

CAB20

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## **KIRKLEES COUNCIL**

### **CABINET**

**Tuesday 10 March 2015**

Present: Councillor Sheard (in the Chair)  
Councillors Calvert, S Hall, Kendrick, McBride, O'Neill, Pandor, C Scott  
and G Turner

**239 Membership of the Committee**

Apologies for absence were received on behalf of Councillor Harris.

**240 Minutes of Previous Meeting**

**RESOLVED** – That the Minutes of the meeting held on 10 February 2015 be approved as a correct record.

**241 Interests**

Councillor G Turner declared an "other" interest in Agenda Item 25 (Minute No. 262 refers) on the grounds that he is a member of Denby Dale Parish Council.

**242 Admission of the Public**

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

**243 Deputations/Petitions**

No deputations or petitions were received.

**244 Public Question Time**

No questions were asked.

**245 Member Question Time**

No questions were asked.

**246 Revised Independent Sector Residential and Nursing Home Fees 2015/16**

Cabinet considered a report which sought approval for proposed Independent Sector Residential and Nursing Home Fees 2015/16, as set out in Appendix 1 of the report.

The report advised that the increased weekly base fee rates had been calculated using the inflationary formula agreed by Cabinet on 7 August 2002 and would be effective from 6 April 2015.

The proposals would increase the maximum weekly charge for non-residential Adult Social Care Support by £4.91 from £453.60 to £458.51 per week.

The proposed fees were set out in Appendix A to the report, which set out the differential in rates for homes that did, and did not, participate in the Dementia Care Fee Rate Scheme.

**RESOLVED** – That the proposed Independent Sector Residential and Nursing Home Fees for 2015/2016, as set out in Appendix 1 of the considered report, be approved.

**247**

**Community Shop – A Social Supermarket**

Cabinet received a report which outlined a proposal from Community Shop Ltd. to open an “Social Supermarket” in Kirklees in an appropriate location so the eligibility criteria would benefit the greatest number of those in need. The report sought approval for the scheme to be progressed and set out details of (i) the background to the Community Shop model; (ii) the relevant evidence base (iii) premises and costings and (iv) risks, timescales and next steps.

The report indicated that the proposal was aligned with the Council’s priorities as set out in a Joint Health and Wellbeing Strategy and the Kirklees Economic Strategy.

**RESOLVED –**

(1) That a Statement of Intent be provided to Company Shop Ltd to enable Officers, in consultation with the Lead Member, to identify suitable premises and development of the model to meet their specific requirements.

(2) That approval be given to a funding envelope and deliverable business plan (including operational costs) that will be needed for the premises, whether in full (as a one off re-fit grant), or as a match contribution by the Council with other identified funding streams.

(3) That authority be delegated to the Assistant Director (Legal, Governance and Monitoring), in consultation with the Lead Member, to enter into an agreement with Company Shop Ltd (once the premises have been identified) on the deliverable business model and eligibility criteria for membership of the Community Shop.

(4) That a project team be established to support Cabinet in progressing the initiative.

**248**

**Kirklees Section 75 Agreement for the Better Care Fund Pooled Budget**

Cabinet received a report which sought approval for delegation of power to the Director for Commissioning, Public Health and Adult Social Care, in consultation with the Cabinet Member for Health, Wellbeing and

Communities, to finalise the terms of the Section 75 Agreement for the Better Care Fund. The report advised that this would create a Pooled Budget between the Council and both local Clinical Commissioning Groups to achieve the jointly agreed aims of the Better Care Fund.

The report advised that the Better Care Fund was a national pooling of £3.8b from a number of existing funding sources within the Health and Social Care System with £28,953 being pooled locally within the Kirklees Health and Wellbeing Board area.

**RESOLVED –**

(1) That authority be delegated to the Director for Commissioning, Public Health and Adult Social Care, in consultation with the Cabinet Member for Health, Wellbeing and Communities, to finalise the terms of the Section 75 Agreement for the Better Care Fund, including the Terms of Reference for the Partnership Board, and to sign the Agreement on behalf of the Council.

(2) That approval be given to the Council being the pooled fund host and that the Assistant Director for Commissioning and Health Partnerships be appointed responsibility for (i) managing the pooled fund on the Council's behalf and (ii) submitting quarterly reports and an annual return on the income of and expenditure from the pooled fund, and other information, to the partners by which they can monitor the effectiveness of the pooled fund arrangements.

(3) That approval be given to the Council being the funding host of any of the Better Care Fund schemes and that the Assistant Director for Commissioning and Health Partnerships (or a nominee) be responsible for (i) managing the BCF Scheme fund on the Council's behalf and (ii) submitting to the partners, and the pool manager, quarterly reports and an annual return on the income of and expenditure from the BCF scheme funds, and other information by which the partners can monitor the effectiveness of the pooled fund arrangements.

