

Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
Main Hall - Town Hall, Huddersfield on Wednesday 12 July 2023**

PRESENT

The Mayor (Councillor Cahal Burke) in the Chair

COUNCILLORS

Councillor Beverley Addy	Councillor Masood Ahmed
Councillor Itrat Ali	Councillor Karen Allison
Councillor Ammar Anwar	Councillor Bill Armer
Councillor Donna Bellamy	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 James Homewood
Councillor Manisha Roma Kaushik	Councillor Viv Kendrick
Councillor Musarrat Khan	Councillor Jo Lawson
Councillor John Lawson	Councillor Susan Lee-Richards
Councillor Andrew Marchington	Councillor Naheed Mather
Councillor Harry McCarthy	Councillor Tony McGrath
Councillor Bernard McGuin	Councillor Hannah McKerchar
Councillor Matthew McLoughlin	Councillor Paul Moore
Councillor Alison Munro	Councillor Darren O'Donovan
Councillor Shabir Pandor	Councillor Carole Pattison
Councillor Mussarat Pervaiz	Councillor Amanda Pinnock
Councillor Andrew Pinnock	Councillor Elizabeth Reynolds
Councillor Imran Safdar	Councillor Cathy Scott
Councillor Joshua Sheard	Councillor Anthony Smith
Councillor Elizabeth Smaje	Councillor Mohan Sokhal
Councillor John Taylor	Councillor Mark Thompson
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Adam Zaman	Councillor Habiban Zaman

1 Announcements by the Mayor and Chief Executive

The Mayor presented Councillor Masood Ahmed with a commemorative yearbook in respect of his year in Mayoral Office, 2022-2023.

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2 **Apologies for absence**

Apologies for absence were received on behalf of Councillors Amin, Bamford, Holmes, Hussain, Lees-Hamilton, Lowe, K Pinnock, Ramsay, Simpson, Stephen and R Smith.

3 **Minutes of Previous Meeting**

RESOLVED – That the Minutes of the Meeting of Annual Council held on 24 May 2023 be approved as a correct record.

4 **Declaration of Interests**

No interests were declared.

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

No petitions were received.

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

Under the provision of Council Procedure Rule 10, Council received the following deputations;

- (i) Gez Walsh, on behalf of Platform 1, with regards to access to mental health services.

A response was provided by the Cabinet Member for Adults and Health (Councillor Khan).

- (ii) Dave Minich, on behalf of Cleckheaton Folk Festival, regarding the upkeep and maintenance of Cleckheaton Town Hall.

A response was provided by the Cabinet Member for Regeneration (Councillor Turner).

- (iii) Janet Foggin, on behalf of Cleckheaton and Spenborough Amateur Operatic and Dramatic Society, regarding the current closure of Cleckheaton Town Hall.

A response was provided by the Cabinet Member for Regeneration (Councillor Turner).

7 **Public Question Time**

No questions were asked.

8 **West Yorkshire Combined Authority - Minutes**

The Minutes of West Yorkshire Combined Authority held on 8 December 2022, 2 February 2023 and 8 December 2023 were received and noted.

9 **Pay Policy Statement (Reference from Personnel Committee)**

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

RESOLVED – That the Pay Policy Statement be approved, in accordance with the Localism Act 2011.

10 Council Financial Outturn and Rollover Report 2022/2023 (Reference from Cabinet)

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

RESOLVED –

- 1) That, in regards to the General Fund, (i) the revenue outturn position for 2022/2023 including Cost of Living Impacts be noted (ii) the application of the Council's flexible capital receipts strategy to the value of £2.9m applied against eligible transformation in 2022/2023; as approved in the 2023/2024 Annual Budget Report (March 2023) be noted (iii) the Government's £13.5m funding contribution on 31 March 2022 towards the Council's Dedicated School's Grant deficit be noted (iv) the year end position on corporate reserves and balances be noted (v) the proposed use of pre-existing reserves be reaffirmed and the proposed use of new reserves (section 1.9 of the report refers) be endorsed and (vi) it be noted that regular monitoring and review of corporate reserves in 2023/2024 will be reported to Cabinet as part of the quarterly financial monitoring cycle.
- 2) That the year end position on the Collection Fund be noted.
- 3) That the Housing Revenue Account outturn and reserves position 2022/2023 be noted.
- 4) That, in regards to the Capital budget, (i) the Council capital outturn position for 2022/2023 be noted (ii) the £34.5m capital rollover from 2022/2023 to 2023/2024 be approved (iii) approval be given to the revised capital plan for the period 2023/2024 onwards after taking into account rollover, the rephasing of schemes and changes to grant assumptions (iv) £0.9m for replacement parking ticket machines (£0.3m 2023/2024, £0.6m 2024/2025) be approved (v) £0.5m for the land acquisition and development of new burial provision in North Kirklees be approved (£0.1m feasibility 2023/2024 / £0.4m land acquisition 2024/2025) (vi) approval be given to an additional £0.5m funding for the existing New Street Public Realm Project, in order to complete the landscaped public space contributing to the delivery of the Huddersfield Blueprint (vii) approval be given to £1m top slice of the Cultural Heart programme for internal fees, transfer of £1.7m from Huddersfield Southern Corridors to manage the overspend for the A62 Smart Corridor, and £60k for Accessibility to Public Spaces and Places project, all with net nil borrowing additionality.
- 5) That the Review of Treasury Management activity 2022/2023 be noted.

