

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 21st August 2018**

- Present: Councillor David Sheard (Chair)  
Councillor Musarrat Khan  
Councillor Naheed Mather  
Councillor Peter McBride  
Councillor Graham Turner
- In attendance: Councillor Elizabeth Smaje  
Councillor Mohan Sokhal  
Councillor John Taylor
- Apologies: Councillor Shabir Pandor  
Councillor Masood Ahmed  
Councillor Erin Hill (Currently on Maternity Leave)  
Councillor Viv Kendrick  
Councillor Cathy Scott

- 30 Membership of the Committee**  
Apologies for absence were received on behalf of Councillors Hill, Ahmed, Kendrick, C Scott and Pandor.
- 31 Minutes of previous meeting**  
**RESOLVED** - That the Minutes of the Meetings held on 29 June and 10 July 2018 be approved as correct records.
- 32 Interests**  
No interests were declared.
- 33 Admission of the Public**  
It was noted that Agenda Items 20, 21, 22, 23 and 24 would be considered in private session (Minute No's 49 to 53 refer).
- 34 Deputations/Petitions**  
No deputations or petitions were received.
- 35 Public Question Time**  
No questions were asked.
- 36 Member Question Time**  
No questions were asked.

**37 Proposed appropriation of Cemetery Road Allotments, Huddersfield**  
(Under the provision of Council Procedure Rule 37, Cabinet received representations from local residents Debby Fulgoni and Jonathan Adamson).

Cabinet gave consideration to a report which sought approval of the appropriation of a defined section of Cemetery Road Allotments, Huddersfield, from general estate purposes to education purposes, in order to facilitate the redevelopment of the land to create playing fields and car parking provision for a new primary school to be built on adjacent land.

The report advised that the need to appropriate a defined part of the allotments arose from; (i) ownership of the playing fields and allotments needed for the new school (ii) the land requirements for a new primary school in order to ensure that it provides full on site access to the curriculum and (iii) the need to meet Sport England requirements to replace playing field land lost to development with land of equivalent size and quality.

The report advised that the recommendations would enable the Council to enact its decision to build a 420 place primary school (Brambles Primary Academy), with associated playing fields and other ancillary provision, on the Clare Hill site. The report advised that, as a consequence, fourteen allotment holders would be displaced but that they would be provided with alternative plots within the site.

It was noted that, subject to approval, work would be undertaken to complete the appropriation process, and that a further report would be submitted during Autumn to seek approval for contracting and the investment of approximately £11m in new school facilities.

**RESOLVED -**

- 1) That the responses to the non-statutory advertisements, as listed in the Huddersfield Examiner on 16, 21 and 23 March 2018, which gave notice of the Council's intention to appropriate the land edged blue, as set out at Appendix C to the considered report, from general estates purposes to education purposes, be noted.
- 2) That, having considered the responses pursuant to (i) above, authorisation be given to the appropriation of the land edged in blue, as set out at Appendix C, from general estates/temporary allotment purposes to education purposes, to enable the provision of playing fields and other ancillary uses for the new Brambles Primary Academy pursuant to Section 122 of the Local Government Act 1972 with effect from the date that Officers complete the formal appropriation.
- 3) That Officers be authorised to provide a formal three months' notice to the affected plot holders to quit the plots and to work with the plot holders to ensure a smooth transition to the new allotment plots.
- 4) That Officers be authorised to defend any Judicial Review in relation to the appropriation decision, in a manner that protects the Council's stated legal position regarding the current status of the existing allotments as general estates purpose for temporary allotments and not statutory allotments.

**38 Kirklees Libraries Service Redesign**

(Under the provision of Council Procedure Rule 37, Cabinet received a representations from Jeremy Cuss and Jennifer Madden. Under the provision of Council Procedure Rule 36(1) Cabinet received a representations from Councillors Smaje and J Taylor).

