

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 7 September 2022**

## **PRESENT**

**The Mayor (Councillor Masood Ahmed) in the Chair**

## **COUNCILLORS**

Councillor Karen Allison	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 Lisa Holmes
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 Alison Munro	Councillor Darren O'Donovan
Councillor Shabir Pandor	Councillor Carole Pattison
Councillor Mussarat Pervaiz	Councillor Amanda Pinnock
Councillor Andrew Pinnock	Councillor Kath Pinnock
Councillor Jackie Ramsay	Councillor Elizabeth Reynolds
Councillor Mohammad Sarwar	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 Graham Turner	Councillor Sheikh Ullah
Councillor Paul White	Councillor Adam Zaman
Councillor Habiban Zaman	

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### 39 **Announcements by the Mayor and Chief Executive**

The Mayor made a statement in regards to the recent flooding disaster in Pakistan and expressed condolences on behalf of the Council to those who had been affected. He advised that donations to support the relief effort could be made via the Disasters Emergency Committee website.

### 40 **Apologies for absence**

Apologies for absence were received on behalf of Councillors Perry, K Taylor Thompson, Warner and Watson.

### 41 **Minutes of Previous Meeting**

It was moved by the Mayor, seconded by the Deputy Mayor, and

**RESOLVED** – That the Minutes of the Meeting held on 13 July 2022 be approved as a correct record.

### 42 **Declaration of Interests**

No interests were declared.

### 43 **Petitions (From Members of the Council)**

Council received petitions from (i) Councillor H Zaman presenting objection to the sale of cars at Yard No.1, to the rear of 4-16 Purwell Lane, Batley and (ii) Councillor A Pinnock requesting the retention of the Oakenshaw Cross in its existing location.

The Mayor advised that, in accordance with Council Procedure Rule 9 (3), the petitions would be referred to the appropriate Service Director for investigation.

### 44 **Deputations & Petitions (From Members of the Public)**

Council received a deputation and petition from Veronica and Ian Woolin requesting traffic calming measures at Granny Lane / Stenard Lane, Mirfield.

The Mayor advised that, in accordance with Council Procedure Rule 9 (3), the petition would be referred to the appropriate Service Director for investigation.

### 45 **Public Question Time**

Council received the following questions under Council Procedure Rule 11;

#### **Question from Veronica Woolin**

‘Councillor Mather said that the speed limits are appropriate for the area, however, we have recorded on 3 sections of the road, 38.5mph. Is it okay that regularly traffic goes at that speed alongside a riverside that doesn’t have any protection?’

A response was provided by Cabinet Member for Environment (Councillor Mather).

#### **Question from Ian Woolin**

‘Councillor Mather spoke about not many reports of accidents in the area. When we looked at the accident reports neither of the accidents that we referred to were on there. Are you confident that the information that you have is full and accurate.

A response was provided by Cabinet Member for Environment (Councillor Mather).

**46 West Yorkshire Combined Authority - Minutes**

The Minutes of West Yorkshire Combined Authority held on 17 March and 23 June 2022 were received and noted.

**47 Financial Outturn Report 2021-2022, to include the Revenue, Capital and Housing Revenue Account Outturn Position and Annual Report on Treasury Management (Reference from Cabinet)**

It was moved by Councillor P Davies, seconded by Councillor Pandor and

**RESOLVED -**

- 1) That in relation to the General Fund (i) the revenue outturn position for 2021/22 including COVID impacts be noted; (ii) the application of the Councils flexible capital receipts strategy to the value of £3.1m applied against eligible transformation in 2021/22, in line with the Councils approved budget plans in February 2022 be noted; (iii) the Government's £13.5m funding contribution on 31 March 2022 towards the Council's Dedicated Schools Grant (DSG) deficit be noted; (iv) approval be given to the drawdown from the Council's earmarked demand reserve to offset the Almondbury Community School deficit school balance write-down (£1.954m) to the Council's general fund in 2021/22 in line with DSG guidance; (v) the year end position on corporate reserves and balances be noted; (vi) the proposed use of pre-existing reserves and endorse the proposed use of new reserves as set out in section 1.9 in the report be re-affirmed; (vii) the regular monitoring and review of corporate reserves in 2022/23 to be reported to Cabinet as part of the Quarterly financial monitoring cycle be noted;
- 2) That the year end position on the Collection Fund including COVID impacts be noted.
- 3) That the Housing Revenue Account revenue outturn and reserves position 2021/22 be noted;
- 4) That in relation to Capital (i) the Council capital outturn position for 2021/22 be noted; (ii) approval be given for the £33.7m capital rollover from 2021/22 to 2022/23; (iii) approval be given to the revised capital plan for the period 2022/23 after taking into account rollover, the re-phasing of schemes and changes to grant assumptions; (iv) approval be given, retrospectively, for the transfer of £1.2m to Spen Valley Leisure Centre from within the Capital Plan to meet contractually bound payments; (v) approval be given for the additional £350k borrowing for George Hotel for successful phase one completion.
- 5) That the Review of Treasury Management activity for 2020/21 be noted.

