



**Service Director – Legal, Governance and  
Commissioning**

**Julie Muscroft**

The Democracy Service  
First Floor, Civic Centre 3  
High Street  
Huddersfield  
HD1 2TG

**Tel:** 01484 221000

## **Decision Summary**

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**COUNCIL**

**WEDNESDAY 20 MARCH 2019**

**Andrea Woodside**

**01484 221000**

### **Chair**

Councillor Gwen Lowe

### **Councillors Attended**

Councillor Masood Ahmed

Councillor Mahmood Akhtar

Councillor Karen Allison

Councillor Bill Armer

Councillor Gulfam Asif

Councillor Donna Bellamy

Councillor Martyn Bolt

Councillor Cahal Burke

Councillor Andrew Cooper

Councillor Richard Eastwood

Councillor Eric Firth

Councillor Donald Firth

Councillor Michelle Grainger-Mead

Councillor Charles Greaves

Councillor David Hall

Councillor Steve Hall

Councillor Lisa Holmes

Councillor Erin Hill

Councillor James Homewood

Councillor Judith Hughes

Councillor Christine Iredale

Councillor Manisha Roma Kaushik

Councillor Viv Kendrick

Councillor John Lawson

Councillor Vivien Lees-Hamilton

Councillor Fazila Loonat

Councillor Terry Lyons

Councillor Naheed Mather  
Councillor Peter McBride  
Councillor Bernard McGuin  
Councillor Darren O'Donovan  
Councillor Marielle O'Neill  
Councillor Shabir Pandor  
Councillor Nigel Patrick  
Councillor Carole Pattison  
Councillor Mussarat Pervaiz  
Councillor Amanda Pinnock  
Councillor Andrew Pinnock  
Councillor Hilary Richards  
Councillor Mohammad Sarwar  
Councillor Cathy Scott  
Councillor Will Simpson  
Councillor Ken Sims  
Councillor Elizabeth Smaje  
Councillor Richard Smith  
Councillor Mohan Sokhal  
Councillor Julie Stewart-Turner  
Councillor John Taylor  
Councillor Kath Taylor  
Councillor Graham Turner  
Councillor Sheikh Ullah  
Councillor Rob Walker  
Councillor Habiban Zaman  
Councillor Nell Griffiths  
Councillor Alison Munro  
Councillor Richard Murgatroyd  
Councillor Mark Thompson  
Councillor Harpreet Uppal

### **Apologies**

Councillor Nosheen Dad, Councillor Edgar Holroyd-Doveton, Councillor Mumtaz Hussain, Councillor Paul Kane, Councillor Musarrat Khan, Councillor Kath Pinnock, Councillor David Sheard, Councillor Michael Watson and Councillor Gemma Wilson

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## **1: Announcements by the Mayor and Chief Executive**

To receive any announcements from the Mayor and Chief Executive.

Council observed a minute of silence in recognition of the tragic events in New Zealand earlier in the week, following which the Leader paid tribute on behalf of the Council.

The Mayor informed Council that 25<sup>th</sup> March 2019 marked the 150<sup>th</sup> anniversary of the first meeting of Batley Borough Council, and paid thanks to West Yorkshire Archive Service who had begun work to restore the document which created the Borough of Batley 150 years ago, and which would be preserved as part of Batley's democratic heritage.

The Mayor conveyed the thanks of Council to those Members who would be retiring from Office at the forthcoming elections; Councillors Sheard, Hughes, Stewart-Turner, Wilson and Holroyd-Doveton. Tributes were paid by Councillors McBride, Pandor, Sims, D Hall, Kendrick, Lawson, S Hall, Cooper and Allison.

The Chief Executive gave acknowledgement and presented a certificate of thanks to Eleanor Brazil, Children's Commissioner, who had been supporting the Children's Services improvement journey since December 2016, and was now concluding her work with the Authority. Councillors Pandor, D Hall, Lawson, Kendrick and Hill also conveyed thanks for Eleanor's work on behalf of the Council.

