



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

**Julie Muscroft**

Governance and Commissioning

PO Box 1720

Huddersfield

HD1 9EL

**Tel:** 01484 221000

## **Decision Summary**

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**COUNCIL**

**WEDNESDAY 9 NOVEMBER 2022**

**Andrea Woodside**

**01484 221000**

### **Chair**

Councillor Masood Ahmed

### **Councillors Attended**

Councillor Karen Allison

Councillor Ammar Anwar

Councillor Bill Armer

Councillor Timothy Bamford

Councillor Cahal Burke

Councillor Aafaq Butt

Councillor Martyn Bolt

Councillor Andrew Cooper

Councillor Moses Crook

Councillor Nosheen Dad

Councillor Paola Antonia Davies

Councillor Paul Davies

Councillor Eric Firth

Councillor Adam Gregg

Councillor David Hall

Councillor Steve Hall

Councillor Tyler Hawkins

Councillor Lisa Holmes

Councillor James Homewood

Councillor Yusra Hussain

Councillor Manisha Roma Kaushik

Councillor Musarrat Khan

Councillor Jo Lawson

Councillor John Lawson

Councillor Vivien Lees-Hamilton

Councillor Susan Lee-Richards

Councillor Gwen Lowe

Councillor Aleks Lukic

Councillor Andrew Marchington  
Councillor Naheed Mather  
Councillor Harry McCarthy  
Councillor Tony McGrath  
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 Kath Pinnock  
Councillor Jackie Ramsay  
Councillor Elizabeth Reynolds  
Councillor Cathy Scott  
Councillor Joshua Sheard  
Councillor Will Simpson  
Councillor Anthony Smith  
Councillor Elizabeth Smaje  
Councillor Richard Smith  
Councillor Mohan Sokhal  
Councillor Mark Thompson  
Councillor Graham Turner  
Councillor Sheikh Ullah  
Councillor Michael Watson  
Councillor Adam Zaman  
Councillor Habiban Zaman

### **Apologies**

Councillor Donald Firth, Councillor Charles Greaves, Councillor Viv Kendrick, Councillor Fazila Loonat, Councillor Fran Perry, Councillor Mohammad Sarwar, Councillor Melanie Stephen, Councillor John Taylor, Councillor Kath Taylor, Councillor Lesley Warner and Councillor Paul White

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

To receive any announcements from the Mayor and Chief Executive.

There were no announcements.

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## **2: Apologies for absence**

Group Business Managers to submit any apologies for absence.

Apologies for absence were received on behalf of Councillors D Firth, Greaves, Loonat, Kendrick, Perry, Sarwar, Stephen, J Taylor, K Taylor, Warner and White.

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

To agree and authorise the Mayor to sign the Minutes of Council held on 12 October 2022.

Approved as a correct record.

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

Councillors will be asked to advise 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.

No interests were declared.

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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.

No petitions were received.

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

Council will receive any petitions and/or 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 (any petition should relate to a matter 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.

Council received deputations from;

- (i) Akhtar Kasia on behalf of Downs and Special Friends, Batley, to raise awareness of the organisation.

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

- (ii) Hasan Badat on behalf of Snowdon Masjid with regards to future plans and the planning of provision for burials in Batley and the wider North Kirklees area.

A response was provided by the Cabinet Member for Culture and

## 7: Public Question Time

Council will receive any questions from the public in accordance with Council Procedure Rule 11.

Under the provisions of Council Procedure Rule 11, Council received the following public questions;

- (i) Question from Zahir Kahut (on behalf of Dewsbury Multi Faith Action Group)

'What factors does the Council take into consideration when deciding on burial space, and what provisions, plans and strategies does the Council have to cater for this need beyond the next 18 months?'

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

- (ii) Question from Heather Peacock

'We are absolutely delighted that the 88 trees at Blackler Road junction are safe. With 38 trees to be felled further along the A629, is the planned woodland at Ainley Top still going ahead? This new woodland was to include 650 young trees and species rich hedge rows?'

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

- (iii) Question from Hasan Badat

'Why are these meetings not held in the other end of the Borough? There should be buildings available to at least have, on an alternating basis, such meetings like this. Has anyone been looking into this, the Councillors of North Kirklees? Are there any plans to have this meeting in the North Kirklees area?'

A response was provided by the Leader of the Council.

