

Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 2nd October 2018**

Present: Councillor Shabir Pandor (Chair)  
Councillor Viv Kendrick  
Councillor Musarrat Khan  
Councillor Naheed Mather  
Councillor Peter McBride  
Councillor Cathy Scott

Apologies: Councillor David Sheard  
Councillor Masood Ahmed  
Councillor Erin Hill  
Councillor Graham Turner

**79 Membership of the Committee**

Apologies for absence were received on behalf of Councillors Ahmed, Hill, Sheard and Turner.

**80 Minutes of previous meeting**

**RESOLVED** – That the Minutes of the Meeting held on 29 August 2018 be approved as a correct record.

**81 Interests**

No interests were declared.

**82 Admission of the Public**

It was noted that all agenda items would be considered in public session. The Leader announced that there would be a late/urgent item in respect of revisions to Cabinet Portfolios. (Minute No 89 refers).

**83 Deputations/Petitions**

No deputations or petitions were received.

**84 Public Question Time**

No questions were asked.

**85 Member Question Time**

No questions were asked.

**86 Council Budget Strategy Update Report 2019-22**

Cabinet received a report which set out the approach to the annual update of the Medium Term Financial Plan, and set out a framework for the development of draft spending plans for future years. The provisional budget strategy provided a budget planning framework to consider a three year Medium Term Financial Plan for 2019-

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2022 and a five year Capital Plan for 2019-2024. The report advised that the existing budget plans had been reviewed, including a high level review of funding and spend assumptions, and that any resultant gap between funding and forecasts would inform target spending controls for draft budget proposals. The updated spend assumptions within the report continued the approach of existing budget plans in terms of acknowledging further re-shaping of spending and targeted investment aligned to the Council's ambitions and plans.

The report set out details of funding assumptions at paragraph 2, and explained that the updated funding forecast assumed a position that national funding reductions would continue from 2020-21, which would equate to a further reduction of £3.2m each year.

The appendices to the report set out (i) a general fund summary 2019-2022 (ii) general fund reserves (iii) the housing revenue account summary (iv) the baseline capital plan and (v) the flexible use of the capital receipts strategy.

### **RESOLVED -**

- (1) That the funding and spend assumptions informing the updated budget forecasts, as set out in section 2 of the report, be noted.
- (2) That the joint Leeds City Region/North Yorkshire Business rates Pilot bid for 2019-2020 be noted and endorsed.
- (3) That the existing capital budget plans rolled forward as set out at Appendix D, incorporating a draft year 5, be noted.
- (4) That approval be given to the budget planning framework, as set out within the report.
- (5) That approval be given to the corporate budget timetable and approach as set out at Appendix G.
- (6) That approval be given to the budget consultation approach and timetable, as set out within the report.
- (7) That the report be submitted to Council on 10 October 2018 with a recommendation;
  - (i) That approval be given to the updated baseline general fund revenue and Housing Revenue Account budget forecasts over the 2019-2022 period, as set out at Appendix A (general fund) and Appendix C (HRA) of the considered report.
  - (ii) That approval be given to the revisions to earmarked reserves and general balances, as set out at Appendix B.
  - (iii) That approval be given to the changes to the existing plan, as set out at Appendix D.
  - (iv) That approval be given to the flexible receipts strategy, as set out at Appendix E.

**87 Introduction of a Civil Penalty Policy for Housing Act offences**

Cabinet received a report which sought approval for a policy which would allow the Council to implement new powers under in regards to civil penalties, following the introduction of new housing enforcement legislation which provides local authorities with powers to impose a civil penalty of up to £30,000 as an alternative to prosecution for specific housing offences. The policy, which was appended to the considered report, would be used to determine the appropriate level of civil penalty in each case, and reflected the level of penalty as agreed with other West Yorkshire Authorities.

The report advised that the Housing and Planning Act 2016 provided the power to impose the penalties in regards to certain offences under the Housing Act 2004. The specific housing offences covered within the policy were (i) failure to comply with an Improvement Notice (ii) matters relating to the licensing of houses in multiple occupation (iii) matters relating to licensing of houses, under part 3 of the Act (iv) matters relating to the contravention of an overcrowding notice and (v) failure to comply with management relations of HMOs.

Cabinet noted that the level of penalty would be determined on a case by case basis, up to the maximum amount of £30,000, dependent upon the levels of culpability and harm, and intended to act as a deterrent and remove any gains resulting from the offence.

**RESOLVED -**

- (1) That approval be given to the introduction of civil penalties as an alternative to prosecution for offences under the Housing Act 2004.
- (2) That approval be given to the Civil Penalty Policy (Housing and Planning Act 2016).

**88 Written Questions to the Leader and Cabinet Members (Reference from Council)**

No questions were asked.

**89 Revisions to Cabinet Portfolios (Late Item)**

(Under the provisions of Council Procedure Rule 40 (1) the Leader announced that this item would be added to the agenda on the grounds of urgency).

The Leader announced that, in accordance with Article 7 of the Constitution, Councillor Erin Hill had submitted her resignation in respect of her appointment to Cabinet.

The Leader gave notice that, with immediate effect, the Cabinet would comprise of 9 Members and that the portfolio responsibilities of Councillors Khan and Scott would be revised as follows;

- Councillor Khan: Health and Social Care Portfolio
- Councillor Scott: Housing and Democracy Portfolio