

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 9 November 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 Eric Firth	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 Musarrat Khan
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 Cathy Scott	Councillor Joshua Sheard
Councillor Will Simpson	Councillor Anthony Smith
Councillor Elizabeth Smaje	Councillor Richard Smith
Councillor Mohan Sokhal	Councillor Mark Thompson
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Michael Watson	Councillor Adam Zaman
Councillor Habiban Zaman	

74 Announcements by the Mayor and Chief Executive

There were no announcements.

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75 **Apologies for absence**

Apologies for absence were received on behalf of Councillors D Firth, Greaves, Loonat, Kendrick, Perry, Sarwar, Stephen, J Taylor, K Taylor, Warner and White.

76 **Minutes of Previous Meeting**

RESOLVED – That the Minutes of the Meeting held on 9 November 2022 be approved as a correct record.

77 **Declaration of Interests**

No interests were declared.

78 **Petitions (From Members of the Council)**

No petitions were received.

79 **Deputations & Petitions (From Members of the Public)**

Under the provisions of Council Procedure Rule 10, Council received deputations from;

- (i) Akhtar Kasia and representatives of Downs and Special Friends, Batley, to raise awareness of the organisation.

A response was provided by the Cabinet Member for Learning, Aspiration and Communities (Councillor Pattison).

- (ii) Hasan Badat on behalf of Snowdon Masjid with regards to future plans and the planning of provision for burials in Batley and the wider North Kirklees area.

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Simpson).

80 **Public Question Time**

Under the provisions of Council Procedure Rule 11, Council received the following public questions;

- (i) Question from Zahir Kahut (on behalf of Dewsbury Multi Faith Action Group)

'What factors does the Council take into consideration when deciding on burial space, and what provisions, plans and strategies does the Council have to cater for this need beyond the next 18 months?'

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Simpson).

- (ii) Question from Heather Peacock

'We are absolutely delighted that the 88 trees at Blackler Road junction are safe. With 38 trees to be felled further along the A629, is the planned woodland at Ainley Top still going ahead? This new woodland was to include 650 young trees and species rich hedge rows?'

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A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Simpson).

(iii) Question from Hasan Badat

'Why are these meetings not held in the other end of the Borough? There should be buildings available to at least have, on an alternating basis, such meetings like this. Has anyone been looking into this, the Councillors of North Kirklees? Are there any plans to have this meeting in the North Kirklees area?'

A response was provided by the Leader of the Council.

(iv) Question from Mohammed Javid

'If there are 1000 unconfirmed burial spaces and it's a short term solution to serve a large population, does the Council intend to make an exhaustive effort to provide residents with a municipal cemetery as a solution, and if there are 1000 spaces are they owned by the Council?'

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Simpson).

(v) Question from Councillor Sajid Hussain

'Does the Council acknowledge and understand the concerns of various faiths and communities in Kirklees regarding burial space? If so, can the Council summarise their approach and understanding of this?'

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Simpson).

(vi) Question from Halib Akbar (on behalf of Dewsbury Cemetery Action Group)

'Councillor Simpson earlier said that there are 1000 spaces, then conceded that half are on Council owned land and half are elsewhere. If this refers to private land that is not managed by the Council, why is it being included in the municipal cemetery of Dewsbury? Could you clarify whether municipal space is 500 or 1000, and is it sufficient to serve the Dewsbury community which is a larger population?'

A response was provided by the Cabinet Member for Culture and Greener Kirklees (Councillor Simpson).

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

Council received written questions in accordance with Council Procedure Rule 12;

Question from Councillor Watson to the Leader of the Council – Councillor Pandor

“For some time a significant nuisance was being caused to a number of residents in Denby Dale ward by virtue of works being carried on unlawfully at a site off Rowegate / Heator Lane at Upper Cumberworth. Following representations made by myself and residents the Council Officers took action to prosecute the perpetrators. I understand that the Council’s team included officers from Legal, Planning and Environmental - Noise nuisance along with counsel from King’s Chambers and I have written to thank the individuals them for a job well done...”

