

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 26th July 2022**

Present: Councillor Shabir Pandor (Chair)  
Councillor Paul Davies  
Councillor Viv Kendrick  
Councillor Musarrat Khan  
Councillor Naheed Mather  
Councillor Cathy Scott  
Councillor Will Simpson  
Councillor Graham Turner

Observers: Councillor Bill Armer  
Councillor David Hall  
Councillor John Lawson  
Councillor Andrew Marchington  
Councillor Elizabeth Reynolds  
Councillor Elizabeth Smaje  
Councillor John Taylor

Apologies: Councillor Eric Firth  
Councillor Carole Pattison

**24 Membership of Cabinet**

Apologies for absence were received on behalf of Councillor Eric Firth and Councillor Carole Pattison.

**25 Declarations of Interest**

No interests were declared.

**26 Admission of the Public**

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

**27 Deputations/Petitions**

No deputations or petitions were received.

**28 Questions by Members of the Public**

No questions were asked.

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

Cabinet received oral questions in accordance with the Executive Procedure Rule 2.3.

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### **Question from Councillor J Lawson**

“What actions have been taken since Council on 13 July 2022 when the Liberal Democrat motion declaring a cost of living emergency was accepted by Council”.

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

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

“I am very concerned that planning applications seem to be taking a long time to be looked at and either passed or refused. I have raised this before with the previous portfolio holder who gave me the impression that there was no problem. I wonder whether Councillor Turner could be open with us if there is a problem with the planning department and tell us what the plan is to get planning back on track”.

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

### **Question from Councillor J Lawson**

“At what stage, if any, is our internal review at in terms of what we can do to help the residents in Kirklees with the cost of living emergency.”

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

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

“We currently have travellers who are encamping illegally on Council land in Norristhorpe. Are we using any extra powers that have been granted to the Council under the recent Police Crime, Sentencing and Courts Act, to try and evict these travellers as soon as we can?”

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

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

“The climate challenges that we face can sometimes be presented in a way which makes it difficult for residents to engage with. What is the Council doing to communicate with residents about how they can play their role in this?”

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

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

“Can you reflect and share with us, looking at the climate challenges that we face, if there is something we are doing in Kirklees that is unique and innovative? Is there

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something that we are leading and not following in, being at the forefront, or doing something cutting edge?"

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

### Question from Councillor E Smaje

"I have been trying to get a transport study undertaken for the A62 from Junction 27 through to Birstall Smithies. We can have queues of traffic through that area in the middle of the day, never mind at peak times. A lot of development is in the pipeline, as well as having the retail park, and there is the impact on Birstall itself. I've been told it's not a priority for the Council but I'm wondering, because it's a major route in and out of Kirklees, why we can't have a transport study to see what could be done to help the flow of traffic? The retail park brings in a lot of business rates to Kirklees and I cannot see therefore why we cannot have a transport study to see what is possible?"

A response was provided by the Leader of the Council

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### Estates Building Conservation and Remedial Works

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

Cabinet gave consideration to a report which sought approval to the virement of funding between projects supported by the Heritage Zone (HAZ) programme to enable essential remedial works.

The report set out a way to deliver both projects within the existing HAZ budget, and HAZ programme timescale by the virement of £2 million from the George Hotel to the Estate Buildings, to enable completion of essential remedial works for both buildings.

Paragraph 2.2 of the report set out options for consideration and recommended the virement of funds which would enable works to start quickly and minimise impact on project timescales. The report advised that delivering the works now complemented planned works on Byram Arcade, to run concurrently with the Estate Buildings. This would lead to cost and delivery efficiencies and minimise impact on local businesses.

### RESOLVED –

- 1) That approval be given for the virement of £2 million Heritage Action Zone Capital funding from the George Hotel to the Estate Buildings.
- 2) That delegated authority be given to the Strategic Director of Growth and Regeneration in conjunction with the Service Director for Finance, Section 151 Officer, to apportion further funds if required up to 25% over the pre-tender estimate of £3.5 million.

**31 Residential Development in Huddersfield Town Centre**

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

Cabinet considered a report which updated it on the proposed approach to residential development in Huddersfield Town Centre as part of the wider Huddersfield Blueprint. The report outlined that the Huddersfield Town Centre Living Plan had been developed to set out the vision, objectives, opportunities and actions to encourage more people to live in the town centre and contribute to the wider aspirations of the Huddersfield Blueprint.

Cabinet was advised that the initial proposals for residential development would focus on two Council owned assets, Estate Buildings and Somerset Buildings. Thirteen Group (Thirteen) had approached the Council with a proposal to deliver high quality residential units in these buildings, following a visit around Huddersfield Town Centre. 2.4.1 of the report set out the rationale for progressing with Thirteen as a partner.

The report concluded that the recommended approach was to enter into an exclusivity period with Thirteen in relation to Estate Buildings and Somerset Buildings, for a period of 18 months but determinable after 12 months if significant progress against set milestones had not been met.

**RESOLVED –**

- 1) That approval be given to proceed with the first phase of development and enter into an exclusivity period with Thirteen in relation to Estate Buildings and Somerset Buildings for a period of 18 months.
- 2) That authority be delegated to the Strategic Director of Growth and Regeneration to terminate the exclusivity period after 12 months if substantive progress has not been made against the relevant milestones.
- 3) That authority be delegated to the Service Director, Legal Governance and Commissioning to enter into a legal agreement with the milestones against which Thirteen must make demonstrable progress.
- 4) That a further report be considered by Cabinet following the feasibility work and valuation report setting out details of the proposals, after which, subject to Cabinet approval, Thirteen would have the option to purchase Somerset and Estate Buildings at market value.
- 5) That approval be given to the Huddersfield Town Centre Living Plan appended to the report.

