



**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 12 JULY 2023

Andrea Woodside

01484 221000

Chair

Councillor Cahal Burke

Councillors Attended

Councillor Beverley Addy

Councillor Masood Ahmed

Councillor Itrat Ali

Councillor Karen Allison

Councillor Zarina Amin

Councillor Ammar Anwar

Councillor Bill Armer

Councillor Donna Bellamy

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 Manisha Roma Kaushik

Councillor Viv Kendrick

Councillor Musarrat Khan

Councillor Jo Lawson

Councillor John Lawson

Councillor Susan Lee-Richards
Councillor Andrew Marchington
Councillor Naheed Mather
Councillor Harry McCarthy
Councillor Tony McGrath
Councillor Bernard McGuin
Councillor Hannah McKerchar
Councillor Matthew McLoughlin
Councillor Paul Moore
Councillor Alison Munro
Councillor Darren O'Donovan
Councillor Shabir Pandor
Councillor Carole Pattison
Councillor Mussarat Pervaiz
Councillor Amanda Pinnock
Councillor Andrew Pinnock
Councillor Elizabeth Reynolds
Councillor Imran Safdar
Councillor Cathy Scott
Councillor Joshua Sheard
Councillor Anthony Smith
Councillor Elizabeth Smaje
Councillor Mohan Sokhal
Councillor John Taylor
Councillor Mark Thompson
Councillor Graham Turner
Councillor Sheikh Ullah
Councillor Adam Zaman
Councillor Habiban Zaman

Apologies

Councillor Timothy Bamford, Councillor Lisa Holmes, Councillor Yusra Hussain, Councillor Vivien Lees-Hamilton, Councillor Gwen Lowe, Councillor Kath Pinnock, Councillor Jackie Ramsay, Councillor Will Simpson, Councillor Richard Smith and Councillor Melanie Stephen

1: Announcements by the Mayor and Chief Executive

To receive any announcements from the Mayor and Chief Executive.

The Mayor presented Councillor Masood Ahmed with a commemorative yearbook in respect of his year in Mayoral Office, 2022-2023.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

Apologies for absence were received on behalf of Councillors Amin, Bamford, Holmes, Hussain, Lees-Hamilton, Lowe, K Pinnock, Ramsay, Simpson, Stephen and R Smith.

3: Minutes of Previous Meeting

To agree and authorise the Mayor to sign the Minutes of Annual Council held on 24 May 2023.

RESOLVED – That the Minutes of the Meeting of Annual Council held on 24 May 2023 be approved as a correct record.

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 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.

No petitions were received.

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 submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the Public must submit a deputation in writing, at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

Council received deputations from (i) Gez Walsh, on behalf of Platform 1 (ii) Dave Minich, on behalf of Cleckheaton Folk Festival and (iii) Janet Foggin, on behalf of Cleckheaton and Spensborough Amateur Operatic and Dramatic Society.

7: Public Question Time

To receive any public questions.

In accordance with Council Procedure Rule 11, the period for the asking and answering of public questions shall not exceed 15 minutes.

Any questions must be submitted in writing at least three clear working days in advance of the meeting.

No questions were asked.

8: West Yorkshire Combined Authority - Minutes

To receive the Minutes of the Meetings of the West Yorkshire Combined Authority held on 8 December 2022, 2 February 2023 and 8 December 2023.

Received and noted.

9: Pay Policy Statement (Reference from Personnel Committee)

To consider the Annual Pay Policy Statement.

Contact: Shauna Coyle, Head of People Services

RESOLVED – That the Pay Policy Statement be approved, in accordance with the Localism Act 2011.

10: Council Financial Outturn and Rollover Report 2022/2023 (Reference from Cabinet)

To consider the report.

Contact: James Anderson, Head of Accountancy

RESOLVED –

- 1) That, in regards to the General Fund, (i) the revenue outturn position for 2022/2023 including Cost of Living Impacts be noted (ii) the application of the Council's flexible capital receipts strategy to the value of £2.9m applied against eligible transformation in 2022/2023; as approved in the 2023/2024 Annual Budget Report (March 2023) be noted (iii) the Government's £13.5m funding contribution on 31 March 2022 towards the Council's Dedicated School's Grant deficit be noted (iv) the year end position on corporate reserves and balances be noted (v) the proposed use of pre-existing reserves be reaffirmed and the proposed use of new reserves (section 1.9 of the report refers) be endorsed and (vi) it be noted that regular monitoring and review of corporate reserves in 2023/2024 will be reported to Cabinet as part of the quarterly financial monitoring cycle.
- 2) That the year end position on the Collection Fund be noted.

