



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

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

COUNCIL

WEDNESDAY 17 JULY 2019

Andrea Woodside

01484 221000

Chair

Councillor Gwen Lowe

Councillors Attended

Councillor Aafaq Butt
Councillor Aleks Lukic
Councillor Charlotte Goodwin
Councillor Andrew Marchington
Councillor Susan Lee-Richards
Councillor Paola Antonia Davies
Councillor Yusra Hussain
Councillor Paul White
Councillor Anthony Smith
Councillor Lesley Warner
Councillor Paul Davies
Councillor Masood Ahmed
Councillor Mahmood Akhtar
Councillor Karen Allison
Councillor Bill Armer
Councillor Gulfam Asif
Councillor Martyn Bolt
Councillor Cahal Burke
Councillor Andrew Cooper
Councillor Nosheen Dad
Councillor Michelle Grainger-Mead
Councillor Charles Greaves
Councillor David Hall
Councillor Steve Hall
Councillor Lisa Holmes
Councillor Erin Hill
Councillor James Homewood
Councillor Mumtaz Hussain

Councillor Christine Iredale
Councillor Paul Kane
Councillor Manisha Roma Kaushik
Councillor Viv Kendrick
Councillor Musarrat Khan
Councillor John Lawson
Councillor Fazila Loonat
Councillor Terry Lyons
Councillor Naheed Mather
Councillor Peter McBride
Councillor Bernard McGuin
Councillor Darren O'Donovan
Councillor Shabir Pandor
Councillor Nigel Patrick
Councillor Carole Pattison
Councillor Mussarat Pervaiz
Councillor Andrew Pinnock
Councillor Mohammad Sarwar
Councillor Cathy Scott
Councillor Will Simpson
Councillor Elizabeth Smaje
Councillor Richard Smith
Councillor Mohan Sokhal
Councillor John Taylor
Councillor Kath Taylor
Councillor Graham Turner
Councillor Sheikh Ullah
Councillor Rob Walker
Councillor Michael Watson
Councillor Habiban Zaman
Councillor Nell Griffiths
Councillor Alison Munro
Councillor Richard Murgatroyd
Councillor Harpreet Uppal

Apologies

Councillor Richard Eastwood, Councillor Donald Firth, Councillor Vivien Lees-Hamilton, Councillor Amanda Pinnock, Councillor Kath Pinnock and Councillor Mark Thompson

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive.

On behalf of Council, the Mayor conveyed congratulations to Gill Addy, Children and Families Service, who had been awarded the title of Queens Nurse by the Queens Nurse Institute in recognition of her continuing commitment to improve the standards of care given to patients and clients over 30 years of nursing. Congratulations were also conveyed to Christina Fairhead of the CCG and Clair Barrow from Locala who had also been awarded the title of Queens Nurse.

Council gave recognition to the England Cricket Team upon their recent achievement in winning the 2019 Cricket World Cup.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

Apologies for absence were received on behalf of Councillors Eastwood, Firth, Lees-Hamilton, A U Pinnock, K Pinnock and Thompson.

3: Minutes of Previous Meeting

To receive the Minutes of the meeting of Annual Council held on 22 May 2019.

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 Pattison declared an 'other' interest in Agenda Item 10 on the grounds that she is Vice Chair of Fusion Housing Board.

5: Petitions (From Members of the Council)

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

None 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.

Council received deputations from (i) David Rawling requesting a bypass/relief road for Flockton Village (a petition was also submitted) and (ii) Kiran Bali, Jan Walters and Ali Stopher regarding Kirklees Climate Emergency.

The Cabinet Member for Regeneration (Councillor McBride) responded to (i).
The Cabinet Member for Greener Kirklees (Councillor Mather) responded to (ii).

7: Public Question Time

The Committee will hear any questions from the general public.

Council received questions from;

- (i) Mr David Rawling; pursuant to the deputation at Agenda Item 6.

A response was provided by the Cabinet Member for Regeneration – Councillor McBride

- (ii) Olivia and Elena Delaney; pursuant to the deputation at Agenda Item 6.

A response was provided by the Cabinet Member for Regeneration – Councillor McBride

- (iii) Mr Tejinder Ajiz; regarding the Standards Regime and Access to Information.

A response was provided by the Leader of the Council. Mr Ajiz was asked to inform the Monitoring Officer of any issues which he wish to make the Council aware of, or make requests to access information.

8: Council Petition Debate

In accordance with Council Procedure Rule 9a, Council will discuss the subject matter of a previously submitted petition relating to the future of the George Hotel, Huddersfield.

Council debated the content of a petition which had previously been submitted and exceeded the 3,000 signatures petition threshold regarding the future of the George Hotel, Huddersfield.

9: Minutes - West Yorkshire Combined Authority

To receive the Minutes of the Meetings of the West Yorkshire Combined Authority held on 13 December 2018, 14 February 2019, and 25 April 2019.

Received and noted.

10: Preventing Homelessness and Rough Sleeping Strategy 2018-2023 (Reference from Cabinet)

To consider the report.

Contact: Karen Oates, Housing Services

- (1) That the Preventing Homelessness and Rough Sleeping Strategy 2018-2023 be approved.
- (2) That the Service Director (Growth and Housing) be requested to ensure that work takes place with key partners in order to develop and implement detailed action plans which would support the achievement of the outcomes as set out in the strategy.

11: Corporate Plan 2019 Refresh (Reference from Cabinet)

To consider the report.

