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## **Decision Summary**

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**COUNCIL**

**WEDNESDAY 18 SEPTEMBER 2019**

**Penny Bunker**

**01484 221000**

### **Chair**

Councillor Mumtaz Hussain

### **Councillors Attended**

Councillor Masood Ahmed  
Councillor Mahmood Akhtar  
Councillor Karen Allison  
Councillor Bill Armer  
Councillor Gulfam Asif  
Councillor Martyn Bolt  
Councillor Cahal Burke  
Councillor Aafaq Butt  
Councillor Andrew Cooper  
Councillor Nosheen Dad  
Councillor Paola Antonia Davies  
Councillor Paul Davies  
Councillor Richard Eastwood  
Councillor Donald Firth  
Councillor Charlotte Goodwin  
Councillor Michelle Grainger-Mead  
Councillor Nell Griffiths  
Councillor David Hall  
Councillor Steve Hall  
Councillor Lisa Holmes  
Councillor Erin Hill  
Councillor James Homewood  
Councillor Yusra Hussain  
Councillor Christine Iredale  
Councillor Paul Kane  
Councillor Manisha Roma Kaushik  
Councillor Viv Kendrick  
Councillor Musarrat Khan  
Councillor John Lawson

Councillor Vivien Lees-Hamilton  
Councillor Susan Lee-Richards  
Councillor Fazila Loonat  
Councillor Gwen Lowe  
Councillor Aleks Lukic  
Councillor Terry Lyons  
Councillor Andrew Marchington  
Councillor Naheed Mather  
Councillor Peter McBride  
Councillor Bernard McGuin  
Councillor Alison Munro  
Councillor Richard Murgatroyd  
Councillor Shabir Pandor  
Councillor Nigel Patrick  
Councillor Carole Pattison  
Councillor Mussarat Pervaiz  
Councillor Amanda Pinnock  
Councillor Andrew Pinnock  
Councillor Kath Pinnock  
Councillor Mohammad Sarwar  
Councillor Cathy Scott  
Councillor Will Simpson  
Councillor Elizabeth Smaje  
Councillor Anthony Smith  
Councillor Richard Smith  
Councillor Mohan Sokhal  
Councillor John Taylor  
Councillor Kath Taylor  
Councillor Mark Thompson  
Councillor Graham Turner  
Councillor Sheikh Ullah  
Councillor Harpreet Uppal  
Councillor Rob Walker  
Councillor Lesley Warner  
Councillor Michael Watson  
Councillor Paul White  
Councillor Habiban Zaman

### **Apologies**

Councillor Charles Greaves and Councillor Darren O'Donovan

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

To receive any announcements from the Mayor and Chief Executive.

The Council observed a minutes silence in respect for Archie Bruce a Batley Bulldogs player who tragically passed away on 18 August 2019 after making his debut as a professional rugby league player.

Councillor Gwen Lowe paid a personal tribute to Archie Bruce.

On behalf of the Council the Chief Executive extended warmest congratulations to Olivia Barnden who had been named as Youth Librarian of the Year. Olivia who had been working with Kirklees Libraries since 2003, received the award

from the Youth Libraries Group, in conjunction with the Enid Blyton Estate. The award recognises the innovation and dedication of a staff member working with children and young people in a public library.

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## **2: Apologies for absence**

Group Business Managers to submit any apologies for absence.

Apologies for absence were received from Councillor Charles Greaves and Councillor Darren O'Donovan.

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

To agree and authorise the Mayor to sign the Minutes of Council held on 17 July 2019.

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.

Councillor Armer declared an 'other' interest in agenda item 19 as his wife is in receipt of a free television licence.

Councillor Firth declared an 'other' interest in agenda item 19 as a member of his household is in receipt of a free television licence.

Councillor Lowe declared an 'other' interest in agenda item 19 as a family member is in receipt of a free television licence.

Councillor Lyons declared an 'other' interest in agenda item 19 as he is entitled to a free television licence.

Councillor Patrick declared an 'other' interest in agenda item 19 as a member of his household is in receipt of a free television licence.

Councillor Smaje declared an 'other' interest in agenda item 19 as a member of her household is in receipt of a free television licence.

Councillor Sokhal declared an 'other' interest in agenda item 19 as he is in receipt of a free television licence.

Councillor Zaman declared an 'other' interest in agenda item 19 as a member of her household is in receipt of a free TV licence.

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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 Munro advised that she would be forwarding a petition requesting traffic calming measures in Almondbury. The petition was linked to the public deputation at 6(b).

