

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 16 January 2019**

PRESENT

The Mayor (Councillor Gwen Lowe) in the Chair

COUNCILLORS

Councillor Masood Ahmed	Councillor Mahmood Akhtar
Councillor Bill Armer	Councillor Gulfam Asif
Councillor Donna Bellamy	Councillor Martyn Bolt
Councillor Cahal Burke	Councillor Andrew Cooper
Councillor Nosheen Dad	Councillor Richard Eastwood
Councillor Eric Firth	Councillor Donald Firth
Councillor Michelle Grainger-Mead	Councillor Charles Greaves
Councillor David Hall	Councillor Steve Hall
Councillor Lisa Holmes	Councillor Erin Hill
Councillor Edgar Holroyd-Doveton	Councillor James Homewood
Councillor Judith Hughes	Councillor Mumtaz Hussain
Councillor Christine Iredale	Councillor Manisha Roma Kaushik
Councillor Viv Kendrick	Councillor Musarrat Khan
Councillor John Lawson	Councillor Vivien Lees-Hamilton
Councillor Fazila Loonat	Councillor Terry Lyons
Councillor Naheed Mather	Councillor Peter McBride
Councillor Bernard McGuin	Councillor Darren O'Donovan
Councillor Marielle O'Neill	Councillor Shabir Pandor
Councillor Nigel Patrick	Councillor Carole Pattison
Councillor Mussarat Pervaiz	Councillor Amanda Pinnock
Councillor Andrew Pinnock	Councillor Kath Pinnock
Councillor Hilary Richards	Councillor Mohammad Sarwar
Councillor Cathy Scott	Councillor David Sheard
Councillor Will Simpson	Councillor Ken Sims
Councillor Richard Smith	Councillor Mohan Sokhal
Councillor John Taylor	Councillor Kath Taylor
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Rob Walker	Councillor Michael Watson
Councillor Habiban Zaman	Councillor Nell Griffiths
Councillor Alison Munro	Councillor Richard Murgatroyd
Councillor Mark Thompson	Councillor Harpreet Uppal

112 Announcements by the Mayor and Chief Executive

The Mayor conveyed the congratulations of Council to both Judith Robinson and Saleem Tariq who had been recognised in the 2019 New Year's Honours List. Judith, who is a development librarian, had been awarded a British Empire Medal for services to public libraries. Saleem Tariq, former Kirklees Deputy Director of Children's Services, had been awarded an OBE for services to Children's Services.

The Mayor advised that she would be sending a letter of condolence to the family of Nigel Gawthrop, Mayor of Cambridge City Council, who passed away suddenly last week whilst on holiday in South Africa.

The Mayor also advised Council of the death of former Councillor Adrian Beldon, who had represented Birkby Ward. A tribute was paid by Councillor McBride.

The Monitoring Officer reminded Council of the restrictions applying to voting under Section 106 of the Local Government Act 1992, in respect of Agenda Item 11. (Minute No.123 refers)

(At this stage of the meeting it was moved by Councillor Pandor, and seconded by Councillor Sheard, that under the provision of Council Procedure Rule 15(3), Agenda Item 20 be considered after Agenda Item 8. It was moved by Councillor Lawson, and seconded by Councillor Cooper, that Agenda Item 17 be brought forward. Upon being put to the vote, both proposals were carried).

113 Apologies for absence

Apologies for absence were received on behalf of Councillors Allison, Kane, Smaje and Stewart-Turner.

114 Minutes of Previous Meeting

RESOLVED – That the Minutes of Council held on 12 December 2018 be approved as a correct record.

115 Declaration of Interests

Councillor Bolt declared an 'other' interest in Agenda Item 10 on the grounds that he has responsibility for an empty property. Councillors Smith and Watson declared Disclosable Pecuniary Interests on the grounds that they have interests in properties which are currently vacant.

116 Petitions (From Members of the Council)

Councillor McGuin submitted a petition which opposed the relocation of Almondbury Library at Stocks Walk to the site of the former Sure Start Centre.

