

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 20th October 2015**

Present: Councillor David Sheard (Chair)  
Councillor Erin Hill  
Councillor Viv Kendrick  
Councillor Peter McBride  
Councillor Shabir Pandor  
Councillor Cathy Scott  
Councillor Graham Turner

Observers: Councillors Bolt, Cooper, Lawson, K Pinnock,  
Stewart-Turner and Taylor

**120 Membership of the Committee**

Apologies for absence were received from Councillors Steve Hall and Jean Calvert.

**121 Minutes of previous meeting**

The Minutes of the meeting held on 22 September 2015 were agreed as a correct record.

**122 Interests**

No interests were declared at the meeting.

**123 Admission of the Public**

All items were considered in public session at the meeting.

**124 Deputations/Petitions**

No deputations or petitions were received.

**125 Public Question Time**

No public questions were asked at the meeting

**126 Member Question Time**

No member questions were asked at the meeting.

**127 Built Leisure and Sports Facilities Strategic Framework**

Cabinet considered a report setting out the Built Leisure and Sports Facilities Strategic Framework, for Kirklees. The document, which had been produced in conjunction with Sport England and various sports stakeholders, provided a

comprehensive supply and demand overview of Built Leisure and Sports Facilities in and around Kirklees. The document also provided an evidence base to help inform the new Local Plan and support decision making regarding the future development of facilities which promote health and wellbeing across Kirklees.

In receiving the document Cabinet felt it would be useful if the framework could be made available on the Council's website for members of the public to access.

Cabinet were asked to endorse the publication of the Built Leisure and Sports Facilities Strategic Framework for use as a tool for decision making in relation to sports and health and wellbeing related activities in Kirklees.

**RESOLVED -**

(1) That the publication of the Build Leisure and Sports Facilities Strategic Framework be approved and that a copy of the framework be made available on the Council's website.

(2) That the authors of the report be thanked for all their work in producing the document.

**128 Mirfield Community Centre - Asset Transfer proposal and review of 2002 Cabinet decision regarding capital receipt.**

Cabinet considered a report setting out the proposal to transfer the land and buildings which currently made up the Mirfield Community Centre, Wateroyd Lane, Mirfield to the Mirfield Community Trust. Cabinet were also asked to consider a previous Cabinet decision taken in 2002, relating to any capital receipt generated from the disposal of Mirfield Community Centre.

The report set out information on the decision taken at Cabinet at its meeting on 22 October 2002 and went on to set out the current position in relation to the transfer of assets as a result of the Quirk Review (Community Management of Ownership of Public Assets) of 2007 together with the Council's Asset Advancement Policy, developed in response to this review. The report indicated that the Policy allowed for the transfer of assets either through long term leases or freehold transfer. But with Governance which restrict use to community use.

Cabinet were addressed by a number of representatives from the Mirfield Community Trust who had requested that the Council transfer the asset without the restrictive covenant to allow for the sale of the asset and use of the receipt to redevelop the Community Centre at Guilder Hall.

**RESOLVED -**

(1) That officers be authorised to transfer the freehold of Mirfield Community Centre, Wateroyd Lane, Mirfield to the Mirfield Community Trust for no premium, subject to a restrictive covenant that will prevent the premises being used for any other purpose than community use.

(2) That approval be given to the delegation of the authority of the Assistant Director for Physical Resources and Procurement and the Assistant Director of Legal, Governance and Monitoring to negotiate and agree the terms of the freehold

transfer that relate to the transfer of the Mirfield Community Centre to Mirfield Community Trust.

(This decision was subsequently called in in accordance with Overview and Scrutiny Procedure Rule and the implementation of the decision was suspended).

**129 Freehold Asset Transfer of Kirkburton Library**

Cabinet considered a report setting out the proposals to transfer land and buildings which currently make up Kirkburton Library, Turnshaws Road, Kirkburton, Huddersfield to the Kirkburton Parish Council with the use restricted for community use. The report outlined the principles of the community asset transfer, which involved transferring the ownership of land and buildings from a statutory body to a community organisation at less than best consideration, i.e. best less than full market value.

The considered report set out information on the business plan that had been put forward by Kirkburton Parish Council, in line with the requirements of the asset transfer policy, which had been assessed in accordance with the arrangements that were set out in the considered report.

It was noted that the Asset Board had endorsed the proposal contained in the report for the transfer of the asset subject to a restrictive covenant to prevent the building and land from being used for any other purpose than community use. The proposal recommended to Cabinet was also subject to the Parish Council entering into a lease back arrangement for the part of the building that is used as a library and information centre.