**32 Capital Scheme - Specialist Accommodation at former Children's Place Nursery, Netherfield Road, Ravensthorpe**

Cabinet gave consideration to a report which sought approval for a Capital Scheme for specialist accommodation at the former Children's Place Nursery, Netherfield Road, Ravensthorpe.

Cabinet was advised that the Council's Special Educational Needs and Disabilities provision was undergoing large scale transformation and this proposal for the Young

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People's Activity Team would ensure some of the most vulnerable children and young were able to enjoy high quality facilities making a lasting difference to their lives.

The report outlined that the need for new premises was identified several years ago, and four potential council owned sites were identified for evaluation against the needs of the service, the families and the disabled children and young people who access the service. Following this evaluation, the former Children's Place nursery, was selected as the best option due to its location, and the building size.

**RESOLVED** – That approval be given to the release of up to £1,358,353 from the Best Start Capital Programme to enable procurement of works to proceed.

**33** **Aspire, Achieve and Include : Employment and Skills Plan 2022 - 2025**  
(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillor E Reynolds and Councillor J Taylor).

Cabinet considered the Aspire, Achieve, and Include: Kirklees Employment and Skills Plan 2022 – 2025. The report sought approval of the plan and authority to progress with key strategic partners with the implementation and delivery of activity.

The report advised that Aspire, Achieve Include is the 2022-23 Post-16 Employment and Skills Plan for Kirklees. It explained how the Council would work closely with partners across the area, supporting and investing in the local employment and skills system over the next three years.

**RESOLVED** –

- 1) That the Aspire, Achieve and Include Employment and Skills Plan 2022-2025 be adopted.
- 2) That authority be delegated to the Director of Growth and Regeneration and the Service Director for Skills and Regeneration, in consultation with the Portfolio Holder for Growth and Regeneration to implement the plan.
- 3) That regular progress reports on the delivery of the plan be considered by Cabinet.

**34** **Kirklees Annual Education Quality and Standards Report Update**  
(Under the provision of Council Procedure Rule 36(1), Cabinet received representations from Councillor E Reynolds).

Cabinet gave consideration to a report which summarised the challenges faced by the schools' systems during the academic year 2021 and the impact on educational outcomes for learners.

Cabinet was informed that the focus for the 2021/22 academic year was to work in the partnership with the Education Learning and Partnership Board and its committees to support schools to continue to operate safely and recover to the best their abilities to help all pupils catch up any identified lost learning.

The report advised that 'Our Kirklees Futures' set out the ambitions the Council had for the next generation of learners. The inaugural learning summit allowed the system to recognise the importance of developing the whole child to allow them to be successful and fulfilled citizens. With the resumption of exams and testing in Summer 2022, a report on the outcomes for 2021/22 would be produced with the indicative data available in December 2022 and a full report on the progress of Our Kirklees Futures would be produced for Cabinet on an annual basis at the end of each Academic year.

**RESOLVED** – That the Annual Education Quality Standards Report be noted.

**35 Special Educational Needs and Disabilities (SEND) - Transformation Plan Update**

Cabinet considered a report which provided an update on the high needs Safety Valve funding and sought authority to progress plans to create additional specialist places to support the needs of children with special educational needs.

The report advised that improving the outcomes for children with special educational needs was at the heart of the agreed 'Inclusive Ambitions' which was appended to the report, to tackle key inequality issues. It outlined that by investing in and working with children and young people and their families at the earliest opportunity supported them to achieve their best possible outcomes.

It was noted that following a period of engagement and negotiation with the Department for Education (DfE) a robust deficit reduction plan was submitted and approved which formed the basis for the Council's safety valve agreement. The Council would receive a total of £33.5m over 5 years to help address the cumulative historic High Needs deficit. The Council was also successful in a submission to the DfE for additional high needs capital of £8.2m funding to support the deficit reduction plan.

Cabinet was informed that the Council would be contributing approximately £23m through the planned drawdown of about £12.5m existing earmarked demand reserves over a 5-year period and absorption of previous General Fund base budget recharged to Night Needs at about £2m per annum, to cover a proportion of the High Needs Costs. Schools' Forum had agreed to a 0.5% transfer in 2022/23 equating to £1.6m, and as part of this agreement, investment back into the system would take place – this was starting with the development of the Additionally Resourced Provisions.

**RESOLVED** –

- 1) That the Safety Valve update / agreement with the Education and Skills Funding Agency be noted.
- 2) That authority be delegated to the Strategic Director for Children's Services to (i) take account of the outcome of a non-statutory consultation on proposals to establish, change or discontinue Additionally Resourced Provision (previously known as specialist provision), and the relevant statutory guidance; (ii) arrange for the Council to publish related statutory

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proposals to establish change or discontinue Additionally Resourced Provision in schools maintained by the Council as prescribed in the 2013 Regulations.

- 3) That Cabinet will consider and determine the published proposals following the end of the representation period.
- 4) That authority be delegated to take account of the outcome of a non-statutory consultation and work in partnership with academy trusts to support the presentation of a business case to the Regional School Commissioner or the Department for Education.