

COUNCIL MEETING

Wednesday 11 December 2024

AGENDA ITEM 8 – WRITTEN QUESTIONS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE 12

1	<p>Question from Councillor Greaves to the Cabinet Member for Environment and Highways - Councillor Ahmed</p> <p>“Following the recent changes to the Waste Recycling centres, there were complaints of poor signage and a lack of information, along with reports of queues, waste dumped at the gates and increased fly tipping. What is the Council’s analysis of the impact of the changes across Kirklees?”</p> <p><u>Cabinet Member Response</u></p> <p>In preparation for the closure of the Nab Lane HWRC, and the reduction in opening hours at our Bromley Farm and Bent Ley Road sites, the council released news through multiple channels including social media, press releases and our website. Additionally, the proposals were made public through the council’s scrutiny and cabinet meetings. Opening hours signage at all sites was also updated prior to the closure.</p> <p>At this point in time the service has had under 10 official complaints in relation to the closure and hours reduction, 3 reports of fly tipping at Nab Lane and 1 report of fly tipping at the Bent Ley Road. We are in communication with our contractor who manages the HWRC sites, and they have raised no concerns from any of the 3 affected sites.</p> <p>We understand there may be a period of adjustment for residents following the changes to opening hours, and our contractor will be placing larger and more prominent signage at the site displaying opening hours and we will monitor the situation should any additional communications be required.</p> <p>The service will continue to monitor the impacts, including regular site visits to all 3 sites and communication with our contractor.</p>
2	<p>Question from Councillor Greaves to the Cabinet Member for Finance and Regeneration – Councillor Turner</p> <p>“In July 2023 I asked the then Labour cabinet member, now the Labour MP for Colne Valley, why the Holmfirth council offices had still not been dealt with despite being closed around April 2017. He said the sale and reuse of the offices was a priority and would be dealt with by the end of the year. What progress has been made?”</p> <p><u>Cabinet Member Response</u></p> <p>Holmfirth Council Offices is scheduled to be sold at auction in May 2025. We are currently progressing and preparing it to meet this deadline</p>

3	<p>Question from Councillor Greaves to the Cabinet Member for Finance and Regeneration – Councillor Turner</p> <p>“The annual s106 report paints a very poor picture of how Kirklees has failed, time and again to gather developer money in, and then to use it for the benefit of the affected communities.</p> <p>We are repeatedly told that Kirklees have learnt the lessons of past mistakes, but they still continue. When will the money promised to the Meltham schools be released?”</p> <p><u>Cabinet Member Response</u></p> <p>Kirklees Council has a strong track record of negotiating and collecting Section 106 monies.</p> <p>Section 106 contributions are collected for specific interventions that mitigate the impacts of a given development, through the planning process. A legally binding document is then signed which governs what that money can be spent on. As a result, we – along with every Council in the country, find Section 106 spend is very constrained; it is not a flexible pot that can be spent at will.</p> <p>The situation with Meltham Schools money has been explained before. We cannot simply release the funding to Meltham schools. The specific Section 106 Agreement in question has expired and was for the provision of new school places, which have not been needed. We are actively working with the Developer in question to try to secure an extension, otherwise the money will need to be repaid.</p>
4	Question withdrawn
5	<p>Question from Councillor Taylor to the Cabinet Member for Finance and Regeneration – Councillor Turner</p> <p>“I am often contacted by both applicants and housebuilders with concerns about the slow determination of planning applications. Could the Cabinet Member tell me what the average performance is currently for both major and minor applications in terms of the time taken from application to a decision and what the change in performance has been in the last 2 years.”</p> <p><u>Cabinet Member Response</u></p> <p>On average currently our Major application take about a year from submission to arrive at a decision issued when a legal agreement (S106) is required and our minor applications take about 4-5 months. Our house extension applications take around 14 weeks. This timeframe has slightly improved over the last 12 months. We are conscious that the speed of planning applications is a key component of helping the local and national economy, however we are also focused of good quality decision making to get the best designs and schemes we can achieve which our communities can be proud of. We get around 3600 applications of all types at Kirklees each year which come into the Planning Service of which over 2000 are planning applications.</p> <p>At Kirklees we are we proud to help our customers get the outcomes they want, we approve about 8 out of 10 planning applications. Our Officers across the</p>

