



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

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## **Decision Summary**

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**COUNCIL**

**WEDNESDAY 15 NOVEMBER 2017**

**Andrea Woodside**

**01484 221000**

### **Chair**

Councillor Christine Iredale

### **Councillors Attended**

Councillor Masood Ahmed  
Councillor Mahmood Akhtar  
Councillor Karen Allison  
Councillor Bill Armer  
Councillor Gulfam Asif  
Councillor Donna Bellamy  
Councillor Martyn Bolt  
Councillor Cahal Burke  
Councillor Jean Calvert  
Councillor Andrew Cooper  
Councillor Nosheen Dad  
Councillor Richard Eastwood  
Councillor Eric Firth  
Councillor Donald Firth  
Councillor Michelle Grainger-Mead  
Councillor Charles Greaves  
Councillor David Hall  
Councillor Steve Hall  
Councillor Lisa Holmes  
Councillor Erin Hill  
Councillor Edgar Holroyd-Doveton  
Councillor James Homewood  
Councillor Judith Hughes  
Councillor Paul Kane  
Councillor Manisha Roma Kaushik  
Councillor Viv Kendrick  
Councillor Musarrat Khan

Councillor John Lawson  
Councillor Vivien Lees-Hamilton  
Councillor Robert Light  
Councillor Fazila Loonat  
Councillor Gwen Lowe  
Councillor Terry Lyons  
Councillor Andrew Marchington  
Councillor Naheed Mather  
Councillor Peter McBride  
Councillor Bernard McGuin  
Councillor Darren O'Donovan  
Councillor Andrew Palfreeman  
Councillor Shabir Pandor  
Councillor Nigel Patrick  
Councillor Carole Pattison  
Councillor Mussarat Pervaiz  
Councillor Amanda Pinnock  
Councillor Andrew Pinnock  
Councillor Kath Pinnock  
Councillor Hilary Richards  
Councillor Mohammad Sarwar  
Councillor Cathy Scott  
Councillor David Sheard  
Councillor Ken Sims  
Councillor Elizabeth Smaje  
Councillor Richard Smith  
Councillor Mohan Sokhal  
Councillor Julie Stewart-Turner  
Councillor John Taylor  
Councillor Kath Taylor  
Councillor Graham Turner  
Councillor Nicola Turner  
Councillor Sheikh Ullah  
Councillor Michael Watson  
Councillor Gemma Wilson  
Councillor Linda Wilkinson  
Councillor Rob Walker  
Councillor Jim Dodds  
Councillor Habiban Zaman

### **Apologies**

Councillor Mumtaz Hussain and Councillor Marielle O'Neill

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## **1: Announcements by the Mayor and Chief Executive**

To receive any announcements.

The Mayor welcomed Cllr Zaman to the meeting, acknowledging Cllr Zaman's recent election as Councillor to the Batley East ward.

The Mayor also advised that there would be a break during the meeting, during which time officers would be available for discussions regarding the future provision of Adult

## **2: Apologies for absence**

Group Business Managers to submit any apologies for absence.

Apologies for absence were received from Councillors O'Neill and Hussain.

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## **3: Minutes of Previous Meeting**

To receive the Minutes of the Meeting held on 11 October 2017.

Approved as a correct record.

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## **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.

Councillors Ahmed, D Hall, Hughes, Light, Lowe, O'Donovan, Pandor, Scott, Smith and N Turner declared an 'other' interest in Agenda Item 18 on the grounds that either they, or a family member, were employed within the public sector.

Councillor Hill declared an 'other' interest in Agenda Item 8 on the grounds that her partner is employed by West Yorkshire Combined Authority.

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## **5: Petitions (from Members of the Council)**

To receive any Petitions from Members of the Council in accordance with Council Procedure Rule 9.

Councillor Loonat submitted a petition on behalf of the residents of Hyrstlands Road, Carrside Crescent and Park Close Batley, regarding car parking issues and safety concerns.

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## **6: Deputations/Petitions (from Members of the Public)**

The Council will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a

deputation.

Council received deputations from (a) Isaac Barnett in regards to Yorkshire Devolution and (b) Jackie Murphy in regards to the Hands off HRI Campaign.

