



**Assistant Director of Legal, Governance and
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Decision Summary

Committee:

Date:

Committee Clerk:

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COUNCIL

WEDNESDAY 9 DECEMBER 2015

Andrea Woodside

01484 221000

Chair

Councillor Paul Kane

Councillors Attended

M Ahmed, M Akhtar, S Alvy, K Allison, B Armer, R Barraclough, D Bellamy, M Bolt, C Burke, J Calvert, A Cooper, N Dad, J Dodds, E Firth, C Greaves, D Hall, S Hall, M Hemingway, L Holmes, E Hill, E Holroyd-Doveton, J Hughes, M Hussain, C Iredale, V Kendrick, M Khan, J Lawson, V Lees-Hamilton, R Light, G Lowe, T Lyons, A Marchington, N Mather, P McBride, D O'Donovan, M O'Neill, A Palfreeman, S Pandor, A Patel, N Patrick, C Pattison, A U Pinnock, A Pinnock, K Pinnock, H Richards, K Rowling, M Sarwar, C Scott, P Scott, D Sheard, K Sims, E Smaje, K Smith, M Sokhal, J Stewart-Turner, J Taylor, K Taylor, G Turner, N Turner, S Ullah, M Walton, M Watson, G Wilson and L Wilkinson

Attendees

Co-optees

Apologies

Councillor Donald Firth, Councillor Hanif Mayet, Councillor David Ridgway and Councillor Amanda Stublely

Observers

1: Announcements by the Mayor and Chief Executive

To receive any announcements.

The Chief Executive provided an overview of agenda item 7 and explained the reasons as to why the report had been submitted to the meeting of Council.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

Apologies for absence were received on behalf of Councillors D Firth, Mayet, Stubbley and Ridgway.

3: Minutes of Previous Meeting

To agree and authorise the Mayor to sign as a correct record.

Approved as a correct record.

4: Declaration of Interests

The Councillors will be asked to say if there are any items of the Agenda in which they have a Disclosable Pecuniary Interests, which would prevent them from participating in any discussion of them items or participating in any vote upon the items, or any other interests.

Councillors Dodds and Sokhal declared an 'other' interest in Agenda Item 7 on the grounds that they are Trustees of Kirklees Active Leisure.

Councillors Lawson and K Pinnock declared an 'other' interest in Agenda Item 7 on the grounds that they are Governors of Whitcliffe Mount School.

Councillor Hill declared an 'other' interest in Agenda Item 13 on the grounds that her father is employed by a housing association.

Councillor AU Pinnock declared an 'other' interest in Agenda Item 13 on the grounds that she occasionally works with clients of Kirklees Neighbourhood Housing.

Councillor Pattison declared an 'other' interest in Agenda Item 13 on the grounds that she is Vice Chair of Fusion Housing.

Councillors Bolt and Richards declared an 'other' interest in Agenda Item 7 on the grounds that they are subscribing members of Kirklees Active Leisure.

Councillor Khan declared 'other' interests in (i) Agenda Item 10 on the grounds that she is a freelance counsellor and (ii) Agenda Item 13 on the grounds that

she is an employee of Stonham Support Services.

5: Reference from Cabinet/Corporate Governance and Audit Committee - Treasury Management Activities 2015/16 - Half Year Monitoring

To receive the report.

Contact: Tim Mitchell, Finance Manager

The Treasury Management Activity Half Yearly Monitoring Report was received and noted.

6: Reference from Licensing and Safety Committee - Gambling Policy

To consider the adoption of the Gambling Policy for the period 2016 – 2019.

Contact: Catherine Walker, Licensing Manager

The Gambling Policy 2016-2019 was adopted.

7: Whitcliffe Mount School and the Closure of Whitcliffe Mount Sports Centre - to note the Ombudsman Report

To receive the details of the Ombudsman's finding on the investigation regarding the closure of Whitcliffe Mount Sports Centre, including a decision timeline and background information.

The report detailing the outcome of the Local Government Ombudsman was received and noted.

8: West Yorkshire Combined Authority - Minutes

To receive the Minutes of the Combined Authority Meeting, held on 17 September 2015.

The Minutes of the meeting of West Yorkshire Combined Authority were received and noted.

9: Key Discussion - Heroes Welcome

Council will debate the key discussion topic, which will be introduced by Councillor Calvert and will include a representation from Mr John Senior of Heroes Welcome in the UK.

