

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 16th November 2021

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

Observers: Councillor Bill Armer
Councillor Martyn Bolt
Councillor David Hall
Councillor Alison Munro
Councillor Elizabeth Smaje
Councillor John Taylor

Apologies: Councillor Musarrat Khan

95 Membership of Cabinet

Apologies for absence were received from Councillor Khan.

96 Minutes of Previous Meetings

RESOLVED – That the Minutes of the Meetings held on 21 September 2021, 5 October 2021 and 12 October 2021 be approved as a correct record.

97 Declarations of Interest

No interests were declared.

98 Admission of the Public

It was noted that Agenda Item 19 was exempt from publication (Minute No. 113 refers).

99 Deputations/Petitions

No deputations or petitions were received.

100 Questions by Members of the Public

No deputations or petitions were received.

101 Questions by Elected Members (Oral Questions)

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

Question from Councillor J Taylor

“When will the public see the results of the public consultation on the new museum for Huddersfield?”

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

Question from Councillor Bolt

“With regards to transparency, why is there a problem in getting information from your Council. In September, following a scrutiny meeting, I asked for a copy of a report which had been published and referred to, and I have had many exchanges since then. To date, approaching midway through November, despite several requests for the report relating to fire safety, which has many recommendations, so far the report hasn’t been published despite decisions being made. Why is it being withheld?”

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

Question from Councillor Munro

“Please can you tell me what your plans are for the pupils who are being educated at the former ACS site following the disclosure that building works are delayed at King James’ due to scarcity of materials?”

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

Question from Councillor Bolt

“In 2018 residents were told that Kirklees had released plans to beat Leeds Road’s busiest bottle necks in a scheme which was described as dynamic, transformational and crucial. How are works going with regards to that?”

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

Question from Councillor J Taylor

“With regards to street cleaner leaf and street rubbish collections and the use of black bin bags, have we given thought to a policy given what we are trying to achieve through climate change and the waste strategy to stop using ordinary plastic bin bags for street rubbish collection?”

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

Question from Councillor Bolt

“In preparation for Dewsbury Riverside, in 2013 we were told that Dewsbury was going to get a ring road to relieve congestion around Ravensthorpe. How is that progressing?”

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

102 Outcome of Call in Review of Cabinet Decision in relation to A62 Cooper Bridge Improvement Corridor

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

Cabinet received a report which which set out the outcome of a Scrutiny Call In Review of the Cabinet decision of 12 October 2021 regarding the A62 Cooper Bridge Improvement Corridor.

The report advised that the Scrutiny Panel had assessed the call in notice against specific areas of focus and had concluded that the report and information submitted to the meeting of Cabinet should have been clearer in regards to the clarity of the business case and which issues would be determined as part of the process for agreeing the full business case. The Panel also identified that further clarity was needed in the report's recommendations, particularly in regards to the delegations to the Strategic Director (Growth and Regeneration), and that a summary should have been provided with regards to the options that had been considered and the process that had been followed to discount up to 30 options.

The Panel agreed that the matter should be referred to Cabinet with recommendations for amendment and a number of learning points, as set out at para. 2.4 of the considered report.

RESOLVED – That the recommendations of the Economy and Neighbourhoods Scrutiny Panel, as set out at para. 2.4 of the considered report, be accepted.

103 A62 to Cooper Bridge Corridor Improvement Scheme

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

Cabinet received a report, pursuant to the meeting of the Economy and Neighbourhood Scrutiny Panel held on 2 November 2021, which had recommended the submission of additional information to inform Cabinet's decision regarding the A62 to Cooper Bridge Corridor Improvement Scheme. The report sought the approval of Cabinet to (i) agree in principle to the scheme (ii) authorise the Council to accept and spend funding to work up the WY+TF A62 to Cooper Bridge scheme

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to full business case and (iii) agree in principle to land acquisition as part of a land assembly.

The report outlined information regarding (i) the strategic fit/alignment with local plans and emerging local area masterplans (ii) business case development (iii) the outcomes of the scrutiny call-in process (iv) the delegated authorisation sought by the Strategic Director (Growth and Regeneration) (v) options considered and the preferred option proposed and (vi) existing issues, journey time benefits, modelling and land requirements.

The report set out an anticipated timeframe for the scheme, with works commencing in 2024 and completion scheduled during 2026. Cabinet were advised that a further report would be submitted to seek authority for Compulsory Purchase Orders as required.

