

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 31st August 2021

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

Observers: Councillor Martyn Bolt
Councillor Elizabeth Reynolds
Councillor Mohan Sokhal
Councillor John Taylor

Apologies: Councillor Paul Davies
Councillor Eric Firth

47 Membership of Cabinet

Apologies for absence were received on behalf of Councillor P Davies and E Firth.

48 Minutes of Previous Meetings

RESOLVED – That the Minutes of the Meetings held on 22 June and 27 July 2021 be approved as a correct record.

49 Declarations of Interest

No interests were declared.

50 Admission of the Public

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

51 Deputations/Petitions

No deputations or petitions were received.

52 Questions by Members of the Public

No questions were received.

53 Questions by Elected Members (Oral Questions)

Cabinet received the following questions in accordance with Executive Procedure Rule 2.3;

Question from Councillor Bolt

“I was contacted by the media today in regards to the Atkins report and visitor economy and transport in the north of England. I was quite surprised and disappointed that there are no visitor attractions listed in Kirklees in the Transport for the North report. Why is this?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Bolt

“Could we look at what can be done to stimulate the visitor economy, and working with our aspirations for reducing carbon and journeys, the visitor economy for active travel. A cyclist can spend £15 a day and if we can encourage people to spend a night here that increases to £27. If we can attract cycle tourism and active travel, can we look at how we can stimulate this?”

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

Question from Councillor Bolt

All Cabinet Members will be aware of the situation of HGV driver shortages and the conditions for drivers. There is nowhere secure and suitable for overnight HGV parking in Kirklees. The only HGV parking area that I’m aware of is in Dewsbury. Shouldn’t we be looking to make sure that there is somewhere safe and secure to park overnight with goods? The site in Dewsbury has no toilet or wash facilities.”

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

Question from Councillor J Taylor

“Is road safety around schools a priority for this authority?”

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

Question from Councillor J Taylor

“With regards to the number of vacancies across the Council, what are the administration doing about this, and specifically in regard to planning enforcement, as I am aware of enforcement action that is not being carried out as there are not the staff to do the work. In my ward there are outstanding enforcement issues and residents are suffering. What is the administration doing to tackle the issue?”

Cabinet - 31 August 2021

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Bolt

“Cabinet and Council have previously said that they are in favour of a Tour of Yorkshire but I understand that there has been no commitment to the 2022 event. Could we have an update on that?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Bolt

“On 27 August 2019 I emailed Councillor McBride and his Cabinet colleagues and raised an issue regarding lack of planning compliance and lack of maintenance on one of our active travel routes within Dalton ward. This greenway hasn't been built according to planning permission and subsequent planning conditions on road safety have not been made. When I raised this Councillor McBride said it wasn't a priority. Is it appropriate for me to raise this now and ask why this isn't a priority?”

A response was provided by the Leader of the Council (Councillor Pandor)

Question from Councillor Bolt

“Given the failure of the Council to adequately enforce planning conditions on the Mirfield 25 site, what confidence can the people of Cleckheaton have that if and when Amazon is passed, the planning conditions imposed and negotiated will be delivered?”

54 Holme Valley Neighbourhood Development Plan Examiner's Report and Next Steps

Cabinet gave consideration to a report which sought approval to progress the Holme Valley Neighbourhood Development Plan to a local referendum.

The report advised that the Plan had been subject to an independent examination process and that Cabinet were asked to agree that the recommendations as outlined in the independent Examiner's report on the Holme Valley Neighbourhood Development Plan were acceptable and that, subject to the Examiner's recommended modifications, the Plan be subject to referendum. Cabinet were also requested to give approval to (i) the referendum ballot question (ii) decision statement and (iii) statutory recommended documents.

Cabinet were informed that, subject to a successful local referendum in support of the Holme Valley Neighbourhood Development Plan, it would be recommended that Council 'make' the Holme Valley Neighbourhood Development Plan, whereby it would form part of the development plan alongside the Kirklees Local Plan.

Appended to the considered report were (i) a summary of representations submitted to the independent Examiner (ii) the Examiner's report (received 15 June 2021) and (iii) the decision statement.

Cabinet - 31 August 2021

It was noted that, subject to approval, Electoral Services would commence the statutory process for a referendum to be held on 4 November 2021 and that should the referendum not support the plan, no further decision would be required.

RESOLVED –

- 1) That approval be given to the Independent Examiner's recommendations (as at Appendices 2 and 3) to amend the Holme Valley Neighbourhood Development Plan (as at Appendix 4) and for the plan to proceed to referendum in accordance with the requirements as set out in the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Neighbourhood Planning (Referendum) Regulations 2012.
- 2) That approval be given for the following ballot question to be asked at the local referendum, 'Do you want Kirklees Council and the Peak District National Park Authority to use the neighbourhood plan for the Holme Valley Neighbourhood Area to help it decide planning applications in the neighbourhood area?'
- 3) That approval be given to the Decision Statement on the Examiner's recommendations and its publication, as set out at Appendix 3.
- 4) That authority be delegated to the Strategic Director for Growth and Regeneration to make any further modifications to Holme Valley Neighbourhood Development Plan that relate exclusively to factual updates, grammatical and formatting corrections for the purposes of finalising the Neighbourhood Development Plan.
- 5) That, subject to a referendum result which supports the Holme Valley Neighbourhood Development Plan (ie, more than 50% of votes favour the plan), Cabinet recommend that Council 'make' the Holme Valley Neighbourhood Development Plan, at which point it forms part of the development plan for the Holme Valley Neighbourhood Area alongside the Kirklees Local Plan.