Cabinet gave consideration to a report which set out proposals for the next stage in the re-design of the Council's library service. The report set out a summary of the findings of a twelve week consultation which had taken place between 8 January and 2 April 2018, the outcomes of which had been analysed by Qa Research Consultants. The summary of the findings were set out at paragraph 2 of the considered report.

In terms of library service delivery, the report advised that the library service budget had reduced by 43% and, based upon the Medium Term Financial Plan, would need to reduce further next year to meet an overall reduction of 63%. The report advised of the following proposed framework for the redesign of the service; (i) libraries must be situated in the right building, in the right place, in order to meet community needs and maximise the impact upon early intervention and prevention (ii) libraries should be situated, where possible, on one floor to ensure an efficient and cost effective delivery model (iii) a local plan should be developed for each area to reflect the differing needs of each community (iv) staff should be equipped and supported to deliver on the future library strategy, and job profiles should reflect the future roles needed to deliver the new service (v) the services and activities provided must meet the Council's outcomes.

The report advised that, subject to approval of the recommendations, further discussion would take place with Library Friends of Groups, stakeholders and partners in order to determine place based solutions for communities, including local level reviews of the locations and sustainability of the accommodation of each library.

**RESOLVED -**

- 1) That approval be given to the framework, as set out in paragraph 2.4 of the considered report, and that there be a period of time to establish how the service, with support from communities and partners, will contribute towards Council priorities and outcomes in a local context with reduced financial resource.
- 2) That approval be given to the procurement of an external partner to provide the Home Service, on behalf of the Council.
- 3) That the current library fine charging system be reviewed.
- 4) That the risks as set out at paragraph 2.2 of the considered report and that it be agreed that the Council retains the delivery of service provision.
- 5) That authority be delegated to the Strategic Director (Adults and Health), in consultation with the Cabinet Member for Corporate Services, to make individual change service decisions.

**39 The New Spen Valley Leisure Centre**

Cabinet gave consideration to a report which sought approval to progress to the detailed design stage for a new Spen Valley Leisure Centre.

## **Cabinet - 21 August 2018**

The report advised that the existing leisure facilities were in need of replacement and that an appraisal had identified the most suitable location for the new facility to be the site of the current swimming pool. Consequently, it would be necessary to close the existing pool facilities for a period of approximately two years. Cabinet noted that the proposed closure would have an impact upon Spenborough Swimming Club, Kirklees Active Leisure, schools and the public, and that measures would be put in place to mitigate the short term negative impact. It was noted that, in the longer term, the facility would provide positive financial, health and social outcomes.

Cabinet were advised that the new leisure centre would contain a mix of facilities including an eight lane swimming pool, a learner pool, a fitness gym, two exercise studios and a spin studio. The proposed timescale for works, which scheduled the new centre opening for September 2021, was set out at paragraph 2.14 of the considered report.

The report requested that Cabinet approve a capital budget of £15m for the construction of the new facility upon the existing site, and authorise the detailed design stage.

### **RESOLVED -**

- 1) That approval be given to a capital budget of £15m for the delivery of the new Spen valley Leisure Centre, and associated revenue financing costs.
- 2) That it be noted that the approximate two year closure will have a financial impact upon Kirklees Active Leisure (KAL), but that Officers will work with KAL to understand the impact, provide support and develop mitigation measures that will lessen the impact upon both the Council and KAL.
- 3) That the requirement for a cumulative £100k revenue budget, over the next four financial years, starting in 2019/20, for additional costs for marketing, communications, stakeholder engagement and potential relief support costs.
- 4) That Officers be authorised to progress the project into the detailed design, planning application and tender stages.
- 5) That Officers be requested to develop detailed stakeholder engagement and communications plans for future consideration.
- 6) That it be noted that Cabinet will receive further reports as the project develops setting out updates on progress.

## **40 Kirklees Council Fire Safety Policy**

The Committee gave consideration to a report which introduced an updated Fire Safety Policy, which discharged the Council's responsibilities in relation to fire safety, including a policy statement, details of organisational structure, roles and responsibilities. Cabinet were asked to give approval to the refreshed policy and delegate approval of supplementary documentation which would be regularly updated in accordance with changes to working practices. The policy was attached at Appendix A of the considered report.

