

Contact Officer: Richard Farnhill

**COUNCIL**

**KIRKLEES COUNCIL**

**At the Meeting of the Council of the Borough of Kirklees held at  
Council Chamber - Town Hall, Huddersfield on Wednesday 29 July 2015**

**PRESENT**

**The Mayor (Councillor Paul Kane) in the Chair**

**COUNCILLORS**

|                                  |                                 |
|----------------------------------|---------------------------------|
| Councillor Musarrat Khan         | Councillor Sheikh Ullah         |
| Councillor John Taylor           | Councillor Amanda Pinnock       |
| Councillor Carole Pattison       | Councillor Marielle O'Neill     |
| Councillor Gemma Wilson          | Councillor Nosheen Dad          |
| Councillor Masood Ahmed          | Councillor Mahmood Akhtar       |
| Councillor Simon Alvy            | Councillor Karen Allison        |
| Councillor Bill Armer            | Councillor Robert Barraclough   |
| Councillor Donna Bellamy         | Councillor Martyn Bolt          |
| Councillor Cahal Burke           | Councillor Jean Calvert         |
| Councillor Jim Dodds             | Councillor Eric Firth           |
| Councillor Donald Firth          | Councillor David Hall           |
| Councillor Steve Hall            | Councillor Mark Hemingway       |
| Councillor Lisa Holmes           | Councillor Erin Hill            |
| Councillor Edgar Holroyd-Doveton | Councillor Judith Hughes        |
| Councillor Mumtaz Hussain        | Councillor Christine Iredale    |
| Councillor Viv Kendrick          | Councillor John Lawson          |
| Councillor Vivien Lees-Hamilton  | Councillor Robert Light         |
| Councillor Gwen Lowe             | Councillor Terry Lyons          |
| Councillor Andrew Marchington    | Councillor Naheed Mather        |
| Councillor Hanif Mayet           | Councillor Peter McBride        |
| Councillor Darren O'Donovan      | Councillor Andrew Palfreeman    |
| Councillor Shabir Pandor         | Councillor Abdul Patel          |
| Councillor Nigel Patrick         | Councillor Andrew Pinnock       |
| Councillor Kath Pinnock          | Councillor Hilary Richards      |
| Councillor David Ridgway         | Councillor Mohammad Sarwar      |
| Councillor Cathy Scott           | Councillor Phil Scott           |
| Councillor David Sheard          | Councillor Ken Sims             |
| Councillor Elizabeth Smaje       | Councillor Ken Smith            |
| Councillor Mohan Sokhal          | Councillor Julie Stewart-Turner |
| Councillor Kath Taylor           | Councillor Graham Turner        |
| Councillor Nicola Turner         | Councillor Molly Walton         |
| Councillor Linda Wilkinson       | Councillor Amanda Stubleby      |

**13 Announcements by the Mayor and Chief Executive**

The Mayor gave notice of an award presented by Councillor Graham Turner from the Chartered Institute of Public Relations for the Kirklees 'It's Never Okay' Campaign regarding domestic abuse. The Mayor paid tribute to the work of officers in gaining this achievement.

The Mayor offered congratulations on behalf of the Council to Councillor Kath Pinnock on receiving an honorary doctorate from the University of Huddersfield for 'outstanding services to politics'.

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The Mayor advised Council that he had agreed to Items 10 - Petitions Debate - Library Service Review and 11 - Key Discussion - Library Service Review being considered as the first items of substantive business.

### 14 **Apologies for absence**

Apologies for absence were received from Councillors Cooper, Greaves, Rowling and Watson.

### 15 **Minutes of Previous Meeting**

The Minutes of the meeting held on 24 June 2015 were agreed as a correct record subject to the addition of Councillor Stublely to the list of Councillors in attendance at the meeting.

### 16 **Declaration of Interests**

Councillor Kath Pinnock declared an 'other' interest in agenda item 6 due to her being a Governor at Whitcliffe Mount School.

Councillor Lawson declared an 'other' interest in agenda item 6 due to him being a Governor at Whitcliffe Mount School.

Councillor Sims declared a disclosable pecuniary interest in agenda item 5 due to him being a Director on HDOne.

### 17 **Petitions Debate - Library Service Review**

Council discussed petitions which had previously been submitted to Council and had qualified for Council debate in accordance with the Terms of the Council's Petition Scheme.

The following petitions were debated; (a) petition presented by Mr Malcolm Haigh in relation to Batley Library and (b) petition presented by Councillor Andrew Pinnock in relation to Cleckheaton Library.

#### **RESOLVED -**

Council debated the content of petitions which exceeded the 3,000 signatures petition threshold requiring a debate at Council in relation to Cleckheaton and Batley Libraries.

### 18 **Key Discussion - Library Service Review**

Following the key Discussion debate, it was moved by the Mayor, and;

#### **RESOLVED -**

Council agreed that the discussions undertaken on the Library Services Review and on the petitions received regarding Cleckheaton and Batley Library's be taken into account alongside the outcome on consultations on Library provision when proposals are being developed for the future of Library Services.

