

Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
Council Chamber - Town Hall, Huddersfield on Wednesday 11 November 2015**

PRESENT

The Mayor (Councillor Paul Kane) in the Chair

COUNCILLORS

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 Andrew Cooper	Councillor Nosheen Dad
Councillor Jim Dodds	Councillor Eric Firth
Councillor Charles Greaves	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 Musarrat Khan
Councillor John Lawson	Councillor Vivien Lees-Hamilton
Councillor Robert Light	Councillor Gwen Lowe
Councillor Terry Lyons	Councillor Andrew Marchington
Councillor Naheed Mather	Councillor Peter McBride
Councillor Darren O'Donovan	Councillor Marielle O'Neill
Councillor Andrew Palfreeman	Councillor Shabir Pandor
Councillor Abdul Patel	Councillor Nigel Patrick
Councillor Carole Pattison	Councillor Amanda Pinnock
Councillor Andrew Pinnock	Councillor Kath Pinnock
Councillor Hilary Richards	Councillor Karen Rowling
Councillor Mohammad Sarwar	Councillor Cathy Scott
Councillor Phil Scott	Councillor David Sheard
Councillor Ken Sims	Councillor Ken Smith
Councillor Mohan Sokhal	Councillor Julie Stewart-Turner
Councillor John Taylor	Councillor Kath Taylor
Councillor Graham Turner	Councillor Nicola Turner
Councillor Sheikh Ullah	Councillor Molly Walton
Councillor Michael Watson	Councillor Gemma Wilson
Councillor Linda Wilkinson	

56 Announcements by the Mayor and Chief Executive

There were no announcements.

Council observed a minute's silence in respect of Armistice Day.

57 Apologies for absence

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

58 Minutes of Previous Meeting

RESOLVED - That the Minutes of the meeting held on 7 October 2015 be approved as a correct record.

59 Declaration of Interests

No interests were declared.

60 Minutes of the Meeting of West Yorkshire Combined Authority held on 23 July 2015

RESOLVED - That the Minutes of the meeting of West Yorkshire Combined Authority, held on 23 July 2015, be received and noted.

61 Written Questions to Committee and Nominated Spokespersons of Joint Committees/External Bodies

No written questions were received.

62 Minutes of Cabinet and Cabinet Committee - Local Issues

The following Minutes were received for information;

(a) Cabinet - 28 July, 25 August and 22 September 2015

(b) Cabinet Committee - Local Issues - 12 August 2015

63 Holding Executive to Account

(a) Verbal Update from Cabinet Member

Councillor McBride, Cabinet Member for Transportation, Skills, Jobs and Regional Affairs, provided an update on issues within his portfolio of responsibility.

(b) Oral Questions/Comments to Cabinet Members on their portfolios and relevant Cabinet Minutes

(i) Place (Planning, Highways and Open Spaces) Portfolio

(a) Councillor Palfreeman asked the Cabinet Member to advise of the cost of preparing and displaying temporary road signs, how long they should be in place, and what happens to them at the end of that period.

The Cabinet Member (Councillor S Hall) replied thereto.

(b) Councillor K Pinnock asked whether the Cabinet Member understood the value and importance to civic pride of flowers within Town and Village Centres, and local parks.

The Cabinet Member (Councillor S Hall) replied thereto.

(c) Councillor Light asked whether the Cabinet Member could share details of the business case for Bradley Nurseries so that a judgement could be made in terms of commercial value, indicating that if an appropriate commercialisation strategy was put in place it might be possible to change the closure plans.

The Cabinet Member (Councillor S Hall) replied thereto.

(d) Councillor Bolt made reference to the Cabinet Member's interview with the BBC relating to the Parks and Open Spaces Maintenance Strategy and asked whether he was aware of the KKP Study into the Kirklees Playing Pitch Strategy.

The Cabinet Member (Councillor S Hall) replied thereto.

(e) Councillor Marchington made reference to previous Cabinet decisions relating to Bradley Nurseries, and the procurement of plants, and asked for an update on the progress that had been made since the Cabinet decisions were taken.

Council - 11 November 2015

The Cabinet Member (Councillor S Hall) replied thereto.

(f) Councillor Patrick asked whether the Cabinet Member could give assurance that towns would not be left without hanging baskets and tubs next year.

The Cabinet Member (Councillor S Hall) replied thereto.

(g) Councillor Bolt referred to the Cabinet Member's comments in the media regarding the obstruction of a byway on Nethermoor Farm and asked him to advise Council of the process of clearing the obstruction, how much it has cost the Council and when it will be open to the public.

The Cabinet Member (Councillor S Hall) replied thereto.

(h) Councillor Sims asked the Cabinet Member whether he thought that to announce the closure of the nurseries in Kirklees before a financial assessment had been done was the right approach.