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## **2: Apologies for absence**

Group Business Managers to submit any apologies for absence.

Apologies for absence were received on behalf of Councillors Dad, Holroyd-Doveton, Kane, Khan, Hussain, K Pinnock, Sheard, Watson and Wilson.

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## **3: Minutes of Previous Meeting**

To receive the Minutes of (i) Budget Council held on 13 February 2019 and (ii) Extra-Ordinary Council held on 27 February 2019.

Approved as a correct record.

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## **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.

No interests were declared.

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## **5: Petitions (From Members of the Council)**

To receive any Petitions from Members of the Council in accordance with Council Procedure Rule 9.

No petitions were submitted.

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## **6: Deputations & Petitions (From Members of the Public)**

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

Council received a deputation from Ian Staples, on behalf of HRI Campaign Group, which sought the Council's support to challenge proposals for healthcare provision in the area and for the launch of a People's Commission.

A response was provided by the Leader of the Council.

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## **7: Public Question Time**

The Committee will hear any questions from the general public.

No questions were asked.

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## **8: Homelessness and Rough Sleeping Strategy (Reference from Cabinet)**

To consider the report.

Contact: Karen Oates, Housing Services

That the consideration of the item be deferred until the next ordinary meeting of Council.

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## **9: Kirklees Economic Strategy (Reference from Cabinet)**

To consider the report.

Contact: Kate McNicholas, Strategy and Policy Service

That the Kirklees Economic Strategy be approved.

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**10: Report of Members Allowances Independent Review Panel (Reference from Corporate Governance and Audit Committee)**

To consider the report.

Contact: Carl Whistlecraft, Head of Democracy

That the recommendations of the Members Allowances Independent Review Panel for the 2019/2020 Members Allowances Scheme be approved, to take effect from 1 April 2019.

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**11: Pay Policy Statement (Reference from Personnel Committee)**

To consider the report.

Contact: Deborah Lucas, Head of Peoples Services

That the Pay Policy Statement be approved, in accordance with the Localism Act 2011.

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**12: Scrutiny Update**

To receive an update on recent work within Overview and Scrutiny.

Contact: Penny Bunker, Governance and Democratic Engagement Manager

Item not considered (due to time constraints).

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**13: West Yorkshire Combined Authority - Minutes**

To receive the minutes of the meeting of the West Yorkshire Combined Authority held on 13 December 2018.

Item not considered (due to time constraints).

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**14: Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons**

To receive written questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons in accordance with Council Procedure Rule 12.

The schedule of written questions will be tabled at the meeting.

Item not considered (due to time constraints).

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## **15: Minutes of Cabinet and Cabinet Committee - Local Issues**

To receive for information; the Minutes of Cabinet held on 13 November 2018, 11 December 2018, 18 December 2018, 14 January 2019, 22 January 2019 and 29 January 2019, and Cabinet Committee – Local Issues held on 11 February 2019.

Item not considered (due to time constraints).

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## **16: Holding the Executive to Account**

- (a) To receive a Portfolio Update from the Portfolio Holders for (i) Learning and Aspiration (Councillor Ahmed) and Communities and Environment (Councillor Mather).
- (b) Oral Questions/Comments to Cabinet Members on their Portfolios and relevant Cabinet Minutes;
  - (i) Communities and Environment Portfolio (Councillor Mather)
  - (ii) Learning and Aspiration Portfolio (Councillor Ahmed)
  - (iii) Children’s Portfolio (Councillor Kendrick)
  - (iv) Corporate Portfolio (Councillor Turner)
  - (v) Economy Portfolio (Councillor McBride)
  - (vi) Public Health Portfolio (Councillor Khan)
  - (vii) Health, Housing and Social Care Portfolio (Councillor Scott)
  - (viii) The Deputy Leader of the Council
  - (ix) The Leader of the Council

Item not considered (due to time constraints).

