

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 27th July 2021**

Present: Councillor Shabir Pandor (Chair)  
Councillor Paul Davies  
Councillor Eric Firth  
Councillor Viv Kendrick  
Councillor Musarrat Khan  
Councillor Peter McBride  
Councillor Naheed Mather  
Councillor Carole Pattison  
Councillor Cathy Scott  
Councillor Will Simpson

In attendance: Councillor M Bolt  
Councillor D Hall  
Councillor Lawson  
Councillor Smaje  
Councillor Taylor

**27 Membership of Cabinet**

All Cabinet Members were present.

**28 Declarations of Interest**

Councillor Kendrick declared an 'other interest in Agenda Item 15 (Minute No 41 refers) on the grounds that a family member is employed by Third Sector Leaders.

**29 Admission of the Public**

It was noted that exempt information had been submitted in respect of Agenda Items 16 and 17 (Minute No.s 45 and 46 refer).

**30 Deputations/Petitions**

No deputations or petitions were received.

**31 Questions by Members of the Public**

No questions were asked.

**32 Questions by Elected Members (Oral Questions)**

**Question from Councillor Bolt**

"On 29 April the Leaders of Councils across the country were written to by the Minister of State, Luke Hall, reflecting upon the High Court decision by Mr Justice

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Chamberlain which removed the ability of the Council to have decision making meetings remotely. Could you tell me why Kirklees is still having decision making meetings remotely?”

A response was provided by the Leader of the Council.

### **Question from Councillor Smaje**

“We have a lot of concerns regarding speeding traffic in Birstall and Birkenshaw and we have previously purchased two speed indicator devices which are rotated around the ward. However, highways withdrew these devices last September/October to have them updated but they have not yet been returned. Can the Cabinet Member please update us as to why the speed indicator devices are not being updated and put back in position, and what is happening in respect of the speed indicator device programme?”

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

### **Question from Councillor Lawson**

“Could we have an update on the progress of the report to Corporate Governance and Audit Committee that was requested at the AGM regarding committee system models from surrounding areas? What progress has been made by officers and are we on track to have a report to Council in September or October this year?”

A response was provided by the Leader of the Council.

### **Question from Councillor Munro**

“What options are being considered for the former Almondbury Community School site as King James School will be vacating the site premises in December 2021? Bearing in mind, the Council continues to discharge the PFI at the rate of, I understand, to be in the region of £650k a month?”

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

### **Question from Councillor D Hall**

“There are clearly problems with planning decisions being behind schedule which has been causing problems. Could Councillor McBride tell us how the service intends to try and catch up with the applications that are behind schedule?”

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

### **Question from Councillor J Taylor**

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“Is Councillor Mather aware of the problem with brown bins?”

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

The A62/A644 major highways scheme has been promoted on road-side boards as ‘Have your say on Cooper Bridge’ campaign. The residents I’ve met from Leeds Road/Oak Road/Bradley Road/Brooklands and the immediate areas around there, feel that this didn’t convey the impact that this huge scheme would have upon their houses and standard of living. Please will Cabinet provide officer support to help residents to understand the impact of this major highways scheme upon them and their surroundings?”

A response was provided by the Leader of the Council.

### **Question from Councillor D Hall**

“I am dealing with a ward issue whereby a builder has been sent a summons for non-payment of council tax for unfinished properties. I understand that it is policy and that the Council takes a judgement as to when the habitations should be finished, then apply council tax even if there is no one living in them. We are now trying to come to an agreement so that he doesn’t have to go to court. Would the Cabinet Member look at the policy that we are applying and, in light of covid, delays to suppliers, resource issues etc and make sure that people being caught by it are being treated leniently, at least during covid?”

A response was provided by the Cabinet Member for Corporate Services (Councillor P Davies).

### **Question from Councillor J Taylor**

“With regards to capacity issues, highways, enforcement etc, what is being done to address the staff shortages and skillset across the Council? You refer to the ambitious plans of the Council but we need the people behind them to actively do the work.”

A response was provided by the Leader of the Council.

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### **Kirklees Resource & Waste Strategy (Reference to Council)**

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

Cabinet gave consideration to a report which set out details of the outcome of the public engagement exercise regarding the Resources and Waste Strategy 2021-2030, prior to its submission to Council on 8 September 2021. The report advised that the strategy had been developed following feedback from a comprehensive public engagement exercise which had been undertaken during Autumn 2020 and generated approx. 8000 responses.

