

Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
Council Chamber - Town Hall, Huddersfield on Wednesday 11 December 2024**

PRESENT

The Mayor (Councillor Nosheen Dad) in the Chair

COUNCILLORS

Councillor Beverley Addy	Councillor Masood Ahmed
Councillor Munir Ahmed	Councillor Itrat Ali
Councillor Karen Allison	Councillor Zarina Amin
Councillor Ammar Anwar	Councillor Bill Armer
Councillor Ali Arshad	Councillor Timothy Bamford
Councillor Donna Bellamy	Councillor Martyn Bolt
Councillor Tanisha Bramwell	Councillor Damian Brook
Councillor Cahal Burke	Councillor Aafaq Butt
Councillor Andrew Cooper	Councillor Moses Crook
Councillor Hanifa Darwan	Councillor Paola Antonia Davies
Councillor Eric Firth	Councillor Charles Greaves
Councillor Tyler Hawkins	Councillor Lisa Holmes
Councillor Caroline Holt	Councillor James Homewood
Councillor Yusra Hussain	Councillor Zahid Kahut
Councillor Viv Kendrick	Councillor Musarrat Khan
Councillor Jo Lawson	Councillor John Lawson
Councillor Vivien Lees-Hamilton	Councillor Susan Lee-Richards
Councillor David Longstaff	Councillor Andrew Marchington
Councillor Harry McCarthy	Councillor Tony McGrath
Councillor Hannah McKerchar	Councillor Matthew McLoughlin
Councillor Paul Moore	Councillor Alison Munro
Councillor Darren O'Donovan	Councillor Carole Pattison
Councillor Amanda Pinnock	Councillor Andrew Pinnock
Councillor Ashleigh Robinson	Councillor Jane Rylah
Councillor Imran Safdar	Councillor Cathy Scott
Councillor Angela Sewell	Councillor Joshua Sheard
Councillor Will Simpson	Councillor Anthony Smith
Councillor Elizabeth Smaje	Councillor Richard Smith
Councillor Mohan Sokhal	Councillor John Taylor
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Adam Zaman	Councillor Habiban Zaman

- 113 Announcements by the Mayor and Chief Executive**
The Mayor informed Council of the resignation of Richard Parry, Executive Director for Adults and Health, conveyed thanks for his contribution to the Council over nearly a decade of service, and wished him well in his new role.
- The Mayor also announced the retirement of Richard Farnhill, Council Business Manager, and Naz Parkar, Service Director – Homes and Neighbourhoods, and conveyed thanks and best wishes.
- 114 Apologies for absence**
Apologies for absence were received on behalf of Councillors Daji, Hall, Lowe, K Pinnock, Thompson and Vickers.
- 115 Minutes of Previous Meeting**
RESOLVED – That the Minutes of the Meeting held on 13 November 2024 be approved as a correct record.
- 116 Declaration of Interests**
Councillors Armer, Firth, Kendrick, Longstaff, Pattison, Sewell and Sokhal declared an ‘other’ interest in Agenda Item 13 in their capacity as former recipients of Winter Fuel Allowance payments.
- 117 Petitions (From Members of the Council)**
Councillor Hussain submitted a petition which requested action in regards to the provision of burial space in Dewsbury and Batley.
- In accordance with Council Procedure Rule 9(3), the Mayor directed that the petition be referred to the relevant Executive Director.
- 118 Deputations & Petitions (From Members of the Public)**
Sara Blagborough submitted a petition which sought to save Kirklees specialist dementia care homes from privatisation.
- In accordance with Council Procedure Rule 9(3), the Mayor directed that the petition be referred to the relevant Executive Director.
- 119 Public Question Time**
No questions were asked.
- 120 Written Questions to the Leader, Cabinet Members, Chairs and Committees and Nominated Spokespersons**
Council received the following written questions in accordance with Council Procedure Rule 12;
- Question from Councillor Greaves**
- “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?”