More information available at www.heroeswelcome.co.uk

(Under the provision of Council Procedure Rule 5 (5), the key discussion must commence no later than 7pm. Council Procedure Rule 18 (23) permits a maximum of 60 minutes for this item)

Council endorsed the sentiments of the Heroes Welcome Project and sought to encourage all businesses and bodies within Kirklees to consider if and how they could offer support in their local area.

10: Motion submitted in accordance with Council Procedure Rule 14 as to Mental Health

To consider the following Motion submitted in the names of Councillors Sheard and Kendrick;

"This Council notes that :

- 1 in 6 people will experience a mental health problem in any given year.
- The World Health Organisation predicts that depression will be the second most common health condition worldwide by 2020.
- Mental ill health costs some £105 billion each year in England alone.
- People with a severe mental illness die up to 20 years younger than their peers in the UK.
- There is often a circular relationship between mental health and issues such as housing, employment, family problems or debt.

This Council believes that:

- Kirklees Council has a responsibility to provide support to its citizens across the district and in so doing contribute collectively with other local authorities to address this growing national problem.
- As a Local Authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.
- Mental health should be a priority across all the local authority's functions, from public health, adult social care and children's services to housing, planning and public realm.
- All Councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental

health on an individual and strategic basis.

This Council resolves:

To sign the Local Authorities' Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds.

To commit within budget and request that where appropriate Cabinet acts to;

- Appoint an Elected Member as 'mental health champion' across the Council
- Identify a 'lead officer' for mental health to link in with colleagues across the Council
- Follow the implementation framework for the mental health strategy where it is relevant to the Council's work and local needs
- Work to reduce inequalities in mental health in our community
- Work with the NHS to integrate health and social care support
- Promote wellbeing and initiate and support action on public mental health
- Tackle discrimination on the grounds of mental health in our community
- Encourage positive mental health in our schools, colleges and workplaces
- Proactively engage and listen to people of all ages and backgrounds about what they need for better mental health
- Sign up to the Time to Change pledge."

Motion approved as amended;

"That this Council notes that:

- * 1 in 4 people will experience a mental health problem in any given year.
- * The World Health Organisation predicts that depression will be the second most common health condition worldwide by 2020.
- * Mental ill health costs some £105 billion each year in England alone.
- * People with a severe mental illness die up to 20 years younger than their peers in the UK.
- * There is often a circular relationship between mental health and issues such as housing, employment, family problems or debt.
- * People with mental health problems do not enjoy the same access to services and to treatment as those with physical health problems. 75% of children and young people experiencing a mental health problem are thought to not access

any treatment. And only 15 per cent of people who might benefit from talking therapies are actually getting such treatment.

* Until this April there were no maximum waiting times for treatment for mental ill health, and we urge the government to use the Spending Review to show how these will be implemented and extended to cover all ages and all mental health services.

* The financial incentives in the NHS discriminate against mental health. As a result, whenever resources are under pressure, mental health is the first to lose out.

* Too many mentally ill people are being shunted around the country in search of a bed – and in some cases children are being admitted to adult wards due to shortages – a practice which would never be tolerated in physical health.

* People who lose their jobs are not having the mental health impact of unemployment taken into account, and so lack treatment that might help get them back into work.

* Too many children and adults are still ending up in police cells rather than hospital when going through a mental health crisis.

* Too many people are inappropriately in prison essentially because they suffer mental ill health or have a learning disability including autism.

* It is very troubling that certain ethnic groups, particularly African-Caribbean and African – are over-represented in acute mental health services and locked and secure services. People from these backgrounds face more frequent use of coercion, suffer more use of physical restraint, end up in contact with the police more often than others and have less access to talking therapies.

* Vital research to gain a better understanding of mental illness and to establish the most effective treatments is compromised by inadequate funding. Whilst mental ill health accounts for around 23% of the overall disease burden, it only receives about 5% of research funding.

This Council believes that:

* Kirklees Council has a responsibility to provide support to its citizens across the district and in so doing contribute collectively with other local authorities to address this growing national problem.

* As a Local Authority we have a crucial role to play in improving the mental health of everyone in our community and tackling some of the widest and most entrenched inequalities in health.

* Mental health should be a priority across all the local authority's functions, from public health, adult social care and children's services to housing, planning and public realm.

* All Councillors, whether members of the Executive or Scrutiny and in our community and casework roles, can play a positive role in championing mental

health on an individual and strategic basis.

This Council resolves:

To sign the Local Authorities' Mental Health Challenge run by Centre for Mental Health, Mental Health Foundation, Mind, Rethink Mental Illness, Royal College of Psychiatrists and Young Minds.