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## **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.

- (a) Council received a deputation from Dr Andrew Smith in support of the motion on forgotten workers, concerning low-paid workers in multiple employment and the findings of research on improving the working lives of low-paid workers.
- (b) Council received a deputation from Mr Ronald Berry requesting traffic calming measures to address traffic concerns on Westgate and Kaye Lane Almondbury. A petition was handed in.
- (c) The Council received a deputation from members of the Save Greenhead Trees and Kirklees Climate Emergency Groups raising issues on tree planting and the development of a Kirklees tree policy as part of a response to the climate emergency.
- (d) A deputation was received by the Council from Cassandra Whittingham on the concerns of parents about the information and support available following the decision to close secondary provision at Almondbury Community School.
- (e) The Council received a deputation from Beth Fry on her concerns about the impact of the decision to close secondary provision at Almondbury Community School, as the parent of a child without a school priority admission area.

The cabinet member for Corporate (Councillor Turner) provided a response to (a). The cabinet member for Culture and Environment (Councillor Walker) responded to (b) and (c). The cabinet member for Learning, Aspiration and Communities (Cllr Pattison) provided a response to (d) and (e).

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## **7: Public Question Time**

The Committee will hear any questions from the general public.

Council received questions from;

- (i) Mr Mike Prior; regarding the Council's response to a call for a global day of strikes in support of the climate emergency.

A response was provided by the Leader of the Council.

- (ii) Mrs Beth Fry: pursuant to the deputation at agenda item 6 (e)

A response was provided by the Cabinet Member for Learning, Aspiration and Communities - Councillor Pattison

- (iii) Heather Peacock: pursuant to the deputation at 6 (c)

A response was provided by the Cabinet Member for Culture and Environment – Councillor Walker

- (iv) Adrian Stygall; pursuant to the deputation at 6 (c)

A response was provided by the Cabinet Member for Culture and Environment – Councillor Walker

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## **8: Council Petition Debate**

In accordance with Council Procedure Rule 9a, Council will discuss the subject matter of a previously submitted petition regarding Flockton Bypass.

In accordance with Council Procedure Rule 9A, Council debated the content of a petition which had previously been submitted and exceeded the 3,000 signatures petition threshold regarding Flockton bypass. Mr David Rawling made a representation on behalf of the petitioners.

The content of the debate was received and noted.

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

To receive the Minutes of the Meetings of the West Yorkshire Combined Authority held on 25 June and 27 June 2019.

Item not considered (due to time constraints).

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## **10: Report of Members Allowances Independent Review Panel (Reference from Corporate Governance and Audit Committee)**

To consider the report.

Contact: Carl Whistlecraft, Head of Democracy

(1) That the Special Responsibility Allowance for the Place Partnerships Lead Councillor role is paid at Band D (£5,009) and that this be backdated to the date of Annual Council, 22 May 2019, when the Lead Councillors were appointed.

(2) That the Parental Leave Policy be adopted.

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### **11: Kirklees Active Leisure - Annual Update**

To receive a presentation from Kirklees Active Leisure.

Contact: Alasdair Brown, Chief Executive, Kirklees Active Leisure

The Council received and noted the Annual update presentation from Kirklees Active Leisure.

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### **12: Scrutiny Annual Report 2018/2019**

To receive the 2018/2019 Scrutiny Annual Report.

Contact: Penny Bunker, Governance and Democratic Engagement Manager

Item not considered (due to time constraints).

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### **13: Children's Scrutiny Panel - Call In of Cabinet Decision**

To receive a report following the meeting of Children's Scrutiny Panel (Call-In) regarding the Cabinet decision regarding future options for Almondbury High School.

Contact: Penny Bunker, Governance and Democratic Engagement Manager

That Council noted the outcomes of the call in review meeting of the Cabinet decision on the Future Options for Almondbury Community School – final decision.

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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 12/12(1).

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 the Director of 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 received a presentation from the Director for Children's Services prior to undertaking the key discussion debate.

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## **16: 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).

