

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 18 October 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 Aafaq Butt
Councillor Martyn Bolt	Councillor Andrew Cooper
Councillor Moses Crook	Councillor Paola Antonia Davies
Councillor Paul Davies	Councillor Ebrahim Dockrat
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 Viv Kendrick
Councillor Jo Lawson	Councillor John Lawson
Councillor Vivien Lees-Hamilton	Councillor Susan Lee-Richards
Councillor Gwen Lowe	Councillor Andrew Marchington
Councillor Naheed Mather	Councillor Tony McGrath
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 Melanie Stephen
Councillor Mohan Sokhal	Councillor Mark Thompson
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Adam Zaman	Councillor Habiban Zaman

40 Announcements by the Mayor and Chief Executive

The Mayor conveyed congratulations to the University of Huddersfield on the achievement of a gold award in the Teaching Excellence Framework.

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The Mayor also advised Council that the Band of the Royal Airforce College would be in concert, with Gledholt Male Voice Choir and Lindley Junior Choir, on Friday 1 December at Huddersfield Town Hall in aid of the Mayor's nominated charities.

Council held a minute of silence in respect of the atrocities currently taking place in the Middle East.

The newly appointed Chief Executive, Steve Mawson, introduced himself to the meeting and advised that he would be making contact with all members of the Council.

41 **Apologies for absence**

Apologies for absence were received on behalf of Councillors Dad, D Firth, Kaushik, Khan, McGuin, McCarthy, K Pinnock and Taylor.

42 **Minutes of Previous Meeting**

RESOLVED – That the Minutes of the Meeting held on 13 September 2023 be approved as a correct record.

43 **Declaration of Interests**

No interests were declared.

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

Councillor Sheard submitted a petition in objection to the potential closure of Batley Sports and Leisure Centre.

In accordance with Council Procedure Rule 9(3) the Mayor directed that the subject matter of the petition be referred to the appropriate Service Director.

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

In accordance with Council Procedure Rule 10, Council received deputations from;

- (i) Carl Mason in regards to the potential closure of Colne Valley Leisure Centre.

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

- (ii) Helen Plaskitt in regards to the potential closure of Claremont Care Home.

A response was provided by the Cabinet Member for Health and Social Care (Councillor Ramsay).

- (iii) Louise Lewis in regards to the potential closure of Deighton Sports Arena.

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

- (iv) Alison Gaughan in regards to Council spending cuts.

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

46 Public Question Time

Council received the following Public Questions in accordance with Council Procedure Rule 11;

(i) Question from John Marriott

“Will the Council undertake dialogue with Better Gyms & Leisure Centres (www.better.org.uk) the trading name of GLL (Greenwich Leisure Limited) to commission a feasibility report into them taking over the running and operation of all the Leisure Centre currently operated under KAL. If not, why not?”

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

(ii) Question from John Marriott

“Could the Council confirm if there have been any approaches by third parties with a view to acquiring the Colne Valley Leisure Centre site on a pre planning application (pre app) for any change of use?”

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

(iii) Question from Lesley Warner

“In light of the dire financial situation in Kirklees could I suggest that the £5 million levelling up funding currently intended for a mill in Marsden, as proposed by our MP, without agreement of local Councillors, be redirected to a more urgent issue?”

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

47 West Yorkshire Combined Authority - Minutes

The Minutes of the Meeting of West Yorkshire Combined Authority held on 27 July 2023 were received and noted.

48 Corporate Governance and Audit Committee - Annual Report (Reference from Corporate Governance and Audit Committee)

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

RESOLVED – That the Corporate Governance and Audit Committee Annual Report be received and noted.

49 Re-appointment of Independent Person

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

RESOLVED –

- 1) That the reappointment of the existing Independent Person, for a period of a further two years, be approved.
- 2) That it be noted that the Monitoring Officer will undertake the process for the appointment of a further Independent Person.

50 Overview and Scrutiny Annual Report 2022/23

Councillor Smaje presented the 2022/2023 Overview and Scrutiny Annual Report, which was received and noted.

51 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 Greaves to the Cabinet Member for Finance and Regeneration – Councillor Turner

“Which schools have received s106 school funding in the last 5 years, and for what purposes?”

A response was provided by the Cabinet Member.

Question from Councillor Greaves to the Cabinet Member for Finance and Regeneration – Councillor Turner

“Ultimately, what will you do with any schools s106 funding that remains unspent after many, many years because of the Cabinet’s incorrect understanding of the legal uses to which the money can be put?”

A response was provided by the Cabinet Member.

Question from Councillor Greaves to the Cabinet Member for Finance and Regeneration – Councillor Turner

“What action is taken when the occupier of premises fails to declare their property as being liable for Business Rates?”

A response was provided by the Cabinet Member.

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

“In June guidance was issued by the Government to ensure that household DIY waste could be disposed of in the same way as other household waste. This is the third month I have asked this question, why does Kirklees refuse to comply with that guidance, especially as we know that DIY waste does form some of the fly tipping we see which could be avoided if the Council complied with the Government’s guidance?”

In the absence of Councillor Taylor, it was noted that a written response would be provided.

