

M5C2

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 5 April 2006**

PRESENT

The Mayor (Councillor Margaret Fearnley) in the Chair

COUNCILLORS

M AKHTAR
G ALVY
I AMEEN
T J ASLAM
S AWAN
M BATES
P BATTYE
R BATTYE
G BEEVER
M BLANSHARD
S M BOLT
M BOWER
MRS M BOWER
T BRICE
J CALVERT
A V COOPER
A E DENHAM
W J DODDS
A ELLAM
D EXLEY
S E FALLOWS
D FIRTH
E A FIRTH
D J HALL
M HARKIN
M HEMINGWAY
D HILLAS
D HULLOCK
K HUSSAIN
N HUSSAIN
K IQBAL
C M IREDALE
R IREDALE

P KANE
M KHAN
R LIGHT
D LINDLEY
T LYONS
P McBRIDE
A C G MARCHINGTON
H MAYET
A MURPHY
A PALFREEMAN
S PANDOR
K N PATRICK
A C PINNOCK
K A PINNOCK
A RAISTRICK
M SARWAR
J SCOTT
D SHEARD
E E SMAJE
A SMITH
C M L SMITH
K SMITH
J R SMITHSON
M SOKHAL
C M STANFIELD
J STEWART TURNER
K TAYLOR
M WALTON
B WARBY
E WARD
L M WILKINSON
A O WOODHEAD
D YATES

139 Announcements by the Mayor and the Chief Executive

The Mayor

- (a) thanked Members who had attended a charity event held prior to the Council meeting and the organisers of the event (Members Services)

- (b) thanked all retiring Members for their services to the Council and the community (thanks were also expressed by the Group Leaders).

The Chief Executive reported upon changes to the order of the Agenda agreed by the Mayor and himself and supported by those Members attending the All Party Briefing with the Mayor and Deputy Mayor.

140 Apologies for Absence

Apologies for absence were received from Councillors K Oldroyd and K Sims.

141 Order of Business

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

RESOLVED - That in accordance with Council Procedure Rule 5(2) the order of items numbered 15 to 32 of the Council Agenda be changed as indicated in the revised Agenda now circulated to Members.

142 Minutes

It was moved by the Mayor (Councillor Fearnley), seconded by the Deputy Mayor (Councillor D Firth) and

RESOLVED - That the Minutes of the 'Budget' Meeting of the Council held on 22 February 2006 be approved and signed as a correct record.

143 Declarations of Interest

Councillor Khan declared a personal interest in respect of the Motions at items 24, 26 and 28 of the original Agenda as to the reconfiguration of hospital services.

Councillor Denham declared a personal interest in respect of Minute 12 page EP74 as to the Beryl Fambely Bursary

Councillor A Smith declared a personal interest in respect of Minute 12 page EP74 as to the Beryl Fambely Bursary.

Councillor R Battye declared a personal interest in respect of Minute 17 page EP67 as to Kirklees Neighbourhood Housing - Management Agreement.

Councillor K Pinnock declared a personal interest in respect of Minute 8 page C48 as to St George's Warehouse, Huddersfield.

Councillor Walton declared a personal interest in respect of Minute 17 page EP67 as to Kirklees Neighbourhood Housing - Management Agreement.

Councillor Fallows declared a personal interest in respect of Minute 17 page EP67 as to Kirklees Neighbourhood Housing - Management Agreement.

Councillor Iqbal declared a personal interest in respect of Minute 17 page EP67 as to Kirklees Neighbourhood Housing - Management Agreement.

Councillor C Smith declared a personal interest in respect of Minute 17 page EP67 as to Kirklees Neighbourhood Housing - Management Agreement.

Councillors Woodhead and K Smith declared personal interests in respect of item 31 of the original Agenda as to a Motion about the structure of Yorkshire and Humber Police Authorities.

Councillor Smithson declared a personal interest in respect of Minute 211 page R100 as to Huddersfield Pride Limited.

144

Petitions

The following petitions were submitted

- (a) Councillor Brice - Petition requesting urgent road improvements to Birkby Road and Birkby Hall Road and Petition requesting urgent road improvements to Thornhill Road.
- (b) Councillor Awan - Petition requesting the Council to make improvements to pedestrian and road safety on Blackmoorfoot Road.
- (c) Councillor A Smith - Petition requesting urgent road repairs to Birkby Hall Road and Birkby Road between The Cavalry Arms and Wheathouse Road.
- (d) Councillor C Smith - Petition requesting the Council to undertake a survey of roads in Highburton, particularly the Burton area and Far Dene with a view to bringing them up to a suitable standard.
- (e) Councillor Sokhal - Petition requesting the Council to prioritise Thornhill road, Edgerton for repairs to the road surface and that the repairs be carried out earlier than the 2007/08 financial year.
- (f) Councillor Sokhal - Petition objecting to proposals to abolish the Community Contact Resource Centre which provides advice by Asian Council staff to the local community on various matters.

It was moved by Councillor P Battye, seconded by Councillor Hemingway and

RESOLVED - That the petitions be referred to the appropriate officer for investigation and report thereon to Cabinet or appropriate Committee on action taken.

145

Matters Referred from Cabinet, a Committee etc to Council for Approval/Noting

- (a) **Reference from Council Business Committee of 23 March 2006 as to Feedback from Block 1 Session re Kirklees Environment Vision**

It was moved by Councillor Smithson, seconded by Councillor Denham and

RESOLVED - That the content of the submitted report be noted for Members information.

