

Contact Officer: Andrea Woodside

## **KIRKLEES COUNCIL**

### **CABINET**

**Tuesday 2nd June 2020**

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

Observers: Councillor Martyn Bolt  
Councillor Andrew Cooper  
Councillor Aleks Lukic  
Councillor Alison Munro  
Councillor Richard Smith  
Councillor Mohan Sokhal  
Councillor John Taylor  
Councillor Michael Watson

Apologies: Councillor Viv Kendrick

**182 Membership of Cabinet**

Apologies for absence were received on behalf of Councillor Kendrick.

**183 Minutes of previous meeting - 1 May 2020**

**RESOLVED** – That the Minutes of the Meeting held on 1 May 2020 be approved as a correct record.

**184 Interests**

Councillors Mather and Pattison advised that, in their capacity as Board Members for Kirklees Neighbourhood Housing, they had been granted dispensations on Agenda Item 7, and were permitted to speak but not vote on the item.

**185 Admission of the Public**

It was noted that all agenda items would be considered in public session.

**186 Questions by Elected Members (Oral questions)**

Cabinet received the following questions from Members of the Council;

**Question from Councillor Bolt**

“Crown Green Bowling in Kirklees and Mirfield is a very popular sport. When will the bowling greens be open?”

A response was provided by the Leader of the Council.

**Question from Councillor Bolt**

“When will the full details be disclosed about the recent purchases by Cabinet – the cost, building condition and remediation costs, and crucially, the business case for these premises to repay the borrowing – places like the George Hotel, the Arcade in Dewsbury etc. and have you worked out how much per household this borrowing is costing Kirklees residents?”

A response was provided by the Cabinet Member for Regeneration (Councillor McBride).

**Question from Councillor Lukic**

“Why haven’t parking charge suspension notices been displayed in Dewsbury Town Centre over the last few weeks and had this now been rectified?”

A response was provided by the Leader of the Council.

**Question from Councillor Lukic**

“Last week I asked if there was a date for the reintroduction of parking charges yet, can I ask if there is yet a date?”

A response was provided by the Leader of the Council.

**Question from Councillor Munro**

“When will the two Planning Sub Committees be reinstated online?”

A response was provided by the Leader of the Council.

**Question from Councillor Munro**

“How many Primary Schools have actually opened across Kirklees?”

A response was provided by the Cabinet Member for Learning, Aspiration and Communities (Councillor Pattison).

**Question from Councillor R Smith**

“Given that so many children are some way off returning to school, what is the Council doing to support the schools in respect of home working?”

A response was provided by the Cabinet Member for Learning, Aspiration and Communities (Councillor Pattison).

**Question from Councillor J Taylor**

“With regards to the Outbreak Boards which are being set up to assist with management locally of Covid 19 as test, trace and isolate starts to get into gear. Are you able to share any detail as to the make-up of these boards and who would be members of that board?”

A response was provided by the Leader of the Council.

**Question from Councillor J Taylor (on behalf of Councillor Patrick)**

“Senior Officers tell me that the dispute in the refuse collection service was resolved last autumn. If that is the case, can the Cabinet Member tell me why the service does not improve in Holme Valley South and why both green and grey bins continue to be missed on a regular basis, including whole streets? A resident recently contacted me to say that their bin had not been emptied since January. This is not good enough. When can residents expect to receive the service they pay for?”

When bins are missed residents phone Kirklees Council. Residents tell me that the staff that answer the phones are not very helpful and that the bin is seldom ever collected following a complaint. The common observation by residents who phone in to complain is that they are told that the bin is recorded as having been collected. Why are bins recorded as collected when they are missed? What are we doing to improve the telephone complaints process?”

A response was provided by the Cabinet Member for Culture and Environment (Councillor Walker).

**Question from Councillor Cooper**

“Over the years I have asked a number of times if access to Castle Hill can be regulated at night. One suggestion I have made in the past is a retractable bollard. Is there going to be some action on this as we have been waiting a long time and there are a lot of ongoing issues?”

A response was provided by the Cabinet Member for Culture and Environment (Councillor Walker).

**Question from Councillor Munro**

“In relation to bin collections, we appreciate the work that bin collections are doing but our concern is whether messages are getting through when bin collections are missed because people are being told that their bins have been emptied when they haven’t, so I just wanted to raise that as a concern.”

