

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 15 November 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 Andrew Cooper	Councillor Moses Crook
Councillor Nosheen Dad	Councillor Paola Antonia Davies
Councillor Eric Firth	Councillor Charles Greaves
Councillor Adam Gregg	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 Amanda Pinnock
Councillor Andrew Pinnock	Councillor Kath Pinnock
Councillor Jackie Ramsay	Councillor Elizabeth Reynolds
Councillor Imran Safdar	Councillor Cathy Scott
Councillor Will Simpson	Councillor Anthony Smith
Councillor Elizabeth Smaje	Councillor Richard Smith
Councillor Melanie Stephen	Councillor Mohan Sokhal
Councillor John Taylor	Councillor Mark Thompson
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Adam Zaman	Councillor Habiban Zaman

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

The Mayor conveyed congratulations to Omaid Badar for achieving recognition as national Social Worker of the Year at the Social Worker of the Year Awards, and to

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Vicky Doolan who was shortlisted for the award. Congratulations were also conveyed to Christopher Smith Whicker who was shortlisted for Practice Educator of the Year.

The Mayor advised Council that, following a recent Ofsted inspection, the University of Huddersfield's Apprenticeship division had been judged as 'outstanding'. The Mayor congratulated the University upon this outcome, which was the highest grade that the University could have been awarded.

### 57 **Apologies for absence**

Apologies for absence were received on behalf of Councillors Bolt, P Davies, D Firth, D Hall, Dockrat, Mather, Sheard and Pervaiz.

### 58 **Minutes of Previous Meeting**

**RESOLVED** - That the Minutes of the Meeting held on 18 October 2023 be approved as a correct record.

### 59 **Declaration of Interests**

No interests were declared.

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

Council received the following petitions;

- (i) Councillor A Pinnock - Cleckheaton Town Hall End to neglect and delay to repairs
- (ii) Councillor Kendrick - Stop the Closure of Claremont House

The Mayor advised that, in accordance with Council Procedure Rule 9(3), the subject matter of the petitions be referred to the relevant Service Directors.

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

In accordance with Council Procedure Rule Council 10, Council received the following deputations;

- (i) Sara Blagbough (regarding the potential closure of Castle Grange Care Home)

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

- (ii) Philip Gott (regarding the future of Batley Owls)

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

- (iii) Tim Gilligan (regarding the Council's cuts to services)

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

(iv) Surraya Patel (regarding sports provision in Dewsbury)

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

**62 Public Question Time**

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

(i) Question from Carl Mason

“Kirklees Council's social value policy states it will require all applicants for grants of £50,000 or more to provide a statement of social value benefits and how these will be realised, for consideration as part of the investment decision process.

As KAL have been offered £2.555M for 2024/25 will the Council confirm it has received this statement showing that KAL achieves social value for taxpayers' money granted to them for running leisure centres in Kirklees?”

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

(ii) Question from Carl Mason

“As advised in the Kirklees Active Leisure financial statements of 31 March 2022 KAL and Kirklees Council jointly developed a Partnership Framework, which was agreed by the Council's Cabinet in July 2021 and subsequently agreed by the KAL board at a special KAL Board meeting held on the 5<sup>th</sup> August 2021, as this is a partnership can you confirm the current leisure centre pricing model is a jointly agreed model?”

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

(iii) Question from David Longstaff

“My home in Fenay Bridge backs onto Fenay Beck.

What are the Council plans to reduce the risk of flooding of the beck from development of houses on HS9 in the Local Plan?”

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

(iv) Question from David Longstaff

“Land at HS9 in Fenay Bridge was I understand originally earmarked for Extra Care Housing. Why has this changed?”

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

(v) Question from Lesley Warner

"Whilst we appreciate the constraints placed on the Council at the present time we don't feel that enough consideration has been given to creative ways of both saving monies and raising monies...what grants have been applied for, Sport England? Grants for new technologies? What businesses have been approached for sponsorships? Have loans been applied for to sustain all present facilities in the short term?"

The Cabinet Member for Finance and Regeneration (Councillor Turner) advised that a written response would be provided.

(vi) Question from Lesley Warner

"The short term budget crisis is going to create long term health issues. We all know that when these centres are shut, they won't reopen. Can we plead that you all do everything that is possible to avoid these proposed damaging closures?"

Due to time constraints, the Mayor advised that a written response would be provided.

### 63 **Key Discussion - Elected Mayor (West Yorkshire Combined Authority)**

The Elected Mayor of West Yorkshire was in attendance for the key discussion and provided an overview of her priorities, prior to a question and answer session.

