



**Service Director – Legal, Governance and
Commissioning**

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

COUNCIL

TUESDAY 11 JULY 2017

Andrea Woodside

01484 221000

Chair

Councillor Christine Iredale

Councillors Attended

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

Apologies

Councillor Martyn Bolt, Councillor Vivien Lees-Hamilton, Councillor Robert Light, Councillor Kath Pinnock, Councillor Ken Sims and Councillor Graham Turner

1: Announcements by the Mayor and Chief Executive

To receive any announcements by the Mayor and Chief Executive.

The Mayor informed Council of the recent death of Fred Pickles, former Councillor and Mayor of Kirklees, and held a minute of silence. Tributes were paid by Councillors Sheard and Ahmed.

The Mayor advised of arrangements to have a break in the meeting and that during that time representatives of Kirklees Dementia Action Alliance and Carers Count, and the partnership Commissioning Manager for Older People, would be presenting information displays and would be available for discussions.

The Chief Executive provided a statement on matters arising in response to the Grenfell Tower tragedy, and also advised Council of the latest position in terms of the Children's Services Improvement Journey.

2: Apologies for absence

Group Business Managers will report and apologies for absence.

Apologies for absence were received on behalf of Councillors Bolt, Lees-Hamilton, Light, K Pinnock, Sims and G Turner.

3: Minutes of Previous Meeting

To receive the Minutes of the meeting of Annual Council, held on 24 May 2017.

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 D Hall declared an 'other' interest in Agenda Item 20 on the grounds that he is employed by a Kirklees School.

Councillors Hill, N Turner, E Firth, Scott and Pandor also declared 'other' interests in Agenda Item 20 on the grounds that they have family members employed within Kirklees Schools.

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.

Council received a deputation from Mr Paul Graves which raised objection to the proposed demolition of the Edwardian Foundation Building at Whitcliffe Mount School.

7: Questions by Members of the Public

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

Council received questions from Sarah Newton and Rebecca Gilmore on behalf on 'Save Greenhead Trees' in relation to tree-felling in the area and the Kirklees strategy for tree maintenance.

8: Armed Forces Covenant

To receive a report detailing the revised Armed Forces Covenant.

Contact: Vina Randhawa, Senior Area and Neighbourhood Action Co-Ordinator

Council welcomed and gave approval to the signing revised Armed Forces Covenant, and noted the benefits that the Armed Forces Covenant had realised since its inception in 2012, as set out at Appendix 1 of the considered report.

9: Appointment of Chief Executive and Head of Paid Service (Reference from Personnel Committee)

To consider the report.

That the appointment of Jacqui Gedman as Chief Executive and Head of Paid Service, including the roles of (Acting) Electoral Registration Officer and (Acting) Returning Officer be approved with immediate effect.

10: Council Financial Outturn and Rollover Report 2016-2017 (Reference from Cabinet)

To consider the report.

Contact: Eamonn Croston, Strategic Finance Manager

Item deferred.

11: Proposals for use of the new monies for Adult Social Care announced by the Chancellor in the Spring Budget 2017 (Reference from Cabinet)

To consider the report.

Contact: Richard Parry, Strategic Director – Adults and Health

- 1) That the proposed financial strategy, as detailed in paragraph 2.3 of the considered report, be approved.
 - 2) That the principles, and proposed areas of investment for 2017/18, as set out in paragraphs 2.4.2 and 2.4.3 of the considered report, be approved.
 - 3) That officers be requested to develop the proposals further, taking into account the final guidance and allocations, and submit a report to a future meetings of Cabinet and Council as part of the Budget Strategy Update.
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12: Corporate Plan 2017/2018 (Reference from Cabinet)

To consider the report.

Contact: Andy Simcox, Council Business Manager

That the Corporate Plan 2017/2018 be approved.

13: 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 be tabled at the meeting.

