



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

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

COUNCIL

WEDNESDAY 11 JULY 2018

Andrea Woodside

01484 221000

Chair

Councillor Gwen Lowe

Councillors Attended

Councillor Christine Iredale
Councillor Masood Ahmed
Councillor Mahmood Akhtar
Councillor Karen Allison
Councillor Bill Armer
Councillor Gulfam Asif
Councillor Donna Bellamy
Councillor Cahal Burke
Councillor Andrew Cooper
Councillor Nosheen Dad
Councillor Eric Firth
Councillor Donald Firth
Councillor Michelle Grainger-Mead
Councillor Charles Greaves
Councillor David Hall
Councillor Steve Hall
Councillor Lisa Holmes
Councillor James Homewood
Councillor Judith Hughes
Councillor Mumtaz Hussain
Councillor Paul Kane
Councillor Manisha Roma Kaushik
Councillor Viv Kendrick
Councillor Musarrat Khan
Councillor John Lawson
Councillor Vivien Lees-Hamilton
Councillor Fazila Loonat

Councillor Terry Lyons
Councillor Naheed Mather
Councillor Peter McBride
Councillor Bernard McGuin
Councillor Darren O'Donovan
Councillor Marielle O'Neill
Councillor Shabir Pandor
Councillor Nigel Patrick
Councillor Carole Pattison
Councillor Mussarat Pervaiz
Councillor Amanda Pinnock
Councillor Andrew 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 Sheikh Ullah
Councillor Rob Walker
Councillor Michael Watson
Councillor Gemma Wilson
Councillor Habiban Zaman
Councillor Nell Griffiths
Councillor Alison Munro
Councillor Richard Murgatroyd
Councillor Harpreet Uppal

Apologies

Councillor Martyn Bolt, Councillor Richard Eastwood, Councillor Erin Hill (Currently on Maternity Leave), Councillor Robert Light, Councillor Kath Pinnock, Councillor Billy Jewitt and Councillor Mark Thompson

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive.

The Mayor asked that the Council's thanks to Jason Mallinson, of Oakes, Huddersfield, be placed on record in respect of his involvement in the operation to rescue those trapped in flooded caves in Thailand.

The Mayor and Chief Executive advised of a change to the running order of the agenda items to allow the meeting to conclude by approximately 5.30pm.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

Apologies for absence were received on behalf of Councillors Bolt, Eastwood, Light, Jewitt, K Pinnock and Thompson.

3: Minutes of Previous Meeting

To agree and authorise the Mayor to sign the Minutes of Annual Council held on 23 May 2018.

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.

No interests were declared.

5: Petitions (From Members of the Council)

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

No petitions were received.

6: Deputations & Petitions (From Members of the Public)

The Committee 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.

No deputations or petitions were received.

7: Public Question Time

The Committee will hear any questions from the general public.

No questions were asked.

8: Financial Outturn Report 2017-2018

To receive the report.

Contact: Eamonn Croston, Head of Finance and Accountancy

1) That, in regards to General Fund; (i) the revenue outturn position 2017-2018 be noted (ii) the year end position on corporate reserves, including financial resilience reserves be noted (iii) the arrangement for regular monitoring and review of corporate reserves in 2018-2019, to be reported to Cabinet within the quarterly financial monitoring cycle, be noted (iv) approval be given to the revenue rollover recommendation, as set out in the report, including the proposal for officers to submit a further report to Cabinet, detailing options for the allocation of the £1.512m rollover for place based public realm works to be shared fairly across all 23 wards and (v) approval be given to the rollover of £62k roll forward of ward based budgets as detailed in paragraph 1.34 of the report.

2) That the Housing Revenue Account outturn and reserves position 2017-2018, be noted.

3) That, in regards to Capital; (i) the outturn position 2017-2018, be noted (ii) approval be given to the £53.5m capital rollover from 2017-2018 to 2018-2019 (iii) approval be given to the revised capital plan for the period 2018-2023, having taking into account rollover, the re-phasing of schemes and changes to grant assumptions and (iv) it be noted that officers will continue to review 2018-2019 in-year budget profiles with a view to transfer budget into future years to ensure a more realistic monitoring profile.

4) That, in regards to treasury management, (i) the review of treasury management activity for 2017-2018 be noted (ii) approval be given to proposals to review the two Lender Option Borrowing Option (LOBO) loan re-financing options in conjunction with the Council's external treasury management advisors, and to authorise the Acting Service Director – Finance, IT and Transactional Services to proceed and enter into all appropriate documentation if considered beneficial to the Council (iii) agreement be given to the existing borrowing strategy to incorporate SALIX Finance as an interest free loan funding source and (iv) the intention to bring forward more detailed proposals regarding potential investment opportunities, including investment in the Local Authority Property Fund, as part of the overall Treasury Management Strategy, later in the year, be noted.

9: Kirklees Corporate Plan 2018-2020

To consider the Corporate Plan 2018-2020

Contact: Kate McNicholas, Strategy and Policy Service Manager

That the 2018-2019 Corporate Plan be approved, and that authority be delegated to the Chief Executive to make any required in-year amendments in consultation with the Leader of the Council.

10: Allocation of Seats - Update

To consider the re-allocation of seats for the 2018-2019 municipal year.

Contact: Andrea Woodside, Principal Governance Officer

That approval be given to the ratios as set out in the table as circulated (attached).

11: Scrutiny Update

To receive an update on the work of the Joint Health Scrutiny Committee Calderdale and Kirklees.