- (b) **Reference from Cabinet Committee - Regeneration of 29 March 2006 as to the High Hedge Regulations**

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

RESOLVED - That following a review, the fees adopted by the Council in October 2005 be waived and a free service provided.

- (c) **Reference from Business Managers Sub-Committee of 30 March 2006 as to the Amended Members Allowances Scheme 2006/07**

It was moved by Councillor P Battye, seconded by Councillor Hemingway and

RESOLVED - That the amended Members Allowances Scheme for 2006/07 as circulated at item 6(c) of the Agenda be approved and adopted and backdated to take effect from 1 April 2006.

146 Minutes of Meetings of Cabinet and Cabinet Committees
It was moved by the Mayor (Councillor Fearnley), seconded by the Deputy Mayor (Councillor D Firth) and

RESOLVED - That the Minutes of meetings of Cabinet and Cabinet Committees as set out in the Council Summons at item 7(a) to (e) be received.

147 Update Reports as to Social Services Budgets
Referring to Minute 79 of the Council meeting held on 7 October 2005 the Cabinet Members for Health and Social Care (Councillor Hullock) and Children's Services (Councillor Alvy) spoke to their update reports circulated at item 8 of the Council Agenda.

It was moved by the Mayor (Councillor Fearnley), seconded by the Deputy Mayor (Councillor D Firth) and

RESOLVED - That the update reports be received for the information of Council.

148 Oral Questions to Cabinet Members on their Portfolios
(It was moved by Councillor Light, seconded by Councillor Khan and

RESOLVED - That the time limit for oral questions be extended by 30 minutes)

(a) **Oral Questions to the Cabinet Member for Regeneration (Councillor Smithson)**

Councillor Light addressed a question about the provision of 'screens' in Kirklees town centres during the World Cup.

Councillor Smithson replied thereto.

Councillor Bolt addressed a question about the Kirklees Strategic Economic Zone and issues around public consultation on this matter and discussion with Calderdale Council and the Highways Agency.

Councillor Smithson replied thereto.

(b) **Oral Questions to the Cabinet Member for Supporting Committees (Councillor Marchington)**

Councillor Yates addressed a question about the closure to the public at 6.00 p.m. of the public counter at Dewsbury Police Station.

Councillor Marchington replied thereto.

(c) **Oral Questions to the Cabinet Member for Business and Administration (Councillor P Battye)**

Councillor Dodds addressed a question about a Motion submitted to Council at its October 2005 meeting in relation to protocols for Cabinet Members and asked for an update on the matter.

Councillor P Battye replied thereto.

Councillor Yates addressed a question about the cost of Council mail he received on a regular basis on a Saturday.

Councillor P Battye replied thereto.

Councillor Bates addressed a question about the costs of the review of Members Allowances by the Independent Review Panel held on 30 November 2005.

Councillor P Battye replied thereto.

Councillor C Smith addressed a question about the Cabinet Members private business outside his Council duties.

Councillor P Battye replied thereto.

Councillor Bolt addressed a question about what progress the Cabinet Member had made in identifying budget or service provision for devolution to various Committees and Panels by the Council.

Councillor P Battye replied thereto.

Councillor Khan asked a question about why the Area Committee for Huddersfield North had not been involved in proposals for the regeneration of Huddersfield Town Centre.

Councillor P Battye replied thereto.

(d) **Oral Questions to the Cabinet Member for Children's Services (Councillor Alvy)**

Councillor Hemingway addressed a question about whether or not a survey had been undertaken for school provision for the Grange Moor area and King James' School and if so when the results of that survey would be available.

Councillor Alvy replied thereto.

Councillor K Smith addressed a question about the costs of Legal Services incurred by the Social Services department over the preceding six months and the outcome of the recent recruitment drive for foster parents.

Councillor Alvy replied thereto.

(e) **There were no Oral Questions to the Cabinet Member for Development Services (Councillor A Pinnock)**

(f) **There were no Oral Questions to the Cabinet Member for Environment and Highways (Councillor Denham)**

(g) **Oral Question to the Cabinet Member for Health and Social Care (Councillor Hullock)**

Councillor Light addressed a question about what the Cabinet Member had done to alleviate health inequalities in the Batley area.

Councillor Hullock replied thereto.

(It was moved by Councillor Hemingway, seconded by Councillor E Firth and

RESOLVED - That the time allowed for oral questions be extended by a further 15 minutes)

Councillor Smaje addressed a question about services to vulnerable people and the loss of four fulltime Wardens in North Kirklees employed in sheltered housing schemes.

Councillor Hullock replied thereto.

Councillor Bates addressed a question about allegations in 'FOCUS' about Home Care Charges to be introduced by the Conservative Group.

Councillor Hullock replied thereto.

Councillor Sheard addressed a question about the provision of a Health Centre in Heckmondwike and why the proposal was delayed.

Councillor Hullock replied thereto.

Councillor Light addressed a question about additional income in the Social Services budget and how much of that income was as a result of increases in home care charges.

Councillor Hullock replied thereto.

Councillor Pandor addressed a question asking if Councillor Hullock was aware of health inequalities in the Batley area prior to being asked the question by Councillor Light.

Councillor Hullock replied thereto.