Question by Councillor J Taylor to the Cabinet Member – Economy Portfolio (Councillor Mather)

“Can Cllr Mather let me know what the current rate of recycling is in Kirklees, how that performance compares with its peers and whether the trend is positive or negative?”

The Cabinet Member replied thereto.

Question by Councillor J Taylor to the Cabinet Member – Corporate Portfolio (Councillor Khan)

“Could Cllr Khan please update Council on the delays to the Library Consultation and the consequent budgetary impact?”

The Cabinet Member replied thereto.

Question by Councillor Armer to the Cabinet Member – Adults and Public Health Portfolio (Councillor Kendrick)

“Can the Cabinet Member confirm that this Council has a robust evacuation plan in place which is capable of catering for the need to evacuate and accommodate hundreds of people?”

The Cabinet Member replied thereto.

Question by Councillor J Taylor to the Cabinet Member – Corporate Portfolio (Councillor Khan)

“Can you advise me of the number of new Play Areas which have been built in the last 20 years and also the number of existing play areas which have been refurbished in that time frame?”

The Cabinet Member replied thereto.

Question by Councillor Lawson to the Leader of the Council – Councillor Sheard

“Will Cabinet undertake to review its decision to demolish the oldest building at Whitcliffe Mount School?”

Will it also undertake to do everything in its power to explore ways of keeping part or the whole of the building, through negotiations with future developers?”

The Cabinet Member replied thereto.

Question by Councillor Lawson to the Cabinet Member – Corporate Portfolio (Councillor Khan)

“Will the Cabinet Member confirm that associations of friends of borough-wide open spaces will be consulted in the Play Review at the same time as Councillors, before the consultation with the public begins?”

The Cabinet Member replied thereto.

Question by Councillor Bellamy to the Cabinet Member – Economy Portfolio (Councillor Mather)

“Can the Cabinet Member please give the Council an update on fly tipping in Kirklees and tell us if there has been an increase since the tip changes were implemented?”

The Cabinet Member replied thereto.

Question by Councillor N Turner to the Cabinet Member – Adults and Public Health (Councillor Scott)

“Would the Cabinet member give us an update as to the safety of Kirklees buildings, in the light of the awful fire in Grenfell Tower, and what plans are in place to ensure something similar could not happen here?”

The Cabinet Member replied thereto.

Question by Councillor Lawson to the Cabinet Member – Corporate Portfolio (Councillor Khan)

“How many enquiries and complaints have there been about this year’s Council Tax ‘single persons allowance’ reminder letter?”

The Cabinet Member replied thereto.

Question by Councillor J Taylor to the Cabinet Member – Economy Portfolio (Councillor McBride)

“Can Councillor McBride confirm how the Council ensures social value and promotion of the local economy factor in selecting suppliers for catering and entertaining within Kirklees?”

The Cabinet Member replied thereto.

Question by Councillor Holmes to the Leader of the Council – Councillor Sheard

“Why is there no route of appeal within the Community Asset Transfer process?”

The Leader replied thereto.

Question by Councillor Holmes to the Leader of the Council – Councillor Sheard

“I am now being forced into making a formal complaint against the Council, regarding how the Gomersal Community Group Expression of Interest to take over Red House Museum was rejected.

Will the Cabinet review its approach before I am possibly also forced to take this to the Ombudsman?”

The Leader replied thereto.

Question by Councillor Holmes to the Cabinet Member – Childrens Portfolio (Councillor Hill)

“What is the current position regarding Kirklees Council Children’s Services?”

The Cabinet Member replied thereto.

Question by Councillor Armer to the Cabinet Member – Corporate Portfolio (Councillor Khan)

"I am informed by an elderly widowed Kirkburton resident that she has

received a letter from Welfare & Exchequer Service advising her that she is required to use the Council website to confirm her continuing qualification for single occupier discount on her Council Tax assessment. She is threatened with a penalty of £70 plus loss of her Council Tax discount if she fails to respond by 25th July.

