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Contact Officer: John Quarmby, Tel. 01484 221703

COUNCIL

KIRKLEES METROPOLITAN COUNCIL

**At a Meeting of the Council of the Borough of Kirklees held at
the Town Hall, Huddersfield on Wednesday 9 April 2003**

PRESENT

The Mayor (Councillor Margaret Bates) in the Chair

COUNCILLORS

B ALLONBY
G ALVY
G ASIF
P BATTYE
D BEETHAM
G BEEVER
M BLANSHARD
S M BOLT
M BOWER
MRS M BOWER
J CALVERT
A COOPER
T J CROWTHER
A E DENHAM
G DIMMOCK
M FEARNLEY
D M FIRTH
E A FIRTH
H FOX
M GRANGER
M HARKIN
C HARPIN
M HEMINGWAY
S HEY
D J HILLAS
D HULLOCK
K IQBAL
R IREDALE
P KANE
R LIGHT
P MCBRIDE
I MCLELLAN
G MANIYAR

S MAY
A MURPHY
G NORTH
A K OLDROYD
S PANDOR
K PATRICK
D R PAYNE
A C PINNOCK
A RAISTRICK
M RAZAQ
D RIDGWAY
I RUTTER
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
M SOKHAL
G SPEIGHT
J STEWART TURNER
P SYKES
K TAYLOR
C WALDER
M WALTON
L WILD
A WOODHEAD

155 Announcements by the Mayor and the Chief Executive

(a) The Mayor welcomed members of the public to the Council meeting.

(b) The Mayor referred to the illness of Councillor Kath Pinnock, Leader of the Council and Tony Elson, Chief Executive and, on behalf of the Council, extended best wishes for a speedy recovery.

(c) The Mayor advised that a service to offer support to the families of service people involved in the war in Iraq was to be held at Huddersfield Parish Church on 19 April at 3.00 p.m. and expressed the wish that people of all faiths would attend.

(d) The Mayor thanked fellow Members for their support during her term of office.

156 Item 15 - Scrutiny Review

It was moved by Councillor Light, seconded by Councillor Bolt and

RESOLVED - That Item 15 of the Council Summons as to a Scrutiny Review into the Council's involvement with Intruplas Ltd be considered in open session.

157 Apologies for Absence

Apologies for absence were received from Councillors K Pinnock, J Green, K Hussain and M Sarwar.

158 Minutes

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

RESOLVED - That the Minutes of the Meeting of the Council held on 12 February 2003 and the Minutes of the resumed meeting of the Council held on 26 February 2003 be approved and signed as a correct record.

159 Declarations of Interest

Councillor G North declared a personal interest in respect of Item 11 of the Council Agenda.

Councillor M Harkin declared a prejudicial interest in respect of Item 9(d) of the Council Agenda.

Councillors Battye declared a personal interest in respect of Item 9(d) of the Council Agenda.

160 Deputations

Council received a deputation from Fartown High School, Huddersfield in relation to road safety issues.

It was moved by Councillor Ridgway, seconded by Councillor E Firth and

RESOLVED - That the comments of the deputation be noted and that the Petition be referred to the Director of Environment and Transportation for investigation and report thereon to Cabinet or appropriate Committee.

Council received a deputation from residents of Skelmanthorpe in relation to the allotment site at Cumberworth Road, Skelmanthorpe.

It was moved by Councillor Ridgway, seconded by Councillor E Firth and

RESOLVED - That the comments of the deputation be noted and that the written information submitted be referred to the Head of Leisure Services for investigation and report thereon to Cabinet or appropriate Committee.

Council received a deputation from Kirklees Nursery Nurses in relation to pay rates and working arrangements.

It was moved by Councillor Ridgway, seconded by Councillor E Firth and

RESOLVED - That the comments of the deputation be noted and that the petition submitted be referred to the Director of Lifelong Learning for investigation and report thereon to Cabinet or appropriate Committee.

(Arising therefrom it was moved by Councillor Light, seconded by Councillor Asif and

RESOLVED - That in accordance with Procedure Rule 46(1) Council Procedure Rules be suspended and that the Cabinet Member for Education and Recreation be requested to make a Statement in response to the above mentioned Deputation.

(The Cabinet Member for Education and Recreation (Councillor J R Smithson) declined to make a Statement)

Council received a deputation from Kirklees Unison in relation to policies for older people and any future Home closures.

It was moved by Councillor Ridgway, seconded by Councillor E Firth and

RESOLVED - That the comments of the Deputation be noted and that the petition submitted be referred to the Director of Social Affairs and Health for investigation and report thereon to Cabinet or appropriate Committee.

161

Kirklees in 2016

It was moved by Councillor J R Smithson, seconded by Councillor Beaver that the following Motion be approved and adopted and the Pen Picture of Kirklees in 2016 be noted:

"This Council notes the attached pen picture of Kirklees in 2016 as a contribution to the debate that is taking place with the Kirklees Partnership to agree a long term vision of what it will be like to live in this area in the future. It welcomes any contributions from the political groups represented on the Council to help identify the issues that need to be addressed over the next few years to help the Council, its partners and local people achieve the changes necessary to realise the vision. It also agrees that a further discussion with our partners on these matters should be arranged around a Council meeting early in the new municipal year."

A PEN PICTURE OF KIRKLEES IN 2016

Kirklees is an area where people want to come to live and raise their families and a place where local people want to stay because they do not have to move away to improve their quality of life. They are all attracted by excellent education, a strong culture of lifelong learning and skills development, the variety of cultural and leisure opportunities available and ease of access to attractive Pennine countryside.

Environmental quality is high and peoples' everyday behaviour reinforces sustainable lifestyles; active recycling, using renewable energy and clean alternative fuels, reduced pollution, fewer car journeys, high use of better planned public transport and actively sourcing local products. People are proud of their clean and tidy neighbourhoods and look after them. Homes meet high standards for energy efficiency and sustainability.

Local communities have retained their individuality, expressing and sharing the strengths of their cultures, histories and lifestyles. People value the diversity and richness of experience that has developed in our multi-cultural society and enjoy it. People feel safe in their homes and as they go about their daily business in the area. Crime, anti-social behaviour and the fear of crime have all been significantly reduced.

There is confidence in the excellence of health and social care services working together. An understanding of what prevents ill health has led to integrated services and changes in lifestyles reflected in life expectancy well above the regional average.

Being within easy reach of Leeds, Manchester (with its airport) and Sheffield, on the main east/west routes from Ireland to Europe and connected to the east coast main railway line to London and the north has confirmed Kirklees' status as one of the most attractive, confident and successful commuter bases in the north of England.

Many people travel to regional centres to work, gaining skills and experience equipping them for new local work opportunities. All transport and communication links have greatly improved. People have the choice to move easily between local employment, working from home and commuting at different stages in their careers.

The local economy has built on its traditional strengths, with developed niche markets in high quality chemicals, precision engineering and textiles. New jobs have come from advanced technologies capitalising on the research capabilities of Huddersfield University. The area is a recognised regional centre of excellence for an expanding creative business sector with new employment in media, tourism, leisure and cultural industries. The local service sector has expanded with jobs that support the lifestyles of our more prosperous community; in catering, leisure, heritage conservation work and in maintaining the environments that make more people want to visit or set up home here.

A growing student population has created new direct employment and drawn talented young people into the area. Many have established roots in Kirklees and stay after graduation, contributing to the economy and the vitality of local communities.

The growth in popularity of the area has inevitably led to an increase in demand for housing and rising house prices. The development of new properties within well planned communities has been actively planned and promoted and older homes have been improved to meet the needs of all who want to live here, from the richest to the poorest. There is a real choice in the mix of rented houses and those for owner occupation.

Whereupon it was moved by Councillor J R Smithson, seconded by Councillor Beever - that the following AMENDMENT be added to the Pen Picture by way of an addendum to the Motion.

Addendum to the Pen Picture by the Liberal Democrat Group:

"We want ambition for our area. We need to lead and plan with our partners. This is about the sort of area the next generation will live in and we have a great responsibility to them. The pen picture describes the sort of place Lib Dems want our children to be able to grow up in. We have to look at a number of issues and begin to define what we need to do, and indeed do differently, if we are to put the building blocks in place to move towards achieving it. Set out below are just a few examples of key things we need to consider, plan for and deliver. There are many others that will come out in the debate and indeed emerge as further work is done by officers. There are many existing and potential partners we need to inspire to work with us on this. This is Community Leadership in action.

