

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 16th February 2021

Present: Councillor Shabir Pandor (Chair)
Councillor Viv Kendrick
Councillor Musarrat Khan
Councillor Naheed Mather
Councillor Peter McBride
Councillor Carole Pattison
Councillor Cathy Scott
Councillor Graham Turner
Councillor Paul Davies

Observers: Councillor Martyn Bolt
Councillor Andrew Cooper
Councillor Gwen Lowe
Councillor Alison Munro
Councillor Nigel Patrick
Councillor Elizabeth Smaje
Councillor John Taylor

356 Membership of Cabinet

All Cabinet Members were present.

357 Admission of the Public

It was noted that there were no exempt matters listed for consideration.

358 Declarations of Interest

Councillor Davies declared an 'other' interest in Agenda Item 8 in his capacity as a Member of Holme Valley Parish Council (Minute No. 363 refers).

359 Deputations/Petitions

Cabinet received a deputation from Rachel Cowper in relation to Agenda Item 12 (Minute No. 367 refers).

A response was provided by the Leader of the Council.

360 Questions by Members of the Public

Question from Steve Slator (on behalf of Hands of HRI)

"Hands off HRI (HOHRI) note that Calderdale and Huddersfield Joint Health Scrutiny Committee (JHSC) state, in their letter to the Independent Reconfiguration

Cabinet - 16 February 2021

Panel of 1 September 2017, that the 2017 hospital reconfiguration plans “would not be in the interests of the people of Calderdale and Greater Huddersfield and hence not in the interests of the health service of the area.” Since the publication of modified proposals in the Revised Reconfiguration of Hospital Services Strategic Outline Case in April 2019 (SOC), JHSC has met just twice to consider, most recently in September 2020 when the SOC was ‘noted’ by the Committee. We are concerned, however, that, as far as we are aware, the SOC has not been at any stage either endorsed or approved by the JHSC, nor has the JHSC expressed a formal opinion as to whether the revised plans are, or are not, ‘in the interests of the people (or) of the health service of the area’.

HOHRI note, too, that the JHSC sets out, in their revised Terms of Reference (attached, see p2, bp2, sub bp 3), a number of steps to be taken regarding the SOC, if required, including: “to prepare a report for the Calderdale and Greater Huddersfield Clinical Commissioning Groups (CCG’s), Calderdale Council and Kirklees Council, setting out the matter reviewed; a summary of the evidence considered; a list of the participants involved; and an explanation of any recommendations on the service configuration”. The Terms of Reference further refer that JHSC would then expect “to receive from the CCG’s their formal response to the report and to determine whether any concerns expressed by the Committee have been addressed”.

The JHSC report, with CCGs and CHFT responses, should assist Kirklees Council in determining whether the revised proposals are, or are not, now in the interests of the people of Kirklees.

HOHRI further note there are, in fact, a number of significant concerns which HOHRI and JHSC have raised with the CCGs, and/or CHFT, and which have either not been addressed, or been only partly addressed. In particular: equalities issues such as access to Calderdale Royal Infirmary (and to HRI) for disadvantaged groups, minority and ethnic communities, the defective - and currently withdrawn - ‘shuttle bus’ service, the criteria for any possible future reductions in bed numbers (though, we understand, not to be implemented at present, this is still proposed within the SOC), and a lack of critical clinical co-dependencies to support the proposed new A&E department at HRI.

HOHRI therefore request:

- i/ that, noting the above concerns, Kirklees Council, as one of the specified recipients of the JHSC report, require production of said report by JHSC, and
- ii/ that, given the schedule for publication of the HRI Full Business Case, and CRH Outline Business Case, in June 2021, Kirklees Council ask for production of the report in as short a timescale as possible, and in any case by end of April at the latest; and
- iii/ confirmation as to whether or not Kirklees Council have ratified the Reconfiguration of Hospital Services Strategic Outline Case of April 2019 (SOC); and, if not, how do Kirklees Council intend to communicate their opposition to the SOC?

Cabinet - 16 February 2021

iv/ a response as to how Kirklees Council now see their role in the scrutiny and implementation of the hospital reconfiguration plans, and detail of how they expect to fulfil that role going forward.”

