

# Public Document Pack

## Kirklees Council



Tuesday 2 February 2021

Dear Member

**A meeting of Council will take place remotely on Wednesday 10 February 2021 at 5.30 pm.**

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.

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**2: Apologies for absence**

Group Business Managers to submit any apologies for absence.

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**3: Minutes of Previous Meeting**

To agree and authorise the Mayor to sign the Minutes of Council held on 13 January 2021.

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#### **4: Declaration of Interests**

1 - 2

Councillors will be asked to say if there are any items on the Agenda in which they have a Disclosable Pecuniary Interest, which would prevent them from participating in any discussion or vote upon an item, or any other interests.

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#### **5: Budget 2021-2022**

To consider the recommendations of Cabinet (Budget) held on 26 January 2021, that;

(i) General Revenue Fund

- the draft Revenue Budget 2021/2022 be approved, as attached at Appendix A
- the forecast spending and funding plans for the 2022-2026 period, as set out at Appendix A, be noted
- the forecast levels of statutory and other Council reserves, as set out at Appendix Bii, be noted.
- the strategy for the use of balances and reserves be approved (paragraph 2.13 refers)
- the Council's participation in the Leeds City Region Business Rates Pool for 2021/22 be noted and that a further report be submitted to Cabinet in March 2021 to formally agree the new arrangements
- the 2020/21 Council tax base for the whole of the Kirklees area, and the Council tax bases for the five Parish and Town Councils for 2021/22, (Appendix Gi refers) be approved (as determined at Agenda Item 8 of Budget Cabinet meeting)\*
- the Council Tax requirement for 2021/2022 (Appendix Gii refers)\*\* be approved
- the Council's Statutory s151 Officer's positive assurance statement (paragraphs 3.3.1 - 3.3.19) be noted
- the Council's Statutory s151 Officer be given delegated authority to amend how the finally approved precepts are recorded in the Council's revenue budget in line with the final notifications received following decisions by the Office of Police and Crime Commissioner, the

Fire and Rescue Authority and Parish Councils should these be received after 10 February 2021 (paragraph 3.1.3 refers)

(ii) Treasury Management

- the borrowing strategy be approved (paragraphs 2.15 – 2.23 refer)
- the investment strategy be approved (paragraphs 2.24 – 2.33 refer)
- the policy for provision of debt (minimum revenue provision) be approved (paragraphs 2.34 – 2.38 and Appendix C refers)
- that paragraph 2.38 of the treasury management report be amended as follows ‘the Officer recommendation is to maximise the remaining balance of MRP unwind of £49.5m, over the 2020-2024 period to support the Council’s medium term budget strategy’.
- the treasury management indicators be approved (Appendix D refers)
- the Investment Strategy (Non Treasury Investments) be approved (Appendix E refers)

(iii) Capital

- the updated Capital Plan for 2020-2026 be approved (Appendix A refers)
- the capital strategy (including Prudential Indicators) be approved (Appendix E refers)

(iv) Housing Revenue Account

- the draft HRA budget for 2021/2022 be approved (Appendix A refers)
- the strategy for the use of HRA reserves be approved (Paragraph 2.15.5 refers)

Explanatory Note:

\*the report considering the Council Tax Base was taken as a separate item to Cabinet but will form Appendix Gi in the Budget Council papers

\*\* Appendix G of the Cabinet budget report becomes Appendix Gii in the Budget Council papers

Amendments will be published in accordance with Council Procedure Rule 19(4) on 3 February 2021.

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By Order of the Council

A handwritten signature in cursive script, appearing to read "J. Geelman".