Education

- * drive improvements in attainment across the board, so that all children can reach their full potential, especially including our looked after children
- * recognise and promote all forms of achievement that lead to a rewarding adulthood
- * enhance the basic curriculum by providing a wide range of extra curricular activities
- * tackle the imbalances and fragmentation in provision in north Kirklees
- * work to pull together the many educational and skill providers, especially post 16

- * have a new pro-active relationship with the University – to connect with it physically across the ring road, as well as economically and socially
- * make Kirklees attractive for students to come, to stay and use their skills here
- * invest heavily in the citizenship element of the national curriculum

This all requires more effort to bring coherence to the wide range of providers and initiatives. School standards must improve further. Our approach to the University must change.

Health and Social Care

- * take greater control of fragmented health and social care provision
- * tackle health inequalities as a constant priority in mainstream service provision
- * address fuel poverty
- * develop better health, education and leisure links, including the co-location of facilities

Environment

- * sustainability must be built into our future housing/land use/transport policies and plans
- * higher standards of cleanliness and upkeep of local neighbourhoods and open spaces
- * 21st century recycling initiatives – better range and ease of access
- * promote local bio diesel/wind power/willow plantations with consequential beneficial land use effects on diversifying marginal agriculture

Crime

- * improve outcomes from our partnership with the police and other agencies through better planned cross service responses supporting community based initiatives
- * tackle anti-social behaviour in a systematic and consistent way, including graffiti removal
- * recognise and respond to growing rural crime

Community

- * recognise the importance of maintaining local traditions
- * be clear about what diversity means – it is not just about race
- * more diversionary activity for young people
- * address worries of existing communities about keeping local identity
- * promote active citizens
- * plan to use schools as a community resource and a focus of community activity

Culture, heritage, tourism and leisure

- * invest more – a growth area economically and source of enjoyment for us all
- * improve facilities for visitors
- * keep town centres clean and make them more user friendly with quality signing/lighting
- * diversify uses including more town centre housing
- * more collective celebrations and festivals
- * make better use of what we have got e.g. heritage and the rights of way network

Land Use and the LDF

We are currently consulting on the future Local Development Framework for the area. This, together with the Local Transport Plan, will establish the key strategies that will help us shape the future. It is essential we take this opportunity and use our imagination and ambition in the decisions we have to make, rather than viewing forward planning as a purely technical exercise. We therefore need to:

- * have a clear development plan for viable and sustainable communities
- * plan sustainability from the start of the process and not as an afterthought
- * accept we are increasingly a commuter area and plan positively to gain from it
- * grasp the nettle of industrial land supply and be clear what we seek to retain and attract
- * understand we must accommodate new homes - use this as an opportunity not a threat
- * provide affordable homes for those on low incomes – especially in rural areas
- * tackle the investment gap in older private sector housing and address market collapse
- * promote better internal communications and public transport links within Kirklees
- * lobby for a better and more reliable train service to Leeds, Manchester and Sheffield
- * accommodate the car as part of not instead of an integrated transport strategy
- * develop a forward looking, positive and energised planning and development arm

To really get a grip of these issues will require a step change in our thinking.

Local economy

- * change attitudes and be more positive in promoting what we want to see
- * be realistic about the future role of manufacturing – think innovation and high value
- * look at niche markets in the international, regional and local economies
- * build on environmental strengths - think sustainability – with a rural strategy

- * develop a sharply focused tourism and cultural strategy for employment growth
- * plan for better paid jobs and encourage and attract more entrepreneurs
- * plan for training for jobs that are needed, especially crafts in high demand and low supply
- * improve community IT connectivity and ensure we can get broadband everywhere
- * plan positively to grow the service sector, including the office market

We need to develop a more forward looking and pro-active approach to integrated developments that will contribute to the outcomes we seek in our vision. More effective joined up thinking and working across a wider range of issues and partners will be needed”.

Highways

- * we will continue to strengthen our roads more quickly than they deteriorate so that the condition of our roads continues to improve, particularly on the important strategic network
- * we will continue to build on the important road safety work which is delivering 50% casualty savings or more on some sites.

Whereupon it was moved by Councillor Cooper, seconded by Councillor Simpson - That the following AMENDMENT be added to the Pen Picture by way of an addendum to the Motion.

Addendum to the Pen Picture by the Green Party

In 2016 Kirklees will no longer exist. It is split into two new Councils based on the North and South Administrative areas (with Kirkburton and Denby Dale in the South) This more properly reflect people’s local identities and limits the confusion and conflict caused by the composition of “Old Kirklees”. These two Councils decentralise power down to Ward level for all decision making relating to Service Delivery with larger committees dealing with Strategic and Administrative functions.

The key principles of these 2 Council’s are:-

- 1 To use local renewable and waste resources to meet more of our everyday needs
- 2 To deliver sustainability through the market for products and services.
- 3 To live within our planetary means while leaving space for biodiversity in our local environment.

To measure progress towards these principles our key performance indicators are based on ecological footprint techniques such as those established by the Stockholm Institute at the University of York. If everyone on the planet consumed as much as the average person in Kirklees did in 2003 then we would have needed 3 planets to support our one. Our target was therefore to reduce our consumption of raw materials and fossil fuels by two thirds. Only then were we able to say that we were running Sustainable Councils, Communities and Industries.

Within the Councils areas a Health Service is established to complement the Illness Service (Often wrongly described as the National Health Service). Much greater emphasis is placed on preventative health care to minimise the domestic, environmental and lifestyle health impacts. Consequently Asthma levels in the area are the lowest in the Country

The Council's vehicle fleet has net zero Carbon Emissions due to use of biodiesel. There are no essential or casual car users as staff will all have access to zero emission pool vehicles. The Council in turn has established a market for biofuels among Kirklees residents and business.

All new Housing developments are Zero Energy Developments, made from locally produced and resourced materials. These are largely on brownfield sites many of which have come into being through demolition of substandard property. Other Council's are inspired to produce similar schemes.

20% of the areas electricity needs are met from locally produced renewable energy and energy conservation measures ensure that the Council surpasses the Royal Commission on Environmental Protection 60% target for reduction in greenhouse gas emissions by 2016.

The area has become less of a commuter centre as people who live locally, can and enjoy working locally. The need to travel is reduced. People can get a seat on a train to Leeds at 8.00am in the morning on a weekday.

Council owned Youth Centres spring up in most communities, These are managed by Young People and offer entertainment and activity 7 days a week. There is initial opposition from people living close to the centres but this soon dissipates as youth crime and substance misuse diminish. A study shows that Council Investment in this area pays for itself in reduced crime and vandalism.

Mutual respect and understanding between different communities is at an all time high due to the Council's ability to engage all people in the area and let them see that they can make a difference to their communities. Turnout in local elections is generally above 50%. The Green Party has enough seats to have majority control of the Council but chooses to share power with other groups. The Conservatives still have 3 seats on the Council (all in Birkby) but are still included in the decision making processes of the Council. The politics of hatred, ignorance and failure have all but disappeared and are irrelevant to most people.

Whereupon it was moved by Councillor Light, seconded by Councillor K Sims - That the following AMENDMENT be added to the Pen Picture by way of an addendum to the Motion.

A Conservative Vision of Kirklees - Vision 2016

Kirklees 2016 - the heart of Northern England where life really is better for all.

To achieve this vision of our Borough, a vastly improved TRANSPORT network will have to be developed. Our proximity to three airports at Leeds/Bradford, Manchester and Doncaster (Finningley), gives us a unique access to international travel. Air travel plays a prominent role in the life of Kirklees residents and, to facilitate this, transport links with the airports will have had to be development and improved. We expect the local road and motorway network to be upgraded to ease congestion and encourage traffic flow. To assist the management of traffic we see a major regional transport initiative to have been developed, centred on the heart of West Yorkshire in Kirklees.

The Super tram network will have expanded from its start in Leeds to cover, first Birstall and then north, linking with Birkenshaw and Bradford. Following this it will spread on into Batley, Dewsbury, through Mirfield and into Huddersfield. this, along with improved rail links between Bradford, Leeds, Huddersfield and across the Pennines into Manchester will make Kirklees the best served district for transport in the North of England.

EDUCATION is a key element in the development of the district. We see Huddersfield University becoming a Centre of Excellence creating a bond between the academic and business worlds, combining them in a life-long learning partnership.

With the University at the hub, education becomes the catalyst for established and emerging businesses, encouraging the retention of home-grown talent within the Borough. Our unique geography has helped our High Schools develop into Specialist Colleges that offer unrivalled educational opportunities.

