



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

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Governance and Commissioning

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

COUNCIL

WEDNESDAY 7 DECEMBER 2022

Andrea Woodside

01484 221000

Chair

Councillor Cahal Burke

Councillors Attended

Councillor Karen Allison

Councillor Ammar Anwar

Councillor Bill Armer

Councillor Timothy Bamford

Councillor Aafaq Butt

Councillor Martyn Bolt

Councillor Andrew Cooper

Councillor Moses Crook

Councillor Nosheen Dad

Councillor Paola Antonia Davies

Councillor Paul Davies

Councillor Donald Firth

Councillor Eric Firth

Councillor Charles Greaves

Councillor Adam Gregg

Councillor Steve Hall

Councillor Tyler Hawkins

Councillor Lisa Holmes

Councillor James Homewood

Councillor Yusra Hussain

Councillor Manisha Roma Kaushik

Councillor Viv Kendrick

Councillor Musarrat Khan

Councillor Fazila Loonat

Councillor Jo Lawson

Councillor John Lawson

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 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 Anthony Smith
Councillor Elizabeth Smaje
Councillor Melanie Stephen
Councillor Mohan Sokhal
Councillor John Taylor
Councillor Mark Thompson
Councillor Sheikh Ullah
Councillor Michael Watson
Councillor Paul White
Councillor Adam Zaman
Councillor Habiban Zaman

Apologies

Councillor Masood Ahmed (Chair), Councillor David Hall, Councillor Vivien Lees-Hamilton, Councillor Susan Lee-Richards, Councillor Alison Munro, Councillor Darren O'Donovan, Councillor Fran Perry, Councillor Kath Pinnock, Councillor Mohammad Sarwar, Councillor Richard Smith, Councillor Kath Taylor, Councillor Graham Turner and Councillor Lesley Warner

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive.

The Deputy Mayor conveyed apologies on behalf of the Mayor, and advised that, in the absence of the Mayor, he would Chair this meeting of Council.

The Deputy Mayor advised that Agenda Item 11 would be considered immediately after Agenda Item 7.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

Apologies for absence were received on behalf of Councillors Ahmed, D Hall, Lee-Richards, Lees-Hamilton, Munro, O'Donovan, Perry, K Pinnock, Sarwar, R Smith, K Taylor, Turner and Warner.

3: Minutes of Previous Meeting

To agree and authorise the Mayor to sign the Minutes of Council held on 9 November 2022.

RESOLVED – That the Minutes of the Meeting held on 9 November 2022 be approved as a correct record subject to the deletion of the word 'Councillor' prior to the name 'Sajid Hussain' in Minute No. 80 (v).

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.

5: Petitions (From Members of the Council)

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

Council received a petition from Councillor P A Davies, opposing the closure of Tolson Museum.

In accordance with Council Procedure Rule 9 (3), the subject matter of the petition was referred to the Strategic Director (Environment and Climate Change) for investigation.

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.

A deputation was received from Clem Bacon in respect of Agenda Item 8 – Climate Change Action Plan.

7: Public Question Time

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

No questions were asked.

8: Climate Change Action Plan (Reference from Cabinet)

To consider the Climate Change Action Plan.

Contact: Shaun Berry/Robert Green, Climate Change

RESOLVED –

- 1) That the Climate Change Action Plan, as set out at Appendix 1, be approved.
 - 2) That authority be delegated to the Strategic Director (Environment and Climate Change) in consultation with the Cabinet Member for Culture and Greener Kirklees to (i) progress the steps as set out in the Action Plan, specifically those as set out at para. 8.2 of the report (ii) make any minor alterations to the Action Plan and next stages of action planning (iii) procure external support in the delivery of the next stages of action planning where required and (iv) apply for and accept external funding in accordance with Financial Procedure Rules for the delivery of actions within the Climate Change Action Plan.
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9: Proposed Change to Date of Budget Council Meeting 2023 (Reference from Corporate Governance and Audit Committee)

To consider the report.

Contact: Samantha Lawton, Head of Governance

RESOLVED –

- 1) That the date of the Council's 2023 Budget Meeting be moved from 22 February to 8 March.
 - 2) That the meeting of Council on 15 March 2023 be cancelled.
 - 3) That the meeting of Council on 11 January 2023 be a Holding Executive to Account Meeting.
 - 4) That the meeting of Council on 22 February 2023 be a Key Discussion Meeting.
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10: 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 Questions 1 to 7.

The remainder will be dealt with in accordance with Council Procedure Rule 12 (8).

11: Key Discussion - Elected Mayor (West Yorkshire Combined Authority)

The Elected Mayor (West Yorkshire Combined Authority) will be present for the Council's Key Discussion debate, which will include an update on the Elected Mayor's current priorities.

The Elected Mayor of West Yorkshire provided an overview of her current priorities, prior to a question and answer session.

12: 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).

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

To consider the following Motion submitted 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).