	<p>Council work on planning applications whether they be Planners, Engineers, Housing & Regeneration, Solicitors, Environmental Health specialists and health and education teams. All these Council services input into planning applications. The time it takes for planning applications varies depending on the complexity of the case, whether changes are needed to the plans and reports from the original submission and how willing our customers are to agree to changes that the Officers suggest.</p> <p>We report our performance statistics to Government each quarter and these figures are public documents. Our performance continues to be well above the national performance thresholds Government sets.</p>
6	<p>Question from Councillor Cooper to the Leader of the Council – Councillor Pattison</p> <p>“The motion "Gaza - a year on, urgent action is needed" at the last Council meeting agreed to conduct <i>"a thorough review of its procurement practices to ensure that goods and consumables sourced from companies directly or indirectly involved in the conflict are not used."</i></p> <p>Will the Council, as a first step in that review, stop banking with Barclays?”</p> <p><u>Cabinet Member Response</u></p> <p>A review will be undertaken as agreed in the motion and will report back its findings in due course. However, the Council is committed to upholding best practices and complying with all legislative requirements for procurement and currently we cannot legally or intentionally exclude purchases from companies directly or indirectly involved in the conflict, as specified in the motion.</p> <p>The contract for Banking Services with Barclays commenced in 2022 with the option to extend for up to a further 5 years, until 2032. This contract was awarded through a collaborative procurement process on behalf of a number of local authorities in Greater Manchester and Yorkshire.</p>
7	<p>Question from Councillor Munro to the Cabinet Member for Finance and Regeneration – Councillor Turner</p> <p>“Please can you tell me what the Council has done in relation to Small Business Saturday since the Motion was approved in November 2023?”</p> <p><u>Cabinet Member Response</u></p> <p>Small Business Saturday is an important opportunity to showcase some of the fantastic local small businesses that exist all across Kirklees.</p> <p>In 2023 we issued communication material across our Council and ‘Business Kirklees’ platforms, promoting Small Business Saturday, including a case study on Kapow Comics, detailing their move from former shop to larger unit within Byram Arcade, including support for our Huddersfield Town Centre Business Support Officer.</p> <p>In 2024 we have scheduled media activity that will again promote Small Business Saturday via the ‘Business Kirklees’ brand and social media platforms. This has included filming some digital content which can be used throughout next year. Throughout the week leading up to Small Business Saturday we will</p>

	<p>be counting down on social media to highlight promotional messages such as Christmas Elves in Huddersfield and signposting people to sources of support such as our Area Based Account Managers and their availability to support Small Businesses.</p> <p>We will also be highlighting the work of the 'Tidy Traders' project, which has been supporting small businesses in Cleckheaton and Heckmondwike. Over the last two months we've been sharing marketing tips via email with local businesses, to help them up their marketing game and support business during Small Business Saturday and the Christmas rush. Two local retailers will also be winning free marketing support, and promotion on our Council channels, to be announced over Christmas.</p>
8	<p>Question from Councillor Butt to the Cabinet Member for Education and Communities – Councillor A U Pinnock</p> <p>“I’m really pleased to see that the decision has been made to keep the Batley Library in the Carnegie Building, can you comment on this?”</p> <p><u>Cabinet Member Response</u></p> <p>This decision was made on the back of genuine consultation.</p> <p>It is important consultation takes place at a formative stage so that the feedback can influence decision making and this is precisely what has happened in this instance.</p> <p>The Council has weighed up the financial benefits from the relocation and the feedback from the consultation. The Council has listened to and acted upon the feedback received. There remains an additional financial cost to the Council from retaining the library in its current building rather than relocating it.</p> <p>Last week officers met with the Friends of Batley Library to discuss the decision, to thank them for their input to the consultation and to commit to continuing to work together in the future.</p> <p>We will now look to implement our plans to turn Batley into a library hub (as we have done at Huddersfield and Dewsbury) where there will be a more integrated service offer that will enable people to get the support they need.</p>
9	<p>Question from Councillor Armer to the Cabinet Member for Health and Social Care – Councillor Addy</p> <p>“The Cabinet Member will recall that at a Cabinet meeting on 5th November I asked her about the likely effects of increased National Insurance Contributions, which were announced in the Government’s recent Budget, on the Adult Social Care sector in Kirklees. I understood her response to be that Adult Social Care providers were exempted from the increases. She undertook to come back to me with a more detailed response. I have had no formal response to date, although I am sure that the Cabinet Member will now realise that these providers are not exempted, and furthermore that there are major concerns within the Adult Social Care sector more broadly about the continuing viability of smaller providers following the entirety of the Budget Statement presented by Ms Reeves. Alongside increases to employer National Insurance Contributions, Ms Reeves saw fit to increase several regulated wage levels and to introduce</p>