In the ADMINISTRATION of the Borough there has been a dramatic change in the way services are managed. Kirklees the "Facilitator Council Model" is being copied throughout the country. Only the major, strategic functions of transport, planning and finance are being handled centrally. All remaining services are in the hands of the new-style districts of: Huddersfield; Colne Valley; Holme Valley and Kirkburton and Denby Dale in the south and Dewsbury, Mirfield; Heckmondwike; Batley; Spenningsley and Birstall/Birkenshaw in the north. This has led to civic pride being revitalised as the new federal structure has given control back to the communities of Kirklees.

The ECONOMIC vitality of the area has been enhanced by the development of niche markets and the encouragement of small companies. This has led to rapid growth in both high tech and traditional industries.

This growth in prosperity has led to greater demands on the local service sector which has expanded to meet the need. With the improved transport links, tourism has been increasingly developed in both north and south of the area.

Early rejection of the government demand for higher density HOUSING and increased housing development has led to much more flexibility in housing, with more small units for single occupancy, particularly concentrated in urban centres, balanced by lower density residential property in the suburbs. Protection has been given to the green belt by limiting the number of green field sites developed and avoiding unreasonable housing targets.

Strict control of emissions to air and water, together with the improved, integrated transport system has led to a greatly improved ENVIRONMENT. Other factors in the improvement are related to better insulation of buildings and the new range of solar panels, which are far more effective, and the distribution of which has been supported by the Kirklees districts. There has also been increased enhancement in recycling measures and strong enforcement activity against waste dumping, litter and graffiti.

The development of the National Health and SOCIAL SERVICES took time to establish because of the need for more flexibility in the system, but now provides easily accessible and coherent services to local people. The "Healthy Living Campaign" has created not only increased life expectancy, but also a better quality of life for residents which now is a match for anywhere else in the country.

CRIME was, for many years the cause of so much anxiety for a large number of our residents. The partnership developed between the new districts and the police, which has produced the Community Crime and Disorder Force with its emphasis on local engagement, has brought a marked reduction in that anxiety. The crime levels have fallen to a thirty year low and people of all ages feel a new confidence that they are safe, both in their own homes and out on the streets.

SPORT AND LEISURE facilities are of a high quality, at a reasonable cost and, as a result, are well used by people of all ages. Young people are encouraged to try the training facilities for the wide variety of sports and those who show ability are supported as they seek to progress. Regional, national and international success is now a regular occurrence.

The new districts had achieved a remarkable success in their appearance. Streets and town centres are kept clean on a daily basis and the economic revitalisation of the area has resulted in the renaissance of towns as local shopping, social and cultural centres.

Even allowing for new district variations, Kirklees offers its residents, not only a greatly improved standard of life but one of the lowest Council Tax levels in the Region.

In accordance with Council Procedure Rule 17(12) the Mayor permitted the amendments to be discussed together.

The mover and seconder of the Motion, with the consent of the meeting accepted that the Amendments be added to the Pen Picture as an addenda to the Motion and it was

RESOLVED - "This Council notes the attached pen picture of Kirklees in 2016 as a contribution to the debate that is taking place with the Kirklees Partnership to agree a long term vision of what it will be like to live in this area in the future. It welcomes any contributions from the political groups represented on the Council to help identify the issues that need to be addressed over the next few years to help the Council, its partners and local people achieve the changes necessary to realise the vision. It also agrees that a further discussion with our partners on these matters should be arranged around a Council meeting early in the new municipal year."

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To measure progress towards these principles our key performance indicators are based on ecological footprint techniques such as those established by the Stockholm Institute at the University of York. If everyone on the planet consumed as much as the average person in Kirklees did in 2003 then we would have needed 3 planets to support our one. Our target was therefore to reduce our consumption of raw materials and fossil fuels by two thirds. Only then were we able to say that we were running Sustainable Councils, Communities and Industries.

Within the Councils areas a Health Service is established to complement the Illness Service (Often wrongly described as the National Health Service). Much greater emphasis is placed on preventative health care to minimise the domestic, environmental and lifestyle health impacts. Consequently Asthma levels in the area are the lowest in the Country.

The Council’s vehicle fleet has net zero Carbon Emissions due to use of biodiesel. There are no essential or casual car users as staff will all have access to zero emission pool vehicles. The Council in turn has established a market for biofuels among Kirklees residents and business.

All new Housing developments are Zero Energy Developments, made from locally produced and resourced materials. These are largely on brownfield sites many of which have come into being through demolition of substandard property. Other Council's are inspired to produce similar schemes.

20% of the areas electricity needs are met from locally produced renewable energy and energy conservation measures ensure that the Council surpasses the Royal Commission on Environmental Protection 60% target for reduction in greenhouse gas emissions by 2016.

The area has become less of a commuter centre as people who live locally, can and enjoy working locally. The need to travel is reduced. People can get a seat on a train to Leeds at 8.00am in the morning on a weekday.

Council owned Youth Centres spring up in most communities, These are managed by Young People and offer entertainment and activity 7 days a week. There is initial opposition from people living close to the centres but this soon dissipates as youth crime and substance misuse diminish. A study shows that Council Investment in this area pays for itself in reduced crime and vandalism.

Mutual respect and understanding between different communities is at an all time high due to the Council's ability to engage all people in the area and let them see that they can make a difference to their communities. Turnout in local elections is generally above 50%. The Green Party has enough seats to have majority control of the Council but chooses to share power with other groups. The Conservatives still have 3 seats on the Council (all in Birkby) but are still included in the decision making processes of the Council. The politics of hatred, ignorance and failure have all but disappeared and are irrelevant to most people.

A Conservative Vision of Kirklees - Vision 2016

Kirklees 2016 - the heart of Northern England where life really is better for all.

To achieve this vision of our Borough, a vastly improved TRANSPORT network will have to be developed. Our proximity to three airports at Leeds/Bradford, Manchester and Doncaster (Finningley), gives us a unique access to international travel. Air travel plays a prominent role in the life of Kirklees residents and, to facilitate this, transport links with the airports will have had to be development and improved. We expect the local road and motorway network to be upgraded to ease congestion and encourage traffic flow. To assist the management of traffic we see a major regional transport initiative to have been developed, centred on the heart of West Yorkshire in Kirklees.

The Super tram network will have expanded from its start in Leeds to cover, first Birstall and then north, linking with Birkenshaw and Bradford. Following this it will spread on into Batley, Dewsbury, through Mirfield and into Huddersfield. this, along with improved rail links between Bradford, Leeds, Huddersfield and across the Pennines into Manchester will make Kirklees the best served district for transport in the North of England.

EDUCATION is a key element in the development of the district. We see Huddersfield University becoming a Centre of Excellence creating a bond between the academic and business worlds, combining them in a life-long learning partnership.

With the University at the hub, education becomes the catalyst for established and emerging businesses, encouraging the retention of home-grown talent within the Borough. Our unique geography has helped our High Schools develop into Specialist Colleges that offer unrivalled educational opportunities.

In the ADMINISTRATION of the Borough there has been a dramatic change in the way services are managed. Kirklees the "Facilitator Council Model" is being copied throughout the country. Only the major, strategic functions of transport, planning and finance are being handled centrally. All remaining services are in the hands of the new-style districts of: Huddersfield; Colne Valley; Holme Valley and Kirkburton and Denby Dale in the south and Dewsbury, Mirfield; Heckmondwike; Batley; Spen and Birstall/Birkenshaw in the north. This has led to civic pride being revitalised as the new federal structure has given control back to the communities of Kirklees.

The ECONOMIC vitality of the area has been enhanced by the development of niche markets and the encouragement of small companies. This has led to rapid growth in both high tech and traditional industries.

This growth in prosperity has led to greater demands on the local service sector which has expanded to meet the need. With the improved transport links, tourism has been increasingly developed in both north and south of the area.

Early rejection of the government demand for higher density HOUSING and increased housing development has led to much more flexibility in housing, with more small units for single occupancy, particularly concentrated in urban centres, balanced by lower density residential property in the suburbs. Protection has been given to the green belt by limiting the number of green field sites developed and avoiding unreasonable housing targets.

Strict control of emissions to air and water, together with the improved, integrated transport system has led to a greatly improved ENVIRONMENT. Other factors in the improvement are related to better insulation of buildings and the new range of solar panels, which are far more effective, and the distribution of which has been supported by the Kirklees districts. There has also been increased enhancement in recycling measures and strong enforcement activity against waste dumping, litter and graffiti.