The report advised that the aim of the policy was to enable the Council to discharge its legal obligations, particularly those contained within the Regulatory Forum (Fire Safety) Order 2005. It was noted that, in addition to the policy, a detailed

## **Cabinet - 21 August 2018**

supplementary guidance note had been produced which provided further background information and guidance for services, alongside other site specific documents.

Cabinet were advised that the implementation of the policy would require additional resources and that capital resources of £3m had been identified within the (February 2018) Capital Plan. It was noted that a further report would be submitted to Cabinet in the autumn setting out the planned expenditure of the funding.

### **RESOLVED -**

- 1) That approval be given to the updated Corporate Fire Safety Policy, as attached at Appendix A of the considered report, and that Officers be authorised to implement the policy.
- 2) That authority be delegated to the Strategic Director (Economy and Infrastructure) to approve the Supplementary Fire Guidance documentation, and make amendments as necessary.
- 3) That the legal and financial implications of the policy, as set out at paragraphs 3.1 and 3.2 of the report be noted.

#### **41 Dewsbury Heritage Action Zone**

Cabinet received a report which provided an update on the Dewsbury Heritage Action Zone and sought approval of actions that would assist in the effective, efficient and timely implementation of the Heritage Action Zone and wider regeneration of Dewsbury Town Centre.

The report sought approval to accept a grant offer from Historic England's Partnership Scheme in Conservation Area that would provide £550k of funding for the Heritage Action Zone (HAZ).

It also requested that the Council funds allocated for the HAZ could be used for a range of activity that would assist in the delivery of the HAZ objectives including offering a range of financial support options to enable projects to be progressed. The report also proposed that the 'private sector housing-other' element of the approved capital plan, and the HAZ fund, could be used to fund the acquisition of key properties to contribute towards HAZ objectives and wider regeneration objectives. Paragraph 5 of the considered report provided an outline of the proposed next steps for several individual HAZ projects.

### **RESOLVED -**

- 1) That it be agreed that the Council funded part of the Heritage Action Zone (HAZ) can be used to support a variety of interventions that support delivery of the HAZ objectives, as outlined in paragraphs 2.10-2.16 of the considered report.
- 2) That the Service Director (Economy, Regeneration and Culture), or, the Service Director (Housing), in consultation with relevant Cabinet Members, be authorised to approve individual items of expenditure of up to £500k from within the HAZ fund, the 'Private Sector Housing – Other' and 'Regeneration of Strategic Town Centre – Dewsbury' elements of the approved capital plan.
- 3) That the offer of the grant from Historic England be accepted to enable the effective delivery of the programme.

## Cabinet - 21 August 2018

- 4) That the Service Director (Economy, Regeneration and Culture), or, the Service Director (Housing), be authorised to negotiate and agree the terms of the grant offer from Historic England.
- 5) That the Service Director (Legal, Governance and Commissioning) be authorised to enter into any related funding or ancillary agreements(s) with Historic England.
- 6) That approval be given to the principle of acquiring key properties within the HAZ, as set out within the considered report, and that the Service Director (Economy, Regeneration and Culture) or the Service Director (Housing), in consultation with the relevant Cabinet Member(s) agree individual purchases.
- 7) That approval be given for the property acquisitions, and any related works described in the considered report, to be funded from capital plan allocations, as detailed in paragraph 3.5.
- 8) That approval be given to the principle of acquiring key properties within the HAZ by the use of Compulsory Purchase Order powers and that the Service Director (Economy, Regeneration and Culture), or Service Director (Housing), in consultation with the relevant Cabinet Member, agree the individual purchases.
- 9) That approval be given to the property acquisitions and any related works described in the report, to be funded from the capital plan allocations as described in paragraph 3.5 of the considered report.
- 10) That approval be given to the principle of acquiring key properties within the HAZ by using Compulsory Purchase Order powers and that the Service Director (Economy, Regeneration and Culture), or the Service Director (Housing), in consultation with the relevant Cabinet Member, agree the individual properties.
- 11) That it be noted that, in instances where it appears unlikely that it will be possible to acquire by agreement, further reports will be submitted on individual groups of properties with proposals to make Compulsory Purchase Orders for those properties.

