

Contact Officer: Andrea Woodside

## **COUNCIL**

### **KIRKLEES COUNCIL**

**At the Meeting of the Council of the Borough of Kirklees held at  
Council Chamber - Town Hall, Huddersfield on Wednesday 18 January 2017**

### **PRESENT**

**The Mayor (Councillor Jim Dodds) in the Chair**

### **COUNCILLORS**

Councillor Masood Ahmed	Councillor Mahmood Akhtar
Councillor Karen Allison	Councillor Bill Armer
Councillor Donna Bellamy	Councillor Martyn Bolt
Councillor Cahal Burke	Councillor Jean Calvert
Councillor Nosheen Dad	Councillor Eric Firth
Councillor Donald Firth	Councillor Michelle Grainger-Mead
Councillor Charles Greaves	Councillor David Hall
Councillor Steve Hall	Councillor Lisa Holmes
Councillor Erin Hill	Councillor Edgar Holroyd-Doveton
Councillor Judith Hughes	Councillor Mumtaz Hussain
Councillor Christine Iredale	Councillor Paul Kane
Councillor Viv Kendrick	Councillor Musarrat Khan
Councillor John Lawson	Councillor Vivien Lees-Hamilton
Councillor Robert Light	Councillor Gwen Lowe
Councillor Terry Lyons	Councillor Andrew Marchington
Councillor Naheed Mather	Councillor Peter McBride
Councillor Darren O'Donovan	Councillor Marielle O'Neill
Councillor Andrew Palfreeman	Councillor Nigel Patrick
Councillor Amanda Pinnock	Councillor Andrew Pinnock
Councillor Kath Pinnock	Councillor Hilary Richards
Councillor Mohammad Sarwar	Councillor Cathy Scott
Councillor David Sheard	Councillor Ken Sims
Councillor Elizabeth Smaje	Councillor Mohan Sokhal
Councillor Julie Stewart-Turner	Councillor Amanda Stublely
Councillor John Taylor	Councillor Kath Taylor
Councillor Graham Turner	Councillor Nicola Turner
Councillor Sheikh Ullah	Councillor Michael Watson
Councillor Gemma Wilson	Councillor Linda Wilkinson
Councillor Fazila Fadia	Councillor Gulfam Asif
Councillor Richard Eastwood	Councillor James Homewood
Councillor Manisha Roma Kaushik	Councillor Bernard McGuin
Councillor Mussarat Pervaiz	Councillor Richard Smith
Councillor Rob Walker	

**97 Announcements by the Mayor and Chief Executive**

The Mayor conveyed congratulations to the residents of Kirklees who had been recognised in the New Year's Honours List.

In relation to Agenda Item 11, the Assistant Director (Legal, Governance and Monitoring) reminded Members of the provisions of S106 of the Local Government Finance Act 1992 in relation to voting on that item.

**98 Apologies for absence**

Apologies for absence were submitted on behalf of Councillors Cooper, Pattison and Pandor.

**99 Minutes of Previous Meeting**

**RESOLVED** - That the Minutes of the meeting held on 14 December 2016 be approved as a correct record.

**100 Declaration of Interests**

Councillor Smith declared an 'other' interest in Agenda Item 15 on the grounds that he is employed by NHS digital.

Councillor Light declared a disclosable pecuniary interest in Agenda Item 10 on the grounds that he is the Northern Chair of the Consumer Council for Water.

Councillor Lowe declared an 'other' interest in Agenda Item 19 on the grounds that she is employed by Mid Yorkshire NHS Trust.

Councillors Smaje and Stewart-Turner declared an 'other' interest in Agenda Item 19 on the grounds that they are members of the Joint Health Scrutiny Panel.

Councillor N Turner placed on record that, for any matters relating to health, she was a student of midwifery within the NHS.

**101 Petitions**

No petitions were submitted.

**102 Deputations/Petitions**

a) Christine Hyde, Michael Farnhill, Thelma Walker and Paul Cooney made deputations regarding the funding and provision of healthcare services.

- b) Stephen Wood made a deputation in regards to Kirklees Recycling Centre regulations.

**103 Questions by Members of the Public**

Pursuant to the subject matter of his deputation, Stephen Wood asked a question to Cabinet Member Councillor Naheed Mather.

The Cabinet Member replied thereto.

**104 West Yorkshire Combined Authority**

Item not considered (due to time constraints)

**105 Treasury Management Half Yearly Monitoring (Reference from Cabinet)**

It was moved by Councillor G Turner, seconded by Councillor Sheard and

**RESOLVED -**

That the Half Yearly Monitoring Report - Treasury Management be received and noted.

**106 Revisions to Local Flood Risk Management Strategy (Reference from Cabinet)**

It was moved by Councillor McBride and seconded by Councillor G Turner that;

‘The revisions to the Local Flood Risk Management Strategy be approved in response to the Motion of Council on 23 March 2016.’

Whereupon it was moved by Councillor Patrick, and seconded by Councillor Scott, by way of AMENDMENT that;

‘The Local Flood Risk Management Strategy be approved subject to the amendment of (i) Page 18 – Recent Flood Events – to replace ‘2002 Holmfirth’ with ‘2002 Holmfirth, New Mill and Jackson Bridge’ and (ii) Page 53 – Section 8.3 – to include the following project; ‘Mew Mill Centre Flood Risk Study – 2016 Study – A study to assess the capacity of the converted warehouse at Coal Pit Gate – 10 properties at risk of flooding.’

The AMENDMENT, on being put to the vote, was CARRIED, and therefore became the Substantive Motion.

