

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

CABINET

Tuesday 17th October 2023

Present: Councillor Cathy Scott (Chair)
Councillor Paul Davies
Councillor Elizabeth Reynolds
Councillor Graham Turner
Councillor Viv Kendrick
Councillor Masood Ahmed
Councillor Jackie Ramsay
Councillor Mussarat Pervaiz
Councillor Yusra Hussain

In attendance: Councillor Moses Crook
Councillor John Lawson
Councillor B McGuin

63 Membership of Cabinet

All Cabinet members were present.

64 Declaration of Interests

No interests were declared.

65 Admission of the Public

Cabinet noted the submission of exempt information, as set out at Agenda Item 14 (Minute No 76 refers).

66 Deputations/Petitions

No deputations or petitions were received.

67 Questions by Members of the Public

No questions were asked.

68 Questions by Elected Members (Oral Questions)

Cabinet received oral questions under Executive Procedure Rule 2.3.

Question from Councillor John Lawson

In relation to the mothballing of Cleckheaton Town Hall, what form would any non-statutory consultation look like, and how long will that take?

A response was provided by the Portfolio Holder for Finance and Regeneration (Councillor Turner).

Councillor B McGuin

Regarding the rebuilding of Woodley School at Almondbury, it is important to rebuild a new school and keep our children in Kirklees, but can I ask if the new school will provide swimming pool and sports centre facilities for the community?

A response was provided by the Portfolio Holder for Children (Councillor Kendrick)

Question B McGuin

Is it possible to provide some land for the pre-school on the old Almondbury school site adjacent to Hill View School to enable them to continue their business?

A response was provided by the Portfolio Holder for Learning and Aspiration (Councillor Reynolds)

69 Special Educational Needs and Disabilities (SEND) - Increasing Special School Places

Cabinet considered a report which sought authority to progress plans to create additional special school places at Woodley School and College.

Cabinet noted that the Council was undertaking a four-week non-statutory consultation with interested stakeholders on the proposals to increase pupil places to 194 at Woodley School and College, gradually over time, using satellite provision ahead of, and leading up to, the completion of construction on a new and larger school building. The proposed 194 places would include 180 places in the planned new school rebuild and up to 14 places in the existing Woodley Post-16 provision based in a shop in Huddersfield town centre.

The report gave key context and background in relation to the (i) transformation plan, (ii) rebuild of Woodley School and College, (iii) special school satellite provision and (iv) process required to increase pupil places in a special school. The final decision would be made at a future meeting of Cabinet where the non-statutory consultations and representations would be considered.

RESOLVED –

- 1) That further to the consideration of the outcome of the non-statutory consultation, authority be delegated to the Strategic Director, Children's Services to publish related statutory proposals to create additional special school places at Woodley School and College as prescribed in the 2013 Regulations.
- 2) That Cabinet consider and determine the proposals at the end of the representation period.
- 3) That further to the consideration of the outcome of non-statutory consultation, authority be delegated to the Strategic Director, Children's Services to publish related statutory proposals to create additional special school places as prescribed in the 2013 regulations.

- 4) That Cabinet consider and determine the proposals at the end of the representation period.

70 Ad Hoc Scrutiny Building Panel - health and safety compliance in residential housing stock

Cabinet considered an update on the Ad Hoc Scrutiny Panel Residential Stock Health and Safety Compliance report and recommendations.

Cabinet was advised that between July 2021 and July 2022, Scrutiny used a range of methods to gather evidence to inform the Ad- Hoc Scrutiny Panel Health and Safety Compliance in Residential Housing Stock Report. The report included an action plan and a set of seventeen recommendations. The report was presented to Cabinet in December 2022 where the recommendations and action plan were agreed.

Cabinet noted that of the seventeen recommendations, two had been identified as complete, and six had been identified as 'ongoing' actions that would always require consideration as part of good practice. All other actions had made good progress, with the remaining nine actions being 50% complete or higher.