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## **7: Public Question Time**

The Council will hear any questions from the general public.

Council received a question from Brigid Harbour regarding the role of scrutiny in regards to the HRI campaign.

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## **8: West Yorkshire Combined Authority - Minutes**

To receive the Minutes of the meeting of the West Yorkshire Combined Authority held on 3 August 2017.

The minutes of the West Yorkshire Combined Authority held on 3 August 2017 be received and noted.

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## **9: Overview and Scrutiny Annual Report (Reference from Overview and Scrutiny Management Committee)**

To receive the Overview and Scrutiny Committee Annual Report.

Contact: Penny Bunker, Governance and Democratic Engagement Manager

That the Overview and Scrutiny Annual Report be received and noted.

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## **10: Report of Scrutiny Ad Hoc Panel (Reference from Cabinet)**

To receive the report of the Ad Hoc Scrutiny Panel – Bereavement Support in Schools.

Contact: Alaina McGlade, Governance Officer

That the Ad Hoc Scrutiny Panel report be received and noted.

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## **11: Reasonable Behaviour Policy (Reference from Cabinet)**

To consider the report.

Contact: Julie Muscroft, Service Director – Legal and Governance

That the Reasonable Behaviour Policy be accepted and endorsed.

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## **12: Property Investment Fund (Reference from Cabinet)**

To consider the report.

Contact: Paul Kemp, Service Director – Economy, Regeneration and Culture

That approval be given to the setting up of a Property Investment Fund with £25m of provision being made in the Capital Plan phased as detailed in paragraph 3.5 of the report.

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### **13: Kirklees Democracy Commission**

To consider the report.

Contact: Carl Whistlecraft, Head of Democracy

1) That Council undertake a separate debate and vote on recommendation 18 as set out in Appendix 1 in respect of votes at 16 immediately on the conclusion of the rest of the debate.

2) That Council agrees the strategic outcomes and underpinning recommendations set out in Appendix 1 to the report subject to the changes set out below:

1. Kirklees Council should make Active Citizenship a shared strategic priority and use this as a basis for developing a new democratic relationship between all Kirklees citizens and the state;
2. Kirklees Council should ensure that schools play a central role as local democratic hubs as part of the delivery of an Active Citizens Strategy. This should involve designing (and putting into practice) a range of approaches which will create pathways for young citizens to become involved in civic society, including raising awareness about being a councillor. These could include:
  - Designing local democracy resources for Kirklees schools to be used in the context of civic education.
  - Strengthening the links between local councillors and the schools in their wards through programmed “school surgeries” as part of citizenship education.
  - Working with the National Citizen Service to develop a mentoring scheme, to be piloted in Kirklees.
  - Working with the Local Government Association (LGA) to develop a young councillor “apprenticeship” scheme, to be piloted in Kirklees.
  - Working with the University of Huddersfield and local colleges to develop a structured approach to work placement.
  - Developing a mentoring scheme between Kirklees Councillors and Kirklees Youth Councillors;
  - Kirklees Council should work with local businesses to develop the idea of “Business Citizenship” as part of delivering an Active Citizens Strategy with our partners;
14. Kirklees Council should revisit our approach to consultation. We should place a greater emphasis on appropriate, timely citizen engagement as part of the policy development and decision-making process. We should test this on a pilot basis to begin with, and consider models of good practice from elsewhere:
19. All schools in Kirklees should be encouraged where appropriate to make their

premises available to be used as a polling station on the day of an election;

That a cross party working group be established (with a ratio of 3:2:1:1) to facilitate delivery of future work.

That the Head of Democracy, in accordance with the Commission's expectations, has strategic responsibility for progressing the work required to deliver the intended outcomes and underpinning recommendations.

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#### **14: Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons**

To receive written questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons 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 written questions will be tabled at the meeting.

Item not considered (due to time constraints).

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#### **15: Key Discussion - Children's Services**

Council will receive a presentation from Councillor Erin Hill – Cabinet Member (Children's Services), prior to the key discussion debate.

(Under the provision of Council Procedure Rule 5(5) , the Key Discussion shall commence no later than 7.00pm. Council Procedure Rule 18 (23) permits a maximum of 60 minutes for this item).

