

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

CABINET

Tuesday 5th November 2024

Present: Councillor Carole Pattison (Chair)
Councillor Moses Crook
Councillor Beverley Addy
Councillor Tyler Hawkins
Councillor Viv Kendrick
Councillor Amanda Pinnock
Councillor Graham Turner

Observers: Councillor Ammar Anwar
Councillor Bill Armer
Councillor Tanisha Bramwell
Councillor Andrew Cooper
Councillor Hanifa Darwan
Councillor Yusra Hussain
Councillor John Lawson
Councillor Jo Lawson
Councillor Susan Lee-Richards
Councillor Paul Moore
Councillor Imran Safdar
Councillor Cathy Scott
Councillor Angela Sewell
Councillor Joshua Sheard
Councillor Mohan Sokhal
Councillor Habiban Zaman

Apologies: Councillor Munir Ahmed

55 Membership of Cabinet

Apologies were received on behalf of Councillor Munir Ahmed.

56 Minutes of Previous Meetings

RESOLVED – That the Minutes of the Meetings held on 10 September and 8 October 2024 be approved as a correct record.

57 Admission of the Public

Cabinet noted exempt information was provided under items 9, 9 and 10.

58 Declaration of Interests

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Councillor Viv Kendrick declared an 'other' interest on agenda item 8 as a Member and President of Pennine Canoe Club, which was a former user of Dewsbury Sports Centre.

59 Deputations/Petitions

No deputations or petitions were received.

60 Questions by Members of the Public

Cabinet received written questions under Executive Procedure Rule 2.3

Question from Christine Cagna

"Your report states that there is a range of exercise offers in Dewsbury. Apart from private gyms which target a specific and narrow demographic, over the past year, what additional provision has been put in place?"

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

Question from Pat Lister

"I have been a regular attendee and user of Dewsbury Sports Centre for many years and attended eight classes per week mainly at Dewsbury (but also at Deighton Sports Arena and Batley Baths, both now closed). On reading the report and recommendations I realised that my data, potential income from my membership fees and future needs have not been taken into account and I feel I have been excluded from consultations and discussions on what I and other local residents in the wider North Kirklees area need. I would like to know why data, information on members, volumes, potential income from other users, residents and members from other Wards in North Kirklees has not been taken into account. Why has only data about the three named Dewsbury Wards formed the basis of the recommendations for Option 4 to close and demolish the Dewsbury Sports Centre?"

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

Question from Pat Lister

"Why has the report recommendation been made that there is currently sufficient alternative provision available in Dewsbury when those of us (who live in the other wards of North Kirklees & who were displaced by the closure of DSC struggle to find suitable accessible alternative provision in either North or South Kirklees, and Spenborough Leisure centre classes are often not suitable and those that are often oversubscribed. Why have the recommendations have been made without the correct data, incorrect information, and incomplete statistics to make an informed decision and without the correct processes and procedures being adhered to?"

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

Question from Iqbal Mohammed MP

“Could the Council provide a detailed breakdown of the quoted repair costs of £9-10 million, along with the projected annual running cost of £1.2 million? I would also request that this breakdown be published to ensure transparency and to support my formal submission to the Secretary of State for Culture, Media, and Sport. Following my recent meeting with the Secretary of State, I was asked to submit a comprehensive written request, and having full clarity on these financial details will be instrumental in presenting the case effectively.”

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Questions by Elected Members (Oral Questions)

Cabinet received oral questions under Executive Procedure Rule 2.3.

Question from Councillor J Sheard

“I have recently seen a planning decision relating to the use of the Nab Lane waste and recycling centre, which states that if the site ceases to be a household waste and recycling centre in excess of 12 months, the council is required to return the site to woodland. To return this site to woodland could cost more than the savings made due to the closure and could result in a huge net loss for the Council. Was the Cabinet aware of this planning decision before approving the decision to close the site?”

A response was provided by the Leader of the Council (Councillor C Pattison).

Question from Councillor T Bramwell

“Westborough and Dewsbury Moor was once a vibrant, quiet, family centred area that has been hijacked recently by relentless antisocial behaviour and crime with business owners facing multiple armed robberies and attacks which are increasing every day. Residents are facing fireworks being put through their letterboxes, fences are being kicked down, wheelie bins have been stolen and they are being threatened by ‘thugs’ with zombie knives. Are there any plans to prioritise safety in Westborough and will the Cabinet to support and work alongside residents and businesses to combat this?”

A response was provided by the Cabinet Member for Communities (Councillor A Pinnock).

Question from Councillor Jo Lawson

“With the abolishment of the winter fuel payment, an elderly person must have an income of £11,800 or below to qualify for pension credit in order to receive the winter fuel payment. When some try to claim pension credit, they find that they are a few pounds over the income limit. We know that 37% of people do not claim pension credit when eligible, with that figure possibly higher in Kirklees due to language difficulties, and areas of deprivation. What is the Council doing to help elderly people claim this benefit?”

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A response was provided by the Cabinet Member for Corporate (Councillor Tyler Hawkins).