**249 Assessment of Requests for Traffic Mirrors to be Erected on the Highway**

Cabinet gave consideration to a report which set out proposed criteria for the assessment of requests for traffic mirrors once the Authority receives such delegation of decision making from the Department for Transport.

The report indicated that the Department for Transport were currently reviewing the Traffic Signs Regulations and General Directions 2002, and had indicated that the consideration of requests for traffic mirrors would shortly be devolved to Local Highway Authorities.

An information sheet to be sent to applicants for traffic mirrors was attached at Appendix 1 to the report.

**RESOLVED** – That the criteria as set out in paragraph 2.4 of the considered report be adopted when considering applications for traffic mirrors, once decision making has been devolved to Local Authorities from the Department for Transport.

**250 Provision of District Committee Funded Grit Bins**

Cabinet received a report which set out a recommendation from Kirklees Rural District Committee to continue funding the provision of additional grit bins, contrary to the Council's Winter Service Policy. The report advised that the request was for the provision of 6 grit bins to be funded from the District Committee Devolved Budget, as agreed at the meeting of Kirklees Rural District Committee on 2 February 2015.

The report recommended that the request be overruled, along with the consideration of any such further requests, until such time as a comprehensive review of the current Winter Policy takes place which would include existing and future grit bin provision.

**RESOLVED** –

(1) That the request from Kirklees Rural District Committee for the provision of District Committee funded grit bins be refused as such provision would be contrary to the Council's Winter Policy.

(2) That any such further requests not be considered until a comprehensive review of the current Winter Policy has been undertaken.

**251 Huddersfield Leisure Centre, Springwood, Huddersfield – Parking Tariffs**

Cabinet considered a report which set out proposals for car parking tariffs at the new Huddersfield Leisure Centre, Spring Grove, Huddersfield, and the adjacent Springwood Car Park.

The report advised that the Centre would open in early May 2015, and would provide parking provision of 120 spaces, including 10 for disability permits. It indicated that the proposed tariffs were reflective of those previously applied to the previous Sports Centre, and that the tariffs for Springwood Car Park would be amended slightly to enable customers flexibility from late afternoon whereby a tariff of £1.00 after 4.30 p.m. for a 90 minute stay would be introduced. The report indicated that the maximum stay period in the Sports Centre Car Park would be 4 hours.

In terms of financial implications, it was noted the proposal would cost approximately £20,000, including the installation of payment machines and placing the new Parking Places Order.

**RESOLVED** – That approval for the proposed parking tariffs for the new Huddersfield Sports Centre, and Springwood Car Park, as set out in paragraph 2.4 of the considered report be approved.

252

**Outcomes from the Non-Statutory Consultation on Proposals for Change to Existing Specialist Provisions**

Cabinet received a report which set out the outcomes from the Non-Statutory Consultation process on proposals for changes to existing specialist provisions at Moldgreen Community Primary School, Flatts Nursery School, Thornhill Junior and Infant School, Rawthorpe St James (CE) VC Infant and Nursery School and Rawthorpe Junior School.

The report provided details of the consultation document and a list of the persons and organisations to whom that had been sent. Full detailed feedback to the consultation was attached at Appendix C to the report. An analysis of the response was set out at paragraph 6.1 of the report, and the overall conclusions in relation to each of the provisions was set out at paragraph 7.5. Cabinet noted the indicative timescales proposed for the reorganisation process, with implementation scheduled for 1 September 2015.

**RESOLVED –**

- (1) That the feedback in response to the non-statutory consultation, and officer commentary, be noted.
- (2) That officers be authorised to publish the statutory proposals and notices relating to (i) Flatts Nursery School and Thornhill Junior and Infant School and (ii) Netherhall Learning Campus – Rawthorpe St James (CE) VC Infant and Nursery School and Rawthorpe Junior School.
- (3) That, pursuant to (2) above, the next steps and timescales for the subsequent stage of the statutory process be noted.
- (4) That it be noted that the proposed implementation date for changes to each school's specialist resource provision is 1 September 2015.
- (5) That Officers be requested to carry out preliminary and preparatory work with parents, governing bodies and staff to enable a successful implementation, if the final proposals are agreed, by engaging relevant parties as widely as possible in planning the changes in order to build confidence in the future specialist resource provisions in mainstream schools.

253

**Comprehensive Spending Review Scrutiny Task Group**

Cabinet received a report which set out the final report for Comprehensive Spending Review Task Group, together with the response to the Group's recommendations. It was noted that the Task Group had been established in 2013-2014 municipal year to examine the Council's Comprehensive Spending Review, and that they had met regularly to maintain an overview of the Comprehensive Spending Review process.