potentially damaging employment legislation. The nett effect is to increase burdens upon this sector.

Does the Cabinet Member remain confident that this Government's budget will not damage Adult Social Care provisions in Kirklees?"

Cabinet Member Response

Adult Social Care providers are not exempt from the NI changes and I did not suggest they were.

I spoke to you in person when you agreed a response from me was best sent after the Local Government Finance Settlement (LGFS), as announced in mid-December that has not been received and that is why, as we agreed, you have not had a reply from me.

I would like to stress our commitment to supporting our local independent sector provides. We are awaiting details of the LGFS when we will confirm with KirCa and the independent sector what fee levels may be available.

It is important that the independent sector is funded as well as we can afford to fund it and care providers welcome and have long stated that, nationally, pay in the social care sector should better reflect the value of work that staff do.

This Council continues to take its responsibilities for adult social care very seriously indeed and we recognise the potential impact that the above changes could have upon providers. Therefore, our social care budget proposals are being considered by Cabinet this week - recognising the pressures in adult social care and makes provision for around £9.5m of additional funding for them.

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

"There has been a long running planning dispute in my ward regarding a development which is/was causing damage to the Green Belt. I am now given sight of an email from Planning Enforcement to one of my residents, in which Planning Enforcement state that an important condition "... did not specifically detail [an action]... , the Council believing that [the applicant] would do that without it being spelt out in black and white" and in consequence the condition may be difficult to enforce since the applicant appears not to have complied. Given that the applicant in question has, over a number of years, proven unwilling to co-operate with Planning it would appear unsurprising that this "nod and a wink" approach has potentially failed in its objective. I find this outcome, which causes damage to the Green Belt, extremely disappointing, indeed unforgivable, and question the effectiveness of the approach adopted by this Council.

Since Planning is a quasi-judicial process and subject to privacy legislation I do not provide complete details here but will provide them to the Cabinet member by email. Will the Cabinet member please undertake to enquire further into this matter and the underlying policy procedures adopted, especially regarding the lack of an effective condition preserving the Green Belt, and favour me with a written report?"