Councillor K Smith addressed a question about whether Councillor Hullock could remember if Councillor Alvy had been present at any of the meetings Councillor Smith had referred to in his previous question to Councillor Alvy about fostering arrangements and charges for Legal Services paid for by Social Services.

Councillor Hullock replied thereto.

149 Minutes of Meetings of other Committees

It was moved by the Mayor (Councillor Fearnley), seconded by the Deputy Mayor (Councillor D Firth) and

RESOLVED - That the Minutes of meetings of other Committees as set out in the Council Summons at item 10 be received.

150 Oral Questions to Chairs of Committees and to Council Spokespersons for Kirklees Active Leisure and Kirklees Neighbour Housing

Councillor Harkin, Smaje and Bates addressed questions to the spokesperson for Kirklees Neighbourhood Housing (Councillor Walton) about staffing arrangements in Kirklees Neighbourhood Housing in relation to the roving living-in scheme co-ordinators, and wardens in sheltered accommodation and the lack of consultation by Kirklees Neighbourhood Housing with Ward Members on these matters.

Councillor Walton replied thereto.

151 Kirklees Children and Young People Plan 2006/09

Council considered the above Plan as an item within the Policy Framework.

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

RESOLVED - That the Kirklees Children and Young People Plan circulated at item 12 of the Agenda be approved and adopted.

152 Written Questions By Elected Members

The following schedule of written questions by Elected Members was circulated at the meeting. In view of the time limit set out in Council Procedure Rules for consideration of this item it was not possible for an oral reply to be given at the meeting to those questions where a written reply had not been received by the Democratic Support Service by 11.00 a.m. on 5 April 2006.

- (a) **Question by Councillor Sheard to the Cabinet Member for Policy and Resources (Councillor K Pinnock)**

"Are you happy with your Portfolio?"

The response by the Cabinet Member was circulated.

- (b) **Question by Councillor Sheard to the Cabinet Member for Regeneration (Councillor J Smithson)**

"Are you happy with your Portfolio?"

The response by the Cabinet Member was circulated.

- (c) **Question by Councillor Sheard to the Cabinet Member for Supporting Communities (Councillor A Marchington)**

"Are you happy with your Portfolio?"

The response by the Cabinet Member was circulated.

- (d) **Question by Councillor Sheard to the Cabinet Member for Administration and Business (Councillor P Battye)**

"Are you happy with your Portfolio?"

The response by the Cabinet Member was circulated.

- (e) **Question by Councillor Sheard to the Cabinet Member for Children's Services (Councillor G Alvy)**

"Are you happy with your Portfolio?"

The response by the Cabinet Member was circulated.

- (f) **Question by Councillor Sheard to the Cabinet Member for Development Services (Councillor A Pinnock)**

"Are you happy with your Portfolio?"

The response by the Cabinet Member was circulated.

- (g) **Question by Councillor Sheard to the Cabinet Member for Environment and Highways (Councillor A Denham)**

"Are you happy with your Portfolio?"

The response by the Cabinet Member was circulated.

- (h) **Question by Councillor Sheard to the Cabinet Member for Health and Social Care (Councillor D Hullock)**

"Are you happy with your Portfolio?"

The response by the Cabinet Member was circulated.

- (i) **Question by Councillor Sheard to the Cabinet Member for Housing and Property (Councillor A Cooper)**

"Are you happy with your Portfolio?"

The response by the Cabinet Member was circulated.

- (j) **Question by Councillor Sheard to the Cabinet Member for Policy and Resources (Councillor K Pinnock)**

"During the Budget debate you outlined the amount of money paid out in equal pay compensation. You said "to women" - do I assume that no payout was made to men?"

The response by the Cabinet Member was circulated.

- (k) **Question by Councillor Sheard to the Cabinet Member for Regeneration (Councillor Smithson)**

"How much revenue do the Council receive from the Timber Yard and Garage who advertise their businesses on Council owned land at the Halifax Road end of Wormald Street, Liversedge?"

- (l) **Question by Councillor Sheard to the Cabinet Member for Environment and Highways (Councillor Denham)**

"Is it true that Highways are putting 'treacle' in the salt they put on the roads to combat ice?"

If its not 'treacle' what is it and why is it being put in when it makes roads slippery?"

The response by the Cabinet Member was circulated.

- (m) **Question by Councillor Martyn Bolt to the Cabinet Member for Environment and Highways (Councillor Denham)**

"Do you support the terms of reference relating to Cabinet positions as described by the Allowances Panel?"

- (n) **Question by Councillor Bolt to the Cabinet Member for Policy and Resources (Councillor K Pinnock)**

"Which Group has led this Council in recent years?"

- (o) **Question by Councillor Bolt to the Cabinet Member for Children's Services (Councillor Alvy)**

"Are you looking forward to your retirement?"

- (p) **Question by Councillor Bolt to the Cabinet Member for Policy and Resources (Councillor Pinnock)**

"With the massive shortfall exposed in Social Services, do you think expenditure should have to demonstrate value for money?"

The response by the Cabinet Member was circulated.

- (q) **Question by Councillor Bolt to the Cabinet Member for Environment and Highways (Councillor Denham)**

“When were Kirklees Council first made aware of the "threat" of restrictions onto nearby motorways, know to the Highways as ramp metering?”

