

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 13 September 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 Zarina Amin
Councillor Bill Armer	Councillor Timothy Bamford
Councillor Donna Bellamy	Councillor Martyn Bolt
Councillor Andrew Cooper	Councillor Moses Crook
Councillor Paul Davies	Councillor Ebrahim Dockrat
Councillor Eric Firth	Councillor Charles Greaves
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 Jo Lawson
Councillor John Lawson	Councillor Vivien Lees-Hamilton
Councillor Susan Lee-Richards	Councillor Gwen Lowe
Councillor Andrew Marchington	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 Jackie Ramsay	Councillor Elizabeth Reynolds
Councillor Imran Safdar	Councillor Cathy Scott
Councillor Joshua Sheard	Councillor Will Simpson
Councillor Anthony Smith	Councillor Elizabeth Smaje
Councillor Richard Smith	Councillor Mohan Sokhal
Councillor John Taylor	Councillor Mark Thompson
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Habiban Zaman	

20 Announcements by the Mayor and Chief Executive

The Mayor welcomed Councillor Ebrahim Dockrat following his election to represent the Batley East ward on 31 August 2023.

Council - 13 September 2023

The Mayor conveyed congratulations to Dewsbury Rams upon their first league win and championship promotion, and to Batley Bulldogs for their participation in the AB Sundecks 1895 cup final at Wembley.

The Mayor also conveyed congratulations to the Deputy Mayor, Councillor Nosheen Dad, upon the recent birth of her daughter.

The Mayor acknowledged the forthcoming retirement of the Chief Executive, Jacqui Gedman, and paid tribute to her service. Tributes were also paid by Group Leaders.

21 **Apologies for absence**

Apologies for absence were received on behalf of Councillors Butt, Dad, P A Davies, Gregg, Mather, K Pinnock and A Zaman.

22 **Minutes of Previous Meetings**

RESOLVED – That the Minutes of the Meeting held on 12 July 2023 and 18 August 2023 be approved as a correct record.

23 **Declaration of Interests**

No interests were declared.

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

Council received a petition from Councillor J D Lawson in regards to the preservation of Dryclough Road horse fields.

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

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

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

- (i) Mick Donoghue (on behalf of Unison) in regards to the Council's funding crisis.

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

- (ii) Amelia Franks (Countryside Canines) in regards to the increase in dog boarding licence fees.

A response was provided by the Cabinet Member for Housing and Highways (Councillor Ahmed).

26 **Public Question Time**

No questions were asked.

Council - 13 September 2023

27 **West Yorkshire Combined Authority - Minutes**

The Minutes of the Meeting of West Yorkshire Combined Authority held on 2 February, 16 March, 25 May and 22 June 2023 were received and noted.

28 **Election of the Leader of the Council**

It was moved by Councillor P Davies and seconded by Councillor Simpson that Councillor Scott be elected as Leader of the Council.

It was moved by Councillor Taylor and seconded by Councillor Smaje that Councillor D Hall be elected as Leader of the Council.

Upon being put to the vote, the nomination of Councillor Scott was carried and it was therefore;

RESOLVED – That Councillor Cathy Scott be elected as Leader of the Council, in accordance with Article 7 of the Constitution.

29 **Planning Scheme of Delegation and Planning Committees (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Homewood, seconded by Councillor Taylor and

RESOLVED –

- 1) That the Scheme of Delegation to the Strategic Director (Growth and Regeneration), as set out at Appendix A, be approved and effective from 10 November 2023.
- 2) That the Scheme of Delegation to the Strategic Director (Environment and Climate Change), as set out at Appendix F, be approved and effective from 10 November 2023.
- 3) That approval be given to (i) renaming 'Strategic Planning Committee' to 'Strategic Planning Committee (Major Planning Applications)', and (ii) the revised terms of reference as set out at Appendix B, effective from 10 November 2023.
- 4) That, pursuant to (3 above), it be noted that the membership and composition of the Committee shall be unchanged for the remainder of this municipal year.
- 5) That the revised terms of reference for the existing two planning sub-planning committees (Heavy Woollen Area and Huddersfield Area), as set out at Appendix C, be approved and effective from 10 November 2023 to 9 February 2024.
- 6) That approval be given to the disestablishment both Heavy Woollen Area Planning Sub-committee and Huddersfield Area Planning Sub-Committee with effect from 9 February 2024.
- 7) That approval be given to (i) the establishment a new planning committee to be named 'District Wide Planning Committee (Minor and Other Planning Applications)', to be effective from 9 February 2024, and (ii) the terms of reference as set out at Appendix D.
- 8) That approval be given to the composition of the 'District Wide Planning Committee (Minor and Other Planning Applications)' as set out at Appendix B

Council - 13 September 2023

(effective from 9 February 2024), namely 9 Members of the Council on a ratio of 5:3:1.

- 9) That Group Business Managers be delegated authority to nominate the membership of the District Wide Planning Committee (Minor and Other Planning Applications).
- 10) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to make consequential changes to the Constitution (including Scheme of Delegation at Appendix A and Appendix F (subject to amendment as recommended by Corporate Governance and Audit Committee, as set out in this report) Strategic Planning Committee (Major planning applications) Terms of Reference at Appendix B, and revised Terms of Reference for Heavy Woollen and Huddersfield Planning Sub-Committees at Appendix C) as set out in this report to implement the recommendations to this committee and full Council in relation to this report. To come into effect 10 November 2023.
- 11) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to make consequential changes to the Constitution (including Dis-establishment of the Heavy Woollen and Huddersfield Sub-Planning Committees, establishment of the District-Wide Planning Committee (Minor and Other planning applications) at Appendix A, D and F, and Protocols for Planning Committee at Appendix E (subject to amendment as recommended by Corporate Governance and Audit Committee, as set out in this report) to implement the recommendations to come into effect from 9 February 2024.