Question from Councillor B Armer

“In relation to the recent budget statement what are the ramifications of changes to employer National Insurance contributions for adult social care in Kirklees?”

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

Question from Councillor A Anwar

“The Dewsbury Sports Centre (DSC) is on the boundary of Dewsbury Town. With the footfall likely to increase when the arcade reopens, would not the reopening of the DSC enhance these investments and contribute to the towns economic and social growth? What influence does the Council have to ask the Dewsbury Town Board to reconsider a boundary change to include DSC?”

A response was provided by the Cabinet Member for Finance and Regeneration (Councillor G Turner).

Question from Councillor A Cooper

“In the recent Government budget statement, it was announced that £600m would be made available for Adult Social Care. Employer National Insurance contributions will be covered for the Council by the Government, but not for the private sector, with the increase in the minimum wage also affecting the private sector more than the public sector. Bearing all those things in mind, will you now be reconsidering whether the Council should privatise Castle Grange and Claremont House?”

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

Question from Councillor C Scott

“Does the Cabinet believe all Section 106 agreements be made public, and should be public be made aware of how much the Council holds in relation to Section 106 money?”

A response was provided by the Cabinet Member for Finance and Regeneration (Councillor G Turner).

Question from Councillor H Darwan

“The cost of the refurbishment of the George Hotel has now spiralled by 50% in two years to £30m, with the Cabinet seeing it is a key part of the regeneration of Huddersfield Town Centre and a priority within the Huddersfield Blueprint. The repairs to DSC are £10m for a centre that loses £1m per year. Why can't the same be done for DSC and get a private investor to run it as part of a regeneration? Can

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you give a breakdown of the £10m needed for the refurbishment, how many quotes you obtained for the cost of repairs? Why can't the parking fees paid by Dewsbury residents be put back into DSC".

A response was provided by the Cabinet Member for Finance and Regeneration (Councillor G Turner).

Question from Councillor P Moore

"At the last Cabinet meeting we saw a debate on the privatisation of two dementia care homes where elected Members were silenced and threatened to be removed from the Council Chamber for wanting to ask further questions. Can the Council Leader offer me reassurances that democratic debate will be allowed to take place on the closure of DSC?"

A response was provided by the Leader of the Council (Councillor C Pattison).

Question from Councillor Y Hussain

"We have heard today from the public that certain sports centres are oversubscribed and with residents having to travel a distance to access sports centres. Could the Council look at scaling back operations at DSC instead of closing the site and converting part of the site to a more financially sustainable option?"

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

Question from Councillor H Zaman

"In light of public safety and the role the Council has in delivering the prevention agenda, can you clarify how many IDF soldiers reside in Kirklees?"

A response was provided by the Leader of the Council (Councillor C Pattison).

Question from Councillor John Lawson

"I have been in ongoing correspondence with Councillor Munir Ahmed who has confirmed there has been no change made yet in the refurbishment and replacement of the Oakenshaw Cross. I am still unsure whether it is highways or assets who oversee the refurbishment and replacement. Please could an invitation be passed on to Councillor Ahmed to meet with the residents of Oakenshaw ahead of the deputation at the next Council meeting?"

A response was provided by the Deputy Leader and Cabinet Member for Transport and Housing (Councillor M Crook).

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(Under the provision of Council Procedure Rule 36 (1), Cabinet received representations from Councillors Bramwell, Anward, John Lawson, Scott, Darwan, Moore, Zaman, Hussain, Jo Lawson and Sheard.)

(Under the provision of Council Procedure Rule 37, Cabinet received representations from C Cagna, P Lister, J Devlin and L Bramwell.)

Cabinet considered a report which outlined a range of options in relation to the future of Dewsbury Sports Centre (DSC). The options were detailed at paragraph 1.4 of the considered report, with the recommendation being the permanent closure of DSC based on critical factors such as financial constraints, the significant cost of refurbishing the facilities and the alternative provisions available in the area.

The report highlighted that prior to its closure, DSC was a significant loss-making site for Kirklees Active Leisure (KAL), operating at an annual revenue deficit of around £1.113m per annum. Cabinet noted the permanent closure would require an expected capital cost of £3.483m for the demolition of the wet site and negotiations with the Landlord regarding the dry side and wider building site.

RESOLVED –

- 1) That approval be given to permanently close Dewsbury Sports Centre and declare the existing buildings surplus to the Council's requirements.
- 2) That, subject to the approval of capital funding in the Council's revised Capital Plan at Council on 5th March 2025, approval be given to demolish the wet side facility.
- 3) That authority be delegated to the Executive Director for Place to initiate negotiations with the Landlord of the dry side building regarding the existing lease and the potential future redevelopment of the building and wider site.
- 4) That authority be delegated to the Service Director Legal, Governance and Commissioning to enter into and execute any necessary documentation or instruments in relation to the above matters.
- 5) That authority be given to write off KAL's outstanding borrowing costs of £126k for 2024/25 and a total cost of £697k until 2035 and that the adjustment be made to the Treasury Management budget to accommodate the change.
- 6) That authority be delegated to the Executive Director for Public Health and Corporate Resources to:
 - (i) work with partners, including funders such as Sport England and sporting governing bodies, to secure external investment enabling a programme of physical activity opportunities to be delivered in Dewsbury, and
 - (ii) begin a promotional campaign to highlight existing activities in the area, with proposals aiming to deliver a new style of provision to enhance health and wellbeing outcomes.
- 7) That authority be given to commission a strategic needs assessment to explore approaches to effectively address the health, well-being and social needs of the Dewsbury population.