Chief Executive

Contact Officer: Andrea Woodside

## **COUNCIL**

### **KIRKLEES COUNCIL**

**At the (Virtual) Meeting of the Council of the Borough of Kirklees held  
on Wednesday 13 January 2021**

## **PRESENT**

**The Mayor (Councillor Mumtaz Hussain) in the Chair**

## **COUNCILLORS**

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 Aafaq Butt	Councillor Andrew Cooper
Councillor Nosheen Dad	Councillor Paola Antonia Davies
Councillor Paul Davies	Councillor Richard Eastwood
Councillor Donald Firth	Councillor Eric Firth
Councillor Michelle Grainger-Mead	Councillor Charles Greaves
Councillor David Hall	Councillor Steve Hall
Councillor Lisa Holmes	Councillor Erin Hill
Councillor James Homewood	Councillor Yusra Hussain
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 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

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

Council were advised that former Councillor Sylvia Smithson who had represented the Almondbury Ward from 1995 to 2004 had recently passed away. Tributes were paid by Councillors K Pinnock, Marchington, Pandor and Cooper.

The Chief Executive provided an update on the latest Covid-19 situation and the Council's role in service delivery during the current restrictions. Council were reminded of public health advice that should be passed on in conversations with members of the public, and were advised of work that the Council were doing to support testing and the vaccination programme.

**2 Apologies for absence**

Apologies for absence were received on behalf of Councillors Iredale, O'Donovan and Patrick.

**3 Minutes of Previous Meeting**

**RESOLVED** – That the Minutes of the Meeting held on 25 November 2020 were approved as a correct record.

**4 Declaration of Interests**

No interests were declared.

**5 Children and Young People's Partnership Plan**

It was moved by Councillor Kendrick, seconded by Councillor Pattison, and

**RESOLVED** – That the Children and Young People's Partnership Plan 2020-2023 be endorsed.

**6 Half Yearly Monitoring on Treasury Management Activities**

It was moved by Councillor Turner, seconded by Councillor Pandor and

**RESOLVED** – That the Half Yearly Monitoring Report on Treasury Management Activity 2020/2021 be noted.

**7 Appointment of Chair of Standards Committee**

It was moved by Councillor Sokhal, seconded by Councillor Pandor and

**RESOLVED** – That Councillor Eric Firth be appointed as the Chair of Standards Committee for the remainder of the municipal year.

**8 Minutes of Cabinet and Cabinet Committee - Local Issues**

Council received the Minutes of the Meetings of (i) Cabinet held on 1 September 2020, 22 September 2020, 20 October 2020 and 23 October 2020, and (ii) Cabinet Committee – Local Issues held on 18 August 2020 and 12 October 2020.

9 **Oral Questions to the Leader and Cabinet Members**

Cabinet received the following oral questions;

**Question from Councillor Bolt**

“You are aware that after you delegated responsibility to respond on a matter relating to planning enforcement, your Cabinet Member said they thought staff were going above and beyond to deal with issues. Such a statement would suggest that matters are being dealt with fully and that applicants fully compliant with planning approval and all conditions. Sadly this is not the case. Therefore can I ask if you consider ‘above and beyond’ is a suitable and truthful description when dealing with an applicant for a major development who has failed to complete the development in line with the approved plans, for an applicant who has failed to discharge conditions as required and thus affects the safety of users and also adversely affects the reputation of this Council in the eyes of the public who are affected and aware of the issues?”

A response was provided by the Leader of the Council

**Question from Councillor A Smith**

“Whilst acknowledging the immense pressure that Officers have been operating under, we have been contacted by several local businesses who have experienced significant problems in accessing emergency grants recently. In some cases messages have been received that grants have been approved, the expectations raised that payments will be made imminently and in the event they were severely delayed. The Council have asked for a number of additional checks and supporting evidence to be provided with grant applications, which, why understandable has caused further delays and no doubt increased officer workloads. Businesses found it almost impossible to get updates from the team and turned to Councillors to try and make progress with claims to sheer desperation. These funds are a lifeline to many businesses particularly hospitality businesses that have been hit so hard by the restrictions we have had in Kirklees for many months. Could you please confirm if the additional checks or evidence required when mandated by Kirklees or central government, as feedback from some businesses were that some checks were not a requirement in other authorities? And could you also confirm what learning has been taken this time around that will inform any possible future grant application programmes?”

A response was provided by the Cabinet Member for Corporate Services (Councillor Turner)

**Question from Councillor Burke**

“Regarding accessible play areas in the Lindley ward, Huddersfield, I and colleagues Councillors Smith and Eastwood are contacted frequently by parents and carers frustrated and upset at the lack of accessible play areas and play equipment in the Lindley ward, and no doubt throughout Kirklees. We’ve been frustrated by the responses that we’ve received when raising these issues around

accessible play areas through Councillor Enquires with no commitment to do so and often talk of something will happen in the future.

