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COUNCIL

KIRKLEES METROPOLITAN COUNCIL

**At a Meeting of the Council of the Borough of Kirklees held at
the Town Hall, Dewsbury on Wednesday 24 April 2002**

PRESENT

The Mayor (Councillor M Sokhal MBE) in the Chair

COUNCILLORS

B ALLONBY
G ALVY
G ASIF
P BATTYE
D BEETHAM
G BEEVER
M M BLANSHARD
S M BOLT
M BOWER
MRS M BOWER
R BRIGGS
J CALVERT
A COOPER
T J CROWTHER
A E DENHAM
G W DIMMOCK
M FEARNLEY
D M FIRTH
A E FIRTH
H FOX
M GRANGER
J GREEN
M HARKIN
A HARRISON
S E HEY
D J HILLAS
D HULLOCK
K HUSSAIN
R C IREDALE
K IQBAL
P KANE
T KARRAN
M KHAN
R LIGHT

G MANIYAR
P MCBRIDE
I MCCLELLAN
S M MAY
A MURPHY
A K OLDROYD
A PALFREEMAN
D R PAYNE
A C PINNOCK
K PINNOCK
A RAISTRICK
M RAZAQ
D RIDGWAY
D ROBINSON
M SARWAR
D SHEARD
G SIMPSON
E SIMS
K D SIMS
A SMITH
C M L SMITH
K SMITH
J R SMITHSON
S A SMITHSON
B SNELSON
G SPEIGHT
P L SYKES
K TAYLOR
C WALDER
M WALTON
B WARBY
C WATSON
A WOODHEAD

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Announcements by the Mayor and the Chief Executive

The Mayor referred to the death on 30 March 2002 of former Councillor Mr John Mernagh, past Mayor of Huddersfield 1973/74 and Kirklees 1993/94. Members and Officers stood in silence as a mark of respect to his memory.

The Mayor and other Members of the Council thanked Councillors Colin Watson, Rita Briggs, Allison Harrison and Thelma Karran (who were not seeking re-election as a Councillor at the District Elections to be held on 2 May 2002) for the work which they had undertaken on behalf of the Council and their constituents during their terms of office. The retiring Members responded thereto and thanked the Council and colleagues for their best wishes.

The Mayor announced that his charity, for Kirkwood Hospice, had to date raised £26,000. Members congratulated the Mayor on this achievement.

171 Apologies for Absence

Apologies for absence were received from Councillors I Rutter and L Wild.

172 Minutes

It was moved by the Mayor (Councillor M Sokhal), seconded by the Deputy Mayor (Councillor M Bates) and

RESOLVED - That the Minutes of the Meeting of the Council held on 27 March 2002 be approved and signed as a correct record.

173 Declarations of Interest

There were no declarations of interest under this heading.

174 Draft Constitution of Kirklees Metropolitan Council

Council gave further consideration to the draft Constitution of Kirklees Metropolitan Council referred from Council Business Committee of 16 April 2002.

It was moved by Councillor K Pinnock, seconded by Councillor D Sheard and

RESOLVED - That the draft Constitution be approved in principle subject to any amendments for submission to the Annual Meeting of the Council to be held on 15 May 2002.

175 Petitions

The following petitions were submitted by Members:

Councillor Bates - Petition from tenants and residents of Garden Close drawing attention to access arrangements for emergency services and requesting that the pavements be narrowed.

Councillor Warby - Petition signed by residents of Mirfield requesting the removal of car parking charges from the Council owned car park on Station Road, Mirfield.

It was moved by Councillor Battye, seconded by Councillor Calvert and

RESOLVED - That the petitions be referred to the appropriate Director/Head of Service for investigation and report thereon to Cabinet.

176 Matters referred to Council for Approval

(a) Adult Learning Plan 2002/03

Council considered the Adult Learning Plan 2002/2003 referred from Cabinet of 3 April 2002.

It was moved by Councillor J R Smithson, seconded by Councillor Walton and

RESOLVED - That the Adult Learning Plan 2002/2003 be approved and adopted.

(b) Kirklees Crime and Disorder Reduction Strategy 2002/2005

Council considered the Kirklees Crime and Disorder Reduction Strategy 2002/2005 referred from Cabinet of 3 April 2002.

