

# Kirklees Council



Main Hall - Town Hall, Huddersfield

Tuesday 8 March 2022

Dear Member

**The Council will meet on Wednesday 16 March 2022 at 5.30 pm in the Main Hall - 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.

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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**

1 - 14

To agree and authorise the Mayor to sign the Minutes of Council held on 16 February 2022.

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**4: Declaration of Interests**

15 - 16

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.

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**5: 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.

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**6: Public Question Time**

The Committee will hear any questions from the general public.

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**7: Petitions (From Members of the Council)**

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

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

17 - 44

To receive the Minutes of the Meeting of West Yorkshire Combined Authority held on 22 October 2021 and 9 December 2021.

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**9: New Inclusion and Diversity Strategy 2021-23 Recovery Through Inclusion and Annual Report 2020-2021 (Reference from Cabinet)** 45 - 102

To consider the Council's Inclusion and Diversity Strategy 2021-23, and to note the Inclusion and Diversity 2020-21 Annual Report.

Contact: David Bundy – Corporate Policy Officer, Policy, Partnerships and Corporate Planning

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**10: Pay Policy Statement (Reference from Personnel Committee)** 103 - 120

To consider the Pay Policy Statement 2022-2023.

Contact: Deborah Lucas, Head of People Services

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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.

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**12: Minutes of Cabinet and Cabinet Committee - Local Issues** 121 - 156

To receive for information; the Minutes of (i) Cabinet held on 16 November 2021, 14 December 2021, 18 January 2022 and 1 February 2022 and (ii) Cabinet Committee – Local Issues held on 8 October 2021.

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

157 -  
270

- (i) Corporate Governance and Audit Committee
  - (ii) Corporate Parenting Board
  - (iii) Health and Wellbeing Board
  - (iv) Overview and Scrutiny Management Committee
  - (v) Personnel Committee
  - (vi) Standards Committee
  - (vii) Strategic Planning Committee
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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)
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## **16: Motion submitted in accordance with Council Procedure Rule 14 as to Smokefree Pledge**

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:

- (i) 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/>

(ii) 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

(iii) To ask the Cabinet to review the Tobacco Control Plan for England (which is yet to be released) and agree a position on behalf of the Council”

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**17: Motion submitted in accordance with Council Procedure Rule 14 as to the Adoption of the All-Party Parliamentary Group (APPG) on British Muslims' definition of Islamophobia**

To consider the following Motion in the names of Councillors Pandor, Scott, Lawson, Marchington, Cooper and Greaves;

“This Council notes the Motion to adopt the All-Party Parliamentary Group (APPG) on British Muslims’ definition of Islamophobia - “Islamophobia is rooted in racism and is a type of racism that targets expressions of Muslimness or perceived Muslimness” - together with the explanatory guidelines put forward by the Coalition Against Islamophobia.

- Islamophobia is a growing issue, both locally and nationally, as Muslims were targeted in 45% of all religious hate crime offences recorded in England and Wales in 2020/21, meaning they experience far more religiously motivated hate crime than any other group.
- That 75 academics, over 750 Muslim organisations and institutions, Plaid Cymru, the Labour Party (England & Scotland), the Liberal Democrats (England & Scotland), the SNP, the Scottish Conservatives, the Scottish Greens, 50 councils nationwide and many more have adopted the APPG definition of Islamophobia.
- As per the Public Sector Equality Duty enshrined in the 2010 Equality Act, the council must give due regard to the need to eliminate unlawful discrimination and advance equality of opportunity for members of communities with a protected characteristic, including Muslims, such that they are able to participate in society on an equal footing with their non-Muslim counterparts.
- Islamophobia is one of the principal barriers to the participation of Muslims in public, economic, political, and social spheres of life and must urgently be addressed.

This Council believes that:

- Adopting a definition of Islamophobia is essential to tackling Islamophobia in a targeted and effective manner.