During the debate on this item, it was moved by Councillor Pandor, and seconded by Councillor Scott that, under the provision of Council Procedure Rule 15 (11) the question be put. Whereupon, it was requested by Councillor Bolt and supported by at least five Members, that under the provision of Council Procedure Rule 24 (3) the vote on applying Council Procedure Rule 15 (11) be done by recorded vote.

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A recorded vote was taken as follows;

FOR: Councillors Ahmed, Anwar, Butt, Crook, Dad, P Davies, E Firth, S Hall, Hawkins, Homewood, Hussain, Kendrick, Khan, J D Lawson, Loonat, Lowe, Mather, McCarthy, McLoughlin, O'Donovan, Pandor, Pattison, Pervaiz, A U Pinnock, Ramsay, Reynolds, Sarwar, Scott, Simpson, Sokhal, Turner, Ullah, A Zaman and H Zaman (34 votes)

AGAINST: Councillors Allison, Armer, Bamford, Bolt, Cooper, P A Davies, D Firth, Greaves, Gregg, D Hall, Holmes, Lawson, Lee-Richards, Lees-Hamilton, Lukic, Marchington, McGrath, McGuin, Munro, A Pinnock, K Pinnock, Sheard, Smaje, A Smith, R Smith, Stephen, J Taylor and White (28 votes)

ABSTAINED: (none)

### 48 **Key Discussion - Cost of Living Crisis**

Council held a key discussion on the cost of living crisis, following an introduction by Councillor P Davies (Cabinet Member – Corporate Services).

### 49 **Council Budget Strategy Update; 2023/24 and Future Years (Reference from Cabinet)**

It was moved by Councillor P Davies, seconded by Councillor Pandor, and

#### **RESOLVED –**

- 1) The funding and spend assumptions informing the updated budget forecasts as set out in the report, including the minimum usable reserve requirement advised by the S151 officer, being £47m (para 2.2.7 refers), and the budget gap figures (para 1.3.9 refers), be noted.
- 2) That the current and forecast earmarked reserves and general balances as set out at Appendix A be noted.
- 3) That approval be given to the financial planning framework (section 1.3 refers) for the general fund revenue and Housing Revenue Account (section 1.9 refers).
- 4) That approval be given to the financial planning framework for general fund and HRA capital (section 1.10 refers).
- 5) That the corporate budget timetable, as set out at Appendix D to the report, refers.
- 6) That authority be delegated to the Chief Executive and Leader of the Council, in consultation with the Director of Finance and Corporate portfolio holder, to consider expression of interest to continue to participate in the Leeds City Region business rate pool for 2023/2024, by the Government deadline of 22 September 2022.
- 7) That authority be delegated to the Strategic Director (Environment and Climate Change) in consultation with the Cabinet Member (Corporate Services), the Service Director (Finance) and the Service Director (Legal, Governance and Commissioning), to conclude contract negotiations and, on behalf of the Council, enter into a new contractual arrangement in a timely manner for Council electricity supplies either directly or through a preferred broker, from 1 April 2023 onwards. (Delegated authority is requested to (i) re-procure the Council's electricity supply contract via a call off from a framework from an established central purchasing body and (ii) grant

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authority to award a contract for the Council's electricity supply from April 2023).

- 8) That authority be delegated to the Strategic Director (Corporate Strategy, Commissioning and Public Health) to agree the approach to budget consultation and relevant timescales in consultation with the Cabinet Member (Corporate Services).