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The findings of the engagement exercise were set out at appendix 1 to the report. The proposed strategy, which was attached at appendix 2, set out how the Council aimed to achieve a clean, green and sustainable future, with zero waste to landfill and to value waste as a resource through re-use, recycling and recovery.

Cabinet noted the key aims of the strategy which were to (i) work with residents, businesses and communities using a place based approach (ii) achieve a recycling rate of at least 70% at household waste and recycling centres by 2025 (iii) double the recycling rate and recycle at least 55% of municipal waste by 2025 (iv) re-use or recycle as much of the resources collected via bulky waste collections as possible (v) ensure that the environment across the district delivers a clean, green and sustainable future and (vi) set a precedent of good practice to reduce waste, re-use materials and increase recycling.

The report advised that the strategy was comprised of three thematic sections of (i) delivering modern, sustainable services (ii) leading by example and (iii) supporting families and ensuring inclusion.

### **RESOLVED -**

- 1) That the Kirklees Resources and Waste Strategy 2021-2030 be endorsed and submitted to the meeting of Council in September 2021 with a recommendation of approval.
- 2) That, pursuant to (1) above, authority be delegated to the Strategic Director (Environment and Climate Change), in consultation with the relevant Cabinet Member and S151 Officer, to drawdown transformation reserve resources as appropriate to support the development and implementation of the Kirklees Resources and Waste Strategy 2021-2030.

### **34 2021/22 - 2025/26 Bereavement Services Capital Plan - Proposed allocation as of 2021/22**

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

Cabinet gave consideration to a report which sought (i) approval for projects to be funded from the 2021/22 to 2022/23 Bereavement Services Capital Plan and (ii) officer delegations to manage the plan.

The report advised that the reprofiled five year capital plan, as approved by Council on 10 February 2021, allocated £495k for 2021-2022 and £100k for 2022-2023. Para. 2.6 of the report set out the proposed programme of works for the next two financial years which included condition works and investment to improve facilities at various cemeteries. Para 2.8 set out details of current financial delegations and it was requested that additional powers be delegated in order to enable the efficient delivery of schemes.

### **RESOLVED –**

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- 1) That approval be given to the programmes of work for 2021/2022-2022/2023, as detailed within the considered report, within a budget of £595k, enabling Bereavement Services to (i) invest and maintain its portfolio of cemeteries and crematoria and (ii) ensure that works undertaken provide safe and accessible facilities for visitors and families.
- 2) That authority be delegated to the Service Director (Culture and Visitor Economy), in consultation with the relevant Cabinet Members (i) to add new urgent projects to the programmes (2021-2022 and 2022-2023), as detailed within the report, provided that the total cost of the programmes remains within the approved capital allocations set by the Council and (ii) to slip, delete or reallocate budget between projects during the course of the plan provided 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.
- 3) That officers be authorised to design, tender and implement the delivery of the projects and work streams identified within the report.

### **35 2021/22 - 2022/23 Corporate Landlord Asset Investment Capital Plans - Proposed allocation of capital funding**

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

Cabinet gave consideration to a report which outlined themes of funding, to be funded from the 2021/2022 and 2022/2023 Corporate Landlord Asset Investment, Compliance and Sustainability Programme baselines of the Capital Plan, and sought approval for delegations to manage the programmes. The report identified programmes of work, all of which were referenced in the five year capital plan, as approved by Council on 10 February 2021.

Cabinet were asked to give approval to the baseline programmes along with the broad themes of investment, as set out in Appendix A to the considered report, and to authorise delegated powers for officers to manage the programmes within the overall budget in order to enable priority projects to be identified, designed and delivered. It was noted that the baseline investment to maintain facilities and address urgent disrepair was a two year rolling programme, complimenting the wider capital programme.

#### **RESOLVED -**

- 1) That approval be given to the themes of work for 2021/2022, as detailed at Appendix A to the considered report.
- 2) That approval be given to the proposed delegated powers as set out at para. 2.17 to 2.19 of the report.
- 3) That officers be authorised to identify, design, tender and implement the delivery of projects aligned with the work themes as identified in Appendix A.