- (r) **Question by Councillor Bolt to the Cabinet Member for Administration and Business (Councillor P Battye)**

“What progress have you made in identifying budgets or service provisions which could be further developed to Town/Parish Councils or Area Committees?”

- (s) **Question by Councillor Bolt to the Cabinet Member for Policy and Resources (Councillor K Pinnock)**

“Can you describe the formal complaints procedure currently in place at Kirklees?”

- (t) **Question by Councillor Bolt to the Cabinet Member for Environment and Highways (Councillor Denham)**

“Do you agree with and support the sentiments of Councillor Raistrick, as highlighted in the Spenborough Guardian of 17 March, that traffic schemes which contribute to congestion are farcical?”

- (u) **Question by Councillor Bolt to the Cabinet Member for Environment and Highways (Councillor Denham)**

“How did you travel to Council today?”

- (v) **Question by Councillor Bolt to the Cabinet Member for Regeneration (Councillor Smithson)**

“How many motorway junctions are in Kirklees boundaries or would directly affect Kirklees drivers?”

- (w) **Question by Councillor Bates to the Cabinet Member for Environment and Highways (Councillor Denham)**

“As Cabinet Member for Environment and Highways, do you agree with me that you hold a very important position on this Council?”

- (x) **Question by Councillor Bates to the Cabinet Member for Housing and Property (Councillor Cooper)**

“Do you share my view that the new Local Public Service Boards, of which you are a member, are important for the future structure of the Council?”

- (y) **Question by Councillor Bolt to the Cabinet Member for Policy and Resources (Councillor K Pinnock)**

“You are quoted in the Huddersfield Daily Examiner as saying:

She accused local NHS and hospital chiefs of ‘flying in the face of massive public opinion’ in approving plans to transfer vital hospital services from Huddersfield to Halifax.

and

These calls backed by petitions signed by tens of thousands of local people who are opposed to moving services from Huddersfield to Halifax have today been totally disregarded.

Is it your belief that where there is significant public opposition to a course of action, that those taking the decision should heed that voice?

If so, do you practice that philosophy?"

(z) **Question by Councillor Bolt to the Cabinet Member for Policy and Resources (Councillor K Pinnock)**

"You are quoted in the Huddersfield Daily Examiner as saying:

The decisions were also attacked by Councillor Kath Pinnock, Leader of Kirklees Council. She accused the local NHS and hospital chiefs of "flying in the face of massive public opinion" in approving plans to transfer vital hospital services from Huddersfield to Halifax.

Is your belief that the people who took that decision, are doing the best for the residents they serve? Do you support their continued presence in power in public office?"

(aa) **Question by Councillor Bolt to the Cabinet Member for Policy and Resources (Councillor K Pinnock)**

"Why is it that Cabinet Members are willing to take the publicity on 'good news' stories.

e.g. Councillor Ann Denham, the Council's Cabinet Member responsible for Bereavement Services, said: The need for a new or refurbished crematorium in North Kirklees was identified some years ago.

But not for ones which might attract adverse publicity.

e.g. A Kirklees Council spokeswoman said the site did not meet Department of Transport criteria for a speed camera but surveys are being done to see if drivers were sticking to the new speed limits."

(bb) **Question by Councillor Bolt to the Cabinet Member for Environment and Highways (Councillor A Denham)**

"Can you confirm that no accidents have taken place by left turning vehicles at the Bradley junction where Bradley Road joins the A62?"

The response by the Cabinet Member was circulated.

(cc) **Question by Councillor Bolt to the Cabinet Member for Environment and Highways (Councillor A Denham)**

"Please could you tell me how much the slip road/ramp has cost to design and build which leads from the viaduct over the River Colne near Dalton Bank to the canal towpath?"

The response by the Cabinet Member was circulated.

(dd) **Question by Councillor Bolt to the Cabinet Member for Policy and Resources (Councillor Kath Pinnock)**

"Do you agree with me that the forthcoming local elections should be fought on issues that affect local people and by the parties putting out honest material?"

(ee) **Question by Councillor Bolt to the Cabinet Member for Health and Social Care (Councillor Hullock)**

"Please confirm to the Council what your portfolio responsibilities are and if there is any cause for concern with regard to their finances?"

(ff) **Question by Councillor Woodhead to the District Spokesperson for the West Yorkshire Police Authority (Councillor Ken Smith)**

"Can you provide me with an update as to proposed changes to the structure of the Police Authorities - particularly in relation to West Yorkshire?"

(gg) **Question by Councillor Hall to the Cabinet Member for Development Services (Councillor A Pinnock)**

"Would Councillor Pinnock confirm how many meetings have taken place between officers and potential developers of the Mirfield25 site and what the outcomes of these meetings were?"

The response by the Cabinet Member was circulated.

(hh) **Question by Councillor Hall to the Cabinet Member for Environment and Highways (Councillor Denham)**

"Would Councillor Denham confirm what effect the proposed gyratory at Cooper Bridge will have on traffic congestion within the next ten years?"

153 Deputations

Council received a deputation on behalf of the 'Save Our NHS' Campaign who outlined to Members their concerns about the decisions of a meeting of Primary Care Trusts of 22 March 2006 in relation to the reconfiguration of hospital services affecting Huddersfield Royal Infirmary and Calderdale Royal.

The Cabinet Member for Policy and Resources (Councillor K Pinnock) replied thereto.

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

RESOLVED - That the comments of the deputation be noted.