A response was provided by the Cabinet Member for Culture and Environment (Councillor Walker).

**Question from Councillor Bolt**

“You said earlier that resumption of Planning Committees was a planning function, whereas it’s an administrative function. So, can you tell us when the Planning Committees will resume please?”

A response was provided by the Leader of the Council.

**Question from Councillor Watson**

“I’ve had concerns raised by a number of residents of Denby Dale as to the service being provided at our refuse site at Bromley Farm, which I can best express those concerns by quoting directly from one email which says as follows; ‘It seems to me that whilst everyone else in the country is trusted to understand the concept of social distancing, at our recycling centres there is an implicit assumption that the public are unable to understand the concept. Currently only two cars are allowed on the site at any one time whereas the site could probably take 6 or more. The reason for the restriction is clearly to protect the public as the employees manning the site are in deck chairs sunbathing. Does the Council not think that if 6 cars were on the site the public would be able to do the social distancing it is required to do everywhere else in the UK?’

What work has been undertaken since the sites reopened to evaluate operating methods and consider whether they are operating in the most efficient manner possible whilst at the same time being able to maintain social distancing and how does the Cabinet assess and bench mark whether council tax payers of Kirklees are being provided the best service possible in terms of refuse sites at the moment?”

**187**

**Questions by Members of the Public (Written Questions)**

Cabinet received the following question from members of the Public;

**Question from Andrew Leader**

“Further to my question on 21 May regarding Rights of Way obstructions, could you please clarify a couple of points? (i) Firstly, my question referred to reported problems which are over a year old. So from 2017/2018 you cite Covid 19 as a reason for slowing down progress. Could you explain how the current Covid 19 crisis of 2020 has had an effect on the Council’s lack of action on straight forward footpath obstructions reported to it in 2017 and 2018? (ii) I also asked ‘Can the

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Cabinet Member responsible outline what the Council's policy/procedure is for removing such obstructions and what timescales the Council works to?"

A response was provided by the Cabinet Member for Culture and Environment (Councillor Walker).

### **188 Options on the future model for the management and maintenance of Kirklees Council Housing**

(Under the provisions of Council Procedure Rule 36(1) Cabinet received a representation from Councillor J Taylor. Councillor Taylor declared an interest in this item in his capacity as a Member of Kirklees Neighbourhood Housing Board).

Cabinet gave consideration to a report which provided options for the future management and maintenance of Kirklees Council Housing. It advised that the Council owned c.a 22,000 homes which were currently managed by Kirklees Neighbourhood Housing (KNH) as its Arm's Length Management Organisation (ALMO). The report provided information on the current context in relation to the social housing management and maintenance sector across the country and set out information which compared and contrasted the models under consideration as options for the future maintenance and management of council housing in Kirklees. The report emphasised the importance of how housing tenants, as citizens, were central to the shaping of places and services. It also set out the need for clarity in regards to decision making and accountability in terms of the management of strategic and operational risk.

The report advised that, arising from a recommendation of the LGA Corporate Peer Review in 2019, which recommended that the Council prioritises a decision on the long term future of the ALMO arrangement, the Council had initiated a re-consideration of a the independent review previously carried out in 2018 which had looked at an options appraisal of the various models for managing and maintaining the Council's housing stock. An Ad Hoc Scrutiny Panel had been established to consider the future options for the management of the Council's housing stock and Cabinet noted the outcome report which had been submitted to the meeting of Cabinet on 21 May 2020.

Cabinet noted the detail of the options as set out within the report; (i) to transfer the stock to a registered provider (ii) to retain the ALMO model and manage the stock through KNH and (iii) to directly manage the stock and integrate with other services (in-house). The report set out the rationale for the recommendation to approve, in principle, changing to an in-house delivery model in order to provide the greatest opportunity for control, influence and strategic alignment with place based working whilst also offering a greater degree of assurance and enabling the Council to promote and deliver its ambition for the regeneration of its own housing stock in the context of the broader housing market.

### **RESOLVED –**

- 1) That the outcome of the options assessment for the management and maintenance of housing stock be noted.