### 19 **Revenue Financial Outturn and Rollover Report 2014/2015 (Reference from Cabinet)**

It was moved by Councillor G Turner, and seconded by Councillor Sheard that;

(1) That the Revenue Outturn position for 2014/15, as set out in Appendix 1 and 2 of the considered report be noted.

(2) That the Revenue Rollover proposals as set out in the detailed Revenue Rollover report and Appendix 3 to the considered report be approved.

(3) That the use of other Corporate reserves and balances as set out in the considered report be noted.

Whereupon it was moved by Councillor N Turner, and seconded by Councillor Lawson, by way of amendment, that;

'Kirklees Liberal Democrats want to devolve decision making powers to local communities and, in doing so, give local people the ability to respond to the issues affecting them and their areas. Concerns about the appearance of local parks and open spaces and matters of general cleanliness are already becoming a cause of public concern and, according to Cabinet, will continue to rise in the

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public consciousness. Kirklees Liberal Democrats think the best possible outcomes for residents and the Council would result from greater control and influence over resources and decisions being devolved to communities. Kirklees Liberal Democrats also want paid professionals to support volunteers who are willing to give time to help ensure the continuation key public services. Proposal:

- \* Allocate £3.3m over three years from 15/16 split pro-rata between the four District Committees allowing them to respond to local priorities, for example, grass cutting, street cleaning, pavement repairs;
- \* Allocate an additional £45k from 17/18 onwards to go toward the cost of staffing in community led libraries.

Kirklees Liberal Democrats are not convinced by Cabinet's approach to meeting demand for Primary places. Considering the importance of the issue and the size of the investments in question, Liberal Democrats are concerned by the absence of an overall strategy to explain or justify the administration's decisions. Liberal Democrats are shocked by Cabinet's willingness to spend £3.85m building a temporary school when other, more financially prudent options could be pursued. Proposal:

- \* Instruct Officers to prepare a strategic plan to meet Primary Place Demand in North and West Huddersfield;
- \* Pursue a more cost effective option for the decant of pupils from Mount Pleasant, allocating £850K in 15/16 to cover any associated costs.

Kirklees Liberal Democrats want to see Cabinet make the most of Kirklees assets particularly where it can generate a profit though investment in green energy. Proposal:

- \* Allocate £50k in 15/16 to fund a feasibility study exploring potential for the HD1 development to receive and purchase its heating from the Combined Waste and Energy Plant as a condition for receiving financial support from the Council.
- \* £32K saving this year and £72k thereafter on Special Responsibility Allowances for Councillors arising from the introduction of the Committee System of decision making;
- \* £259K Service Bid for Pavements diverted allowing District Committees to decide how this funding could best be used across the three years of the plan;
- \* £3.85m released by the decision to pursue a more cost effective option for the decant of pupils attending Mount Pleasant;
- \* Also, Director of Finance instructed to undertake a review of Reserves with a view to, potentially, up to another £1m being allocated equally among the four District Committees.'

The amendment, upon being put to the vote, was LOST.

Whereupon, it was moved by Councillor D Hall, and seconded by Councillor Light, that;

'The schemes of Mount Pleasant Decant (£1,850), Low Pay Initiatives (£380) and Welfare Pressures (£324), amounting to £2,554, be removed from the 2015/2016 budget, and that the following services amounting to £2554 over three years be added; provision for grass cutting and parks (£154 in 2015/2016, £400 in 2015/2016 and £400 in 2017/2018), and provision to help sustain libraries and mobile libraries services (£400 in 2015/2016, £600 in 2016/2017 and £600 in 2017/2018).'

The amendment, upon being put to the vote was LOST.

The Substantive Motion, on being put to the vote was CARRIED, and it was therefore

### **RESOLVED -**

(1) That the Revenue Outturn position for 2014/15, as set out in Appendix 1 and 2 of the considered report be noted.

(2) That the Revenue Rollover proposals as set out in the detailed Revenue Rollover report and Appendix 3 to the considered report be approved.

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(3) That the use of other Corporate reserves and balances as set out in the considered report be noted.

### 20 Council Capital Outturn & Rollover Report 2014-15 and Capital Investment Plan 2015/16 - 2019/20 Inclusive of Rollover (Reference from Cabinet)

It was moved by Councillor G Turner, and seconded by Councillor Sheard that;

(1) That approval be given to the removal from the Capital Investment Plan of £7m uncommitted rollover as indicated at paragraph 3.10a to the considered report and Appendix 5.

(2) That the £127k uncommitted balance of grant (schools broadband) be applied against the Capital element of the digital infrastructure rollover bid (£444k) being considered as part of the Revenue Outturn and Rollover report as set out at paragraph 3.10a(i) of the considered report.

(3) That the potential liability of BIS Grant repayment be transferred to Risks and Pressures, as set out at paragraph 3.10a(ii) of the considered report.

(4) That £2m of additional Capital Investment be included in the Strategic Asset Utilisation priority to meet the cost pressures relating to clearance works at strategic sites, as set out at paragraph 3.12(i) of the considered report.

