

Contact Officer: Yolande Myers

## KIRKLEES COUNCIL

### CABINET

**Tuesday 11th April 2023**

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

Observers: Councillor John Taylor

Apologies: Councillor Naheed Mather

**178 Membership of Cabinet**

Apologies for absence were received on behalf of Councillor N Mather.

**179 Declarations of Interest**

No interests were declared.

**180 Admission of the Public**

Cabinet noted the submission of exempt information, as set out at Agenda Item 10 (Minute No 187 refers).

**181 Deputations/Petitions**

No deputations or petitions were received.

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

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

**Question from Councillor J Taylor**

“Do you believe we have an adequate housing supply for the next five years?”

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

**Question from Councillor J Taylor**

“I have been attempting to get answers about the use of some Section 106 money in Highburton that was handed over by the developer. I’ve had confirmation from the legal department that there is no legal objection to the money being released. I’ve met with officers from Children’s Services and School Planning who have confirmed that there is no need for further school places in the local area. The legal team have informed me that the money can be used for other purposes by the schools specifically named in the Section 106 agreement. In 2024 the money will be given back to the developer if it hasn’t been used. Please can you get an answer as to when this money will be released?”

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

**Question from Councillor J Taylor**

“I have a question on the Council’s policy on public transport. The provision in the housing estate in Highburton was that they would be provided with one metro card per household for one year and the money for that was handed over by the developer to Metro. On that estate, only one household came forward who wanted two metro cards. However, they were told they could only have one and the rest of the money was subsequently handed back to the developer. Due to the nature of the housing estate, it was never going to be a sustainable use of those funds. This is a Kirklees policy, rather than a national one, can I ask that you look at this policy again?”

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

**183**

**Safe and Inclusive Community Fund**

(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 Safe and Inclusive Community Fund; a grant scheme which invested in community activities, delivered by individuals and community organisations, to meet the council and its partners’ shared outcome within the Kirklees Communities Partnership Plan 2022 - 2027.

The report advised Cabinet that funding was often received at short notice for specific outcomes and directed priorities. External funding had already been received this year (2022/23) from the Home Office, Safer Streets, and the Violence Reduction Unit. Similar programmes were expected in the future to also include violence against women and girls. The intention would be that where appropriate, these additional funds would be used in accordance with the grants scheme as set out in the report rather than setting up a new scheme each time funds were received, which was inefficient and time consuming.

Cabinet noted that grants between £200 and £50,000 would be made available to individuals and community organisations in the Kirklees Voluntary, Community, and

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Social Enterprise sector who were working to meet the shared outcomes and priorities within the Kirklees Communities Partnership Plan 2022 – 2027. The total grant awards would not total more than £1,000,000 in any financial year. However, the actual amounts could be lower dependent on the availability of external sources or exceeded under certain circumstances.

### RESOLVED –

- 1) That approval be given to the establishment of the Safe and Inclusive Community Fund that supports the delivery of the Kirklees Communities Partnership Plan 2022-2027.
- 2) That approval be given to the Service Director, Communities and Access Services, in consultation with the relevant Portfolio Holder, to award grants in accordance with the process set out in the considered report via the Panel mechanism.
- 3) That authority be delegated to a service manager or above to make decisions in relation to the fund.
- 4) That authority be given to amend the fund rules as appropriate to ensure effective administration, review, and monitoring in accordance with the relevant council procedure rules and external fund criteria and guidelines.

#### **184 Grant Offer to St Peter’s Church for the Development of Multi-Functional Event Space in St Peter’s Gardens**

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

Cabinet gave consideration to a report which provided an update on St Peter’s Gardens scheme and a request to provide St Peter’s Church with a grant for the delivery of a multi-use event space in St Peter’s Gardens, Huddersfield.

Cabinet noted that the ambitious Huddersfield Blueprint regeneration vision which launched in June 2019 was a ten-year vision to create a thriving, modern-day town centre that would be accessible, busy, inclusive, family-friendly, sustainable and a safe environment that will stay open longer.