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- 2) That approval be given in principle to changing the model to an inhouse-delivery of council housing management and maintenance services by transferring activity undertaken by Kirklees Neighbourhood Housing back to the Council, and adopting an approach of combining the benefits of the ALMO model with those of in-house delivery.
- 3) That approval be given to the proposal to engage with tenants on the preferred model, using a range of approaches, including the place standard tool and that authority be delegated to the Strategic Director – Adults and Health to finalise and implement the approach.
- 4) That, pursuant to (3) above, engagement with tenants and Kirklees Neighbourhood Housing staff be undertaken over the summer period.
- 5) That, following the engagement exercise, a report be submitted to Cabinet in September/October 2020 in order to inform the final decision on the future housing management and maintenance of council housing in Kirklees, including recommendations on matters that would require to be progressed to run Council housing services in-house on or before 31 March 2021, should that decision be confirmed.

### 189 **Viability Guidance Note**

(Under the provisions of Council Procedure Rule 36(1), Cabinet received representations from Councillors Bolt and J Taylor)

Cabinet gave consideration to a report which sought approval to publish a viability guidance note, which was intended to provide clarity to the process of commissioning or undertaking viability assessments in relation to planning applications for new housing development, with particular regard to the provision of affordable housing or other planning applications where compliance with planning policy was subject to a consideration of viability.

The guidance note, which was appended to the considered report, provided advice as to the level of information that the Council would require in order to commence discussions around development viability and how it would be evaluated.

Cabinet were advised that, subject to approval, the guidance note would be published on the Council website, in order to provide clarity to the viability process and ensure that opportunities to secure infrastructure as a result of development is reasonable, openly and fairly secured.

**RESOLVED** - That approval be given to the publication of the Viability Guidance Note.

### 190 **Financial Outturn 2019-20 - Early Closedown Review**

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

Cabinet received a report which set out proposals to review earmarked reserves as part of the current 2019-2020 final accounts process. The report advised that

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consideration had been given to early measures to release further revenue resources to earmarked general fund reserves in light of the heightened corporate risk assessment from the financial impact of Covid-19, through both 2020-2021 and the longer term structural impact on the Council's Medium Term Financial Strategy.

Cabinet noted the detail of the proposals which were to; (i) increase existing financial resilience reserves by up to £6.5m through a year-end review of capitalization opportunities and funding sources, within allowable accounting rules and existing Council policies, where appropriate and (ii) to set aside a specific reserve to support the costs of the Council's Covid-19 response in 2020-2021. The report advised that contributions to this reserve would be met from the transfer of un-ringfenced government grant to support Covid-19 costs of £12.2m, which was received on 27 March 2020, and that the amount transferred would be adjusted for any Covid-19 related expenditure incurred in the period up to 31 March 2020, which would be identified as part of the final accounts process.

It was noted that the finalised 2019-2020 revenue and capital outturn position and detailed report would be presented to Cabinet and Council at a later date and would incorporate the proposals as detailed within the report.

### **RESOLVED –**

- 1) That approval be given to the COVID-19 Grant Reserve.
- 2) That the capitalisation measures to release £6.5m revenue resources as part of the early closedown review 2019/2020 be noted.
- 3) That approval be given to the subsequent transfer of the £6.5m released revenue resources to earmarked financial resilience reserves.

### **191 Kirklees Council Pet Policy**

(Under the provisions of Council Procedure Rule 36(1) Cabinet received representations from Councillors Bolt and R Smith).

Cabinet gave consideration to a report which outlined a proposal for the introduction of a new pet policy, which had been formulated in order to enable effective management of pet associated issues, and provide clear guidance on pet ownership for both officers and tenants.

Cabinet were advised that the policy would replace an existing Kirklees Neighbourhood Housing 'Good Pet Keeping Guide' and would provide for a more consistent approach to enable responsible pet ownership in Kirklees Council owned properties. The report advised that the guide had been developed in 2012 and was no longer deemed to be robust enough, and so the new policy was required in order to support effective tenancy management and enforcement action, when needed, in both Kirklees Neighbourhood Housing and Pinnacle Group managed properties.

Cabinet noted that the key aims of the Pet Policy which were to ensure that (i) pets were kept in line with the terms of the policy and the tenancy agreement (ii) suitable property types were identified in relation to keeping cats and dogs (iii) tenants had clarity in relation to their roles and responsibilities in relation to keeping

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pets (iv) complaints about nuisance pets could be dealt with swiftly and effectively and in accordance with all associated policies and good practice guidance and (v) all tenants were treated in a fair and equitable way.