We would be much obliged to receive your written response.”

A response was provided by the Leader of the Council.

Question from Philip Smith

“I have recently (9th February 2021) received an update from the Council, regarding a complaint that I first reported on 18th August 2020, saying that they were now looking into it. I had previously only received one acknowledgement that the complaint had been received despite several enquiries as to progress.

Does the Leader of the Council think that taking 24 weeks to start responding to a complaint is acceptable and can he (i) give any reassurance about how long I will need to wait for the complaint to be fully investigated and (ii) confirm that I will eventually be informed of the findings of the investigation?

Please could the Leader of the Council advise how long he would expect his Council Officers to take to answer e-mails that are submitted by members of the Public?”

A response was provided by the Leader of the Council.

361 Questions by Elected Members (Oral Questions)

Question from Councillor Bolt

“Cabinet and Council have passed ambitions and environmentally beneficial policies and targets. Unfortunately at the moment these aspirations and targets are not binding, valid or considered in a planning context. They are not planning documents and therefore do not have any material bearing or weight in a planning sense. Could I therefore ask if you could explore the benefits of bringing forward a supplementary planning document to bring forward a tree policy , climate change etc so that they are planning policies, so in any planning application due weight has to be given and tree preservation orders are not just discarded because they are not planning documents. We want to see these environmental measures, we want to see the tree policy etc brought forward, but while they are separate from the planning process one of the biggest impacts on Kirklees means that that element just gets overlooked.

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Davies).

Question from Councillor J Taylor

“Would the Cabinet Member look into a problem with housing in the Farnley Tyas area? We have had Officers look at a property on a development called Butts Close where there have been complaints about damp, mould and the property being cold.

Cabinet - 16 February 2021

Officers concluded that the radiator heating in the property was inadequate. There are several elderly neighbours that have also been complaining about the cold. Can we have a strategic look at this development, there are complaints about the cost of trying to keep the properties warm and dry. Could we look at what we can do to help the residents?"

A response was provided by the Cabinet Member for Housing and Democracy (Councillor Scott).

Question from Councillor Patrick

"At last week's budget meeting, Councillor McBride told us about investment of money in Holmfirth to help regenerate the town. Two days later, myself and Councillor Firth met with Councillor Davies, where they described loading and parking restrictions to Victoria Street in Holmfirth. When I tell them that would damage businesses in Victoria Street they do not seem concerned and seem intent to go ahead with it. Since that meeting I've spoken to a number of businesses on Victoria Street. They are very angry about what's happening. Some of the businesses didn't know about the proposals. What I want to know, is Labour's idea of regeneration putting people out of business and putting jobs at risk?"

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

Question from Councillor Lowe

"It's been confirmed today that sadly Cleckheaton Folk Festival has yet again sadly had to be cancelled this year. Please could you give an overview of the work being carried out on the Council's new Culture, Heritage and Tourism Strategies please?"

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Davies).

Question from Councillor Cooper

"Some weeks ago I passed on the Passivhaus Task Force report that was produced 3/4 weeks ago. Having looked through its recommendations, is there going to be a change in Kirklees policy regarding its own developments on land that it sells for development? Will we be catching up with Council's like Exeter and Norwich which already have such policies?"

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Davies).

Question from Councillor Munro

"In 2018 more than 2000 homes were left lying empty in Kirklees with at least 206 people homeless. Please can you provide me with the current data on empty homes in Kirklees and the number of people who are homeless?"

A response was provided by the Cabinet Member for Housing and Democracy (Councillor Scott).

Question from Councillor R Smith

“Kirkburton ward sadly saw another fatal road collision last year. Obviously this is not just an issue within my ward, and so I would like to ask why road safety does not appear to be a priority for this administration?”

A response was provided by the Cabinet Member for Environment (Councillor Mather).

362 Huddersfield District Energy & Heat Network

(Under the provision of Council Procedure Rule 36(1) Cabinet received a representation from Councillors Bolt, Cooper and Munro).