154 Motions under Council Procedure Rule 14 as to the reconfiguration of Health Services at Huddersfield Royal Infirmary and Calderdale Royal

It was moved by Councillor Wilkinson, seconded by Councillor Awan

"This Council is appalled that the Joint PCTs at their meeting on 22 March 2006 voted to move a number of clinical services, including obstetrics, from the HRI to Calderdale Royal. This decision flies in the face of the massive opposition to these proposals by the people of Huddersfield and the Valleys and their elected representatives who are extremely angry that their voice has clearly not been heard.

This Council therefore RESOLVES:

1. That, in the light of the history of the decision making process, it has no confidence in the commitment to the needs of local people by the PCT Boards of Huddersfield South and Central.

2. To write to the Secretary of State for Health expressing the depth of opposition to these proposals from the people of Huddersfield and the Valleys.
3. To request that the Secretary of State review the evidence and overturn this decision.
4. To invite the Secretary of State to come to Huddersfield to hear for herself the depth of local feeling, or, failing that, to receive an all-party delegation to allow the elected representatives of Huddersfield to urge upon her the need for a change of direction in the provision of hospital services in this town".

It was then moved by Councillor Light, seconded by Councillor Brice

"This Council is outraged that the Joint PCTs at their meeting on 22 March 2006 voted to move a number of clinical services, including obstetrics, from the HRI to Calderdale Royal. This decision flies in the face of the massive opposition to these proposals by the people of Huddersfield and the Valleys and their elected representatives who are extremely angry that their voice has clearly not been heard.

This Council notes that whilst the Liberal Democrat Group claimed to be campaigning on behalf of local people, the following actions resulted in decisions against the wishes of local people

- * Refusal of a referendum on the proposed changes
- * Members of the two PCT's who are Liberal Democrat Party Members voted to move Maternity, Obstetrics, Day Surgery, Gynaecology and Paediatrics from HRI to the Calderdale site.

This Council therefore RESOLVES:

1. That it has no confidence in the ability of the PCT Boards for Huddersfield South and Central to reflect the needs of local people.
2. To write to the Secretary of State for health expressing the depth of opposition to these proposals from the people of Huddersfield and the Valleys.
3. To request that the Secretary of state review the evidence and overturn this decision.
4. To invite the Secretary of State to come to Huddersfield to hear for herself the depth of local feeling, or, failing that, to receive an all-party delegation to allow the elected representatives of Huddersfield to urge upon her the need for a change of direction in the provision of hospital services in this town.
5. To highlight the hypocrisy shown by the Liberal Democrat Group on Kirklees Council and calls upon them to apologise to the residents of Kirklees for their hypocrisy on hospital changes and failing to support local people on this issue.
6. To call on the Government to introduce measures allowing Local Authorities democratic and accountable control of local health services."

It was then moved by Councillor K Smith, seconded by Councillor Hillas

"This Council notes:

- * The massive local objection to decisions by the joint PCT Board to move key hospital services from Huddersfield Royal Infirmary and the deep disappointment felt by local people.

- * Members of the two PCTs, who are Labour Party Members, opposed moves to relocate key services to Calderdale.

This Council notes that the following actions undermined the campaign by local people and other political parties against these NHS service changes:

- * Refusal of a referendum on the proposed changes
- * Members of the two PCTs who are Liberal Democrat Party members voted to move Maternity, Obstetrics, Day Surgery, Gynaecology and paediatrics from the HRI to the Calderdale site.

This Council is resolved to work on behalf of local people to retain a full range of services at HRI and instructs the Chief Executive to work with local MP's and write to the Secretary of State for Health, Patricia Hewitt MP, expressing massive local objection on this issue.

A local referendum would help to build a strong case for the Secretary of State to oppose the changes.

This Council therefore resolves:

- * That the Liberal Democrat Group on Kirklees Council apologises to the residents of Kirklees for their hypocrisy and failing to support local people on this issue.
- * The Cabinet reconsiders its refusal to allow a local referendum on local NHS changes.”

Council then debated the three Motions.

At the request of a Member supported by at least five other Members a recorded vote was taken on the Motion moved by Councillor K Smith and seconded by Councillor Hillas in accordance with Council Procedure Rule 24(3) as follows:

FOR: Councillors M Akhtar, I Ameen, M Bates, S Bolt, T Brice, J Calvert, J Dodds, D Exley, D Firth, E Firth, D Hall, M Harkin, M Hemingway, D Hillas, K Iqbal, P Kane, R Light, D Lindley, T Lyons, H Mayet, A Murphy, A Palfreeman, S Pandor, N Patrick, D Sheard, C Smith, K Smith, K Taylor, E Ward and D Yates

(30 Votes)

AGAINST - Nil

ABSTAIN: Councillors G Alvy, T Aslam, S Awan, P Battye, R Battye, G Beever, M Bower, Mrs M Bower, A Cooper, A Denham, S Fallows, M Fearnley, D Hullock, K Hussain, N Hussain, C Iredale, R Iredale, A Marchington, A Pinnock, K Pinnock, J Smithson, C Stanfield, L Wilkinson and A Woodhead

(24 Abstentions)

The Mayor declared the Motion CARRIED and it was

RESOLVED - “This Council notes:

- * **The massive local objection to decisions by the joint PCT Board to move key hospital services from Huddersfield Royal Infirmary and the deep disappointment felt by local people.**

- * **Members of the two PCTs, who are Labour Party Members, opposed moves to relocate key services to Calderdale.**

This Council notes that the following actions undermined the campaign by local people and other political parties against these NHS service changes:

- * **Refusal of a referendum on the proposed changes**
- * **Members of the two PCTs who are Liberal Democrat Party members voted to move Maternity, Obstetrics, Day Surgery, Gynaecology and paediatrics from the HRI to the Calderdale site.**

This Council is resolved to work on behalf of local people to retain a full range of services at HRI and instructs the Chief Executive to work with local MP's and write to the Secretary of State for Health, Patricia Hewitt MP, expressing massive local objection on this issue.