The Cabinet Member (Councillor S Hall) replied thereto.

(ii) Family Support and Child Protection Portfolio

(a) Councillor Holmes asked, in terms of safeguarding of children, whether the Cabinet Member had confidence in licensing in Kirklees.

The Cabinet Member (Councillor Hill) replied thereto.

(iii) Prevention, Early Intervention and Vulnerable Adults Portfolio

(a) Councillor Iredale asked the Cabinet Member to advise of what the Council was doing to safeguard the residents of the Botham Hall Care Home, Golcar, which was part of the Four Seasons Care firm which is facing financial difficulties.

The Cabinet Member (Councillor Kendrick) replied thereto.

(b) Councillor K Pinnock asked what the Cabinet Member could do in terms of lobbying ATOS for the provision of a PIP (Personal Independence Payment) Assessment Service within Kirklees.

The Cabinet Member (Councillor Kendrick) replied thereto.

(iv) Schools and Learning

(a) Councillor K Pinnock asked whether the Cabinet Member had met the Regional Schools Commissioner for Kirklees.

The Cabinet Member (Councillor Pandor) replied thereto.

(v) Housing and Relief of Poverty

(a) Councillor N Turner referred to bin collection figures as being 98% on target and asked the Cabinet Member to advise what period of time this was over.

The Cabinet Member (Councillor C Scott) undertook to provide a written response.

(b) Councillor P Scott asked what the cost to the Council was of fly-tipping.

The Cabinet Member (Councillor C Scott) undertook to provide a written response.

(c) Councillor Light made reference to the new bin collection arrangements and asked when the performance rate was expected to meet 100% and also provide an assurance that there would not be problems with the bin collection service over the Christmas period.

Council - 11 November 2015

The Cabinet Member (Councillor C Scott) undertook to provide a written response.

(d) Councillor Marchington asked for information in regards to how the 98% success rate was calculated, and also gave an example of a case whereby residents bins had not been emptied but that the Council records did not reflect this.

The Cabinet Member (Councillor C Scott) undertook to provide a written response.

(e) Councillor N Turner made reference to the bulky waste collection system and asked if there were faults in the system resulting in bulky waste not being collected.

The Cabinet Member (Councillor C Scott) undertook to provide a written response.

64 **Minutes of Other Committees**

The following Minutes were received for information;

(a) Appeals Panel - 10 August, 15 September and 20 October 2015

(b) Corporate Governance and Audit Committee - 31 July and 25 September 2015

(c) Corporate Parenting Board - 1 October 2015

(d) District Committee – Batley and Spen - 28 July and 8 September 2015

(e) District Committee – Huddersfield - 7 July, 25 August and 29 September 2015

(f) District Committee – Kirklees Rural - 30 July and 24 September 2015

(g) Health and Well Being Board - 30 July and 24 September 2015

(h) Overview and Scrutiny Management Committee - 28 July, 20 August, 7 September, 5 October, 19 October and 23 October 2015.

(i) Personnel Committee - 9 July and 22 September 2015

(j) Policy Committee - 7 September, 23 September and 19 October 2015

(l) Strategic Planning Committee - 27 August, 24 September and 22 October 2015

65 **Oral Questions to Committee Chairs and Nominated Spokespersons of Joint Committees/External Bodies**

(a) Councillor N Turner asked Councillor Holroyd-Doveton (Chair of Kirklees Rural District Committee) to advise what progress had been made in terms of devolution to District Committees.

Councillor Holroyd-Doveton replied thereto.

(b) Councillor Patrick asked Councillor Holroyd-Doveton (Chair of Kirklees District Committee) to advise of which decisions the District Committee can make.

Councillor Holroyd-Doveton replied thereto.

(c) Councillor Watson made reference to the Council's governance process in terms of taxi licensing and recent comments made by the Cabinet Member for Place. He asked Councillor Smith (Chair of Licensing and Safety Committee) whether he was satisfied that only fit and proper persons, in accordance with Council Policy, were licensed as taxi drivers in Kirklees and also whether the concerns raised by Councillor S Hall in regard to Committee Membership and training had been addressed.

Councillor Smith replied thereto.

Council - 11 November 2015

(d) Councillor Marchington asked Councillor Stewart-Turner (Chair of Overview and Scrutiny Management Committee) if she would wish to comment upon the number of Call-in meetings that had recently taken place.

Councillor Stewart-Turner replied thereto.

(e) Councillor Light made reference to pre decision scrutiny processes that take place in other Local Authorities and asked Councillor Stewart-Turner (Chair of Overview and Scrutiny Management Committee) whether consideration could be given to the introduction of such a process in Kirklees.

Councillor Stewart-Turner replied thereto.