RESOLVED –

- 1) That the scheme, as set out within the considered report be agreed in principle.
- 2) That the Strategic Director (Growth and Regeneration) be authorised to submit the outline business case to the West Yorkshire Combined Authority on the basis of the scheme as set out within the report.
- 3) That authorisation be given to the Council accepting and entering into any agreement with the West Yorkshire Combined Authority for funding to work up the A62 to Cooper Bridge Scheme to full business case stage.
- 4) That the Council be authorised, in consultation with the relevant Cabinet Member, to incur expenditure in the working up of the scheme to full business case stage if the Council's application to the West Yorkshire Combined Authority for funding is successful.
- 5) That authority be delegated to the Strategic Director (Growth and Regeneration) to negotiate and agree the terms of any agreements that may be necessary to work up to the A62 to Cooper Bridge Scheme to full business case, including the funding agreement with the West Yorkshire Combined Authority.
- 6) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into the grant agreement with the West Yorkshire Combined Authority for the funding of the A62 to Cooper Bridge full business case stage and any other relevant agreements and documents to which the Council is party.
- 7) That authorisation be given to the acquisition of land in principle as part of a land assembly.
- 8) That the design team's commitment to undertake further appraisal of contentious elements of the scheme and work with and place shape the scheme with residents and businesses be noted.
- 9) That it be noted that land acquisitions will commence subject to funding approval of the outline business case.
- 10) That it be noted that a further report will be submitted to Cabinet in order to secure authority to make Compulsory Purchase Orders in relation to the scheme, where necessary, and prior to full business case submission to present the final scheme.

104 Afghanistan Refugee Resettlement Programmes

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

Cabinet gave consideration to a report which sought approval to receive grant funding in respect of Home Office Afghanistan Refugee Programmes. The report advised that the Afghan Citizen Relocation Scheme would provide a route to safety for those at risk and set out those that would be prioritised within the scheme, along with a suggested approach. Paragraph 4 of the report outlined key considerations and challenges which included capacity and housing issues and the Council's commitment to the Refugee Resettlement Programme.

Cabinet noted that the proposed approach would be a phased approach to building towards the minimum fair share allocation numbers to effectively manage the impact upon resources and partnerships and that the Kirklees fair share was estimated to be 79 individuals.

The Funding Instruction for local authorities in support of the Afghan Citizens Resettlement Scheme and Afghan Relocation and Assistance Policy was appended at Appendix 1 to the report.

RESOLVED –

- 1) That the receipt of grant funding related to Afghanistan Refugee Programmes, in accordance with Financial Procedure Rule 22.4, be endorsed.
- 2) That authority be delegated to the Strategic Director (Children and Families), in consultation with the Cabinet Member (Learning, Aspiration and Communities), to approve any changes to the approach and allocation of resources or adjustment to the number of families or individuals accommodated, within financial regulations as specified by Home Office funding Regulations, as set out at Appendix A, and the fair share allocation principle.
- 3) That any future changes to the programme be delegated to the Strategic Director (Children's Services), within the parameters of financial and contractual procedure rules and any future Home Office Guidance relating to changes, based upon consideration and recommendations from the Tactical Group.
- 4) That, pursuant to (3) above, any significant delegated decisions be reported to a future meeting of Cabinet.
- 5) That it be acknowledged that a longer term approach is being developed to manage resource implications in order to ensure that adequate resources to respond are in place, including housing, welfare and exchequer.
- 6) That the Council's ongoing engagement with regional and national bodies to managing any challenges arising from Home Office requests be endorsed.

105 Kirklees Youth Justice Plan 2021 - 2025

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

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Cabinet received the updated Kirklees Youth Justice Plan 2021-2025. The report advised that the plan provided an overview of the work of the Youth Justice Service and set out details of performance over the past year, along with priorities for the coming four years. It was noted that the Youth Offending Partnership had a statutory duty to submit an annual youth justice plan but a longer term vision had been set, in line with the financial plan and strategic priorities, to cover the period 2021-2015.

Cabinet were asked to submit the Plan to Council on 18 November 2021 with a recommendation of approval. It was noted that, subject to approval, the plan would be submitted to the Youth Justice Board for England and Wales and published in accordance with the direction of the Secretary of State. Cabinet were advised that the plan and strategic priorities would be reviewed regularly and updated to reflect any changes that may impact upon priorities and delivery of services.

RESOLVED – That the Youth Justice Plan 2021-2025 be endorsed and submitted to the meeting of Council on 17 November 2021 with a recommendation that (i) the plan be approved and (ii) authority be delegated to the Service Director (Family Support and Child Protection) to make any minor updates to the plan within the 2021-2025 period of the plan.