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## **17: Minutes of Other Committees**

To receive for information the minutes of the following Committees;

- (i) Appeals Panel
- (ii) Corporate Governance and Audit Committee
- (iii) Corporate Parenting Board
- (iv) Health and Wellbeing Board
- (v) Licensing and Safety Committee
- (vi) Overview and Scrutiny Management Committee
- (vii) Personnel Committee
- (viii) Strategic Planning Committee

Item not considered (due to time constraints).

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## **18: Oral Questions to Committee/Sub Committee/Panel Chairs and Nominated Spokespersons of Joint Committees/External Bodies**

- (a) Appeals Panel (Councillor Dad)
- (b) Corporate Governance and Audit Committee (Councillor Richards)
- (c) Corporate Parenting Board (Councillor Kendrick)
- (d) Employee Relations Sub Committee (Councillor Pandor)
- (e) Health and Wellbeing Board (Councillor Kendrick)
- (f) Licensing and Safety Committee – including Licensing Panel and Regulatory Panel (Councillor Pattison)
- (g) Overview and Scrutiny Management Committee (Councillor Stewart-Turner)
- (h) Personnel Committee (Councillor Pandor)
- (i) Planning Sub Committee - Heavy Woollen Area (Councillor Kane)
- (j) Planning Sub Committee – Huddersfield Area (Councillor Lyons)
- (k) Scrutiny Panel – Children’s (Councillor Burke)
- (l) Scrutiny Panel – Corporate (Councillor Asif)
- (m) Scrutiny Panel – Economy and Neighbourhoods (Councillor Walker)
- (n) Scrutiny Panel – Health and Adult Social Care (Councillor Smaje)
- (o) Standards Committee (Councillor E Firth)
- (p) Strategic Planning Committee (Councillor S Hall)
- (q) Kirklees Neighbourhood Housing (Councillor Smaje)
- (r) Kirklees Active Leisure (Councillor Sokhal)
- (s) West Yorkshire Combined Authority (Councillor Pandor)
- (t) West Yorkshire Combined Authority Transport Committee (Councillor Kaushik)
- (u) West Yorkshire Fire and Rescue Authority (Councillor O’Donovan)
- (v) West Yorkshire Joint Services Committee (Councillor Zaman)
- (w) West Yorkshire Police and Crime Panel (Councillor A U Pinnock)

Item not considered (due to time constraints).

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## **19: Response to Motion of Council - Period Dignity**

To receive the response of the Department of Health to the motion of Council on 12 December 2018 as to Period Dignity.

Item not considered (due to time constraints).

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## **20: Motion submitted in accordance with Council Procedure Rule 14 as to Universal Credit**

To consider the following Motion in the names of Councillors Uppal, A U Pinnock, Pandor, Homewood, Ullah, Murgatroyd, Griffiths, Kaushik, Richards, Walker, Loonat, Hill, McBride, Mather, and Khan;

“This Council notes the Universal Credit (UC) policy is flawed, causing unnecessary hardship to local families and people across the country whilst failing to meet its original aims.

This council further notes, that in Kirklees, following the roll out of UC Full Service in November 2017, 13,989 people are in receipt of UC support, which has led to problems with rent arrears, and general indebtedness particularly from the 5 week minimum wait for an initial payment. Kirklees Neighbourhood figures as at 1 October 2018 suggest UC claimants represented 32% of rent accounts in arrears which totalled £1.2m of the debt owed.

In addition, there has been an increased use of local welfare service provision referrals to four Kirklees foodbanks, up 27% from the same period in the previous year. Recent figures from The Welcome Centre Foodbank (WCF) in Huddersfield show 1 in 5 people who use the foodbank do so because of problems with Universal Credit. Between May to July 2018 referrals to WCF due to Universal Credit stood at 611, up from 469 referrals between January and April.

