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KIRKLEES COUNCIL

CABINET

Tuesday 22nd January 2019

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

In attendance: Councillor Martyn Bolt
Councillor Erin Hill

Apologies: Councillor Musarrat Khan
Councillor Naheed Mather

155 Membership of the Committee

Apologies for absence were received on behalf of Councillors Musarrat Khan and Naheed Mather.

156 Minutes of previous meeting

RESOLVED - The Minutes of the meetings of Cabinet held on 11 and 18 December 2018 were agreed.

157 Interests

No interests were declared.

158 Admission of the Public

It was noted that Agenda Items 18, 19 and 20 (Minute Numbers 172, 173 and 174 refers) contained private information (in relation to Items 14, 15 and 16 (Minute Numbers 168, 169 and 170 refers) and would be considered in private session if required.

159 Deputations/Petitions

No deputations or petitions were received.

160 Public Question Time

No questions were asked.

161 Member Question Time

Under the provision of Council Procedure Rule 12(8), the Cabinet received the following question from Councillor Hill, which was not dealt with at the previous meeting of Council held on 16 January 2019: "I know Cllr Kendrick is aware of a

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case recently where a human trafficking survivor and her six year old son were moved into Kirklees by G4S with three days' notice to the family and no communication with the Council. Despite lobbying from the local MP, the local authority, and the school, this little boy was not able to finish his school term before the family were evicted, and they were left here with little food, no money or phone credit, and no support system. What is the Cabinet member's view on this practice, and is she aware of any other instances where this has happened in Kirklees?"

A response was provided by the Cabinet Member for Children.

Councillor Martyn Bolt referred to a written response received received in relation to the following question not dealt with at the meeting of Council on 16 January 2019:

"Do you value the standing and regular groups which Kirklees facilitates with its residents and user groups?"

Councillor Bolt asked, that given the response affirmed the value of such groups, did the Leader share concerns that the Public Rights of Way Forum had not met since February 2018?

The Leader of the Council advised that he would look into the matters raised.

Councillor Bolt also asked if the Halal Monitoring Committee referred to during the Petition Debate at Council on 16 January 2019 was located in Leicester.

The Cabinet Member, Learning and Aspiration, advised that there were a number of Committees throughout the UK and he would clarify whether it was the Halal Monitoring Committee based in Leicester or Yorkshire which worked with all 5 authorities, further to the meeting.

Councillor Bolt referred to financial information filed on Companies House in relation to the Halal Monitoring Committee Ltd based in Leicester and asked if this was the Committee the Council dealt with, what due diligence had been carried out?

The Leader of the Council advised that he would look into the matters raised.

162 Kirklees Economic Strategy

Cabinet received a report which provided an update on the refresh of the Kirklees Economic Strategy (KES) and asked Cabinet for comments and approval of the final draft text, to take to Council for approval.

The report set out the Council's commitment to supporting the growth of an inclusive and productive economy which created opportunities for everyone, and used innovation to build local wealth. The strategy sought to harness the power of the public, private and third sectors together around the common goal of growing an inclusive and productive economy.

With regards to station re-modelling at Mirfield and Ravensthorpe outlined in Priority 4 within the report, it was noted that whilst the Transpennine upgrade was

dependent on Network Rail investment, the Council would invest its own resources on the back of the upgrade.

RESOLVED - That Cabinet noted progress and signed off the revised draft Kirklees Economic Strategy for the consideration of Council.

163 Dewsbury Town Centre : Strategic Development Framework & Delivery Programme

Cabinet received a report which sought approval for a Strategic Development Framework to guide the long term development of Dewsbury Town Centre and a Delivery Programme which set out a broad range of actions that would progress the regeneration of the town centre over the next three years and for £525,000 to be spent on programme of public realm works.

The Framework set out a 25 year vision for the town centre, supported by a delivery programme that included projects and actions over the next 5 years and built upon the Strategic Development Framework produced in 2010. The Framework's three key aims were to increase activity in the town; make the town centre more attractive and improve accessibility.

The outlined investment into Dewsbury was welcomed and the importance of partnership working in order to improve the perception of crime and ensuring that people felt safe acknowledged.

A suggestion that environmental and air quality impact be evaluated and referenced on relevant Cabinet reports was welcomed and a range of potential preventative initiatives were highlighted.