The development of the National Health and SOCIAL SERVICES took time to establish because of the need for more flexibility in the system, but now provides easily accessible and coherent services to local people. The "Healthy Living Campaign" has created not only increased life expectancy, but also a better quality of life for residents which now is a match for anywhere else in the country.

CRIME was, for many years the cause of so much anxiety for a large number of our residents. The partnership developed between the new districts and the police, which has produced the Community Crime and Disorder Force with its emphasis on local engagement, has brought a marked reduction in that anxiety. The crime levels have fallen to a thirty year low and people of all ages feel a new confidence that they are safe, both in their own homes and out on the streets.

SPORT AND LEISURE facilities are of a high quality, at a reasonable cost and, as a result, are well used by people of all ages. Young people are encouraged to try the training facilities for the wide variety of sports and those who show ability are supported as they seek to progress. Regional, national and international success is now a regular occurrence.

The new districts had achieved a remarkable success in their appearance. Streets and town centres are kept clean on a daily basis and the economic revitalisation of the area has resulted in the renaissance of towns as local shopping, social and cultural centres.

Even allowing for new district variations, Kirklees offers its residents, not only a greatly improved standard of life but one of the lowest Council Tax levels in the Region.

162

Petitions

The following petitions were submitted

- (a) Councillor M Bower - Petition objecting to development off Oakes Lane, Brockholes.
- (b) Councillor Kane - Petition requesting a halt to any proposed closure of Dewsbury Crematoria.
- (c) Councillor Pandor - Petition from residents of Heckmondwike Road, Dewsbury Moor requesting remedial measures to address car parking problems.
- (d) Councillor Hey - Petition objecting to proposals to install telecommunications apparatus at Ponker Farm, Cumberworth Road, Skelmanthorpe.
- (e) Councillor Hey - Petition requesting a road crossing adjacent to Denby Dale Nursery, Wakefield Road.
- (f) Councillor Bolt - Petition from Calder Valley Greenway Forum regarding the preferred Calder Valley Cycling Route.

It was moved by Councillor Ridgway, seconded by Councillor E Firth and

RESOLVED -

(1) That petitions (a) and (d) be referred to the Head of Planning Services for consideration by the relevant Planning Sub-Committee.

(2) That petition (b) be referred to the Head of Leisure and Recreation for investigation and report thereon to Cabinet.

(3) That petitions (c), (e) and (f) be referred to the Assistant Director of Highways and Transportation for investigation and report thereon to Cabinet.

163

Matters Referred to Council for Approval

The Mayor advised that there were no matters referred to Council for approval by Cabinet or a Committee other than those listed separately on the Agenda.

164

Reports/Minutes of Meetings

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

RESOLVED - That the Minutes of meetings of Cabinet and Committees as set out in the Council Summons at Item 9 be received.

147

Questions by Elected Members under Council Procedure Rule 12(1)(a), (b) and (c)

- (a) **Question by Councillor Light to the Cabinet Member for Finance and Property (Councillor Beever)**

"Will Councillor Beever detail how much annual revenue this Council receives from mobile communication companies who use Council buildings, facilities and land for the siting of masts, dishes and other equipment?"

Councillor Beever replied as follows:

"At April 2003 the revenue from these telecom devices was £99,601 on an annualised basis. In addition you should be aware that there is potentially another £12,000 per annum in the pipeline for various deals which have been agreed and are with Legal Services but have not yet been completed and of

course we must all be aware that until the people have signed up they may never complete, but that is the present position."

Councillor Light asked the following supplementary question

" Can I thank Councillor Beever for his statement. Can I ask him if he could give us a breakdown as to which of those are deemed as sites which are not in an area which would affect anybody or what are they sited on - on property surrounded by residential properties because there is a great deal of concern amongst the public that the Council could be accused of taking "blood money" given the health risks?"

Councillor Beever replied as follows

"In line with the schedule approximately 20% of the figure mentioned are on what you might call vacant land. £4,000 is at the Crematoria and the rest is what might generally fall within the description of people areas."

(b) Question by Councillor Light to the Leader of the Council (Councillor K Pinnock)

"Noting her public statements on the Fire Authority budget can she confirm she is aware of the consequences of her statements?"

In the absence of the Leader of the Council, Councillor John Smithson, Deputy Leader replied as follows

"I am empowered by the Leader to answer this question with the word "Yes".

Councillor Light asked the following supplementary question

"I would like to ask Councillor Smithson to enlighten his response by asking if he understands the consequences of the answer to that question being "yes". Is he prepared to see Fire Stations throughout West Yorkshire close. That could well mean that the Fire Station in Marsden will close, which Councillor Granger has campaigned to keep open. So is he really aware that - the consequences of those comments by the Leader could result in the closure of Marsden Fire Station."

Councillor J R Smithson replied as follows

"I am well aware of the consequences of the statements made by Councillor Pinnock and they are nothing at all associated with anything that Councillor Light has just said. The only consequence was that the Chair of the Fire Authority became irritated and as far as I can make out "lost his rag" in terms of some statements he made to the press."

(c) Question by Councillor E Sims to Cabinet Member for Social Services (Councillor S A Smithson)

"Following the closure of the last five Kirklees homes for the elderly, what are the mortality rates for the first two months after residents were re-located?"

Councillor S A Smithson replied as follows

"Having had officers examine this the percentage mortality detailed in the question I can confirm that the ratio of people who died in the first two months following the date when Council agreed the closure of their Homes is directly proportional to the ratio of deaths in a sample of private homes in the same period."

Councillor E Sims asked the following supplementary question

"What we are really trying to establish here is how many people in these Homes that have been closed have died within the first two months. If you say it is the same as in private homes how many people have died in private homes and have they been moved?"

Councillor S A Smithson replied as follows

"Well I mean it's a difficult question. I think I should have to ask officers from Social Services to provide me with the answer to that question."

(Councillor Smithson agreed to supply a written answer to the supplementary question)

(d) Question by Councillor G Dimmock to Cabinet Member for Social Services (Councillor S A Smithson)

"Could the Cabinet Member please tell me what is her vision for Older People's Services?"

Councillor S A Smithson replied as follows

"I am surprised at Councillor Dimmock asking this question. He obviously hasn't followed or understood the policy development which flows from the Older People's Working Party of which I was a Member. The conclusion of the Working Party coincides with my Vision for Older People's Services. In brief this is to support older people in their own homes as long as that is feasible. Should older people need to go to residential care then this must ensure privacy, dignity and high quality care."

Councillor Dimmock asked the following supplementary question

"I have to say Madam Mayor that I am surprised at Philip Cotterill saying those things about me. I will have to have a word with him. Thank you Councillor Smithson. Can I ask you what strategy have you devised to implement the Vision for Older People's Services. A strategy which according to the action plan will involve local Councillors and local people, which incidentally should have been completed by December last year?"

Councillor S A Smithson replied as follows

"This is an ongoing consultation strategy and as you know we are working with officers and we are implementing anything that we can in the Older People's Policy Plan. We are consulting with users, carers and the older people as far as ever we can."

(e) Question by Councillor G Dimmock to Cabinet Member for Social Services (Councillor S A Smithson)

"I was interested to read your press statement of the 10th March about a new service for older people. Given her comments in the press release about independent living, would the Cabinet Member agree with me that the thrust of this development is firmly based on the Strategy devised and published under the last Labour Administration?"

Further, could the Cabinet Member please tell the Council what the take up has been and the current running costs of the scheme?"

Councillor S A Smithson replied as follows

"Policy development in older people has been through the Older People Policy Panel. This included Members from all Parties plus carers, users and health professionals. Its conclusions were reported to Council and adopted overwhelmingly in July 2000 when this Council had a Liberal Democrat shared administration. I therefore think that Councillor Dimmock is pushing the boat out in claiming the credit exclusively for the previous Labour administration. It is understood that they have signed up 1360 tenants to receive this service though final figures are still to be confirmed as the signing up process only ended last week. The budgeted cost for the service are £390,718."

Councillor Dimmock asked the following supplementary question

"I think this scheme is very very local and I would like to ask Councillor Smithson what advice would she give to older people who live for instance in Paddock, Lindley, Birkby, Deighton, indeed any area not within the defined radius. What advice would she give those people who are not going to be able to access this support the way Labour would give appropriate support?"

