



Assistant Director of Legal, Governance and Monitoring

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

COUNCIL

WEDNESDAY 18 JANUARY 2017

Andrea Woodside

01484 221000

Chair

Councillor Jim Dodds

Councillors Attended

M Ahmed, M Akhtar, K Allison, B Armer, D Bellamy, M Bolt, C Burke, J Calvert, N Dad, E Firth, D Firth, M Grainger-Mead, C Greaves, D Hall, S Hall, L Holmes, E Hill, E Holroyd-Doveton, J Hughes, M Hussain, C Iredale, P Kane, V Kendrick, M Khan, J Lawson, V Lees-Hamilton, R Light, G Lowe, T Lyons, A Marchington, N Mather, P McBride, D O'Donovan, M O'Neill, A Palfreeman, N Patrick, A U Pinnock, A Pinnock, K Pinnock, H Richards, M Sarwar, C Scott, D Sheard, K Sims, E Smaje, M Sokhal, J Stewart-Turner, A Stubley, J Taylor, K Taylor, G Turner, N Turner, S Ullah, M Watson, G Wilson, L Wilkinson, F Fadia, G Asif, R Eastwood, J Homewood, M Kaushik, B McGuin, M Pervaiz, Smith and R Walker

Attendees

Co-optees

Apologies

Councillor Andrew Cooper, Councillor Shabir Pandor and Councillor Carole Pattison

Observers

1: Announcements by the Mayor and Chief Executive

To receive any announcements by the Mayor and Chief Executive.

The Mayor conveyed congratulations to the residents of Kirklees who had been recognised in the New Year's Honours List.

In relation to Agenda Item 11, the Assistant Director (Legal, Governance and Monitoring) reminded Members of the provisions of S106 of the Local Government Finance Act 1992 in relation to voting on that item.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

Apologies for absence were submitted on behalf of Councillors Cooper, Pattison and Pandor.

3: Minutes of Previous Meeting

To receive the Minutes of the previous meeting of Council, held on 14 December 2016.

Approved as a correct record.

4: Declaration of Interests

The Councillors will be asked to say if there are any items of the Agenda in which they have a Disclosable Pecuniary Interests, which would prevent them from participating in any discussion of them items or participating in any vote upon the items, or any other interests.

Councillor Smith declared an 'other' interest in Agenda Item 15 on the grounds that he is employed by NHS digital.

Councillor Light declared a disclosable pecuniary interest in Agenda Item 10 on the grounds that he is the northern Chair of the Consumer Council for Water.

Councillor Lowe declared an 'other' interest in Agenda Item 19 on the grounds

that she is employed by Mid Yorkshire NHS Trust.

Councillors Smaje and Stewart-Turner declared an 'other' interest in Agenda Item 19 on the grounds that they are members of the Joint Health Scrutiny Panel.

Councillor N Turner placed on record that, for any matters relating to health, she was a student of midwifery within the NHS.

5: Petitions

Any Member of the Council can submit a petition, in accordance with Council Procedure Rule 9.

No petitions were submitted.

6: Deputations/Petitions

Council will receive any petitions from members of the public, in accordance with Council Procedure Rule 10 or will receive any deputations, in accordance with Council Procedure Rule 10.

The following Deputations were received;

- a) Christine Hyde, Michael Farnhill, Thelma Walker and Paul Cooney re the funding and provision of healthcare services.
 - b) Stephen Wood re Kirklees Recycling Centre regulations.
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7: Questions by Members of the Public

Council will receive any questions from members of the public, in accordance with Council Procedure Rule 11.

Pursuant to the subject matter of his deputation, Stephen Wood asked a question to Cabinet Member Councillor Naheed Mather.

8: West Yorkshire Combined Authority

To receive the Minutes of the previous meeting of West Yorkshire Combined Authority, held on 29 September 2016, in accordance with Council Procedure Rule 5.