RESOLVED - That Cabinet:-

1. Approved the Dewsbury Town Centre Strategic Development Framework as described in the report;
2. Approved the Delivery Programme as described in this report;
3. Authorised officers to progress feasibility and development work that would progress the aims and objectives contained in the Strategic Development Framework and Delivery Programme and that this be funded from the 'Aspirational Regeneration of Major Town Centres – Feasibility' part of the Capital Plan and any other relevant sources available; and
4. Approved the expenditure of £525,000 on a programme of works as described in the report, that would improve the appearance of the town centre and that this be funded from the approved Capital Plan allocation for 'Strategic Regeneration of Town Centres – Dewsbury.

164 Capital Investment for Fire Safety in Council Buildings

Cabinet received a report which sought approval of a £3m capital budget spread over financial years 2018/19 to 2020/21 for investment in fire safety measures across Kirklees buildings.

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The new Policy set out how the Council would discharge its responsibilities in relation to fire safety across its portfolio of buildings.

RESOLVED - That Cabinet:-

1. Approved a capital allocation of £1m per annum - £3m in total - for fire safety improvement works in Council owned buildings as part of the Corporate Landlord Asset Investment baseline section of the Council's Capital Plan over financial years 2018/19 to 2020/21;
2. Noted the schemes undertaken to date and approved the proposed future projects as set out in Appendix A of the report; and
3. Approved the proposed delegated powers as outlined in section 2.9 of the report.

165

Land at Hart Street/Newsome Road Huddersfield

Cabinet received a report which sought approval to dispose of the Council's freehold reversion.

The report outlined that the Council had received a request to purchase the freehold reversion to an area of land in Newsome which was currently subject to a long leasehold interest. The current lessee had obtained outline planning permission for residential development on appeal in 2017 and had agreed to sell the leasehold interest to a developer. The developer had also requested to buy the Council's freehold to the land. Local Ward Members had been consulted and details of their objections to the disposal were included within the report.

Whilst Cabinet recognised local ward member objections, permission did exist for the site to bring much needed homes into Kirklees, as well as capital receipts into the Council.

RESOLVED - That Cabinet:-

1. Approved the disposal of the Council's freehold interest in the land at Hart Street and Newsome Road shown on the plan attached at Appendix 1 of the report;
2. Delegated authority to the Strategic Director, Economy and Infrastructure and Service Director, Legal Governance and Commissioning, to negotiate and agree terms for the disposal; and
3. Authorised the Service Director, Legal Governance and Commissioning to enter into and execute any agreements or instruments relating to the disposal of the land.

166

Additional Local Highways Maintenance Funding 2018/2019

Cabinet received a report which sought approval for an enhanced programme of highway maintenance on Local Community Roads.

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The report outlined that the Chancellor had announced as part of the 2018 Budget an additional £420m capital funding in 2018/19 for Highway Authorities to tackle potholes, repair damaged roads and invest in keeping bridges open and safe. Kirklees' allocation was £2,711,000 and the proposal was to allocate this funding where condition surveys showed the greatest need ie Local Community Roads (the unclassified road network).

RESOLVED - That Cabinet:-

1. Noted the Council's grant allocation dated 13 November 2018 from the Department of Transport of £2,711,000 as a result of the Chancellor's 2018 Budget for local highways maintenance which would form part of the Council's Highways capital plan to be used before 31st March 2019;
2. Authorised the allocation of the grant funding in paragraph 6.1 of the report, where condition surveys showed the greatest need, namely, Local Community Roads (the unclassified road network); and
3. That the Strategic Director, Economy and Infrastructure, in consultation with the Portfolio Holder for Communities and Environment, be authorised to agree a programme of highway surfacing works to implement paragraph 6.2 of the report.

167 **Annual RIPA update**

Cabinet received a report on the use of the Regulation of Investigatory Powers Act 2000 by the Council since the last report on this and sought approval to an amendment to the RIPA policy. The report outlined that the Council was subject to the requirements of RIPA, which set out how and when a local authority could engage in covert surveillance.

It was noted that the RIPA had not been used in the last year and that steps had been taken to implement a RIPA training programme and raise awareness amongst operational officers.

Further to a question raised regarding the omission of fly tipping from the use of directed surveillance outlined in Appendix 6, the Cabinet Member, Corporate, advised that CCTV surveillance had been used to prosecute fly tippers and that he would clarify the position in relation to covert surveillance.

RESOLVED - Cabinet approved the adoption of the amended RIPA policy set out in Appendix 1 of the report in principle, but requested clarification as to the use of covert CCTV in relation to fly tipping.

168 **Dewsbury Townscape Heritage Initiative DTHI-014 – '9 Market Place' Grant Application**

Cabinet received a report which sought approval for a Dewsbury Townscape Heritage Initiative (THI) grant towards improving 9 Market Place, Dewsbury.