- Without a definition of Islamophobia, one cannot identify how Islamophobia manifests itself and functions and therefore, cannot devise meaningful strategies to address it.
- The APPG definition should be accompanied by the Coalition Against Islamophobia's explanatory guidelines to provide a more holistic understanding of Islamophobia, which can be accessed online.

This Council therefore resolves to:

- Work with Communities and all relevant stakeholders to both raise awareness of the issues surrounding Islamophobia and to challenge and tackle instances of Islamophobia.
- Write to Government urging the adoption of the APPG definition of Islamophobia”

## **18: Motion submitted in accordance with Council Procedure Rule 14 as Definition of Antisemitism**

To consider the following Motion in the names of Councillors Pandor, Scott, D Hall, J Taylor, Lawson, Marchington, Cooper and Greaves;

“This Council notes with concern that the Community Security Trust has reported a huge increase in antisemitic hate crime in 2021.

The Council therefore welcomes the UK Government's announcement on December 11th, 2016, that it will sign up to the internationally recognised International Holocaust Remembrance Alliance (IHRA) guidelines on antisemitism. The Council also notes that the new definition has been adopted by the Government, Labour Party, Scottish and Welsh Assemblies, Greater London Authority and Greater Manchester Combined Authority along with numerous other Councils across the country.

The Council notes the definition reads as follows: -:

**“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”**

The guidelines highlight manifestations of antisemitism as including:

- Calling for, aiding, or justifying the killing or harming of Jews in the name of a radical ideology or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Jews as such or the power of Jews as collective — such as, especially but not exclusively, the myth about a world



Jewish conspiracy or of Jews controlling the media, economy, government, or other societal institutions.

- Accusing Jews as a people of being responsible for real or imagined wrongdoing committed by a single Jewish person or group, or even for acts committed by non-Jews.
- Denying the fact, scope, mechanisms (e.g., gas chambers) or intentionality of the genocide of the Jewish people at the hands of National Socialist Germany and its supporters and accomplices during World War II (the Holocaust).
- Accusing the Jews as a people, or Israel as a state, of inventing or exaggerating the Holocaust.
- Accusing Jewish citizens of being more loyal to Israel, or to the alleged priorities of Jews worldwide, than to the interests of their own nations.
- Denying the Jewish people their right to self-determination, e.g., by claiming that the existence of a State of Israel is a racist endeavour.
- Applying double standards by requiring of it behaviour not expected or demanded of any other democratic nation.
- Using the symbols and images associated with classic antisemitism (e.g., claims of Jews killing Jesus or blood libel) to characterize Israel or Israelis.
- Drawing comparisons of contemporary Israeli policy to that of the Nazis.
- Holding Jews collectively responsible for actions of the state of Israel.”

This Council believes that everyone is equal irrespective of their race or religion. This means that all forms of hate crime must be condemned.

This Council welcomes the cross-party support within the Council for combating antisemitism in all its manifestations.

This Council therefore resolves to adopt the above definition of antisemitism as set out by the International Holocaust Remembrance Alliance and pledges to combat this pernicious form of racism.”

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**19: 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 at the next Ordinary meeting of Council.”

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**20: 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 at the next Ordinary meeting of Council.”

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## **21: Motion submitted in accordance with Council Procedure Rule 14 as to Tackling Speeding and Reviewing Road Safety Measures**

To consider the following Motion in the names of Councillors J Taylor and D Hall;

“This Council notes that:

Concerns about speeding across Kirklees is one of the issues raised most frequently with elected members particularly in villages and other residential areas.

The responsibility for addressing speeding is split with enforcement the responsibility of West Yorkshire Police, whilst the operational priorities are set by the West Yorkshire Mayor.

The criteria for installing a speed camera are set out in the 2007 Department of Transport Circular and implementation of this sits with the West Yorkshire Casualty Reduction Partnership.

The responsibility for monitoring speeds and for road safety sits with Kirklees Council.

A review of speed limits across the district was initiated by the Council in 2019 but the final report has not yet been made public and there have been no indication if any recommendations contained in it have been, or will be, actioned.