11 Council Plan (Reference from Cabinet)

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

RESOLVED –

- 1) That the Council Plan, as attached at Appendix 1 of the report, be adopted and included in the Policy Framework for the Council, setting the overarching strategic direction for the services and activities relating to the business of the Council.

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- 2) That any required amendments be delegated to the Service Director (Strategy and Innovation) in consultation with the Leader of the Council.

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

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

Question from Councillor Taylor to the Cabinet Member for Environment – Councillor Ahmed

“What is the road sweeping & maintenance regime for A roads across Kirklees?”

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

Question from Councillor Taylor to the Cabinet Member for Culture and Greener Kirklees – Councillor Mather

“How should residents dispose of DIY waste?”

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

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

“Does the Council value volunteer groups and should it focus on making it easy for them to assist the Council delivering services at a time of strained finances?”

Under the provision of Council Procedure Rule 12(15) the Leader referred the question to the Cabinet Member for Corporate Services (Councillor P Davies) to respond.

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

“What is the population of the 6 valley wards that make up the rural part of Kirklees?”

Under the provision of Council Procedure Rule 12(15) the Leader referred the question to the Cabinet Member for Regeneration (Councillor Turner) to respond.

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

“Which is the largest settlement in South Kirklees after Huddersfield?”

Under the provision of Council Procedure Rule 12(15) the Leader referred the question to the Cabinet Member for Regeneration (Councillor Turner) to respond.

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

“How much capital funding remains for Towns and Villages after funding Batley, Cleckheaton, Heckmondwike and Holmfirth?”

Under the provision of Council Procedure Rule 12(15) the Leader referred the question to the Cabinet Member for Regeneration (Councillor Turner) to respond.

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

“How much money from 106 contributions has been received from developers in Holme Valley North ward for education over the last 5 years?”

A response was provided by the Cabinet Member for Regeneration (Councillor Turner).

13 Minutes of Cabinet and Cabinet Committee - Local Issues

Council received the Minutes of (i) Cabinet held on 21 December 2022, 17 January 2023, 14 February 2023, 21 February 2023, 14 March 2023 and 11 April 2023 and (ii) Cabinet Committee – Local Issues held on 19 December 2022.

14 Holding the Executive to Account

Council received a portfolio update from the Leader of the Council.

Under the provision of Council Procedure Rule 13(2)(iii) Council received the following oral questions;

Question from Councillor D Hall

“In regards to Councillor Pandor’s response to the conviction of Councillor Loonat, can the Leader produce any evidence that he suspended Councillor Loonat on 28 February when he was made aware of the criminal investigation, and why did he not inform the Chief Executive if this suspension?”

A response was provided by the Leader of the Council.

Question from Councillor Thompson

“Why has the Council spent £158k on new uniforms and rebranding vans when the housing department came back in house when it could have waited until they were necessary, and why has the number of complaints in housing doubled in the last twelve months since it came back in house?”

A response was provided by the Cabinet Member for Housing and Democracy (Councillor Scott).

Question from Councillor A Smith

“West Yorkshire Combined Authority takes decisions affecting over two million people but the levels of engagement with public consultation remain low to negligible. Why does Councillor Pandor think this is a reoccurring theme, what does he think can be done about it and will he take this up with the Mayor”

A response was provided by the Leader of the Council.

Question from Councillor Greaves

“In relation to Cabinet Minutes from 14 March, Asset Rationalisation Strategy savings, what are the Council’s plans for redundant buildings, and when will they be disposed of?”

A response was provided by the Cabinet Member for Corporate Services (Councillor P Davies)

Question from Councillor Cooper

“I’m aware of a business in Huddersfield which parks in excess of 40 vans every day and is completely ignored by parking wardens. Does the Cabinet member think that that is right?”