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## **17: Motion submitted in accordance with Council Procedure Rule 14 as to Forgotten Workers**

To consider the following Motion in the names of Councillors Hill, Pandor, Sokhal, Kendrick, Mather, McBride, Walker, Pattison, P Davies, Ahmed, S Hall, Y Hussain, Warner, O'Donovan, Simpson, Lowe, Loonat, Asif, Dad, A U

Pinnock, Murgatroyd, G Turner, Khan, Butt, Griffiths, Uppal, Kane, Ullah, Zaman and Akhtar;

“This Council notes;

- the content and recommendations of the “Forgotten Workers” report, carried out jointly between Durham and Bradford universities, and notes that it is an independent piece of work, carried out with due academic rigour and appropriate research methods
- that this report is the first of its kind into the issues of low pay and multiple employment in this region. The scale and nature of the issues it highlights should be cause for concern for all of us here in Kirklees
- that for the first time in history, the majority of people classed as living in poverty are also in work (55%). Most children in poverty now come from households where at least one adult is in work. The narrative put forward in recent decades by governments of all parties - that work is the best route out of poverty - is clearly now not the case. The social contract of “getting on if you work hard” has demonstrably failed
- with alarm, the kind of stories the report has unearthed, and the implications for the health and well-being of some of our most vulnerable residents and their families. The researchers found workers with 2, 3, 4, 5, 6 and even 7 different jobs who are all struggling to make ends meet due to low-pay and limited working hours. They were typically employed in cleaning, catering, the care sector, security, social services, education, retail, public services, administration and IT services. These workers are employed on a combination of full-time, part-time, agency, temporary, seasonal, casual and zero hours contracts. They all reported high levels of stress and exhaustion, and deteriorating relationships with family and friends
- that people who do legitimately work in more than one low-paid job are largely absent from academic and policy coverage. We note our responsibility not only as a local authority with responsibility for nearly half a million people, but also as one of the largest employers and commissioners in the area

This Council has a duty to consider the practical recommendations of the *Forgotten Workers* report as an employer, to ensure as far as possible that our suppliers and commissioned services do so too. We also have a duty as a politically led organisation to represent our constituents who are in this situation, and to apply pressure where we can to move the issues which affect this group to the top of the local and national policy agenda.

This Council therefore:

- reiterates its commitment to paying all our employees the Affordable Living Wage, and where we commission and outsource work, to encourage the same commitment from those employers.
- offers all Kirklees employees a guarantee of dignity and fair treatment at work, regardless of position, length of service, or wage.



- asks Cabinet to investigate the possibility of carrying out information gathering across the Kirklees area to find out how many people are currently in multiple employment.
- asks Cabinet to commission work to report on potential actions which would ameliorate the immediate impacts of multiple employment, e.g. poor mental health and diet.”

Motion approved subject to the addition of;

- asks the Leader to identify the Cabinet Member responsible, and that the Cabinet Member reports back to Council on the information gathered and the work commissioned (and the combined findings of both) no later than the scheduled December Council Meeting.

## **18: Motion submitted in accordance with Council Procedure Rule 14 as to Universal Credit**

To consider the following Motion in the names of Councillors Uppal, Pandor, A U Pinnock, Homewood, Murgatroyd, Griffiths, Kaushik, Walker, Loonat, Hill, McBride, Mather and Khan;

“This Council notes the Universal Credit (UC) policy is flawed, causing unnecessary hardship to local families and people across the country whilst failing to meet its original aims.

This Council further notes, that in Kirklees, following the roll out of UC Full Service in November 2017, 19,804 people are in receipt of UC support (as at 22July 2019), which has led to problems with rent arrears, and general indebtedness particularly from the 5 week minimum wait for an initial payment. Kirklees Neighbourhood figures as at 1 October 2018 suggest UC claimants represented 32% of rent accounts in arrears which totalled £1.2m of the debt owed.

In addition, there has been an increased use of local welfare service provision referrals to four Kirklees foodbanks, up 27% from the same period in the previous year. Recent figures from The Welcome Centre Foodbank (WCF) in Huddersfield show 1 in 5 people who use the foodbank do so because of problems with Universal Credit.

Official figures show hundreds of thousands of UC payments made nationally are being subject to deductions used to pay back arrears in rent, council tax and utility bills, pushing families into a downward spiral of debt and poverty. Similarly, the Local Welfare Provision (LWP) team in Kirklees are taking more calls from residents who have not been able to make their UC payment last due to insufficient funds including deductions taken from their payments due to advances, arrears payments or tax credit overpayments. The LWP team told us that there was too much reliance on the advance payments system, in reality a loan, which plunges claimants into debt. 72% of referrals made between 1/4/18 – 31/03/19 for foodbanks / fuel vouchers due to “Budgeting / low income” reason are for UC claimants. This compares to only 33% for the period 1/11/17 to 31/3/18.

