

Kirklees Council



Council Chamber - Town Hall, Huddersfield

Tuesday 8 October 2019

Dear Member

The Council will meet on Wednesday 16 October 2019 at 5.30 pm at Council Chamber - Town Hall, Huddersfield.

This meeting will be webcast live and will be available to view via the Council's website.

The following matters will be debated:

Pages

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

3: Minutes of Previous Meeting

To agree and authorise the Mayor to sign the Minutes of Council held on 18 September 2019.

1 - 6

4: Declaration of Interests

7 - 8

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.

5: Petitions (From Members of the Council)

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

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.

7: Public Question Time

The Committee will hear any questions from the general public.

8: Council Petition Debate

In accordance with Council Procedure Rule 9a, Council will discuss the subject matter of the petition, which requests that the community retain ownership of the site at Red House, Gomersal.

9: West Yorkshire Combined Authority - Minutes

9 - 26

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

10: Budget Strategy Update - 2020 to 2023 Revenue / 2020 to 2025 Capital 27 - 86

To consider the Budget Strategy Report.

Contact: Eamonn Croston, Finance Director

11: Scrutiny Annual Report 2018/2019 87 - 112

To receive the 2018/2019 Scrutiny Annual Report.

Contact: Penny Bunker, Governance and Democratic Engagement Manager

12: Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons 113 - 118

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.

13: Minutes of Cabinet 119 - 128

To receive for information; the minutes of the meetings of Cabinet held on 16 July, 13 August and 10 September 2019.

14: Holding the Executive to Account

- (a) To receive a Portfolio Update from the Deputy Leader of the Council / Regeneration Portfolio (Councillor McBride)
- (b) Oral Questions/Comments to Cabinet Members on their Portfolios and relevant Cabinet Minutes;
 - (i) The Deputy Leader of the Council / Regeneration (Councillor McBride)
 - (ii) Children's Portfolio (Councillor Kendrick)
 - (iii) Corporate Portfolio (Councillor Turner)
 - (iv) Culture and Environment (Councillor Walker)
 - (v) Greener Kirklees (Councillor Mather)
 - (vi) Health and Social Care Portfolio (Councillor Khan)
 - (vii) Housing and Democracy (Councillor Scott)

- (viii) Learning, Aspiration and Communities Portfolio
(Councillor Pattison)
 - (ix) The Leader of the Council
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15: Minutes of Other Committees

129 -
204

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) Strategic Planning Committee
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16: 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)
- (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)
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17: 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.”

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 22 July 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.

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"
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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."
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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.”
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21: Motion submitted in accordance with Council Procedure Rule 14 as to Improving School Air Quality

To consider the following Motion in the names of Councillors Munro, Burke, Lawson, A Pinnock, K Pinnock, Iredale, Eastwood, P A Davies, A Smith and Marchington;

“This Council notes:

1. That clean air is one of the most fundamental requirements for a healthy environment;
2. That, according to Defra, the inhalation of particulate pollution can have adverse health impacts and there is ‘understood to be no safe threshold below which no adverse effects would be anticipated’.
3. That polluted air is a silent killer, with an estimated 28,000 – 36,000 deaths in the UK attributed to long-term exposure to air pollution. It also costs our health system between £8.5bn and £18.6 billion each year and has been linked to the development of a range of medical issues, including respiratory disease, coronary heart disease, lung cancer and dementia;
4. That road transport is the principal source of both particulate matter and nitrogen dioxide pollution;

5. That Kirklees Council has an Air Quality Action Plan which outlines the need to improve the physical infrastructure across the district to ensure that walking and cycling is easier. The Council has also declared a 'climate emergency' and established a councillor-led working party to identify practical measures to reduce emissions, take environmental considerations in mind when developing new policies and to propose targets for future action;
6. Public Health England's *Review of Interventions to Improve Outdoor Air Quality and Public Health* (2019) report, which outlines measures to tackle air pollution, including improving air quality at schools;
7. Some schools in Kirklees have expressed concern about the impact of air pollution on pupils and would be supportive of measures and initiatives to improve air quality.