(f) Councillor Marchington asked Councillor Hussain (Spokesperson for West Yorkshire Fire and Rescue Authority) whether the programme for the reduction of fire stations across West Yorkshire had been completed, and what impact it had upon the provision of services.

Councillor Hussain undertook to provide a written response.

(g) Councillor Bolt asked Councillor Ahmed (Spokesperson for West Yorkshire Fire and Rescue Authority) whether he would join him in congratulating all of the fire and rescue service personnel in West Yorkshire for the excellent service that they provided to the community over the bonfire period, and also to Mirfield Fire Station for the community events that they had been involved in over the weekend period.

Councillor Hussain replied thereto.

(h) Councillor Sheard made reference to Fire Safety Standards relating to children's Halloween costumes and asked Councillor A Pinnock (Spokesperson for West Yorkshire Joint Services Committee) for details of any discussions that may have taken place regarding the sale of fire proof clothes.

Councillor A Pinnock replied thereto.

(i) Councillor Light asked Councillor A Pinnock (Spokesperson for West Yorkshire Joint Services Committee) whether he could provide an update on the potential for the governance arrangements of the Joint Services Committee being integrated into that of the Combined Authority.

Councillor A Pinnock replied thereto.

66 **Motion submitted in accordance with Council Procedure Rule 14 as to Tax Credits**

It was moved by Councillor O'Neill and seconded by Councillor Kendrick;

"That this is Council is concerned by the effects the Government's proposed changes to the welfare system, particularly but not exclusively to tax credits, as it demonstrates a clear attack on the lowest paid families.

Of particular concern is the effect these cuts will have on many of the low paid, hardworking families across Kirklees and the wider impact this will have on the diverse communities across the district.

We therefore request following:

(1) That Cabinet ask the Director of Resources to produce a report as to the effects of this attack on working families in Kirklees.

(2) This Council therefore asks that the Chief Executive writes a letter to Government requesting it seriously reconsiders implementation of these changes, so as to not enforce further undue financial suffering to many already hard working families of Kirklees."

Council - 11 November 2015

Whereupon it was moved by Councillor D Hall, and seconded by Councillor Hemingway, by way of AMENDMENT

"That all words after "This Council is concerned by..." be deleted and replaced with;

...anything which adversely affects the livelihood of its residents, including welfare changes.

It welcomes the Government's intimations that it will reconsider the implementation of changes to tax credits in the Autumn Statement, and therefore requests that the Director of Resources prepares a report after 25th November to assess the impact on Kirklees residents."

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

(At the request if a Member, supported by at least five other Members, a recorded vote was taken on the AMENDMENT as follows;

FOR: Councillors Armer, Bellamy, Bolt, D Hall, Hemingway, Holmes, Lees-Hamilton, Light, Palfreeman, Patrick, Sims, J Taylor, K Taylor, Watson and Wilson (15 Votes)

AGAINST: Councillors Ahmed, Akhtar, Allison, Alvy, Barraclough, Burke, Calvert, Cooper, Dad, E Firth, Greaves, S Hall, Hill, Holroyd-Doveton, Hughes, Hussain, Iredale, Kendrick, Khan, Lawson, Lowe, Marchington, Mather, McBride, O'Donovan, Pandor, Patel, Pattison, AU Pinnock, A Pinnock, K Pinnock, Richards, Rowling, Sarwar, C Scott, P Scott, Sheard, Smith, Sokhal, Stewart-Turner, G Turner, N Turner, Ullah, Walton and Wilkinson (45 Votes)

Whereupon, it was moved by Councillor Marchington, and seconded by Councillor Lawson, by way of further amendment, that

"That the following text be inserted after Paragraph 2;

This Council also notes that Labour Party failed to oppose these changes when they came before the House of Commons in July and failed to support a motion that would have killed off the proposals altogether when it was brought before the House of Lords in October."

The AMENDMENT, on being put to the vote was LOST.

The SUBSTANTIVE MOTION, on being put to the vote was CARRIED, and it was

RESOLVED -

"That this is Council is concerned by the effects the Government's proposed changes to the welfare system, particularly but not exclusively to tax credits, as it demonstrates a clear attack on the lowest paid families.

Of particular concern is the effect these cuts will have on many of the low paid, hardworking families across Kirklees and the wider impact this will have on the diverse communities across the district.

The Council therefore resolved that;

(1) The Director of Resources be asked to produce a report as to the effects of this attack on working families in Kirklees.

(2) The Chief Executive be asked to write a letter to Government requesting that it seriously reconsiders implementation of these changes, so as to not enforce further undue financial suffering to many already hard working families of Kirklees."

67

Sky Lanterns - Motion approved by Council on 29 July 2015

That the response of West Yorkshire Trading Standards be noted.