St Peter’s Gardens sat within the St Peter’s key area and its redevelopment was included as one of the key projects of the Blueprint, edged by an aspiration to build and create modern co-working spaces and studios in the surrounding area.

Cabinet was asked to consider granting to St Peter’s Church, a registered charity, the sum of £121,900 which was currently allocated in the ‘Golden Routes Capital Programme’ and £350,000 from WYCA’s UK Shared Prosperity Fund to enable delivery of a multi-functional event space in St Peter’s Gardens. A total grant of £471,900 would be used to deliver Phase A which consisted of the approved multi use events space adjacent to the Church and within the gardens.

**RESOLVED –**

- 1) That approval be given to grant to St Peter's Church £121,900 to deliver a multi-use event space in St Peter's Gardens.
- 2) That approval be given to grant to St Peter's Church £350,000 from Kirklees' UKSPF programme to deliver a multi-use event space in St Peter's Gardens.
- 3) That approval be given for the capital allocation of £45,000 from the Golden Routes Capital Programme to fund the delivery of highway improvement works on Byram Street as detail in section 2.4 of the considered report.
- 4) That authority be delegated to the Strategic Director, Growth and Regeneration, in consultation with the Service Director, Legal Governance and Commissioning, to agree the grant agreement and other documentation necessary to enable the project to proceed and for the Service Director Legal, Governance and Commissioning to enter into the aforementioned documentation on behalf of the Council.

**185 Procurement of fire safety remedial works to Council Housing 6-storey, low-rise and retirement living scheme blocks**

Cabinet gave consideration to a revised approach to the procurement and delivery of fire safety remedial works to 6-storey, low rise and retirement living scheme blocks and to endorse the direct award of contract for Hebden Court and Buckden Court to Fortem Solutions Limited.

Cabinet was advised that following its approval for the contract award for fire safety improvements to low-rise residential blocks on 5 April 2022 and following contract negotiations at pre-contract stage, it was mutually agreed not to proceed because the contract changes requested would have resulted in material changes outside the original scope of procurement.

The report proposed that the packages of work under the previous tender be taken forward under three distinct and separate programmes, one for each of the block types, to support an approach that enabled risks, costs, and delivery to be well managed. The three programmes were at differing stages and needed to be decoupled from one another and dealt with separately. The three programmes would be (i) 6-storey blocks (ii) Retirement Living Scheme blocks and (iii) Low-rise blocks.

Cabinet was advised that following approval, the council would need to formally engage with tenants about the plans and how this would affect them. Details of the proposed engagement were contained within paragraphs 4 and 5 of the considered report.

**RESOLVED –**

- 1) That approval be given to the direct award of fire remedial works to two 6-storey blocks to Fortem Solutions Ltd.
- 2) That approval be given to the packaging and delivery of the remaining ten 6-storey blocks, retirement living schemes and low-rise blocks.
- 3) That approval be given to enter into formal engagement with affected residents as set out in section 5 of the considered report.

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- 4) That authority be delegated to the Strategic Director Growth and Regeneration and the Service Director, Finance to sign off and agree the final costs prior to contract award for the direct award to Fortem Solutions Limited.
- 5) That authority be delegated to the Strategic Director Growth and Regeneration in consultation with the Service Director, Legal and Governance to award future tenders for packages, subject to the production of a robust and affordable business case.
- 6) That the results of the Stage 1 Integrated Impact Assessment be noted.

### **186 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.

### **187 Procurement of fire safety remedial works to Council Housing 6-storey, low-rise and retirement living scheme blocks**

(Exempt information relating to Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006 namely that it contains information relating to the financial and business affairs of the Council and a third party. It is considered that the disclosure of the information would adversely affect the commercial interests of a third party 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 Authority's decision making).

**RESOLVED** - The exempt information was noted prior to the consideration of Agenda Item 8 (minute no 185 refers)