- (iv) Question from Mohammed Javid

'If there are 1000 unconfirmed burial spaces and it's a short term solution to serve a large population, does the Council intend to make an exhaustive effort to provide residents with a municipal cemetery as a solution, and if there are 1000 spaces are they owned by the Council?'

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

(v) Question from Councillor Sajid Hussain

‘Does the Council acknowledge and understand the concerns of various faiths and communities in Kirklees regarding burial space? If so, can the Council summarise their approach and understanding of this?’

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

(vi) Question from Halib Akbar (on behalf of Dewsbury Cemetery Action Group)

‘Councillor Simpson earlier said that there are 1000 spaces, then conceded that half are on Council owned land and half are elsewhere. If this refers to private land that is not managed by the Council, why is it being included in the municipal cemetery of Dewsbury? Could you clarify whether municipal space is 500 or 1000, and is it sufficient to serve the Dewsbury community which is a larger population?’

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

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## **8: Overview and Scrutiny Annual Report 2021/2022**

To receive the Overview and Scrutiny Annual Report.

Contact: Leigh Webb, Governance Manager

Council received and noted the Overview and Scrutiny Annual Report 2021/2022.

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## **9: 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.

Council received written questions in accordance with Council Procedure Rule 12.

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## **10: Minutes of Cabinet and Cabinet Committee - Local Issues**

To receive the minutes of the meetings of Cabinet held on 5 September and 21 September 2022.

Council received and noted the Minutes of Cabinet held on 5 September and 21 September 2022.

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

(a) To receive portfolio updates from (i) the Leader of the Council in regards to collaborative working West Yorkshire Combined Authority and (ii) the Cabinet Member with responsibility for Armed Forces (Cllr Mather).

(b) To receive oral questions/comments to Cabinet Members on their portfolios and relevant Cabinet Minutes;

- The Leader of the Council (Councillor Pandor)
- The Deputy Leader of the Council / Housing and Democracy Portfolio (Councillor Scott)
- Children's Portfolio (Councillor Kendrick)
- Corporate Portfolio (Councillor P Davies)
- Culture and Greener Kirklees Portfolio (Councillor Simpson)
- Environment Portfolio (Councillor Mather)
- Health and Social Care Portfolio (Councillor Khan)
- Learning, Aspiration and Communities Portfolio (Councillor Pattison)
- Regeneration Portfolio (Councillor Turner)
- Transport (Councillor E Firth)

Council received updates from the Leader of the Council and the Cabinet Member for Environment, followed by oral questions.

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## **12: Minutes of Other Committees**

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

Item not considered (due to time constraints).

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## **13: 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):

- Appeals Panel (Councillor Reynolds)

- Corporate Governance and Audit Committee (Councillor Hussain)
- Corporate Parenting Board (Councillor Kendrick)
- Health and Wellbeing Board (Councillor Kendrick)
- Licensing and Safety Committee - including Licensing and Regulatory Panel (Councillor A U Pinnock)
- Overview and Scrutiny Management Committee (Councillor Smaje)
- Personnel Committee (Councillor Pandor)
- Planning Sub Committee - Heavy Woollen Area (Councillor Lowe)
- Planning Sub Committee - Huddersfield Area (Councillor Ullah)
- Scrutiny Panel – Childrens (Councillor Marchington)
- Scrutiny Panel – Corporate (Councillor J Taylor)
- Scrutiny Panel - Economy and Neighbourhoods (Councillor Hussain)
- Scrutiny Panel – Health and Adult Social Care (Councillor Ramsay)
- Standards Committee (Councillor J D Lawson)
- Strategic Planning Committee (Councillor S Hall)
- Kirklees Active Leisure (Councillor Sokhal)
- West Yorkshire Combined Authority (Councillor Pandor)
- West Yorkshire Combined Authority Transport Committee (Councillor Butt)
- West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
- West Yorkshire Joint Services Committee (Councillor Zaman)
- West Yorkshire Police and Crime Panel (Councillor Sokhal)

Item not considered (due to time constraints).

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**14: 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.

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 31 January 2023 and publish the results of this including proposed outcomes and how these will be measured.”

Item not considered (due to time constraints).