Council - 11 December 2024

A response was provided by the Cabinet Member for Environment and Highways - Councillor Ahmed.

Question from Councillor Greaves

“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?”

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

Question from Councillor Greaves

“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.

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?”

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

Question from Councillor Taylor

“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.”

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

Question from Councillor Cooper

“The motion "Gaza - a year on, urgent action is needed" at the last Council meeting agreed to conduct "*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.*"

Will the Council, as a first step in that review, stop banking with Barclays?”

A response was provided by the Leader of the Council – Councillor Pattison.

Question from Councillor Munro

“Please can you tell me what the Council has done in relation to Small Business Saturday since the Motion was approved in November 2023?”

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

Question from Councillor Butt

“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?”

A response was provided by the Cabinet Member for Education and Communities – Councillor A U Pinnock.

Question from Councillor Armer

“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 potentially damaging employment legislation. The net 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?”

A response was provided by the Cabinet Member for Health and Social Care – Councillor Addy.

Question from Councillor Armer

“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

Council - 11 December 2024

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?"

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

Question from Councillor Taylor

"Is the Council trying to kill the spirit of Christmas?"

A response was provided by the Leader of the Council – Councillor Pattison.

Question from Councillor Cooper

"Are the assumed savings to the Council for the privatisation of Castle Grange and Claremont House Dementia Care Homes robust?"

A response was provided by the Cabinet Member for Health and Social Care – Councillor Addy.

Question from Councillor J C Lawson

"Do we know how long it takes to install a shower in the current Accessible Homes provision?"

A response was provided by the Cabinet Member for Housing and Transport – Councillor Crook.

Question from Councillor Cooper

"Are the house building targets provided for Kirklees by the Labour Government achievable?"

A response was provided by the Leader of the Council – Councillor Pattison

Question from Councillor H Zaman

"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

Council - 11 December 2024

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.

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.”

A response was provided by the Leader of the Council – Councillor Pattison.

Question from Councillor H Zaman

“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.

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?”

A response was provided by the Cabinet Member for Health and Social Care – Councillor Addy.

Question from Councillor McGrath

“What is the average time for planning enforcement officers to attend a site after it has been reported?”

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

Question from Councillor McGrath

“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?”

A response was provided by the Cabinet Member for Environment and Highways – Councillor Ahmed.

Question from Councillor McGrath

“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?”

A response was provided by the Cabinet Member for Housing and Transport– Councillor Crook.

Question from Councillor Scott

“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?”

A response was provided by the Cabinet Member for Health and Social Care – Councillor Addy.

Question from Councillor Scott

“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?”

A response was provided by the Cabinet Member for Health and Social Care – Councillor Addy.

Question from Councillor Scott

“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?”

A response was provided by the Cabinet Member for Health and Social Care – Councillor Addy.

Question from Councillor Hussain

“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?”

A response was provided by the Cabinet Member for Education and Communities – Councillor A U Pinnock.

Question from Councillor Hussain

“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?”

A response was provided by the Cabinet Member for Environment and Highways – Councillor Ahmed.

Council - 11 December 2024

121 **Minutes of Cabinet**

Council received the Minutes of (i) Cabinet held on 10 September, 8 October and 5 November 2024 and (ii) Cabinet Committee – Local Issues held on 23 October 2024.

122 **Holding Executive to Account**

Council received a portfolio update from the Deputy Leader of the Council / Cabinet Member for Housing and Transport (Councillor Crook), prior to oral questions to the Leader and Cabinet Members in accordance with Council Procedure Rule 13.

123 **Minutes of other Committees**

Council received the Minutes of (i) Corporate Governance and Audit Committee held on 27 September 2024 (ii) District Wide Planning Committee held on 19 September 2024 (iii) Health and Wellbeing Board held on 26 September 2024 (iv) Personnel Committee held on 6 November 2024 and (v) Strategic Planning Committee held on 5 September 2024.

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

Council received oral questions in accordance with Council Procedure Rule 13(4).