It was moved by Councillor K Pinnock, seconded by Councillor Alvy and

RESOLVED - That the text of Kirklees Crime and Disorder Reduction Strategy 2002/2005 be approved subject to further approval by the Community Safety Partnership.

177 Reports/Minutes of Meetings

It was moved by the Mayor (Councillor M Sokhal) seconded by the Deputy Mayor (Councillor M Bates) and

RESOLVED - That the Reports and/or Minutes of meetings of Cabinet and Committees as set out in the Council Summons at Item 8 be received.

(In connection with Item 8(c) the Report of the Joint Scrutiny Commission into Capacity Planning Arrangements with a focus on Intermediate Care Services and the Report of the Ad Hoc Scrutiny Panel into the Education of Children Permanently Excluded from School referred to Council by Scrutiny Committee of 3 April 2002 were noted).

178 Notice of Motion

It was moved by Councillor Sheard, seconded by Councillor McBride

"This Council fully supports the principle of subsidiarity.

For this Council's purpose a "local area" is that defined as an Area Committee area. All decisions affecting one local area that do not have implications for other parts of Kirklees will be delegated to that Area Committee.

All relevant budgets will be delegated to Area Committees on the basis of a needs formula agreed by Full Council.

An all party "Financial Delegation" commission will be established, to submit proposals in full for each service area.

A timescale for these proposals will be submitted to the first Council Meeting following the Annual Council Meeting."

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

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179 Notice of Motion

It was moved by Councillor Light, seconded by Councillor Snelson

"This Council notes with concern that, despite the many promises from the Government and local Labour MP's, Police numbers in both West Yorkshire and Kirklees remain lower than they were in April 1997.

It is noted with regret that, because of an inadequate response and proper support from the Home Office, this Council had no choice but to withdraw its target for reducing anti-social behaviour from its Public Service Agreement with the Government. This target had been set in partnership with the West Yorkshire Police and was a response to, and recognition of, local concern regarding the problem of anti-social behaviour.

It further recognises that the most impressive reduction in crime has been achieved in New York. This has been achieved by a policy of Zero tolerance and by increasing the number of police officers by 25%.

This Council calls on the Government to:-

1. Recruit more Police Officers as promised, and to stop making empty gestures.
2. Re-introduce Community Constables and reduce the level of bureaucracy encountered by Police Officers.
3. Promote the kind of policing which takes back the streets from thieves and robbers, and removes young criminals from the conveyor belt of crime.
4. Provide the funding to enable this Council to introduce a network of Community Wardens, along similar lines to the network developed by Kent County Council.
5. Prioritise the allocation of new resources to reduce street crime and anti social behaviour."

Whereupon it was moved by Councillor K Smith, seconded by Councillor Khan by way of AMENDMENT

Delete all after the words "This Council notes....." in the first paragraph and replace with:

"... with satisfaction

- (1) That police officer establishment in Kirklees has risen from 612 in 1997/98 to 636 in 2002/2003;
- (2) That West Yorkshire Police Authority is responding to Government directions on recruitment of police officers, being on target to recruit 1,000 officers, or 25% of the constable strength, by next March;
- (3) The Government introduction of a "Community Support Officer" scheme offered to police forces;
- (4) Huddersfield University's analysis showing a downward trend in house burglary, violent crime and vehicle crime in Kirklees;
- (5) That Kirklees has the lowest rate of violent crime compared to its "family" of 17 other similar authorities;
- (6) Last year's receipt of a £2.4 million Government grant to combat robbery in West Yorkshire and our bid for an additional £1.5 million for the same aim this year'
- (7) The inclusion of "antisocial behaviour and disorder" as a priority target in this year's "Ministerial Priorities".

This Council is concerned about the debilitating effects of the fear of crime and urges every elected member to project a balanced and responsible view of crime to the public.

The Council encourages continued discussion on the style of policing which best suits local communities through the Council Area Committees and the Kirklees Community Safety Partnership."

The Amendment, on being put to the meeting was declared LOST.

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

RESOLVED - "This Council notes with concern that, despite the many promises from the Government and local Labour MP's, Police numbers in both West Yorkshire and Kirklees remain lower than they were in April 1997.

It is noted with regret that, because of an inadequate response and proper support from the Home Office, this Council had no choice but to withdraw its target for reducing anti-social behaviour from its Public Service Agreement with the Government. This target had been set in partnership with the West Yorkshire Police and was a response to, and recognition of, local concern regarding the problem of anti-social behaviour.