This Council believes that:

Air pollution particularly affects the most vulnerable in society. It poses a serious threat to the health of children, whose lungs are still developing;

1. Local authorities, including Kirklees Council, have a hugely important role in tackling air pollution and improving air quality across the district. Children need to be a priority in improving air quality and the Council need to do more to tackle air pollution at schools across Kirklees to ensure that our children are healthy;
2. The Government's *Clean Air Strategy* (2019) has failed to show adequate leadership in tackling air pollution at a national level. Local authorities, including Kirklees Council, need to respond and shift their focus towards preventative measures in tackling air pollution, rather than being reactive;
3. The Council needs to develop a dialogue and work more closely with local schools and parents to discuss air quality issues. The Council understands that tackling air pollution can require a holistic approach;
4. It is important that the Council promotes sustainable active travel, including walking and cycling to schools;
5. There are opportunities for the Council to work with local schools to devise and implement new initiatives to tackle air pollution, including conducting school air quality audits; creating 'no idling zones' for motor vehicles outside schools; promoting 'School Streets' and 'Street Play'. It is also vital to regularly monitor air quality outside all schools across the

district.

This Council, therefore, resolves to:

1. Ask Cabinet to engage with local schools to prepare school air quality audits in order to help identify bespoke and tailored local measures to tackle toxic air pollution;
 2. Ask Cabinet to engage with schools to design and deliver air pollution campaigns that engage with and encourage pupils to learn about air pollution in their area;
 3. Ask Cabinet to consider pilot schemes to tackle air pollution at schools across Kirklees. This might include 'Street Play' and 'Car Free School Streets', which enables local authorities to use existing powers to allow temporary road closures outside schools. These types of initiatives cut down on traffic and parking pressures outside schools, provide greater opportunities for children to play outdoors, improve road safety and promote a healthy environment;
 4. Promote vehicle 'no idling' zones outside schools and ask Cabinet to investigate the possibility of implementing a programme of work to educate pupils and parents about the dangers of vehicle engine idling on health;
 5. Actively encourage local businesses to sponsor green walls and pollution-absorbing trees near schools"
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22: Motion submitted in accordance with Council Procedure Rule 14 as to Interest Rates Starving NHS Trusts

To consider the following Motion in the names of Councillors Munro, Burke, Lawson, A Pinnock, K Pinnock, Iredale, Eastwood, P A Davies, A Smith and Marchington:

"This Council notes that:

1. Following Freedom of Information requests by the national Liberal Democrat party, it has been revealed that health trusts across England have paid more than £607m in interest payments since 2013-14;
2. Calderdale and Huddersfield NHS Foundation Trust has paid at least £2,841,049 in interest on outstanding debt since 2013-14. Yorkshire Ambulance Service NHS Trust has paid £575,776 in interest, while Mid Yorkshire Hospitals NHS Trust has paid at least £4,734,551 in the same period;
3. NHS health trusts paid almost £63m of interest on outstanding

debt in 2013/14, rising dramatically to over £205m in 2017/18. NHS trusts across England are more than £1.2bn in debt;

4. Health trusts can request repayable loans from the Department of Health and Social Care if they face a shortfall in funding, but the Government charges interest of up to 6% on the loans. Currently, nearly a third of loans have rates of 3.5% or more;
5. The scheme of 'deficit loans', which requires health trusts to pay back the loans with interest, replaced the system of permanent public investment in 2014;
6. Kirklees Council has responsibility for improving local public health services. The *Health and Social Care Act 2012* conferred new duties on local authorities, including Kirklees Council, to improve public health as well as existing social care obligations, which are impacted by NHS services.

This Council believes that:

1. The excessive interest rates and the compounding lack of investment in our NHS is putting the future of health trusts, including Calderdale and Huddersfield NHS Foundation Trust, in jeopardy by forcing them to take out loans to stay afloat day-to-day and impacting the residents in Kirklees;
2. The budget deficits experienced by health trusts are often the result of underfunding, rather than overspending;
3. The current system of loans and interest payments does little to provide long-term planning or improve the quality of patient care. There need to be changes to the way that money moves around the NHS. The current system is forcing our local health trusts to make further cuts in spending on patients to pay interest charges. In doing so, it is undermining local health care across Kirklees.

This Council, therefore, resolves:

That the Leader of the Council writes to the Secretary of State for Health and Social Care, requesting an urgent review of the current system of loans and interest payments in the health sector."

By Order of the Council



Chief Executive