- 3) That the Housing Revenue Account outturn and reserves position 2022/2023 be noted.
- 4) That, in regards to the Capital budget, (i) the Council capital outturn position for 2022/2023 be noted (ii) the £34.5m capital rollover from 2022/2023 to 2023/2024 be approved (iii) approval be given to the revised capital plan for the period 2023/2024 onwards after taking into account rollover, the rephasing of schemes and changes to grant assumptions (iv) £0.9m for replacement parking ticket machines (£0.3m 2023/2024, £0.6m 2024/2025) be approved (v) £0.5m for the land acquisition and development of new burial provision in North Kirklees be approved (£0.1m feasibility 2023/2024 / £0.4m land acquisition 2024/2025) (vi) approval be given to an additional £0.5m funding for the existing New Street Public Realm Project, in order to complete the landscaped public space contributing to the delivery of the Huddersfield Blueprint (vii) approval be given to £1m top slice of the Cultural Heart programme for internal fees, transfer of £1.7m from Huddersfield Southern Corridors to manage the overspend for the A62 Smart Corridor, and £60k for Accessibility to Public Spaces and Places project, all with net nil borrowing additionality.
- 5) That the Review of Treasury Management activity 2022/2023 be noted.

11: Council Plan (Reference from Cabinet)

To consider the report.

Contact: Stephen Bonnell, Partnerships and Corporate Planning

RESOLVED –

- 1) That the Council Plan, as attached at Appendix 1 of the report, be adopted and included in the Policy Framework for the Council, setting the overarching strategic direction for the services and activities relating to the business of the Council.
- 2) That any required amendments be delegated to the Service Director (Strategy and Innovation) in consultation with the Leader of the Council.

12: Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons

To receive written questions to the Leader, Cabinet Members and 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 as tabled.

13: Minutes of Cabinet and Cabinet Committee - Local Issues

To receive the Minutes of (i) Cabinet held on 21 December 2022, 17 January 2023, 14 February 2023, 21 February 2023, 14 March 2023 and 11 April 2023 and (ii) Cabinet Committee - Local Issues held on 19 December 2022.

Received and noted.

14: Holding the Executive to Account

- (a) To receive a portfolio update from the Leader of the Council.
- (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)
 - Culture and Greener Kirklees Portfolio (Councillor Mather)
 - Corporate Portfolio (Councillor P Davies)
 - Environment Portfolio (Councillor Ahmed)
 - Health and Social Care Portfolio (Councillor Khan)
 - Learning, Aspiration and Communities Portfolio (Councillor Pattison)
 - Regeneration Portfolio (Councillor Turner)
 - Transport Portfolio (Councillor E Firth)

Council received (i) a portfolio update from the Leader of the Council and (ii) oral questions to the Leader and Cabinet Members.

15: Minutes of Other Committees

- (a) Corporate Governance and Audit Committee
- (b) Corporate Parenting Board
- (c) Health and Wellbeing Board
- (d) Licensing and Safety Committee
- (e) Overview and Scrutiny Management Committee
- (f) Personnel Committee
- (g) Standards Committee
- (h) Strategic Planning Committee

Received and noted.

16: 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 Homewood)
- 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 Cooper)
- Scrutiny Panel – Environment and Climate Change (Councillor Ramsay)
- Scrutiny Panel – Growth and Regeneration (Councillor Hussain)
- Scrutiny Panel – Health and Adult Social Care (Councillor Armer)
- Standards Committee (Councillor Crook)
- Strategic Planning Committee (Councillor S Hall)
- Kirklees Active Leisure (Councillor Sokhal)
- West Yorkshire Combined Authority (Councillor Pandor)
- West Yorkshire Combined Authority Transport Committee (Councillor Anwar)
- West Yorkshire Fire and Rescue Authority (Councillor O'Donovan)
- West Yorkshire Joint Services Committee (Councillor H Zaman)
- West Yorkshire Police and Crime Panel (Councillor H Zaman)

Council received an oral question prior to the termination if the meeting in accordance with Council Procedure Rule 16:2.

