



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

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## Decision Summary

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**COUNCIL**

**WEDNESDAY 17 NOVEMBER 2021**

**Andrea Woodside**

**01484 221000**

### **Chair**

Councillor Nigel Patrick

### **Councillors Attended**

Councillor Masood Ahmed  
Councillor Karen Allison  
Councillor Bill Armer  
Councillor Timothy Bamford  
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 Donald Firth  
Councillor Eric Firth  
Councillor Charles Greaves  
Councillor Adam Gregg  
Councillor David Hall  
Councillor Steve Hall  
Councillor Lisa Holmes  
Councillor Erin Hill  
Councillor James Homewood  
Councillor Mumtaz Hussain  
Councillor Yusra Hussain  
Councillor Robert Iredale  
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 Matthew McLoughlin  
Councillor Alison Munro  
Councillor Darren O'Donovan  
Councillor Shabir Pandor  
Councillor Carole Pattison  
Councillor Mussarat Pervaiz  
Councillor Amanda Pinnock  
Councillor Andrew Pinnock  
Councillor Jackie Ramsay  
Councillor Elizabeth Reynolds  
Councillor Cathy Scott  
Councillor Joshua Sheard  
Councillor Will Simpson  
Councillor Elizabeth Smaje  
Councillor Anthony Smith  
Councillor Richard Smith  
Councillor Mohan Sokhal  
Councillor Melanie Stephen  
Councillor John Taylor  
Councillor Mark Thompson  
Councillor Sheikh Ullah  
Councillor Harpreet Uppal  
Councillor Lesley Warner  
Councillor Paul White  
Councillor Habiban Zaman

### **Apologies**

Councillor Mahmood Akhtar, Councillor Kath Pinnock, Councillor Mohammad Sarwar, Councillor Kath Taylor and Councillor Michael Watson

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

To receive any announcements from the Mayor and Chief Executive.

The Mayor conveyed thanks to all Councillors who had laid wreaths on behalf of the Mayor on at Remembrance Sunday events.

The Chief Executive provided an update on security in response to heightened levels of concerns, and Councillors were encouraged to attend a training session on 29 November regarding personal safety issues.

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## **2: Apologies for absence**

Group Business Managers to submit any apologies for absence.

Apologies for absence were received from Councillors Akhtar, K Pinnock, Sarwar, K Taylor and Watson.

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

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

Approved as a correct record.

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## **4: Declaration of Interests**

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

Councillor Butt declared an 'other' interest in Agenda Item 18 – Motion as to Smokefree Fund 2030 on the grounds that he is employed by a pharmaceutical company.

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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 Burke submitted a petition requesting road resurfacing at Yew Tree Road, Lindley.

Councillor E Firth submitted a petition requesting traffic calming measures at Princess Lane, Dewsbury.

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

Council will receive any petitions and hear any deputations from members of the public in accordance with Council Procedure Rules 9 and 10.

A deputation is where up to five people can attend the meeting and make a presentation on a particular issue of concern. A member of the public can also hand in a petition at the meeting, relevant to the powers and responsibilities of

Council.

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) Keith Mallinson with regards to traffic congestion surrounding Bywell Road, Dewsbury. A petition requesting the provision of a traffic light system at the junction of Bywell Road and Leeds Road (A653) as also submitted.

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

(ii) Aziz Daji with regards to the need for highway repairs at Warwick Road, Batley, requesting (i) the implementation of action points arising from an earlier site visit to assess the highways concerns, and (ii) a review of the Council's complaints process.

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

In accordance with Council Procedure Rule 9(3) the Mayor directed that the subject matter of the submitted petition (at (i) above) be referred to the appropriate Service Director for investigation.

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## **7: Public Question Time**

The Committee will hear any questions from the general public in accordance with Council Procedure Rule 11.

Council received the following questions;

(i) Question from David Heathcote

'Who was consulted on the active travel route that will convert Occupation Road in Lindley to a one-way system and what other options were considered?'