Question from Councillor Armer to the Cabinet Member for Finance and Regeneration – Councillor Turner

“Given the current serious financial situation facing this Council, what is the status of the Huddersfield Blueprint project?”

A response was provided by the Cabinet Member.

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

“As the Council is committed to starting the Holmfirth Blueprint, has the Cabinet Member got a date as to when works will start?”

A response was provided by the Cabinet Member.

Question from Councillor Lees-Hamilton to the Cabinet Member for Corporate Services – Councillor P Davies

“A resident in Mirfield has been told that the provision of large vehicles to mitigate any hostile vehicle attacks on the extremely well attended Mirfield Remembrance Parade and Service will now come at significant cost.

As this information has not been communicated to the ward members, or Town Council and to date no written costings or justification of why charges are being imposed on events to honour those whose sacrifice provides our freedom, is this a fair and equitable way to handle such things?”

A response was provided by the Cabinet Member.

Question from Councillor Bolt to the Leader of the Council – Councillor Scott

“The works being undertaken by Network rail are seeing key active travel routes and public rights of way closed for very long periods. This was a key issue raised in the debate at Council and ultimately the unanimous vote to formally object to the transport works order act.

That objection was withdrawn without reference back to Council, nor without those who voted for the objection being given insight into what arrangements, promises or understanding had been secured. One presumes such action was only taken following consultation with the Cabinet. Will the Leader publish the agreement, understanding or otherwise which led to the withdrawal of the Council’s decision so all members are aware?”

A response was provided by the Leader of the Council.

Question from Councillor Bolt to the Leader of the Council – Councillor Scott

“Kirklees Council designed and operated the café at the Spennithorne Leisure centre, which closed due to it failing financially. What has the Leader done to understand why what should have been a popular and profitable facility reputedly lost £60,000, why was no oversight in place at, say, each quarter to monitor its performance against the business plan and cash flow forecast and to either change its model of operation and hours of opening to become profitable or pull the plug before Kirklees lost so much money?”

A response was provided by the Leader of the Council.

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

“What are the Council plans for the land at Ravensknowle Park that does not form part of the Tolson Estate?”

A response was provided by the Cabinet Member.

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

“I understand Almondbury Carnegie Library was gifted to the people of Almondbury as their first public library, how then can it be possible for the Cabinet member to decide to dispose of it?”

A response was provided by the Cabinet Member.

Question from Councillor D Hall to the Cabinet Member for Finance and Regeneration – Councillor Turner

“What is the Council’s policy on placing guardians in empty council buildings?”

A response was provided by the Cabinet Member.

Question from Councillor D Hall to the Leader of the Council – Councillor Scott

“What is the Cabinet’s definition of ‘unnecessary expenditure’?”

A response was provided by the Cabinet Member.

Question from Councillor D Hall to the Leader of the Council – Councillor Scott

“Please would the Leader say whether she is satisfied that unnecessary expenditure has now ceased?”

A response was provided by the Cabinet Member.

Question from Councillor Gregg to the Cabinet Member for Finance and Regeneration – Councillor Turner

“Given independent auditors have recently said, “...there was a significant weakness in how the Authority plans and managed its resources to ensure it can continue to deliver its services.” Please can the cabinet member advise what remedial action Kirklees Council is taking as a result of that report?”

A response was provided by the Cabinet Member.

Question from Councillor Gregg to the Cabinet Member for Finance and Regeneration – Councillor Turner

“Following the Prime Minister's announcement of billions of pounds of rail upgrades including a new £2bn train station in Bradford. What impact does the Kirklees Council cabinet think this will have on our communities, businesses and industry, particularly in places to the north of the district such as Scholes, Birstall and Cleckheaton?”

A response was provided by the Cabinet Member.

Question from Councillor Gregg to the Cabinet Member for Finance and Regeneration – Councillor Turner

“Does the Kirklees Labour Cabinet disagree with the Labour MP for Huddersfield who says that the John Smith’s stadium should not go into private hands “be it club or individual”?”

A response was provided by the Cabinet Member.

52 Minutes of Cabinet and Cabinet Committee - Local Issues

Council received and noted the Minutes of Cabinet held on 27 June, 11 July, 15 August and 6 September 2023 and (ii) Cabinet Committee – Local Issues held on 21 June 2023.

53 Holding the Executive to Account

Council received a portfolio update from the Leader, Councillor Scott, prior to oral questions to the Leader and Cabinet Members in accordance with Council Procedure Rule 13.

54 Minutes of Other Committees

Council received and noted the Minutes of (i) Corporate Governance and Audit Committee held on 16 June, 14 July, 12 September and 29 September 2023 (ii) Corporate Parenting Board held on 4 July 2023 (iii) Health and Wellbeing Board held on 29 June 2023 (iv) Personnel Committee held on 26 June 2023 (v) Licensing and Safety Committee held on 24 May 2023, 19 July 2023 (vi) Overview and Scrutiny Management Committee held on 20 June and 1 August 2023 and (vii) Strategic Planning Committee held on 6 July, 3 August and 31 August 2023.

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

Council received a question in accordance with Council Procedure Rule 13 prior to the termination of the meeting in accordance with Council Procedure Rule 16 (2).