3) That the additional in-year funding allocations for High Needs and Levy rebate announced as part of the 2019-2020 Finance Settlement and the Brexit funding allocation be noted.
- 4) That the forecast planned use of general fund earmarked reserves in-year, and the forecast year end position at £91.7m be noted.
- 5) That the anticipated overall forecast year end surplus of £5.8m on the Collection Fund be noted.
- 6) That the Quarter 3 forecast HRA surplus at £1.3m and forecast reserves position at year end of £54.1m be noted.
- 7) That the Quarter 3 forecast capital monitoring position, net of budgeted slippage, on line with budget, be noted.
- 8) That approval be given to the virement of £800k uncommitted capital budget from Risks and Pressures to support the Pioneer House Scheme.
- 9) That approval be given to the £500k commitment from the existing Town Centre Action Plan budget to contribute to the Pioneer House project.

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- 10) That the proposed drawdown from the Strategic Investment Support reserve, for the proposed waste management revenue developments, be noted.
- 11) That approval be given to the garden waste containers and vehicles scheme (£1m) from the 2019-2020 Council approved capital plan, to enable early rollout from April 2019.
- 12) That the request for works to facilitate the relocation of Almondbury Library be approved.

218 **Playable Spaces Strategy and Operational Plan**

(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Bolt, Lawson and Walker).

Cabinet gave consideration to a report which sought approval of a revised Playable Spaces Strategy and the implementation of the operational plan. The report advised that, in 2017, a draft Play Strategy for Kirklees which outlined proposals to review the delivery of play infrastructure was produced, along with proposals for engagement and research to deliver the vision and produce an operational plan.

The report presented the evidence which had been gathered and a refined Strategy, setting out a new framework for play across the district and outlining the work required to achieve a place based working approach. It advised that the Playable Spaces Strategy, which was attached as an appendix to the considered report, would be a mechanism to enable a focussed intervention, helping to improve the health and well-being of Kirklees citizens.

Cabinet noted the recommendations of the strategy as listed within the report, which were that the Council implements (i) a new classification of existing play areas which could be used to ensure a more diverse play offer across the district comprising a network of destination parks, community play areas and doorstep playable spaces (ii) a play standard to guide all future play area developments and planning decision making (iii) a three year improvement programme in the play area network to enable the rationalisation of network play areas and the redevelopment of sites into high quality equipped play areas and playable spaces (iv) an engagement programme to be delivered in conjunction with site developments at a sub-set of sites, to embed positive use of whole sites and foster community ownership and (v) a revised framework for ongoing risk management and maintenance which is fully compliant and will ensure that the new network of high quality play areas is maintained well into the future.

The report advised that the recommendation of the Operational Plan was that a total investment of £9,565k was made, and would be implemented over a three year period (2019-2022) which would enable the delivery of the Playable Spaces Strategy in full and would allow a minimum of 90% of residents access to at least one high quality equipped play area, within 720m of their home.

RESOLVED - That approval be given to the adoption of the Playable Spaces Strategy and Operational Plan.

219 **Draft Kirklees Preventing Homelessness and Rough Sleeping Strategy 2018 - 2023**

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(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Bolt and Cooper).

Cabinet gave consideration to the Kirklees Preventing Homelessness and Rough Sleeping Strategy 2018-2023. The strategy, which was attached as an appendix to the considered report, set out the principles for how change would be achieved, including working with partners and a continued focus on prevention, and how the strategy's action plan would be progressed and reviewed.

The report explained that the strategy provided an overview of housing and homelessness at a national, regional and local level, and described relevant legislative and policy development, and local level data, to inform the evidence base to the strategic intention, along with identifying challenges and issues. Cabinet noted that the strategy built upon and directly linked to the Kirklees Housing Strategy 2018-2023.

RESOLVED - That the draft Preventing Homelessness and Rough Sleeping Strategy 2018-2023 be endorsed and referred to the meeting of Council on 20 March 2019 with a recommendation of approval.

220 **Future options for Almondbury Community School**

(Deputations were received in respect of this item from Peter Rock (Chair of Governors Netherhall Learning Campus), Patricia Jennings, Paula Bairstow, and Tejinder Ajiz. Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Bolt, Cooper, McGuin, Munro and J Taylor).

Cabinet received a report which sought approval to undertake a non-statutory consultation regarding future options for Almondbury Community School. The report set out proposals for securing quality school provision for children aged from 3 to 16 years in Almondbury and the surrounding Huddersfield South East area, taking into account the current and projected need for places across all age groups.

The report presented to Cabinet set out information in relation to the sufficiency of school places in the area, and proposed that a consultation be held on proposals to (i) remove the secondary phase of Almondbury Community School, over a period of time to be determined (ii) explore the possibility of increasing the number of places at King James's School, and make adjustments to catchment areas and (iii) to gradually reduce the number of primary places (up to and including Year 6) at Almondbury Community School by admitting 30 reception age children annually from September 2020 onwards.

Cabinet noted the background to the proposals, as detailed within the report, and the current pattern of both primary and secondary provision within the area. The report advised that, subject to approval, the non-statutory consultation and engagement process would take place during March and April 2019 and a report regarding the outcome of the consultation would be submitted to Cabinet in May 2019.