Item not considered (due to time constraints)

9: Treasury Management Half Yearly Monitoring (Reference from Cabinet)

To receive the report.

Contact: Tim Mitchell, Finance Manager.

That the Half Yearly Monitoring Report - Treasury Management be received and noted.

10: Revisions to Local Flood Risk Management Strategy (Reference from Cabinet)

To consider the report.

Contact: Tom Ghee, Group Engineer.

That the Strategy be approved subject to the amendment of (i) Page 18 – Recent Flood Events – to replace ‘2002 Holmfirth’ with ‘2002 Holmfirth, New Mill and Jackson Bridge’ and (ii) Page 53 – Section 8.3 – to include the following project; ‘New Mill Centre Flood Risk Study – 2016 Study – A Study to assess the capacity of the culverted watercourse at Coal Pit Gate – 10 properties at risk of flooding.’

11: Calculation of Council Tax Base 2017/2018 (Reference from Cabinet)

To consider the Council Tax Base Level 2017/2018.

Contact: Debbie Hogg, Assistant Director – Financial Management.

That the recommendations as set out at Paragraphs 9 and 9.1 of the report be approved, and that the 2017/2018 taxbase for the whole of Kirklees, and the five Parish Councils, be as set out within the considered report.

12: Written Questions to the Leader and Cabinet Members

To receive written questions to the Leader and Cabinet in accordance with Council Procedure Rule 12.

(Note: The deadline for the submission of written questions is 10.00am on the day prior to the Council meeting)

The schedule of submitted written questions will tabled at the meeting.

Item not considered (due to time constraints)

13: Key Discussion - Kirklees Active Leisure and Kirklees Council Partnership Update

To receive a presentation from the trustees of Kirklees Active Leisure.

(In accordance with Council Procedure Rule 5(5) consideration of this item must commence by 7.00pm)

Council received and noted the content of a presentation from Trustees of Kirklees Active Leisure, which was followed by comments and questions.

14: Report of Ad Hoc Scrutiny Panel - Children's Services

To receive the report of the Ad Hoc Scrutiny Panel on Children's Services

Contact: Penny Bunker, Governance Manager

That the report and findings of the Ad Hoc Scrutiny Panel – Children's Services be received and noted.

15: Motion submitted in accordance with Council Procedure Rule 14 as to Social care and NHS Underfunding

To consider the following Motion in the names of Councillors Sheard, Kendrick, Pandor, Hill and Ahmed.

'This Council is extremely concerned about the on-going crisis in Social Care and Health (via the NHS). This has been caused by unprecedented demand, and unprecedented, chronic underfunding by this Conservative Government.

Starving our social care system of resources puts lives at risk and destroys the quality of life of countless residents of Kirklees.

As local representatives it is our duty to stand up for Kirklees residents and express our deep concern.

The Motion asks that the leaders of all our political groups sign a joint letter to the relevant Secretaries of State, and campaign through local MPs and the LGA, for an adequate funding of social care and the NHS.'

Items 15 and 17 were considered as a Composite Motion (attached). The Composite Motion was approved.

16: Motion submitted in accordance with Council Procedure Rule 14 as to Proposed Change to Constitution of Planning Sub-Committees

To consider the following Motion in the names of Councillors D Hall, Bolt, J Taylor, Patrick, Armer, Watson and Smith.

'This Council notes the difficulty that residents of Kirkburton and Denby Dale wards have in accessing Council Planning Sub-Committee Meetings held in Dewsbury Town Hall. It recognises that without access to private transport it can take several hours to get to Dewsbury, often by having to change in Huddersfield Town Centre. It notes that in all other Council matters these wards

are recognised as part of Kirklees Rural District and that in line with the Council's desire to encourage the public to access and engage with Council decisions the move of the planning applications for these wards be determined in Huddersfield rather than Dewsbury.