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

(ii) Question from Steve Slator

'In regards to the A629 Halifax Road Phase 5 Scheme, given that the primary relevant supporting document, the Air Quality Assessment, does not support the Council's bold claims on air quality, what evidence is the Council relying on?'

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

(iii) Question from Steve Slator

'In regards to the A629 Phase 5 Scheme, and the claim by Cllr McBride that the impact of the scheme is enormous, in the absence of supporting evidence in the carbon impact assessment, what evidence is the Council relying on for its claims of overall carbon savings?'

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

(iv) Question from Hasan Badat

'How has the Council addressed, and how is the Council addressing, the issues of institutional racism?'

A response was provided by the Leader of the Council.

(v) Question from Greg Christofi

'With regards to the loading/unloading area restrictions on Victoria Street, Holmfirth, what is the Council going to do about the impact that this is having on local businesses?'

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

(vi) Question from Kiran Kaur

'In regards to the removal of the loading facilities at Victoria Street, Holmfirth, and the dangers now arising from this, how will the risks be mitigated?'

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

(vii) Question from Aziz Daji

'What action are you going to take on the twenty action points referred to in my earlier deputation?'

A response was provided by the Leader of the Council.

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

To receive the Minutes of the Meeting of West Yorkshire Combined Authority held on 9 September 2021.

The Minutes of the Meeting of West Yorkshire Combined Authority, held on 9

September 2021, be received and noted.

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**9: Youth Justice Plan (Reference from Cabinet)**

To consider the approval of the Youth Justice Plan 2021 – 2025.

Contact: Ian Mottershaw, Head of Service – Contextual Safeguarding and Youth Engagement

RESOLVED –

- 1) That the recommendation of Cabinet to approve the Youth Justice Plan 2021-2025 be agreed.
  - 2) That authority be delegated to the Service Director (Family Support and Child Protection) to make any minor amendments to the plan within the 2021-2025 period of the plan.
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**10: Network Rail - Trans-Pennine Route Upgrade Transport and Works Act Order submission Update: Council Withdrawal of Objection**

To receive the report.

Contact: Richard Hollinson, Head of Major Projects

It was agreed that the report be noted and that the matter be referred to the Economy and Neighbourhoods Scrutiny Panel for inclusion within the work programme.

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**11: 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.

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

Written questions as submitted were received under Council Procedure Rule 12.

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**12: Minutes of Cabinet**

To receive for information; the Minutes of Cabinet held on 21 September, 5 October and 12 October 2021.

The Minutes of the Meetings of Cabinet held on 21 September, 5 October and

### **13: Holding the Executive to Account**

- (a) To receive Portfolio Updates from the Cabinet Members for (i) Culture and Greener Kirklees (Councillor Simpson) and (ii) Children's Services (Councillor Kendrick)
- (b) To receive 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 / Housing and Democracy Portfolio (Councillor Scott)
  - (iii) Children's Portfolio (Councillor Kendrick)
  - (iv) Corporate Portfolio (Councillor P Davies)
  - (v) Culture and Greener Kirklees Portfolio (Councillor Simpson)
  - (vi) Environment Portfolio (Councillor Mather)
  - (vii) Health and Social Care Portfolio (Councillor Khan)
  - (viii) Learning, Aspiration and Communities Portfolio (Councillor Pattison)
  - (ix) Regeneration Portfolio (Councillor McBride)
  - (x) Town Centres (Councillor E Firth)

Due to time constraints, Part A was not considered.

Council received oral questions to Cabinet Members at Part B.

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### **14: Minutes of Other Committees**

- (i) Corporate Governance and Audit Committee
- (ii) Overview and Scrutiny Management Committee
- (iii) Standards Committee
- (iv) Strategic Planning Committee

Item not considered due to time constraints.

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

To receive oral questions in accordance with Council Procedure Rule 13 (4):

- (a) Appeals Panel (Councillor Ramsay)
- (b) Corporate Governance and Audit Committee (Councillor Y Hussain)
- (c) Corporate Parenting Board (Councillor Reynolds)

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

Item not considered due to time constraints.