### 42 **Corporate Financial Monitoring Report Quarter 1 for 2018/19**

Cabinet received a report which set out financial monitoring information for General Fund Revenue, the Housing Revenue Account and Capital Plan at Quarter 1 (Month 3) 2018-2019.

The report provided an overview summary of (i) the general fund (ii) general fund reserves (iii) the collection fund (iv) the housing revenue account and (v) capital.

In terms of the general fund, the report advised of a forecast overspend of £4.4m against the £292.2m revised budget at Quarter 1, equivalent to a 1.5% variance against revised budget, which represented (i) a £2.2m overspend against £16.4m planned savings, translating to a forecast headline delivery of £14.2m savings, equivalent to 86% and (ii) a £2.2m net unplanned pressures elsewhere.

The report advised that general fund reserves and balances were forecast to reduce through 2018-2019 by £2.6m to £86.2m as at 31 March 2019, which included £9.8m relating to a statutory schools reserve. The forecast usable reserves level as at 31 March 2019 was equivalent to 23.8% of the current year controllable revenue budget.

## Cabinet - 21 August 2018

In terms of capital, the report advised that the revised capital budget for 2018-2019 was £123.9m, with a forecast capital outturn at Quarter 1 of £105.3m, and a projected underspend of £18.6m, equivalent to 15%.

### **RESOLVED -**

- 1) That approval be given to the offset of the High Needs Pressure in-year with £5.0m Minimum Revenue Provision saving released back into the general fund.
- 2) That the Quarter 1 forecast £4.4m revenue monitoring overspend be noted.
- 3) That the expectation that Strategic Directors work to identify opportunities for spending plans to be collectively brought back in line within the Council's overall budget by year end be noted.
- 4) That approval be given to the proposal to place the additional £2.8m adult social care resources into a reserve and draw down against spend over a two year period.
- 5) That the forecast reduction in general fund reserves and balances in-year at £2.6m and year end position at £86.2m be noted.
- 6) That the overall neutral in-year financial performance of the collection fund be noted.
- 7) That the Quarter 1 forecast HRA deficit at £293k and forecast reserves position at year end at £47.8m be noted.

43

### **To consider a request for loan support from the Property Investment Fund towards the refurbishment of 103 New Street Huddersfield**

Cabinet gave consideration to a report which set out a request for a loan from the Property Investment Fund towards a scheme to bring 103 New Street, Huddersfield, back into use as residential accommodation. The report advised that SKA Property, a Huddersfield based developer, had received planning permission for a scheme to provide 75 units of accommodation, which would initially be aimed at the student market but would have the potential to amalgamate into larger units at a future date if there was sufficient market demand.

The details of the funding request were set out within an exempt appendix to the report.

Cabinet noted the current negative impact which the current condition of the building has upon the town centre, and that no alternative uses for the site had been identified over a number of years.

(Cabinet gave consideration to the exempt information as set out at Agenda Item 20 (Minute No. 49 refers) prior to the determination of this item).

### **RESOLVED -**

- 1) That approval be given to the disposal of 103 New Street to SKA properties, or a Special Purpose Vehicle created by SKA properties, on the terms as set out in the (exempt) appendix to the report (Agenda Item 20), to facilitate the redevelopment of the property.

## Cabinet - 21 August 2018

- 2) That it be agreed that a loan be offered from the Property Investment Fund up to the amount as set out within the (exempt) appendix, to support the redevelopment of 103 New Street, subject to due diligence being carried out.
- 3) That the Strategic Director (Economy and Infrastructure), in consultation with the Cabinet Member – Corporate Services, having sought appropriate advice from the Service Director (Legal, Governance and Commissioning), and the Acting Service Director (Finance), be authorised to carry out appropriate due diligence on the proposal to offer a loan from the Property Investment Fund.
- 4) That the Service Director (Legal, Governance and Commissioning), be authorised to enter into any documentation required to agree the Property Investment Fund loan and to protect the Council's position as lender.

