

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 3rd December 2019**

Present: Councillor Shabir Pandor (Chair)  
Councillor Naheed Mather  
Councillor Peter McBride  
Councillor Carole Pattison  
Councillor Cathy Scott  
Councillor Graham Turner  
Councillor Rob Walker

Apologies: Councillor Viv Kendrick  
Councillor Musarrat Khan

**80 Membership of Cabinet**

Apologies for absence were received from Councillors Kendrick and Khan.

**81 Interests**

No interests were declared.

**82 Admission of the Public**

It was noted that Agenda Item 15 would be considered in private session (Minute No. 94 refers).

**83 Deputations/Petitions**

No deputations or petitions were received.

**84 Member Question Time**

No questions were asked.

**85 Community Asset Transfer of Milnsbridge Village Hall**

Cabinet gave consideration to a report which set out details of a proposal to transfer the land and buildings that currently comprise Milnsbridge Village Hall, Armitage Road, Huddersfield. The report advised that the freehold of the site was owned by the Council and that Milnsbridge Community Trust had managed and maintained the Hall under a 35 year lease at a nominal rent of £5 per annum. This lease had expired in 2011 and the tenant was currently holding over. Cabinet were advised that under the terms of the lease the Council had responsibility to maintain the exterior of the demised premises.

The report advised that, as part of the asset transfer process, the Trust had adopted a new constitution and become a Charitable Incorporated Organisation, registered

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with the Charity Commission, and that the organisation had put forward proposals for an asset transfer of the hall. Cabinet were informed that the transfer would achieve a revenue saving of the running costs of the building, which had amounted to £2,276.04 in 2018/2019.

Para. 2.9 of the report requested that Cabinet give consideration to the options of; (i) refusing the request for asset transfer (ii) transferring the hall, either freehold or leasehold, with restrictive covenants for community use with an exception of up to 30% commercial use in line with other Community Asset Transfers and in line with the Community Asset Transfer Policy, or, (iii) transferring the hall without restrictive covenants in place. The report advised that option (ii) would enable the lease to reserve rights for the hall to be used for the purpose of an electoral polling station.

### **RESOLVED -**

1. That authority be delegated to the Service Director (Economy & Skills) to negotiate and agree terms for the grant of a 125 year lease of Milnsbridge Village Hall to Milnsbridge Village Charitable Incorporated Organisation.
2. That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into and execute all necessary documentation in connection with the grant of a 125 year lease of Milnsbridge Village Hall to Milnsbridge Village Charitable Incorporated Organisation.

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### **Corporate Financial Monitoring Report; Quarter 2 for 2019-20**

Cabinet received the Corporate Financial Monitoring Report, Quarter 2, 2019-2020, which set out information on the General Fund Revenue, Housing Revenue Account and Capital Plan. The report advised that the revised budget included a number of planned transfers from reserves during the year, the most significant being £3.2m from the revenue grants reserve which includes £0.8m from the Public Health Reserve.

The report advised that the Council's General Fund controllable (net) revenue budget for 2019-2020 was £291.5m, which included planned (net) revenue savings in-year of £10.9m. It indicated strong progress in terms of delivering overall spending plans within available resources and that the modest overspend forecast in Quarter 1 had reduced by a further £1.1m, to a forecast £0.9m overspend. Cabinet noted that the revised overspend equated to 0.3% of a revised budget of £291.5m. Headline budget variances were set out at paras. 1.2 to 1.5 of the considered report, and a summary of key variances were listed at Appendix 4.

The report also provided an overview of information regarding (i) central budgets (ii) general fund reserves (iii) collection fund (iv) housing revenue account and (v) capital. Cabinet were advised that the Council's revised capital budget for 2019-2020 was £105.6m, and that the forecast capital outturn was £102.6m, with a forecast £3 variance.