RESOLVED -

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- 1) That Officers be authorised to develop plans for consultation to retain Almondbury Community School with the removal of the secondary phase (Key Stages 3 and 4), consolidate the school as a 210 place primary provision (with nursery) in the Key Stage 1 building at Fernside Avenue and seek an Academy Sponsor, in partnership with and approved by the RSC, in order to retain necessary Key Stage 1 and 2 places for Almondbury and the wider Huddersfield South East area.
- 2) That authority be delegated to the Director for Children's Services, in consultation with Cabinet Portfolio Holders, to (i) develop consultation materials on the basis of the proposals and (ii) organise and carry out a non-statutory consultation about the proposals.
- 3) That Officers be authorised to work with neighbouring schools (King James's School and Newsome High School) to explore their willingness for the realignment of the existing Almondbury Community School secondary Priority Admission Area in order that future children have priority for their secondary education in one of the neighbouring secondary schools.
- 4) That Officers be authorised to work with King James's Academy Trust to assess the level of capital investment that would be required to enable King James's School to create 30 additional planned places from September 2020.
- 5) That Officers be authorised to assess the level of investment that would be required to enable the existing Key Stage 1 building of Almondbury Community School on Fernside Avenue to be utilised by the revised age range.
- 6) That the outcomes of the non-statutory consultation be submitted to Cabinet for further consideration of next steps.
- 7) That it be noted that the school is a PFI school and to request that Officers provide a future report on the impact of changes upon the future use of the site and options for the use of the site/buildings.

221 Place Based Public Realm Improvement Schemes Budget Allocation

(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillors Bellamy, Cooper and Walker).

Cabinet gave consideration to a report which set out a number of schemes which had been submitted by Ward Members and were eligible for funding via the Capital Budget allocated for the Environment, Infrastructure and Road Safety bid fund. The report advised that the scheme, which had been introduced in October 2018, had proven to be successful in ensuring that local knowledge could be used to identify small scale environmental improvements.

The appendix to the report listed the schemes that had been submitted by Ward, along with an approximate costing.

RESOLVED -

- 1) That the recommendations and ratings of the submitted schemes, as detailed within the considered report, be approved.
- 2) That the suggested criteria for the identification of schemes, as set out within the report, be endorsed.

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- 3) That approval be given to the schemes and allocation of capital funding as set out within the Appendix to the considered report.
- 4) That authority be delegated to the Strategic Director (Economy and Infrastructure), in consultation with the Cabinet Portfolio Holder, to approve the allocation of funding in order to enable work to be undertaken as identified by the Chief Executive's Ward Visits, and based upon the agreed criteria.

222 2019/2020 Road Surfacing Programme (Large Schemes)

Cabinet received a report which sought approval for road resurfacing schemes at (i) A62 Leeds Road, Deighton and (ii) B6432 Firth Street, Huddersfield. The report advised that, in respect of scheme (i), the works would comprise of road re-surfacing with minor footway repairs and drainage repairs, and would commence in June 2019, in regards to scheme (ii) the works would commence in July 2019 and would comprise road resurfacing, footway repairs, drainage repairs and reconstruction of existing traffic calming features. Cabinet noted the proposed actions that were programmed to minimise the disruption arising from the schemes, as set out at paragraph 2 of the considered report.

RESOLVED - That approval be given to road resurfacing works to take place at (i) A62 Leeds Road, Huddersfield/Deighton and (ii) B6432 Firth Street, Huddersfield, commencing summer 2019.

223 Land at St Johns Avenue Newsome, Huddersfield (Former Newsome Working Men's Club)

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

Cabinet gave consideration to a report which sought authority to negotiate the removal of a restrictive covenant on land at St John's Avenue, Newsome and consider the alternative of selling the freehold reversion. The report advised that the Council owned the freehold of the site of the former Newsome Working Men's Club, which was subject to a 999 year ground lease dated 1905, and supplemental leases in 1966 and 1985. It stated that, following being placed into voluntary liquidation in 2014, the site was marketed and subsequently purchased in 2016. Cabinet were advised that a request had been received by the purchaser to negotiate the removal of the restrictive covenant to allow residential development upon the former bowling green land. Cabinet noted that outline planning permission for residential development on the land had been granted in 2017.

The report advised that external advice had been sort from a Property Litigation Specialist in regard to the covenant and the available options, and that this detail was set out within an exempt appendix.

(The exempt information at Agenda Item 25 was considered prior to the determination of this Agenda Item (Minute No. 225 refers)).

RESOLVED -

- 1) That the objections to the scheme, submitted by Newsome Ward Members and Newsome Community Forum Ltd, be noted.

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- 2) That authority be delegated to the Strategic Director – Economy and Infrastructure to negotiate and agree terms for either the removal of the restrictive covenant, or the disposal of the freehold reversionary interest in the land at St Johns Avenue, Newsome, Huddersfield.
- 3) That authority be delegated to the Service Director – Legal, Governance and Commissioning, to enter into and execute all necessary documentation to remove the restrictive covenant or dispose of the freehold reversionary interest in the land.

224 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.

225 Land at St Johns Avenue, Newsome

(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 that 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 the company 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 23 (Minute No. 223 refers).

RESOLVED - The information was considered prior to the determination of Agenda Item 23 (Minute No. 223 refers).