COUNCIL

KIRKLEES COUNCIL

At a Meeting of the Council of the Borough of Kirklees held at
The Town Hall, Huddersfield on Wednesday 22 June 2011

PRESENT

The Mayor (Councillor Eric Firth) in the Chair

COUNCILLORS

M AHMED  A C G MARCHINGTON
M AKHTAR  A MURPHY
M BATES  D O’DONOVAN
D K BELLAMY  P O’NEILL
J C BLANCHARD  A PALFREEMAN
M BOLT  S PANDOR
T BRICE  S PATEL
C BURKE  N PATRICK
J CALVERT  C PATTISON
J COOK  A C PINNOCK
A DENHAM  K M PINNOCK
W J DODDS  C PREEST
D M FIRTH  H S RICHARDS
D J HALL  D RIDGWAY
S HALL  M SARWAR
D HARDCASTLE  C SCOTT
C HARRIS  D P SHEARD
L J HOLMES  G SIMPSON
E HOLROYD-DOVETON  K D SIMS
J M HUGHES  E E SMAJE
K HUSSAIN  B SMITH
M HUSSAIN  C M L SMITH
K IQBAL  K SMITH
C M IREDALE  M S SOKHAL
P KANE  C STANFIELD
M KHAN  J STEWART TURNER
J LAWSON  A L STUBLEY
V LEES-HAMILTON  K TAYLOR
R C LIGHT  N TURNER
G LOWE  M WALTON
T LYONS  E WARD
P McBRIDE  L M WILKINSON

25 Announcements by the Mayor
No announcements were made.

26 Apologies for Absence
Apologies for absence were received from Councillors Cooper, Kendrick, Mayet and Parchment.
Minutes of the Annual Meeting of the Council held 25 May 2011

It was moved by the Mayor (Councillor E Firth), seconded by the Deputy Mayor (Councillor Iredale) and

RESOLVED - That the Minutes of the Annual meeting of Council held on 25 May 2011 be approved and signed by the Mayor as a correct record, subject to corrections to Minute 11 to specify the correct dates for Council meetings in October and March, namely 19 October 2011 and 21 March 2012.

Declarations of Interest

(1) Councillors Pattison, Richards and B Smith each declared a prejudicial interest in Item 6 of the Council Summons relating to the deputation on Kirklees Music School, in their capacity as a Board Member on the Music School.

(2) Councillors Bates and D Hall each declared a prejudicial interest in Item 6 of the Council Summons relating to deputations on North Kirklees Educational Provision with specific reference to Batley Grammar School, in their capacity as Governors of that school.

(3) Councillors Holmes and Light each declared a prejudicial interest in Item 6 of the Council Summons in relation to the deputations on North Kirklees Educational Provision with specific reference to Birstall, Birkenshaw and Gomersal Academy Trust, as Members of that Trust.

(4) Councillors Burke and Turner each declared a personal interest in Item 6 of the Council Summons relative to the deputations concerning South Kirklees Educational Provision, in their capacity as Governors at Salendine Nook High School.

(5) Councillor Smaje declared a personal interest in Item 6 of the Council Summons relative to deputations concerning Educational Provision in North Kirklees in her capacity as a Governor at Birkenshaw First School.

(6) The undermentioned Councillors each declared a personal interest in question (n) at Item 11 of the Council Summons in relation to the envisaged future children's centre provision in the Liversedge and Gomersal area, for the reasons indicated:-

Councillor Calvert - Chair of Surestart Advisory Board, Chestnut Centre.

Councillor Marchington - Member of the Golcar, Cowlersley and Milnsbridge Children's Steering Group.

Councillor O'Neill - Member of Staincliffe and Healey Surestart Children's Centre Advisory Board.

(7) Councillor Murphy declared a personal interest in Minute 369 of the Cabinet held on 12 April 2011, relating to Holmfirth Pool Modular Extension - Fitness Suite and Studio, as he has a nephew and niece working for Kirklees Active Leisure.