### **44 Dewsbury Townscape Heritage Initiative Grant Application DTHI-012 The Black Bull**

Cabinet gave consideration to a report which sought approval of a Town Heritage Initiative Grant to fund improvement works to The Black Bull, Dewsbury.

The report advised that the new owners of The Black Bull had purchased the property in September 2017 and had submitted the application for funding the restoration and rehabilitation of the property for use as a public house and restaurant. It was noted that the property was in a prominent position within Dewsbury Town Centre, and had become increasingly dilapidated. The proposed scheme was consistent with work undertaken to other properties throughout the Town Heritage Initiative Scheme which aimed to deliver a uniformity of high quality traditional frontages and enhance the streetscape. An exempt appendix to the report provided details of both the grant application and the tenderer that had been selected to carry out the proposed works.

Cabinet were advised that the scheme had received planning permission and listed building consent during March 2018.

(Cabinet gave consideration to the exempt information as set out at Agenda Item 21 (Minute No. 50 refers) prior to the determination of this item).

#### **RESOLVED -**

- 1) That approval be given to the award of a Town Heritage Initiative grant in accordance with the amounts specified within the (exempt) appendix (Agenda Item 21).
- 2) That authority be delegated to the Strategic Director (Economy and Infrastructure) to authorise actual payment of the grant, subject to receipt of a completed application form, satisfactory completion of the due diligence process and all necessary supporting information being supplied, in accordance with the terms of the grant agreement.
- 3) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into and seal all grant agreements, legal charges and ancillary documents relating to the grant.

### **45 Disposal of Surplus Land and Property Assets**

(Under the provision of Council Procedure Rule 36(1) Cabinet received a representations from Councillor Smaje).

## **Cabinet - 21 August 2018**

Cabinet received a report which sought approval for the disposal of a number of surplus land and property assets, as listed in Appendices A and B of the considered report. The report advised that Appendix A set out the vacant sites that had been assessed as being potentially capable of supported housing delivery, and that the exempt information at Appendix B set out agricultural holdings and land lettings that had been identified for disposal. Cabinet noted that the estimated revenue savings from the assets as listed within the appendices were approximately £150k.

(Cabinet gave consideration to the exempt information as set out at Agenda Item 22 (Minute No. 51 refers) prior to the determination of this item).

### **RESOLVED -**

- 1) That approval be given to the disposal of assets as listed in Appendices A and B of the report (Agenda Item 22 refers – Appendix B).
- 2) That authority be delegated to the Strategic Director (Economy and Infrastructure) and Service Director (Legal, Governance and Commissioning) to negotiate and agree the terms and the disposal of each asset as listed within the appendices, including sale price, except where an auction is the preferred route and Contract Procedure Rules will apply).
- 3) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into and execute any agreements or instruments relating to the disposal of any assets as listed within Appendices A and B.

#### **46 Bradley Business Park, Huddersfield – Phase 3**

Cabinet received a report which provided details of an offer received from Aflex Hose Ltd for the purchase of council owned land off Dyson Wood Way, Huddersfield (Phase 3 Bradley Business Park).

The report advised that Cabinet had agreed to the marketing and disposal of the site in 2015, and that following this decision a marketing campaign had resulted in nil interest. Subsequently in 2017, Aflex Hose expressed an interest in the site for the consolidation of their business and the relocation of their operations from Calderdale, and a formal offer was received and progressed in February 2018. An exempt appendix to the report set out details of the draft heads of terms document.

Cabinet noted that disposal of the land would be subject to the purchaser obtaining satisfactory planning permission for the development, and also the completion of a deed of option for the Council to repurchase the land at the purchase price in the event that no contracts had been put in place for the construction of the proposed development within six months of completion.