The findings and recommendations of the Group were set out within an Appendix to the considered report.

**RESOLVED** – That the report and recommendations of the Comprehensive Spending Review Scrutiny Task Group be received and noted.

**254 Capital Investment Plan 2014/15-2018/19 – Quarter 3 Capital Monitoring 2014/15**

Cabinet received the Capital Investment Plan 2014/15 – 2018/19, Quarter 3 Capital Monitoring report for 2014/15. The report indicated that, at the end of the third quarter of 2014/2015, the projected year end expenditure stood at £115,098k against a current budget allocation of £134,572k, representing a variance of 14.5%. Cabinet noted that this represented a shift of -£3,051k, compared to a variance of -£16,423k at quarter 2. The report indicated that actual expenditure stood at £57,677k, representing 42.9% of budget. The report advised that capital underspend would only have a marginal effect on the Treasury Management Budget for 2014/15 due to most of the variance relating to grant funded schemes and interest rates currently being low.

An analysis of the variances from the Capital Plan 2014/15 (quarter 3) was set out at Appendix 1 of the report. Appendix 2 set out an analysis of major variances from the Capital Plan 2014/15.

**RESOLVED** – That the Capital Investment Plan 2014/15 – 2018/19 Quarter 3 Capital Monitoring 2014/15, and Prudential Indicators, be received and noted.

**255 Corporate General Fund Revenue Financial Monitoring Report, Quarter 3 2014-15**

Cabinet received a report which set out the forecast Revenue Outturn for 2014/2015 (Quarter 3) for the Council's Revenue General Fund. The report included a quarterly update on the Council's general fund reserves and balances, including approved movements to date, and any further proposed drawdown requests from earmarked reserves for the current quarter. The report advised that, overall, there was a reported Quarter 3 forecast net underspend position of £4.2m, equating to 1.3%, against the £324.1m net controllable revenue budget. Cabinet noted that this represented an increase in the overall forecast underspend position by £2.1m, compared to Quarter 2. An overview of the net forecast outturn position as at Quarter 3, was detailed in paragraph 2.9 of the report.

Appendix A to the report set out the consolidated revenue budget monitoring 2014-2015 (Quarter 3). An overall summary of the revenue forecast outturn, Quarter 3, 2014-2015 was attached at Appendix B.

**RESOLVED** –

(1) That the Corporate General Fund Revenue Financial Monitoring Report, Quarter 3 2014-2015 be noted, specifically (i) the general fund revenue forecast net underspend for 2014-2015 of £4.2m and (ii) the allocation of the Delayed Transfer of Care one-off S31 funding allocation of £230k, to Commissioning Public Health and Adult Social Care.

(2) That approval be given to the Information Hub investment proposal as set out at Appendix D of the report.

**256 Corporate Housing Revenue Account Financial Monitoring Report, Quarter 3 2014-15**

Cabinet received report on the Quarter 3 forecast revenue and capital outturn for the Housing Revenue Account 2014-2015. Appendix A to the report set out the summary Housing Revenue Account Quarter 3 forecast revenue outturn, and balances and reserves position for 2014-2015. A summary of the Housing Revenue Account Quarter 3 forecast capital outturn was attached at Appendix B.

**RESOLVED** – That the Housing Revenue Account revenue and capital forecast as at Quarter 3 2014-2015 and the updated Quarter 3 Housing Revenue Account reserves and balances position, be noted.

**257 IT Enabled Change – “IT Refresh” 2015/16-2017/18**

Cabinet gave consideration to a report which sought approval for capital expenditure to support the IT Enabled Change programme for the Council over the next two years. The report set out the key outcomes of the capital investment which included supporting the continued rollout of staff wi-fi to all Council buildings, including public access where appropriate and supporting improvements in the infrastructure, systems and processes to support the IT data security requirements of the Information Commissioners Office.

The report advised that the capital investment of £900,000 per annum was to be funded from prudential borrowing. The average revenue cost of financing this level of borrowing was 15.5% per annum, equating to £139,506 per annum.

**RESOLVED** – That approval be given to the two year IT capital investment strategy to support the refresh and maintenance of the IT estate in the IT enabled change programme.

**258 District Committee Budgets 2015/16**

Cabinet received a report which sought approval of a set of criteria for the devolution of the agreed budget to District Committees for 2015/16.

Appendix 1 of the report set out details of the general fund revenue and capital allocations to the District Committees, as agreed at Council on 18 February 2015, which totalled £2m. In addition, it was proposed that a further £700,000 of Housing Revenue Account budget for tenant led improvements be determined by District Committees, with this allocation being spent on Council owned estates managed by Kirklees Neighbourhood Housing. It also proposed that decisions on the allocation of local highway capital schemes would be made at District Committee meetings.