Council held a Key Discussion debate on Children's Services.

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#### **16: Motion submitted in accordance with Council Procedure Rule 14 as to the Government's review of the Electrification of the Transpennine Railway**

To consider the following Motion in the names of Councillors Sheard, D Hall, McBride, N Turner, Greaves and Cooper.

“The Council calls on the Secretary of State for Transport to recommit to the electrification of Transpennine Railway. We note that on the day he confirmed support for the £30 billion Crossrail project he cancelled electrification of strategic significance to Yorkshire, the Midlands, North West and South West and deferred a decision on Transpennine.

As the Transpennine Railway is the main artery for rail freight and passenger movements in the North, we therefore seek the support of our Yorkshire MP's and particularly those in Kirklees, to join forces with the Mayors of Liverpool and Manchester and the Leader of Leeds Council, in stressing the urgency of this matter and its significance as a project which could in part redress the imbalance of regional investment in the UK and lend some meaning to the term Northern Powerhouse.”

Item not considered (due to time constraints).

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## **17: Motion submitted in accordance with Council Procedure Rule 14 as to Clean Air for Kirklees**

To consider the following Motion in the names of Councillors Khan and Kendrick;

“This Motion calls upon the Environment Secretary Michael Gove to urgently review the Government’s updated clean air plan and produce a national Clean Air Act which demonstrates the Government taking responsibility as well as local authorities.

Clean air is considered to be a basic requirement of human health and well-being. However, air pollution continues to pose a serious threat to health of the public. Air pollution is contributing to approximately 40,000 early deaths a year in the UK. When dissected down to a Kirklees level that was the equivalent to 137 deaths per year associated with poor air quality in 2015.

This Council believes that air pollution in the UK is a public health crisis, with the World Health Organisation and Public Health England describing it as the largest environmental risk to public health.

Currently Kirklees Council are working on the following improvement projects;

- Kirklees Council led on the creation of the West Yorkshire ECO-Stars freight recognition scheme. The scheme encourages operators of commercial vehicles to clean up their fleets and at the same time saves operating costs. This scheme is a free initiative to West Yorkshire businesses. The success of this scheme is currently under review and an extension to the scheme is being explored for 2017/18 & 2018/19
- Over 100 school transport buses have been retrofitted with exhaust technology to remove harmful exhaust emissions.
- Kirklees Council have installed Smart traffic lights at the busier junctions across the district to improve vehicle flows and reduce congestion where possible, which in turn reduces emissions
- Further to this Kirklees Council are working with a 3rd party company to rationalise this traffic management system to improve air quality further by running a pilot which uses modelled air pollution emissions to dictate traffic light changes. The pilot for this scheme is along the A62 Leeds Road.
- West Yorkshire has been awarded funding from central government to encourage low emission taxis. Kirklees along with the other 4 West Yorkshire Authorities are looking to install a strategic electric vehicle (EV) taxi charging network across the district, along with funding for the private hire sector.
- Kirklees Council are considering releasing further Hackney License plates for E.V Taxis in order to encourage further EV uptake
- Air Quality Assessments were conducted on the Local Plan to assess the cumulative impact of development on air quality across the district.
- Kirklees are working with the West Yorkshire Authorities and the combined authority to create a public electric vehicle charging network.
- Kirklees Council has the Green Parking Season Ticket, which allows Ultra Low Emission Vehicles to Park within Council car parks for free
- Working with DEFRA to improve the understanding of West Yorkshire Air Quality issues by installing a National AQ monitor within Kirklees
- Continuing to integrate the West Yorkshire Low Emission Strategy into Kirklees Council policy & operations and also working with partnership agencies to

include relevant elements of the WYLES into their operations

The Council urges the Government to act immediately to protect the health, wellbeing and economic sustainability for our generation and those of the future. The Government is urged to work with local authorities and industry to make long-term sustainable evidence based changes.”

Item not considered (due to time constraints).

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**18: Motion submitted in accordance with Council Procedure Rule 14 to address removal of the 1% pay cap for all public sector workers**

To consider the following Motion in the names of Councillors G Turner, Kendrick, N Turner and Lawson;

“This Motion calls on the Government to remove the 1% pay cap for all public sector workers.