Official figures show hundreds of thousands of UC payments made nationally are being subject to deductions used to pay back arrears in rent, council tax and utility bills, pushing families into a downward spiral of debt and poverty. Similarly, the Local Welfare Provision (LWP) team in Kirklees are taking more calls from residents who have not been able to make their UC payment last due to insufficient funds including deductions taken from their payments due to advances, arrears payments or tax credit overpayments. The LWP team told us that there was too much reliance on the advance payments system, in reality a loan, which plunges claimants into debt. Between 1 April to 24 August 2018, 64% of referrals from the LWP team to local foodbanks, including for fuel vouchers, were due to UC claimants struggling with the inadequacy of support. This compares to 33% for the period 1/11/17 to 31/3/18.

In addition, for people on UC who are in work, but are paid weekly, fortnightly or 4 weekly, the monthly UC payment is causing additional issues with two or more wages in one pay period resulting in no UC support the following month; self-employed workers on UC are worse off than under legacy benefits and compared with employees; and disabled people unable to work, are also worse off than under legacy benefits, and may be pushed into poverty as a result.

Although the managed migration of UC has been restricted to a pilot, thousands of people are due to transition on to UC this year as a result of ‘natural migration’ (a change in their circumstances).



Furthermore, although UC payments are to go to the primary carer in the household, there are issues with the childcare element of Universal Credit leaving many households in debt.

The High Court also recently found in favour of four single mothers who had brought a legal challenge against the government on the grounds that Universal Credit failed to take account of fluctuating income when they were paid twice in a month because their payday fell very near the end of the month.

Policy in Practice has warned 40% of UC claimants will lose out by an average of £59 a week compared to the old system. In addition, research for Mirror Money reveals 80% of people on UC say it doesn't cover their essential living costs, 72% have had to borrow money and ended up in debt and 56% receive less through UC than from the old benefits system.

Despite some tweaks to UC in the Autumn budget, such as an increase in work allowances, and by the new Work and Pensions Secretary, including scaling back the proposed Managed Migration, the policy continues to leave many of our residents on the lowest incomes in poverty and suffering. The Work and Pensions Secretary has gone as far as to say the roll out of Universal Credit may have led to increased use of food banks.

This Council therefore resolves to write to the Secretary of State for Work and Pensions, making these points, demanding that, if the Government is refusing to scrap Universal Credit, that they:

- Stop the freeze in social security payments
- Scrap the 5-week wait for U
- Provide the option for alternative pay arrangements for UC
- Make advance payments with no repayable loans
- Pay childcare payments upfront
- Stop the two-child limit in support"

Item not considered (due to time constraints).

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## **21: Motion Submitted in Accordance with Council Procedure Rule 14 as to Council Procedure Rules**

To consider the following Motion in the names of Councillors Lawson, Burke, D Hall, J Taylor, Cooper and Greaves.

This Council notes that:

The Extraordinary Council on 27th February 2019 to adopt the Local Development Plan was cut short by nearly an hour by a move to the vote even though there were many members left on the speakers list. This resulted in eight wards, a third of the Authority, having no representation in the debate for what was a decision to be made by whole of council.

This Council resolves that:

Corporate Governance and Audit Committee be asked to consider how council procedure rules can be amended to ensure members have been given a reasonable chance to speak and the public has been properly represented. This would apply to decisions that require 'whole of council decisions' such as the Budget, Setting of Council Tax and other statutory decisions.

Mayor's discretion in these issues is essential and must be maintained – we intend that any amendments to Procedure Rules assist Mayors' decisions making rather than interfere with current authority.

(This Agenda item is submitted as Opposition Priority Business, in accordance with Council Procedure Rule 17, and shall therefore be brought forward if the consideration of the item has not commenced within two hours of the start of the meeting).

That this Council requests Officers to undertake work to inform a report to Corporate Governance and Audit Committee on proposals to change Council Procedure Rules to allow more meaningful and open debate at Council meetings, with a report to come back to Council at the first meeting in the new municipal year.

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