30

Members Allowances Scheme (Reference from Corporate Governance and Audit Committee)

It was moved by Councillor Homewood, seconded by Councillor McCarthy and

RESOLVED – That Council:

- 1) Notes the recommendation of Corporate Governance and Audit Committee.
- 2) Requests that a Members' Allowance Independent Review Panel is convened as soon as possible to consider the allowances paid to Councillors, having regard to the financial position of the Council.
- 3) Requests that Members in attendance at the Council meeting to indicate by recorded vote whether they wish to forgo the increase in allowances (basic and SRA) based on the officer pay award for the 2023/24 financial year and in addition to take a 5% reduction in their current allowances (basic and SRA).
- 4) Requests that Members of the Council not in attendance at the Council meeting be asked to indicate whether they intend to forgo the increase and in addition take a 5% reduction in their current allowances (basic and SRA).

Under the provision of Council Procedure Rule 24(3), a recorded vote was taken on this item as follows;

For: Councillors Addy, Ahmed, Allison, Amin, Anwar, Burke, Cooper, Crook, P Davies, Dockrat, E Firth, S Hall, Hawkins, Homewood, Hussain, Kaushik, Kendrick,

Council - 13 September 2023

Khan, J D Lawson, J Lawson, Lee-Richards, Marchington, McCarthy, McKerchar, McLoughlin, Moore, Munro, O'Donovan, Pandor, Pattison, Pervaiz, A U Pinnock, A Pinnock, Ramsay, Reynolds, Safdar, Scott, Simpson, A Smith, Sokhal, Turner, Ullah and H Zaman (43 votes)

Against: Councillors Ali, Armer, Bamford, Bellamy, Bolt, D Hall, Holmes, Lees-Hamilton, McGrath, McGuin, Sheard, Smaje, R Smith, Taylor and Thompson (15 votes)

Abstained: Councillor Greaves

31 Council Budget Strategy Update: 2024/2025 and Future Years (Reference from Cabinet)

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

RESOLVED –

- 1) That the key risks to the delivery of the budget in 2023/2024 be noted and be subject to consideration as part of the regular Budget Monitoring reports submitted to the Cabinet.
- 2) That the uncertainty of the funding outlook for the Council be noted, not least the limited progress on Local Government Finance reforms and that these will not now take place before the next General Election.
- 3) That, subject to the continuation of the Business Rates Pooling arrangements, authority be delegated authority to the Chief Executive and the Service Director (Finance), in consultation with the Leader and the Finance and Regeneration Portfolio Holder, to determine whether the Council should continue as a member of the Leeds City Region Business Rates Pool in 2024/25.
- 4) That the update to the Medium Term Financial Plan for 2024/2029 (Appendix A refers) be noted, and that in view of the uncertainty with some of the assumptions upon which the Plan is based, that it will remain under review as the Council's budget process progresses.
- 5) That the scenario analysis as set out at Appendix D, which models 'worst'/'best' case scenarios around the baseline MTFP as part of the assessment of potential risks facing the Council, be noted.
- 6) That approval be given to the Medium Term Financial Strategy.
- 7) That under the provision of delegations, and in view of the significant financial challenge faced by the Council, early action will be taken to identify and implement budget reduction measures (consistent with the Medium Term Financial Strategy set out above) as a means of reducing the funding gap set out in this report.
- 8) That, consultation with relevant Cabinet Members, Officers identify and bring forward proposals consistent with the Medium Term Financial Strategy set out in this report for consideration by Cabinet as part of their development of the budget for 2024/2025.
- 9) That the timetable for the development of the Council's budget 2024/2025, as set out in the report, be noted.
- 10) That subject to consideration by respective Portfolio Holders, any budget proposals arising from the work above be considered by the Cabinet in due course (and subject to the proposal on consultation as set out at (11) below.)

Council - 13 September 2023

11) That pursuant to (10) above and agreement with Councillors and recognising that it may be necessary to consult on specific matters as required, it be noted that it is proposed to undertake consultation on the budget over Autumn 2023 with a view to informing decisions on the Council's budget for 2024/25.

32 Overview and Scrutiny Annual Report 2022/2023

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

33 Appointment of Committee and Panel Chairs

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

RESOLVED –

That the following Chairs be appointed for the remainder of the 2023/2024 municipal year;

Appeals Panel – Councillor H Zaman

Environment and Climate Change Scrutiny Panel – Councillor J D Lawson

Growth and Regeneration Scrutiny Panel – Councillor Crook

Health and Wellbeing Board – Councillor Ramsay

Personnel Committee – Councillor Scott

Planning Sub Committee (Heavy Woollen Area) – Councillor E Firth

Standards Committee – Councillor McCarthy

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

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

35 Key Discussion - Addressing The Council's Financial Challenge

Council held a key discussion on addressing the Council's Financial Challenge.

36 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).

37 Motion submitted in accordance with Council Procedure Rule 14 as to Helping address the Council's Financial Crisis

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

38 Motion submitted in accordance with Council Procedure Rule 14 as to Kirklees Council's Financial Position

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

Council - 13 September 2023

- 39 Motion submitted in accordance with Council Procedure Rule 14 as to Water Quality and Sewage Discharge**
Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).