In previous years she has been offered an option to do this by telephone, but this is not offered now. She is instead advised to have a friend or relative use the web service on her behalf or, despite her advanced years, make her way to a Customer Service Centre.

My resident does not possess any equipment capable of accessing the internet and does not have an internet service provider. She has no relatives living in the Borough and no friend she would feel comfortable with asking to do this. In desperation, she has asked me to complete the online form for her.

Does the Cabinet Member think that this menacing missive is an acceptable standard of service provision?"

The Cabinet Member replied thereto.

Question by Councillor Watson to the Cabinet Member – Corporate Portfolio (Councillor Khan)

"I recently attended a training session on safeguarding for councillors which was run at Dewsbury Town Hall. The session was an afternoon one with refreshments provided and this included bottles of mineral water. Does the council purchase mineral water centrally and if so how much is expected to be spent on mineral water during this financial year?"

The Cabinet Member replied thereto.

Question by Councillor Watson to the Cabinet Member – Economy Portfolio (Councillor Mather)

"There is a domestic recycling point at Leys Lane at Emley. This is a site where containers are placed for recycling bottles and so forth but the site is now being used as a dump with waste simply being piled up at the side of the road. Much of this appears to be waste of a commercial nature. Should this site be used for this purpose and if not what should be done to prevent this?"

The Cabinet Member replied thereto.

Question by Councillor Watson to the Cabinet Member – Economy Portfolio (Councillor Mather)

"There is a textile factory in Scissett by the name of Phoenix Textiles in respect of which there have been a number of complaints locally about smells emanating from the site. There is currently work under way to remediate this problem by way of the installation of a new chimney. Does the regulation of

emissions from a site such as this fall within the council's remit and in any event does the council know what chemicals are emitted from the site and causing the smell?

The Cabinet Member replied thereto.

Question by Councillor Watson to the Cabinet Member – Childrens Portfolio (Councillor Hill)

“The OFSTED report on Services for Children in Kirklees which was published in November of last year recorded that;

“Current placement sufficiency arrangements are not meeting the needs of all children looked after. A very high percentage – 42.5% (277) – of the looked after population is placed outside Kirklees.”

The report went on to state with regards to foster carers:

“not enough potential carers are being identified and recruited to meet identified need.”

Foster care can be a challenging vocation and therefore it is understandable that it may be difficult to recruit carers and this leads to out of area placements but nevertheless the inspectors considered Kirklees to be inadequate in this regard. Is the team responsible for recruiting foster carers sufficiently resourced and is the situation improving?”

The Cabinet Member replied thereto.

Question by Councillor Watson to the Deputy Leader of the Council (Councillor Pandor)

“At one of the meetings of council recently, April I think, a briefing was presented by the deputy leader to the Council on the Key Cities group. The Key Cities Group is about providing our cities with more opportunities to boost the economic prosperity of the country.

Can the Deputy Leader please give some examples of how membership of the group has helped boost economic prosperity in Kirklees?

The Deputy Leader replied thereto.

Question by Councillor McGuin to the Cabinet Member – Corporate Portfolio (Councillor Khan)

“Can the Council assure me that the problems with bin collections in the Almondbury Ward area are being sorted out?”

The Cabinet Member replied thereto.

Question by Councillor McGuin to the Cabinet Member – Corporate Portfolio (Councillor Khan)

“Has the Council got any nearer to identifying a building to replace Tolson Museum?”

The Cabinet Member replied thereto.

Question by Councillor McGuin to the Leader of the Council (Councillor Sheard)

“Will the money left over from District Committees be passed to Ward Councillors?”

The Leader replied thereto.

Question Withdrawn

Question by Councillor Wilkinson to the Cabinet Member – Economy Portfolio (Councillor McBride)

“Is there any progress regarding the future of the Co-op Building on New Street?”

The Cabinet Member replied thereto.

14: Minutes of Meetings of Cabinet

To receive information; the minutes of Cabinet held on 7 March, 27 March, 4 April, 2 May and 30 May 2017.

