

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 16 October 2019**

PRESENT

The Mayor (Councillor Mumtaz Hussain) in the Chair

COUNCILLORS

Councillor Masood Ahmed	Councillor Mahmood Akhtar
Councillor Karen Allison	Councillor Bill Armer
Councillor Gulfam Asif	Councillor Martyn Bolt
Councillor Cahal Burke	Councillor Aafaq Butt
Councillor Andrew Cooper	Councillor Nosheen Dad
Councillor Paola Antonia Davies	Councillor Paul Davies
Councillor Richard Eastwood	Councillor Donald Firth
Councillor Charlotte Goodwin	Councillor Michelle Grainger-Mead
Councillor Charles Greaves	Councillor Nell Griffiths
Councillor David Hall	Councillor Steve Hall
Councillor Lisa Holmes	Councillor Erin Hill
Councillor James Homewood	Councillor Yusra Hussain
Councillor Christine Iredale	Councillor Paul Kane
Councillor Manisha Roma Kaushik	Councillor Viv Kendrick
Councillor Musarrat Khan	Councillor John Lawson
Councillor Susan Lee-Richards	Councillor Fazila Loonat
Councillor Gwen Lowe	Councillor Aleks Lukic
Councillor Andrew Marchington	Councillor Naheed Mather
Councillor Peter McBride	Councillor Bernard McGuin
Councillor Alison Munro	Councillor Richard Murgatroyd
Councillor Darren O'Donovan	Councillor Nigel Patrick
Councillor Carole Pattison	Councillor Mussarat Pervaiz
Councillor Amanda Pinnock	Councillor Andrew Pinnock
Councillor Kath Pinnock	Councillor Mohammad Sarwar
Councillor Cathy Scott	Councillor Will Simpson
Councillor Elizabeth Smaje	Councillor Anthony Smith
Councillor Richard Smith	Councillor Mohan Sokhal
Councillor John Taylor	Councillor Mark Thompson
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Harpreet Uppal	Councillor Rob Walker
Councillor Lesley Warner	Councillor Michael Watson
Councillor Habiban Zaman	

64 Announcements by the Mayor and Chief Executive

The Solicitor to the Council reminded Council of the restrictions applying to voting under Section 106 of the Local Government Act 1992, in respect of Agenda Item 10.

At this stage of the meeting, Councillor Cooper gave notice that he wished to withdraw Agenda Item 17 – Motion as to Proper Funding of Local Services.

65 Apologies for absence

Apologies for absence were received on behalf of Councillors Pandor, Lyons, K Taylor, White and Lees Hamilton.

66 Minutes of Previous Meeting

RESOLVED - That the Minutes of the Meeting of Council held on 18 September 2019 be approved as a correct record.

67 Declaration of Interests

Councillor Zaman declared a 'disclosable pecuniary interest' in Agenda Item 18 on the grounds that she is in receipt of employment allowance.

Councillors Ahmed, Armer, Dad, Lowe, Mather, Patrick, Smaje, Warner and Zaman declared an 'other' interest in Agenda Item 19 on the grounds that either they or a family member were in receipt of a free television licence.

68 Petitions (From Members of the Council)

No petitions were submitted.

At this stage of the meeting, it was moved by Councillor Cooper and seconded by Councillor Lee-Richards, in accordance with Council Procedure Rule 15:3 that the Agenda be re-ordered and that Item 20 (Minute No 83 refers) be brought forward for consideration in place of Agenda Item 17, which had now been withdrawn.

The Motion, on being put to the vote, was not carried.

69 Deputations & Petitions (From Members of the Public)

Council received deputations from;

- (i) Mark Smith, on behalf of Huddersfield Indoor Market Traders, requesting that the destination of the indoor market remains central to Huddersfield Town Centre (a petition was also submitted).
- (ii) Ali Stopher regarding the progress of Kirklees Climate Emergency resolution.
- (iii) Dr Richard Stow and Heather Peacock on behalf of Kirklees Climate Emergency Trees Moorland and Rewilding Sub Group regarding CO2 emission reduction commitment and activity and the benefits that would be achieved by implementing an area tree preservation order.