This was a case we have been battling for 3 years and the Council took action through the (Court) prosecution process for the failure to comply with two enforcement notices, one for the storage of stone and the other in relation to the processing of stone at a site in the Green Belt. The council officers and the legal team had a number of technical arguments they had to overcome at several Court hearings , but ultimately were entirely successful in the end and the defendants found were found guilty on both counts by a District Judge.

I understand that including paying the council’s costs of £18,000 and Court fine the total financial penalty to the defendants is £38,420. This doesn’t include covering their own legal costs which will no doubt have been significant.

Does the leader agree with me that action such as this on the part of the Council sends a strong message that you can’t come to Kirklees, breach planning control and an enforcement notice and expect to “get away with it” and would the leader like to join with me in thanking the team for their endeavours in this regard and a job well done?”

Under the provisions of Council Procedure Rule 12(5), the Leader referred the question to Councillor Turner to respond.

Question from Councillor Watson to the Cabinet Member for Children’s Services – Councillor Kendrick

“Defining one “night of respite care” as being the provision of one overnight stay to an individual child by the facility at Orchard House:

- a) What was the maximum number of nights of respite care that could have been provided to carers in Kirklees during the period 1 January 2020 to 31 December 2020?
- b) How many nights of respite care were actually provided during this period?
- c) What was the maximum number of nights of respite care that could have been provided to carers in Kirklees during the period 1 January 2021 to 31 December 2021?

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- d) How many nights of respite care were provided during this period?
- e) What was the maximum number of nights of respite care that could have been provided to carers in Kirklees during the period 1 January 2022 to 1 November 2022?
- f) How many nights of respite care have been provided during this period?"

In the absence of Councillor Kendrick, the question was referred to Councillor Pattison to respond.

Question from Councillor Watson to the Leader of the Council – Councillor Pandor

"On 27 February 2022 I wrote a very detailed letter (comprising over 30 pages) to the leader in relation to highways issues in Denby Dale ward. The letter dealt with a significant number of issues that are of concern to residents throughout the ward including, by way of example, Stringer House Lane at Emley, Park Lane, Upper Cumberworth, Heator Lane and Rowegate at Upper Cumberworth, Busker Lane in Skelmanthorpe and Garden Terrace in Denby Dale.

The letter was not simply a whinge but included a number of positive suggestions as to how the council might improve services in this regard.

I would like to be able to feedback the response to that letter to the residents of Denby Dale ward. Is there going to be a response from the Leader and if so how long will we have to wait for a reply?"

Under the provisions of Council Procedure Rule 12(5), the Leader referred the question to Councillor Mather to respond.

Question from Councillor Bamford to the Leader of the Council – Councillor Pandor

"Following on from the question by Cllr Watson about the letter he wrote to you regarding highways issues in Denby Dale ward, one of the issues he raised and made suggestions for improvement about was the bend on Busker Lane just past the Windmill pub heading out of Skelmanthorpe where there have been numerous accidents and pedestrians are extremely vulnerable.

There has just been another incident to which the emergency services attended and I have had reports from some residents of the ward that they came very close to being struck by the lorry involved.

This is a location through which many school children walk each day.

Could the Leader please explain why Cllr Watson's suggestions for improvements are being ignored and nothing is being done to reduce the risk to pedestrians at this location."

Under the provisions of Council Procedure Rule 12(5), the Leader referred the question to Councillor Mather to respond.

Question from Councillor Cooper to the Leader of the Council – Councillor Pandor

“Where will the decision be taken to decide if we are to pursue an Investment Zone in Kirklees should it be offered by Government?”

Under the provisions of Council Procedure Rule 12(5), the Leader referred the question to Councillor Turner to respond.

Question from Councillor Cooper to the Cabinet Member for Transport – Councillor E Firth

“Now the Blacker Rd element of the A629 widening proposals has been cancelled what will the council tell residents who were due to lose homes and parts of their gardens?”

The Cabinet Member responded thereto.

Question from Councillor Cooper to the Cabinet Member for Corporate Services – Councillor P Davies

“What support from Kirklees or others will be offered to voluntary and community organisations opening their buildings for use as warm spaces to the community?”