(5) That a new strategic priority be established which provides match funding for European grant opportunities and that the priority be allocated £3m over 2 years, as set out at paragraph 3.12(ii) of the considered report.

(6) That resources of £9m be included in the plan so that an option to offer a loan facility to KSDL can be explored as set out at paragraph 3.14 of the considered report.

(7) That the updated Capital Investment Plan be approved as set out in the considered report.

Whereupon it was moved by Councillor N Turner, and seconded by Councillor Ridgway, by way of amendment, that;

'The Liberal Democrat Group wants to see strategic investment to the West of Huddersfield along the Colne and Holme Valleys to enable manufacturing and other companies to expand and to attract new companies and jobs to the area. The Liberal Democrat group also want to make this investment in order to improve the quality of life of residents. Proposal:

\* Reallocate £200K from the Huddersfield Town Centre Action Plan to fund feasibility studies for: building second river crossing in Milnsbridge; building second road into Slaithwaite from Manchester Road; improving Lockwood Bar and Longroyd Bridge junctions;

\* Work with the Combined Authority to secure funding for these schemes and/or in principle allocate £20m in capital borrowing beyond year 5 to fund the requires works.

Kirklees Liberal Democrats believe that valuable, culturally significant buildings and assets need to be preserved and maintained for future generations. Proposal:

\* Reallocate £2m recommended for removal to make Tolson Museum Wind and Water Tight.

Having listened to local users of the Whitcliffe Mount Sports Centre, Kirklees and Spenborough Liberal Democrats want the Council to fund the building of a replacement sports hall at Whitcliffe Mount.

\* Earmark £2.5m of the £15m allocated for Sports Facilities – Spenborough Area to fund the building of a replacement Sports Hall at Whitcliffe Mount with the remainder of the allocated £15m sum used to build a replacement for Spenborough Swimming Baths'

The amendment, upon being put to the vote was LOST.

Whereupon, it was moved by Councillor D Hall, and seconded by Councillor Light, that;

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'That (i) the following schemes be combined into one regeneration fund and reduced to £4m; Strategic sites clearance (£2m), European grants opportunities fund (£3m) and Rollover of disused/redundant buildings brought back into use (£1m) and (ii) the remaining £4m underspend be invested at £800k per annum over 5 years on unclassified roads and streetscene investment, details of which would be determined by ward members.'

The amendment, upon being put to the vote was LOST.

The Substantive Motion, on being put to the vote was CARRIED, and it was therefore

### **RESOLVED -**

(1) That approval be given to the removal from the Capital Investment Plan of £7m uncommitted rollover as indicated at paragraph 3.10a to the considered report and Appendix 5.

(2) That the £127k uncommitted balance of grant (schools broadband) be applied against the Capital element of the digital infrastructure rollover bid (£444k) being considered as part of the Revenue Outturn and Rollover report as set out at paragraph 3.10a(i) of the considered report.

(3) That the potential liability of BIS Grant repayment be transferred to Risks and Pressures, as set out at paragraph 3.10a(ii) of the considered report.

(4) That £2m of additional Capital Investment be included in the Strategic Asset Utilisation priority to meet the cost pressures relating to clearance works at strategic sites, as set out at paragraph 3.12(i) of the considered report.

(5) That a new strategic priority be established which provides match funding for European grant opportunities and that the priority be allocated £3m over 2 years, as set out at paragraph 3.12(ii) of the considered report.

(6) That resources of £9m be included in the plan so that an option to offer a loan facility to KSDL can be explored as set out at paragraph 3.14 of the considered report.

### **21 Annual Report on Treasury Management 2014-15 (Reference from Cabinet)**

It was moved by Councillor G Turner, seconded by Councillor Sheard and

#### **RESOLVED -**

Council agreed to note the content of the review of Treasury Management Activity 2014/15.

### **22 Adoption of the Sexual Entertainment Licensing Regime (Reference from Licensing and Safety Committee)**

It was moved by Councillor S Hall, seconded by Councillor Ridgway and

#### **RESOLVED -**

(1) That Council resolves that Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Sections 27 of the Police and Crime Act 2009 shall apply to the Kirklees Authority area and shall come into force on 1 October 2015.

(2) That approval be given to the adoption of a Sexual Entertainment Venue Policy in relation to sex establishments, as set out in the considered report.

### **23 Allowances for Members of Overview and Scrutiny Management Committee**

It was moved by Councillor Sokhal, seconded by Councillor Marchington and

#### **RESOLVED -**

That approval be given to the payment of allowances to Members of the Overview and Scrutiny Management Committee at Band C1, subject to a review of allowances paid to be undertaken at the next meeting of the Member's Independent Review Panel and that the payment at Band C1 will take effect from 20 May 2015.

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- 24 Motion submitted in accordance with Council Procedure Rule 14 as to Sky Lanterns**  
Motion not considered due to time constraints.
- 25 Motion submitted in accordance with Council Procedure Rule 14 as to Devolution to District Committees**  
Motion not considered due to time constraints.
- 26 Motion submitted in accordance with Council Procedure Rule 14 as to Devolution Yorkshire**  
Motion not considered due to time constraints.