The Cabinet Member for Regeneration (Councillor McBride) responded to (i).

The Cabinet Member for Greener Kirklees (Councillor Mather) responded to (ii).

The Cabinet Members for Regeneration (Councillor McBride) and Culture and Environment (Councillor Walker) responded to (iii).

70 Public Question Time

Council received questions from;

- (i) Lesley Hawthorne, on behalf of Huddersfield Friends of the Earth, in relation to Agenda Item 20 (Motion as to Regional Support to Leeds Bradford Airport).

(A response was provided by the Cabinet Member for Regeneration – Councillor McBride)

- (i) Kenneth Leigh regarding the preservation of Red House, Gomersal.

(A response was provided by the Cabinet Member for Corporate Services – Councillor Turner)

- (ii) Gill Hughes, regarding the preservation of Red House, Gomersal.

(A response was provided by the Cabinet Member for Corporate Services – Councillor Turner)

71 Council Petition Debate

In accordance with Council Procedure Rule 9a, Council debated the content of a petition which had previously been submitted and exceeded the 3,000 signatures petition threshold regarding the future of Red House, Gomersal.

The content of the debate was received and noted. A response was provided by the Cabinet Members for Corporate Services – Councillor Turner.

72 West Yorkshire Combined Authority - Minutes

The Minutes of the Meeting of West Yorkshire Combined Authority held on 25 June and 27 June 2019 were received and noted.

73 Budget Strategy Update - 2020 to 2023 Revenue / 2020 to 2025 Capital

It was moved by Councillor Turner, seconded by Councillor McBride, and

RESOLVED -

- (1) That the funding and spend assumptions informing the updated budget forecasts, as set out in section 2 of the considered report, be noted.
- (2) That the current and forecast earmarked reserves and general balances, as set out at Appendix B, be noted.
- (3) That the existing 2019-2024 capital budget plans rolled forward, as set out at Appendix D, be noted.
- (4) That the corporate budget timetable and approach, as set out at Appendix F, be noted.

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- (5) That approval be given to the updated baseline general fund revenue and Housing Revenue Account budget spending control totals over the 2020 - 2023 period, as set out at Appendix A (general fund) and Appendix C (HRA) of the considered report.
- (6) That approval be given to the budget planning framework, as set out in the considered report.
- (7) That approval be given to the budget consultation approach and timetable, as set out within the considered report.

74 **Scrutiny Annual Report 2018/2019**

It was moved by Councillor Smaje, seconded by Councillor Cooper, that the 2018/2019 Scrutiny Annual Report be received and noted.

RESOLVED -

That the 2018/2019 Scrutiny Annual report be received and noted.

75 **Written Questions to the Leader, Cabinet Members, Chairs of Committees and Nominated Spokespersons**

Under the provisions of Council Procedure Rule 12, Council received the following written questions;

- (1) Question by Councillor Armer to The Cabinet Member for Culture and Environment – Councillor Walker

“The Huddersfield Daily Examiner online website of 9th October, under the headline ‘Council deny new playground plan is a u-turn on controversial scheme’, cites Cllr Walker as stating that ‘I am against the closure of any parks. These changes will only be introduced where residents want them’.

Will Cllr Walker confirm to Council that these remarks apply to all Kirklees play areas within the Borough and mean that, in the absence of calls for change from local communities, the default Council position is “No Change” to current provisions?”

The Cabinet Member responded thereto.

- (2) Question by Councillor Armer to The Cabinet Member for Culture and Environment – Councillor Walker

"In the context of Play Areas, it is the case that the Council is seeking to establish various Friends of... groups. Given that such groups are often small in number, what weight will be given to their views on the future of local Play Areas?"

The Cabinet Member responded thereto.

- (3) Question by Councillor Munro to The Cabinet Member for Learning, Aspiration and Communities – Councillor Pattison

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"Please can you confirm the Council will fund free transport for all displaced pupils at ACS secondary who are forced to travel further afield to other schools outside Almondbury Ward until they leave secondary school at the end of year 11?"

