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KIRKLEES COUNCIL

CABINET

Wednesday 16th November 2022

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

Observers: Councillor A Gregg
Councillor J Lawson

Apologies: Councillor Musarrat Khan
Councillor Graham Turner

91 Membership of Cabinet

Apologies for absence were received on behalf of Councillors Khan and Turner.

92 Minutes of Previous Meeting

RESOLVED – That the Minutes of the Meeting held on 11 October 2022 be approved as a correct record.

93 Declarations of Interest

Councillor E Firth declared an ‘other’ interest in Agenda Item 9 (Minute No. 99 refers) on the grounds that he is a Trustee of One Community, and did not participate in the vote upon this item.

94 Admission of the Public

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

95 Deputations/Petitions

Under the provision of Council Procedure Rule 10, Cabinet received a deputation from Lewyn Diveney-Clegg and Natalie Dossor with regards to Council’s responsibilities for the unblocking of a culvert, which is causing flooding to their property in Cumberworth.

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

96 Questions by Members of the Public

Under the provision of Council Procedure Rule 11, Cabinet received the following question;

Question from Lewyn Diveney-Clegg

“What is the Council doing in terms of its legal obligation to unblock the culvert which is flooding our property?”

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

97 Questions by Elected Members (Oral Questions)

Under the provision of Executive Procedure Rule 2.3, Cabinet received the following questions;

Question from Councillor J Lawson

“Can I ask the responsible Cabinet Member whether the Amazon application in Cleckheaton will be a single item agenda?”

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

Question from Councillor Gregg

“With regards to regeneration in Huddersfield and the HD1 regeneration project, going back to 2008, is the project still an ambition and still going ahead, and how does the project work alongside the Huddersfield Blueprint?”

A response was provided by the Leader of the Council

Question from Councillor J Lawson

“Following the tragic death of Awaab Ishak in Rochdale recently due to inhaling extensive mould over a long period of time, are there any properties in Kirklees exposed to that issue?”

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

Question from Councillor Gregg

“Has the Leader given any more thought to the highways report which suggested that there was going to be a shortage of 240 spaces at peak times in the new market hall car park? Could that report be analysed by Cabinet, and solutions explored?”

A response was provided by the Leader of the Council

Question from Councillor J Lawson

“What are the timescales for a decision on the future of Tolson Museum and what kind of discussions are currently ongoing with the Friends of Tolson Museum, and other organisations involved?”

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

98 Kirklees Climate Change Action Plan (CCAP)

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

Cabinet received a report which provided an overview of the Climate Change Action Plan and potential priority actions for carbon reduction and climate resilience as part of the Council's response to the climate emergency. The report sought endorsement of the action plan and agreement to submit it to the meeting of Council on 7 December with a recommendation that the plan be incorporated within the Council's policy framework.

Cabinet considered the report and gave support to the progress of the action plan, which was attached as Appendix 1 to the report. It was noted that the Climate Change Action Plan was the first step of delivery and would be a core strategic document in responding to the climate emergency. The action plan set out a list of actions which would be refined through further activity to identify place based priority actions. Cabinet were advised that an updated action plan would be published in 2024, at which stage the identification of funding sources and the subsequent delivery of actions would commence.

The report advised that the action plan set out a framework for collective action on climate change to achieve a target of net zero emissions across the borough by 2038.

RESOLVED –

- 1) That the Climate Change Action Plan, as set out at Appendix A, be endorsed and submitted to the meeting of Council on 7 December 2022 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 Cabinet Member for Culture and Greener Kirklees to (i) progress the steps as set out in the Action Plan, specifically those as set out at para. 8.2 of the report (ii) make any minor alterations to the Action Plan and the next stages of action planning (iii) procure external support in the delivery of the next stages of action planning where required and (iv) apply for and accept external funding in accordance with Financial Procedure Rules for the delivery of actions within the Climate Change Action Plan.

99 West Yorkshire Mayor's Cost of Living Emergency Fund

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

Cabinet gave consideration to a report which set out proposals to provide support for households in accordance with funding and guidance which had been issued by the Elected Mayor of West Yorkshire. The report advised that, on 21 October 2022, the Combined Authority had created a £3m regional emergency fund over the 2022-2024 period, called the Mayor's Cost of Living Emergency Fund. The report sought approval to accept the funding available and that the Local Welfare Provision Scheme be used as a vehicle to provide support through the voluntary, community and social enterprise sectors to provide targeted support that would supplement the support already provided.