In relation to the future frequency and level of reporting on actions, the report advised that it was proposed that updates be provided quarterly to Building Safety Assurance Board for 12 months after which time reporting requirements be reviewed.

RESOLVED –

- 1) That actions identified as ongoing be reported less frequently to the Building Safety Assurance Board and that Cabinet acknowledge the progress made is sufficient to form ongoing good practice.
- 2) That a further update be considered at a future meeting.

71 Kirklees Local Plan Review and Update

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

Cabinet considered a report which sought ratification on the outcomes of a review of the Kirklees Local Plan.

The report advised that the Kirklees Local Plan was adopted in February 2019. A formal 'review' of whether the Local Plan remained fit for purpose must be published within 5 years of Local Plan adoption (by February 2024 for Kirklees).

The considered report set out the process which had been undertaken to review the Local Plan and the outcomes of the review. Cabinet noted that there was no prescribed method for plan review, but a review of a Local Plan against a standardised template produced by the Planning Advisory Service was being promoted nationally as good practice and formed the basis of the Kirklees assessment.

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Cabinet was advised that the Kirklees Local Plan was assessed against 14 questions contained in the Planning Advisory Service standard template, and officers found the plan to be out of date against six of the considered questions.

Cabinet acknowledged that in the opinion of the officers, a full review of the Local Plan was required. A partial review was not considered suitable as the proposed updates were not specific to one area of the plan and could lead to the potential for further updates and costs.

It was noted that the likely timescales for the Local Plan 2 began in January 2024 with the Local Development Scheme being considered by Cabinet in January 2024 and ending with the submission to the Secretary of State, followed by an independent examination in public in March 2027.

RESOLVED –

- 1) That the findings and recommendations of the internal officer review of the fitness of the Kirklees Local Plan (as outlined in Appendix 1 of the considered report) be ratified and the council's reasons and decisions be published on its website.
- 2) That a recommendation be made to Council that a full update of the Kirklees Local Plan commence (following current statutory local plan processes with the process to be reviewed following confirmation of the government's proposed planning reforms).
- 3) That authority be given to the Strategic Director Growth and Regeneration to prepare a Local Development Scheme (programme to produce development plan documents) with a completed LDS presented to a future meeting of Cabinet for approval and publication.
- 4) That authority be given to the Strategic Director Growth and Regeneration to commence the preparation of a revised Statement of Community Involvement and to consult on a draft document.
- 5) That a final Statement of Community Involvement be presented at a future meeting for approval and publication.

72 Update on proposals for the redevelopment of Sycamore Grange, Golcar, Huddersfield.

Cabinet gave consideration to the progress on proposals for the redevelopment of Sycamore Grange, a retirement living scheme in Golcar, Huddersfield.

The report advised that following tenant and stakeholder engagement, the proposed scheme now comprised of (i) 41 retirement living apartments, 90% of which would be one bedroom (ii) 9 one-bedroom bungalows (iii) 5 two-bedroom bungalows and (iv) 4 one-bedroom cottage flats.

Cabinet noted that the scheme focussed on provision for older people which would increase the offer of suitable accommodation for older people helping to release family homes which may be under-occupied by older people.

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Cabinet was informed that a budget envelope of £11.937m was required for the scheme, and authority was sought for officers to submit a planning application, to issue tenders and enter into contracts to demolish the existing buildings and design and build the new development.