A local referendum would help to build a strong case for the Secretary of State to oppose the changes.

This Council therefore resolves:

- * **That the Liberal Democrat Group on Kirklees Council apologises to the residents of Kirklees for their hypocrisy and failing to support local people on this issue.**
- * **The Cabinet reconsiders its refusal to allow a local referendum on local NHS changes."**

At the request of a Member supported by at least five other Members a recorded vote was taken and the Motion moved by Councillor Light and seconded by Councillor Brice in accordance with Council Procedure Rule 24(3) as follows:

FOR: Councillors M Akhtar, I Ameen, M Bates, S Bolt, T Brice, J Calvert, J Dodds, D Exley, D Firth, E Firth, D Hall, M Harkin, M Hemingway, D Hillas, K Iqbal, P Kane, R Light, D Lindley, T Lyons, H Mayet, A Murphy, A Palfreeman, S Pandor, N Patrick, D Sheard, C Smith, K Smith, K Taylor, E Ward and D Yates

(30 Votes)

AGAINST: Nil

ABSTAIN: Councillors G Alvy, T Aslam, S Awan, P Battye, R Battye, G Beever, M Bower, Mrs M Bower, A Cooper, A Denham, M Fearnley, D Hullock, K Hussain, N Hussain, C Iredale, R Iredale, A Marchington, A Pinnock, K Pinnock, J Smithson, C Stanfield, L Wilkinson and A Woodhead

(23 Abstentions)

The Mayor declared the Motion CARRIED and it was

RESOLVED - "This Council is outraged that the Joint PCTs at their meeting on 22 March 2006 voted to move a number of clinical services, including obstetrics, from the HRI to Calderdale Royal. This decision flies in the face of the massive opposition to these proposals by the people of Huddersfield and the Valleys and their elected representatives who are extremely angry that their voice has clearly not been heard.

This Council notes that whilst the Liberal Democrat Group claimed to be campaigning on behalf of local people, the following actions resulted in decisions against the wishes of local people

- * Refusal of a referendum on the proposed changes
- * Members of the two PCT's who are Liberal Democrat Party Members voted to move Maternity, Obstetrics, Day Surgery, Gynaecology and Paediatrics from HRI to the Calderdale site.

This Council therefore RESOLVES:

1. That it has no confidence in the ability of the PCT Boards for Huddersfield South and Central to reflect the needs of local people.
2. To write to the Secretary of State for Health expressing the depth of opposition to these proposals from the people of Huddersfield and the Valleys.
3. To request that the Secretary of State review the evidence and overturn this decision.
4. To invite the Secretary of State to come to Huddersfield to hear for herself the depth of local feeling, or, failing that, to receive an all-party delegation to allow the elected representatives of Huddersfield to urge upon her the need for a change of direction in the provision of hospital services in this town.
5. To highlight the hypocrisy shown by the Liberal Democrat Group on Kirklees Council and calls upon them to apologise to the residents of Kirklees for their hypocrisy on hospital changes and failing to support local people on this issue.
6. To call on the Government to introduce measures allowing Local Authorities democratic and accountable control of local health services."

At the request of a Member supported by at least five other Members a record vote was taken on the Motion moved by Councillor Wilkinson, seconded by Councillor Awan in accordance with Council Procedure Rule 24(3) as follows:

FOR: Councillors M Akhtar, G Alvy, I Ameen, T Aslam, S Awan, M Bates, P Battye, R Battye, G Beaver, M Bower, Mrs M Bower, T Brice, J Calvert, A Denham, J Dodds, D Exley, M Fearnley, D Firth, E Firth, D Hall, M Harkin, D Hemingway, D Hillas, D Hullock, K Hussain, N Hussain, K Iqbal, C Iredale, R Iredale, P Kane, R Light, D Lindley, T Lyons, A Marchington, H Mayet, A Murphy, A Palfreeman, S Pandor, N Patrick, A Pinnock, K Pinnock, D Sheard, C Smith, K Smith, J Smithson, C Stanfield, K Taylor, E Ward, L Wilkinson, A Woodhead and D Yates

(51 Votes)

AGAINST: Nil

ABSTAIN: Nil

The Mayor declared the Motion CARRIED and it was

RESOLVED - "This Council is appalled that the Joint PCTs at their meeting on 22 March 2006 voted to move a number of clinical services, including obstetrics, from the HRI to Calderdale Royal. This decision flies in the face of the massive opposition to these proposals by the people of Huddersfield and the Valleys and

their elected representatives who are extremely angry that their voice has clearly not been heard.

