

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Thursday 21st December 2023

Present: Councillor Cathy Scott (Chair)
Councillor Moses Crook
Councillor Paul Davies
Councillor Elizabeth Reynolds
Councillor Graham Turner
Councillor Viv Kendrick
Councillor Jackie Ramsay
Councillor Mussarat Pervaiz

104 Membership of Cabinet

The Leader gave notice of the resignation of Councillor Yusra Hussain from Cabinet and advised that Councillor Aafaq Butt would be appointed as the portfolio holder for Culture and Greener Kirklees.

105 Declaration of Interests

No interests were declared.

106 Admission of the Public

Cabinet noted the exempt information as submitted as Agenda Items 14 and 15 (Minute Nos.117 and 118 refer).

107 Deputations/Petitions

Cabinet received a petition from Sara Blagbrough which requested that the proposed closure of Castle Grange Care Home be stopped.

108 Questions by Members of the Public

Cabinet received the following public questions in accordance with Council Procedure Rule 11;

Question from Sara Blagborough

“In view of the obvious flaws in the care home consultation is the Cabinet going to abandon the flawed consultation, take into account all of the objections, and recommence a fresh consultation with more than just one option for closure?”

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

Question from Sara Blagborough

“With the inaccuracies that have been presented in relation to finances is the Cabinet sure that any small potential saving is worth the risk to life a forced relocation would equate to?”

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

Question from Sarah Newton

“During the consultation process of KAL there was widespread social media coverage to access the consultation through Kirklees Council Facebook Page. There has been no such visibility for the care home consultation. Can you explain why?”

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

Question from Sarah Newton

“The current strategy to keep people at home discriminates against those with dementia who are unable to stay living in their homes due to safeguarding of themselves and carers. This results in increased domestic violence both verbal and physical to carers and their families (in my case my 12 year old son and 5 year old daughter), increased mental health issues for carers.

How is the Council going to address the discrimination in the current strategy?”

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

Question from Helen Plaskitt

“On the Kirklees website Information for families Care Home bed capacity and admissions, it states, ' ..that should cabinet decide to move to closure of Claremont House and Castle Grange we will work with families, social workers.. the teams across each care home and with independent sector providers through the Kirklees care association to identify the service which best matches and meets needs of residents..'

The Council has stated in response to questions about public providers that one consideration of theirs is the opportunity to utilise the independent care sector. Of an original list of 57, now admittedly amended and down to 6 the council have shared their list of independent providers they feel can achieve this. However, following direct discussions from some of our families with these 6 identified providers we have been informed that only 1 of these provides care for advanced dementia including additional care needs and behavioural issues. One home stated 'Helping residents with feeding and dealing with those who are doubly incontinent is too time

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consuming'. One home said ' Doors are locked so residents can't mix with other residents as they don't always get on'.

The level of skilled support that mitigates the need to reduce these social opportunities and provide for these care needs is the bread and butter at Claremont.

My husband is doubly incontinent, has feeding needs and because of previous rugby injuries needs a daily exercise regime. Can you please look again at this list of 6 and provide an accurate comparable list of alternative providers based on the current levels of skill and care provided by Claremont and Castle Grange?"

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

Question from Helen Plaskitt

"The Council have admitted that the initial impact assessment did not include longer term health considerations and that they had not reached out to experts or carried out the appropriate research until a request from families at the first consultation meetings. This is now being rectified by more recent contacts with Huddersfield and Stirling University. So far the signposting on the consultation links takes us to more generic data from government around morbidity, future predictions around dementia care numbers and other national statistical data but does not provide any additional information about moves for residents from their home with the loss of known carers, friends, familiar setting and routines other than to state high negative impact to our residents.

Can you provide the research in its entirety that relates to these individual care homes, in conjunction with the greater context of the choices we are being offered and ensure this data will be shared and used as part of the final decision making process?"

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

109 Questions by Elected Members (Oral Questions)

No questions were asked.

110 Kirklees Cultural Heart - part of the Huddersfield Blueprint - Phase 1 Gateway 4

Cabinet received a report which set out an update on the progress of our Cultural Heart at Phase 1 Gateway 4 and requested that authority be delegated to commence Phase 1 works on site. The report also sought approval to progress Phase 2, the combined museum and gallery, to Gateway 3 and confirm the design and contractor procurement for the next phase, and to progress other aspects of the masterplan as necessary.

The report set out an overview of (i) Phase 1 Gateway 4 (ii) Masterplan delivery and future phases (iii) the operation of council facilities within the Cultural Heart and (iv) the current budget position.

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Paragraph 4 of the report set out the timelines of the scheme, with Phase 1 completion in track for Quarter 4, 2025.