125 **Motion submitted in accordance with Council Procedure Rule 14 as to Changes to the Winter Fuel Allowance and Protecting Pensioners from Fuel Poverty**

It was moved by Councillor Taylor, and seconded by Councillor Ali, that

“This Council notes:

- The Labour Government’s recent decision to restrict the Winter Fuel Payment to only pensioners in receipt of means-tested benefits like Pension Credit, as announced by Chancellor Rachel Reeves.
- The estimated impact of this decision, which Age UK says will mean 2 million pensioners who badly need the money to stay warm this winter will not receive it.
- The significant role that Winter Fuel Payments play in helping older residents of Kirklees Council and across the UK afford heating during the coldest months, thereby preventing 'heat or eat' dilemmas and safeguarding health.
- The criticism from Age UK, the Countryside Alliance and other charities, highlighting the social injustice and potential health risks posed by this sudden policy change.
- The additional strain this decision will place on vulnerable pensioners, many of whom do not claim Pension Credit despite being eligible, further exacerbating their financial hardship.

This Council believes:

- That the Winter Fuel Payment has been a lifeline for many older people across the UK and that restricting its availability solely to those on Pension Credit risks leaving many pensioners in financial hardship.

Council - 11 December 2024

- While some pensioners currently in receipt of the Winter Fuel Payment may not require it, many thousands across Kirklees Council sit just above the cut-off for Pension Credit and will now lose their allowance.
- The decision to means-test Winter Fuel Payments, especially with such short notice and without adequate compensatory measures, is deeply unfair and will disproportionately affect the health and well-being of our poorest older residents.
- The government's approach fails to consider the administrative barriers and stigma that prevent eligible pensioners from claiming Pension Credit, leaving many without the support they desperately need.

This Council resolves to:

- Bring forward a Council-led local awareness campaign to alert those eligible of Pension Credit which in some respects will help access to the Winter Fuel Payment for those most in need.
- Request that the Council Leader write to the Chancellor of the Exchequer, urging her to reverse the decision to means-test the Winter Fuel Payment and asking the government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty.
- Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Kirklees Council are supported in claiming their entitlement."

Whereupon, it was moved by Councillor J D Lawson, and seconded by Councillor Kahut, by way of AMENDMENT (1), that

"Under 'This Council notes ...'

Add the additional paragraphs;

- That UK pensioners receive one of lowest pension in Europe thanks to successive Governments and face some of the highest energy prices compared to other European countries.
- That low income households have been disproportionately affected by the cost of living crisis and the removal of the Winter Fuel Allowance will hit low income pensioners the hardest.

In Bullet Point 3 - Delete the words 'Significant' and 'thereby', and insert the words 'and to some extent prevent heat or eat dilemmas and safeguarding health' after the words 'coldest months...'

Under 'This Council resolves ...'

In Bullet Point 2 insert the words 'are to a certain extent' after the words 'pension credit'

Add additional Bullet Point to read

Council - 11 December 2024

- Request that the Leader of the Council writes to all Kirklees MP's asking for them to lobby on behalf of all residents they represent, the Chancellor and the Prime Minister to withdraw this plan. To look at other ways that will not see an estimated 2 million pensioners plunged into fuel poverty this winter. To consider a wealth tax on the Utility companies who since 2020 have declared profits of £240 Billion at the cost of the health and well being of struggling customers. To look at Utility companies offering social tariffs for low income households. And to ultimately seek the re nationalisation of all utility companies."

Whereupon it was moved by Councillor Pattison and seconded by Councillor Crook, by way of AMENDMENT (2), that

"Under 'This Council notes ...'

Paragraph 1 – delete all words after 'only' and add the words 'the pensioners in the greatest need of support, identified by eligibility for pension credit, as announced by Chancellor Rachel Reeves.'

Delete Paragraphs 2 to 4

Add new paragraph

- The Labour Government's decision to retain the pension triple lock, ensuring that pensioner basic incomes continue to rise by more than the winter fuel payment value.