Item not considered (due to time constraints)

15: Holding the Executive to Account

- (a) To receive and update on the Strategy and Strategic Resources, now Council and Regional Issues Portfolio from Cabinet Members:

Councillor Sheard – Leader of the Council
Councillor Pandor – Deputy Leader of the Council

- (b) Oral questions/comments to Cabinet Members of their Portfolios and relevant Cabinet Minutes;
a) Adults and Health Portfolio (Councillors Kendrick and Scott)

- b) Children's Portfolio (Councillors Ahmed and Hill)
- c) Corporate Portfolio (Councillors Khan and Turner)
- d) Economy Portfolio (Councillors Mather and McBride)

Item not considered (due to time constraints)

16: Minutes of Other Committees

- (a) Appeals Panel
- (b) Corporate Governance and Audit Committee
- (c) Corporate Parenting Board
- (d) District Committee – Batley and Spen
- (e) District Committee – Dewsbury and Mirfield
- (f) District Committee – Huddersfield
- (g) District Committee – Kirklees Rural
- (h) Health and Well Being Board
- (i) Licensing and Safety Committee
- (j) Overview and Scrutiny Management Committee
- (k) Personnel Committee
- (l) Policy Committee
- (m) Strategic Planning Committee

Item not considered (due to time constraints)

17: Written Questions to Chairs of Committees and Nominated Spokespersons

To receive written questions to Chairs of Committees and Nominated Spokespersons in accordance with Council Procedure Rule 12 (1).

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

Item not considered (due to time constraints)

18: Oral Questions to Committee Chairs and nominated Spokespersons of Joint Committees/External Bodies

- (a) Appeals Panel (Councillor Dad)
- (b) Corporate Governance and Audit Committee (Councillor Richards)

- (c) Corporate Parenting Panel (Councillor Hill)
- (d) Employee Relations Sub Committee (Councillor Sheard)
- (e) Health and Wellbeing Board (Councillor Sheard)
- (f) Licensing and Safety Committee – including Licensing Panel and Regulatory Panel (Councillor Pattison)
- (g) Overview and Scrutiny Management Committee (Councillor Stewart-Turner)
- (h) Personnel Committee (Councillor Sheard)
- (i) Planning Sub Committee – Heavy Woollen Area (Councillor Kane)
- (j) Planning Sub Committee – Huddersfield Area (Councillor Lyons)
- (k) Strategic Planning Committee (Councillor S Hall)
- (l) Kirklees Neighbourhood Housing (Councillor Smaje)
- (m) Kirklees Active Leisure (Councillor Sokhal)
- (n) West Yorkshire Combined Authority (Councillor Sheard)
- (o) West Yorkshire Combined Authority Transport Committee (TBC)
- (p) West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
- (q) West Yorkshire Joint Service Committee (Councillor Pandor)
- (r) West Yorkshire Police and Crime Panel (Councillor Hussain)

Item not considered (due to time constraints)

19: Response to Motion - Funding of Adult Social Care

To receive the response to the Motion of Council on 18 January 2017.

Item not considered (due to time constraints)

20: Motion submitted in accordance with Council Procedure Rule 14 as to Real Term Cuts to England's Primary and Secondary Schools

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

'This Council:

- 1) Recognises that the financial outlook for local schools is likely to deteriorate as cost pressures increase;
- 2) Regrets the phasing out of the Education Services Grant and its impact on schools and the Council;
- 3) Recognises that the Government will push ahead with a major overhaul of school funding with the introduction of a new school funding formula, but is

concerned by the failure of the Government to guarantee additional school funding to ensure schools don't lose out as a result of the new funding changes;

- 4) Calls upon HM Government to increase the schools budget in order to prevent a serious detrimental impact on class size, support for pupils with special needs or valuable extra-curricular activities;
- 5) Asks the Chief Executive to write to all local MPs, urging them to raise the Council's concerns with the Secretary of State for Education.'

Motion approved.