Contact: Kate McNicholas, Strategy and Policy Service

That the updated Council Corporate Plan 2018/2020, as appended to the considered report, be approved.

12: Council Financial Outturn and Rollover Report 2018-2019 (Reference from Cabinet)

To consider the report.

Contact: Eamonn Croston, Finance Director

- (1) That, in regards to General Fund; (i) the revenue outturn position 2018-2019 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 2019-2020, 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.
- (2) That the Housing Revenue Account outturn and reserves position 2018-2019, be noted.
- (3) That, in regards to Capital; (i) the outturn position 2018-2019, be noted (ii) approval be given to the £31.7m capital rollover from 2018-2019 to 2019-2020 (iii) approval be given to the revised capital plan for the period 2019-2024, 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 2019-2020 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, the review of treasury management activity for 2018-2019 be noted.

13: Revised Employee Relations Framework (Reference from Corporate Governance and Audit Committee)

To consider the report.

Contact: Deborah Lucas, Head of Peoples Services

That the recommendations of Personnel Committee and Corporate Governance and Audit Committee be noted, and that approval be given to a constitutional amendment for the deletion of Employee Relations Sub-Committee.

14: Children's Scrutiny Panel - Lead Member

To consider the report.

Contact: Andrea Woodside, Principal Governance Officer

That Councillor Andrew Marchington be appointed as Lead Member of Children's Scrutiny Panel with immediate effect.

15: 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.

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

Item not considered (due to time constraints).

16: Minutes of Cabinet and Cabinet Committee - Local issues

To receive for information; the minutes of Cabinet held on 19 February, 19 March, 16 April and 29 May 2019 and Cabinet Committee – Local Issues held on 9 April 2019.

Item not considered (due to time constraints).

17: 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 (Councillor Pandor)
- (ii) The Deputy Leader of the Council / Regeneration Portfolio (Councillor McBride)
- (iii) Children's Portfolio (Councillor Kendrick)
- (iv) Corporate Portfolio (Councillor Turner)
- (v) Culture & Environment Portfolio (Councillor Walker)
- (vi) Greener Kirklees Portfolio (Councillor Mather)
- (vii) Health & Social Care Portfolio (Councillor Khan)
- (viii) Housing & Democracy Portfolio (Councillor Scott)
- (ix) Learning, Aspiration & Communities Portfolio (Councillor Pattison)

Item not considered (due to time constraints).

18: 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 and Wellbeing Board
- (v) Licensing and Safety Committee
- (vi) Overview and Scrutiny Management Committee
- (vii) Personnel Committee
- (viii) Standards Committee
- (ix) Strategic Planning Committee

Item not considered (due to time constraints).

19: Oral Questions to Committee/Sub Committee/Panel Chairs and Nominated Spokespersons of Joint Committees/External Bodies

- (a) Appeals Panel (Councillor Dad)
- (b) Corporate Governance and Audit Committee (Councillor Simpson)
- (c) Corporate Parenting Board (Councillor Kendrick)
- (d) Health and Wellbeing Board (Councillor Kendrick)
- (e) Licensing and Safety Committee – including Licensing Panel and Regulatory Panel (Councillor A U Pinnock)
- (f) Overview and Scrutiny Management Committee (Councillor Smaje)
- (g) Personnel Committee (Councillor Pandor)
- (h) Planning Sub Committee - Heavy Woollen Area (Councillor Kane)
- (i) Planning Sub Committee – Huddersfield Area (Councillor Lyons)
- (j) Scrutiny Panel – Children's (Councillor Marchington – subject to Agenda Item 14)
- (k) Scrutiny Panel – Corporate (Councillor Cooper)
- (l) Scrutiny Panel – Economy and Neighbourhoods (Councillor Uppal)
- (m) Scrutiny Panel – Health and Adult Social Care (Councillor Zaman)
- (n) Standards Committee (Councillor P Davies)

- (o) Strategic Planning Committee (Councillor S Hall)
- (p) Kirklees Neighbourhood Housing (Councillor Mather)
- (q) Kirklees Active Leisure (Councillor Sokhal)
- (r) West Yorkshire Combined Authority (Councillor Pandor)
- (s) West Yorkshire Combined Authority Transport Committee (Councillor Homewood)
- (t) West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
- (u) West Yorkshire Joint Services Committee (Councillor Zaman)
- (v) West Yorkshire Police and Crime Panel (Councillor Ahmed)

Item not considered (due to time constraints).

20: Motion Submitted in Accordance with Council Procedure Rule 14 as to The Proper Funding of Local Services

To consider the following Motion in the names of Councillors Cooper, Lee-Richards and Allison

“The UK as a member of the Council of Europe (this is not the European Union) and as such is a signatory to the European Charter of Local Self Government.

The provisions of the Charter state;

“The protection of financially weaker local authorities calls for the institution of financial equalisation procedures or equivalent measures which are designed to correct the effects of the unequal distribution of potential sources of finance and of the financial burden they must support. Such procedures or measures shall not diminish the discretion local authorities may exercise within their own sphere of responsibility”.

It has been demonstrated that Kirklees Council is seriously underfunded per head of population compared with other Councils with similar responsibilities and characteristics.

This Council calls on the Leader of Kirklees Council to raise this breach with

- the Council of Europe in his role as a member of that body
- the Secretary of State for Housing, Communities and Local Government

This Council further calls on the Leader of the Council, working with all other political group leaders, to request that Government takes steps to ensure that Kirklees is properly able to fund local services and that Government fulfils its obligations as a signatory of the European Charter of Self Government.

Item not considered (due to time constraints).