**RESOLVED -**

(1) That approval be given to officers being authorised to transfer the freehold of Kirkburton Library to the Kirkburton Parish Council for no premium/no consideration, subject firstly the requirement there should be a lease back of the part of the building that is used as a library and information centre, and secondly subject to a restrictive covenant that will prevent the building and land from being used for any other purpose than community use.

(2) That approval be given to the delegation of the authority of the Assistant Director for Physical Resources and Procurement and the Assistant Director of Legal, Governance and Monitoring to negotiate and agree the terms of the freehold transfer that relate to the transfer of Kirkburton Library to Kirkburton Parish Council.

**130 Bereavement Service Capital Plan 2015/16 & 2016/17**

Cabinet considered a report seeking approval of the Bereavement Service Capital Plan investment programme for 2015/2016 and 2016/2017 and also seeking delegated authority for an Assistant Director - Place Directorate to manage the programme as set out in the considered report. The full Bereavement Services Capital Plan allocation 2015-2017 was set out at Appendix A to the considered report.

**RESOLVED -**

(1) That approval be given to the schemes outlined at Appendix A of the considered report to enable further improve the facility standards and customer experience provided within the Council's Cemeteries and Crematoria.

(2) That approval be the delegation of powers set out in paragraph 2.6 and 2.7 of the considered report.

**131 Place Directorate Review of fees and charges**

A report was submitted to Cabinet seeking approval of a review of fees and charges for services provided by Place Directorate. The considered report set out information on proposed changes to existing fees and proposals to implement new fees and charges, which needed to be approved at Cabinet. The schedule setting out information on the proposed new fees and changes to fees and charges was attached to the considered report for consideration by Cabinet.

**RESOLVED -** That the fees and charges set out in the considered report be approved and implemented with immediate effect.

**132 Resettlement of Syrian Refugees in Kirklees**

Cabinet considered a report seeking approval to the Council's involvement in the Vulnerable Persons Relocation Scheme (VPRS) and the resettlement of 2 families (Kirklees taking part in a jail blazer) before Christmas 2015, followed by the resettlement of 50-60 individual Syrian refugees in year 1 and 50-60 individual in year 2 of the programme. The considered report set out information on the proposed programme and it was noted that this had been fully debated at the meeting of Council in October 2015.

The considered report provided information on the Vulnerable Persons Relocation Scheme, the profile of arrivals within Kirklees and information on the Central Government Funding Scheme and work currently taking place in Kirklees.

**RESOLVED -**

(1) That approval be given to the Council's involvement in the Vulnerable Persons Relocation Scheme and acceptance of funding from the Home Office together with the re-settlement of 2 families before Christmas 2015, followed by further re-settlement in Kirklees as set out in the considered report.

(2) That any amendments to the Kirklees Council's involvement in the Vulnerable Persons Relocation Scheme be delegated to the Chief Executive.

(3) That the Council's involvement in the Vulnerable Persons Re-location Scheme be kept under review as stated in the considered report.

**133 Update of Highways Capital Plan 2015/16**

Cabinet were asked to give consideration to an update of the detailed Highways Capital Plan for 2015/2016, which was attached to the considered report for consideration. Cabinet were reminded that the Capital Plan was the investment scheme in the Highways Asset within Kirklees, that included roads resurfacing, street lighting structures, road safety, encouraging walking, cycling, drainage, traffic

signals, car parking and public transport provision. The considered report provided information on the progress that had been made to date and sought approval of the revised Capital Plan as attached at Appendix A to the considered report.

**RESOLVED -**

(1) That additional grant income in the sum of £220,000 that has been applied to the Highways baseline allocation for 2015/2016 be noted.

(2) That the £232,000 revenue contribution to capital applied to the baseline allocation for 2015/2016 be noted.

(3) That approval be given to the detailed Capital Plan in the sum of £17,680,000 as set out in Appendix 1 of the considered report.

**134 School Funding Formula for the financial year 2016/17**

Cabinet considered a report providing information on the continued implementation of the Kirklees School Funding Formula during 2015, which had first been introduced by the Department for Education in 2013/2014. The report went on to provide information on Department for Education changes which had impacted on School Formula Funding over 2015/2016 and provided information and made a recommendation on the Kirklees School Funding Formula for 2016/2017.