### RESOLVED –

- 1) That approval be given to the Pet Policy for Kirklees Council properties, to be implemented by Kirklees Neighbourhood Housing and Pinnacle Group.
- 2) That an amendment be made to the policy in order to require a pet owner to demonstrate that any dogs and cats have been microchipped, and that appropriate fencing be provided.
- 3) That the Cabinet Portfolio Holder be advised of any further suggested amendments to the policy.

### 192 **Kirklees Music Ambition including Year of Music 2023 and Music Investment**

(Under the provisions of Council Procedure Rule 36(1) Cabinet received representations from Councillors Bolt, Lukic, J Taylor and Munro).

Cabinet received a report which sought approval for on-going investment into key music festivals and the Kirklees concert season, and endorsement of the approach and ambition for the Year of Music. The report advised that the Council had committed to the delivery of a Year of Music in 2023 to complement the Leeds Year of Culture, and was asked to approve the approach to the Year of Music, which it was anticipated would be funded through existing budget streams.

Cabinet noted that the Council currently invests in three key festivals (Cleckheaton Folk Festival, Huddersfield Contemporary Music Festival and Marsden Jazz Festival) to deliver a diverse music festival offer and contribute to the Council's shared outcomes. It was also noted that the Council was currently in a partnership to deliver the Kirklees Concert Season with Opera North, which was in its 17<sup>th</sup> Year.

The report provided detail with regards to (i) investment in music festivals (ii) investment in the Kirklees concert season (iii) the approach to the Year of Music 2023 and (iv) the application to UNESCO Creative City Status 2021. Cabinet were asked to approve investment into music with the focus being upon its longest continually running festivals and the partnership with Opera North to deliver the Kirklees Concert Season for three years, with an option to extend until 2024, therefore extending beyond the 2023 Year of Music and ensuring a legacy. It was noted that a further report would be submitted to a future meeting setting out further detail in regards to the programme for the Year of Music 2023.

### RESOLVED –

- 1) That approval be given in principle to a three year investment in the Cleckheaton Folk Festival (£5k), Huddersfield Contemporary Music Festival (£30k), Marsden Jazz Festival (£5k) and Opera North (£60k), at a total cost of £100k each year for 3 years, with the possible extension of a further two years, subject to annual confirmation through the budget process and review



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of agreement objectives and meeting the targets as set out at paras. 2.1.8-2.1.9.

- 2) That approval be given to the approach to the Year of Music 2023 in principle, including the UNESCO bid, and that further details on the programme and funding strategy be submitted at a later date.
- 3) That Officers be asked to further explore the availability of assets within the area with regards to the Council's ability to host large scale events.

### **193 2020/21 – 2021/22 Corporate Landlord and Strategic Asset Utilisation Capital Plans - Proposed allocation of 2020/21 – 2021/22 Capital Funding**

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

Cabinet received a report which set out identified projects or themes, to be funded in financial years 2020-2021 and 2021-2022 from (a) Corporate Landlord Asset Investment Programme (b) Corporate Landlord Compliance Programme (c) Corporate Landlord Sustainability Programme (d) Strategic Asset Utilisation Programme and (e) a number of accommodation related schemes identified as strategic priorities, as contained in the five year capital plan approved by Council on 12 February 2020.

Cabinet were asked to give approval to the baseline programme, and the projects as set out at Appendix A of the considered report, and were advised that, subject to approval, Officers would ensure that the programmes were updated and that the specified projects would be developed, designed, procured and implemented.

#### **RESOLVED –**

- 1) That the programme of works for 2020/2021-2020/2022, as set out at Appendix A of the report, be approved.
- 2) That approval be given to the delegation of power to Officers (paras.2.18 to 2.20 refer) to (i) add new urgent projects to the programmes detailed in this report without prior Cabinet approval providing that total cost of the programmes remains within the approved capital allocations set by Council (ii) transfer resources between the Corporate Landlord / Asset Strategy funding streams / programmes without restrictions to enable efficient delivery of projects and (iii) slip, delete or reallocate budget between projects during the course of the two financial years providing that the total cost of the programmes remains within the approved capital allocations set by the Council to enable the effective management of the programmes concerned over the two year period.
- 3) That officers be authorised to design, tender and implement the delivery of projects and work streams as identified in Appendix A.