106

Corporate Financial Monitoring Report; Quarter 2 for 2021-22

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

Cabinet received that Corporate Financial Monitoring Report, Quarter 2, 2021/2022 which set out financial information for General Fund Revenue, Housing Revenue Account and the Capital Plan. Cabinet were advised that the Council's revised General Fund controllable (net) revenue budget for 2021/2022 was £320.9m and that the budget included planned (net) revenue savings in-year of £1.8m. The report indicated that there was a forecast overspend of £1.2m against the £320.9m revised budget at Quarter 2, which equated to 0.4%, and that there had been a net reduction of £0.4m in the forecast overspend position since Quarter 1. Information regarding headline variances, including Covid impacts, were set out at paras. 1.3 to 1.8 of the considered report.

The report provided a breakdown of budget information by service area, along with information on (i) General Fund Reserves (ii) the Collection Fund (iii) Housing Revenue Account (iv) Capital and (v) 2021/22 capital scheme budget proposals.

RESOLVED –

- 1) That in regard to the General Fund (i) the Forecast Revenue Outturn position at Quarter 2 be noted (ii) the forecast year end position on corporate reserves and balances at Quarter 2 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 Collection Fund forecast position as at Quarter 2 be noted.
- 3) That the Housing Revenue Account position and forecast year-end reserves position at Quarter 2 be noted.

- 4) That, in regards to Capital, (i) the Quarter 2 Capital Monitoring Position 2021/2022 be noted (ii) approval be given to the re-profiling across years of the Capital Plan (appendix 6 refers) (iii) approval be given to £483k self-funding within the Kirklees Active Leisure Capital Plan towards the invest to save Phase 2 Public Sector Decarbonisation Scheme, as detailed within the report (iv) approval be given to a £350k grant allocation from MHCLG and that authority be delegated to the Head of Technology to progress works on increasing the level of Council cyber security and resilience as appropriate and (v) approval be given to a £85k match fund grant to Marsden Mechanics Trust as part of a lottery fund bid to be drawn down from the Regeneration and Greening of Smaller Towns and Villages Capital Plan programme line.

107

Youth Places to Go - Capital Grant Scheme 2022-23

Cabinet gave consideration to a report which set out a proposal to establish a capital grants scheme time limited to 2022-2023 which would support Voluntary Community Sector organisations working with children and young people in supporting the Council to meet its statutory duties. The Youth Places to Go Plan was attached at Appendix 1 to the report and the report set out a proposed service model which included the establishment of a capital and revenue grant scheme for third sector voluntary youth service providers to fund the development and expansion of local community youth facilities and services across the whole of Kirklees. Cabinet noted the proposal to create a central location in both Huddersfield and North Kirklees and to explore the need for a mobile scheme for those living in rural and hard to reach children and young people.

Cabinet noted the proposed timescale for the project, which aimed to begin awarding capital grants from April 2022 onwards.

RESOLVED –

- 1) That the proposal, as detailed within the report, be endorsed and that approval be given to the allocation of a maximum amount of £1m capital funding to set up a Youth Places to Go capital funding scheme for a time of limited duration, the financial year 2022 to 2023 in line with the VCSE Investment Strategy, to be submitted to a future meeting of Cabinet.
- 2) That authority be delegated to the Strategic Director (Children's Services) to design and implement the capital grant scheme and award grant agreements in accordance with Financial Procedure Rules.
- 3) That authorisation be given, in accordance with Financial Procedure Rules, to a broad scheme as set out at Appendix 3 and for the Strategic Director (Children's Services), in consultation with Senior Leadership Team and relevant Cabinet Members, to develop a detailed scheme to be used by a grant panel to recommend grants for approval.
- 4) That, pursuant to (3) above, the Strategic Director (Children's Services) be authorised to amend details of the scheme in consultation with Senior Leadership Team and Cabinet Members.

108 Netherton and South Crosland Neighbourhood Forum Approval and Neighbourhood Development Plan Area Designation

Cabinet gave consideration to a report which sought approval for the designation of Netherton and South Crosland Neighbourhood Forum, and of the Neighbourhood Area for the purposes of Neighbourhood Planning. The report advised that Netherton and South Crosland Neighbourhood Plan Forum had applied to have the Forum designated for the purposes of producing a neighbourhood development plan, and also for the designation of the neighbourhood area. Cabinet were requested to give approval to both the designation of the Neighbourhood Forum and the Neighbourhood Area.

The report advised that the applications met legal requirements and that the applications had been publicised for a period of 6 weeks, during which 9 representations were received. The Forum and Area applications were set out at Appendix B of the report.

RESOLVED - That approval be given to the designation of Netherton and South Crosland Neighbourhood Plan Forum and Neighbourhood Area, as outlined at Appendix C, for the purposes of neighbourhood planning.