To encourage all members of council to sign up to the cross-party, cross-society Equality for Mental Health Campaign aimed at persuading the Government to help reduce the suffering of those with mental ill health by increasing investment into the provision of mental health services.

To commit within budget and request that where appropriate Cabinet acts to;

- Appoint an Elected Member as 'mental health champion' across the Council
- Identify a 'lead officer' for mental health to link in with colleagues across the Council
- Follow the implementation framework for the mental health strategy where it is relevant to the Council's work and local needs
- Work to reduce inequalities in mental health in our community
- Work with the NHS to integrate health and social care support
- Promote wellbeing and initiate and support action on public mental health
- Tackle discrimination on the grounds of mental health in our community
- Encourage positive mental health in our schools, colleges and workplaces
- Proactively engage and listen to people of all ages and backgrounds about what they need for better mental health
- Sign up to the Time to Change pledge."

11: Motion submitted in accordance with Council Procedure Rule 14 as to the Failings of Cabinet

To consider the following Motion submitted in the names of Councillors Light, D Hall, Bolt, Palfreeman, Bellamy, Hemingway, Holmes, Armer, J Taylor, Wilson and Patrick;

"This Council notes with extreme concern the damning Ombudsman report into the way the Cabinet made the decision to close Whitcliffe Mount Sports Centre.

This Council further notes, with equal concern, that Overview and Scrutiny has found failures in the Cabinet's decision making processes on Grass Cutting, Libraries and Community Asset Transfers, all within the last five months.

This Council therefore resolves that it has no confidence in the ability of the present Cabinet to properly adhere to principles of good governance in accordance with the constitutional powers delegated to it by the Council."

Item not considered (due to time constraints).

12: Motion submitted in accordance with Council Procedure Rule 14 as to Scrutiny

To consider the following Motion submitted in the names of Councillors Light, Bolt, Palfreeman, Bellamy, Hemingway, Holmes, Armer, J Taylor, Wilson and Patrick;

"This Council:

1. Recognises the constructive contribution made by non-Executive members of the Council, from all political Groups, through the Overview and Scrutiny process since it was introduced by the Labour Government in the Local Government Act 2000, and that the, then, Government's intention was to create a counterweight to the new executive structures created by the same 2000 Act.
2. Acknowledges that Members, when in their Overview and Scrutiny role have acted, and continue so to do, in both an independent and non-political way.
3. Considers it to be essential that Overview and Scrutiny is free to challenge decisions, policy etc. in order to uphold good governance.
4. Commits to uphold the independence of the Overview and Scrutiny process and requests Cabinet to ensure that adequate resources are made available to continue this essential Council function"

Item not considered (due to time constraints).

13: Motion Submitted in Accordance with Council Procedure Rule 14 as to the Housing and Planning Bill

To consider the following Motion in the names of Councillors C Scott, S Hall, Khan and G Turner;

"This Council notes:

That the Housing and Planning Bill is currently being debated in Parliament, and if passed would threaten the provision of affordable homes for rent and buy, for many individuals, couples and families across the Kirklees District, through:

- Forcing 'high-value' council homes to be sold on the open market!
- Extending the right-to-buy to housing association tenants: and
- Undermining section 106 requirements on private developers to provide affordable homes
- That there is no commitment in the Bill that affordable homes will be replaced like-for-like in the local area.
- That whilst measures to help first-time buyers are welcome, the 'starter homes' proposals in the Bill will be unaffordable to families and young people on ordinary incomes in most parts of the country: will not preserve the taxpayer

investment: and will be built at the expense of genuinely-affordable homes to rent and buy.

- That the Bill undermines localism by taking 32 new wide and open-ended powers for the Secretary over councils and local communities, including the ability to override local plans, to mandate rents for social tenants, and to impose a levy on stock-holding councils, violating the terms of the housing revenue account self-financing deal.
- That the Bill, whilst introducing some welcome measures to get to grips with rogue landlords, does not help with the high rents, poor conditions and insecurity affecting many of England's 11m private renters - including one in four families with children and does nothing to help arrest the recent rise in homelessness.

This Council therefore resolves:

- That the Director of Economy, Skills and the Environment be requested to analyse and report on (i) the likely impact of the forced sale of council homes, the extension of right-to-buy and the 'starter homes' requirement on the local availability of affordable homes to Cabinet and Council and (ii) any further likely impacts of the Bill on the Kirklees District.
- That this information be used to support the Leader of Kirklees Council in writing to the Secretary of State with our concerns about the Bill."

Item not considered (due to time constraints).
