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**COUNCIL**

**KIRKLEES COUNCIL**

**At the Meeting of the Council of the Borough of Kirklees held at  
The Town Hall, Huddersfield on Wednesday 11 March 2015**

**PRESENT**

**The Mayor (Councillor Ken Smith) in the Chair**

**COUNCILLORS**

M AHMED  
M AKHTAR  
K ALLISON  
S ALVY  
B ARMER  
R BARRACLOUGH  
D K BELLAMY  
M BOLT  
T BRICE  
C BURKE  
J CALVERT  
A V COOPER  
W J DODDS  
D FIRTH  
E FIRTH  
C GREAVES  
D HALL  
S HALL  
D HARDCASTLE  
E HILL  
L J HOLMES  
E HOLROYD-DOVETON  
M HUSSAIN  
C M IREDALE  
P KANE  
V KENDRICK  
J LAWSON  
V LEES-HAMILTON  
R LIGHT  
G LOWE

T LYONS  
P McBRIDE  
A C G MARCHINGTON  
N MATHER  
H MAYET  
D O'DONOVAN  
P O'NEILL  
A PALFREEMAN  
S PANDOR  
A PATEL  
N PATRICK  
A C PINNOCK  
K M PINNOCK  
H S RICHARDS  
D RIDGWAY  
K ROWLING  
M SARWAR  
C SCOTT  
P SCOTT  
K SIMS  
D SHEARD  
E SMAJE  
M S SOKHAL  
J STEWART TURNER  
A STUBLEY  
K TAYLOR  
N TURNER  
G TURNER  
E WARD  
L M WILKINSON

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

The Mayor informed Council of the Authority's success in being awarded a national 'GO award' for Excellence in Procurement Practice.

The Mayor also conveyed thanks and invited tributes to the Members of the Council who

shall not be seeking re-election at the forthcoming local elections, namely; Councillors Blanchard, Brice, Harris, O'Neill, Preest and Ward.

**96 Apologies for absence**

Apologies for absence were received from Councillors Blanchard, Harris, Hemingway, Hughes, Khan, A Patel and Preest.

**97 Minutes of Previous Meeting**

It was moved by The Mayor (Councillor Smith), seconded by the Deputy Mayor (Councillor Kane) and

**RESOLVED - That the Minutes of the meeting held on 18 February 2015 be approved as a correct record.**

**98 Declaration of Interests**

No declarations of interest were made.

**99 Tackling Low Pay in Kirklees Council**

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

**RESOLVED –**

(1) That the report be endorsed and that the revised Pay Policy Statement be approved.

(2) That Personnel Committee be requested to consider a report to approve the changes to Terms and Conditions to facilitate the introduction of a Living Wage for all Council employees.

(3) That the Council give support to helping individuals move out of low paid jobs, via the provision of training and personal development, if they would wish to.

(4) That a review of how the Council communicates with front line and/or low paid workers to ensure awareness of non-beneficial benefits, training and development opportunities, be undertaken.

(5) That the impact of the introduction of a living wage for Kirklees employees be monitored in terms of the benefits to the organisation.

(6) That the link between health inequalities and a living wage be recognised and that the health benefits of paying a living wage be noted in the Council's commitment to the health and wellbeing of its workforce.

(7) That the promotion of a living wage be recognised as a key feature of the Council's strategy to improve health and wellbeing in Kirklees.

(8) That a 'A Living Wage – Good for Business Campaign' as detailed in paragraph 2.73 of the report be supported.

(9) That the work being undertaken in regards to the feasibility of appointing a dedicated officer to advise on benefits for staff, specifically in assisting low-paid workers, be noted, and that a further report on this matter be submitted to a future meeting.

(10) That endorsement be given to the Council participating in a West Yorkshire wide initiative looking at non-financial benefits for staff, and exploring the potential of a greater combined bargaining power to realise further non-financial benefits.