### 64 **Motion submitted in accordance with Council Procedure Rule 14 as to Small Business Saturday**

It was moved by Councillor Munro, and seconded by Councillor A Smith that;

"This Council notes that:

- 1) Small Business Saturday is an annual event which was created to encourage consumers to 'shop local', in person and online, and to support small, independent businesses in their communities;
- 2) Small Business Saturday 2023 is coming up on Saturday 2<sup>nd</sup> December. Small Business Saturday has grown into a significant event – with £1.1 billion spent at small businesses during the 2020 event alone;
- 3) This is an excellent opportunity to promote small businesses in Kirklees and to celebrate the contribution smaller businesses make to our district.

This Council believes that:

- 1) Small businesses are the heart and soul of our local high streets. They help give our villages and towns in Kirklees their unique character and employ thousands of

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local people. It is only by supporting our local independent businesses that we can also help our local high streets thrive;

2) Now, more than ever, we need to be supporting our small businesses and local shops, who are currently experiencing enormous challenges, including economic, political and social uncertainty, the cost-of-living crisis and impact on consumer spending, the rising cost of bills and a reduction in profit margins due to inflation. A side effect of rising inflation is higher interest rates, which has an impact on borrowing and enabling businesses to access finance, including business loans. According to recent reports, UK high street businesses could face a quadrupling of their tax bills next year and close to a £2 billion increase in business rate payments;

3) Local businesses are vital to local economies – they are significant creators of jobs and are more likely to hire people who live locally. The money spent at a local business is more likely to stay in the community. They are the backbone of our communities, bringing people together and building local character. However, many small businesses will close unless we support them better.

This Council resolves to:

1) Instruct the Chief Executive and Heads of Service to ensure that the Council participates in Small Business Saturday on Saturday 2<sup>nd</sup> December 2023;

2) Request that officers work closely with local business organisations and smaller enterprises across Kirklees to make them aware of Small Business Saturday and encourage them to sign up;

3) Ensure that Small Business Saturday is promoted prominently on the Council's website, social media channels and other external communications;

4) Develop a year-round communications plan to continue promoting local small businesses and encouraging residents in Kirklees to shop local all year round;

5) Investigate further ways to increase shopper numbers around Small Business Saturday and in the lead up to Christmas – such as free car parking in the town centre on busy shopping days – and establish a regular programme of measures to support small businesses.”

Whereupon, it was moved by Councillor Turner, and seconded by Councillor Scott, by way of amendment, that;

This Council notes that:

- 1) Small Business Saturday is an annual event which was created to encourage consumers to 'shop local', in person and online, and to support small, independent businesses in their communities;
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spent at small businesses during the 2020 event alone;

- 3) This is an excellent opportunity to promote small businesses in Kirklees and to celebrate the contribution smaller businesses make to our district.

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3) Local businesses are vital to local economies – they are significant creators of jobs and are more likely to hire people who live locally. The money spent at a local business is more likely to stay in the community. They are the backbone of our communities, bringing people together and building local character. However, many small businesses will close unless we support them better.

This Council resolves to:

- 1) Call upon the Government to replace the outdated business rates system with a modern system of fair business taxes, that recognises the challenges and difficulties for new and start-up businesses.
- 2) Request that Officers work closely with local business organisations and smaller enterprises across Kirklees to make them aware of Small Business Saturday and encourage them to sign up.
- 3) Ensure that Small Business Saturday is promoted prominently on the Council's website, social media channels and other external communications.
- 4) Develop a year-round communications plan to continue promoting local small businesses and encouraging residents in Kirklees to shop local all year round.
- 5) Request that the Government takes action to ensure the scourge of late payments which can decimate small business cash flow and should be tackled with meaningful legislation.

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- 6) Request that appropriate measures should also be introduced to ensure small business can access public contacts in a simpler way, to ensure the playing field is level with large companies whose resources allow them an unfair advantage.
- 7) Notes that Officers and Portfolio Holders are looking at ways to encourage shoppers into town in the run up to Christmas by looking at what options are available.

The amendment, upon being accepted by the proposer of the Motion, was put to the vote and it was;

### **RESOLVED -**

This Council notes that:

- 1) Small Business Saturday is an annual event which was created to encourage consumers to 'shop local', in person and online, and to support small, independent businesses in their communities;
- 2) Small Business Saturday 2023 is coming up on Saturday 2<sup>nd</sup> December. Small Business Saturday has grown into a significant event – with £1.1 billion spent at small businesses during the 2020 event alone;
- 3) This is an excellent opportunity to promote small businesses in Kirklees and to celebrate the contribution smaller businesses make to our district.

This Council believes that:

- 1) Small businesses are the heart and soul of our local high streets. They help give our villages and towns in Kirklees their unique character and employ thousands of local people. It is only by supporting our local independent businesses that we can also help our local high streets thrive;
- 2) Now, more than ever, we need to be supporting our small businesses and local shops, who are currently experiencing enormous challenges, including economic, political and social uncertainty, the cost-of-living crisis and impact on consumer spending, the rising cost of bills and a reduction in profit margins due to inflation. A side effect of rising inflation is higher interest rates, which has an impact on borrowing and enabling businesses to access finance, including business loans. According to recent reports, UK high street businesses could face a quadrupling of their tax bills next year and close to a £2 billion increase in business rate payments;
- 3) Local businesses are vital to local economies – they are significant creators of jobs and are more likely to hire people who live locally. The money spent at a local business is more likely to stay in the community. They are the backbone of our communities, bringing people together and building local character. However, many small businesses will close unless we support them better.