The considered report sought approval of the Kirklees School Funding Formula in terms of specific funding factors to be used and the estimate relative weightings and values of the funding factors, exceptions applications to the Education Funding Agency, centrally retaining dedicated to school grant provision and delegation arrangements, on which information was provided in the report. Cabinet were asked to approve the Kirklees School Funding Formula for 2016/2017, for submission to the Education Funding Agency within the required set deadlines.

**RESOLVED -**

(1) That minor changes required by and as a result of DFE funding rules relating to Kirklees Schools Funding Formula and funding levels set out in the report be noted.

(2) That the consultation process undertaken in collaboration with head teachers, through Schools Forum, to oversee the ongoing impact of the agreed Kirklees funding formula be noted.

(3) That exception applications to the Education Funding Agency as set out at paragraph 6.2 within the recommendations of the report be noted.

(4) That approval be given to the continued use of the current Kirklees School Funding Formula for 2016/2017 for submission to the Education Funding Agency.

**135 Appointment of Education Admission Appeal Panel Members - Delegation to Officers**

Cabinet considered a report seeking clarity to delegate authority to the Assistant Director of Legal, Governance and Monitoring to appoint, renew and terminate the appointments of members of the Education Admission Appeals Panel. The report indicated that, currently reports were submitted to Cabinet to seek the appointment

of Panel members following the completion a recruitment process managed by Legal and Governance Services. The report advised that the delegation of authority to the Assistant Director of Legal, Governance and Monitoring would enable the flexibility for decisions to be taken at appropriate times that are not governed by the meeting schedule for Cabinet and that this was in line with practice in other Local Authorities.

**RESOLVED -**

That approval be given to the delegation of the Authority to the Assistant Director of Legal, Governance and Monitoring to:

\* Appoint members to the Education Admission Appeal Panel for a period of up to 3 years.

\* Review appointments for a period of up to 3 years.

\* Where necessary, terminate the appointment of members of the Education Admission Appeal Panel in the event that they are not performing appropriately.

**136 Scrutiny Report - Town Centre Strategy**

Cabinet considered a report updating Cabinet on the Town Centre Strategy Scrutiny review and setting out recommendations that had been made by the review for consideration and implementation by Cabinet. The Chair of Overview and Scrutiny Management Committee was in attendance at the meeting to provide information on the report and the recommendations contained therein.

**RESOLVED -** That the recommendations set out within the report of the Scrutiny Review of Town Centre Strategy be agreed in principal, subject to further work being carried out to look at the practical and financial implications of carrying out the recommendations.

**137 Scrutiny Report - The Future of Museums and Galleries**

Cabinet considered a report updating Cabinet on the Future of Museums and Galleries Scrutiny Review and presenting the recommendations of the review for consideration by Cabinet.

The considered report set out the Terms of Reference that had framed the work of the Scrutiny review and provided information on the recommendations that had been made arising from their work.

The Chair of Overview and Scrutiny Management Committee was in attendance at the meeting and provided information on the work of the review group.

**RESOLVED -** That the report into the Scrutiny Review into the Future of Museums and Galleries in Kirklees be welcomed and accepted.

**138 Parks & Greenspace Refurbishment Programme 2015/16**

Cabinet considered a report seeking approval to the Streetscenes Parks Capital Plan expenditure programme for 2015/2016. The considered report indicated that the Parks Capital Plan had an allocation of £150k for 2015/2016 and had a schedule attached providing information on the Capital allocation of £144,695 in the play

areas improvements, young people facilities improvements, park and recreation ground refurbishment programme schemes and sport facilities improvements.

**RESOLVED** - That approval be given to work programmes as set out in the considered report in relation to Parks and Greenspace Refurbishment in 2015/2016.

**139 Local Growth Funding for Kirklees Housing Sites**

Cabinet considered a report providing information on funding from the Leeds City Region Local Growth Fund for site preparation and accept works to 3 Council owned sites at Ashbrow, Batley East and Newsome. The considered report provided information on work being undertaken at the 3 sites in question at Bradley Boulevard, Ashbrow, Grange Road Soothill, Batley and the former style common school at Newsome, Huddersfield. The report went onto provide information on the terms of the successful application from the Leeds City Region Local Growth Fund and recommended that the Director of Resources be given delegated authority to finalise the terms of the loan and agreement.

**RESOLVED** - That the successful application from the Leeds City Regions Local Growth Fund be noted and that the Director of Resources be given delegated authority to finalise the terms of the loan and agreement and, subject to the Director of Resources being satisfied with the terms, to sign the loan agreement so as to allow funding to be drawn down and the off-site highways works for the large housing sites to be progressed.