Petitions

Councillor Iqbal submitted petitions as under:-

From local residents seeking action to tarmac the back of Victoria Road, Thornhill Lees, and install better lighting, given that it is used by many local residents and their children going to the Thornhill Lees Infant and Junior School.

From residents of Wharf Street, Savile Town, seeking the installation of road safety measures i.e. speed humps, weight restrictions and double yellow lines on the junction adjacent with Savile Road, given the increased level of traffic, including heavy goods vehicles using the street, and dangerous parking near to the junction.
From residents of Edge Lane, Thornhill, requesting the tarmacing of the rear of this lane.

Councillor Stewart Turner submitted a petition from Huddersfield residents and surrounding areas expressing dissatisfaction with the cleanliness, state of repair and anti-social behaviour in parts of Huddersfield Town, particularly in the areas of Byram Courtyard, Station Street, St Peter's Street and St Peter's Gardens, and seeking remedial action.

Under Council Procedure Rule 9 (3) the Mayor directed that the subject matter of the petitions be referred to the appropriate Assistant Director for investigation and report to Cabinet or an appropriate Committee.

**Deputations**

Council received deputations on behalf of the following:-

(a) Kirklees Music School, led by Lisa Senior, expressing concern about reduced music provision.

(b) Development of the three Batley Secondary Schools and support for developing Batley Grammar School as a co-education school, led by Mark Griffin.

(c) Parents of Lindley Junior School, led by Hamira Shah, in relation to the application process and consultation for the school to become an Academy.

(d) Birstall and Brownhill Pre Schools, led by Ursula Spencer, in relation to co-education and single sex provision in Batley.

(e) St Peter's Community Birstall, led by Neili Armitage, in relation to single sex and co-education provision in Batley.

(f) Batley Parish School, led by Tracy Liversedge, in relation to the provision of co-education in Batley.

The Cabinet Members for Children's Services responded to the above deputations (Councillor O'Neill for deputation (a) and Councillor Harris for deputations (b) - (f).

In accordance with Council Procedure Rule 10 (6) the Mayor directed that the subject matter of the deputations be referred to the appropriate Assistant Director for investigation and report to Cabinet or an appropriate Committee.

**Questions by Members of the Public**

(1) Council received a question in relation to the policy of music service provision in Kirklees.

Councillor O'Neill, Cabinet portfolio holder for Children's Services, responded thereto.

(2) Council received a question in relation to the provision of multi cultural co-education provision in Batley.

Councillor Harris, portfolio holder for Children's Services, and the Leader, Councillor Khan, responded thereto.

(3) Council received a question in relation to the consultation requirements of schools wishing to achieve Academy status and also in relation to funding for Field Hill Boys School, given its current 50% capacity.

Councillor Harris, portfolio holder for Children's Services, responded thereto.

(4) Council received a question regarding whether it considered Batley Girls School was utilised by local children.
Councillor Harris, portfolio holder for Children's Services, responded thereto.

32 Reference from Cabinet of 21 June 2011 - Revenue Financial Outturn and Rollover for 2010/11
It was moved by Councillor Khan, seconded by Councillor Pandor and

RESOLVED -
(1) That the Revenue Outturn position for 2010/11, as set out in Appendix 1 to the submitted detailed report, be noted.

(2) That the Revenue Rollover as set out in the detailed Revenue Rollover report at Appendix 2 be approved.

33 Reference from Cabinet of 21 June 2011 - Capital Outturn and Rollover 2010/11
It was moved by Councillor Khan, seconded by Councillor Pandor and

RESOLVED - That the updated Capital Investment Plan for 2011/12 to 2015/16, as circulated to all Members of the Council by Strategic Finance, be approved.

34 Reference from Cabinet of 21 June 2011 - Annual Report on Treasury Management
Council received, for information, the Annual Report on Treasury Management, as discussed by, and referred from, Cabinet.

35 Written Questions, Under Procedure Rule 12, to the Leader and Cabinet Members
Council received the undermentioned questions:

(a) Question by Councillor Cliff Preest to the Leader (Councillor Khan)
"In view of recent press statements by Councillor Light, can Councillor Khan say whether he has any intention of changing the current arrangements for the way in which the Trades Unions represent their members in Kirklees?"