**36 Place Standard Investment Fund - Funding Criteria and Decision-Making Process**

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

Cabinet received a report which sought approval of the establishment, criteria and decision making process for the Place Standard Investment Fund. The report explained that, in order to facilitate the implementation of emerging Place Standard Action Plans, it was proposed that an initial £500k reserve be established, created from slippage against the 2020/2021 place infrastructure capacity base budget.

The report advised that the fund would be released through 2021/2022 in line with emerging plans, criteria and decision making processes which would help to focus upon local priorities and initiatives. Cabinet were informed that funding would be prioritised in wards and neighbourhoods that undertake place standard engagement and develop a Place Standard Action Plan whereby Councillors would work with citizens, partners and services to ensure a collaborative and place based approach to problem solving and priority setting.

It was noted that Councillors would be key to the process in terms of engagement, action planning, priority setting and endorsing the Place Standard Action Plan for their respective areas. Cabinet were asked to approve the creation of a specific reserve, with an initial £500k allocation, to fund endorsed action plans throughout 2021/2022, and to consider subsequent proposals for place standard funding as part of the annual budget process.

Cabinet noted that the new fund was aimed at delivering a positive difference to communities and improving places via place standard engagement, working together with local partners and communities in order to co-design services, maximise all available assets and resources, and developing shared priorities that are informed by local knowledge and experiences.

**RESOLVED -**

- 1) That approval be given to the establishment of a Place Standard Fund and the criteria and decision-making process for the Place Standard Investment Fund, as detailed within the considered report.
- 2) That approval be given to the creation of a specific reserve, with an initial £500k allocation, to fund endorsed action plans through 2021/2022.
- 3) That approval be given to the Chief Executive, in consultation with the Cabinet Member (Housing and Democracy), to make decisions on the allocation of this fund up to a maximum of £50k per ward per financial year.
- 4) That subsequent proposals for Place Standard Funding in future years be considered as part of the annual budget process for 2022/2023.

**37 Staying Put Policy Refresh**

Cabinet received the Staying Put Policy, as revised in January 2021. It was noted that it was a requirement for local authorities to set out how they would operate the scheme and that the refreshed policy set out arrangements in Kirklees for care

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leavers aged 18 and above to continue living with foster families, up until the age of 21.

The report advised that the policy set out an improved support and financial offer which reflected the importance of the role that staying put carers play in equipping young people with the emotional confidence and practical skills needed to live independently. Para.2.7 of the report set out details of payments and allowances within the proposed new model, which was designed to ensure that care leavers have the best possible start to their adult life.

Cabinet were advised that the policy needed to be considered alongside the Care Leavers Support and Finance Guidance policy and noted that care leavers who take up the opportunity of a Staying Put arrangement were entitled to receive support, advice and guidance as set out in the Care Leavers support and Financial Guidance Policy.

The report provided information in regards to (i) staying put payments and weekly allowances (ii) responsibility for rent (iii) staying put allowances at university and (iv) the proposed model three year financial forecast against existing annual costs.

Cabinet were asked to give consideration to three options, as set out at para. 2.14 of the report, with regard to the application of the policy. It was recommended that option 3 be adopted, enabling the policy to apply only to new staying put arrangements going forward at a point in time. The benefits associated with this option included a reduction in financial impact, nil impact upon capacity of staff and more generous allowances for new staying put carers.

It was noted that, subject to approval, the policy would be implemented, with an intended timescale of September 2021.

### **RESOLVED -**

- 1) That the updated Staying Put Policy (2020-2021) be approved.
- 2) That Option 2 be agreed as the operational model for the policy, thereby the proposal payment model and arrangements are agreed and implemented across all existing and new Staying Put arrangements.

**38**

### **Care Leavers Guidance and Financial Guidance Policy Refresh**

Cabinet received the Support Policy for Young People Leaving Care, which presented a refresh of the Care Leavers Support and Financial Guidance Policy. It was noted that it was a requirement for local authorities to set out how they meet their duties in supporting young people when they leave care. The report advised that the refreshed policy aimed to create a restorative approach, enabling the voice, strength and needs of young people to take priority over process, and be sighted upon how young people could be nurtured to have ambition, achieve good outcomes and gain the skills needed to live successful, independent adult lives.