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

Question from Councillor Taylor

“When the ratios were calculated for Annual Council, they were done so incorrectly as Councillor Loonat was treated as a member of the labour group when the ratios were calculated. Can I ask Councillor Scott what action can be taken to rectify that, to make sure that the ratios are correct?”

A response was provided by the Cabinet Member for Housing and Democracy (Councillor Scott).

Question from Councillor Bolt

“The Nolan Principles set out integrity, accountability, openness and leadership, has that been shown tonight in response to these questions? Can something be described as subjudicy as when a Crown Court has passed sentence? We are told to consider how a member of the public in possession of the facts would view the incident. Having just been told that the Councillor is still technically a member of the labour group, how would a member of the public view the incident?”

The Mayor responded to the question that was put.

Question from Councillor McGrath

“In regards to Huddersfield Stadium, can the Cabinet Member update us on the debt and the reported £9m maintenance backlog of the stadium along with the plans to make sure that we have a stadium at the end of our station to stadium gateway when its finally achieved, and has Mr Nagle been contacted about the potential purchase of the stadium since taking control?”

A response was provided by the Cabinet Member for Corporate Resources (Councillor P Davies).

Question from Councillor Greaves

“In respect of school section 106 contributions, will the money be released to the schools that are legally entitled to it, or wait for developers to claw the money back?”

A response was provided by the Cabinet Member for Regeneration (Councillor Turner).

Question from Councillor J Lawson

“At 14 February 2023 Cabinet I asked a question regarding the Oakenshaw Cross, which Councillor Mather responded to . Can I ask when there will be some action and has there been a briefing to the current Cabinet Member?”

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

Question from Councillor Bolt

“I have an email from a resident with regard to the Council’s affordable housing criteria on planning applications. The resident finds it unbelievable that the Council are wanting two, and preferably three, certified accounts to be accepted onto an affordable housing scheme. Can we look at this? Would you meet the Mirfield resident? If self employed people are now allowed to self certify for the HMRC, but are getting barriers put in the way by the Council, how are they supposed to get on the affordable housing ladder?”

A response was provided by the Cabinet Member for Regeneration (Councillor Turner).

Question from Councillor Taylor

“Would the Cabinet Member commit to undertaking a review of Section 106? Members experience frustrations with monies being collected from developers and maybe we could work cross party to find a better way of using the funding, and a better way of collecting it?”

A response was provided by the Cabinet Member for Regeneration (Councillor Turner).

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15 **Minutes of Other Committees**

Under the provision of Council Procedure Rule 13(1)(ii) Council received the Minutes of (i) Corporate Governance and Audit Committee held on 2 December 2022, 10 February 2023, 10 March 2023, 21 April 2023 and 12 May 2023 (ii) Corporate Parenting Board held on 15 November 2022, 24 January 2023 and 28 March 2023 (iii) Health and Wellbeing Board held on 24 November 2022, 19 January 2023 and 30 March 2023 (iv) Licensing and Safety Committee held on 5 October 2022 (v) Overview and Scrutiny Management Committee held on 20 December 2022, 6 February 2023, 7 March 2023, 18 April 2023 and 24 May 2023 (vi) Personnel Committee held on 30 March 2023 (vii) Standards Committee held on 23 March 2023 and 24 May 2023 (viii) Strategic Planning Committee held on 8 December 2022, 14 December 2022, 26 January 2023, 2 March 2023, 15 March 2023, 6 April 2023, 11 May 2023, 24 May 2023 and 8 June 2023.

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

Council received the following oral question prior to the termination of the meeting in accordance with Council Procedure Rule 16:2;

Question from Councillor Bolt

“Can I ask the nominated spokesperson for KAL, at the meeting of Cabinet on 14 February 2023, and at other Council meetings, the point of having a spokesperson from KAL who can't actually speak was raised and was to be looked at. Does Councillor Sokhal still think he serves a valid purpose as a spokesperson for an organisation on which he cannot speak?”

A response was provided by the Spokesperson for Kirklees Active Leisure (Councillor Sokhal).

17 **Motion submitted in accordance with Council Procedure Rule 14 as to the Ending of the Practice of Using Council Street Furniture for the Displaying of Election Posters**

Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).

18 **Motion submitted in accordance with Council Procedure Rule 14 as to Renewable Energy**

Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).

19 **Motion submitted in accordance with Council Procedure Rule 14 as to Local Government Pay to Council : A Fully Funded, Proper Pay Rise for Council and School Workers**

Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).