

Contact Officer: Andrea Woodside

## **KIRKLEES COUNCIL**

### **CABINET**

**Tuesday 17th November 2015**

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

**140 Membership of the Committee**

All Members were present.

**141 Minutes of previous meeting**

**RESOLVED** – That the minutes of the meeting held on 6 October 2015 be approved as a correct record.

**142 Interests**

No interests were declared.

**143 Admission of the Public**

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

**144 Deputations/Petitions**

Deputations were received from Jenny Tomlinson Walsh and Chris Strachen in relation to Agenda Item 8 (Minute Number 148 refers).

**145 Public Question Time**

No questions were asked.

**146 Member Question Time**

No questions were asked.

**147 Clarification to Cabinet following the scrutiny call in on 23rd October 2015 on the Future Library Provision**

(Under the provision of Council Procedure Rule 36(1) the Cabinet received a representation from Councillor Light. Under provision of Council Procedure Rule 37 Cabinet received representations from Jenny Thomlinson-Walsh and Chris Strachen)

Cabinet received a report which provided clarification following the Call-in of a decision relating to Future Library Provision.

The report set out the recommendation of the Call-in hearing, which requested that (i) there be a clearer clarification of the 2 tier model of services (Town And Community Supported Libraries) being proposed so that the public could clearly understand the rationale and service offer that could be expected and (ii) that the libraries be reviewed and categorised in line with a clear definition and that paid staff hours be allocated appropriately.

Paragraph 2 of the report set out clarification of the 2 tier model, providing definitions of Town Libraries and Community Supported Libraries / Information Centres. The report also set out a rationale for the proposed opening hours.

The report provided a recommended library categorisation and that the hours allocated to each library be as set out in option 2 of the considered report.

**RESOLVED -**

(1) That, pursuant to the Call-In Scrutiny meeting held on 23 October 2015, the categorisation of libraries be confirmed as follows;

(a) Town Libraries – Batley, Birstall, Cleckheaton, Dewsbury, Heckmondwike, Holmfirth, Huddersfield and Mirfield

(b) Community Supported Libraries – Almondbury, Birkby, Chestnut Centre, Denby Dale, Golcar, Greenwood Centre, Honley, Kirkheaton, Kirkburton, Lindley, Marsden, Meltham, Rawthorpe/Dalton, Shepley, Skelmanthorpe and Slaithwaite.

(2) That the hours allocated to each library be as set out in Option 2 of Appendix C to the report, subject to the amendment of the hours for Denby Dale being 15.

**148 Overview and Scrutiny Management Committee - Recommendations from Call-In Hearing - Future Library Provision**

(Under the provision of Council Procedure Rule 36(1) Cabinet received a representation from Councillor Stewart-Turner in her capacity as Chair of Overview and Scrutiny Management Committee)

Cabinet received a report which set out the decision and recommendations of the Overview and Scrutiny Management Committee following its consideration of a Call-in in respect of the decision made by Cabinet on 22 September 2015 on Future Library Provision.

The findings and conclusions of the Committee were set out at paragraphs 2.5 and 2.6 of the report. Having given regard to this detail the Committee recommended

that (i) there needed to be a clearer definition of the 2 tier model of services of Town and Community Supported Libraries being proposed so that the public could clearly the rationale and the service offer that could be expected and (ii) that once a definition had been clarified, Cabinet should review and categorise the different libraries in line with the clear definition and that paid staff hours should be allocated appropriately.

Cabinet received an overview of the report from the Chair of the Overview and Scrutiny Management Committee.

**RESOLVED** - That the recommendations of the Scrutiny Panel, as referred to be noted and that the decision of Cabinet be clarified as specified in the decision as set out at Agenda Item 8.

**149 Housing Delivery Programme Update**

Cabinet received a report which provided an update on progress in developing and delivering proposals to address the housing crisis in Kirklees as referred to in a Motion submitted to Council on 5 November 2014. The report also proposed the disposal of a Council owned site at Ashbrow for a proposed housing development.

The report set out detail on progress on housing delivery projects including key achievements since November 2014. It advised that the programme forecast to build 1,254 new homes in Kirklees, representing a total investment of over £100m. It was noted that, based on current policy, it would bring £8.4m in the new homes bonus over 6 years and that approximately 1,900 new jobs would be created by the housing programme.

The report also provided information on identifying sites for private sector houses, addressing fuel poverty, maximising inward investment and use of housing revenue account resources, a long term strategic approach to developing housing options and working with responsible private landlords.

**RESOLVED -**

(1) That the progress made in relation to the housing delivery projects be noted.

(2) That authority be delegated to the Director of Place and the Assistant Director of Place, in consultation with the Cabinet Member for Housing, to take the necessary actions to continue to progress the activities and projects noted in the report.

(3) That the outcome of the public open space advertising process for the Ashbrow site be noted.

(4) That authority be delegated to the Director of Place and the Assistant Director of Place in consultation with the Cabinet Member for Housing to procure a delivery partner for the site at Ashbrow to include the finalising of a shortlist of bidders for the proposed housing scheme at Ashbrow and to carry out the tender stage of the process to appoint a delivery partner.