The Substantive Motion, on being put to the vote, was CARRIED, and it was:

**RESOLVED -**

That the Strategy be approved subject to the amendment of (i) Page 18 – Recent Flood Events – to replace ‘2002 Holmfirth’ with ‘2002 Holmfirth, New Mill and Jackson Bridge’ and (ii) Page 53 – Section 8.3 – to include the following project; ‘New Mill Centre Flood Risk Study – 2016 Study – A Study to assess the capacity of the culverted watercourse at Coal Pit Gate – 10 properties at risk of flooding.’

**107 Calculation of Council Tax Base 2017/2018 (Reference from Cabinet)**

It was moved by Councillor G Turner, seconded by Councillor Sheard, and;

**RESOLVED -**

That the following recommendations be submitted to the meeting of Council on 15 February 2017;

(a) That the 2017/2018 tax base for the whole of the Kirklees area, and the tax base for the five parish council areas be approved as below;

- Whole of Kirklees	£115,371.39
- Denby Dale	£5,630.20
- Holme Valley	£9,787.38
- Kirkburton	£8,761.33
- Meltham	£2,707.33
- Mirfield	£6,515.37

(b) That the full Government CTR Grant be passed to Town and Parish Councils at the same level as previous years.

**108 Written Questions to the Leader and Cabinet Members**

Item not considered (due to time constraints)

**109 Key Discussion - Kirklees Active Leisure and Kirklees Council Partnership Update**

Council received and noted the content of a presentation from Trustees of Kirklees Active Leisure, which was followed by comments and questions.

**110 Report of Ad Hoc Scrutiny Panel - Children's Services**

It was moved by Councillor Stewart-Turner, seconded by Councillor Marchington, and;

**RESOLVED -**

That the report and findings of the Ad Hoc Scrutiny Panel – Children’s Services be received and noted.

111 **Motion submitted in accordance with Council Procedure Rule 14 as to Social care and NHS Underfunding**

It was moved by Councillor Kendrick and seconded by Councillor Wilkinson, that a Composite Motion (relevant to Agenda Items 15 and 17) be considered as follows;

“This Council;

(i) notes the Local Government Finance Settlement announcement in December 2016, which will allow councils to raise council tax by up to 1.99 percent in 2017/18 to fund local services without the need for a referendum, and also allows England’s social care authorities to increase council tax by a further 3 percent in 2017/18, with income from the precept being used to spend on social care.

(ii) acknowledges that the additional council tax income will not significantly alleviate the pressure on social care now and in the long-term and the measures outlined in the Settlement fall well short of what is required to protect care services for elderly and vulnerable people.

(iii) is disappointed that the government has not given councils additional money to tackle the shortfall in social care funding, with social care now a national crises.

(iv) notes that the additional flexibility to vary the council tax precept over the remaining years of the Spending Review is not new money and does not address the £2.6 billion funding gap facing social care by the end of the decade. The estimated shortfall in the social care budget in Kirklees is £21million over the next two financial years.

(v) notes that the announcement of additional funding for social care from the New Homes Bonus is not new money, and is instead a redistribution of funding already promised to councils.

(vi) supports the Local Government Association’s argument that increasing the council tax precept ‘raises different amounts of money for social care in different parts of the country unrelated to need and will add an extra financial burden on already struggling households.

(vii) is concerned that by bringing forward council tax raising powers in the provisional Local Government Finance Settlement, the government has simply shifted the burden of tackling a national crisis on to councils and their residents. This will increase the tax burden on Kirklees residents by approximately £9 million over two years.”

The Motion, on being put to the vote, was CARRIED, and it was:

**RESOLVED -**

That this Council;

(i) notes the Local Government Finance Settlement announcement in December 2016, which will allow councils to raise council tax by up to 1.99 percent in 2017/18 to fund local services without the need for a referendum, and also allows England's social care authorities to increase council tax by a further 3 percent in 2017/18, with income from the precept being used to spend on social care.

(ii) acknowledges that the additional council tax income will not significantly alleviate the pressure on social care now and in the long-term and the measures outlined in the Settlement fall well short of what is required to protect care services for elderly and vulnerable people.

(iii) is disappointed that the government has not given councils additional money to tackle the shortfall in social care funding, with social care now a national crises.

(iv) notes that the additional flexibility to vary the council tax precept over the remaining years of the Spending Review is not new money and does not address the £2.6 billion funding gap facing social care by the end of the decade. The estimated shortfall in the social care budget in Kirklees is £21million over the next two financial years.

(v) notes that the announcement of additional funding for social care from the New Homes Bonus is not new money, and is instead a redistribution of funding already promised to councils.

(vi) supports the Local Government Association's argument that increasing the council tax precept 'raises different amounts of money for social care in different parts of the country unrelated to need and will add an extra financial burden on already struggling households.'

(vii) is concerned that by bringing forward council tax raising powers in the provisional Local Government Finance Settlement, the government has simply shifted the burden of tackling a national crisis on to councils and their residents. This will increase the tax burden on Kirklees residents by approximately £9 million over two years.

**112 Motion submitted in accordance with Council Procedure Rule 14 as to Proposed Change to Constitution of Planning Sub-Committees**

Item not considered (due to time constraints).

**113 Motion submitted in accordance with Council Procedure Rule 14 as to Social Care Tax Precept**

(Item considered as a composite motion at Minute No. 111)

**114 Establishment of Regional Issues Working Party**

Item not considered (due to time constraints).

**115 Principles for Health Services in Kirklees**

It was moved by Councillor Sheard, seconded by Councillor McBride, and;

**RESOLVED -**

- 1) That Council adopt the principles as set out within the considered report.
- 2) That the Greater Huddersfield and Calderdale CCGs be asked to demonstrate clearly to the Council and the public of Kirklees that their final set of proposals accord with the principles that the Council has set out within the considered report.