



**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 11 JANUARY 2023

Andrea Woodside

01484 221000

Chair

Councillor Masood Ahmed

Councillors Attended

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 Donald Firth

Councillor Eric Firth

Councillor Charles Greaves

Councillor Adam Gregg

Councillor David Hall

Councillor Steve Hall

Councillor Tyler Hawkins

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

Apologies

Councillor Karen Allison, Councillor Lisa Holmes, Councillor Alison Munro, Councillor Fran Perry, Councillor Kath Pinnock, Councillor Mohammad Sarwar and Councillor Kath Taylor

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive.

The Mayor announced the death of former Councillor and Mayor, Barbara Allonby.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

Apologies for absence were received on behalf of Councillors Allison, Holmes, Munro, Perry, K Pinnock, Sarwar and K Taylor.

3: Minutes of Previous Meeting

To agree and authorise the Mayor to sign the Minutes of Council held on 7 December 2022.

Approved as a correct record.

4: Declaration of Interests

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.

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.

None received.

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

Council 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.

Council received deputations in accordance with Council Procedure Rule 10(2).

No petitions were received.

7: Public Question Time

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

Council received public questions in accordance with Council Procedure Rule 11.

8: Half Yearly Monitoring on Treasury Management Activities 2022/2023 (Reference from Cabinet)

To note the report.

Contact: James Anderson, Head of Accountancy

RESOLVED – That the half yearly monitoring report on treasury management activities 2022/2023 be noted.

9: Committee System Proposal - Democracy Commission (Reference from Corporate Governance and Audit Committee)

To consider the report.

Contact: Samantha Lawton, Head of Governance

RESOLVED -

1) That the recommendation of Corporate Governance and Audit Committee as set out below, be adopted;

1. The Council continues to adopt the retention of the current model of governance (Cabinet Strong Leader Model) with the suggested improvements set out below: -
 - (i) Improvements to enhance and improve pre-decision scrutiny to include reviewing the current scrutiny panels
 - (ii) Clear guidance as far as reasonably practicable in defining pre-decision scrutiny and associated timelines
 - (iii) Annual training and work programme briefings provided to all Members of the Council's Scrutiny Panels.
 - (iv) Providing clear information to Members and officers on the benefits of pre decision scrutiny and to ensure there is an understanding of the requirements to engage in early pre-decision scrutiny to enhance good decision making
3. The Council recognises that good scrutiny and decision making relies on the provision of transparent, accessible information in a timely manner and supports the development of sharing information to raise awareness, increase understanding of and ensure clarity for Members and Officers

around scrutiny, Access to Information Rules and the sharing of information.

4. That Cabinet be requested to increase dialogue on key strategic issues with Members to increase transparency and develop both formal and informal engagement with Members.
 5. That consultation be undertaken with Group Business Managers and Members, to identify any potential barriers preventing some Members being appointed to Committees/Panels such as timing, frequency, location, format of meetings and any actions appropriately co-ordinated.
 6. That information be communicated to all Members (across different roles) in relation to engagement with the decision-making process, including access to information rules, scrutiny, raising a notice of concern, speaking and questioning rights at committees.
 7. That work is considered to explore enhancing training and development for Councillors to help understand and carry out their roles.
 8. To note and thank Mark Edgell and the Local Government Association for the advice, report and recommendations which has provided the panel with an independent starting point for the review by the Commission.
 9. To note and thank the Local Authorities and stakeholders who gave their time and shared their experiences with the Commission.
 10. That the Democracy Commission undertake a review of the implementation of the recommendations and report back to the Corporate Governance an Audit Committee by March 2024
- 2) That authority be delegated to the Head of Governance to scope and implement the recommendations in consultation with the Chair of Democracy Commission and Chair of Overview and Scrutiny.

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 13.

Questions 14, 15 and 16 will be dealt with under Council Procedure Rule 12 (8).

11: Minutes of Cabinet and Cabinet Committee - Local Issues

To receive the minutes of the meetings of (i) Cabinet held on 11 October and 16 November 2022 and (ii) Cabinet Committee – Local Issues held on 2 November 2022.

Item not considered (due to time constraints).

12: Holding the Executive to Account

(a) To receive a portfolio update from the Cabinet Member for Health and Social Care (Councillor Khan).

(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)

Item not considered (due to time constraints).

13: Minutes of Other Committees

- (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

Item not considered (due to time constraints).

14: 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).

15: Motion submitted in accordance with Council Procedure Rule 14 as to Renewable Energy Strategy

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).

16: 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 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 and heavier reliance is to be placed on them involving patient referrals from overstretched GP surgeries;
- 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, there were an estimated 1,700 forced closures of pharmacies due to a lack of pharmacists. Research by the Company Chemists' Association also found that between 2015 and 2022, over 40% of permanent community pharmacy closures took place in the 20% most deprived parts of England;
- 4) NHS data has revealed that England saw a net loss of 215 pharmacies in 2020/21, resulting in the lowest number of community pharmacies in six years. There have also been a number of pharmacy closures across Kirklees in recent years;
- 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 more pressure on GP practices and A&E departments;
- 2) The Government's plans to channel patients from GPs to pharmacists is likely to fail unless the workforce shortfall crisis is addressed;
- 3) Pharmacies are experiencing significant recruitment and retention issues. Many pharmacists are leaving the profession for a number of reasons, including the working environment, an increasing workload since the start of the Covid-19 pandemic, low remuneration and pay levels not being competitive and because they are forced to subsidise the cost of drugs themselves due to shortfalls in NHS funding levels for drugs. Many pharmacists are leaving their roles for better pay and working conditions elsewhere;

- 4) The Government needs to recognise the pressures pharmacies face and provide better support and funding to ensure that recruitment and retention issues and challenges are addressed. This 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 Steve Barclay MP, Secretary of State for Health and Social Care, to demand that the Government devises an evidence-led workforce plan for community pharmacies to help tackle recruitment and retention issues.”

Item not considered (due to time constraints).

17: Motion submitted in accordance with Council Procedure Rule 14 as to Kirklees Local Plan

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

“This Council notes that:

- 6) 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;
- 7) 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;
- 8) Kirklees Local Plan was adopted in February 2019;
- 9) 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:

- 5) There is a lack of clarity in the Government guidance to local authorities on calculating ‘objectively assessed need’;

- 6) 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;
- 7) 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;
- 8) 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;
- 10) 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).