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## **15: Motion submitted in accordance with Council Procedure Rule 14 as to a Renewable Energy Strategy for Kirklees**

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

This Council believes;

That, if Kirklees is to play its part in achieving the Paris Climate targets, meet its net zero target by 2030 and address the cost of living crisis, we need to reduce energy demand through energy efficiency measures such as retrofitting homes and other buildings; and to significantly raise the amount of energy we produce from renewable sources.

Having more of our energy produced from renewable sources helps us control costs by having secure forms of energy generated locally. Energy security means that the UK is less at the mercy of dubious and undemocratic regimes with poor human rights records that are often the suppliers of fossil fuels.

This Council resolves to ask Kirklees Cabinet to:

- i) Conduct an audit of the potential for renewable energy installations and energy efficiency measures on all Council land and property, draw up a priority list for installations based on the most potential to save energy and generate clean energy, and present it to the Cabinet within 6 months.
- ii) Develop a financial case to install solar photovoltaics on all new build Council owned buildings where technically feasible, recognising that integrated roof systems are cheaper to install than retrofitting solar systems after construction
- iii) Create a Local Area Energy Plan for Kirklees that has the buy-in of the wider



community and lead a local area energy planning process that involves both the network operators and other key stakeholders, including developers, energy experts and community energy groups

iv) Investigate establishing strategic partnerships with renewable and energy efficiency installers to help ensure certainty on cost and delivery of measures and report back to Full Council within 6 months.

v) Maximise external funding to finance installations using Government, WYMCA and any ethical sources.

vi) Encourage wider community investment in local renewable energy projects through a range of measures including but not limited to Community Share Offers and Municipal Bonds

vii) Develop a proposal for a compelling offer for private householders and Landlords to support the installation of solar photovoltaics and high cost energy efficiency measures.

viii) Encourage best practice in Planning to support renewable energy installations by developers and to create a low carbon energy supply;.

ix) Encourage renewable and energy efficiency skills by establishing links and relationships between our partners in the Renewable Energy and Energy Efficiency sectors with appropriate local training and education providers.

x) Ensure training opportunities and new skills are included in all projects and contracts related to energy efficiency and renewables should include commitments from contractors on providing training opportunities and new skills for local people. Funding from WYMCA to support training and skills should be utilised to support this proposal.

xi) The Council should require new energy generation projects of 5MW or above to have at least 5% local ownership.

Item not considered (due to time constraints).

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## **16: 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 was a lack of progress with the legislation. Now the Government have introduced the Levelling Up and Regeneration Bill. The Bill introduces a number of reforms to the planning system, but the finer detail is unknown. The Bill is currently progressing through Parliament in the early stages and is currently at the Committee stage;

6) The Council needs greater clarity and guidance from Government.

This Council, therefore, resolves that:

- 1) All Kirklees party leaders be invited to sign a letter to the Secretary of State for Levelling Up, Housing and Communities, to ask them to address the reliance on outdated 2014 data in the absence of the provision of clear guidance to better reflect local population growth;
- 2) Council officers be instructed to commence a review of the Kirklees Local Plan at the earliest opportunity."

Item not considered (due to time constraints).

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## **17: Motion submitted in accordance with Council Procedure Rule 14 as to Investment Zones**

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

"This Council notes that:

- 5) On the 23<sup>rd</sup> of September this year, the former Chancellor of the Exchequer, Kwasi Kwarteng, announced the Government's intention to set up 'Investment Zones' across the country as part of his 'mini-budget' and as part of the Government's 'pro-growth' agenda;
- 6) The Government has claimed that the Investment Zones are designated sites which will allow businesses in these areas to benefit from time-limited tax incentives. The Government has also claimed that they would streamline planning rules, help to deliver investment, accelerate housebuilding and infrastructure development, and create new jobs;
- 7) Mayoral combined authorities, upper tier local authorities and unitary authorities have been invited to submit expressions of interest to apply to host Investment Zones in their areas. Council notes that Kirklees Council submitted an expression of interest before the deadline;
- 8) The Government's plan to create Investment Zones across the country is controversial and has been subject to criticism from a range of national organisations, including nature charities such as The Wildlife Trusts and the Royal Society for the Protection of Birds (RSPB) as well as conservation charities such as the National Trust.

This Council resolves that:

The matter is debated at Council before Cabinet makes any decision about next steps and whether Investment Zones are implemented in Kirklees.”

Item not considered (due to time constraints).

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