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### RESOLVED –

- 1) That in regards to the General Fund;
  - (i) approval be given to the roll forward of £4.9m High Needs overspend through the Dedicated Schools Grant mechanism
  - (ii) the 2019-2020 forecast revenue overspend of £0.9m as at Quarter 2, net of (1) above, be noted
  - (iii) it be noted that Strategic Directors will identify opportunities for spending plans to be collectively brought back in line within the Council's budget by year end
  - (iv) the new leases for Huddersfield and Dewsbury Markets, to allow break clauses to be installed, as detailed at para 1.4.4 of the considered report, be noted
  - (v) the forecast year end position on corporate reserves and balances be noted
- 2) That in regards to the Collection Fund;
  - (i) the forecast position on the Collection Fund as at Quarter 2 be noted
  - (ii) approval be given to proposals for the use of the Leeds City Region Business Rates Pool surplus
- 3) That, with regards to the Housing Revenue Account, the Quarter 2 forecast surplus of £0.2m and forecast year-end reserves of position of £60.6m be noted
- 4) That in regards to Capital;
  - (i) the Quarter 2 forecast capital monitoring position for 2019-2020 be noted
  - (ii) approval be given to the capital works to be undertaken at Highfields Day Opportunities, as detailed at para 1.10.8 of the considered report
  - (iii) approval be given to re-profiling across years of the capital plan, as detailed at para 1.10.3 of the considered report
  - (iv) the intention to further review capital budget profiles in year, as part of Quarter 3 financial monitoring, be noted
- 5) That approval be given to the in-year capital virement of £1.897m from flexible capital receipts strategy activity to Spensborough Valley Leisure Centre activity, in order to enable the construction phase of the scheme to commence as soon as possible.

**87 Half yearly monitoring report on Treasury Management Activities 2019-20**

Cabinet received a report which set out the half yearly report on treasury management activity 2019/20. The report provided assurance that the Council's treasury management function was being managed prudently, and that external investments averaged £34.9m during the period, at an average rate of 1.12%. The report also advised that (i) investments had ranged from a peak of £42.7m in May and a low of £22.5m in September (ii) there was a forecast in-year underspend of £2.7m against the £22.2m treasury management budget and (iii) the in-year treasury management performance was in-line with prudential indicators set for the year.

The report set out information on the key areas of economic context, investment performance, borrowing performance, revenue budget monitoring, prudential indicators, future treasury management strategy and risk and compliance issues.

Cabinet noted that report had been considered by the meeting of Corporate Governance and Audit Committee on 15 November 2019 and that treasury management budget forecasting would continue to be reported as part of the overall quarterly financial monitoring reporting cycle.

**RESOLVED** - That the report be noted and submitted to the meeting of Council on 15 January 2020.

**88 Dewsbury Sports Centre Family Attraction**

Cabinet received a report which sought approval for an investment of up to £320k for the creation of a new family attraction at Dewsbury Sports Centre, which would increase footfall and activity within the town centre, thereby supporting local businesses.

The report set out examples of popular family attractions within the district and advised that Kirklees Active Leisure proposed to develop an attraction at Dewsbury to enhance the overall leisure offer at the site and help raise the profile of the town. Cabinet were advised that the project would include a refurbished sports hall and that the attraction would potentially be based upon the inflatable theme park at Huddersfield Sports Centre. The benefits of the proposed scheme would be (i) increased visitors to the sports centre, with linked trips to town centre (ii) an additional 2.5 FT employees on site (iii) improved perception of the town centre (iv) more involvement in activity, achieving wider health benefits and (v) increased income to KAL, improving financial performance.

Cabinet were advised that, subject to approval and the provision of a new lift at the premises, it was intended that the facility would be launched for summer 2020. Appendix 1 to the considered report set out an overview of the benefits of introducing a family attraction, which included making the town centre more attractive and increasing footfall and activity in the area.

**RESOLVED** - That approval be given for an investment of up to £320k for the creation of a new visitor attraction at Dewsbury Sports Centre, to be funded from the

approved Capital Plan allocation for 'Strategic Regeneration of Town Centres – Dewsbury'.

**89 Approval of a Revised Local Development Scheme**

Cabinet gave consideration to a report which sought approval of the updated Local Development Scheme, which set out the timetable for producing planning documents which would comprise the development plan, and also set out details relating to the Community Infrastructure Levy, Neighbourhood Planning, Supplementary Planning Documents, and other planning guidance. The updated Scheme was appended to the considered report.

The report advised that, pursuant to the Scheme approved by Cabinet in December 2017, the revised Scheme reflected the Council's ongoing statutory commitment to supporting Neighbourhood Plans, the preparation of additional planning policy guidance and a commitment to annual monitoring in order to determine the ongoing effectiveness of the Local Plan. Cabinet noted that the documents proposed for inclusion within the Scheme would provide improved clarity for the community and developers as the Council continues to develop the Local Plan.

**RESOLVED** - That the revised Local Development Scheme be approved.

**90 Statement of Community Involvement (SCI)**

Cabinet received a report which sought approval to publish a revised Statement of Community Involvement (SCI). The report advised that the SCI set out detail as to how the Council would involve communities in planning policy decisions and a series of guidelines as to the scope of community involvement, engagement and consultation, and processes for involvement. It was noted that the current SCI was adopted in 2015 and that the Council was required to review it at least every five years. The revised SCI was appended to the considered report and Cabinet were provided with an overview of the main changes which included an update to reflect current regulations and the adoption of the Local Plan.