17: Motion submitted in accordance with Council Procedure Rule 14 as to the Ending of the Practice of Using Council Street Furniture for the Displaying of Election Posters

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

“This Council notes that:

The ‘Election Campaign Material Policy’ (last updated 24 January 2023) currently allows for small posters to be placed on the authority’s lamp posts.

The use of election posters on street furniture is mixed across Kirklees and political parties and there is no discernible correlation between those areas where posters are used and increased engagement or turnout. The policy distracts both Police and Council resources in needing to police it and where posters are used it can leave a place looking very untidy, especially when posters become defaced, damaged or start to peel. There are also issues about fairness in that posters cannot be installed in areas where streetlights are

hosted in other ways, such as on telegraph poles, which means some more rural parts of the borough do not have the same level of Council support.

Their use is often hotly objected to by residents, especially where the poster is from a candidate the resident does not support, generating further work for Council Officers. Whilst there was a place for this type of advertising in the past, the current proliferation of media which are open to candidates to communicate their message to the electorate means that this is no longer the effective medium it may have been.

Furthermore, the Council does an excellent job in letting the public know when there is an election, and does so through a wide variety of media, as does the press, social media and political parties.

Removing the ability to erect posters on Council owned assets allows the following benefits:

- Reduces workload for Council staff and Police.
- Reduces the use of single use plastic (cable ties), which are often left to pollute the environment or remain around the lamppost.
- Frees up time for candidates and activists to engage with the public directly.
- Removes the health & safety issues and road safety issues associated with the erection and removal of posters. Frees up election expenses to be used to communicate directly with the electorate.

This Council therefore resolves to update the 'Election Campaign Material Policy' to remove the ability for parties to use Council street furniture for the displaying of election posters."

Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).

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

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 (Meeting terminated in accordance with Council Procedure Rule 16:2).

19: Motion submitted in accordance with Council Procedure Rule 14 as to Local Government Pay to Council : A Fully Funded, Proper Pay Rise for Council and School Workers

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

“This Council notes:

Local government has endured central government funding cuts of more than 50% since 2010. Between 2010 and 2020, councils lost 60p out of every £1 they have received from central government. Councils across England are now facing a collective funding gap of £2.4bn for the financial year 2023/24 and a cumulative funding gap of £4.08bn for 2024/25 according to UNISON research.

Councils led the way in efforts against the Covid-19 pandemic, providing a huge range of services and support for our communities. Local government has shown more than ever how indispensable it is. But Covid has led to a massive increase in expenditure and loss of income, and as we emerge from the pandemic, local authorities and schools need far more support from Westminster. Recent funding announcements from the Government relating to schools did nothing to help.

Council and school workers kept our communities safe through the pandemic, often putting themselves at considerable risk as they work to protect public health, provide quality housing, ensure our children continue to be educated, and look after older and vulnerable people.

Since 2010, the local government workforce has endured years of pay restraint with the majority of pay points losing at least 25 per cent of their value since 2009/10. Staff are now facing the worst cost of living crisis in a generation, with inflation hitting 10% and many having to make impossible choices between food, heating and other essentials. This is a terrible situation for anyone to find themselves in.

At the same time, workers have experienced ever-increasing workloads and persistent job insecurity. Across the UK, 900,000 jobs have been lost in local government since June 2010 – a reduction of more than 30 per cent. Local government has arguably been hit by more severe job losses than any other part of the public sector.

There has been a disproportionate impact on women, with women making up more than three-quarters of the local government workforce.

Recent research shows that if the Government were to fully fund the unions’ 2023 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits and tax credits, and increased consumer spending in the local economy.

This Council believes:

Our workers are public service super-heroes. They keep our communities clean

and safe, look after those in need and keep our towns and cities running.

Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.

Local government workers deserve a proper real-terms pay increase. The Government needs to take responsibility and fully fund this increase; it should not put the burden on local authorities whose funding has been cut to the bone and who were not offered adequate support through the Covid-19 pandemic.

This Council resolves to:

Support the pay claim submitted by UNISON, GMB and Unite on behalf of council and school workers, for an increase of RPI + 2% and in order to enable the Council to do that, asks Cabinet to;

(i) Call on the Local Government Association to make urgent representations to central government to fund the NJC pay claim

(ii) Write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be funded with new money from central government

(iii) Meet with local NJC union representatives to convey support for the pay claim and consider practical ways in which the council can support the campaign

(iv) Encourage all local government workers to join a union.”

Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).