The Cabinet Member responded thereto.

Question from Councillor D Hall to the Cabinet Member for Environment – Councillor Mather

“How long should the public have to wait for the promised replacement of play equipment?”

The Cabinet Member responded thereto.

Question from Councillor Munro to the Cabinet Member for Culture and Greener Kirklees – Councillor Simpson

“Has an assessment been undertaken on the cost of decarbonising Kirklees owned public buildings across the area?”

The Cabinet Member responded thereto.

Question from Councillor PA Davies to the Cabinet Member for Culture and Greener Kirklees – Councillor Simpson

“As the plans for the Cultural Heart are being shared more widely, can you please share the plans for the collections currently housed and displayed at the Tolson Museum?”

The Cabinet Member responded thereto.

Question from Councillor Munro to the Cabinet Member for Culture and Greener Kirklees – Councillor Simpson

“What is the Council doing to encourage homeowners to bid for Government funding to help with support for them to install alternative sustainable energy systems in their homes to reduce their reliance on mainstream energy suppliers going forward?”

The Cabinet Member responded thereto.

Question from Councillor Munro to the Cabinet Member for Corporate Services – Councillor P Davies

“How is the Council meeting the cost of inflation?”

The Cabinet Member responded thereto.

Question from Councillor Marchington to the Cabinet Member for Housing and Democracy – Councillor Scott

“Why are there so many Homes and Neighbourhoods vehicles parked in the centre of Huddersfield at the moment?”

The Cabinet Member responded thereto.

Question from Councillor Armer to the Cabinet Member for Health and Social Care – Councillor Khan

“With ongoing concerns about inflation, and food, energy and fuel prices in particular, I worry about the continuing viability of some of the organisations on which this Council relies to provide necessary care for our disabled, and many of our elderly, residents. Does this Council have robust contingency plans in place to ensure continuity of both domiciliary and residential provisions in the care sector should any providers go out of business?”

The Cabinet Member responded thereto.

Question from Councillor Armer to the Cabinet Member for Health and Social Care – Councillor Khan

“Nursing Homes are subject to the same cost pressures as are Care Homes, but have additional problems with recruitment and retention of qualified nursing staff. Does this Council have suitable contingency plans in place to meet with the sudden closure of one or more Nursing Homes in the Borough?”

The Cabinet Member responded thereto.

Question from Councillor McGuin to the Cabinet Member for Health and Social Care – Councillor Khan

“What are the public toilet provisions in Huddersfield Town Centre?”

The Cabinet Member responded thereto.

Question from Councillor McGuin to the Cabinet Member for Regeneration – Councillor Turner

“What was the amount spent on containers brought in to temporarily house traders from the Huddersfield and Dewsbury markets?”

The Cabinet Member responded thereto.

Question from Councillor McGuin to the Cabinet Member for Learning, Aspiration and Communities – Councillor Pattison

“Will there be provision to help feed children on free school meals over Christmas?”

The Cabinet Member responded thereto.

83 Minutes of Cabinet and Cabinet Committee - Local Issues

Council received and noted the Minutes of Cabinet held on 5 September and 21 September 2022.

84 Holding the Executive to Account

Council received portfolio updates from (i) the Leader of the Council in regards to collaborative working with the West Yorkshire Combined Authority and (ii) the Cabinet Member with responsibility for Armed Forces (Councillor Mather).

Following the portfolio updates, Cabinet Members received oral questions in accordance with Council Procedure Rule 13(2).

85 Minutes of Other Committees

Item not considered (due to time constraints).

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

Item not considered (due to time constraints).

87 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).

88 Motion submitted in accordance with Council Procedure Rule 14 as to a Renewable Energy Strategy for Kirklees

Item not considered (due to time constraints).

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- 89 **Motion submitted in accordance with Council Procedure Rule 14 as to Kirklees Council's Local Plan**
Item not considered (due to time constraints).
- 90 **Motion submitted in accordance with Council Procedure Rule 14 as to Investment Zones**
Item not considered (due to time constraints).