

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 21st September 2021

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

Observers: Councillor Bill Armer
Councillor Martyn Bolt
Councillor David Hall
Councillor Yusra Hussain
Councillor John Lawson
Councillor Alison Munro
Councillor John Taylor

Apologies: Councillor Naheed Mather

58 Membership of Cabinet

Apologies for absence were received on behalf of Councillor Mather.

59 Declarations of Interest

No interests were declared.

60 Admission of the Public

It was noted that Agenda Items 11 and 12 would be considered in exempt session (Minute No.s 68 and 69 refer).

61 Deputations/Petitions

No deputations or petitions were received.

62 Questions by Members of the Public

No questions were asked.

63

Questions by Elected Members (Oral Questions)

Cabinet received the following questions in accordance with Executive Procedure Rule 2.3 (2.3.1.6).

Question from Councillor J Taylor

“Does the Cabinet Member feel that the financial outturn report properly reflected the current situation of our finances and the support that has been provided through covid?”

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

Question from Councillor Bolt

“The new road and street works act for highways gives certain criteria under which roads should not be dug up again, eg, a capital reconstruction has a five year period when utilities etc should not dig up the road surface again unless it is an emergency. Do you agree that it is unacceptable for anyone to start digging roads up and wasting expense within those timeframes unless it is an emergency?”

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

Question from Councillor Munro

“Please can you tell me when this council intends to mend and resurface the 3200 or so unclassified residential roads across Kirklees?”

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

Question from Councillor Lawson

“The warehouse development on Whitehall Road in Cleckheaton puts a lot of emphasis on employment as the redeeming feature of the application. This raises the question about the types of jobs on offer. Do you believe that employment opportunities in Kirklees should be market led or shaped by the Council to fulfil our own ambitions and priorities?”

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

Question from Councillor D Hall

“I ask this question on behalf of a resident, Kay Milligan, who is a business owner in Huddersfield Town Centre, who has concerns about the impact on the town centre caused by any delays in processing covid grants and the application process. She asks ‘can an internal review be conducted giving is information on how much money central government passed to Kirklees and how it was distributed?’

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

Question from Councillor Y Hussain

“How does the library service look to provide a service to vulnerable citizens in Kirklees?”

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

Question from Councillor J Taylor

“How many vacancies do we have any how long has the earliest been outstanding for?”

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

64 Adult Social Care Capital Programme - Knowl Park House and The Homestead Capital Schemes

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

Cabinet gave consideration to a report which sought approval for the re-profile of service capital monies to meet increased cost of schemes at Knowl Park House, Mirfield and The Homestead, Almondbury, and to progress to tender. Cabinet were informed that detailed feasibility of the schemes had identified costs that would exceed the nominal original allocations and the reasons for this were set out at para.2.6 of the considered report.

The report advised that the reprofiling of capital monies would enable progress to be made with the schemes by providing adequate funds from the Adult Social Care Capital Allocation to meet revised anticipated costs following the detailed feasibility stage. It advised that relocation plans were currently in place to vacate both sites by Autumn 2021 in order to allow intrusive surveys to take place pending demolition and that tenders to appoint contractors would take place in (i) autumn for Knowl Park House and (ii) winter for The Homestead, followed by the respective capital outlay reports.

It was noted that, subject to approval, the amendments to budget allocations would be included in quartile two monitoring and that construction on both sites was scheduled for completion in spring 2023.

RESOLVED - That approval be given to (i) the re-profile of service capital monies in order to allow adequate funds to meet revised anticipated costs and (ii) that the schemes progress to tender process.

65 Strategic Property Acquisition - 18-20 Corporation Street/17 Foundry Street, Dewsbury

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

Cabinet gave consideration to a report which sought approval to purchase 18-20 Corporation Street/17 Foundry Street, Dewsbury, and to carry out initial works on the property. The report advised that the grade 2 listed property had been vacant for over two years the proposed reasons for purchase, which included regeneration benefit, were set out at para. 1.4 of the considered report. Cabinet noted that the property occupied a prominent position in Dewsbury Town Centre and that longer term strategic and commercial benefits may arise from the ownership of they key location property.