**100 Corporate Plan**

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

**RESOLVED - That the Corporate Plan 2015-2016 be approved.**

- 101 Safeguarding Protocol**  
It was moved by Councillor Richards, seconded by Councillor Hardcastle, and
- RESOLVED -**  
(1) That the Safeguarding Protocol, as attached as an appendix to the report, be approved.
- (2) That future Member training regarding Safeguarding be incorporated within the Annual Calendar of meetings (2015/2016) to be considered at the meeting of Annual Council.
- 102 Protocol for Officer/Member Working**  
It was moved by Councillor Richards, seconded by Councillor Hardcastle, and
- RESOLVED -** That the revised Officer/Member Protocol, as attached at Appendix B to the considered report, be approved and incorporated within Part 5 of the Council's Constitution.
- 103 Report of Members' Allowances Independent Review Panel**  
It was moved by Councillor Richards, seconded by Councillor Hardcastle, and
- RESOLVED -**  
(1) That the recommendations of the Members' Allowances Independent Review Panel, as set out in Appendix A, be noted.
- (2) That the Members' Allowances Scheme for 2015/2016, as attached at Appendix B of the report, be approved and adopted with effect from 1 April 2015.
- 104 Strategic Planning Committee and Development Management Changes**  
It was moved by Councillor Richards, seconded by Councillor Hardcastle, and
- RESOLVED -**  
(1) That the changes to the Terms of Reference and Scheme of Delegation set out in paragraphs 2.5 and 2.7 of Appendix 1 to the report be approved.
- (2) That the points of clarification, as set out at paragraph 2.8 of Appendix 1, relating to the way in which business is managed between the Strategic Planning Committee, the Area Sub-Committees and Council Officers, be approved.
- (3) That the impending changes to the way in which conditions are discharged in the future be noted.
- (4) That consideration be given to a lower and more flexible threshold for the referral of provisional open land applications to Strategic Planning Committee.
- (5) That authority be delegated to the Council's Monitoring Officer to make all necessary amendments to the Council's Constitution to facilitate the implementation of the changes.
- 105 Proposed Amendments to Contract Procedure Rules and Financial Procedure Rules**  
It was moved by Councillor Richards, seconded by Councillor Hardcastle, and
- RESOLVED -**  
(1) That the recommended changes in Contract Procedure Rules and Financial Procedure Rules, as set out in the considered report, be approved.
- (2) That the Director of Resources be delegated authority to make any future amendments to the Contract or Financial Procedure Rules created by EU or UK legislation, if required, and that any such changes be submitted to Corporate Governance and Audit Committee.

**106 Appointment of Chair of Licensing and Safety Committee**

It was moved by Councillor Sheard, and seconded by Councillor Calvert, that Councillor Erin Hill be appointed as Chair of Licensing and Safety Committee.

It was moved by Councillor P Scott, and seconded by Councillor Iredale, that Councillor David Ridgway be appointed as Chair of Licensing and Safety Committee.

At the request of a Member, supported by at least five other Members, a recorded vote was taken on this item in accordance with Council Procedure Rule 24(3)

For Councillor Erin Hill:

Councillors Ahmed, Akhtar, Allison, Alvy, Calvert, Cooper, E Firth, S Hall, Hill, Holroyd-Doveton, Hussain, Kane, Kendrick, Lowe, Lyons, Mather, Mayet, McBride, O'Donovan, O'Neill, Pandor, Richards, Rowling, Sarwar, C Scott, Sheard, Smith, Sokhal, Stewart-Turner, Stubley and G Turner

(31 VOTES)

For Councillor David Ridgway:

Councillors Armer, Bellamy, Bolt, Brice, Burke, Dodds, D Firth, D Hall, Hardcastle, Holmes, Iredale, Lawson, Lees-Hamilton, Light, Marchington, Palfreeman, S Patel, Patrick, A Pinnock, K Pinnock, Ridgway, P Scott, Sims, Smaje, Taylor, N Turner, Ward and Wilkinson

(28 VOTES)

ABSTAINED: Councillors Barraclough and Greaves

**RESOLVED** - That Councillor Erin Hill be appointed as Chair of Licensing and Safety Committee, with immediate effect, for the remainder of the municipal year.

**107 Written Questions to Committee Chairs and Nominated Spokespersons of Joint Committees/External Bodies**

(1) Question by Councillor Light to the Chair of Licensing and Safety Committee (Councillor Hill)

"(a) How many applications for Taxi Licences have been considered by Kirklees Licensing from individuals refused licences by other Councils?  
(b) How many of these have been approved?  
(c) Which other Councils refused the individuals applications?  
(d) Does this Council ask applicants if they have applied to other Councils?  
(e) How many taxi licences have been granted in the last 10 years to people with convictions for crimes of a sexual or violent nature?"

Councillor Hill replied thereto.

(2) Question by Councillor Bolt to the Chair of Strategic Planning Committee (Councillor S Hall)

"Please can you confirm the date and meeting at which the provision of a pedestrian refuge on the A62 at Slipper Lane Mirfield was included in the agreement for Mirfield 25?"

Councillor S Hall replied thereto.

**108 Minutes of Cabinet**

Council received and noted the Minutes of the meeting of Cabinet that had been held on 2 December, 16 December 2014, 13 January, 27 January and 3 February 2015.

**Holding the Executive to Account****(A) Corporate Priorities Update**

The Corporate Priorities Update, relating to the West Yorkshire Combined Authority, was received and noted.

(B) Oral Questions/ Comments to Cabinet Members on their portfolios and on relevant Cabinet Minutes

**(i) Resources Portfolio**

(a) Councillor P Scott make reference to the York City Council Community Model for operating local libraries and other community services and asked the Cabinet Member to confirm whether they intend to visit York to look at this model.

The Cabinet Member (Councillor G Turner) replied thereto.

**(ii) Children's Services**

(a) Councillor Burke commented with regard to the adjudicator's report regarding changes to school organisation matters relating to Reinwood Infant and Nursery School and Royds Hall High School.

The Cabinet Member (Councillor Pandor) replied thereto.