RESOLVED –

- 1) That the re-development plans as outlined in the considered report be noted and that endorsement be given to the approach to constructing the scheme.
- 2) That approval be given to a maximum budget envelope of £11,937,000 to procure the demolition of the existing Sycamore Grange scheme, the construction of the new retirement living scheme, bungalows, and apartments, and to fund the management of rehousing and revenue costs.
- 3) That pursuant to (2) above, authority be delegated to the Service Director Finance to sign a detailed financial appraisal, following planning permission and procurement, but before the award of any contract and the commencement of works.
- 4) That approval be given to the submission of Prior Approval notification and Notices under the Planning and Building Acts for the demolition of Sycamore Grange, and the submission of a planning application for the new development.
- 5) That authority be delegated the Strategic Director of Growth in consultation with the Service Director for Legal, Governance & Commissioning, and Portfolio Holder to invite and assess tender submissions and enter into contract for the demolition of existing buildings on the site once Vacant Possession is achieved.
- 6) Authorise the Strategic Director of Growth in consultation with the Service Director for Governance & Commissioning and the Portfolio Holder to invite and assess tender submissions and to draft and award contracts for the Design and Build of the new scheme within the agreed budget envelope.
- 7) That approval be given to the appointed contractor to be responsible for finalising the design and costs and obtaining all approvals required to construct the scheme.

73

Re-Profile of Kirklees Resource & Waste Strategy 2021-2030

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

Cabinet considered the re-profile of the Kirklees Resource & Waste Strategy 2021-30.

Cabinet was advised that the Kirklees Resource & Waste Strategy 2021-30 was approved and adopted at Council in September 2021. Since the launch of the strategy, there were significant uncertainties around government legislation for waste management and the associated funding along with a cost-of-living crisis with the Council facing increased demands and financial pressures.

Cabinet noted the proposal to revise the strategy's key targets in line with national targets to (i) achieve a recycling rate of at least 70% at Household Waste &

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Recycling Centres by 2030, (ii) recycle at least 65% of municipal waste by 2035 and (iii) achieve a 95% diversion from landfill rate by 2030.

The report advised that the Strategy commitments intended to enable all residents of Kirklees to make the most of community and personal resources by improving and expanding the services that promoted reuse, repair, education, skill development and waste reduction.

RESOLVED –

- 1) That the 2023 Resources & Waste Strategy update be agreed and published.
- 2) That authority be delegated to the Strategic Director for Growth & Regeneration, in consultation with the relevant portfolio-holders and the Service Director for Finance, for expenditure of sums as outlined in Appendix Three of the considered report to support the development and implementation of the re-profiled Kirklees Resources & Waste Strategy 2021-30 and supporting infrastructure.
- 3) That approval be given to undertake the procurement of the Reuse Shop Scheme, and that authority be delegated to the Service Director for Highways and Streetscene, in consultation with the relevant portfolio-holders and the Service Director for Finance, to authorise the award of a contract to the successful bidder following the procurement.

74 Kirklees Stadium and Kirklees Stadium Developments Ltd - Further revisions to the previously agreed approach

Cabinet considered a report which provided an update on the realignment of control and responsibilities in relation to Kirklees Stadium Development Ltd (KSDL).

The report explained that in March 2021, the Cabinet endorsed the development of a Community Trust operating model that was considered most suitable to delivering the above objectives, with a further report being considered in December 2022 in which all parties to KSDL were in broad agreement.

Cabinet was informed however that the ownership of Huddersfield Town AFC had now changed and the previous in principle agreement may not be acceptable to at least one of the parties. The Council had been clear that it did not wish to be involved in the future management of KSDL or the Stadium and have made clear that beyond the financial restructuring that had already been agreed, the Council would not contribute further funding to facilitate the day-to-day operation of KSDL.

RESOLVED –

- 1) That pursuant to Minute Nos. 118 and 125 of the meeting of Cabinet on 21 December 2022, authority be delegated to officers to conduct negotiations with the HTAFC and HRLFC regarding the KSDL agreement, with a view to them taking full operational control of the facility (and negotiations with other current leaseholders as necessary).
- 2) That a further report be considered to update Members on progress on the actions set out in the considered report.

75 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 items of business, on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

76 Kirklees Stadium and Kirklees Stadium Developments Ltd - Further revisions to the previously agreed approach

(Exempt information in accordance with Schedule 12A Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, namely it contains information relating to the financial and business affairs of third parties (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 and transparency in relation to public expenditure in the Authority's decision making.)

The exempt information was noted prior to the consideration of Agenda Item 12 (Minute No. 74 refers).