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## **16: Motion submitted in accordance with Council Procedure Rule 14 as to Principal Area Boundary Review of Kirklees Council**

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

“The Local Government Boundary Commission for England (LGBCE) undertakes periodic electoral governance reviews of Kirklees Council which consider how many wards are required and what their boundaries should be, how many councillors are needed to support the arrangements and how frequently elections should be held. It is noted that discussions are currently being undertaken to set a commencement date for this electoral review.

In addition to an electoral review, this Council wants to undertake a Principal Area Boundary Review (PABR) to specifically consider splitting Kirklees Council and creating a new Council for North Kirklees / central West Yorkshire, which may also incorporate settlements from neighbouring authorities.

This Council directs cabinet to make this intention clear in discussions with the Local Government Boundary Commission for England and to request a PABR to be undertaken alongside or in advance of the Electoral review, to consult neighbouring authorities as to their views on the creation of a new council and to update Council on progress by the 16<sup>th</sup> March 2022.”

Item not considered due to time constraints.

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**17: Motion submitted in accordance with Council Procedure Rule 14 as to Community Governance Review of Town, Parish and Community Councils within the Borough of Kirklees**

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

“The last full review of the governance arrangements for Town, Parish and Community Councils within the Borough of Kirklees was undertaken in 2009, with a commitment for an updated review to be undertaken by 2019. The recommendations of the Kirklees Democracy Commission, the changes to UK politics, the move towards community and place-led working and the desire for Neighbourhood plans all point to a desire for greater involvement in local decision-making.

A Kirklees-wide CGR can help to establish residents’ views on how they want to be represented, whether they wish to create new local councils or to alter the existing ones, as well as to commence the statutory process for making these changes.

This Council directs Cabinet to undertake a Community Governance Review at its earliest opportunity, to make this intention clear in discussions with the Local Government Boundary Commission for England, and to update Council on progress by the 16<sup>th</sup> March 2022.”

Item not considered due to time constraints.

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**18: Motion submitted in accordance with Council Procedure Rule 14 as to Support for Smokefree Fund 2030**

To consider the following Motion in the names of Councillors Khan, Pandor, Scott, Greaves, White and Lyons;

**This Council notes that:**

- On 9th June 2021, All-Party Parliamentary Group (APPG) on Smoking and Health launched its report and recommendations for the forthcoming Tobacco Control Plan to secure the Government’s ambition of a Smokefree country by 2030. On 10th June there was a Westminster Hall debate on APPG recommendations. The recommendations included a “Smokefree Fund” secured through a polluter pays amendment to the Health and Social Care Bill.
- The next Tobacco Control Plan for England is expected before the end of 2021
- The Government’s ambition is that by 2030 less than 1 in 20 people in England will smoke

- It is recognised that achieving a smokefree 2030 will be ‘extremely challenging’, particularly in areas of deprivation and among people living with mental health conditions and will require ‘bold action to both discourage young people from starting in the first place, and to support smokers to quit’. In the two years since the ambition was stated, an estimated 200,000 children under the age of 16 have started smoking, two thirds of who will without action, become regular smokers.
- Fluctuations in desire to quit and success at quitting, have taught us that sustained declines in smoking prevalence are only achieved when action is systematic, co-ordinated and properly resourced.
- The Chief Medical Officer, Professor Chris Whitty, pointed out recently, this is an industry that kills people for profit, and more people are likely to have died last year and this year from smoking than COVID-19.
- Smoking not only kills people prematurely, but it also drives them into poverty and reduces healthy life expectancy, with smokers needing help with everyday tasks 7 years earlier than those who’ve never smoked. But this burden is not equal. Smoking is concentrated among disadvantaged groups locking in poverty and poor health across the generations.
- In 2019 the smoking rate in Kirklees is 14.3%, which is above the national average of 13.9%. The highest rates of smoking in Kirklees are in the wards with the highest levels of deprivation. Dewsbury West, (17.1%) Dewsbury East (15.8%) and Batley West (15.8%) and Batley East (15.9%).
- The total additional spending on social care in Kirklees as a result of smoking for adults aged 50 and over in 2021 was approximately: £9,162,617. Please see the Action on Smoking (ASH) Social Care cost calculator available at <https://ash.org.uk/information-and-resources/reports-submissions/reports/costtosocialcare/>
- Kirklees Council Public Health supports the work of Breathe2025, Yorkshire and Humber’s tobacco control collaboration through the tobacco community of improvement in partnership with PHE and other LA’s. Through working together, we are better at achieving our aims of a smokefree generation.