Councillor S A Smithson replied as follows

"Well, I guess all I could say to people who don't live in sheltered accommodation and who don't live within ½ mile radius of sheltered accommodation is "be patient" and in due course I'm sure we will be able to develop the service to all elderly people. I hope that is what we can do."

(f) Question by Councillor M Hemingway to Cabinet Member for Regeneration and Markets (Councillor A Pinnock)

"As we are giving up valuable house and flat building land around the town centre for student accommodation, could Councillor Pinnock please tell me, are these dwellings included in our house-building targets - if not, shouldn't we be reviewing our targets?"

Councillor A Pinnock replied as follows

"I have a reasonably long answer here but I will try and summarise it. The first part of the answer is that purpose build accommodation for students does not count towards our house building targets because it is not available nor designed to accommodate private households. So far as housing requirements are concerned this is set by Regional Planning Guidance (RPG12) and this is assessed regionally and is based primarily on expectations of growth in the number of private households. So far as student accommodation is concerned on its own merits it has been recognised and welcomed as sustainable development on a brownfield site and a reasonable re-use of that land. There is some potential however for students who move into other accommodation to be dissipated, it is not seen as a problem in other words. Other than keeping the system under review I am reasonably confident that we don't see this as a problem."

(g) Question by Councillor M Hemingway to Cabinet Member for Environment and Transportation (Councillor D Payne)

"Could Councillor Payne please tell me why Grange Moor is still not getting a wheeled bin waste and recycling collection?"

Councillor Payne replied as follows

"It was in October 2002 when Councillor Hemingway asked an almost identical question and received the answer in my response. At that meeting I did indicate that officers were reorganising services in Grange Moor and this work has now been completed and 350 people in Grange Moor area will be transferred to wheeled bin services within the next 3/4 months. It cannot be earlier unfortunately as the service is responding to a highly successful "free to good homes" campaign and as such the teams who deliver wheeled bins are fully occupied for the time being."

Councillor Hemingway asked the following supplementary question

"I only asked the question again for the simple reason that the bin crews in Grange Moor have been using a wheelie bin truck for the last two months and they are currently having to load black bin liners over the top of the lifting equipment."

Councillor Payne replied as follows

"I think I answered that at the first part of the question. The delay is not collecting wheeled bins its actually getting into the properties."

(h) Question by Councillor Snelson to Cabinet Member for Environment and Transportation (Councillor D Payne)

"Are you satisfied with the way the Private Streets Initiative is progressing?"

Councillor Payne replied as follows

"Work has been completed on three streets, Royd Street in Marsden, Ruth Street, Newsome and Farfield Avenue, Batley. I believe they are significant improvements and I'm sure the residents do too. However as the streets are privately maintained the process of consultation, engagement and agreements are particularly lengthy so it can take a significant time to complete individual projects. As such officers are trying to establish a long term rolling programme rather than an annualised one. The quicker schemes are being done earlier with more problematic ones coming later and of course we have made for more progress in the last two years than in the previous twenty."

Councillor Snelson asked the following supplementary question

"Do you consider it reasonable that an option of being offered to the residents which allows for the highway to be improved to an adoptable standard but criteria are being attached which makes it virtually impossible for them to seek that option."

Councillor Payne replied as follows

"I am satisfied with the problem. I don't understand Councillor Snelson's question."

(i) Question by Councillor G Speight to Cabinet Member for Regeneration and Markets (Councillor A Pinnock)

"Could the Cabinet Member please tell me if he is fully supportive of the proposals by Officers for the future of Town Centre Management and has he got the full backing of his Cabinet colleagues?"

Councillor A Pinnock replied as follows

"The policy on town centres is intended to spread the benefits down to those places which already have had town centre management to a wider range of centres. Cabinet is certainly committed to ensuring that this happens and we assumed, certainly in budget terms, that Labour agreed that because they did not seek to amend our budget proposals.

Consultation which is one of the most important parts of this process is, or will be ongoing to a whole range of bodies including Area Committees in those places where town centre management will be as I certainly see it enhanced in future and this consultation is there so that we can respond to what the local business community particularly want."

Councillor Speight asked the following supplementary question

"Can I say that I'm very disappointed with Councillor Pinnock's answer. With regard to his comments about the budget I think if we'd have known in the Labour Group that there were strings attached to the future of town centre management I don't think we would have supported it in that way. The problem is as I see it and we are going backwards way here - we've set up Area Committees with a view to Councillors sitting on Area Committees in their locality and looking after their locality. The position in Batley is different to other parts of Kirklees. The Town Centre Manager in Batley is an employee of the Batley Community Development Team - the successor organisation to City Challenge. Does Councillor Pinnock appreciate the position of the Batley Town Centre Management - he talks about spreading it - but you are taking some thing away from Batley. You are taking something away from Dewsbury - they've had a full time Manager for six years - now they haven't got one."

Councillor A Pinnock replied as follows

"Contrary to what Councillor Speight has just said I do not believe this effect on the service is taking anything away. I believe that we are going to be able to provide a better service, one that will enable co-ordination of the whole of Kirklees, one where support is available from officers at the centre if you like but I stress what I said just now, that nothing will happen in the local areas where we have Town Centre Managers without consulting the local communities and nothing will happen without them making suggestions and putting forward ideas for how this should be run. It is most important that this happens in this way and I believe that the future of town centre management will go on to a stronger footing than it has been before."

(j) Question by Councillor K Taylor to Cabinet Member for Education and Recreation (Councillor J R Smithson)

"Is it still a legal requirement that all children should have a letter of authority from their parents when they are going to be absent from school?"

Councillor J R Smithson replied as follows

"I think Councillor Taylor is labouring under a misapprehension here. It says "is there still a legal requirement that all students should have a letter of authority". It has never been the case. It is desirable to have a letter of authority but it is not a legal requirement that they have such. Absence within schools falls within two categories - authorised and un-authorised. If there is a letter then it is an authorised absence. If there isn't its an un-authorised absence. Obviously it is desirable to have letters, or in retrospect reasons given e.g. illness. I would emphasise that there is no legal requirement which says "thou shalt do this - provide a letter"."

(k) Question from Councillor R Light to Cabinet Member for Education and Recreation (Councillor J R Smithson)

"Can you inform the Council as to how many secondary school pupils were apprehended for truancy on 20 March 2003?"

Councillor J R Smithson replied as follows

"So far as I am aware no pupils were apprehended as Councillor Light chooses to use the phrase, by the Police on that day. The possibilities of absences from schools and other places was well publicised in advance. As a consequence of that officers from the Education Authority and the Secondary Head Teachers in particular met with senior representatives of both Police Divisions within Kirklees to discuss the issues which were likely to arise and the possible responses. In my view, under the circumstances which prevailed on that day I think that the Police handled the matter properly, secondary school Heads handled the matter properly and so did officers of the LEA. By and large, I think in the vast majority of cases parents did likewise."

Councillor Light asked the following supplementary question

"Given the fact that there was such a mass truancy on that day a number of pupils throughout the Borough many elderly people did feel that these people were terrorising the town centres and that includes yourself Madam Mayor. I think it is time that Councillor Smithson seriously asked questions and I would like him to tell me why he had not asked questions as to why action was not taken to prevent such a mass truancy?"

Councillor J R Smithson replied as follows

"I cannot believe that you were either terrorised or that you are elderly. Let me be clear on this absence from school by students under any circumstances is not to be applauded. If students are off sick then yes - that is a reason. But absence otherwise whether it be with parental consent or not is not to be applauded at all. The purpose of schools is for the children and students to be there to be educated and that is what we seek to do. Having said that we live in the real world and we've got to understand what happens in the real world and while Councillor Light is utterly and totally and obviously oblivious of this there was a tremendous amount of passion, deep feeling and very strong concern around on that date. I've got to say that the way it was handled by the Police the Head Teachers and by parents is to be commended. This is a very serious matter. I read a statement by an 11 year old girl on this matter - I might well be paraphrasing it but what she said was - its alright you adults causing these problems but it is we children when we grow up who are going to have to solve them. I think that is a very commendable thing for a child of that age to be able to say. To understand the position and to have the opportunity to say it was equally important. I do not personally regret what happened on that day and the concept of people being terrorised by an orderly march of students through a town or wherever, demonstrating quite legitimately against an issue which they felt most strongly is to be commended. If that issue was something which I said I did not agree with I would still say the same thing because if we are to have a democracy which survives properly one of the things we've got to develop to a far greater extent than we have at the present time is citizenship. It is not a word that I like as such but it is the only word that I know that embraces what we are talking about. I think it is one of the few good things which this Government has done is to introduce citizenship as a compulsory part of secondary school education. I think that is very positive. I certainly do my best to encourage all students to get involved and be active and it can be argued very properly and legitimately that what was happening on that day was students exercising that curriculum in terms of expressing their views in a matter of deep concern to them as citizens."