109 Household Support Fund

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

Cabinet gave consideration to a report which set out proposals to provide assistance to households in most need of support, in accordance with issued Government guidance. The report advised that a national Household Support Fund of £500m was to be made available from 6 October 2021 to 31 March 2022, to which the Council was entitled to a share of £3.702m. Cabinet noted that the funding would enable, in collaboration with partners, support to be given to families with children, and other households in need. It was noted that participants would be identified through the Local Welfare Provision Scheme and that this approach would take advantage of existing administration and delivery mechanisms.

It was noted that the funding was a one off contribution for the 2021-2022 financial year, under the provisions of the Local Government Act 2003, Section 31.

RESOLVED –

- 1) That approval be given to the £3,702,823 Household Support Fund government grant being allocated to support financially vulnerable families and individuals in accordance with the requirement that (i) a sum equivalent to at least £50 per means-tested Free School Meal child be provided to schools and colleges in order that they can provide a voucher for food and fuel for the December holiday (ii) a sum equivalent to at least £25 per means-tested Free School Meal child be provided to schools and colleges in order that they can provide a voucher for food and fuel for the February holiday and (iii) the balance of funding available, estimated to be £2.05m, be allocated to the Local Welfare Provision budget to support the meeting of additional

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support for food, fuel and other essentials in accordance with the grant determination and guidance issued by the Secretary of State.

- 2) That delegated authority be given to the Strategic Director (Corporate Strategy, Commissioning and Public Health) and the Service Director (Children's Services), in consultation with Cabinet Member (Corporate Services) and Service Director (Finance), to further amend the indicative resource allocations across interventions as set out within the report to ensure full utilisation of the £3.7m Government funding to 31 March 2022.

110 Dewsbury Town Park

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

Cabinet gave consideration to a report which sought approval for the scope and preferred concept design for Dewsbury Town Park. The report advised of the proposal to create a significant new piece of public realm in the heart of Dewsbury which would significantly improve the town centre and that the preferred option encompassed Longcauseway, Memorial Gardens and the site of the Customer Service Centre. The site and boundary of the proposed new park was set out at Appendix 1 to the report. Cabinet were advised that the new park would have the flexibility to cater for a variety of events, including live performances and festivals, and aimed to facilitate unrestricted movement whilst combining routes to shops, pathways and cycleways.

A proposed timeframe indicated that construction would commence in 2024 with completion taking place by 2025.

RESOLVED –

- 1) That approval be given to the physical scope and the preferred design concept of the Dewsbury Town Park, as set out within the considered report, specifically the inclusion of the site of the Walsh building (Customer Service Centre) and associated car park within the scope of the scheme.
- 2) That the allocation of £7.5m capital resources to fund the project be approved.
- 3) That approval be given to the progressing of detailed signs.
- 4) That approval be given to the principal of relocating the services currently delivered from the Walsh Building (Customer Service Centre) to another location within Dewsbury Town Centre, and that authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the relevant Cabinet Member to approve the detailed plans and implementation.
- 5) That the intention to carry out further public consultation during 2022 on the detailed plans and proposals for the project be noted.
- 6) That approval be given to the principle of acquiring the land for the Town Park and if necessary by using Compulsory Purchase Order Powers.
- 7) That approval be given to progressing legal procedures necessary to implement the Town Park, including road closures and traffic regulation orders.

- 111 Delivering the Cultural Heart - Gateway 1: Strategic Outline Case**
(Under the provision of Council Procedure Rule 36(1) Cabinet received representations from Councillor D Hall, Councillor Munro and Councillor J Taylor).

Cabinet gave consideration to a report which provided an update on the development of the Cultural Heart programme as part of the wider Huddersfield Blueprint. The report set out the strategic case for the Cultural Heart and sought approval to enable progress to be made to the next stage of work and Gateway 2, the outline business case. The report provided a breakdown of the components of both Gateway 1, the strategic outline case, and gateway 2, the outline business case, which was scheduled for July 2022.

(Cabinet gave consideration to the exempt information at Agenda Item 19 (Minute No. 113 refers) prior to the determination of this Agenda Item).

RESOLVED –

- 1) That approval be given for the scheme to be progressed in accordance with the proposals and recommendations in the strategic outline case to gateway 2, within the agreed funding limits approved at the meeting of Cabinet on 22 June 2021.
- 2) That, pursuant to (1) above, authority be delegated to the Strategic Director (Growth and Regeneration) to deliver the programme to gateway 2 – outline business case.

- 112 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 item of business, on the grounds that it involves the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

- 113 Delivering the Cultural Heart - Gateway 1: Strategic Outline Case**
(Exempt information relating to Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), namely that the report contains information relating to the financial or business affairs of any particular person or third party (including the authority holding that information). It is considered that the disclosure of the information would adversely affect those third 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 in the Council's decision making).

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 17 (Minute No. 111 refers).