(5) That approval be granted for the Council to enter a development agreement with the appointed delivery partner and to dispose to the delivery partner (whether by

freehold transfer or the grant of a long leasehold interest) all or part of the Ashbrow site.

(6) That authority be delegated to the Director of Place and Assistant Director of Place to negotiate and agree the terms of the documents disposing all or part of the Ashbrow site any other relevant documents that relate to the development of the Ashbrow site by the appointed delivery partner.

(7) That authority be delegated to the Assistant Director Legal, Governance and Monitoring, to enter into and execute the documents disposing of all or part of the Ashbrow site and any other relevant documents that relate to the development of the Ashbrow site by the appointed delivery partner.

(8) That approval be given to the carrying out of enabling works as referred to in clause 3.7.2 of the report.

(9) That Officers be requested to prepare a further progress report for consideration by Cabinet at a time to be agreed by the Lead Member for Housing and the Director of Place.

**150 North Kirklees Housing and Enterprise Growth Zone**

(Under the provision of Council Procedure Rule 36(1) Cabinet received a representation from Councillor Light)

Cabinet received a report which outlined proposals to bring about a long term sustained transformation of North Kirklees, based on a concept of creating a housing and enterprise growth zone, linked to a programme of regeneration and renewal.

The report set out a number of recommendations as broad principles that would form the basis of an integrated strategy, which would be developed to address a number of issues, including providing major employment opportunities linked to housing growth and revitalising urban centres by creating town centres that are fully occupied with a consolidated retail and commercial core.

Cabinet noted that this was the first in a series of more detailed policy reports and proposals that would build on the priorities laid out within the Kirklees Economic and Health and Wellbeing Strategies.

**RESOLVED -**

(1) That the concept of a Housing and Enterprise Growth Zone be agreed in principle for consultation, subject to finalisation and adoption of the local plan.

(2) That the draft vision statement, aim and core objectives for the strategy development be discussed and agreed.

3) That a series of objectives that will guide and deliver sustained growth be agreed, which may include:

- (a) A focus for housing and economic growth - thus delivering long term sustainable jobs and providing a funding mechanism to initially revitalise Dewsbury's urban core.
- (b) A key strategic employment location within the LCR.
- (c) A location that will be fully exploited to ensure it is seen as a key transport node for both road and rail (connecting to HS2, Leeds and other regional centres and the wider north of England), being only 15 minutes from Leeds by rail.
- (d) Dewsbury to be seen as a primary economic and service centre, with a town centre that is fully occupied through increased housing and leisure provision, with a consolidated retail and commercial core.
- (e) The final objectives to be set out in a future report.

(4) That an integrated approach be progressed aligning growth and renewal through a single overall investment and development programme for Dewsbury and North Kirklees, with a prioritised timetable, associated delivery plan and dedicated resource, minimising risks and maximising opportunities.

(5) That a bespoke local delivery model and financial strategy to support the delivery of proposed plans be developed.

(6) That the leadership, governance, staffing and management arrangements be considered and that this be subject of a further report incorporating a review of partners/potential partners and interface with the local communities.

#### **151 Place Directorate - Review of Fees and Charges**

Cabinet received a report which sought approval for the review of fees and charges for services provided by the Place Directorate in order to ensure that changes were in line with policy decisions and inflationary elements.

The proposals for amended fees and charges, to be effective from 1 December 2015 were appended to the report.

**RESOLVED** - That the changes to fees and charges within the Place Directorate, as set out within the considered report, be approved and implemented with effect from 1 December 2015.

#### **152 Update on the Decision about the Proposer who has been agreed to run a new 630 Place Primary Free (Academy) School in Huddersfield South West by the Regional Schools Commissioner**

Cabinet gave consideration to a report which provided an update on the decision of the Regional Schools Commissioner on proposals to establish the new 630 Primary Free (Academy) School for pupils aged 4 to 11 years to serve the Huddersfield South West area.

Cabinet noted that the proposer had submitted an application which had met the Council's assessment criteria as detailed within the report. The report advised that the proposer's application provided strong detailed and credible evidence that the Multi Academy Trust would be able to raise educational standards in the area by adding high quality places that would complement provision that already exists in Huddersfield South West. It stated that the Regional Schools Commissioner, via the DfE, had now informed the Local Authority of the decision to approve Moor End

Academy Trust to run the new school. It indicated that to move the project into the pre-opening phase the Council would work collaboratively with Moor End Academy's Trust, the DfE and local families and schools to begin implementation in order for the first cohorts of Reception children to be admitted from 1 September 2016.

**RESOLVED -**

(1) That it be noted that the decision of the Regional Schools Commissioner is in line with the recommendations of the Council, following a first stage review of the proposal.

(2) That it be noted that Officers would work in partnership with Moor End Academies Trust to deliver the new pupil places to be available from September 2016.

**153 Proposed land and asset disposal of Fartown High School to the North Huddersfield Trust**

Cabinet gave consideration to a report which advised of the key outcomes of negotiations pertaining to the terms of the transfer of ownership of the land and buildings that formed Fartown High School, to the North Huddersfield Trust in order to establish North Huddersfield Trust School.