In addition, for people on UC who are in work, but are paid weekly, fortnightly or 4 weekly, the monthly UC payment is causing additional issues with two or more wages in one pay period resulting in no UC support the following month; self-employed workers on UC are worse off than under legacy benefits and compared with employees; and disabled people unable to work, are also worse off than under legacy benefits, and may be pushed into poverty as a result.

Although the managed migration of UC has been restricted to a pilot, thousands of people are due to transition on to UC this year as a result of 'natural migration' (a change in their circumstances).

Furthermore, although UC payments are to go to the primary carer in the household, there are issues with the childcare element of Universal Credit leaving many households in debt.

The High Court also recently found in favour of four single mothers who had brought a legal challenge against the government on the grounds that Universal Credit failed to take account of fluctuating income when they were paid twice in a month because their payday fell very near the end of the month. T

Policy in Practice has warned 40% of UC claimants will lose out by an average of £59 a week compared to the old system. In addition, research for Mirror Money reveals 80% of people on UC say it doesn't cover their essential living costs, 72% have had to borrow money and ended up in debt and 56% receive less through UC than from the old benefits system.

Despite some tweaks to UC in the Autumn budget, such as an increase in work allowances, and by the new Work and Pensions Secretary, including scaling back the proposed Managed Migration, the policy continues to leave many of our residents on the lowest incomes in poverty and suffering. The Work and Pensions Secretary has gone as far as to say the roll out of Universal Credit may have led to increased use of food banks.

This Council therefore resolves to write to the Secretary of State for Work and Pensions, making these points, demanding that, if the Government is refusing to scrap Universal Credit, that they:

- Stop the freeze in social security payments
- Scrap the 5-week wait for UC
- Provide the option for alternative pay arrangements for UC
- Make advance payments non repayable loans
- Pay childcare payments upfront
- Stop the two-child limit in support"

Item not considered (due to time constraints).

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## **19: Motion submitted in accordance with Council Procedure Rule 14 as to Pension Credit**

To consider the following Motion in the names of Councillors Simpson, Pandor, Turner, McBride, O'Donovan, Zaman, Khan, Ahmed, Walker, Warner, Loonat, P Davies, Homewood and Lowe;

“This Council;

- believes that the abolition of free TV licences is a terrible blow to many vulnerable older people who already struggle to make ends meet and particularly to those who are housebound or isolated and rely on their TV for company
- notes the pledge made in the Conservative Party 2017 manifesto to fully fund the TV licence for all over 75s
- notes the Independent Age Credit ‘Credit Where It’s Due’ campaign report, which found that £21m of support for Kirklees’ most vulnerable pensioners is being held back by the barriers to accessing Pension Credit
- does not believe it is acceptable that almost half of all pensioners in Kirklees who are entitled to Pension Credit do not receive it. These vulnerable older residents will also now lose their free TV licences and will be pushed further into deprivation

This Council therefore resolves;

- (i) to write to the new Prime Minister to outline the unacceptable effect that this policy will have on Kirklees’ most vulnerable pensioners and call upon him to back the ‘Credit Where It’s Due’ campaign to reform Pension Credit to better support Kirklees’ most vulnerable older residents
- (ii) to use opportunities that exist within the Council to promote the availability of Pension Credit to residents to ensure as many residents as possible are aware of its availability.”

Item not considered (due to time constraints).

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**20: Motion submitted in accordance with Council Procedure Rule 14 as to Regional Support to Leeds Bradford Airport**

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

“This Council welcomes;

- the Declaration of a Climate Emergency made by the Leeds City Region on June 27th
- the many Climate Emergency Declarations made by Councils in the Leeds City Region

This Council recognises that;

- aircraft release more than 600 million tonnes of the world’s major greenhouse gas CO2 into the atmosphere each year
- aircraft cause about 3.5% of global warming from all human activities
- aircraft greenhouse emissions if unchecked will continue to rise and

could contribute up to 15% of global warming from all human activities within 50 years

This Council notes that;

- Leeds City Region are planning to financially support transport links to Leeds Bradford Airport
- that this investment is aimed to boost activity at Leeds Bradford Airport
- that investment supporting Leeds Bradford Airport and a possible expansion of the airport is incompatible with the Leeds City Regions Declaration of a Climate Emergency and that of the Councils who have declared a Climate Emergency

This Council commits to;

- withdraw support for Leeds City Region funding improved transport links to Leeds Bradford Airport
- call for a reinvestment of those funds in activities that will promote carbon reductions
- ensure Leeds City Region applies the principles of their Declaration of a Climate Emergency in all the decisions that they make.”

Item not considered (due to time constraints).

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