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- 2) Request that Officers work closely with local business organisations and smaller enterprises across Kirklees to make them aware of Small Business Saturday and encourage them to sign up.
- 3) Ensure that Small Business Saturday is promoted prominently on the Council's website, social media channels and other external communications.
- 4) Develop a year-round communications plan to continue promoting local small businesses and encouraging residents in Kirklees to shop local all year round.
- 5) Request that the Government takes action to ensure the scourge of late payments which can decimate small business cash flow and should be tackled with meaningful legislation.
- 6) Request that appropriate measures should also be introduced to ensure small business can access public contacts in a simpler way, to ensure the playing field is level with large companies whose resources allow them an unfair advantage.
- 7) Notes that Officers and Portfolio Holders are looking at ways to encourage shoppers into town in the run up to Christmas by looking at what options are available.

### 65 **West Yorkshire Combined Authority - Minutes**

The Minutes of the Meeting of West Yorkshire Combined Authority held on 7 September and 29 September 2023 were received and noted.

### 66 **Kirklees Local Plan Review and Update (Reference from Cabinet)**

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

### **RESOLVED**

- 1) That Council approves the commencement of a full update of the Kirklees Local Plan in accordance with the statutory process as set out in the Town and Country Planning Regulations 2012.
- 2) That Council approves the funding of the update of the Kirklees Local Plan, estimated at £2m over a five year period, including utilising funding from the Leeds City Region Business Pool and other funding sources.

**67 Appointment of Chair - Growth and Regeneration Scrutiny Panel**

It was moved by Councillor Sokhal and seconded by Councillor Simpson that Councillor Pandor be appointed as Chair of the Growth and Regeneration Scrutiny Panel for the remainder of the municipal year.

Whereupon, it was moved by Councillor Taylor and seconded by Councillor McGrath that Councillor D Hall be appointed as Chair of the Growth and Regeneration Scrutiny Panel for the remainder of the municipal year.

Upon being put to the vote, it was

**RESOLVED** – That Councillor Pandor be appointed as Chair of the Growth and Regeneration Scrutiny Panel for the remainder of the municipal year.

**68 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)**

“For the last 3 years Independent Councillors have been engaging with officers and cabinet to secure the release of s106 funds to the Meltham schools. In doing so we have discovered that this Council is currently sat on £1.6M of funding for schools in the valleys that has come from housing developments – some of this money has been held for many years – and there is more money to come in the future. This money is ringfenced for the schools named in the legal agreement – it is not part of the Council budget and it can’t be used for any other purpose than to fund the schools for which it was claimed.

The Council can either work with the schools to develop suitable uses for the money, continue to sit on the money and ignore the needs of our schools, or return the money to the developers.

As Cllr Turner said at the last meeting - "We're not wanting much, we just want our fair share."

When pushed this Council has said it is unable to release the money except to create additional school places. Whilst this is an incorrect understanding of the law and the individual legal agreements, at the October meeting Cllr Turner restated this incorrect understanding, but then went on to comment that in respect of the 3 Meltham schools:

“We are working on a plan to passport the 106 money, this is complex because of the legal binding agreement and is ongoing.”

What exactly does this mean – because it sounds like someone accepting that they are wrong but refusing to acknowledge it?”

A response was provided by the Cabinet Member.

**Question from Councillor Greaves to the Cabinet Member for Finance and Regeneration (Councillor Turner)**

“Why has the Council failed to collect £150k in s106 park/play money from developments in Meltham? What actions did it put into effect when the money wasn't paid when it was due and what is it doing to collect the money now? Has it issued statutory demands for payment, and what further powers does it have to secure the funding?”

A response was provided by the Cabinet Member.

**Question from Councillor Cooper to the Cabinet Member for Culture and Greener Kirklees (Councillor Hussain)**

“Are the recent increases in Kirklees Council allotment fees legal?”

A response was provided by the Cabinet Member.

The remaining questions were dealt with in accordance with Council Procedure Rule 12(8) due to the termination of the meeting in accordance with Council Procedure Rule 16(2).

**69 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).)

**70 Motion submitted in accordance with Council Procedure Rule 14 as to School Uniform Costs**

Item not considered.

(Meeting terminated in accordance with Council Procedure Rule 16(2).)

**71 Motion submitted in accordance with Council Procedure Rule 14 as to NHS Dental Contract Reform**

Item not considered.

(Meeting terminated in accordance with Council Procedure Rule 16(2).)

**72 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).)