This Council therefore **RESOLVES:**

1. That, in the light of the history of the decision making process, it has no confidence in the commitment to the needs of local people by the PCT Boards of Huddersfield South and Central.
2. To write to the Secretary of State for Health expressing the depth of opposition to these proposals from the people of Huddersfield and the Valleys.
3. To request that the Secretary of State review the evidence and overturn this decision.
4. To invite the Secretary of State to come to Huddersfield to hear for herself the depth of local feeling, or, failing that, to receive an all-party delegation to allow the elected representatives of Huddersfield to urge upon her the need for a change of direction in the provision of hospital services in this town".

155 West Yorkshire Health Scrutiny Committee - Response to the South West Yorkshire Mental Health Trust Proposals to Modernise their Service and Estates

Council considered the above document produced by the West Yorkshire Health Scrutiny Joint Committee in response to the proposals by the South West Yorkshire Mental Health Trust to modernise their service and estates across Calderdale, Kirklees and Wakefield.

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

RESOLVED - That the recommendations of the Joint Committee be noted.

156 Termination and Adjournment of Meeting

Referring to Council Procedure Rule 16(3) and no Motion having been moved to continue the meeting beyond 9.00 p.m. the Mayor

- (a) called upon Councillor Smaje who had given notice of the Motion at item 20 of the original Agenda. The Council consented to postpone consideration of the Motion to the meeting on 28 June 2006
- (b) called upon Councillor Khan who had given notice of the Motion at item 29 of the original Agenda.

In accordance with Council Procedure Rule 16(4)(f) the Motion was moved by Councillor Khan and seconded by Councillor E Firth without comment.

On being put to the meeting the Motion was declared CARRIED and it was

RESOLVED - "This Council condemns the Liberal Democrat and Green Cabinet for gross negligence and incompetent management of Council finances which resulted in:

- * **Wasting £45m of public funds (£13m to Jarvis' successors, £22m Social Services overspend and £10m on Equal Pay)**
- * **The deepest financial crisis in the 32 year history of Kirklees Council**
- * **Massive cuts to local services and**
- * **Council Tax increases of 37% in the last 5 years**

The effects of this incompetence are being felt by the most vulnerable and needy members of our local community, for example:

- * **50% increase in the hourly home care charge from £5 to £7.50**
- * **Closure of residential homes for older people**
- * **Axing of school clothing vouchers for the least well off students.**

External independent auditors have also reported a massive drop in performance for Kirklees Council:

- * **the Cabinet failed to meet 52% of their own performance targets in 2005**
- * **CPA rating moved from the top rating of Excellent in 2002 to just three Stars (top rating four stars) in 2005**
- * **Use of resources judgement on financial management dropped to an all time low of 2 out of 4 in 2005**

If the Lib Dem Cabinet had not been incompetent an additional £45m could have been available to spend on services or reduce taxes. This cash could have been used wisely on the following:

- * **No Council Tax rises**
- * **Big discounts for pensioners**
- * **All pavements and roads brought up to an acceptable condition**
- * **Build 5 Council run homes for older people**
- * **Freeze home care charges**
- * **Expand Youth provision**
- * **Maintain all parks and play areas to a high standard.”**

- (c) called upon Councillor Palfreeman who had given notice of the Motion at item 25 of the original Agenda. Councillor Palfreeman withdrew the Motion
- (d) called upon Councillor Khan who had given notice of the Motion at item 30 of the original Agenda. The Council consented to postpone consideration of the Motion to the meeting on 28 June 2006
- (e) called upon Councillor Light who had given notice of the Motion at item 22 of the original Agenda. The Council consented to postpone consideration of the Motion to the meeting on 28 June 2006
- (f) called upon Councillor Light who had given notice of the Motion at item 27 of the original Agenda. The Council consented to postpone consideration of the Motion to the meeting on 28 June 2006
- (g) called upon Councillor Hall who had given notice of the Motion at item 23 of the original Agenda. The Council consented to postpone consideration of the Motion to the meeting on 28 June 2006
- (h) called upon Councillor K Pinnock who had given notice of the Composite Motion at item 21 of the original Agenda.

In accordance with Council Procedure Rule 16(4)(f) the Composite Motion was moved by Councillor K Pinnock and seconded by Councillor M Khan without comment.

On being put to the meeting the Composite Motion was declared CARRIED and it was

RESOLVED - “This Council notes with regret incidents of gun crime that have led to the death and serious wounding of members of the police force and the public.

This Council notes that in 2004/05 there were 1811 reported incidents of firearms crime in Kirklees District the majority of which involved the possession of toy/replica firearms and/or criminal damage involving air weapons. However, the use of firearms in organised crime is a serious form of criminality, creating fear in local residents.

This Council also notes that global estimates indicate that there is one gun for every ten people and the link between the illegal gun trade and gun crime.

This Council believes that action at a local level to collect and destroy surplus and illegal weapons and to provide education and programmes for those people involved in firearms crime and reduce the fear of the threat of armed violence.

This Council welcomes the comments of the Right Honourable Jack Straw MP on 30 September 2004 supporting and International Arms Trade Treaty.

This Council therefore resolves to:

- 1. Support the West Yorkshire Police Force in measures to collect and destroy surplus and illegal weapons and to provide education and programmes for those people involved in firearms crime to reduce the fear of the threat of armed violence.**
- 2. Support the Global Control Arms campaign.**
- 3. Requests that the Leader of Council writes to the government asking them to support the International Arms Trade Treaty and to use their influence to urge other members of the United Nations to do so.**
 - (i) called upon Councillor Stanfield who had given notice of the Motion at item 18 of the original Agenda. Councillor Stanfield withdrew the Motion
 - (j) called upon Councillor Hullock who had given notice of the Motion at item 31 of the original Agenda.