It was noted that the policy should be considered in conjunction with the refreshed Staying Put Policy and that care leavers who live in staying put arrangements were entitled to the support as set out within the policy due to their status as former

relevant care leavers. Cabinet were advised that, subject to approval, the policy would be implemented, with an intended timescale of September 2021.

**RESOLVED –**

- 1) That the Support Policy for Young People Leaving Care (2020-2021) be approved.
- 2) That the Service Director (Family Support and Child Protection) be delegated authority to make any future updates to the policy as required.

**39 Financial Outturn Report for 2020/21 to include the Revenue, Capital and Housing Revenue Account Outturn Position and Annual Report on Treasury Management**

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

Cabinet received the Council's financial outturn and rollover report 2020/2021, incorporating general fund revenue, housing revenue account and capital plan, including proposals for revenue and capital rollover from 2020/2021 and 2021/2022, and an annual review of treasury management activity.

The report advised that the Council's revised general fund controllable (net) revenue budget for 2020/2021 was £274.7m which included planned (net) revenue savings in-year of £2.8m. Cabinet were advised that the revised budget was net of a number of planned transfers to reserves during the year, the most significant being £9.8m to the revenue grants reserve, £8m to the Covid-19 business grants reserve, £6.5m to the Covid-19 response reserve, £3.6m to the demand reserve, £2.4m to the transformation reserve and £1m to the inclusive treatment reserve.

Cabinet noted that Council spend was £274.7m in 2020/2021, which reflected an overall break-even financial performance against budget. Appendix 1 to the considered report illustrated a summary of revenue outturn position. The report provided information as to Covid-19 impacts, budget information by service area, general fund reserves, the collection fund, housing revenue account, capital budget programme and prudential indicators.

**RESOLVED –**

- 1) That, in regards to General Fund, (i) the revenue outturn position for 2020/2021, including Covid-19 impacts, be noted (ii) the year end position on corporate reserves and balances including Covid-19 impacts be noted (iii) the proposed use of pre-existing reserves be reaffirmed and the proposed use of new reserves, as set out in section 1.9 of the report, be endorsed (iv) regular monitoring and review of corporate reserves in 2021/2022 be reported to Cabinet as part of the quarterly financial monitoring cycle and (v) the use of the Council's flexible receipts strategy for year end capitalisation of £2.3m transformation related costs in 2020/2021.
- 2) That the year end position on the Collection Fund including Covid-19 impacts be noted.



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- 3) That the Housing Revenue Account revenue outturn and reserves position 2021/2022 be noted.
- 4) That the Council capital outturn position for 2020/2021 be noted.
- 5) That approval be given to £26.9m capital rollover from 2020/2021 to 2021/22
- 6) That approval be given to the revised capital plan for the period 2021-2026, after taking into account rollover, the re-phasing of schemes and changes to grant assumptions.
- 7) That the review of treasury management activity for 2020/2021 be noted.
- 8) That the report be submitted to the meeting of Council on 8 September 2021.

### 40 **St John's CE (VC) Infant School Governing Body statutory proposal to change the upper age limit of the school**

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

Cabinet gave consideration to a report which provided details of representations that had been received following the publication of statutory proposals by St John's CE (VC) Infant School's Governing Body to change the upper age limit of the school and reduce the published admission number of the school from 60 to 30. Cabinet were advised that, on 29 April 2021, the Governing Body had published a statutory proposal to change the age range of the school from 4 to 7 years, to 4 to 11 years to create an all-through primary school, with effect from September 2022. The report set out detail of (i) the statutory process that had been undertaken by the proposer (ii) the rationale for the proposal and (iii) representations received during the formal consultation period. It was noted that the statutory four week period of representation had concluded on 27 May 2021 and that during this time consultation meetings had taken place, a response paper within the consultation document could be completed and comments could also be submitted in writing. The report indicated that, during this period, 193 responses had been received and were set out at Appendix 1 to the report.

Paragraph 2.8 of the report provided a breakdown of the review of the proposal and received representations by the School Organisation Advisory Group, using DfE statutory guidance for decision makers. It was noted that the factors considered were derived from guidance issued by the Department for Education and that each relevant factor had been examined by the School Organisation Advisory Group. The factors considered relevant to this proposal were (i) consideration of consultation and representation period (ii) related proposals (iii) conditional approval (iv) education standards and diversity of provision (v) equal opportunity issues (vi) community cohesion (vii) travel and accessibility (viii) funding (ix) right of appeal against a decision (x) implementation (xi) modification post-determination (xii) revocation of proposals and (xiii) school premises and playing fields. The report provided officer advice for each of these factors, for Cabinet to consider in determining the proposal and it was noted that Cabinet must have regard to the relevant statutory guidance in making its decision.