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- 3. Promote the kind of policing which takes back the streets from thieves and robbers, and removes young criminals from the conveyor belt of crime.**
- 4. Provide the funding to enable this Council to introduce a network of Community Wardens, along similar lines to the network developed by Kent County Council.**
- 5. Prioritise the allocation of new resources to reduce street crime and anti social behaviour."**

180

Notice of Motion

It was moved by Councillor Harkin, seconded by Councillor May

"Fly tipping is increasing, causing environmental blight in many parts of the Borough.

There is no excuse for this anti-social behaviour. Much of the refuse tipped could be placed in our black or green bins, could be taken to a community disposal site, or collected free by the Council.

However, one of the causes of the increase could be the deterioration in the free collection service, caused in the main part, by Central Government's mishandling of the fridge situation.

Whatever the causes this Council should act urgently to bring the bulky item collection service to within a reasonable timetable, and should target a two week service.

This Council Resolves that the Cabinet Member for Environment and Transportation should report to the first Full Council Meeting following the Annual Council Meeting outlining what action he is going to take to resolve this matter."

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

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181 Questions by Members of the Council Pursuant to Standing Orders 12(1)(a)(b) and (c)

The following questions and answers are recorded in the Minutes in accordance with Standing Order 12(3)(d):

(a) Question from Councillor McBride to the Chair of Cabinet (Councillor K Pinnock)

"Does the Chair of Cabinet agree with me that Kirklees' efforts to encourage people to vote by advertising on lamp posts, and in newspapers, is likely to prove ineffective?"

Councillor K Pinnock replied as follows:

"Thank you for the question relating to the efforts made by the Council to encourage voting next Thursday and I have to say that all the indicators are that the political Parties are playing their part."

Councillor McBride asked a supplementary question and Councillor Pinnock replied thereto.

(b) Question from Councillor Snelson to the Cabinet Member for Administration and Business Management (Councillor Light)

"In view of the regular Labour Election ploy of advocating the break-up of Kirklees, can Councillor Light comment on whether the Boundary Commission has given any indication as to a willingness by the Boundary Commission to look at the possibility of Kirklees being dismembered?"

Councillor Light replied as follows:

"Can I report to the Council that a meeting was held with the Boundary Commissioners in February to which all Members of the Council were invited and I understand that representatives from all political parties were also invited at which the Boundary Commission gave their criteria for their review of Ward Boundaries in Kirklees. At that meeting the Commissioner present made a very formal and clear statement to the effect that they would not, under any circumstances, consider any proposal to split, or divide up, the present Borough of Kirklees. That is a very explicit and clear statement which I thought all Members of the Council and all members of political parties understood."

- (c) Question from Councillor Khan to the Cabinet Member for Environment and Transportation (Councillor Payne)

"What was the agreement with utilities contractors on duration of works on the network near to the Cavalry Arms junction and have the utilities contractors complied with the timescale?"

Councillor Payne replied as follows:

"This is a detailed technical question on behalf of constituents of Councillor Khan in relation to a matter without being specific on any complaint and I will arrange for Officers to provide an answer directly."

The following questions which were received later than the time identified under Standing Order 12(3)(d) were asked.

- (d) Question from Councillor Light to Councillor Ken Smith, nominated spokesman for the West Yorkshire Police Authority.

"Can Councillor Smith explain how the West Yorkshire Police Authority can justify the reasons for the extortionate 25% rise imposed on Kirklees Council Taxpayers, supposedly to pay for the Bradford Riots, when most other Metropolitan Police Authorities raised charges by less than 10%, and indeed Greater Manchester only raised a levy of 6.5%, even though their Police Force had to cope with similar riots which occurred over a more prolonged period of time in Oldham?"

Councillor K Smith replied.

Councillor Light asked a supplementary question and Councillor K Smith replied thereto.

- (e) Question from Councillor Light to the Leader of the Council, Councillor K Pinnock.

"In view of propaganda appearing in Liberal Democrat election material circulating throughout Kirklees, can the Leader of that Group confirm:

In which specific Council Minute does it state that the Conservative Group, and indeed the Labour Group, agreed the decision to raise Council Tax by the amount proposed by the Liberal Democrat Group?"

Councillor K Pinnock replied.

Councillor Light asked a supplementary question and Councillor K Pinnock replied thereto.