The current plan to remove the cap for police and prison officers is divisive and unfair; why should nurses saving lives, be valued less than a prison officer?

The public sector needs a rise for all and this must be fully funded by government and not come from existing budgets, as this would continue the decline in the vital services provided by the public sector.

With inflation currently above 2% a rise of only 1% since 2013 and a total pay freeze for the two years before that means that the public sectors living standards will fall at well over 1% this year and have fallen significantly since 2010. Public sector workers are effectively receiving real time pay cuts.

This policy has created staff shortages in large parts of the public sector and has added to the costs of parts of the public sector as agency staff have to be employed, only adding to the costs of the sector at a time when it’s struggling to deliver services due to the general underfunding of public services.

A low wage public sector does nothing to attract the talent and much needed workers of the future in to the sector, and largely discriminates against woman who make up 2 thirds of the public sector.

Higher wages among public sector workers would lead to increased spending and increased income tax collected by the Treasury.

This Council, therefore, agrees that:

The Chief Executive should write to the Chancellor of the Exchequer and the Secretary of State for Communities and Local Government to request that:

- The pay cap is lifted across the public sector, to allow the implementation of the recommendations of Pay Review Bodies and negotiations with employers; and
- Subsequent pay increases be fully funded via the central government settlement, not through existing departmental budgets, which could result in further cuts to public services.”

Item not considered (due to time constraints).



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**19: Motion submitted in accordance with Council Procedure Rule 14 as to Care Leavers Council Tax Exemption**

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

“This Council notes that:

- 1) Last year, a number of young people (aged 16 or over) left the care of Kirklees Local Authority and began the difficult transition into adulthood;
- 2) The recent Ofsted report on the authority’s Children’s Services identified the experiences and progress of care leavers as requiring improvement and recommended proactive support;
- 3) A 2016 report by The Children’s Society found that when care leavers move into independent accommodation, they begin to manage their own budget fully for the first time. The report showed that care leavers can find this extremely challenging and with no family to support them and insufficient financial education, are falling into debt and financial difficulty;
- 4) Research from The Centre for Social Justice found that over half (57%) of young people leaving care have difficulty managing their money and avoiding debt when leaving care;
- 5) The local authority has a duty of care to care leavers.

This Council believes that:

- 1) Care leavers need support to make their transition from care to adult life as smooth as possible and to reduce the chance of falling into debt as they begin to manage their own finances;
- 2) Care leavers are a particularly vulnerable group for council tax debt.

This Council, therefore, resolves:

- 1) To investigate options to exempt care leavers from Council Tax until they are 25;
- 2) To report back to Council in time for budget setting for 2018/19.”

Item not considered (due to time constraints).

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**20: Motion submitted in accordance with Council Procedure Rule 14 as to Votes at 16**

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

“This Council notes:

- 1) That currently 1.5 million 16 and 17 year olds are denied the vote in public elections in the UK;
- 2) That 16 and 17 year olds are able to vote in local elections in Scotland, and in elections to the Scottish Parliament;
- 3) That the campaign to lower the voting age is supported by thousands of young people across the UK and that the Votes at 16 Coalition consists of a wide range of youth and democracy organisations;
- 4) The recent report by the Democracy Commission, which recommends that

“National government should amend legislation to introduce the compulsory registration of young people at the age of 16.”

This Council believes:

- 1) 16 and 17 year olds are knowledgeable and passionate about the world in which they live and are as capable of engaging in the democratic system as any other citizen;
- 2) Lowering the voting age to 16, combined with strong citizenship education, would empower young people to better engage in society and influence decisions that will define their future;
- 3) People who can consent to medical treatment, work full-time, pay taxes, get married and join the armed forces should also have the right to vote.

This Council resolves:

- 1) To join the Votes at 16 Coalition;
- 2) To write to local MPs and the local media to inform them of this decision and ask them to support the campaign;
- 3) To promote this policy through its communications;
- 4) To encourage our local MPs to attend and debate at the second reading of Representation of the People (Young People’s Enfranchisement and Education) Bill 2017-2019, which is taking place on 1 December 2017.
- 5) To run activities to raise awareness of and support for Votes at 16 in the local area.”

Motion carried.

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