Cabinet gave consideration to a report which (i) provided the findings of the Huddersfield Phase 2 District Energy feasibility study and the detailed project development stage (ii) detailed an offer of grant funding from the Department for Business, Energy and Industrial Strategy Heat Networks Delivery Unit and (iii) sought approval to commence a procurement exercise to engage a consultant to commence the delivery of the next feasibility stage. The report described the work that had been undertaken to date with regards to a Huddersfield District Heat Network and set out a plan of proposals and gateways for the next phase, including a detailed project development report, which would provide an outline business case for the delivery of a successful heat network.

The report asked that Cabinet agree to progress the Huddersfield Heat Network project to the ‘detailed project development’ phase of feasibility, resulting in an outline business case which can then be considered in terms of deciding whether to proceed with the scheme. The report advised that the feasibility study had identified the most economically viable heat network for Huddersfield and set out several of the benefits that would be achieved, which included utilising local energy generation and the reduction of carbon emissions from the Council’s assets.

It was noted that, subject to approval, the completion of the detailed project development would be completed during Autumn 2021, following which the findings of the completed outline business case would be submitted to Cabinet.

RESOLVED –

- 1) That the positive results of the 2018 feasibility study be noted.
- 2) That approval be given to (i) accepting grant funding for the project from the BEIS Heat Network Delivery Unit (£309, 265) and (ii) corresponding capital match funding (£152,325) for the DPD stage of feasibility, as identified within the Capital Plan, in order to allow the heat network feasibility process to be completed and produce and outline business case.
- 3) That authority be delegated to the Strategic Director (Environment and Climate Change) to immediately undertake procurement of consultants for

Cabinet - 16 February 2021

the future delivery of the detailed project development stage of a Huddersfield District Heat and Energy Network.

- 4) That authority be delegated to the Strategic Director (Environment and Climate Change) to deliver the actions as set out above, and apply any minor alterations in order to ensure that the project is delivered up to outline business case completion.
- 5) That a further update be submitted to Cabinet following the completion of the DPD stage, presenting the completed findings of the feasibility process and the outline business case for consideration.

363

Community Asset Transfer of Honley Library to Holme Valley Parish Council

Cabinet gave consideration to a report which sought approval of the community asset transfer of Honley Library, West Avenue, Honley, Holmfirth to Holme Valley Parish Council. The report explained that the Council would retain use of the building for the library service, under a hosting provision, and that the Parish Council would lease the land and building to Friends of Honley Library who would manage the day to day running of the asset and continue to support Kirklees Library Service.

The report advised that the Parish Council had submitted an application and a business statement in accordance with the requirements of the Community Asset Transfer Policy, which had been approved. Cabinet noted that the administration and management of the building would be carried out by the Friends of Honley Library, reporting to the Parish Council, and that the group would be responsible for the financial management of the asset and ensuring effective maintenance, safety and security of the building, and would manage the asset as a hub for the benefit of the community.

The report proposed that a freehold transfer be approved, with restrictive covenants for community use, and an exception of up to 30% commercial use in order to permit commercial activity which would support the sustainability of the facility.

RESOLVED –

- 1) That approval be given to the freehold transfer by the Council of Honley Library to Holme Valley Parish Council for nil consideration, with the transfer including a covenant that the building is to be used for community use (including library use) with an exception of up to 30% of permitted commercial use in line with the Community Asset Transfer Policy and previous asset transfers.
- 2) That the transfer to Holme Valley Parish Council be subject to the Parish Council entering into (i) a hosting Agreement with the Council to enable the Council's Library Service to use Honley Library for the provision of a library service and (ii) a polling station agreement which gives the Council the right to use Honley Library for electoral services.
- 3) That authority be delegated to the Service Director (Economy and Skills) to negotiate and finalise the Heads of Terms for the freehold transfer of Honley Library to Holme Valley Parish Council and associated hosting agreement and polling station agreement.
- 4) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into and execute all necessary documentation in

Cabinet - 16 February 2021

connection with the freehold transfer of Honley Library to Holme Valley Parish Council and the supporting hosting agreement and polling station agreement.