This Council resolves that the current arrangements for Planning decisions be amended to allow for one Strategic Planning Committee and 2 Planning Sub-Committees, a Heavy Woollen Planning Sub Committee based in Dewsbury covering the Birstall and Birkenshaw, Cleckheaton, Heckmondwike, Liversedge and Gomersal, Batley East, Batley West, Dewsbury East, Dewsbury West, Dewsbury South and Mirfield wards and a Huddersfield Planning Sub Committee covering the Lindley, Colne Valley, Holme Valley North, Holme Valley South, Crosland Moor and Netherton, Golcar, Ashbrow, Greenhead, Newsome, Dalton, Almondbury, Kirkburton and Denby Dale Wards.

This Council therefore instructs the Assistant Director (Legal, Governance and Monitoring) to take appropriate steps to make the necessary changes to the constitution required to implement the amendments, including the submission of a report to Corporate Governance and Audit Committee for consideration, prior to the implementation of the changes at the beginning of the 2017/2018 municipal year.'

Item not considered (due to time constraints).

17: Motion submitted in accordance with Council Procedure Rule 14 as to Social Care Tax Precept

To consider the following Motion in the names of Councillors N Turner, A Pinnock, K Pinnock, Wilkinson, Eastwood, Burke, Lawson and Marchington.

'This Council;

(i) notes the Local Government Finance Settlement announcement in December 2016, which will allow councils to raise council tax by up to 1.99 percent in 2017/18 to fund local services without the need for a referendum, and also allows England's social care authorities to increase council tax by a further 3 percent in 2017/18, with income from the precept being used to spend on social care.

(ii) acknowledges that the additional council tax income will not significantly alleviate the pressure on social care now and in the long-term and the measures outlined in the Settlement fall well short of what is required to protect care services for elderly and vulnerable people.

(iii) is disappointed that the government has not given councils additional money to tackle the shortfall in social care funding, with social care now a national crises.

(iv) notes that the additional flexibility to vary the council tax precept over the remaining years of the Spending Review is not new money and does not

address the £2.6 billion funding gap facing social care by the end of the decade. The estimated shortfall in the social care budget in Kirklees is £21 million over the next two financial years.

(v) notes that the announcement of additional funding for social care from the New Homes Bonus is not new money, and is instead a redistribution of funding already promised to councils.

(vi) supports the Local Government Association's argument that increasing the council tax precept 'raises different amounts of money for social care in different parts of the country unrelated to need and will add an extra financial burden on already struggling households.'

(vii) is concerned that by bringing forward council tax raising powers in the provisional Local Government Finance Settlement, the government has simply shifted the burden of tackling a national crisis on to councils and their residents. This will increase the tax burden on Kirklees residents by approximately £9 million over two years.

(viii) calls for an urgent national review of social care, with involvement from local government leaders and policy makers.

(i) calls for the government to acknowledge the wide range of charities and care providers calling for an urgent injection of genuinely new additional government funding to protect services caring for the elderly and vulnerable people, which include the cross-party Local Government Association, NHS Clinical Commissioners, The King's Fund, NHS Confederation, NHS providers, the Association of Directors of Adult Social Care Services, Age UK and the Care and Support Alliance.

(ii) calls for Kirklees Council Leader and Chief Executive to write to our local MPs, conveying our deep concern that vulnerable people, who need care and support, are not going to get any new funding from central government, and to ask our MPs to challenge the Government over this issue.'

See Item 15.

18: Establishment of Regional Issues Working Party

To consider the establishment of the Regional Issues Working Party

Contact: Richard Farnhill, Governance Manager

Item not considered (due to time constraints).

19: Principles for Health Services in Kirklees

To consider the report.

Contact: Richard Parry, Director for Commissioning, Public Health and Adult Social Care

- 1) That Council adopt the principles as set out in the report.
 - 2) That Council ask that the Greater Huddersfield and Calderdale CCGs demonstrate clearly to the Council and the public of Kirklees that their final set of proposals accord with the principles that the Council has set out in the considered report.
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