	<p><u>Cabinet Member Response</u></p> <p>Thank you for the question. As you indicate, there are limits to what you can share in a public forum and what I can comment on from the information provided. What I can say is that protection of the Green Belt is a fundamental part of the Planning Process. Please do send me all the details and I will look into matters and come back to you with a response.</p>
11	<p>Question from Councillor Taylor to the Leader of the Council – Councillor Pattison</p> <p>“Is the Council trying to kill the spirit of Christmas?”</p> <p><u>Cabinet Member Response</u></p> <p>No. The last two bumper weekends of Christmas activity in Huddersfield and Dewsbury demonstrate our commitment to celebrating the festive season, as well as providing Christmas trees to our many towns and villages</p>
12	<p>Question from Councillor Cooper to the Cabinet Member for Health and Social Care – Councillor Addy</p> <p>“Are the assumed savings to the Council for the privatisation of Castle Grange and Claremont House Dementia Care Homes robust?”</p> <p><u>Cabinet Member Response</u></p> <p>Yes - whilst there are a number of variables, we believe that the financial savings are robust.</p>
13	<p>Question from Councillor J C Lawson to the Cabinet Member for Housing and Transport – Councillor Crook</p> <p>“Do we know how long it takes to install a shower in the current Accessible Homes provision?”</p> <p><u>Cabinet Member Response</u></p> <p>The Accessible Homes Team’s primary function is to co-ordinate and facilitate the assessment of need and suitability for all adaptations. The number of referrals coming into the service is 300 per month, not all referrals result in physical works.</p> <p>There are two processes when applying for an adaptation (including level access showers) this is legislated by the Disabled Facilities Grant legislation (DFG). Council and private tenure have different processes. Private tenure is funded by the DFG capital budget and Council are funded by the Housing Revenue Account. The services target timescale for adaptations is currently 12 months from point of application.</p> <p>1) Private tenure applicants go through the full DFG application process. Private contractors carry out all adaptation works, including showers and the average wait time for a level access shower is currently at: 11 months.</p> <p>2) Council tenants go through the same legislative process for assessment of need however the installation of level access showers is completed by Homes &</p>

	<p>Neighbourhoods. The current longest wait for this type of adaptation is 14 months but we currently have 160 progressing through private procurement to reduce the backlog.</p>
<p>14</p>	<p>Question from Councillor Cooper to the Leader of the Council – Councillor Pattison</p> <p>“Are the house building targets provided for Kirklees by the Labour Government achievable?”</p> <p><u>Cabinet Member Response</u></p> <p>The government is currently consulting on changes to the way housing numbers are calculated. If confirmed, this would mean approximately a 30% uplift for Kirklees from previous targets.</p> <p>Many of us would agree that there is an acute need to build more new homes – and especially more affordable homes (in the right places), in order to meet the needs of our population.</p> <p>Equally i think we can all appreciate the new targets are very stretching and will require a great many things to come together if they are to be realised. It is not just a matter of granting Planning permissions, as complex as that will be. Developers will need to build the permissions out; the supply chain will need to provide sufficient materials; and there will need to be the right skills in the construction industry. The scale of the task is considerable.</p>
<p>15</p>	<p>Question from Councillor H Zaman to the Cabinet Member for Education and Communities – Councillor A U Pinnock</p> <p>“Following the announcement of the Executive Director (Adults and Health) that Batley Library was saved, my first reaction was the same as my fellow Councillors - it’s wonderful to see Kirklees Council listening to the community and recognising the importance of maintaining Batley Library in its historic Carnegie Building. Community spaces like this are invaluable and support the local Batley community in so many different ways, linked to combatting isolation, addressing mental health inequalities, creating a safe space for families and young people, and supporting our older citizens in having a place to meet friends. The list is endless.</p> <p>To ensure the long-term sustainability of the library and its services, could the Council kindly provide us with accurate and detailed revenue and capital cost projections for maintaining the Carnegie Building and the associated timescales? This information will help us understand the financial framework required to keep this vital community resource thriving.”</p> <p><u>Cabinet Member Response</u></p> <p>Thank you for recognising that this was genuine consultation. The Council did need to weigh the need to reduce expenditure on buildings with the views of the community and the quality of future service provision.</p> <p>As discussed at the meeting with the Friends of Batley Library Group last Monday, the Council is genuinely keen to ensure a joint approach to the future of Batley Library and to build on the great commitment from the Friends of Batley Library. Officers are arranging a series of meetings with the Friends of</p>