RESOLVED –

- 1) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Cabinet Member (Finance and Regeneration) to make decisions on the programme timeline and the sequencing of phasing so that Our Cultural Heart master plan and the associated strategic objectives can be completed within an appropriate timescale, reflecting the Council's financial position.
- 2) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Finance) and the Cabinet Member (Finance and Regeneration) to extend the Pre Contract Services Agreement contract for a period necessary to conclude the RIBA 4 design and construction contract sum negotiations.
- 3) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Finance) and the Cabinet Member (Finance and Regeneration) to instruct the enabling works.
- 4) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Cabinet Member (Finance and Regeneration) to sign off the conclusion of Gateway 4 including the contractors design proposals, planning and listed building consent matters, the RIBA 4 design, the construction programme, the contract documents and the construction contract sum.
- 5) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Service Director (Finance) and the Portfolio Holder (Finance and Regeneration) to make a decision to award the NEC construction contract to BAM and start works on site in accordance with Section 1.3.2, and that if the award would exceed the construction period budget, the matter be resubmitted to Cabinet.
- 6) That approval be given to extend the appointment of the Strategic Development Partner (Project Manager) to Phase 1 Gateway 5, Phase 2 gateway 3 and master plan feasibility support and to delegate authority to the Strategic Director for Growth and Regeneration to enter into a new agreement via NHS/SBS framework that allows for continuation of the SDP services through the various phases and gateways (and in line with Cabinet approvals and authority) until the completion of the Our Cultural Heart programme, subject to satisfactory performance in compliance with the Contract Procedure Rules and Financial Procedure Rules.
- 7) That approval be given to extend the appointments of the architect and the engineer to Phase 1 Gateway 5 for the monitoring roles, Phase 2 Gateway 3 and master plan feasibility support in compliance with Contract Procedure Rules and Financial Procedure Rules.
- 8) That the necessary council staff and resources be allocated to support the programme and that it be noted that, in the absence of sufficient internal resources, additional external resources will be sourced from existing/future framework agreements.

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- 9) That the museum and gallery capital development budget be noted and that approval be given to the expenditure to fund work to progress to Phase 2 Gateway 3.
- 10) That approval be given to explore interest from and negotiate with development partners to promote alternative complimentary use for the Queen Street plot, and that authority be delegated to the Strategic Director (Growth and Regeneration) to progress and draft contractual arrangements that will be submitted to Cabinet at a future gateway.
- 11) That approval be given to expenditure of £51.704m to progress Phase 1 to Gateway 5, to progress Phase 2 to Gateway 3 and to progress feasibility support on the rest of the master plan, in addition to the £18.055m that is already approved.
- 12) That authority be delegated to the Strategic Director (Growth and Regeneration) and the Strategic Director (Adults and Health) in consultation with the Service Director (Finance), to determine the service budgets associated with Phase 1 and Phase 2, and in acknowledging the context of the Council's Medium Term funding deficit, any additional budget provision required over and above existing budget provision will have to be met from savings elsewhere within the Council's budget.
- 13) That authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Cabinet Member (Finance and Regeneration) to conclude the social value strategy for Our Cultural Heart, including the mechanism for the administration of the Our Cultural Heart Fund.
- 14) That authority be delegated to the Strategic Director (Growth and Regeneration) to work within approved budgets to deliver the programme to Phase 1 Gateway 5, Phase 2 Gateway 3, and develop the master plan including appointing third parties which for Phase 1 includes the food hall operator, in compliance with the Contract Procedure Rules and Financial Procedure Rules.

Cabinet gave consideration to the exempt information at Agenda Item 14 (Minute No. 117 refers) prior to the determination of this item.)

111 Interim Housing Position Statement to Boost Supply

Cabinet gave consideration to a report which sought approval of the Council's Interim Housing Position Statement to Boost Supply. The Statement, which was appended to the report, had been formulated to be used in the determination of planning applications for housing development in the absence of a five year housing land supply.

The report advised that the five year housing land supply position demonstrated 3.96 years supply of deliverable housing sites, equating to a shortfall of over 2800 dwellings. Cabinet were advised that, in response to the absence of a five year land supply, the Statement had been produced as a mechanism for landowners, developers, agents and the public to submit planning applications for housing in sustainable locations.

The report explained that the Statement was one of a number of mechanisms aimed at addressing the shortfall in housing supply and that the Council was taking wider

actions to bring forward sustainable housing proposals and support housing delivery.

It was noted that, subject to approval, the Statement would be published on the Council's website and would be used in the determination of applications for housing development.

RESOLVED –

- 1) That approval be given to the Interim Housing Position Statement to Boost Supply, and its publication.
- 2) That authority be delegated to the Strategic Director (Growth and Regeneration) to make any necessary minor amendments and corrections to the document prior to publication.

112 19-33a John William Street, Huddersfield - Huddersfield Heritage Led Regeneration Grant Scheme (HLR) Grant offer

Cabinet gave consideration to a report which sought approval to grant support from the Huddersfield Heritage Led Regeneration Grant Scheme for a terrace of properties at 19-33a John William Street, Huddersfield. The report advised that the freeholder of the properties was seeking grant support of £610.5k for improvements to shop fronts, including building frontages and to provide new uses for empty properties within the Huddersfield Town Centre Conservation Area. Cabinet were advised that the buildings were listed Grade 2 due to significant architectural and historic interest and occupied a prominent position and key location within the town centre.