- (f) Question from Councillor Light to the Chair of Cabinet (Councillor Pinnock)

"Can the Chair of Cabinet confirm the likely impact on this Authority as an employer, that the increase in Employers NICs will have financially on the Council, the likely impact on Kirklees Council Taxpayers, and the impact it will have on the Council's ability to deliver key public services?"

Councillor K Pinnock replied.

Councillor Light asked a supplementary question and Councillor K Pinnock replied thereto.

- (g) Question from Councillor K Sims to Councillor John Smithson
- "In view of propaganda appearing in Liberal Democrat election material circulating throughout Kirklees, can the Deputy Leader of that Group confirm:
- Where in published Conservative Group policy does it say that this Group wishes to axe Council support by way of grants to Brass Bands?"
- Councillor J Smithson replied.
- (h) Question from Councillor Sheard to the Chair of Cabinet (Councillor K Pinnock)
- "During the Budget debate at Council which Groups voted for the Liberal Democrat Budget?"
- Councillor Pinnock replied.
- Councillor Sheard asked a supplementary question and Councillor K Pinnock replied thereto.
- (i) Question from Councillor Light to the Leader of the Council (Councillor K Pinnock).
- "Can the Leader of the Council explain why this Council failed to mark the Patron Saint of England's day, by flying his flag over its Town Halls?"
- Councillor Pinnock replied.
- (j) Question from Councillor Dimmock to the Leader of the Conservative Group (Councillor R Light).
- "Does the Leader of the Conservative Group not think it a great shame that there are not more people here at the meeting today at which the Leader of the Council and Leader of the Liberal Democrat Group has lied and deceived on issues asked of her?"
- Councillor Light replied.
- (k) Question from Councillor Sheard to the Leader of the Council (Councillor K Pinnock).
- "Why do numerous leaflets refer to a Liberal Democrat Budget and why does the Leader try to avoid the facts that only one Group voted for the Budget that went through this Council. What is the Leader trying to avoid? Will you not admit that the resolution that this Council passed, setting the Budget, was only voted for by one Group on this Council?"
- Councillor K Pinnock replied.
- (l) Question from Councillor Khan to the Leader of the Council (Councillor K Pinnock).
- "Does the Leader of the Council believe in open and transparent Government?"
- Councillor K Pinnock replied.

(m) Question from Councillor Bolt to the Leader of the Council (Councillor K Pinnock).

"Under your leadership do you think it is correct for a member of the public to say to the press that they have been so dissatisfied with the services provided by Kirklees Council?"

Councillor K Pinnock replied.

Councillor Bolt asked a supplementary question and Councillor K Pinnock replied thereto.

(n) Question from Councillor Bolt to Councillor Taylor.

"Would you care to expand on comments you made in the media that the use of the phrase "Save Mirfield" in an election leaflet by the Liberal Democrat candidate was inappropriate?"

Councillor Taylor replied.

Councillor Bolt asked a supplementary question and Councillor Taylor replied thereto.

(o) Question from Councillor Bolt to Councillor Taylor.

"Would you care to tell the Council what residents have said to you after pictures of them were used in an election leaflet?"

Councillor Taylor replied.

(p) Question from Councillor Bolt to Councillor Beetham.

"As an elected Councillor, if given responsibility for the release of Council funds would you express concern, and seek clear clarification and assurances if a recipient spoke of "creaming off" public funds?"

"Would you also be concerned and attempt to rectify a situation where a Councillor said they did not want to consult the public on a matter which would directly affect them?"

Councillor Beetham replied.

(q) Question from Councillor Bolt to Councillor Walder.

"In your "Focus" leaflet you are seen talking to a lady. Can you explain why someone who purports to be a local resident in your campaign suddenly appears in every copy of the Liberal Democrat election leaflets which are being issued in all Wards?"

Councillor Walder replied.

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Adjournment

It was moved by the Mayor (Councillor M Sokhal), seconded by the Deputy Mayor (Councillor M Bates) and

RESOLVED - That the Council adjourn until 6.00 p.m.

(Upon resumption)

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Deputation

The following deputation was received:

Deputation from Kirklees Branch of UNISON in relation to Nursery Nurses.

It was moved by Councillor Battye, seconded by Councillor Calvert and

RESOLVED - That the comments of the deputation be noted and that the submitted petition be referred to the appropriate Director for investigation.