Cabinet noted that the revised SCI would provide a clear framework on types of planning policy documents which would be consulted upon, and also set out the support that the Council would provide in the development of neighbourhood plans.

**RESOLVED** - That the revised Statement of Community Involvement be approved.

**91 Dewsbury Town Centre - Better Spaces Strategy**

Cabinet gave consideration to a report which set out details of the Dewsbury Town Centre Better Spaces Strategy, and sought approval of (i) the associated delivery programme which set out timescales for the delivery of the strategy (ii) a number of projects within the strategy (iii) a Dewsbury Public Arts Plan (iv) the design and feasibility of future projects (v) funding to enable the implementation of projects and (vi) delegation in order to proceed to implement the schemes.

The report specifically detailed public realm improvement projects relating to Town Park, Pocket Park at the site of 23 Northgate, Library frontage, Public Art Plan and key pedestrian routes. The considered report provided detail as to each of the schemes, which were estimated at a total cost of £1,180,000.

Cabinet also received a summary update on the implementation of the schemes approved in January 2019. It was noted that the Better Spaces Strategy aimed to increase the levels of greenery within the town centre, thereby assisting in the mitigation of climate change impact, and to also promote greater use of the town centre by making greater use of assets within a sustainable and accessible location.

**RESOLVED -**

- 1) That the Dewsbury Town Centre Better Spaces Strategy and Plan be approved.
- 2) That approval be given to the principle of creating a 'pocket park' at the site of 23 Northgate and that Officers be authorised to take the necessary steps to deliver this scheme, including the acquisition of the site and the submission of a planning application, and submit a further report to a meeting of Cabinet.
- 3) That Officers be authorised to progress feasibility and development work of projects contained within the Better Spaces Strategy and Plan.
- 4) That approval be given to the Public Arts Plan, as detailed within the considered report, and that authorisation be given to the implementation of the schemes.
- 5) That approval be given to capital expenditure of £1.040m towards the projects described within the considered report, and that this be funded from the approved Capital Plan allocation for 'Strategic Regeneration of Town Centres – Dewsbury'.
- 6) That approval be given to expenditure of £140k to cover the costs of feasibility and consultation on key projects and that this be funded from the 'Aspirational Regeneration on Major Town Centres – Feasibility' budget in the approved Capital Plan.

**92 Yorkshire Purchasing Organisation - Strategic Investment**

Cabinet gave consideration to a report which set out details of a proposed transaction by Yorkshire Purchasing Organisation (YPO), and the opportunity to consider the business case, and associated risk profile and finance options, in order to inform the decision which would be taken at the YPO Management Committee. Cabinet were asked to give consideration to proposed amendments to the governance arrangements of the organisation, which had been proposed by Wakefield Council, as the Lead Authority, on behalf of the YPO.

The report explained that the proposed strategic investment, as set out within the exempt information, aimed to safeguard the objectives of the YPO as a public sector organisation which maintains effective, efficient and economical arrangements, and delivers a high quality service to customers. Cabinet were advised that, at least ten Founder Members must enter into a Supplemental Management Agreement for the transaction to proceed, and final authorisation of the transaction would be

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determined by the YPO Management Committee after consideration of due diligence information.

(Cabinet gave consideration to the exempt information at Agenda Item 15 (Minute No. 94 refers) prior to the determination of this Agenda Item).

### **RESOLVED –**

- 1) That the transaction proposed by Yorkshire Purchasing Organisation, as detailed within the considered report, be noted.
- 2) That confirmation be given to the financial backing of the transaction by agreeing to underwrite the loan and entering into a Supplemental Agreement, and that authority be delegated to the Chief Executive to approve the Supplemental Agreement, as set out in appendix 6 of the considered report, subject to (i) at least 10 of the 13 Founding Members remaining and agreeing to enter into the Supplemental Agreement (ii) the satisfactory completion of legal and financial due diligence on the proposal giving confidence to proceed and (iii) a resolution of Yorkshire Purchasing Organisation Management Committee to enter into the proposed transaction.

### **93 Exclusion of the Public**

**RESOLVED –** That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during the 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.

### **94 Yorkshire Purchasing Organisation - Strategic Investment**

(Exempt information relating to Part 1 of Schedule 12A of the Local Government Act 1972, 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 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 13 (Minute No. 92 refers).