Paragraph 6 of the report provided officer advice to Cabinet, that the proposal not be approved at this time, and the reasons and rationale for this recommendation. The report set out advice that, should Cabinet be minded to approve the proposal, it was recommended that the approval be conditional upon both planning permission

and the variation to the admission arrangements for 2022/2023 being approved. The recommendation of the Cabinet Member, as set out at Paragraph 7, endorsed the officer advice and concluded that the proposal should not be approved and that there are other options that could be explored in terms of maximising the outcomes for children within the areas.

**RESOLVED** – That the request by St John’s CE (VC) Infant School Governing Body to change the upper age limit of the school not be approved, for the reasons as set out in the considered report.

**41 Building Community & Voluntary Capacity through Integrated Approaches - Grant Funding Distribution to Anchor Organisations**

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

Cabinet received a report that sought approval for a grant payment to be made over a period of two years to third sector leaders to enable the development and funding of local voluntary, community and social enterprise anchors that support primary care networks, as part of an integrated model.

The report advised that third sector leaders had been appointed via a recent competitive tender process to build upon the success of localised co-ordination between anchor organisations within communities during Covid-19. It was anticipated that the contract would be on place from July 2021 until March 2023, concluding with a final report and recommendations for the future of the work in order to ensure the continuation of effective and high-quality levels of activity. The report explained that the work would also help to embed place based working, strengthening the voice of the third sector, and supporting community and citizen involvement in finding local solutions to local needs, value and priorities that are aligned within the Adult Social Care vision.

Cabinet were advised that third sector leaders would provide recommendations for the allocation of £360k, which the Council would make available within the contract for the express purpose of awarding grants to support the activity of anchor organisations to address specific local need. It was noted that the funding would be released quarterly with the Council retaining financial oversight.

**RESOLVED -**

- 1) That approval be given to the distribution of £360,000 grant funding over the 2021-2022 and 2022-2023 periods, available to anchor organisations in Kirklees via third sector leaders, appointed as provider, as detailed within the considered report.
- 2) That authority be delegated to the Service Director (Customer and Communities) to manage the appropriate financial and performance arrangements.

**42 Kirklees Active Leisure - Funding and Partnership Framework Update**

Cabinet received a report which provided an update on the forecast irrecoverable losses for Kirklees Active Leisure (KAL), as a consequence of Covid-19, details of financial support to date and the forecast impact for 2021/2022. The report requested that Cabinet give consideration, following a request from KAL, for the provision of further financial support.

The report advised that the previously approved Council underwrite of up to £4m was expected to be fully utilised, along with an additional £1.1m government funding that had been secured through a successful bidding process. It explained that the next 12 months and beyond remained challenging for KAL and that it was anticipated that a further Council underwrite requirement of up to £3.5m would be needed in the latter half of 2021-2022, to be met from earmarked reserves.

The report also provided an update on the draft KAL Partnership Framework, as attached at Appendices C to G of the considered report., which outlined the key outcomes, partnership approach and inclusive, place-based ways of working for the future provision of KAL services. It advised that the framework would make a significant change, over time, to the KAL offer and that progress would be continually monitored.

(Cabinet gave consideration to the exempt information at Agenda Item 19 (Minute No.45 refers) prior to the determination of this Agenda Item).

**RESOLVED –**

- 1) That the information as set out at Appendices A to I be noted.
- 2) That approval be given to the Council's commitment to underwrite irrecoverable KAL income loss, as a direct consequence of covid, of up to £3.5m through 2021/2022 from earmarked Council reserves.
- 3) That approval be given to the accompanying KAL Partnership Framework as part of the broader inclusive ambition agenda and that the incorporation of the underwrite of up to £3.5m into the updated general reserves position as part of the Council's 2020/2021 financial outturn and rollover report be noted.
- 4) That it be noted that, as part of the forthcoming Medium Term Financial Strategy review, Officers will review the KAL Partnership and Framework in line with emerging priority outcomes, including consideration of attendant resourcing implications that might emerge.