117 Public Question Time

Council received a question from Aleks Lukic, arising from his deputation at the meeting of Council on 12 December 2018.

A response was provided by the Leader of the Council.

118 Deputations & Petitions (From Members of the Public)

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- (a) Council received a deputation from Ali Stopher, Kiran Bali, Joseph Byrne and Hugh Goulbourne in support of the Motion at Agenda Item 20 – Climate Emergency.
- (b) Council received a deputation on behalf of Almondbury Library Friends Association, delivered by Dr Mike Mitchell and Rob Greenwood, which opposed the relocation of the library from Stocks Walk to the site of the former Sure Start Centre. A petition was also submitted.
- (c) Council received a deputation from Hasan Badat in regards to the Council's Inclusion and Diversity Strategy.
- (d) Council received a deputation from Hanifa Darwan and Yunus Lunat which requested that the Council continue to offer a choice of halal meals within its schools. A petition was also submitted.

The Cabinet Member for Communities and Environment (Councillor Mather) responded to (a). The Cabinet Member for Resources (Councillor Turner) to (b). The Leader of the Council responded to (c). The Cabinet Member for Learning and Aspiration responded to (d).

119 **Council Petition Debate**

Council debated the content of the following petitions which had previously been submitted and exceeded the 3,000 signatures petition threshold (i) the serving of non-stunned halal meat in Kirklees Schools and (ii) the impact of introducing car parking charges in Cleckheaton Town Centre.

The contents of the debate were received and noted.

120 **Motion Submitted in Accordance with Council Procedure Rule 14 as to A Climate Emergency in Kirklees**

It was moved by Councillor Murgatroyd, and seconded by Councillor Cooper that;

"This Council notes;

The United Nations Intergovernmental Panel on Climate Change's warning that we have 12 years to make the necessary changes to limit a rise in global temperatures to 1.5c. Failure to act will see a marked increase in sea levels and flooding, extreme and abrupt changes to weather patterns, crop failures, extinctions of plant, insect and animal species and global economic disruption and crisis. This will detrimentally impact on the well-being of the people of Kirklees and billions of people around the world.

At the Global Climate Talks in Poland last December the UK along with over 200 nations agreed action on Climate Change with a much greater role strongly implied for Local and Regional Authorities like Kirklees in assisting Governments achieve their carbon emission savings.

In the words of Sir David Attenborough:

"Right now, we are facing a man-made disaster of global scale. Our greatest threat in thousands of years. Climate change. If we don't take action, the collapse of our

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civilisations and the extinction of much of the natural world is on the horizon. The world's people have spoken. Their message is clear. Time is running out.'

We therefore resolve to:

- (i) Declare a Climate Emergency and publicise this to the people of Kirklees to raise awareness, and support the public to take effective action.
- (ii) Request Cabinet initiate a full Environmental Audit of Kirklees Council to measure its carbon footprint, identify hotspots and work toward being carbon neutral in line with the latest targets set and agreed by the United Nations Intergovernmental Panel on Climate Change; with Cabinet to report to the first meeting of the working party, referred to at (iv) below on the scope of the environmental audit
- (iii) Significantly improve our recycling rate to reach the target of 55% by 2025, and ask that the Cabinet implement a range of short term measures to improve recycling rates, in advance of a full review of the waste collection and disposal service.
- (iv) To set up a Councillor Working Party including the appropriate Cabinet Lead with a remit to:
 - a) Commission and oversee the Environmental Audit
 - b) Consult expert opinion in the field, as appropriate
 - c) Identify practical measures to reduce emissions and the Council's carbon footprint
 - d) encourage action in the wider community, businesses and other key organisations e.g. NHS and Educational Institutions
 - e) Report to Full Council within six months with an action plan to address the Emergency and incorporating proposals on the investment implications of this proposed activity
- (v) The Council to consider Environmental Impact as part of any new policy
- (vi) The Council to seek to collaborate with other Local and Regional Authorities on emission reduction projects as appropriate. The Leader of the Council to write to the Minister of State for Climate Change and Industry requesting that national policy is urgently developed to reflect the seriousness of the current emergency and to release funds to local authorities that would allow them to take the necessary measures at local level."