	<p>Batley Library Group and part of this will involve sharing information about the building and the running costs and capital costs associated with it, in order that they can assist the Council with these.</p>
<p>16</p>	<p>Question from Councillor H Zaman to the Cabinet Member for Health and Social Care – Councillor Addy</p> <p>“The Council has argued that the homes are not viable under Council care, but that they are viable in private hand, If they're viable in private hands, then they are viable.</p> <p>So why is the Cabinet report claiming the Council is unable to run the homes at break-even when another organisation can manage that AND add 10% or more for profit?”</p> <p><u>Cabinet Member Response</u></p> <p>It would be hazardous to assume in this case that an alternative provider would add a 10% or more margin for profit since there are a number of complex factors that would impact on this (including market conditions, operating efficiencies and costs etc.)</p> <p>The Council's higher cost structure including overheads, lack of economies of scale and financial constraints make it challenging to operate the homes at a cost effective level. The independent sector's ability to manage costs differently allows them to operate the homes viably. This is why the vast majority of residential care in England is delivered via independent sector organisations</p> <p>This difference in operational and financial dynamics underpins the Council's decision to consider transferring the homes to independent sector operators</p>
<p>17</p>	<p>Question from Councillor McGrath to the Cabinet Member for Finance and Regeneration – Councillor Turner</p> <p>“What is the average time for planning enforcement officers to attend a site after it has been reported?”</p> <p><u>Cabinet Member Response</u></p> <p>This varies depending on the nature of the initial enquiry received so it is not possible to have an average time. The Compliance Team use the adopted Compliance Strategy to prioritise which investigations need to be looked at most pressingly. We receive several hundred enquiries each year for our team to investigate alleged breaches of planning control. It should also be noted that investigations and action is complex and takes time for action to happen which absorb officer time and contribute to the protracted time resolving these investigations can take.</p> <p>The Council has invested resources in strengthening its Compliance Team over recent years and we have improved our output of numbers of enforcement notices and actions as a result. Apart from the City Councils of Leeds and Bradford we serve the most enforcement notices of all types in the region.</p> <p>The Council has an online public website page for tracking activity on cases. Whilst it may appear that cases are not progressing because the status of an individual case has not been updated recently, work is on going in the background to resolve breaches. Often the course for resolving unauthorised</p>

	<p>work is through the submission of a planning application for retrospective planning permission. It should be noted apart from listed building it is not illegal to way out development work without prior planning permission but clearly it is risky for anyone to do development without the permission first and the Council actively encourages all parties to seek prior planning permission first.</p>
18	<p>Question from Councillor McGrath to the Cabinet Member for Environment and Highways – Councillor Ahmed</p> <p>“Do we record how many missed bin collections are caught up on before the 2 week period has elapsed resulting in the bin being collected as part of the 2 week cycle again as if it was never reported, and if so what percentage of reported missed bin collections are caught up on?”</p> <p><u>Cabinet Member Response</u></p> <p>Kirklees Council has an exceptionally high collection rate for bins which stands at over 99.8% as of October 2024. We collect a comprehensive set of data around our collections and missed collection frequency to allow us to continuously improve the service.</p> <p>If a bin is missed on the scheduled day of collection it is classed as a missed bin either when we are notified by the resident or by the crew. It then becomes part of our overall missed bin rate regardless of when it is returned to. The overall missed bin rate includes bins missed due to access issues or bins missed in adverse weather, alongside resident reports.</p> <p>When a missed bin is reported a collection is added onto a separate workflow for either the original crew or the catch-up crew, but this does not remove the original missed bin log to allow our teams to understand repeat issues and history for complaint responses. This ensures we capture every reported missed bin in our data even if it is returned to in the 2 week cycle.</p>
19	<p>Question from Councillor McGrath to the Cabinet Member for Housing and Transport– Councillor Crook</p> <p>“On the back of the recent cold weather I see that SWEP was triggered. Please could you inform the Council how many people were housed temporarily that would otherwise have slept rough?”</p> <p><u>Cabinet Member Response</u></p> <p>Our Housing Solutions Team continue to monitor and react to weather events to ensure the safety and wellbeing of those who are experiencing homelessness or have been identified as rough sleepers.</p> <p>34 individuals were housed temporarily during this the first activation of SWEP in the period 2024/2025. SWEP was activated for 7 nights.</p>
20	<p>Question from Councillor Scott to the Cabinet Member for Health and Social Care – Councillor Addy</p> <p>“In regards to Dementia Care Homes, and looking at the financial analysis, can the Cabinet explain how the initial estimated savings of £1.8m were calculated, and why residents’ contributions to their care were omitted from the analysis?”</p>