**43 To consider the outcome of Tenant and Leaseholder consultation and Proposals on the future of four of the Council's high-rise blocks - Bishop's Court, Holme Park Court at Berry Brow and Buxton House and Harold Wilson Court to improve fire safety**

Cabinet received a report which requested that consideration be given to options for three high rise blocks at Berry Brow (Bishops Court and Holme Park Court) and at Buxton House, New Street, and for a decision to be made as to which options should be delivered. The report included the results of recent tenant and leaseholder consultation undertaken at

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Bishops Court and Holme Park Court in Berry Brow and Buxton House based.

Cabinet were asked to give approval to a programme of major fire safety remediation works to Harold Wilson Court and the report provided information regarding the procurement process, anticipated costings and timescales for the completion of works. The report also provided (i) outline proposals, and provisional costs, for the regeneration of Berry Brow through a programme of demolition and new build (ii) outline proposals and costs to refurbish and remediate Buxton House and (iii) feedback from tenants of Harold Wilson Court following engagement on proposals to carry out major fire safety improvements.

Appendix 1 to the considered report set out key real estate considerations. Appendix 2 (exempt) provided information relating to commercial implications relating to Buxton House.

(Cabinet gave consideration to the exempt information at Agenda Item 20 (Minute No.46 refers) prior to the determination of this Agenda Item).

### **RESOLVED -**

- 1) That authority be delegated to the Strategic Director (Growth and Regeneration) to negotiate and agree terms (including payment of Zurich's fees and costs) with Zurich as landlord for the surrender of the current ground floor access and terms for a new lease of alternative ground premises (yet to be identified) in order to facilitate access to the refurbished Buxton House.
- 2) That authority be delegated to the Strategic Director (Growth and Regeneration) to negotiate and agree terms with Zurich (consistent with the content of the underlease, including payment of Zurich's fees and costs) for a licence to carry out alterations by Zurich, as landlord, permits the work to be done to Buxton House.
- 3) That approval be given to demolish Holme Park Court and Bishops Court at Berry Brow, and new build design within an estimated total budget envelope of £37m.
- 4) That approval be given to improve/remediate Buxton House and a programme of work to ensure safe homes within an estimated budget envelope of £16m.
- 5) That approval be to the Decant Plan for Holme Park Court and Bishops Court at Berry Brow, and also at Buxton House.
- 6) That authority be delegated to the Strategic Director (Growth and Regeneration) to serve Interim Demolition Notices and Final Demolition Notices on tenants occupying Holme Park Court and Bishops Court, Berry Brow.
- 7) That approval be given to the changes to the Allocations Policy as set out in paras. 2.3 and 2.4 of the considered report.
- 8) That the fire safety improvement works and provisional budget of £4m to Harold Wilson Court be noted.
- 9) That authority be delegated to the Strategic Director (Growth and Regeneration) to carry out further work to finalise the designs and schemes

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and, in consultation with the Service Director (Finance), a financial viability for each scheme relating to the proposed developments and/or works at Holme Park Court and Bishops Court, Berry Brow, and at Buxton House, and implement the schemes as finalised, as referred to in (3) and (4) above.

10) That it be noted that, if following the financial viability appraisal, (9) above refers, any one or more of the schemes is not considered to be viable a further report be submitted to Cabinet for consideration.

11) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to finalise and enter into all appropriate contracts, deeds and documents in relation to the appointment of the successful bidder for the delivery of fire safety remediation at Harold Wilson Court, the refurbishment and remodelling of Buxton House and the regeneration and new build of two high rise blocks at Berry Brow, in consultation with the Service Director (Homes and Neighbourhoods).

### 44 **Exclusion of the Public**

**RESOLVED** – That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during the consideration of the following items of business, on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

### 45 **Kirklees Active Leisure - Funding and Partnership Framework Update**

(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). It is considered that 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 16 (Minute No. 42 refers).

### 46 **To consider the outcome of Tenant and Leaseholder consultation and Proposals on the future of four of the Council's high-rise blocks - Bishop's Court, Holme Park Court at Berry Brow and Buxton House and Harold Wilson Court to improve fire safety**

(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). It is considered that 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 17 (Minute No. 43 refers).