In accordance with Council Procedure Rule 16(4)(f) the Motion was moved by Councillor Hullock and seconded by Councillor P Battye without comment.

On being put to the meeting the Motion was declared CARRIED and it was

RESOLVED - "This Council believes

- 1. The current extension of the consultation period for the changes to policing structures amounts to little more than a sham.**
- 2. That the government is intent on forcing through its proposals to force all police forces in Yorkshire and Humberside into one and that the views of local people are being ignored.**
- 3. That the current proposals represent a centralisation of power over policing which has never been experienced in this country since the founding of modern policing in 1829.**
- 4. These reforms represent an end to the so-called tripartite structure, created by the Royal Commission in 1962, to balance the power and influence of the Home Secretary, the Police Authority and the Chief Constable.**
- 5. This will be replaced by direct political line of control from Whitehall to the streets of Kirklees.**

6. **This is at odds with the Government's own objective that "Policing must remain independent of political control and direction to retain public trust". (Building Communities, Beating Crime, 2004)**

This Council notes that

1. **The costs of the restructure are estimated to be in the order of £53 Million pounds.**
2. **The governments formula funding leaves the West Yorkshire Police with £14 million pounds "missing" from its budget.**

This Council resolves:

1. **Policing should be democratically accountable to local people through locally elected structures.**
2. **The costs of restructuring should be met by the government instead of from the current police budget which should be used to fight crime.**
3. **Write to the Home Secretary informing him of our concerns and demanding that the government fund West Yorkshire Police to the correct level."**

(k) called upon Councillor Marchington who had given notice of the Motion at item 17 of the original Agenda. Councillor Marchington withdrew the Motion

(l) called upon Councillor Alvy who had given notice of the Motion at item 15 of the original Agenda.

In accordance with Council Procedure Rule 16(4)(f) the Motion was moved by Councillor Alvy and seconded by Councillor Raistrick without comment.

On being put to the meeting the Motion was declared CARRIED and it was

RESOLVED - "This Council notes the passing of the Government Education Bill, Higher Standards, Better Schools For All.

This Council believes that:

1. **The over-riding objective of schooling must be to help every child achieve the best and most appropriate education and preparation for life.**
2. **Improvement in education in Kirklees is needed for the benefit of all our young people.**
3. **Schools should continue to be free to manage their own teaching, staffing and budgets.**
4. **Collaboration among schools helps to deliver improved outcomes and the local authority has an essential co-ordinating role to play in achieving this.**
5. **Local schools should be funded locally, with decisions by elected bodies accountable to local people, rather than by funding formulas dictated by central government.**
6. **All young people have a right to be treated equally in the school admission process. An admissions policy based around schools being encouraged to "poach" pupils from each other will only work in the interests of some schools, not in the interests of all young people.**

7. In recent years too much effort has been wasted on tinkering with structures rather than focussing directly on improving teaching.
8. Involvement of parents in their children's education is a major determining factor in its success.

This Council is concerned that implementing the Education Bill will lead to:

1. An admissions "free for all" where schools which are their own admissions authority will choose the pupils they want and will probably mean parents will not get the school places they wanted for their children.
2. Undermining of the work Kirklees has done to create a fair admissions system in our area and to ensure places are available for 'hard to place' pupils.
- 1
3. A surplus of expensive and unnecessary and therefore wasteful additional school places when secondary school rolls are falling nationally.
4. More school closures in deprived areas, contrary to the governments own policies on neighbourhood regeneration.
5. Pressure on some schools to expand at the expense of other neighbouring schools and thus threatening their viability.
6. An even greater centralisation of power in the hands of unelected Whitehall bureaucrats through measures like the proposal for a new DfES Schools Commissioner and insisting that all new schools are trust schools or academies.
7. Serious barriers to delivering the Every Child Matters agenda which sees schools as a key part of integrated children's services.

This Council calls for:

1. Local authorities to continue to lead and co-ordinate a local admissions policy to ensure fair access for all - including hard to place children - as a fair admissions policy cannot be delivered on a school by school basis;
 2. Local people and local authorities to decide if new community schools should be built in their areas, and not the Secretary of State in Whitehall.
 3. Local schools to co-operate with us in delivering the Every Child Matters agenda recognising that education does not stop at the school gates. This should be backed up by Government placing on all schools the same clear duty of co-operation placed on other partners;
 4. All Members of this Authority to lobby local MPs for Colne Valley, Dewsbury, Huddersfield and Wakefield (we exclude the MP for Batley and Spensborough who has already shown his affiliation by voting against the Bill at its second reading) to actively campaign for education services to remain accountable to local people through local democracy."
- (m) called upon Councillor A Pinnock who had given notice of the Motion at item 32 of the original Agenda. Councillor A Pinnock withdrew the Motion
- (n) called upon Councillor Denham who had given notice of the Motion of item 16 of the original Agenda. Councillor Denham withdrew the Motion

- (o) called upon Councillor P Battye who had given notice of the Motion at item 19 of the original Agenda. Councillor P Battye withdrew the Motion.