Upon being out to the Vote, the Motion was CARRIED, and it was therefore

RESOLVED – "That this Council notes;

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The United Nations Intergovernmental Panel on Climate Change's warning that we have 12 years to make the necessary changes to limit a rise in global temperatures to 1.5c. Failure to act will see a marked increase in sea levels and flooding, extreme and abrupt changes to weather patterns, crop failures, extinctions of plant, insect and animal species and global economic disruption and crisis. This will detrimentally impact on the well-being of the people of Kirklees and billions of people around the world.

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- (iii) Significantly improve our recycling rate to reach the target of 55% by 2025, and ask that the Cabinet implement a range of short term measures to improve recycling rates, in advance of a full review of the waste collection and disposal service.
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 - c) Identify practical measures to reduce emissions and the Council's carbon footprint
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- e) Report to Full Council within six months with an action plan to address the Emergency and incorporating proposals on the investment implications of this proposed activity
- (v) The Council to consider Environmental Impact as part of any new policy
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121 **West Yorkshire Combined Authority - Minutes**

Item not considered (due to time constraints)

122 **Council Tax - Empty Property Premium (Reference from Cabinet)**

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

RESOLVED -

- 1) That it be agreed that, in accordance with Section 11B of the Local Government Finance Act 1992, a premium be set which applies with the maximum afforded by the Act under Sections 11B (1A) (1B) and (1C), with effect from the dates set out in those sections:

(1A) For the financial year beginning on 1 April 2019 the “relevant maximum” is 100.

(1B) For the financial year beginning on 1 April 2020 the “relevant maximum” is—

- a) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is less than 5 years, 100;
- b) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is at least 5 years, 200.

(1C) For financial years beginning on or after 1 April 2021 the “relevant maximum” is—

- a) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is less than 5 years, 100;
- b) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is at least 5 years but less than 10 years, 200;
- c) in respect of any dwelling where the period mentioned in subsection (8) ending on the relevant day is at least 10 years, 300. “

- 2) That, pursuant to (1) above, this be integrated into the incentivising of bringing empty properties back into use to increase the Housing Supply.

123 **Calculation of Council Taxbase 2019/2020 (Reference from Cabinet)**

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

RESOLVED -

- 1) That the Council Taxbase 2019/2020 for Kirklees, and the five Parish and Town Council areas, be approved as follows;

- Whole of Kirklees	£118,708.56
- Denby Dale	£5,771.84
- Holme Valley	£9,998.83
- Kirkburton	£8,910.47
- Meltham	£2,820.42
- Mirfield	£6,617.91

- 2) That authority be delegated to the Service Director (Finance) to adjust the taxbase to reflect any changes that may be agreed by Members, and to recalculate the taxbase pursuant to Section 3 1B(1) and S67(1) and (2A) of the Local Government Finance Act 1992.

124 Healthy Weight Declaration (Reference from Cabinet)

Item not considered (due to time constraints)

125 Scrutiny Update

Item deferred.

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

Item not considered (due to time constraints)

127 Key Discussion - Council Waste Strategy

Council held a key discussion debate on Council Waste Strategy. Prior to the debate commencing, a presentation was delivered by the Director of Economy and Infrastructure.

RESOLVED - Council received a presentation from the Director of Economy and Infrastructure prior to undertaking the key discussion debate.

128 Motion submitted in accordance with Council Procedure Rule 14 as to Universal Credit

Item not considered (due to time constraints)

129 Motion submitted in accordance with Council Procedure Rule 14 as to Giving People a say on the Final Brexit Deal

It was moved by Councillor Lawson, and seconded by Councillor Cooper that;

“This Council notes:

- The growing concern at the prospect of the UK leaving the European Union (EU) with either a bad deal or no deal at all.
- The growing support for people to have a say on the final Brexit deal, including support from organisations such as the British Medical Association, the Royal

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College of Nursing, GMB, Prospect, TSSA, business leaders and student unions representing over 980,000 students at 60 universities and colleges.