Council noted an update from Councillor Smaje following a meeting of Calderdale and Kirklees Joint Health Scrutiny Committee on 6 July to receive the Secretary of State's response and the Independent Reconfiguration Panel's (IRP) assessment report on the Committee's referral of the NHS proposal on the future arrangements for hospital and community health services in Calderdale and Greater Huddersfield.

Councillor Smaje provided an overview of the content of both documents and advised that the work of the Scrutiny Committee had now recommenced and that they would be submitting a response to the Secretary of State by 10 August 2018.

12: 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 12/12(1).

(1) Question by Councillor Michael Watson to the Cabinet Member for Learning and Aspiration (Councillor Masood Ahmed)

“Defining one school day as one school being closed for all or part of a day how many school days have been lost in Kirklees as a consequence of weather related events in the period 1 December 2017 through to 1 April 2018?”

The Cabinet Member replied thereto.

(2) Question by Councillor Michael Watson to the Cabinet Member for Corporate Services (Councillor Graham Turner)

“In the civic years 2013-14, 2014-15, 2016-17 and 2017-18 how much has been spent by the council on personnel in Employment grades 18 through to 24 in respect of the following:

- a) Professional development training?
- b) Professional subscriptions?
- c) Higher education qualification support?”

The Cabinet Member replied thereto.

(3) Question by Councillor Michael Watson to the Cabinet Member for Communities and Environment (Councillor Naheed Mather)

“Why was the service whereby residents could tip rubble at Bromley Farm recycling site withdrawn?”

The Cabinet Member replied thereto.

(4) Question by Councillor Michael Watson to the Cabinet Member for Communities and Environment (Councillor Naheed Mather)

“I am advised that the council is unable to use covert cameras for fly tipping investigations without consent under RIPA legislation. On the basis that this advice is correct could the cabinet member advise:

- a) What is required to obtain such consent?
- b) What is the legal test, or are the legal tests, that must be satisfied in the obtaining of consent?
- c) How many times has the council secured such consent in the last 3 years?”

The Cabinet Member replied thereto.

(5) Question by Councillor Michael Watson to the Cabinet Member for Communities and Environment (Councillor Naheed Mather)

“Is there a height restriction on vehicles entering the Bromley Farm recycling site?”

The Cabinet Member replied thereto.

(6) Question by Councillor Richard Smith to the Leader of the Council (Councillor Shabir Pandor)

“Can you explain what steps the Council has taken to try and avert Industrial Action by Refuse Collectors in South Kirklees and how confident are you that there will be no further action?”

The Leader of the Council replied thereto.

13: Minutes of Cabinet and Cabinet Committee Local Issues

To receive for information; the minutes of Cabinet held on 20 February, 6 March, 20 March and 17 April 2018 and Cabinet Committee – Local Issues held on 28 March 2018.

Item not considered (due to time constraints).

14: West Yorkshire Combined Authority Minutes

To receive the Minutes of the Meetings of the West Yorkshire Combined Authority held on 14 December 2017, 1 February 2018, 5 April 2018 and 10 May 2018.

Item not considered (due to time constraints).

15: Holding the Executive to Account

(a) To receive a Portfolio Update from the Leader of the Council

(b) Oral Questions/Comments to Cabinet Members on their Portfolios and relevant Cabinet Minutes;

(i) The Leader of the Council

(ii) The Deputy Leader of the Council

(iii) Adults and Independence Portfolio (Councillor Scott)

(iv) Children's Portfolio (Councillor Kendrick)

(v) Communities and Environment Portfolio (Councillor Mather)

(vi) Corporate Portfolio (Councillor Turner)

(vii) Economy Portfolio (Councillor McBride)

(viii) Health Portfolio (Councillor Khan)

(ix) Learning and Aspiration Portfolio (Councillor Ahmed)

Item not considered (due to time constraints).

16: Minutes of Other Committees

To receive for information the minutes of the following Committees;

(i) Appeals Panel

(ii) Corporate Governance and Audit Committee

(iii) Corporate Parenting Board

(iv) Health & Wellbeing Board

(v) Overview and Scrutiny Management Committee

(vi) Personnel Committee

(vii) Standards Committee

(viii) Strategic Planning Committee

Item not considered (due to time constraints).

17: 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 Board (Councillor Kendrick)
- (d) Employee Relations Sub Committee (Councillor Pandor)
- (e) Health and Wellbeing Board (Councillor Pandor)
- (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 Pandor)
- (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 Pandor)
- (o) West Yorkshire Combined Authority Transport Committee (to be confirmed)
- (p) West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
- (q) West Yorkshire Joint Services Committee (to be confirmed)
- (r) West Yorkshire Police and Crime Panel (Councillor Hussain)

Item not considered (due to time constraints).

18: Motion submitted in accordance with Council Procedure Rule 14 as to Flockton Traffic Issues

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

“This Council notes that work is now underway to produce an Option Assessment Report in relation to the North Kirklees Orbital Route which will help to determine if this is a viable scheme to develop.

Additionally the £77 million Cooper Bridge by pass, linking the [A644 near junction 25](#) M62 and the A62 near Bradley Bar is currently in the Design phase.

The Council recognises that both these schemes have the potential to significantly affect the volume and flow of traffic in and around the village of Flockton and on the B6118.

Given the existing severe traffic problems affecting the village of Flockton and the undoubted increase in the future with developments already in construction and the potential from the Local Plan , the Council recognises that even if it were to overlook the 2 major road schemes already mentioned, without intervention, this situation will only continue to deteriorate.

Therefore the council calls on the Cabinet to undertake an assessment of any impact upon the village of Flockton & B6118 from the NKOR and A62 scheme and to ensure that due consideration is given to the issues in Flockton prior to any work starting on either of these road schemes.”

Item not considered (due to time constraints).