The Cabinet Member responded thereto.

- (4) Question by Councillor Watson to The Cabinet Member for Culture and Environment – Councillor Walker

"Residents of High Flatts and surrounding areas have raised concerns with me about visitors to the Yummy Yorkshire Ice Cream Parlour and restaurant taking wrong turns and ending up down private roads and generally becoming lost around the village. This seems to be a particular problem for visitors coming from the North because the restaurant for them is actually past the village. Would it be possible to place a brown tourist information sign on one of the lamp posts on the approach to the village advising that there is still a mile (or thereabouts) to go to the restaurant?"

The Cabinet Member responded thereto.

- (5) Question by Councillor Watson to The Cabinet Member for Culture and Environment – Councillor Walker

"What process or procedures are in place to ensure the maintenance of road signs and road markings?"

The Cabinet Member responded thereto.

- (6) Question by Councillor Watson to The Cabinet Member for Greener Kirklees – Councillor Mather

"In April of this year I came across a pile of fly tipped rubbish on Broadstone Road at Birdsedge just before the junction with Birdsedge Lane. I took the time to have a good rummage through it and in amongst the rubbish were mortgage statements giving the name of an individual and a property address in Leeds. There were also credit card payment receipts from a supermarket in the same area of Leeds which showed part of the credit card number used for the purchases. Copies of the documents were passed on to the council.

Could the Cabinet Member please let me know what explanation was given by the individual named on the mortgage statements as to how their personal documents came to be dumped amongst a pile of detritus in the lanes in rural Kirklees?"

The Cabinet Member responded thereto.

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- (7) Question by Councillor Watson to The Cabinet Member for Culture and Environment – Councillor Walker

"Last year I received a particularly damning email from a resident in Denby Dale Ward about the length of time between black bin collections over the Christmas break. Please could the Cabinet Member advise when the last black bin collection will be before Christmas for; Birdsedge, Upper Cumberworth, Lower Cumberworth, Denby Dale, Skelmanthorpe, Clayton West, Scisset, Upper Denby and Emley.

Please also advise when the first black bin collections will be after Christmas for each of those villages."

The Cabinet Member responded thereto.

- (8) Question by Councillor Cooper to The Deputy Leader of the Council – Councillor McBride

"Will you be calling for West Yorkshire Combined Authority to withdraw the £100million of support it is providing for the expansion of Leeds Bradford Airport in light of the Climate Emergency that we and they have declared?"

The Deputy Leader responded thereto.

- (9) Question by Councillor Cooper to The Deputy Leader of the Council – Councillor McBride

"Have you considered using the provisions of the European Charter of Local Self Government, that the UK as a signatory of, to get a better financial settlement from the UK Government for Kirklees Council?"

The Deputy Leader responded thereto.

- (10) Question by Councillor Cooper to The Cabinet Member for Culture and Environment – Councillor Walker

"Can you confirm that the play area on Hall Cross Road will no longer have its swings, slides and roundabouts replaced with 'logs and rocks'?"

The Cabinet Member responded thereto.

- (11) Question by Councillor Lukic to The Cabinet Member for Greener Kirklees – Councillor Mather

"What plans does the Cabinet have to renovate and extend the CCTV system in Dewsbury Town Centre?"

The Cabinet Member responded thereto.

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- (12) Question by Councillor Lukic to The Cabinet Member for Housing and Democracy – Councillor Scott

“We are agreed that changing to all-out local elections would probably release over £100,000 each year. Considering the expense, I do not believe there is a strong case to continue with electing by thirds. Will Cabinet support the change to all-out elections so that we can redirect these funds into vital services?”

The Cabinet Member responded thereto.

- (13) Question by Councillor McGuin to The Cabinet Member for Learning, Aspiration and Communities – Councillor Pattison

“Has the Council identified where every child currently at Almondbury Community School will be placed when secondary provision ends at the school in 2020?”