	<p><u>Cabinet Member Response</u></p> <p>Service user contributions are based on a financial assessment, and in most cases the charge to them is capped in line with their ability to pay through a means test.</p> <p>Whether the care was provided by the Council or via an independent sector provider – the service users would continue to contribute to their care at the assessed levels. In weighing up the net cost of in-house vs independent sector provision, income is taken into account in both scenarios and so has not been omitted.</p> <p>The Cabinet report highlights the potential revenue cost savings of more than £0.8m each year – not £1.8m as you raise in your question. The report clearly sets out at how this has been arrived.</p>
21	<p>Question from Councillor Scott to the Cabinet Member for Health and Social Care – Councillor Addy</p> <p>“In regards to Dementia Care Homes, and Cabinet’s Reliance on Limited Data, why has the business case been based on only one year of data, given the volatility and variability in care costs and funding streams?”</p> <p><u>Cabinet Member Response</u></p> <p>The financial analysis which informs the proposals for the transfer of both care homes is based on a multi year analysis of historical financial performance data alongside future projections on financial viability.</p> <p>This includes long term trends, capital investment needs, variations on income levels and other exceptional items that impact on the financial outlook for these services.</p>
22	<p>Question from Councillor Scott to the Cabinet Member for Health and Social Care – Councillor Addy</p> <p>“In regards to Dementia Care Homes, given the Administration’s statements of continued consideration of alternative income sources, what efforts were made to identify and apply for alternative funding sources, such as grants from the Public Sector Decarbonisation Scheme or other national programs?”</p> <p><u>Cabinet Member Response</u></p> <p>The largest single cost in care homes, by a very significant margin, is staff costs and these would be ineligible for Public Sector Decarbonisation Grant.</p> <p>No other relevant national grants have been identified but if you are aware of any relevant funding streams that have not previously been considered and which the Council would be certain to receive as additional funding (rather than the funding already being accounted for in the Council’s budgets), then I would be keen to discuss this with you.</p>

23	<p>Question from Councillor Hussain to the Cabinet Member for Education and Communities – Councillor A U Pinnock</p> <p>“Following the fantastic announcement of the Executive Director (Adults and Health) we were delighted to hear that Batley Library is to remain open within The Carnegie building. Will this be an asset transfer and are you putting time scales on this, for a review?”</p> <p><u>Cabinet Member Response</u></p> <p>When I met with the Executive Director, we jointly worked through both the financial implications of not moving the library into the Town Hall and the service and community consequences of doing so. It was a genuine consultation and, in us deciding to leave the library in its current location, there is a financial cost to the Council.</p> <p>The meeting with the Friends of Group did cover the need to work together to understand how this financial cost can be managed between us. Several libraries have been community asset transferred at the request of local community groups or Town and Parish Councils and the Council is open to further community asset transfers for other libraries, including Batley Library.</p>
24	<p>Question from Councillor Hussain to the Cabinet Member for Environment and Highways – Councillor Ahmed</p> <p>“Crossing patrols are essential for pedestrian safety. The loss of service would compromise the essential safety for people with limited mobility, elderly, vulnerable, children, disabled - and could result in loss of lives. I’m sure you would agree, this is a much needed vital service?”</p> <p><u>Cabinet Member Response</u></p> <p>School Crossing Patrols are one of several measures that are can be put in place outside or near to a school to improve the safety for vulnerable road users walking to and from school. The council continue to support our SCP staff in their work. We currently have a number of sites, without a SCP and we encourage all ward councillors to work with schools and their local community, to help to us to fill those vacant roles.</p>