The report outlined that during the course of the THI programme, 9 Market Place, prominently located in Dewsbury town centre had become vacant, sold at auction,

suffered a first floor fire and had become increasingly dilapidated. It was highlighted at the outset of the programme as a reserve property and following progression of the neighbouring property of the Black Bull, the owners had now also expressed an interest in a grant.

RESOLVED - That Cabinet:-

1. Approved the award of a Townscape Heritage Initiative grant up to the maximum amount specified in Appendix 2 of the report;
2. Delegated authority to the Strategic Director, Economy and Infrastructure, in consultation with the Cabinet Portfolio Holder, to agree the amount of grant and authorise payment of the grant, subject to Heritage Lottery Fund approval, satisfactory completion of the due diligence process and all necessary supporting information being supplied and in accordance with the terms of the grant agreement; and
3. Delegated authority 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.

169 Proposal to allocate funding from the Learning & Early Support Strategic Priorities Capital Plan for the provision of new pupil places in Huddersfield North

Cabinet received a report which sought approval to allocate capital funds to build a new 420 place primary school at Clare Hill, Edgerton, Huddersfield.

The report outlined that following the successful delivery of new build primary schools to provide additional school places to serve Huddersfield North West and South West, work was undertaken to develop a new build 420 place, 4-11 age Primary School, to be known as Brambles Primary Academy, on playing fields at Clare Hill, Edgerton to serve Huddersfield North.

The Cabinet Member, Learning and Aspiration, stated that the Council were committed to improving the quality of education in primary schools to give every child the best possible start and ensure that all children had access to high quality school places. The new school represented the final phase of a delivery plan that had created an additional 1,260 additional primary school places for Huddersfield.

The Cabinet thanked officers for their work in developing this site.

With regards to the use of capital funding for academies, it was noted that all new schools automatically became academies under current Government legislation.

RESOLVED - That Cabinet:-

1. Approved an overall capital allocation of £9.7m from the Council's Capital Plan for the project as defined in the report, to create a new 420 place primary school building and associated facilities at Clare Hill, Edgerton to serve Huddersfield North;

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2. Approved the proposed mix of government grant, Section 106 monies and prudential borrowing as detailed in sections 2.20-2.23 and Appendix B of the report;
3. Noted the information contained in Appendix B of the report which detailed the name of the successful contractor and the agreed contract price, which has been determined through a competitive tender exercise in accordance with the Council's Financial and Contract Procedure Rules; and
4. Delegated authority to the Service Director, Legal, Governance and Commissioning, in consultation with the Service Director, Commercial, Regulatory and Operational Services, to finalise and enact all contractual agreements in relation to the building contract and the land purchase.

170 Kingsgate Phase 2 Request for Funding from the Property Investment Fund Cabinet received a report which requested loan support from the Property Investment Fund towards the remodelling of the Kingsgate Centre.

The report outlined the importance of Kingsgate to the retail offer in Huddersfield, its strategic location in the town centre and the potential to create a retail and leisure hub. The proposal to remodel the centre to include a cinema and restaurant uses, would increase the time and money that people spent in the town centre and would help to stabilise the uncertain retail environment in which the Kingsgate centre was currently operating.

With regards to the potential impact of the new development on rest of the town, it was noted that this was currently being assessed as part of the forthcoming Masterplan. This would highlight how this scheme and a range of initiatives would fit together and provide a blueprint for the future of the town.

In response to a question raised, it was noted that there was approximately £7-8m remaining within the Property Investment Fund.

RESOLVED - That Cabinet

1. Agreed to a loan from the Property Investment Fund for the remodelling of the Kingsgate Centre in accordance with the details set out in the private appendix of the report;
2. That the Strategic Director, Economy and Infrastructure, in consultation with the Portfolio Holder for Corporate, having sought appropriate advice from the Service Director, Legal, Governance and Commissioning and the Service Director, Finance, be authorised to carry out appropriate due diligence on the proposal to offer a loan from the Property Investment Fund; and
3. 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.

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171 Exclusion of the Public

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of 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.

172 Dewsbury Townscape Heritage Initiative Grant Application DTHI-014 -9 Market Place

The information was considered prior to the determination of Agenda Item 14 (Minute number 168 refers).

173 Proposals to allocate funding from the Learning and Early Support Strategic Priorities section of the Capital Plan for the provision of new pupil places in Huddersfield North

The information was considered prior to the determination of Agenda Item 15 (Minute number 169 refers).

174 Kingsgate Phase 2 -Request for funding from the Property Investment Fund

The information was considered prior to the determination of Agenda Item 16 (Minute number 170 refers).