(l) Question from Councillor D Hillas to Chair of Huddersfield Committee (Councillor K Smith)

"In your capacity as one of the Chairs of Huddersfield Committee will you inform Members of the Council

(a) On how many occasions the Community Safety Sub-Committee set up by the Huddersfield Committee has met during the current municipal year.

(b) The dates of those meetings.

(c) who is involved in the work of the Sub-Committee in addition to Elected Members.

(d) What you think the Sub-Committee has achieved so far.

(e) What the work plans are for the Sub-Committee over the next twelve months.

(f) Who Chairs the Sub-Committee?"

Councillor K Smith replied as follows

"The formal meetings of the Community Safety Sub-Committee of Huddersfield Committee has met on three occasions, 1 October, 11 November 2002 and 13 March 2003. It is running into a pattern of bi-monthly meetings. The March meeting main items was to discuss useful statistics on crime to be produced by the Police and our Community Safety Unit. This has been a more challenging area for our officers than one might have expected. One of the main aims of what we are doing and what we are achieving is to try to get information on crime and disorder in a more meaningful ways for the Ward Committees in particular. Every Member will know that the Police collect crime figures according to beat areas and Community Safety staff of this Council can collect that information according to Ward areas but often these are relatively meaningless to the Ward Councillors and for the public. This is particularly indicated for any Member who sits in a Ward which covers a significant town centre. Community Safety staff have developed a smaller area of crime figures collation for local communities and they are working on getting statistics of benefit to the Ward Committees. The meetings have been well attended by Members, there are 8 Members involved one from each of the Huddersfield Wards and in addition to that the Board is attended by the Divisional Commander for Huddersfield and always attended by our Community Safety staff. Concentration of effort has been on getting meaningful information to Ward Committees with the aim of making the mechanisms that we now have in place a more useful mechanism to communicate public feelings and desires about community safety both to the Police and to the Policing Plan and adding to our own Community Safety Partnership overall direction of Policing and our responses to community safety, and that is our concentration for the next few meetings. Additionally we have noted that our departments have not yet fulfilled their responsibilities under Section 17 of the Crime and Disorder Act and I think that having a look at that has stimulated more work in that direction so I hope that departments will shortly be producing for our consideration their Action Plans as required by statute. This Committee is stimulating activity, it is getting information and will I hope add to what is already happening in the Community Safety Partnership the development of strategies."

(m) Question from Councillor D Hillas to Chair of Huddersfield Committee (Councillor Sarwar)

"In your capacity as one of the Chairs of Huddersfield will you inform Members of the Council

(a) On how many occasions the Health Sub-Committee set up by Huddersfield Committee has met during the current municipal year.

(b) The dates of those meetings.

(c) Who is involved in the work of the Sub-Committee in addition to Elected Members.

(d) What you think the Sub-Committee has achieved so far.

(e) What the work plans are for the Sub-Committee over the next twelve months.

(f) Who Chairs the Sub-Committee?"

(Councillor Sarwar had submitted an apology for his absence at the Council meeting. Councillor Hillas requested that a written reply be circulated to all Members of the Council and Councillor Ridgway in his capacity as Group Business Manager advised that he would make such arrangements).

(n) Question from Councillor M Bolt to The Mayor (Councillor M Bates)

"During your Mayoral year am I correct in saying that you have used neither your personal vote, nor your Mayoral vote in Council meetings?"

With the opportunity to reflect, would you recommend this as good practice guidance for future Mayors?"

The Mayor (Councillor M Bates) replied as follows

"My answer to Councillor Bolt's question is that you are not correct in saying that I have not used my personal vote. I did use my personal vote at the Budget meeting. You are correct in saying that I have not used my Mayoral vote or casting vote. The second part of your question gives me the opportunity to reflect and I recommend that this be looked at for guidance for future Mayors. I do feel that the Mayoral role is a non-political role and I would hope that in the future Mayors respect their position and not use it as a political judge. I'm very proud to say that I have respected that position."

(o) Question from Councillor B Warby to Cabinet Member for Social Services (Councillor S A Smithson)

"Do you fully understand and support the protocol for Cabinet Members when commenting on matters for consultation?"

Councillor S A Smithson replied as follows

"The answer is "Yes"."

Councillor Warby asked the following supplementary question

"Then why when asked to speak at a consultation meeting you declined further stating that even if you could attend you were not allowed to speak about it during consultation. Surely the opposition and the ratepayers of Kirklees have a right to expect that you will give them factual answers to their questions. By your actions you are denying them information from what should be the best information source."

Councillor Smithson replied as follows

"Well well thank you for that. Now then lets get the facts right. When Councillor Warby contacted me about would I go and attend a meeting at Mirfield about

older people's services I was a bit apprehensive because I wasn't sure where it was within consultation so I then contact John Emms about this. I immediately e-mailed Councillor Warby five forward planning dates - 5 days when I was available. I said yes I will come. She'd arranged the meeting. She'd not asked me if I was able to attend. Therefore I have never had a word back from Councillor Warby to this day. She never even replied to the e-mail. She had the meeting which was very good politically. I know for a fact there were a hundred people there and there was a card with my name but no Councillor Smithson Cabinet Member there. So that confirms that."

(p) Question from Councillor D Firth to Cabinet Member for Environment and Transportation (Councillor D Payne)

"Could you please tell me when were the works incorporated within recent highways programmes to widen New Road, Netherthong, install new footpaths and why do our Officers, myself and other Ward Councillors know nothing of this project as reported by your candidate in the Holme Valley Express?"

Councillor Payne replied as follows

"The scheme is not in the programme although new schemes come all the time. I have not read the piece in the newspaper myself but I am assured that the individual concerned expresses an intention to petition for this improvement but it is not promised. New schemes come along all the time. It may come, it may not."

Councillor D Firth asked the following supplementary question

"Councillor Payne who is the Cabinet Member for Environment and Transportation - would you not agree with me that this has been done as an electoral ploy by your Party in search of votes when it is obviously totally untrue, collusion between yourself and the Holme Valley South candidate seeking votes when you know full well this is a red-herring. The public should not be misled."

Councillor Payne replied as follows

"I have had no conversation about this site before today."

(q) Question from Councillor Khan to Councillor Rutter

"Considering that Councillor Rutter is concerned that Lower Crosland Moor is blighted with fly tipping can he assure this Council that he would never ever conceive of causing such damage to the environment in Kirklees?"

Councillor Rutter replied as follows

"Before I answer I think I would like a copy of the picture that's been floating around. Dear, dear, they must be scraping the barrel at the moment. This picture was taken in 1999. If I remember it was September. The house which is there, actually is not my house. At this stage the house which is in this picture is 2 Burcote Drive was in the process of having an extension built. Like all citizens of Kirklees the owner of the house decided to make use of the Kirklees free bulky items collection service. So at the time all the items were left on the drive for collection. The fact that I was a Councillor did not mean that I abused that system and went in line like everybody else to be collected. However at that particular time, in September and if you want to check go and get the meteorological records you will find that it was very windy, very strong winds which blew directly on the driveway onto the side of the house, which by the way, Councillor Khan, is all bar a tiny piece, still in the ownership of the property. Due

to the fact that Kirklees service didn't do it I did not wait any longer I took it to the tip."

Councillor Khan asked the following supplementary question

"Is Councillor Rutter aware that his neighbour wrote to the Leader of the Labour Group only last month with this photograph so this rubbish has been there for four years; Does Councillor Rutter agree that by his own answer he directly contradicts what he said in the Colne Valley Chronicle of 14 March; can he explain why he continues to fly tip on the public footway and grass verge and his neighbours and residents are suffering as a result to the extent that they have to write to other politicians to request that action be taken; does he feel that persons who cause fly tipping should be prosecuted; is your example Councillor Rutter of fly tipping, typical of the approach taken by the Liberal Democrat Group?"

Councillor Rutter replied as follows

"I will state this once again this picture was taken in 1999. I'm sure Councillor Khan being a very hard working and efficient Councillor should go and check the actual Council log records and the thing actually requests removal. Secondly I would point out to Councillor Khan looking at that picture there are three items that aren't actually in the land that belongs to 2 Burcote Drive. The grass verge actually belongs to 2 Burcote Drive. If the Labour Group are reduced to this cheap political electioneering then that sums then up."