Would you agree with me that this is totally unacceptable and that what we need to focus upon is projects that open up a wide range of play opportunities for all children and natural play areas that are accessible? Currently we create an environment that prevents many of our young people access to play equipment, play areas and open spaces.”

A response was provided by the Cabinet Member for Environment (Councillor Mather)

**Question from Councillor D Hall**

“Would the Leader agree with Keir Starmer that putting up council tax next month would be irresponsible?”

A response was provided by the Leader of the Council

**Question from Councillor Yusra Hussain**

“Regarding frontline workers, obviously during this pandemic they’ve been working tirelessly to try and provide health and social care to vulnerable adults, whether it may be for mental health or physical health. I just wanted some reassurances from Councillor Mather in regards to parking and if it doesn’t penalise our frontline workers especially?”

A response as provided by the Cabinet Member for Environment (Councillor Mather)

**Question from Councillor Cooper**

“In response to a Kirklees resident, who also happens to be a highways engineer, you said that the Edgerton Road section of the A629 road widening scheme, where you are going to chop down 126 trees is actually going to reduce carbon emissions. Is that just an assertion or are there are some robust calculations to justify your statement?”

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

**Question from Councillor Marchington**

“I am seeking some reassurances please as to what is happening to the plastic waste that is collected in Kirklees. The European Union was moving to ban the export of unsorted plastic waste to non EC countries but from 1 January that standard no longer applies to the UK. The UK standard applied is much lower than that so we could be exporting unsorted waste to countries outside the EU from the UK which fills me with some concern. So, some reassurances about what is happening to the waste from Kirklees and a view on the lower standard that the UK appears to be applying?”



## **Council - 13 January 2021**

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Davies)

### **Question from Councillor Munro**

“This Council declared a climate emergency in 2018 which included a statement on air quality. With this in mind and in light of the recent high profile case concerning the death of a young girl that was attributed to polluted air from motor vehicles, please can you tell me why the Council did not insist on an air quality report to be submitted with a planning application for a substantial no. of houses in Lepton that lie close to Penistone Road when all the other usual assessments were requested, or why the Council are happy to accept a report on our air quality on a second development in Fenay Bridge 20 metres from Penistone Road which is inconclusive and the Council acknowledged the risk to residents from air pollution. Do you think this is acceptable?”

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

### **Question from Councillor Lukic**

“If council tax in Kirklees is increased by 5%, it would mean an overall increase of 26% over 5 years, more than double the rate of earnings, growth or inflation. I recognise that the Government shares responsibility for the state of local government finances, but earlier in response to Councillor Hall you implied that increasing the tax by a lesser amount would put this Council at risk of collapse. Can I confirm for absolute clarity, because this is an incredibly serious implication, whether you stand by that implication and that our citizens should therefore expect a minimum increase of 5% to their council tax bills even though they’ve just endured one of their most difficult years?”

A response was provided by the Leader of the Council.

### **Question from Councillor Thompson**

“First of all, I’d like to know why in KNH we are still doing sign ups when there is absolutely no delivery of allocations, so we’re building up the expectations of potential residents, and residents that are moving internally as far as sign-ups are concerned but we’re not delivering on any allocation whatsoever. Also, the estate officers that work very hard to make sure that the residents of particular estates are looked after, and their care and needs, are now often taken from normal duties, such as walk arounds for the reasons of safety, and are placed in testing stations and in the past doing leaflet handouts for covid and so how unsafe would estate officers be doing solitary walk arounds, making sure the estates and residents are being looked after on a continual basis by KNH. Would their time not be better spent attempting to do the best for the residents that we have within Kirklees? And then the next is, as far as equality is concerned – within KNH property services has a thankyou letter and a voucher for £25 sent to them over Christmas but the rest of KNH, in particular the estate managers, received no thank you and these people

were actually reallocated into covid taskforce work and trying to keep up with their day to day work as well which I find stretches the inequalities as far as the department is concerned.