### **This Council resolves:**

- To commit to registering support as a council to the ASH Smokefree Roadmap to achieving a smokefree society by 2030, already supported by over 74 organisations, including; Sheffield City Council, Gateshead Council, Newcastle City Council, North Tyneside Council, South Tyneside Council, West Yorkshire and Harrogate ICS, Greater Manchester Combined Authority, Cancer Research UK, Royal College of General Practitioners, Faculty of Public Health, Association of Directors of Public Health, Royal College of Physicians, The Health Foundation, Royal Society for Public Health,

NCSCT (National Centre for Smoking Cessation and Training)

Full List and pledge at <https://smokefreeaction.org.uk/smokefree2030/>

- To write to all local MPs to ask them to sign up to the pledge publicly and work with the council on achieving its aims.
- To ask the Cabinet to review the Tobacco Control Plan for England (expected to be released in October 2021) and agree a position on behalf of the Council.

Item not considered due to time constraints.

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## **19: Motion submitted in accordance with Council Procedure Rule 14 as to Increasing the Warm Home Discount Scheme**

To consider the following Motion in the names of Councillors Munro and Iredale;

### **This Council notes:**

- 1) The Warm Home Discount Scheme, which is a Government-led initiative providing eligible households with a £140 discount on their electricity bill between September and March each year. This is a one-off discount which is administered by energy suppliers;
- 2) The £140 discount has remained fixed for over 9 years;
- 3) There have been huge rises in energy prices in recent years, with the costs of energy increasing by 40% in the last year alone. Additionally, Ofgem has recently set an unprecedented price cap hike. According to the End Fuel Poverty Coalition, Ofgem's price cap hike could propel a further 1.2 million people in to fuel poverty (rising from 4.1 million to 5.3 million);
- 4) The publication of the Government's Energy White Paper (December 2020). Earlier this year, the Government also consulted on proposals to reform the Warm Home Discount Scheme in England and Wales until 2026. The Government has pledged to increase the size of individual rebates from £140 to £150 and expand the scheme so that an additional 780,000 households receive rebates off their energy bills each winter.

### **This Council believes:**

- 1) That the Warm Home Discount is vital in helping to tackle fuel poverty. The rebate helps households that struggle to keep warm pay for their energy;
- 2) That it's essential for households to be able to heat their homes to a safe level. Too many households are forced to make decisions about whether to heat or to eat;

- 3) The Government's proposed changes to increase the Warm Home Discount Scheme by only £10 is insufficient given that energy prices have risen higher in recent years and are likely to continue to increase. The Warm Home Discount Scheme has not kept up with the times and unless the rebate is increased further, many families will suffer and will struggle to keep warm. The Warm Home Discount Scheme should also be better designed, so that more eligible households are aware about the discount and there are more channels to apply for it.

**This Council resolves:**

That the Leader of the Council writes to the Minister of State at the Department for Business, Energy & Industrial Strategy, the Rt Hon Greg Hands MP, to urgently review and update the Warm Home Discount Scheme, to ensure the scheme is fit-for-purpose and that the rebate better reflects the rapid rises in energy costs, while also reviewing and updating the scheme so that it is better designed, to help ensure more households are aware about it.

Item not considered due to time constraints.

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