The speed indicator devices which were deployed across the borough and used to highlight speeds in speeding hotspots were withdrawn by the Council in 2020 and have not yet been re-introduced.

This Council therefore resolves to:

a) Write to the West Yorkshire Mayor and ask her to update the Council on her plans for addressing speeding across Kirklees and to provide quarterly updates on progress.

b) Write to the Secretary of State for Transport to ask him to review the criteria for the installation of speed cameras under the 2007 Circular to reflect the highlighted concerns locally with regard to continued speeding.

c) Undertake a review of road safety and speeding reduction plans in Kirklees by 1 September 2022 and publish the results of this including proposed outcomes and how these will be measured”

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## **22: Motion submitted in accordance with Council Procedure Rule 14 as to the Ukraine**

To consider the following Motion in the names of Councillors Pandor, Scott, D Hall, J Taylor, Lawson, Marchington, Cooper and Greaves;

“This Council condemns the illegal invasion of Ukraine and expresses its solidarity with the Ukrainian people.

Kirklees stands united with its residents of Ukrainian heritage and will continue to support them as this crisis unfolds.

The council is grateful for the generosity shown by the people of Kirklees who have supported appeals for humanitarian assistance since the conflict began.

The council will continue to support local communities and organisations who have been affected by the conflict.

The council reaffirms Kirklees’ status as a place of welcome and sanctuary for refugees and urges the government to set out a comprehensive and humane refugee scheme for people displaced by the Ukraine conflict as a matter of urgency.”

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## **23: Motion submitted in accordance with Council Procedure Rule 14 as to Kirklees Council's Local Plan**

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

“This Council notes that:

- 1) Local authorities, including Kirklees Council, are responsible for identifying housing need in their areas. The National Planning Policy Framework sets out an approach to identifying ‘objectively assessed housing need’. Government guidance in the National Planning Practice policy outlines a recommended approach to determining ‘objectively assessed need’ through a Strategic

Housing Market Assessment' (SHMA). This guidance is based on outdated ONS population data from 2014;

- 2) Kirklees Council, like other local authorities, has set out a vision for future development in the borough through its Local Plan. This outlines the Council's housing and industry development strategy for the borough, including a target to build 31,140 new homes between 2013 and 2031 and is based on ONS data predictions on population growth in 2014, as recommended by the Government;
- 3) Kirklees Local Plan was adopted in February 2019;
- 4) There is a requirement for local authorities, including Kirklees Council, to review whether their local plans need updating at least once every 5 years, taking into account changing circumstances affecting the area or any relevant changes in national policy. The National Planning Policy Framework states that relevant strategic policies will need updating at least once every 5 years if their applicable local housing need figure has changed significantly.

This Council believes that:

- 1) There is a lack of clarity in the Government guidance to local authorities on calculating 'objectively assessed need';
- 2) Current national planning policy and strategy prioritises arbitrary and often inflated housing targets over local circumstances and local need. Local authorities, including Kirklees Council, are required to release land for development to ensure that housing targets are met. This is problematic, as local authorities are responsible for meeting the housing targets and are compelled, through national policy, to release more land for development in a bid to meet the targets. Creating higher than necessary housing targets mean that local authorities are required to identify additional sites for housing development. Inevitably, this means additional housing on inappropriate sites in the countryside, with developers often deciding to maximise profits and build on greenbelt land rather than brownfield land;
- 3) The housing figures set out in local plans are often unrealistic, which developers do not have the will or the capacity to meet. The outcome is that building rates stay low and housing targets are missed, while greenbelt land is built on and brownfield land remains vacant. When housing targets for building new homes are missed, this can result in reduced local planning control and greenbelt land being unnecessarily lost;
- 4) Housing targets are based on 2014 ONS data which may be considered flawed, with unreliable numbers and a flawed methodology. It is a 'top-down approach' which imposes housing

targets on local authorities and is not being balanced with a consideration of environmental constraints and housebuilder capacity and does not result in proper planning for infrastructure;

- 5) While Kirklees Council should review its Local Plan at the first opportunity to ensure that it reflects local need and is based on up-to-date population projections, it is guided by national planning policy. The Government had previously committed to the introduction of the Planning Bill, which would reform the planning system and impact on local plans, including Kirklees Council's Local Plan. However, there has been a lack of progress with the legislation and this uncertainty has been unhelpful. The Council needs greater clarity and guidance from Government.

