



**Service Director – Legal, Governance and
Commissioning**

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Governance and Commissioning

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

CABINET

TUESDAY 14 NOVEMBER 2023

Andrea Woodside

01484 221000

Chair

Councillor Cathy Scott

Councillors Attended

Councillor Moses Crook

Councillor Paul Davies

Councillor Graham Turner

Councillor Viv Kendrick

Councillor Jackie Ramsay

Councillor Yusra Hussain

Councillor Moses Crook

Observers

Councillor Martyn Bolt

Councillor Charles Greaves

Councillor Adam Gregg

Councillor David Hall

Councillor Tyler Hawkins

Councillor Musarrat Khan

Councillor John Lawson

Councillor Alison Munro

Councillor Amanda Pinnock

Councillor Mark Thompson

Apologies

Councillor Elizabeth Reynolds and Councillor Mussarat Pervaiz

Councillor Elizabeth Reynolds

1: Membership of Cabinet

To note the appointment of Councillor Moses Crook to Cabinet, with effect from 6 November 2023, in accordance with Article 7.3.4 of the Constitution.

To receive any apologies for absence from Cabinet Members who are unable to attend this meeting.

Apologies for absence were received on behalf of Councillors M Pervaiz and E Reynolds.

2: Minutes of Previous Meeting

To approve the Minutes of the Meetings of the Cabinet held on 26 September and 17 October 2023.

Approved as a correct record subject to the amendment that Councillor Y Hussain declared an interest in relation to Minute No 73. as a Member of the outside body, Suez.

3: Declaration of Interests

Cabinet Members will be asked to advise if there are any items on the Agenda in which they have a disclosable pecuniary interest, or any other interests, which may prevent them from participating in the discussion or vote on any of the items.

No interests were declared.

4: Admission of the Public

Most agenda items will be considered in public session, however, it shall be advised whether the Committee will consider any matters in private, by virtue of the reports containing information which falls within a category of exempt information as contained at Schedule 12A of the Local Government Act 1972.

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

5: Deputations/Petitions

Cabinet will receive any petitions and/or deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the Public must submit a deputation in writing, at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

No deputations or petitions were received on this item.

6: Questions by Members of the Public

To receive any public questions.

In accordance with Council Procedure Rule 11, the period for the asking and answering of public questions shall not exceed 15 minutes.

Any questions must be submitted in writing at least three clear working days in advance of the meeting.

No questions were asked on this item.

7: Questions by Elected Members (Oral Questions)

Cabinet will receive any questions from Elected Members.

In accordance with Executive Procedure Rule 2.3 (2.3.1.6) a period of up to 30 minutes will be allocated.

Cabinet received oral questions under Executive Procedure Rule 2.3.

8: Revision of Car Parking Tariffs / Charges

To consider the revised car parking tariffs.

Contact: Sarah Durdin, Highways and Streetscene

RESOLVED –

- 1) That approval be given to introduce new parking charges and that a statutory consultation process in relation to new charges will be undertaken in order to do this.
 - 2) That approval also be given to increase existing parking charges by inflation, retrospectively and that in addition a non-statutory engagement and consultation process in relation to increased charges will be undertaken.
 - 3) Note that in accordance with usual procedures, on completion of the consultations, a report will be submitted to Cabinet Committee Local Issues for consideration in relation to the Traffic Regulation Order.
 - 4) That authority be delegated to CCLI for the decision prior to implementation of revised charges.
 - 5) That it be noted that any future annual revisions of car parking tariffs / charges may be delegated to the relevant Service Director responsible for the Parking Service, in accordance with the Financial Procedure Rules.
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9: Housing Growth Update

To consider the Housing Growth Update report.