(b) Councillors Light, K Pinnock, Holmes, Smaje, Cooper, Hill, Stewart-Turner, Marchington, Sims and Rowling commented upon issues relating to Child Sexual Exploitation, namely the Council's processes for dealing with the outcomes of the Casey Report, and the provision of appropriate training for Members

The Cabinet Member (Councillor Calvert) replied thereto.

**(iii) Health, Wellbeing and Communities**

(a) Councillor Palfreeman made reference to the forthcoming retirement of John Fletcher, Head of Parks and Landscapes, David Morby, Head of Active and Creative Communities, and asked the Cabinet Member to join him in paying tribute and thanks to both long-serving Council employees on behalf of the Council.

The Cabinet Member (Councillor O'Neill) replied thereto.

**(iv) Place**

(a) Councillor Ridgway referred to traffic control problems between Leeds Road and Shorehead roundabout and asked the Cabinet Member to comment.

The Cabinet Member (Councillor Ridgway) replied thereto.

(b) Councillor Light made reference to recent housing need statistics in the West Yorkshire area and asked whether the Kirklees figures would be appropriately reassessed.

The Cabinet Member (Councillor McBride) replied thereto.

(c) Councillor N Turner asked, whether, pursuant to the meeting of Council in January, the Cabinet Member had undertaken a review on the use of white grit.

The Cabinet Member (Councillor S Hall) replied thereto.

(d) Councillor D Hall asked the Cabinet Member if she was aware of the current back-log in the issuing of blue badges and cited examples of problems with service provision.

The Cabinet Member (Councillor C Scott) replied thereto.

**Minutes of Other Committees**

The Minutes of the undermentioned meetings were received for information;

- (a) Appeals Panel - 22 January and 19 February 2015.
- (b) Corporate Governance and Audit Committee - 14 November 2014 and 14 January 2015.
- (c) District Committee – Batley and Spen - 11 November 2014 and 20 January 2015.
- (d) Health and Wellbeing Board - 27 November 2014 and 29 January 2015.
- (e) Licensing and Safety Committee - 11 February 2015.
- (f) Overview and Scrutiny Management Committee - 8 December 2014, 12 January and 9 February 2015.
- (g) Personnel Committee - 24 November and 17 December 2014, 11 February 2015.
- (h) Policy Committee - 12 November and 17 December 2014, 21 January 2015.
- (i) Standards Committee - 12 February 2015.
- (j) Strategic Planning Committee - 11 December 2014 and 22 January 2015.

**111 Oral Questions to Committee Chairs and Nominated Spokespersons of Joint Committees/External Bodies**

(a) Councillor N Turner asked the following question to the Chair of District Committee - Batley and Spen (Councillor Alvy);

"What progress have you made towards devolution?"

Councillor Alvy replied thereto.

(b) Councillor Smaje asked the following question to the Chair of District Committee - Batley and Spen (Councillor Alvy);

"In your Chair's report you refer to working in partnership; can you outline when you've had discussions with Members of the Committee and the proposals that you've put in the report?"

Councillor Alvy replied thereto.

(c) Councillor N Turner asked the following question to the Chair of District Committee - Batley and Spen (Councillor Alvy);

"Could you tell us what political groups have been involved in your fortnightly meetings with the cabinet regarding devolution?"

Councillor Alvy replied thereto.

(d) Councillor N Turner asked the following question to the Chair of District Committee - Dewsbury and Mirfield (Councillor O'Donovan);

"Could you tell us what your personal contribution has been to this process and what your Committee has brought to the process?"

Councillor O'Donovan replied thereto.

(e) Councillor Ridgway made reference to the responses to questions (a) to (d) above and asked for greater engagement of Members from all political groups in the ongoing discussions.

Councillor O'Donovan replied thereto.

(f) Councillor Calvert asked the following question to the Chair of District Committee - Dewsbury and Mirfield (Councillor O'Donovan);

"Regarding the budgets for next year, would you like to remind Members what was agreed at Cabinet yesterday about the amount of money that is in the budget for District Committees for next year?"

Councillor O'Donovan replied thereto.

(g) Councillor Smaje asked the following question to the Chair of District Committee - Dewsbury and Mirfield (Councillor O'Donovan);

"Can you confirm how many of the District Committee decisions on budgets will have to go to Cabinet for ratification?"

Councillor O'Donovan replied thereto.

(h) Councillor Light asked the following question to the Chair of District Committee - Dewsbury and Mirfield (Councillor O'Donovan);

"Can you reflect on how important it would have been to invite all groups of the Council to discussions on devolution?"

Councillor O'Donovan replied thereto.

(i) Councillor N Turner asked the following question to the Chair of District Committee - Dewsbury and Mirfield (Councillor O'Donovan);

"Do you not think that you've disadvantaged certain areas, such as Kirklees Rural District Committee, by equally dividing the highways budget for new roads and the new homes bonus?"

Councillor O'Donovan replied thereto.

(The meeting concluded during this Agenda Item due to time constraints)