This Council, therefore, resolves that:

The Leader of the Council writes to the Rt Hon Stuart Andrew MP, the Minister of State for Housing, to provide clarity on the Government's intentions to reform the planning system and revise reliance on outdated 2014 ONS data to better reflect current population growth."

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## **24: Motion submitted in accordance with Council Procedure Rule 14 as to Community Pharmacies**

To consider the following Motion in the names of Councillors Munro and P A Davies;

"This Council notes that:

- 1) Community pharmacies are a critical part of primary care and perform a vital frontline health service. They have also played a significant role in supporting and caring for patients during the pandemic and have remained accessible to the public at a time when many people have been unable to access local GP services;
- 2) Community pharmacies have long been a common fixture of many high streets. For many people, the local pharmacist is the first point of care and many of us access pharmacies for a wide range of health services. Community pharmacy is not just about being a dispenser and retailer of medicines. As part of the NHS Long Term Plan to improve the quality of care within the primary care sector, the role of community pharmacy has expanded to meet the growing demand, whereby pharmacies are commissioned to provide services based on locally identified needs;
- 3) The Company Chemists' Association has revealed a shortfall of over 3,000 community pharmacists in England, a number

which has increased over the last 5 years. In November 2021, around 1,700 pharmacies experienced forced temporary closures due to a lack of pharmacists. The shortfall will cause almost a fifth of businesses to limit their services, including reduced opening hours;

- 4) Many pharmacies have been forced to close across the country in recent years and this includes pharmacies in Kirklees. NHS data has revealed that England saw a net loss of 215 pharmacies in 2020/21, resulting in the lowest number of community pharmacies since 2015;
- 5) A Chemist & Druggist (C+D) survey in 2021 found that pharmacies are struggling to recruit and retain staff. 74% of pharmacy branch managers said that they have experienced difficulties in recruiting pharmacists and pharmacy staff and 61% said they had difficulty retaining staff in 2021.

This Council believes that:

- 1) Any pharmacy closure is a loss to the community it serves. The closure of community pharmacies is putting additional pressure on GP practices and A&E departments;
- 2) Pharmacies are experiencing significant recruitment and retention issues. There may be a number of reasons for this, including significant responsibility and pressure for staff in work, an increasing workload during the Covid-19 pandemic and also pay levels not being competitive. Many pharmacists are leaving their roles for better pay and working conditions elsewhere. However, the workforce issues facing the sector may also be due, in part, to Brexit, which has seen a drop in EEA pharmacists registering in the UK, and also the recruitment of pharmacists into primary care networks (PCNs) and GP surgeries;
- 3) The Government's plans to channel patients from GPs to pharmacists is likely to fail, unless the workforce shortfall crisis is addressed;
- 4) The Government needs to recognise the pressures pharmacies face and provide better support to ensure that recruitment and retention issues and challenges are addressed. Solutions need to be deep-rooted and long-term. This means investment, but it also means collaboration across the primary care sector. Addressing these challenges will help prevent further closures of pharmacies across Kirklees and across the country.

This Council, therefore, resolves that:

The Leader of the Council will write to the Rt Hon Sajid Javid MP,

Secretary of State for Health and Social Care, to demand that the Government devises an evidence-led national workforce plan for community pharmacies to help tackle recruitment and retention issues.”

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By Order of the Council

A handwritten signature in black ink, appearing to read "J. Geelman". The signature is written in a cursive style with a large initial "J" and a long, sweeping underline.

Chief Executive