364 Determination of School Admission Arrangements for 2022/23

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

Cabinet gave consideration to a report which presented the results of the statutory consultation process, undertaken between 30 November 2020 and 10 January 2021, on (i) increasing the published admission number of Netherhall Learning Campus from 131 to 145 in order to formalise arrangements which had been in place since 2020/2021 and (ii) changes to the published admission number for Moldgreen Primary School at the request of the governing body. It was noted that no significant changes to the admission arrangements for community and voluntary controlled schools were proposed, except a minor amendment to the deadline for submitting evidence regarding a change of circumstances relating to high school applications.

The report presented information in respect of (i) the co-ordinated admission schemes (as attached as appendices to the considered report) (ii) admission arrangements for community and voluntary controlled schools and (iii) published admission numbers for community and voluntary controlled schools.

Cabinet noted that there had been no objections received to the proposals as a result of the consultation process and an officer commentary was provided in regards to the comments that had been submitted.

RESOLVED - That approval be given to (i) Kirklees co-ordinated admission schemes for 2022/2023, as set out at Appendix 2 (ii) admission arrangements for Kirklees Community and Voluntary Controlled Schools, as set out at Appendix 1c without changes to oversubscription criteria and (iii) published admission numbers for the schools as set out at Appendix 1d, including changes to Netherhall Learning Campus High School and Moldgreen Primary School.

365 Consultation with tenants of (i) Berry Brow/Buxton House: Remediation/Refurbishment or Demolition and New Build Consultation (ii) Harold Wilson Court: Fire safety improvements; Sprinkler/EWI/Compartmentation

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

Cabinet received a report which requested that approval be given to the undertaking of a consultation with (i) residents at Berry Brow and Buxton House to address fire safety issues based upon the options of (a) designing, developing and investing in a remediation, refurbishment and remodelling strategy and (b) designing, developing and delivering a demolition and new build housing solution and (ii) residents at Harold Wilson Court advising of the intention to undertake major fire safety improvements.

Cabinet - 16 February 2021

The report provided information regarding the accommodation, the rationale as to the proposed improvement works and the resource requirements. It was noted that the consultation process aimed to offer long term solutions to address the housing needs of tenants and to provide a warmer, safer and higher standard of accommodation.

RESOLVED –

- 1) That approval be given to the undertaking of consultation with tenants and residents on the future options for the Council's high rise housing blocks to address fire safety concerns.
- 2) That approval be given to the on-going Waking Watch costs to the HRA at Berry Brow and Buxton House.

366 Green Homes Grant (Local Authority Funded Private Sector Energy Scheme)
(Under the provision of Council Procedure Rule 36(1) Cabinet received a representation from Councillor Cooper).

Cabinet gave consideration to a report which set out a proposal to establish a local authority backed private sector energy improvement scheme and the allocation of £1m to offer financial support to homeowners and landlords of private sector rented housing.

Cabinet noted that the Council had been successful in securing over £2m funding from phases 1a and 1b of the Government's Green Homes Grant which aimed to improve energy efficiency and reduce carbon emissions from council housing and that in November 2020 a scheme referred to as Local Authority Delivery 2 had been launched, aimed at offering grant assistance to homeowners in private sector properties for energy improvements, subject to eligibility.

The report advised that the proposed improvement programme would deliver tangible benefit and overcome a number of inequalities realised through the impact of social deprivation and fuel poverty.

RESOLVED - That approval be given to the establishment of a Local Authority backed private sector energy improvement scheme and the creation of a £1m fund, initially, to offer financial support through Home Appreciation Loans for qualifying households.

367 Disposal of land designated as "Open space" to Network Rail to facilitate the Transpennine Route Upgrade
(Under the provision of Council Procedure Rule 36(1) Cabinet received a representation from Councillor Bolt).

Cabinet gave consideration to a report which set out details of objections that had been received as a result of an advertisement regarding the Council's intention to dispose of open space near Deighton Station and Calder Road, Ravensthorpe, and to give consideration as to whether to proceed with the intended disposal of the open space.