The Cabinet Member responded thereto.

- (14) Question by Councillor McGuin to The Cabinet Member for Learning, Aspiration and Communities – Councillor Pattison

“What cost benefit analysis had been done to justify ending secondary provision at Almondbury Community School?”

The Cabinet Member responded thereto.

- (15) Question by Councillor Iredale to The Cabinet Member for Corporate Services – Councillor Turner

“Are there any plans to update the Council’s automated switchboard service?”

The Cabinet Member responded thereto.

- (16) Question by Councillor P A Davies to The Cabinet Member for Culture and Environment – Councillor Walker

“Do you agree that the decision to confiscate green bins was excessively punitive?”

The Cabinet Member responded thereto.

- (17) Question by Councillor A Smith to The Deputy Leader of the Council – Councillor McBride

“Could you provide an update on what is happening with the George Hotel?”

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The Deputy Leader responded thereto.

- (18) Question by Councillor A Smith to The Cabinet Member for Housing and Democracy – Councillor Scott

“Could the Council confirm how many KNH multi-storey residential buildings do not have accessible entrances for disabled people?”

The Cabinet Member responded thereto.

- (19) Question by Councillor Lawson to The Cabinet Member for Children’s Services – Councillor Kendrick

“How many looked-after children are currently being taken through the EU Settlement Programme?”

The Cabinet Member responded thereto.

- (20) Question by Councillor Marchington to The Cabinet Member for Health and Social Care – Councillor Khan

“In light of the Chief Medical Officer’s warning recently that lives may be lost due to a shortage of medicines if the UK crashes out of the European Union without an agreement, is the Council confident that it can ensure the safety of patients across Kirklees?”

The Cabinet Member responded thereto.

- (21) Question by Councillor Burke to The Cabinet Member for Corporate Services – Councillor Turner

“Does the Council have a programme for maintaining and refurbishing its libraries and, if so, how much does it allocate for its library maintenance programme each year?”

The Cabinet Member responded thereto.

- (22) Question by Councillor Burke to The Cabinet Member for Housing and Democracy – Councillor Scott

“Ward councillors receive information and advice from officers to enable them to carry out their duties, including their casework. Do you believe that the current councillor casework arrangements and the existing system for sharing information for casework is working effectively?”

The Cabinet Member responded thereto.

76 Minutes of Cabinet

Council received the Minutes of the Meetings of Cabinet held on 16 July, 13 August and 10 September 2019.

RESOLVED -

That the Minutes of Cabinet, held on 16 July, 13 August and 10 September 2019 be received and noted.

77 Holding the Executive to Account

Council received Portfolio Updates from the Deputy Leader of the Council and Cabinet Member for Regeneration, Councillor McBride.

Oral Questions were received by Councillor McBride.

(The remainder of oral questions were not received due to time constraints).

At this stage of the meeting, it was moved by Councillor Uppal, and seconded by Councillor Kaushik, in accordance with Council Procedure Rule 16:2, that Agenda Item 18 be considered prior to the termination of the meeting and that the item be moved, seconded and put to the vote without discussion.

It was then moved by Councillor Cooper, and seconded by Councillor Lee-Richards, that in accordance with Council Procedure Rule 16:2, Agenda Item 20 be considered prior to the termination of the meeting and that the item be moved, seconded and put to the vote without discussion.

Upon being put to the vote, (i) the Motion to consider Agenda Item 18 was carried and (ii) the Motion to consider Agenda Item 20 was not carried.

78 Minutes of Other Committees

Item not considered (due to time constraints).

79 Oral Questions to Committee/Sub Committee/Panel Chairs and Nominated Spokespersons of Joint Committees/External Bodies

Item not considered (due to time constraints).

80 Motion submitted in accordance with Council Procedure Rule 14 as to the Proper Funding of Local Services

Item withdrawn.