**RESOLVED** – That the criteria for the allocation of resources within District Committee Budgets 2015/2016, as set out at paragraph 3 of the considered, be approved.

**259 Corporate Plan 2015/2016**

Cabinet received the 2015/2016 Corporate Plan, prior to its submission to Council on 11 March 2015. Cabinet endorsed the content of the document which set out the Council's priorities and objectives for the year ahead, focusing upon the approach taken to develop "The New Council" and setting out the goals, behaviours and key principles to be implemented.

**RESOLVED** – That the Corporate Plan 2015-2016 be endorsed and submitted to the meeting of Council on 11 March 2015 with a recommendation of approval.

**260 Governance of the Leeds City Region Business Rates Pool**

Cabinet received a report which set out the Governance arrangements for the Leeds City Region Business Rates Pool, explaining that the existing Business Rates Sub-Committee was being wound up and advising of proposals that it be replaced by a new Joint Committee of 7 pool Authorities. It was proposed that the Terms of Reference of the new Joint Committee should be broadened to ensure that pool receipts could be used to strengthen economic growth and regeneration across the pool area. Members noted that the proposal would also be subject to the agreement of the Executive at each of the other Pool Authorities.

The proposed Terms of Reference of the new Leeds City Region Business Rates Pool Joint Committee were attached at Appendix 1 of the report. The revised Governance Agreement, dated January 2015, was attached at Appendix 2.

**RESOLVED** –

(1) That approval be given to the Leader of the Council being appointed to the Leeds City Region Business Rates Pool Joint Committee from 1 April 2015 until the Annual Meeting 2016.

(2) That the Terms of Reference of the Joint Committee, as attached at Appendix 1 of the report, be approved.

(3) That the Revised Governance Agreement for the Business Rates Pool, as set out at Appendix 2 of the report, be approved.

**261 Leeds City Region Governance Arrangements**

Cabinet received a report which sought approval for the dissolution of the Leeds City Region Leaders Board on 31 March 2015. It advised that the West Yorkshire Combined Authority was not represented on the Leaders Board and therefore there was no direct mechanism for the Leeds City Region Leaders Board to delegate to West Yorkshire Combined Authority Officers, nor for the West Yorkshire Combined Authority to act as the support services authority for the Leeds City Region Leaders' Board, both



of which would cause major operational difficulties from 1 April 2015 when the West Yorkshire Combined Authority would become the principal accountable Body for relevant Leeds City Region funding streams to be received from Central Government and when Officers currently employed by Leeds City Council (within the Leeds City Region Team) would be transferring to the West Yorkshire Combined Authority. It was not therefore considered tenable for the Leeds City Region Leaders Board arrangements to continue.

**RESOLVED –**

(1) That it be noted that (i) the Leeds City Region Leaders Board have endorsed the proposal to dissolve the Leeds City Region on 31 March 2015, and (ii) that the West Yorkshire Combined Authority has resolved to appoint a Leeds City Region Partnership Committee to be established on 1 April 2015.

(2) That approval be given to the dissolution of the Leeds City Region Leaders Board on 31 March 2015.

(3) That approval be given to the amendment of the existing delegation of authority to the Director of Resources to enable him, in consultation with the Leader of the Council, to approve any further matter relating to a recommendation of the Leeds City Region Partnership Committee.

**262**

**The Freehold Asset Transfer of Soothill Community Centre; Skelmanthorpe Council Offices; Paddock Village Hall**

Cabinet received a report which sought approval for the transfer of land and buildings which currently make up (i) Soothill Community Centre; (ii) Skelmanthorpe Council Offices and (iii) Paddock Village Hall.

It was noted that the proposal was to Asset Transfer Soothill Community Centre, Skelmanthorpe Council Offices and Paddock Village Hall for community use, on a freehold basis whereby the condition of the Freehold would include a covenant to ensure that the buildings were available for community use only. The report advised that all three Groups had submitted robust applications and business plans in line with the Asset Transfer Policy, and that the proposed transfer route was to transfer the buildings and land on a Freehold basis to the Groups at nil cost.

**RESOLVED –**

(1) That the asset transfer of the freehold of (i) Soothill Community Centre to Soothill Community Association, (ii) Skelmanthorpe Council Offices to Denby Dale Parish Council (subject to the requirement that there should be a leaseback of the part of the building that is used as a library and information centre) and (iii) Paddock Village Hall to Paddock Community Trust, on a freehold transfer for no premium/no consideration and to include covenants to ensure that buildings are available for community use only.

(2) That it be noted that the Assistant Director (Physical Resources and Procurement) and Assistant Director (Legal Governance and Monitoring) have delegated authority to negotiate and agree the terms of the freehold transfer that relate to the transfer of these centres.