(r) Question by Councillor C Smith to Councillor Cooper

"Does Councillor Cooper agree with the Green Party policy of providing free contraception to schools and is he aware of the upset this has caused parents of children in schools in the Kirkburton Ward?"

Councillor Cooper replied as follows

"This helps reduce teenage pregnancy."

Councillor C Smith asked the following supplementary question

"It was in the newspaper that it was Green Party policy to give free contraception to children in schools. A parent did contact me very upset to say that she was infuriated to read that people could have such mentality. This is something that people take very seriously."

Councillor Cooper replied as follows

"Marie Stokes the Charity which is actually trying to deal with issues about contraception is taking this kind of approach and they are the people who do dish out free contraception to the agencies."

(s) Question by Councillor McLellan to Cabinet Member for Social Services (Councillor S A Smithson)

"Would Councillor Smithson reassure relatives of elderly people in Kirklees Homes that no further Homes will be closed in the foreseeable future?"

Councillor S A Smithson replied as follows

"I am afraid that I cannot give that guarantee."

Councillor McLellan asked the following supplementary question

"Is it not true that all the Homes for the elderly reviewed so far have been closed. Will you be closing Moorlands Grange that two of your Liberal Democrat colleagues have vowed to keep open."

Councillor S A Smithson replied as follows

"We are in the consultation period at the moment. Consultation period finishes on 21 April. We shall know what happens after that date."

(t) Question by Councillor E Sims to Cabinet Member for Social Services (Councillor S A Smithson)

"Does Councillor Smithson agree that elderly persons with severe dementia cannot be cared for in their own homes?"

Councillor S A Smithson replied as follows

"It depends on what stage of dementia they are at. I cared for a mother who had dementia so I'm quite aware of people with Alzheimer's disease, dementia so I know what their needs are."

Councillor E Sims asked the following supplementary question

"What do we do if we close the remainder of the old people's homes what will happen to these elderly people who need 24 hour surveillance. I've had experience of this with neighbours when three of us tried to care for these people but we couldn't cover nights."

Councillor S A Smithson replied as follows

"My recollection of the policy is that if there is someone who is needing home care then the home care is provided. For the future, I mean the Joint Reviews we are looking in Social Services to provide 24/7 care. This is the way we have got to go.

I don't know what the problem is. If you want to have a word with me after the meeting to clarify the situation. I may be able to help."

(u) Question from Councillor E Sims to Cabinet Member for Environment and Transportation (Councillor Payne)

"On 19 February Councillor J R Smithson e-mailed the Secretary of the Kilner Bank Improvement Group that Councillor Payne was very familiar with a problem that they had and would respond as soon as possible.

It is now seven weeks. The Secretary is still waiting for an answer.

Does Councillor Payne not think that this is an insult to a voluntary group who are doing their best to help this Council?"

Councillor Payne replied as follows

"I am not aware of any unanswered mail on this subject."

(v) Question by Councillor E Sims to Cabinet Member for Environment and Transportation (Councillor Payne)

"Last July, the Planning and Highways Committee approved the adding of a footpath above the UCI Cinema to the Definitive Map.

Could Councillor Payne confirm that this has been done?"

Councillor Payne replied as follows

"I am not Chair of Planning And Highways and I am not aware of every operational matter within Highways so the answer is no I cannot confirm that. I do not know."

Councillor Sims asked the following supplementary question

"I appreciate that you wouldn't have that information at hand nevertheless could we have a progress report please about what stage this is at?"

Councillor Payne replied as follows

"I'm sure such a report can be provided. It seems rather a pointless question. Councillor Sims could easily have got this information from officers."

(w) Question by Councillor Light to the Cabinet Member for Social Services (Councillor S A Smithson)

"Given the comments you made to the question by Councillor Sims. Can you inform me what level of mortality you would expect for those residents moved out of Threelands Grange as part of the Council's Home Closure Programme?"

Councillor S A Smithson replied as follows

"I'm sorry I can't answer that question."

(x) Question by Councillor Bolt to the Deputy Leader of the Council (Councillor J R Smithson)

"Having today been able to see a campaign poster on behalf of the Liberal Democrat Group in the prominent position in Ravensthorpe. Can I ask Councillor John Smithson, as Deputy Leader and therefore in charge how he and his Group justify such a campaign at a time when our brave troops are sadly paying the ultimate price for service to their country. Does not this lobbying show the outright hypocrisy of the speeches made by Charles Kennedy and his colleagues in Westminster."

Councillor J R Smithson replied as follows

"Well Madam Mayor we are descending into the pits aren't we. This really is the end. As everybody ought to know we have certainly done our best to make it clear the Liberal Democrats did not support this war, they opposed the war before it started with fine, clear and straight forward reasons which I'm not going to detail. there were, we don't know the exact numbers over 1 million people who marched on whatever day it was carrying posters similar to that, (displayed at the Council meeting). They were not all Liberal Democrats but quite a sizeable number were and were carrying posters with those words on them. At that time we were very clearly saying there should not be a war. Now Charles Kennedy always has made it clear that should a war start, and I do very much regret that that war did start and has happened, that's history and that's a fact, but he always stated that should the war start then clearly everybody does support our troops without any hesitation whatsoever. The fact that they've been put into position of serious danger by politicians who perhaps should know better is not the point.

The point is that those troops are in positions of great danger, sadly a number have lost their lives as a direct consequence of this action and that is to be deeply regretted and I'm sure we all do. It does not make anyone within the Liberal Democrats a hypocrite, quite the reverse, it demonstrates that they have stood with an honourable straight forward clear position which cannot be said frankly for any other party per say. That does not mean to say that many individuals within the parties have said a very clear line and that can be either pro or anti. The point I'm making is having a clear line and a clear reason for taking that line but there are a number of people who have wavered about wondering which way it was best to jump as it were and those people I have not time for. As far as we are concerned we are very proud of the stance taken by our party and by our Party Leader, Charles Kennedy, on this matter. I only wish that more people had but that is history as I say. It is to be deeply regretted that this war has happened and that the deaths and injuries to our troops and indeed to the thousands and thousands of innocent Iraqi civilians that have occurred. It is a matter of deep regret to me and to vast numbers of other people."

Councillor Bolt asked the following supplementary question

"Having heard such an election principled response could I ask then why the campaign on lobbying has not been run out throughout the rest of Kirklees and the country but has been confined to such a small and racially sensitive area."

Councillor J R Smithson replied as follows

"I am not in charge of every detail of campaigning in Kirklees or indeed any part of it for that matter. So far as I'm concerned as I said, the position that Liberal Democrats have taken on this matter and throughout Kirklees is an honourable position and one that I am proud to be associated with and I think the matter has been handled very sensitively by Members, supporters and my Party."

(y) Question by Councillor Patrick to the Deputy Leader of the Council (Councillor J R Smithson)

"Is the Deputy Leader aware of the provisions relating to local authority publicity which are contained in the Local Government Act 1986 and the accompanying advice contained in the Code by Recommended Practice on Local Authority publicity as amended in April 2001 and relevant provisions in the Representation of the People Act 1983?"

Councillor J R Smithson replied as follows

"I didn't quite catch all the details of that therefore I'm not sure if I am."

Councillor Patrick asked the following supplementary question

"He doesn't know but he should. why is the Cabinet using official KMC press releases to promote and give publicity to their own Party and Liberal Democrat Councillors who are up for election?"

Councillor J R Smithson replied as follows

"The Council has protocols for this matter and the Cabinet have checked out very carefully what publicity is allowed and not allowed so far as the election period is concerned. We have been assured that every single thing that they have put out on our behalf is within those protocols. What has always been the case is that individual Members of the Cabinet or of any Party can do press releases and therefore there is nothing to prevent say for example myself putting a press release out saying whatever I wish. If that is within the policy of the Council and is promoting a particular policy then that will be done through David Bagley's

Office. If it is me making a political point then it will be put out by me as me and that is what has happened. I really think the Councillor ought to check more carefully as to what has happened and check actually with officers to what is happening in this respect and then he would know the answer without asking."