Contact: Adele Buckley, Housing Growth and Regeneration

RESOLVED –

- 1) That in relation to Dewsbury Riverside, authority be delegated to the Service Director – Skills & Regeneration, in consultation with the relevant portfolio holder, the Service Director - Finance and the Service Director – Legal, Governance and Commissioning, power to enter into appropriate legal agreements, including an MoU with Homes England and Network Rail, and undertake the appropriate procurement route required for the appointment of a master developer to deliver the site, including relevant agreements with other land owners and interested parties.
- 2) That, pursuant to (1) above, authority be delegated to the Service Director – Skills & Regeneration, in consultation with relevant portfolio holder, the Service Director - Finance and the Service Director – Legal, Governance and Commissioning, to dispose of the Council's land as required to facilitate the delivery of the Dewsbury Riverside site (Local Plan Ref: HS61).
- 3) That, pursuant to (1) above, authority be delegated to the Service Director – Legal, Governance and Commissioning to enter into all agreements necessary to effect the disposals referred to at resolutions 1 and 2 above.
- 4) That in relation to Fenay Lane, approval be given to the disposal of the site at 'less than best consideration' to the preferred partner when appointed in accordance with the General Disposal Consent (England) 2003.
- 5) That, pursuant to (4) above, authority be delegated to the Strategic Director, Growth and Regeneration to negotiate and agree the terms of disposal for the site with the preferred partner; and determine the appropriate level of discount for the site following a comprehensive assessment of the appointed partner's development appraisal reflecting the housing mix which receives planning consent.
- 6) That, pursuant to (4) above, authority be delegated to the Service Director, Legal, Governance and Commissioning to enter into and execute any agreement and other ancillary documents necessary to dispose of the site to the preferred partner for use as affordable and market housing dependent on the final housing mix.
- 7) That in relation to site development, preparation and delivery, a grant (Capital Allowances) be added into the Capital Plan to support the delivery of the Housing Growth Programme.
- 8) That, pursuant to (7) above, approval be given to the capital funding from grant (Capital Allowances) up to the maximum available for this activity which is £1.014M in total for Housing Growth site development, preparation, and delivery costs to support progress of sites in the Housing Growth Programme, whereby the capital funding will be drawn down into the capital plan as each element of expenditure is required and when expenditure is approved by the chair of Housing Growth Board.

10: Council Owned Tree and Woodland Management Policy

To consider the Council Owned Tree and Woodland Management Policy.

Contact: Joe Robertson, Woodland Development Manager

RESOLVED – That the Council Owned Tree and Woodland Management Policy be adopted and that authority be delegated to the Service Director for Highways and Streetscene to make any future updates to the policy document.

11: Asset Review November 2023

To consider the Asset Review (November 2023).

Contact: Daniel McDermott, Assets & Estates

RESOLVED –

- 1) That approval be given to the ongoing and planned activity being managed under business as usual, including the surplus declaration of the four identified assets to be brought forward for disposal:
 - (i) 1 Beech Street, Huddersfield, HD1 4JN
 - (ii) (DRAM Sports & Community Centre, Ridgeway, Dalton, Huddersfield, HD5 9QJ
 - (iii) HUDAWI Centre, Great Northern Street, Huddersfield, HD1 6BG
 - (iv) Red House, 281 Oxford Road, Gomersal, Cleckheaton, BD19 4JP
 - 2) That authority be delegated to the Strategic Director for Growth and Regeneration in consultation with the relevant portfolio holder, Service Director – Legal, Governance and Commissioning, to dispose of the identified property assets to support the Council's income targets, irrespective of the value of the site and on such terms as officers deem most appropriate,
 - 3) That authority be delegated to the Service Director – Legal, Governance and Commissioning power to enter into all agreements necessary to effect any of those disposals referred to at (1) above.
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12: Data Network

To consider the procurement of new corporate data network services.

Contact: Terence Hudson, Head of Technology

RESOLVED –

- 1) That approval be given to proceed with procurements for the core network hardware and the corporate data network services in line with the Technology Strategy and to ensure that procurements are delivered within existing capital and revenue budgets.
 - 2) That approval be given to provide data network services into existing library and information centres, children's centres, and community centres and that the contract will include options for more cost effective connections and aim to provide social value tariffs for community based assets across Kirklees.
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13: Corporate Financial Monitoring Report - Quarter 2, 2023-24

To consider the Quarter 2 Monitoring report.

Contact: James Anderson, Head of Accountancy

RESOLVED –

- 1) That the forecast revenue outturn position at Quarter 2 for 2023/24 (£16.1m overspend), and the forecast year end position on the Council's reserves and balances (£47.4 Reserves, of which £35.4m are Usable Reserves) be noted;
 - 2) That the Quarter 2 forecast HRA position (£34k surplus) and forecast year-end reserves position be noted;
 - 3) That the Quarter 2 forecast capital monitoring position for 2023/24 in regard to Capital (£57.9m underspend) be noted;
 - 4) That approval be given to the re-profiling of the 2023/24 capital plan as set out in the slides appended to the considered report;
 - 5) That approval be given to £0.32m to purchase three highways tipper vehicles with delivery expected before April 2024;
 - 6) That the Quarter 2 treasury management prudential indicators be noted.
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14: Withdrawal of Netherton & South Crosland Neighbourhood Plan Forum Designation

To consider the withdrawal of Netherton and South Crosland Neighbourhood Plan Forum designation.

Contact: Jacob Parker-Henry, Planning Policy

RESOLVED –

- 1) That approval be given to the withdrawal of the designation of the Netherton and South Crosland neighbourhood Forum in accordance with the Town and Country Planning Act 1990, Section 61F(9).
- 2) That approval be given to the publication of the withdrawal statement in compliance with Neighbourhood Planning (General) Regulation 2012, Regulation 12(2).