This Council believes that:

- By voting to leave the EU in June 2016, the UK voted for departure but not the destination. There has never been a consensus about how to leave and about our future relationship with the EU post-Brexit, but the years since the referendum on the UK's membership of the EU has shown the complexity of the task and how challenging Brexit is to deliver.
- Since the referendum, there has been meaningful debate about our EU membership; there is now greater public awareness about the nature and impact of Brexit on the UK and there is ongoing movement in public opinion.
- The future direction of the country post-Brexit should not be decided by a small number of parliamentarians in Westminster. This is too big an issue and will affect all of us for generations to come; sovereignty rests with the people.
- The decision to leave the EU and subsequent negotiations has created political, social and economic uncertainty in the UK. Brexit is likely to have a major impact on local authorities, including Kirklees Council, potentially reducing funding for local and regional investment and development projects, affecting governance and legal frameworks and impacting on the progress of devolution deals.
- There are implications for Kirklees as a result of Brexit and there is consternation from some of our residents, including non-UK EU nationals, about what Brexit may mean for them. For instance, leaving may have an impact on our local health services, with recent NHS data revealing that 31 nurses and health visitors from EU member states left Calderdale and Huddersfield NHS Foundation Trust between March 2017 and March 2018. Brexit is already having an impact on our local manufacturing industry, while some businesses in our region are reconsidering investment plans in new production and new jobs while they await the Brexit deal. Furthermore, Brexit may limit the educational opportunities for our young people. It may cause damage to our local economy and public services and result in a squeeze in living standards.
- As a country, we are not close to resolving the big issues about which people care about; parliament is deadlocked and the impasse will cause insurmountable damage to the UK. A public vote is the only way to move forward.
- The British people deserve the right to have a final say on what direction the country should take on Brexit and must have a vote on the UK's final deal with the European Union.

This Council, therefore, resolves to:

- Request that Cabinet updates and maintains the Council's Risk Register, ensuring that the Register includes an up-to-date and robust account of the risks associated with Brexit;

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- Be proactive in planning, outlining the issues and risks associated with different Brexit scenarios, assessing the possible impact on the Council and local area and implementing recommend measures as soon as possible;
- Support people to have a say on any final Brexit deal through a vote;
- Ask the Leader of the Council to write to the Prime Minister expressing the Council's support for people to have a final say on the Brexit deal."

The Motion, upon being put to the Vote was not carried and it was therefore

RESOLVED – That the Motion not be approved.

130 **Motion submitted in accordance with Council Procedure Rule 14 as to Period Dignity**

It was moved by Councillor Zaman, and seconded by Councillor Richards that

"This Council:

Notes that women and girls find themselves in a position where they either can't access sanitary products or can't afford sanitary products.

Notes that, low wages and zero-hour contracts are just some of the reasons that women are forced to make difficult decisions about whether to purchase sanitary products.

Is concerned that women and girls are resorting to using items such as socks and tissues in place of sanitary products, putting their health at significant risk and more than one in ten girls have had to improvise sanitary wear due to affordability issues.

Is further concerned that women and girls are missing work or school each month because they can't afford sanitary products.

Believes that women and girls should be able to experience their periods with dignity.

The District of Kirklees is no exception to this national issue and its effects on women's health, who are more likely to suffer from anxiety, depression or in school bullying; the consequence of which can have a negative impact on the local economy and educational attainment.

This Council resolves:

To call on the Government to carry out research into the impact that inadequate sanitary protection can have on women and girls so that it has a better understanding of the true impact of period poverty.

To call on the Government and CBI to carry out research into the impact that inadequate sanitary protection has on the economy including factors such as lost

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working days compared to the cost of business providing sanitary products at no charge to employees.

To further call on the Government to make sanitary products available for women and girls from low income households who are struggling to afford these essential items, including making sanitary products available in schools and colleges at no charge.

To ask Cabinet to work with schools and colleges to seek to provide sanitary products at no charge in toilet facilities until a time when the Government changes policy.