Under 'This Council believes ...'

Delete all text and replace with

- That all pensioners should have the right to a retirement without the fear of not being able to afford to eat and to heat their homes, and that the best way to achieve this is to ensure that the universal state pension is sufficient.
- That a move away from token one off payments to a more sustainable base pension value is the best way to achieve this over the longer term.
- That making payments to those not in need reduces the opportunity the government has to support not just pensioners but working families and all people who are suffering as a result of cost-of-living pressures.

Under 'This Council resolves to ...'

- Delete paragraph 1 and replace with

'Continue the Council-led local awareness campaign to ensure that all those eligible for pension credit and the winter fuel payment do receive that income.'

Council - 11 December 2024

- Delete paragraph 2
- Paragraph 3; Replace the word 'Encourage with 'Continue' "

Upon being put to the vote, AMENDMENT (1) was not carried.

Upon being put to the vote, AMENDMENT (2) was not carried.

The SUBSTANTIVE MOTION was therefore put to the vote, was CARRIED, and it was;

RESOLVED –

“This Council notes:

- The Labour Government’s recent decision to restrict the Winter Fuel Payment to only pensioners in receipt of means-tested benefits like Pension Credit, as announced by Chancellor Rachel Reeves.
- The estimated impact of this decision, which Age UK says will mean 2 million pensioners who badly need the money to stay warm this winter will not receive it.
- The significant role that Winter Fuel Payments play in helping older residents of Kirklees Council and across the UK afford heating during the coldest months, thereby preventing 'heat or eat' dilemmas and safeguarding health.
- The criticism from Age UK, the Countryside Alliance and other charities, highlighting the social injustice and potential health risks posed by this sudden policy change.
- The additional strain this decision will place on vulnerable pensioners, many of whom do not claim Pension Credit despite being eligible, further exacerbating their financial hardship.

This Council believes:

- That the Winter Fuel Payment has been a lifeline for many older people across the UK and that restricting its availability solely to those on Pension Credit risks leaving many pensioners in financial hardship.
- While some pensioners currently in receipt of the Winter Fuel Payment may not require it, many thousands across Kirklees Council sit just above the cut-off for Pension Credit and will now lose their allowance.
- The decision to means-test Winter Fuel Payments, especially with such short notice and without adequate compensatory measures, is deeply unfair and will disproportionately affect the health and well-being of our poorest older residents.
- The government’s approach fails to consider the administrative barriers and stigma that prevent eligible pensioners from claiming Pension Credit, leaving many without the support they desperately need.

Council - 11 December 2024

This Council resolves to:

- Bring forward a Council-led local awareness campaign to alert those eligible of Pension Credit which in some respects will help access to the Winter Fuel Payment for those most in need.
- Request that the Council Leader write to the Chancellor of the Exchequer, urging her to reverse the decision to means-test the Winter Fuel Payment and asking the government to ensure that vulnerable pensioners, particularly those who do not claim Pension Credit, are protected from fuel poverty.
- Encourage local efforts to promote Pension Credit uptake through council services and partnerships with local charities and community organisations to ensure that all eligible pensioners in Kirklees Council are supported in claiming their entitlement.”

- 126 **Motion submitted in accordance with Council Procedure Rule 14 as to Two Child Limit to Benefit Payments**
Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).
- 127 **Motion submitted in accordance with Council Procedure Rule 14 as to Family Farm Tax**
Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).
- 128 **Motion submitted in accordance with Council Procedure Rule 14 as to Opposing Cuts to the Winter Fuel Allowance and Protecting Vulnerable Pensioners**
Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).
- 129 **Motion submitted in accordance with Council Procedure Rule 14 as to Bus Fares**
Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).
- 130 **Motion submitted in accordance with Council Procedure Rule 14 as to Exempting Social Care from the National Insurance Tax Hike**
Item not considered (Meeting terminated in accordance with Council Procedure Rule 16:2).