Cabinet - 16 February 2021

The report explained that, in order to deliver the Transpennine Route Upgrade, Network Rail Infrastructure Ltd needed to permanently acquire a number of parcels of land and that as ten parcels of Council owned land had been identified as open space, the intention to dispose had been advertised, resulting in two objections being received. Cabinet was asked to give consideration to the disposal of land in view of the objections which related to (i) Ravensthorpe 20-0328 and (ii) Deighton 20-0326.

Cabinet were advised that the edge of the land boundary at Ravensthorpe (Dewsbury South), as identified within the appendix to the report, may fall within the Mirfield ward, and it was therefore noted that a further resolution be included to ensure that Officers were satisfied that due legal process had been followed prior to the disposal of the site.

RESOLVED –

- 1) That the objections received as a result of advertising the Council's intention to dispose of open space near Deighton Station, and Calder Road in Ravensthorpe, be overruled.
- 2) That the disposal of identified open space at Deighton be approved.
- 3) That the disposal of identified open space at Ravensthorpe be approved subject to Officers of the Council being satisfied that due legal process in relation to the proposed disposal has been correctly followed.

368

Place Partnerships - WEvolve Community Support Programme

Cabinet received a report which sought approval of £140,000 funding from the Place Partnership mental health themed budget to deliver the WEvolve Community Support Programme in Huddersfield North and Central Place Partnerships. It advised that the proposal was to allocate funding to develop support that would improve mental health and resilience of local residents and young people by ensuring that VCSE and other partner organisations are able to continue to provide and adapt their existing service and activities, or provide new initiatives, where there is an identified need.

The report advised that the project would focus upon locally based groups and organisations with a proven track record in delivering mental health outcomes and the ability to work with a place based approach to extend their offer to deliver mental health support to the community. Cabinet were advised that the proposal met the partnership's agreed outcomes to socially connect adults and build community resilience by having a positive impact upon the mental health and wellbeing of residents. It was noted that, subject to approval, proposals would be invited and would be implemented from March 2021 onwards.

RESOLVED –

- 1) That approval be given to funding of £140,000 from the Place Partnership mental health budget for the Kirklees Mental Health WEvolve Community Support Programme.

Cabinet - 16 February 2021

- 2) That authority be delegated to the Democracy Manager (Active Citizens and Places) in consultation with (i) the Cabinet Member (Housing and Democracy) and (ii) Lead Members for Huddersfield North and Huddersfield Central Place Partnerships to finalise the details of how proposals for funding will be determined.

369 Works Better 15-25 Positive Minds

Cabinet received a report which sought approval for the Council to receive and act as an accountable body for a European Social Fund Grant of £937,185 to deliver the Works Better 15-25 Positive Minds Project. The report advised that the project would provide specialist mental health support for young people and would integrate mental health provision with wider employment support in order to add significant value to Works Better 15-25, and improve outcomes for young people.

It was noted that Works Better 15-25 was the Council's programme of employment support for young people who are not in education, employment or training, and currently existed of two European Social Fund funded projects. The report explained that the output and target results of the project were (i) 409 unemployed participants in education, work or training (ii) 245 participants into employment within 6 months of leaving the projects and (iii) 44 participants to gain basic skills.

Cabinet were advised that, subject to approval of the project, the Council would enter into a funding agreement with the Department for Work and Pensions and service level agreements with delivery partners and that the operation of the scheme would be kept under review, including the period during which it would be open for applications.

RESOLVED -

- 1) That approval be given to the delivery of the Works Better 15-25 Positive Minds project.
- 2) That approval be given to accepting external European Social Funding of £937,185 for the project and for the Council to act as the accountable body in relation to the grant.
- 3) That Cabinet receive regular progress reports as to the delivery of the project.
- 4) That authority be delegated to the Strategic Director (Growth and Regeneration) and the Service Director (Legal, Governance and Commissioning) to finalise and execute all necessary legal agreements with the Department for work and Pensions, and project delivery partners.
- 5) That authority be delegated to the Strategic Director (Growth and Regeneration) and the Service Director (Finance) to submit grant claims and undertake related project monitoring and reporting.