Cabinet were advised that, subject to approval, once the property had been utilised for The Arcade and Dewsbury Market projects it was anticipated that the property would transfer into the Council's Commercial Estate and let out on a commercial basis.

Appendices 1 and 2 of the considered report set out the red line boundary of the site and marketing information. Appendices 3, 4 and 5 (exempt) provided information relating to the valuation of the property, heads of terms and financial information.

(Cabinet gave consideration to exempt information at Agenda Item 11 (Minute No. 68 refers) prior to the determination of this Agenda item).

RESOLVED –

- 1) That approval be given to the acquisition of the property on the terms as set out in Appendix 4 to the considered report.
- 2) That approval be given to the property being purchased from the Strategic Acquisition Fund.
- 3) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into and execute any agreements or instruments relating to the acquisition of the property.
- 4) That approval be given to the implementation of works to create a new lift/stair core in 18/20 Corporation Street, and that this be funded from the Arcade budget.

66 Waste Disposal - Interim Contract Arrangements

Cabinet gave consideration to a report which set out proposed waste disposal arrangements in terms of an interim agreement with the current waste disposal contractor to (i) align the current service contract with upcoming waste strategy requirements and (ii) prepare the Council for re-procurement of waste disposal services.

The report explained that the current waste disposal contract was in year 24 of a 25 year waste agreement and that the contract focussed upon landfill diversion included a number of waste treatment and disposal facilities operated and maintained by the contractor, Suez Recycling and Recovery Kirklees Limited (Suez), which would revert back to the Council's ownership pion the expiration of the contract.

Cabinet were advised that the new Kirklees Resources and Waste Strategy, as approved by Council on 8 September 2021, would influence future requirements for

waste processing services and that interim arrangements would be required to support the Council to deliver some of the recycling ambitions proposed prior to the contract expiry date. It was noted that the interim agreement would assist with the transition from the current waste disposal services to the requirements of national government, and the benefits of the proposed arrangements were set out at para. 1.7 of the considered report.

RESOLVED –

- 1) That approval be given to Option 1 interim contract arrangements, as set out within the considered report.
- 2) That it be noted that consultation had identified that the flat rate is the preferred option and that it be adopted.
- 3) That it be noted that community education will be improved to help recycling rates into the 90% to 95% diversion rates.
- 4) That authority be delegated to the Service Director (Legal, Governance and Commissioning) in consultation with the Service Director (Highways and Streetscene) to finalise, enter into and execute any appropriate contracts and documentation in relation to waste disposal interim contract arrangements as outlined within the considered report.

67 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 involves the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

68 Strategic Property Acquisition - 18-20 Corporation Street/17 Foundry Street, Dewsbury

(Exempt information in accordance with Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, namely it contains information relating to the financial and business affairs of third parties (including the Authority holding that information). It was considered that the disclosure of the information would adversely affect those parties including the Authority and therefore the public interest in maintaining the exemption, which would protect the rights of an individual or the Authority, outweighs the public interest in disclosing the information and providing greater openness and transparency in relation to public expenditure in the Authority's decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 8 (Minute No. 65 refers).

69 Waste Disposal - Interim Contract Arrangements

(Exempt information in accordance with Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, namely it contains information relating to the financial and business affairs of third parties (including the Authority holding that information). It was considered that it would not be in the public interest to disclose the information contained in the report as disclosure could adversely affect overall ability to obtain

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value for money, compromise the commercial confidentiality and intellectual property of organisations, disclose contractual terms, and impact upon any future legal action that may be required, which is considered to outweigh the public interest in disclosing information including, greater accountability, transparency in spending public money in the Authority's decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 9 (Minute No. 66 refers).