The report advised that, subject to approval, the commencement of construction was scheduled for March, with completion of the scheme scheduled for September 2024.

RESOLVED –

- 1) That approval be given to providing a HLRS grant to B&M Properties of £610.5k towards replacement shop fronts to 19-33a John William Street, as detailed within the report and Appendix 1 (exempt), and that Officers publish details of the subsidy on the national transparency database.
- 2) That authority be delegated to the Strategic Director (Growth and Regeneration) in conjunction with the Service Director (Legal, Governance and Commissioning) to agree and complete the grant agreement and other documentation necessary to enable the project to proceed and that the Service Director (Legal, Governance and Commissioning) be authorised to enter into the aforementioned documentation on behalf of the Council.
- 3) That, in the event that costs change, authority be delegated to the Strategic Director (Growth and Regeneration) in consultation with the Cabinet Member (Finance and Regeneration) the ability to vary the amount of grant subject to the funds being found from within existing grant scheme resources.

Cabinet gave consideration to the exempt information at Agenda Item 15 (Minute No. 118 refers) prior to the determination of this item.)

113 Implementing the Council's Vision for Adult Social Care

Cabinet received a report which proposed the undertaking of a transformation programme to further embed and refresh the previously agreed Council Vision for Adult Social Care and set out details of the proposed approach. The report outlined active pressures and requirement for change in Adult Social Care, which would be achieved through a transformation programme that further embeds and refreshes the Council's vision for Adult Social Care. The report advised that an externally run diagnostic of service provision, delivery models and financial efficiencies had been concluded and a range of identified proposals and opportunities had shaped the transformation programme.

The report explained that the transformation programme would seek to prevent, reduce and delay demand across the health and social care system in line with the existing Vision for Adult Social Care, with the aims of the broader Health and Care Partnership in Kirklees. Paragraphs 4.2 to 4.4 of the report detailed the key areas of focus of the programme and the technicalities of how the programme would operate.

The report proposed that, subject to approval, the foundations for implementation would be completed by March 2024 and the design, test, piloting, implementation and embed activity would commence by September 2024, with the new operating model being in place by March 2025.

RESOLVED –

- 1) That the findings of the diagnostic exercise as set out at Appendices B and C be noted.
- 2) That the proposed Transformation Programme to deliver operational and practice change in line with the Council's Vision for Adult Social Care be supported.
- 3) That authority be delegated to the Strategic Director (Adults and Health) in consultation with the Strategic Director (Resources), the Service Director (Finance), the Cabinet Member (Corporate Resources) and the Cabinet Member (Adult Social Care) to agree the final scale and nature of the transformation team (both re-prioritising the work of existing staff across the organisation and securing additional temporary capacity and capability as required).

114 Yorkshire Purchasing Organisation Management Agreement

Cabinet gave consideration to a report which sought approval of changes to the Yorkshire Purchasing Organisation Management Agreement. The report advised that the purchasing consortium was owned by Kirklees Council, along with twelve other local authorities, formed in 1974. The report explained that the changes were proposed following a review of governance arrangements that had been undertaken and had led to the Management Committee making recommendations to the owning Authorities that the Management Agreement be changed. The changes, as set out at paragraph 2.8 of the report, recommended that the membership of the Joint Committee be reduced from two to one member per authority and that the frequency of meetings and number of sub committees be reduced. Cabinet were advised that

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there were also changes to delegations and operating procedures that did not require changes to the Management Agreement.

It was noted that, subject to approval of the recommended changes, authority would be delegated to the relevant Service Director to sign an updated Management Agreement on behalf of the Council, subject to the agreement of all member authorities to enable the revisions to take effect.

RESOLVED –

- 1) That the changes recommended by Yorkshire Purchasing Organisation, as set out in the report, be noted and approved.
- 2) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to sign an updated Management Agreement on behalf of the Council, noting that all Member Authorities must be agreeable before the revisions can take effect.

115 Half yearly monitoring report on Treasury Management Activities 2023-24 (Reference to Council)

Cabinet received the mid year report on treasury management activity for the period 1 April to 30 September 2023 which provided assurance that the Council's treasury management function was being managed prudently and pro-actively. The report advised that external investments, including the £10.0m Local Authority Property Fund averaged £44.5m during the period at an average rate of 4.43% and that investments had ranged from a peak of £76.1m in April to a low of £25.8m in August.

The report provided an overview of the economic context, investment performance, revenue budget monitoring, borrowing strategy and performance and future treasury management strategy.

RESOLVED –

That the reported by noted and submitted to the meeting of Council on 17 January 2023.

116 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.

117 Kirklees Cultural Heart - part of the Huddersfield Blueprint - Phase 1 Gateway 4

(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

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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 7 (Minute No.110 refers).

118 19-33a John William Street, Huddersfield - Huddersfield Heritage Led Regeneration Grant Scheme (HLR) Grant offer

(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 9 (Minute No.112 refers).