(Cabinet gave consideration to the exempt information as set out at Agenda Item 23 (Minute No. 52 refers) prior to the determination of this item).

### **RESOLVED -**

- 1) That approval be given to the disposal of Bradley Business Park Phase III by the Council to Aflex Hose Ltd for the purchase price as set out in the Heads of Terms, as attached at Appendix 3.

## Cabinet - 21 August 2018

- 2) That the disposal shall be (i) conditional upon the grant of an unchallengeable planning permission for the proposed manufacturing unit and (ii) subject to the Council being granted an option to repurchase Bradley Business Park III in the event that no contracts have been put in place for the construction of the proposed development within six months of completion.
- 3) That authority be delegated to the Strategic Director (Economy and Infrastructure) to negotiate and agree with Aflex Hose Ltd the terms of the disposal and the option to repurchase, and any other ancillary deed or document that may be required.
- 4) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to enter into and execute any agreement transfer and option in relation to the disposal of Bradley Business Park Phase III to Aflex Hose Ltd, together with any ancillary documents and agreements.

### 47 **Proposals to allocate funding from the Corporate Landlord Asset Investment Section of the Capital Plan for replacement cremator systems at both Dewsbury Moor and Huddersfield Crematoria**

Cabinet received a report which set out proposals to allocate funding for the replacement of cremators and ancillary equipment at both Dewsbury and Huddersfield Crematoria. The report advised that the cremators at both sites were in excess of 23 years old and were experiencing operational and mechanical issues. Cabinet were asked to approve the authorisation of funding for the delivery and installation of new cremator systems.

The report also advised of additional improvement works for both crematoria sites which would include upgrading of cold storage facilities and changes to structural configuration in order to modernise the assets. Cabinet noted that the cost of the replacement cremators, ancillary equipment and modernisation works would be in the region of £3.3m.

(Cabinet gave consideration to the exempt information as set out at Agenda Item 24 (Minute No. 53 refers) prior to the determination of this item).

#### **RESOLVED -**

- 1) That approval be given for the allocation of £3.3m from the Corporate Landlord Asset Investment budget to fund the investment in the replacement of the existing cremators, together with the condition and modernisation works, and the associated internal and external fees in relation to these works.
- 2) That authority be delegated to the Service Director (Legal, Governance and Commissioning) in consultation with the Service Director (Commercial, Regulatory and Operational Services), to finalise and enter into all appropriate contracts and documents in relation to the outcome of the tender process as set out in the (exempt) appendix at Agenda Item 24).
- 3) That approval be given to undertake front of house works via Kirklees Neighbourhood Housing Limited Property Services Teams.
- 4) That the information as set within the private appendix (Agenda Item 24) be noted, including; the tender process, timing of the works, the intention to appoint the successful bidder after the standstill period, the supply and installation of equipment in compliance with emission control and entering

## Cabinet - 21 August 2018

into a 15 year maintenance contract with the successful bidder in order to ensure adequate ongoing maintenance of new cremators for 15 years and to achieve continuity of service.

### 48 **Exclusion of the Public**

**RESOLVED** – That acting under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for 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, as specifically stated in the undermentioned Minutes.

### 49 **To consider a request for loan support from the Property Investment Fund towards the refurbishment of 103 New Street Huddersfield**

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006, namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 14 (Minute No. 43 refers).

### 50 **Dewsbury Townscape Heritage Initiative Grant Application DTHI-012 The Black Bull**

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006, namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 15 (Minute No. 44 refers).

### 51 **Disposal of Surplus Land and Property Assets**

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006, namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.)

## Cabinet - 21 August 2018

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 16 (Minute No. 45 refers).

### 52 **Bradley Business Park Huddersfield - Phase 3**

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006, namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 17 (Minute No. 46 refers).

### 53 **Proposals to allocate funding from the Corporate Landlord Asset Investment Section of the Cap Plan for replacement cremator systems at both Dewsbury Moor and Huddersfield Crematoria**

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation) Order 2006, namely that the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and the company concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 18 (Minute No. 47 refers).