81 Motion submitted in accordance with Council Procedure Rule 14 as to Universal Credit

It was moved by Councillor Uppal, seconded by Councillor A U Pinnock, and

RESOLVED -

That this Council notes the Universal Credit (UC) policy is flawed, causing unnecessary hardship to local families and people across the country whilst failing to meet its original aims.

This Council further notes, that in Kirklees, following the roll out of UC Full Service in November 2017, 19,804 people are in receipt of UC support (as at 22 July 2019), which has led to problems with rent arrears, and general indebtedness particularly from the 5 week minimum wait for an initial payment. Kirklees Neighbourhood figures as at 1 October 2018 suggest UC claimants represented 32% of rent accounts in arrears which totalled £1.2m of the debt owed.

In addition, there has been an increased use of local welfare service provision referrals to four Kirklees foodbanks, up 27% from the same period in the previous year. Recent figures from The Welcome Centre Foodbank (WCF) in Huddersfield show 1 in 5 people who use the foodbank do so because of problems with Universal Credit.

Official figures show hundreds of thousands of UC payments made nationally are being subject to deductions used to pay back arrears in rent, council tax and utility bills, pushing families into a downward spiral of debt and poverty. Similarly, the Local Welfare Provision (LWP) team in Kirklees are taking more calls from residents who have not been able to make their UC payment last due to insufficient funds including deductions taken from their payments due to advances, arrears payments or tax credit overpayments. The LWP team told us that there was too much reliance on the advance payments system, in reality a loan, which plunges claimants into debt. 72% of referrals made between 1/4/18 – 31/03/19 for foodbanks / fuel vouchers due to “Budgeting / low income” reason are for UC claimants. This compares to only 33% for the period 1/11/17 to 31/3/18.

In addition, for people on UC who are in work, but are paid weekly, fortnightly or 4 weekly, the monthly UC payment is causing additional issues with two or more wages in one pay period resulting in no UC support the following month; self-employed workers on UC are worse off than under legacy benefits and compared with employees; and disabled people unable to work, are also worse off than under legacy benefits, and may be pushed into poverty as a result.

Although the managed migration of UC has been restricted to a pilot, thousands of people are due to transition on to UC this year as a result of ‘natural migration’ (a change in their circumstances).

Furthermore, although UC payments are to go to the primary carer in the household, there are issues with the childcare element of Universal Credit leaving many households in debt.

The High Court also recently found in favour of four single mothers who had brought a legal challenge against the government on the grounds that Universal Credit failed to take account of fluctuating income when they were paid twice in a month because their payday fell very near the end of the month.

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Policy in Practice has warned 40% of UC claimants will lose out by an average of £59 a week compared to the old system. In addition, research for Mirror Money reveals 80% of people on UC say it doesn't cover their essential living costs, 72% have had to borrow money and ended up in debt and 56% receive less through UC than from the old benefits system.

Despite some tweaks to UC in the Autumn budget, such as an increase in work allowances, and by the new Work and Pensions Secretary, including scaling back the proposed Managed Migration, the policy continues to leave many of our residents on the lowest incomes in poverty and suffering. The Work and Pensions Secretary has gone as far as to say the roll out of Universal Credit may have led to increased use of food banks.

This Council therefore resolves to write to the Secretary of State for Work and Pensions, making these points, demanding that, if the Government is refusing to scrap Universal Credit, that they:

- Stop the freeze in social security payments
- Scrap the 5-week wait for UC
- Provide the option for alternative pay arrangements for UC
- Make advance payments non repayable loans
- Pay childcare payments upfront
- Stop the two-child limit in support

82 Motion submitted in accordance with Council Procedure Rule 14 as to Pension Credit

Item not considered (due to time constraints).

83 Motion submitted in accordance with Council Procedure Rule 14 as to Regional Support to Leeds Bradford Airport

Item not considered (due to time constraints).

84 Motion submitted in accordance with Council Procedure Rule 14 as to Improving School Air Quality

Item not considered (due to time constraints).

85 Motion submitted in accordance with Council Procedure Rule 14 as to Interest Rates Starving NHS Trusts

Item not considered (due to time constraints).