To ask Cabinet to conduct a feasibility study to assess the financial impact on the Council should it resolve in the future to provide sanitary products in its toilet facilities.”

The Motion, upon being put to the Vote was CARRIED, and it was therefore

RESOLVED - “That this Council notes that women and girls find themselves in a position where they either can’t access sanitary products or can’t afford sanitary products.

Notes that, low wages and zero-hour contracts are just some of the reasons that women are forced to make difficult decisions about whether to purchase sanitary products.

Is concerned that women and girls are resorting to using items such as socks and tissues in place of sanitary products, putting their health at significant risk and more than one in ten girls have had to improvise sanitary wear due to affordability issues.

Is further concerned that women and girls are missing work or school each month because they can’t afford sanitary products.

Believes that women and girls should be able to experience their periods with dignity.

The District of Kirklees is no exception to this national issue and its effects on women’s health, who are more likely to suffer from anxiety, depression or in school bullying; the consequence of which can have a negative impact on the local economy and educational attainment.

This Council resolves:

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To ask Cabinet to work with schools and colleges to seek to provide sanitary products at no charge in toilet facilities until a time when the Government changes policy.

To ask Cabinet to conduct a feasibility study to assess the financial impact on the Council should it resolve in the future to provide sanitary products in its toilet facilities.”

131 **Motion submitted in accordance with Council Procedure Rule 14 as to Adopt Parental Leave Policy for Elected Members**

It was moved by Councillor Mather, and seconded by Councillor O'Donovan that;

“This Council notes:

- That analysis of the 2018 Local Election results by the Fawcett Society found that only 34% of Councillors in England are women, up 1% since 2017. Of the seats that were up for election in 2018, 38% went to women, up just 3 percentage points on 2014 when these seats were last contested;
- As of summer 2017, only 4% of Councils in England and Wales have parental leave policies, according to research by the Fawcett Society;
- That the role of a Councillor should be open to all, regardless of their background, and that introducing a parental leave policy is a step towards encouraging a wider range of people to become Councillors, and is also a step to encourage existing Councillors who may want to start a family to remain as Councillors;
- That parental leave must apply to parents regardless of their gender, and that it should also cover adoption leave to support those parents who choose to adopt.

This Council agrees:

- to the principle of adopting a suitable parental leave policy to give all Councillors an entitlement to parental leave after giving birth or adopting, based on the policy attached to this Motion, to ensure that Councillors with children and other caring commitments are supported as appropriate;

and therefore RESOLVES to;

- refer this to the Council's Members Allowances Panel and Corporate Governance and Audit Committee to consider further”

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Upon being out to the Vote, the Motion was CARRIED and it was therefore

RESOLVED – “That this Council notes:

- That analysis of the 2018 Local Election results by the Fawcett Society found that only 34% of Councillors in England are women, up 1% since 2017. Of the seats that were up for election in 2018, 38% went to women, up just 3 percentage points on 2014 when these seats were last contested;
- As of summer 2017, only 4% of Councils in England and Wales have parental leave policies, according to research by the Fawcett Society;
- That the role of a Councillor should be open to all, regardless of their background, and that introducing a parental leave policy is a step towards encouraging a wider range of people to become Councillors, and is also a step to encourage existing Councillors who may want to start a family to remain as Councillors;
- That parental leave must apply to parents regardless of their gender, and that it should also cover adoption leave to support those parents who choose to adopt.

This Council agrees:

- to the principle of adopting a suitable parental leave policy to give all Councillors an entitlement to parental leave after giving birth or adopting, based on the policy attached to this Motion, to ensure that Councillors with children and other caring commitments are supported as appropriate;

and therefore RESOLVES to;

- refer this to the Council’s Members Allowances Panel and Corporate Governance and Audit Committee to consider further”

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Responses to Motions - Child Sexual Exploitation/Modern Slavery

Council received and noted (i) the response of the Home Office to the Motion approved by Council as to the Child Sexual Exploitation on 7 November 2018 and (ii) the response of the Home Office to the Motion approved by Council as to Modern Slavery on 7 November 2018.