### 50 **Joint Health and Wellbeing Strategy Refresh (Reference from Cabinet)**

It was moved by Councillor Kendrick, seconded by Councillor Pandor and

#### **RESOLVED –**

- 1) That the content of the Health and Wellbeing Strategy be received and that it be noted that (i) additional amendments may be necessary subject to feedback from partners and (ii) that a set of materials to help communicate the Strategy was being developed.
- 2) That authority be delegated to the Strategic Director (Corporate Strategy, Commissioning and Public Health) to make any further minor amendments to the document.
- 3) That the Joint Health and Wellbeing Strategy be adopted, subject to final approval by the Health and Wellbeing Board.

### 51 **Revised Gambling Policy - Statement of Principles (Reference from Licensing & Safety Committee)**

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

**RESOLVED** - That the revised Gambling Policy – Statement of Principles, as set out at Appendix 2 of the report, be approved to take effect for a period of three years from 30 September 2022.

### 52 **Revisions to Terms of Reference - Health and Wellbeing Board (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain, seconded by Councillor J Taylor and

**RESOLVED** – That the revised Terms of Reference of Health and Wellbeing Board be approved.

### 53 **Report of Members' Allowances Independent Review Panel (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain and seconded by Councillor J Taylor;

- 1) That the recommendations of the Members' Allowances Independent Review Panel, as set out at Appendix A and Appendix B of the report, and the draft scheme as set out at Appendix C be noted.
- 2) That the recommendations of Corporate Governance and Audit Committee, as set out at paragraph 2.7 of the report, and the draft scheme as set out at Appendix D, be noted.
- 2) That, having considered the recommendations of the Members' Allowances Independent Review Panel, and the recommendations of Corporate

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Governance and Audit Committee, the Members Allowances Scheme as set out at Appendix D be approved.

Whereupon, it was moved by Councillor Pandor and seconded by Councillor Scott, by way of AMENDMENT,

- 1) That the following resolution be added 'That thanks be conveyed to the Member's Allowances Independent Review Panel for their work and approach to the review.'
- 2) That approval be given to the implementation of an annual increase for both the basic and all special responsibility allowances on a percentage basis in line with the agreed annual pay award for Council employees.

Under the provision of Council Procedure Rule 24(3), it was moved by Councillor Lawson and supported by at least five Members, that a recorded vote be taken on the proposed amendment.

A recorded vote was taken as follows;

FOR: Councillors Ahmed, Anwar, Armer, Bamford, Bolt, Butt, Crook, Dad, P Davies, D Firth, E Firth, Gregg, D Hall, S Hall, Hawkins, Holmes, Homewood, Hussain, Kaushik, Kendrick, Khan, J D Lawson, Lees-Hamilton, Loonat, Lowe, Mather, McCarthy, McGrath, McGuin, McLoughlin, O'Donovan, Pandor, Pattison, Pervaiz, A U Pinnock, Ramsay, Reynolds, Sarwar, Scott, Sheard, Simpson, Smaje, R Smith, Sokhal, Stephen, J Taylor, Turner, Ullah, A Zaman and H Zaman (50 votes)

AGAINST: Councillors Allison, Burke, Cooper, P A Davies, Greaves, Lee-Richards, J Lawson, Lukic, Marchington, Munro, A Pinnock, K Pinnock, A Smith and White (14 votes)

ABSTAINED: (none)

The amendment, upon being put to the vote was CARRIED. The SUBSTANTIVE Motion as amended was therefore put to the vote and it was

### **RESOLVED –**

- 1) That thanks be conveyed to the Members' Allowances Independent Review Panel for their work and approach to the review.
- 2) That the recommendations of the Members' Allowances Independent Review Panel, as set out at Appendix A and Appendix B of the report, and the draft scheme as set out at Appendix C, be noted.
- 3) That the recommendations of Corporate Governance and Audit Committee, as set out at paragraph 2.7 of the report, and the draft scheme as set out at Appendix D, be noted.
- 4) That approval be given to the implementation of an annual increase for both the basic and all special responsibility allowances on a percentage basis in line with the agreed annual pay award for Council employees.

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

Item not considered (due to time constraints).

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- 55 Motion submitted in accordance with Council Procedure Rule 14 as to Kirklees Council's Local Plan**  
Item not considered (due to time constraints).
- 56 Motion submitted in accordance with Council Procedure Rule 14 as to Tackling Speeding and Reviewing Road Safety Measures**  
Item not considered (due to time constraints).