The report advised that North Huddersfield Trust did not support the restriction of the use of playing fields as this would not allow flexibility to use playing fields other than for educational purposes. It indicated that the Trust did not object to having appropriate safeguarding in place to ensure the playing fields were first offered back to the Council, free of restriction and at no cost, should the school cease to use them. Cabinet noted that officers had developed an option agreement that was appropriate to ensure that this mechanism could occur. The report indicated that, through discussions with the DfE, officers had obtained the relevant statutory consent in order to complete the ownership transfer and subject to approval, the terms would be finalised to execute the transfer.

**RESOLVED -**

(1) That the progress in regard to completing the transfer of the assets to the North Huddersfield Trust School, and matters relating to the playing fields, be noted.

(2) That Officers be authorised to proceed with the transaction and complete all necessary documentation without including in the transfer a restriction on use, but protecting the Council's interests by ensuring that if the playing fields are no longer to be used for educational purposes the Council has an option to re-acquire the playing field at no cost.

**154 Kirklees Playing Pitch Strategy**

Cabinet gave consideration to a report which sought approval of the Kirklees Playing Pitch Strategy. It was noted that officers had worked with Sport England and representatives from a number of sports national governing bodies to develop the strategy which provided a comprehensive supply and demand overview of playing pitches, alongside technical assessments to determine pitch quality which directly impacted upon the capacity that each pitch carries.

The report advised that the information provided an evidence base to help understand the current position of the existing playing pitch stock, to inform the new local plan, and to support decision making regarding where and what future pitch provision was required to support participation in a number of sports in the future.

The Kirklees Playing Pitch Strategy and action plan, dated September 2015 was appended to the report.

**RESOLVED** - That approval be given to the publication of the Playing Pitch Strategy.

**155 Sycamore Recreation Ground**

(Under the provision of Council Procedure Rule 36(1) Cabinet received a representations from Councillors Sims and Patrick).

Cabinet received a report which advised of the representations made in response to consultations and statutory notices concerning the lease of parts of Sycamore Recreation Ground, New Mill Road, Wooldale, Holmfirth, which comprised public open space.

Following a representation from Councillor Patrick, that his comments to the consultation had not been presented within the context of the report, Cabinet agreed to defer the consideration of the item to request that the report be amended to include such information.

**RESOLVED** – That the item be deferred.

**156 Capital Investment Plan 2015/16 - 2019/20 - Quarter 2 Capital Monitoring 2015/16**

Cabinet received a report which detailed the Corporate Monitoring Report for Quarter 2, 2015-2016, in accordance with Financial Procedure Rules and the Prudential Code for Capital Finance.

The report highlighted that (i) at the end of the second quarter, actual expenditure was £31.6m, representing 27.9% of budget, (ii) that projected year end expenditure stood at £98.1m against a current budget allocation of £113.5m and that this variant of -£15.4m represented 13.5% of the total budget and (iii) that the majority of the reported variants related to slippage rather than anticipated scheme underspend.

Cabinet noted that it was proposed that a review of 2015-2016 capital schemes be undertaken later in the year in order to identify any 'uncommitted' resources that could potentially be used to reduce overall corporate borrowing costs.

The report also provided updated information on the capital budget, monitoring of corporate capital expenditure 2015-2016 overall position, the historical trend of monitoring to outturn, retrospective reporting on capital varments and prudential indicator monitoring as detailed in Appendix 3 of the report.

An analysis of variances from the Capital Plan was set out at Appendix 1 of the report, an analysis of major variances were described in Appendix 2.

**RESOLVED -**

(1) That the Capital Monitoring Report be noted.

(2) That a review of 2015/2016 capital under-spends be undertaken in order to identify any uncommitted resources that could potentially be used to reduce overall corporate borrowing costs.

(3) That the Prudential Indicator information be noted.

**157 Half yearly monitoring report on Treasury Management Activities 2015/16**

Cabinet received the half yearly monitoring report on Treasury Management activities 2015-2016, covering the period of 1 April to 30 September. The report set out information on interest rates, investment and borrowing activities, budget monitoring, prudential indicators, and risk/compliance issues.

The report also provided an update on fossil fuel divestment further to the Motion of Council on 7 October 2015.

**RESOLVED -** That the report be noted and submitted to the meeting of Council on 9 December 2015.

**158 Corporate Revenue Financial Monitoring Report, Quarter 2, 2015-16**

Cabinet received the second of a quarterly cycle of consolidated Revenue Budget Monitoring Statements to be presented during the financial year. The report, and accompanying appendices, presented an overall forecast revenue outturn for 2015-2016, as at Quarter 2, including commentary on emerging developments and risks.

An update summary on the Council's reserves was attached at Appendix A of the report.

**RESOLVED -**

(1) That the forecast position at Quarter 2 for the general fund, housing revenue account and collection fund be noted.

(2) That the approval be given to the drawdown of £6.3m from earmarked reserves for volume and/or service pressures.

(3) That up to £805k commitments to date against the £2.85m New Council Developments Reserve be noted.