The report advised that the Mayor's Fund was part of a wider action plan that set out the Council's priorities on the cost of living in terms of emergency response, resilience and prevention. The report also sought approval to supplement the funding made available through the Mayor's emergency fund with additional current year provision of £357,200 from the Council's share of the Government's Household Support Fund.

RESOLVED –

- 1) That approval be given to the funding, as provided in accordance with the West Yorkshire Mayor's Cost of Living Emergency Fund, and that it continues to work with One Community Foundation Ltd and the West Yorkshire Combined Authority to establish the mechanism by which that fund is distributed to those organisations in the VCSE sector that are best placed to deliver against the outcomes the Mayor wishes to establish, and that those parts of Financial Procedure Rules, Section 22, as apply shall apply to this fund.
- 2) That approval be given to the sum of £357,000 (in relation to the period 31/3/2023) to be awarded to the VCSE sector through One Community Foundation Ltd to supplement the Mayor's emergency funding and meet the requirements of the Household Support Fund as set out in Guidance issued by the Secretary of State, and in accordance with the decision made by Cabinet on 11 October 2022.
- 3) That the Cost of Living Action Plan, as appended to the report, be noted.

100 Kirklees Procurement Strategy

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

Cabinet gave consideration to a report which set out a refreshed procurement strategy. The report advised that the strategy built upon the successes of the previous one and that work had continued to embed a category led approach and social value approaches to procurement.

The strategy, which was attached as an appendix to the report, had been developed to support the strategic aims and priorities of the Council and recognised the

opportunity that procurement activity has in maximising added value and efficiencies with a focus on achieving value for money.

RESOLVED - That the Procurement Strategy be approved.

101

Corporate Financial Monitoring Report; Quarter 2 for 2022-23

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

Cabinet received the Quarter 2 financial monitoring report 2022/2023. The report set out the Council's current budget position, summarising overall cost of living pressures at £22.5m, including a further £2.7m increase since Quarter 1, resulting in a forecast overspend of £34.3m this financial year.

Cabinet noted that the most significant cause of the overspend was energy and inflationary costs, and that other budget pressures included increased demand for vital services, particularly social care for older residents and young people. It was noted that action had been taken to reduce the budget deficit, including a freeze on recruitment and rationalisation of council buildings.

The report advised that the Council's revised General Fund Controllable (net) revenue budget for 2022/2023 was £339.1m, including planned (net) revenue savings in year of £2.5m. It was noted that there had been an increase of £9.7m in the forecast overspend position since Quarter 1.

The report provided a breakdown of information in regards to budget pressures in service areas, general fund reserves, collection fund, housing revenue account and capital. Appendices 1-6 of the report provided a more detailed breakdown of the outturn financial monitoring position,

RESOLVED –

- 1) That, in regards 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 (iii) the regular monitoring and review of corporate reserves in 2022/2023 reported to Cabinet as part of the quarterly financial monitoring cycle be noted (iv) approval of the proposed temporary operational measures as set out in paras. 3.7.9 to 3.7.10 be delegated to the relevant Strategic Director in conjunction with the relevant Cabinet Member, having taken account of relevant powers, duties and obligation to consult/engage (v) it be noted and agreed that if a decision is made in relation to fees and charges which amends a previous Cabinet decision (para. 3.7.12 refers) that such a decision will have the effect of changing any previous decision (vi) the award of a four year electricity contract to EDF Energy under the CCS Framework agreement to commence 1 April 2023 (para. 1.2.16 refers) be noted and (vii) it be noted that the Council will continue to work collaboratively with KAL to support KAL's financial sustainability over the medium term.
- 2) That the forecast position on the Collection Fund as at Quarter 2 be noted.

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- 3) That the Quarter 2 Housing Revenue Account position and forecast year-end reserves position be noted.
- 4) That, in regards to Capital, (i) the Quarter 2 forecast capital monitoring position for 2022/2023 be noted and (ii) approval be given to the reprofiling of the 2022/2023 capital plan as set out at Appendix 5.