A response was provided by the Cabinet Member for Housing and Democracy (Councillor Scott)

**Question from Councillor R Smith**

“As the Leader often quotes Robert Jenrick in our meetings, I will remind him that recently Mr Jenrick said that authorities were not under any obligation to increase bills, I’m referring to council tax. So, the people of Kirklees no longer accept this dodging by the administration blaming the government for their incompetence in setting and maintaining a prudent budget. I will ask again, will the Leader of the Council commit to a minimal council tax increase in this year’s budget given the hardship being faced by so many Kirklees residents?”

A response was provided by the Leader of the Council

**Question from Councillor Simpson**

“Can the Cabinet Member provide an update on the transpennine upgrade to our local rail network?”

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

**10 Minutes of Other Committees**

Council received the following minutes; (i) Corporate Governance and Audit Committee held on 22 July 2020 and 23 September 2020 (ii) Corporate Parenting Board held on 1 July 2020 and 30 September 2020 (iii) Health and Wellbeing Board held on 16 July 2020 and 17 September 2020 (iv) Overview and Scrutiny Management Committee held on 20 August 2020 and 29 October 2020 (v) Personnel Committee held on 5 March 2020 and (vi) Standards Committee held on 11 March 2020.

**11 Oral Questions to Chairs of Committees, Sub Committees and Panels, and Spokespersons of Joint Committees/External Bodies**

Chairs of Committees, Sub Committees and Panels, and Spokespersons of Joint Committees/External Bodies received the following questions;

**Question from Councillor Bolt to the Chair of Corporate Governance and Audit Committee (Councillor Simpson)**

“As Chair of the Committee responsible for Corporate Governance, do you think the decisions should be made in open, following consultation and not behind closed doors, and not just informing people when they’ve been done. I’m aware of a significant change in the administration of the planning process which has been brought in with no public consultation to the detriment of the whole borough. Do you think this is good?”

The Chair replied thereto

**Question from Councillor J Taylor to the Spokesperson for West Yorkshire Combined Authority (Councillor Pandor)**

“As you know, I’m very keen to see improvements in the Penistone line which I believe is one of the key railways in our borough. I’ve been working with our local MPs and there has been liaison with Dan Jarvis MP to look at proposals to bring improvements to the Penistone line and to secure funding from the government. There have also been meetings with the railway minister. Will you support, at the WYCA, proposals to improve the service on the Penistone line, specifically looking at ways in which we can move from an hourly service to a half hourly service by improving the number of passing places on the line which will enable that half hourly service

The Spokesperson replied thereto

**Question from Councillor McGuin to the Chair of Strategic Planning Committee (Councillor S Hall)**

“What input did the Committee have into the decision about publicising people’s objections to planning decisions? Did they have any role in the decision to make the addresses of the objectors known?”

The Chair replied thereto

**Question from Councillor Smaje to the Chair of Strategic Planning Committee (Councillor S Hall)**

“With regards to publicising objector addresses on planning applications, just because other West Yorkshire authorities do this doesn’t mean we should necessarily do it. Until we can get it clarified can we suggest that there is a suspension putting people’s addresses on their comments, until we can find a system that works for Kirklees?”

The Chair replied thereto

**Question from Councillor Lukic to the Spokesperson for West Yorkshire Combined Authority Transport Committee (Councillor Homewood)**

“Do you agree that the sudden permanent closure of Dewsbury bus station travel centre by Arriva Yorkshire should be condemned and does WYCA commit to providing a staffed travel centre at the same time as the redevelopment of the bus station?”

The Spokesperson replied thereto

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<b>KIRKLEES COUNCIL</b>			
<b>COUNCIL/CABINET/COMMITTEE MEETINGS ETC</b>			
<b>DECLARATION OF INTERESTS</b>			
Council			
Name of Councillor			
<b>Item in which you have an interest</b>	<b>Type of interest (eg a disclosable pecuniary interest or an "Other Interest")</b>	<b>Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]</b>	<b>Brief description of your interest</b>

Signed: ..... Dated: .....

## NOTES

### Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.