(z) Question by Councillor Sheard to the Cabinet Member for Education and Recreation (Councillor J R Smithson)

"Now that things are a bit quieter than we had at the beginning of this meeting. Over the last six months at Council meetings we have twice had Deputations from Nursery Nurses about their pay. Councillors have been given a paper today (by Kirklees Unison) which doesn't tell us much about what is going on. One of the questions they asked was about how long it has taken and I hope that Councillor Smithson could let Councillors know, in writing, what has been the delay and brief us on the issue. Twice we have been addressed by the Nursery Nurses and quite honestly I'm not sure what the issues are and Council should be aware of what the issues are and what is the reason for the delay. Will Councillor Smithson agree to brief Councillors and let us know what is going on?"

Councillor J R Smithson replied as follows

"Yes I can. To be frank I have a clear briefing with me but I didn't want to bore the meeting by reading it all out. What I will do is make sure that is circulated to all Members. As I said I don't really think it helps anyone to prolong the discussion on it at this stage."

(aa) Question by Councillor Harkin to the Mayor (Councillor M Bates)

"I have been quite concerned this afternoon about Councillor Smithson's attitude towards your position of Mayor. He has been quite argumentative in his response to your requests and I would like to know if there are any protocols in place to protect future Mayors from Councillor Smithson. Councillor Allonby will be the Mayor next year and I hope she will be protected from such argumentative displays."

The Mayor replied as follows

"Can I give you my thoughts on that. We do have three chaps here in Kirklees who everybody thinks they just drive a car and move around with the microphone at Council meetings. In actual fact the protocol is that as they did years ago they are my bodyguards and if I feel threatened by Councillor Smithson I shall refer him to Mr Bee."

(bb) Question by Councillor Khan to the Deputy Leader of the Council (Councillor J R Smithson)

"Can Councillor John Smithson share with the Council the definition of Kirklees Partnership Community Cohesion?"

Councillor J R Smithson replied as follows

"In terms of a word for word exposition of it - no I can't, but I think I have a very clear understanding of what it means. It means people living together in peace and harmony - I'm not sure about the harmony exactly but it means in peace and respect with one another without diversion to violence or abuse. I think I've got it about right but I will stand to be corrected on it."

Councillor Khan asked the following supplementary question

"Is it not a shame that you don't put into practice what you know to be actual Council policy. Local Elected Members of political parties have a role to play in the community. It is our role to ensure that where we represent communities we make sure that communities don't become divided by issues. Is it not the role of Elected Members working in their local communities to ensure that people of different backgrounds, ethnic minorities, different religious beliefs and on issues such as the war in Iraq which we all agree is horrendous and we all have different opinions on should not be used for small political gain. Do you agree that your party and your candidates should be issuing these kind of posters in areas where there are already problems of community cohesion, racial tension and in other areas such as Bradley, Deighton, Highfields or Dalton where there are ethnic minorities but there aren't racial tensions these posters will not be seen. Do you not think this is cheap and nasty electioneering?"

Councillor J R Smithson replied as follows

"The leaflets and literature to which Councillor Khan refers have been distributed widely in Kirklees, not in every place I accept but they have been distributed widely."

(cc) Question by Councillor Bolt to the Chair of the Council Business Committee (Councillor Palfreeman)

"Earlier on today we heard from Councillor Sylvia Smithson that she had not made a statement refusing to speak at a public meeting. Could I give Councillor Palfreeman a copy of an e-mail sent by Councillor Sylvia Smithson on 12 March. The third paragraph says "however I will attend but I will be unable to make any comments prior to the end of the consultation period". This is clearly not what's been said earlier on today. It is clearly at odds with the protocols which only forbid Members in position of expressing any personal opinion. It is quite reasonable for Cabinet Members and others to answer factual questions. If a resident said "what would happen if this home foreclosed, what would happen if the option was to demolish?" We would expect and demand that the Cabinet Member be able to answer that, otherwise what are they there for. Could I ask Councillor Palfreeman as Chair of Council Business Committee to consider this information, investigate at length, and report back to Council with any protocols for the future."

Councillor Palfreeman replied as follows

"I didn't know whether there needs to be a lengthy investigation at all - it should be very simple to do - to compare what is in this e-mail to what has been recorded on the tape - what Councillor Smithson said. I don't think it is for me to come up with protocols for Cabinet Members but I will consult with Senior Officers."

(dd) Question by Councillor Murphy to the Mayor (Councillor M Bates)

"What I mean is regarding this stupid ludicrous situation with the microphones. We have a p.a. system which I've never known to work and it's about time we got it in order."

The Mayor replied as follows

"Councillor Murphy, you have my full support."

Motion - Calder Valley Greenway Route

It was moved by Councillor Taylor, seconded by Councillor D Firth.

"This Council expresses its deep concern that the Cabinet has failed to present to residents and potential user groups a preferred route option for the Calder Valley Greenway Route.

It expresses its concern that an appreciable amount of the money allocated to the project has so far been wasted and that the Cabinet has failed to react to residents concerns, those of the Mirfield Town Council, and those of the many users of the canal system.

Further this Council fully supports the option to use the former rail corridor as a route of sustainable transport and to retain such a corridor for the future and urges the Cabinet to adopt that option."

Whereupon it was moved by Councillor Payne, seconded by Councillor Ridgway by way of AMENDMENT

Delete everything after "This Council" and substitute the following:

"Notes -

1. that the Overview and Scrutiny Panel for Transportation has investigated thoroughly the matters surrounding the procurement of consultancy work and delays in finalising the project and has concluded they had "no significant criticisms of how the scheme has been handled to date" and that the report "had, in part, been delayed due to the Scrutiny Panel's request to fully explore the issues".
2. that the Panel also recognised that the delay had further been contributed to when "the Environment and Transportation Management Board had ... reprioritised schemes and diverted resources from the Calder Valley project".
3. that this diversion was towards the Spen Ringway project following a lobbying campaign by the then Chair of the Management Board, Councillor Bolt.

Further, whilst this Council supports the protection of former rail corridors, where and when ever possible, it urges Cabinet to consider the benefits, costs, appropriateness to sources of funding, impacts on adjacent communities, and potential liabilities of each route option when considering its final decision."

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 expresses its deep concern that the Cabinet has failed to present to residents and potential user groups a preferred route option for the Calder Valley Greenway Route.

It expresses its concern that an appreciable amount of the money allocated to the project has so far been wasted and that the Cabinet has failed to react to residents concerns, those of the Mirfield Town Council, and those of the many users of the canal system.

Further this Council fully supports the option to use the former rail corridor as a route of sustainable transport and to retain such a corridor for the future and urges the Cabinet to adopt that option."

At the request of a Member, supported by at least six other Members a Recorded Vote was taken on the Motion as follows:

FOR:

Councillors Asif, Bates, Beetham, Blanshard, Bolt, Calvert, Crowther, Dimmock, D firth, E Firth, Harpin, Hemingway, Hey, Hillas, Iqbal, Kane, Light, McBride, McLellan, Maniyar, May, Murphy, North, Palfreeman, Patrick, E Sims, K Sims, A Smith, C Smith, Sokhal, Speight, Sykes, Taylor, Walton and Warby.

(35 VOTES)

AGAINST

Councillors Allonby, Battye, Bower, Mrs M Bower, Denham, Hullock, Iredale, Oldroyd, A Pinnock, Raistrick, Ridgway, Rutter, J R Smithson, S A Smithson, Wild and Woodhead.

(16 VOTES)

ABSTAIN

Councillors Cooper, Granger, Simpson and Stewart Turner.

(4 ABSTENTIONS)

167 Final Report of the Ad Hoc Scrutiny Review into The Council's Policy for the Letting of Council Premises/Facilities

Council considered the above mentioned Final Report referred from Overview and Scrutiny Committee of 1 April 2003.

It was moved by Councillor Blanshard, seconded by Councillor Taylor and

RESOLVED - That the Final Report and the recommendations set out therein be noted together with the response of the appropriate Cabinet Member.

168 Motions Approved by Council

Reports were submitted which set out the response of the Home Office to a Motion approved and adopted by Council on 22 January 2003 as to funding of the West Yorkshire Police Authority and a response by the Minister of State for Local Government and the Regions also to a Motion approved and adopted by Council on 22 January 2003 as to the Comprehensive Performance Assessment.

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

RESOLVED - That the reports be noted.

169 Final Report of the Ad Hoc Scrutiny Review into the Council's Involvement with Intruplas Ltd

Council considered the above mentioned Final Report referred from Overview and Scrutiny Committee of 1 April 2003.

It was moved by Councillor Palfreeman, seconded by Councillor Stewart Turner and

RESOLVED - That the Final Report and the recommendations set out therein be noted together with the response of the appropriate Cabinet Member.