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- 8) That the Integrated Impact Assessment which was appended to the considered report be noted.

63 **Buxton House Compulsory Purchase Order**

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

Cabinet considered a report which sought approval to make a Compulsory Purchase Order (CPO) for the acquisition of interests in land to enable the remodelling of Buxton House.

The report advised that the remodelling of Buxton House would address critical fire safety issues and create accommodation that met modern standards. Cabinet noted that it approved the budget allocation in July 2021 and the site assembly strategy in March 2024, with an agreement that a further report would be considered if it was necessary to make a CPO.

Cabinet noted that the CPO would cover the one leasehold flat in Buxton House that the Council had not yet required, with the other necessary acquisitions being achieved voluntarily. Cabinet was advised that the project was time sensitive and needed to progress to ensure it could be completed within the allocated budget and provide the new affordable housing.

RESOLVED –

- 1) That authority be given to the making of a CPO of the land shown coloured pink and edged red (“the Order Land”) on the plan considered at Appendix 3 under section 226(1)(a) of the Town and Country Planning Act 1990 for the reasons set out in the Statement of Reasons (Appendix 1) and because: -
 - (i) the acquisition would facilitate the development, redevelopment, or improvement (including regeneration) on or in relation to the Order Land; and
 - (ii) the development, redevelopment or improvement was likely to contribute to the achievement of the economic, social or environmental well-being of the Council’s area.
- 2) That the purchase of the ALB Group headlease will engage section 203 of the Housing and Planning Act 2016 and allow the Council to override rights to facilitate the temporary closure of the Albion Street Car Park to provide a site compound and safe working space be noted.
- 3) That it be noted compensation may be payable under section 204 of the Housing and Planning Act 2016 to those whose rights are interfered with from the project budget.
- 4) That authority be delegated to the Executive Director for Place in consultation with the Service Director Legal, Governance and Commissioning to: -
 - (i) take all necessary steps to secure the making, confirmation and implementation of the CPO, including, making further amendments by way of finalising the draft Statement of Reason

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the publication and service of all relevant notices and the presentation of the Council's case at any future local public inquiry;

- (ii) take all necessary steps to resolve any compulsory purchase compensation claims, including, if necessary, by way of making (or responding to) a reference to the Upper Tribunal (Lands Chamber);
- (iii) negotiate agreements to temporarily amend rights over the Albion Street Car Park: and
- (iv) make payment of any compensation due under section 204 of the Housing and Planning Act 2016.

- 5) That authority be delegated to the Service Director Legal Governance and Commissioning to finalise and enter into all appropriate contracts, deeds and documents required.

64 **George Hotel - Project update and proposed way forward**

(Under the provision of Council Procedure Rule 36 (1) Cabinet received representations from Councillors Sheard, Munro and Cooper.)

Cabinet considered a report which provided an update regarding the George Hotel project and sought approval for an increased capital allocation.

The report advised that the George Hotel remained a key Huddersfield Blueprint project, with the renovation transforming visitor and investor perceptions of Huddersfield Town Centre. Cabinet noted that it approved the refurbishment and development of the site in October 2022 with a capital allocation of £20.2m.

Cabinet was advised that since the approval was given to the redevelopment, increases in constructions costs and unforeseen occurrences on site such as the presence of asbestos and historical underpinning had resulted in the hotel development project cost increasing to £30m. A further £9.8m additional capital funding was therefore required to provide the total allocation of £30m.

RESOLVED –

- 1) That approval be given to the continued redevelopment of the George site as a hotel as a key part of the Huddersfield Blueprint.
- 2) That further to the approved £20.2million in the Capital Plan, approval be given to the reprofiling of £9.8million from future phases of the Our Cultural Heart budget within the Capital Plan to the George site project to provide a total budget of £30million.
- 3) That authority be delegated to the Portfolio Holder for Regeneration in consultation with the Executive Director for Place, Service Director for Finance, and Service Director for Legal, Governance and Commissioning to:

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- (i) approve any further increase in costs up to a maximum of 5% of the total project cost, accommodated through further reprofiling of the Capital Plan;

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- (ii) explore cost reduction and grant funding opportunities;
 - (iii) approve the final design; and
 - (iv) award the building contract subject to necessary consents.
- 4) That authority be delegated to the Executive Director for Place, and Service Director for Legal, Governance and Commissioning to: -
- (i) negotiate and enter into a variation to the Hotel Management Agreement within the limits of resolutions (2) and (3); and
 - (ii) negotiate and enter into License/Licenses and formal agreements with Network Rail to facilitate necessary access and egress.