55 Food Safety Service Plan 2021

Cabinet received the Food Safety Service Plan 2021, which had been produced in accordance with the expectations of the Food Standards Agency. The plan set out a summary of main actions, issues and outcomes to date from the 2019/20 and 2020/21 Local Authority Returns Data, and provided an outline of future work priorities and direction.

The report advised that the plan provided information regarding services provided, the means by which services are provided, and how performance targets or performance standards will be met. Appendices to the plan included (i) the environmental health budget breakdown (ii) communicable diseases figures and (iii) food hygiene rating scheme compliance.

RESOLVED - That the Food Safety Plan 2021 be approved and adopted.

56 Determination of a mandatory revision to The Kirklees Admission Arrangements for community and controlled schools for 2021/22 and 2022/2023.

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

Cabinet gave consideration to a report which set out details of statutory revisions required to the previously determined and published admission arrangements for Kirklees community and voluntary controlled schools for 2021/2022 and 2022/2023 following the publication of the new School Admissions Code 2021 which would take effect on 1 September 2021.

The report advised that the main purpose of the revised code was to improve the in-year admission process, particularly for vulnerable children and that the changes included (i) introducing more detail on the process for managing in-year admissions (ii) improving the effectiveness of Fair Access Protocols (iii) giving children adopted from state care outside of England equal admissions priority as children who were previously looked after in England and (iv) clarification of which address to use for the admission of service or crown servant children. The revised arrangements were set out at the appendix to the report.

Cabinet were advised of a duplication error within the report and that bullet 4, page 5, shall be deleted. It was noted that, subject to approval, the revised admission arrangements would be published on the Council's website and that a further report would be submitted to Cabinet in February 2022, pursuant to the next admission consultation.

RESOLVED –

- 1) That the revised Kirklees Admission Arrangements for community and controlled schools for 2021/2022, as set out at Appendix 1, be approved.
- 2) That the revised Kirklees Admission Arrangements for community and controlled schools for 2022/2023, as set out at Appendix 2, be approved.
- 3) That Officers be directed to work with the Education Learning Partnership Board to develop protocols to ensure that families receive a service which, at the very least, complies with the Admissions Code 2021 regardless of the Admission's Authority.

57 Corporate Financial Monitoring Report; Quarter 1 for 2021-22

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

Cabinet received the Corporate Financial Monitoring report for General Fund Revenue, Housing Revenue Account and Capital Plan, as at Quarter 1, 2021/2022. The report advised that the Council's revised General Fund controllable (net) revenue budget 2021/2022 was £321.0m, which included planned (net) revenue savings in-year of £1.8m.

Cabinet - 31 August 2021

Cabinet were advised that the revised budget was net of a number of planned transfers from reserves during the year, with the most significant being £1.7m from the revenue grants reserve, £0.7m from the strategic investment reserve and £0.4m from the rollover reserve. It was noted that there was a forecast overspend of £1.6m against the £321.0m revised budget at Quarter 1, equivalent to 0.5%. The forecast revenue outturn as at Quarter 1 was summarised at Appendix 1 of the report and the headline variances, including covid impact, were set out at paras. 1.3 to 1.8.

The report provided a summary of quarter 1 monitoring information in regards to service areas, general fund reserves, collection fund, housing revenue account and capital and 2021/2022 budget proposals regarding (i) invest to save, street lighting (ii) day service support for vulnerable adults (iii) Batley Town Hall and (iv) Oakwell Hall.

RESOLVED -

- 1) That, in regards to General Fund, (i) the forecast revenue outturn position at Quarter 1 be noted (ii) the forecast year end position on corporate reserves and balances at Quarter 1 be noted and (iii) it be noted that the regular monitoring and review of corporate reserves in 2021/2022 will be reported to Cabinet as part of the quarterly financial monitoring cycle.
- 2) That the forecast position on the Collection Fund as at Quarter 1 be noted.
- 3) That the Quarter 1 forecast Housing Revenue Account position and forecast year-end reserves position be noted.
- 4) That, in regards to Capital, (i) the Quarter 1 forecast capital monitoring position for 2021/2022 be noted (ii) approval be given to the re-profiling across years of the capital plan as set out in the report and at Appendix 6, and that it be recommended that Council give approval at its meeting of 8 September 2021 (iii) that approval be given to £2.4m additional self-funding for 2021/2022 within the Highways Capital Plan towards the extension of the existing Invest to Save Street Lighting Scheme (iv) that approval be given to the reprofiling of budgets within the Adults Day Care Support for Vulnerable Adults Programme line to manage the £600k increase required for Knowl Park House and Homestead and the reallocation of £629k from Adults Social Care One Off Projects line towards supporting Knowl Park Scheme within Day Services Support for Vulnerable Adults (v) that approval be given to the release of £65k funding from Regeneration and Greening if Smaller Towns and Villages capital programme for Batley Town Hall illuminations, as detailed within the report and (vi) that approval be given to the release of £40k funding from One Venue Development Programme to fund expenditure on the existing Oakwell Hall café, as detailed within the report.