Cabinet Member replied thereto.

(b) Question by Councillor Cliff Preest to the Leader (Councillor Khan)
"Could Councillor Khan inform the Council of the costs to both the Council and to school students of the cancellation of the BSF programme?"

Cabinet Member replied thereto.

(c) Question by Councillor Cathy Scott to the Leader (Councillor Khan)
"In respect of the recent demonstrations in Dewsbury, could Councillor Khan please give us his views on how well the multi-agency approach to dealing with the demonstrations worked?"

Cabinet Member replied thereto.

(d) Question by Councillor Kath Pinnock to the Cabinet Member for Investment and Regeneration (Councillor McBride)
"The latest unemployment statistics show that the Batley and Spen area has 3,066 people out of work and a rise of 5.6%. What initiatives via the Council’s priority programme to lead Kirklees out of recession are directed specifically to this part of Kirklees and what action is the Council taking to retain employment land in this area?"

Cabinet Member replied thereto.
(e) Question by Councillor Paul Kane to the Cabinet Member for Resources (Councillor Ken Smith)

"Could Councillor Smith tell me the implications to Kirklees of the plans by Eric Pickles, Secretary of State for Communities and Local Government, and the Treasury, for the re-localisation of Business Rates?"

Cabinet Member replied thereto.

(f) Question by Councillor Linda Wilkinson to the Cabinet Member for Health, Well-Being and Communities (Councillor Walton)

"In view of the well publicised problems being experienced by Southern Cross, has the Council identified any management or financial implications and, if so, what steps are being taken to address these?"

Cabinet Member replied thereto.

(g) Question by Councillor Andrew Pinnock to the Cabinet Member for Investment and Housing (Councillor McBride)

"In view of the ambitious targets in the Local Development Framework for employment growth and the provision of employment land, to what extent can these targets be met from existing brownfield sites?"

Cabinet Member replied thereto.

(h) Question by Councillor Cahal Burke to the Cabinet Member for Investment and Housing (Councillor McBride)

"Could the Cabinet Members please advise how many parking tickets have been issued outside Schools since the introduction of the mobile parking enforcement vehicle?"

Cabinet Member replied thereto.

(i) Question by Councillor Cahal Burke to the Cabinet Member for Children’s Services (Councillor Harris)

"Could the Cabinet Members please advise how many schools in Kirklees have applied to become academies and how many of these are currently in the process of consultation?"

Cabinet Member replied thereto.

(j) Question by Councillor David Ridgway to the Cabinet Member for Health, Well-Being and Communities (Councillor Walton)

"When the budget for Homecare was reduced, following the Government’s reduction in Grant, how soon did you consider outsourcing this well-liked and well-received service?"

Cabinet Member replied thereto.
(k) **Question by Councillor Linda Wilkinson to the Cabinet Member for Health, Well-Being and Communities (Councillor Walton)**

"Will the Cabinet Member let us know what inspection procedures are in place to ensure that home care in Kirklees, provided by the independent sector, meets the standards required?"

Cabinet Member replied thereto.

(l) **Question by Councillor James Blanchard to the Cabinet Member for Investment and Housing (Councillor McBride)**

"In light of media reports that rents in the private sector are up by an average of 30%, what action is the Cabinet taking to ensure that people in Kirklees have access to affordable homes?"

Cabinet Member replied thereto.

(m) **Question by Councillor David Hall to the Cabinet Member for Children's Services (Councillor O'Neill)**

"Given the plans which Kirklees Music School have announced to close three music centres, will the Cabinet Member pass onto us the relative costs of each of the seven?"

Cabinet Member replied thereto.

(n) **Question by Councillor Lisa Holmes to the Cabinet Member for Children's Services (Councillor Harris)**

"What do you envisage will be the future children’s centre provision in the Liversedge and Gomersal area?"

Cabinet Member replied thereto.

(o) **Question by Councillor Jim Dodds to the Cabinet Member for Resources (Councillor Pandor)**

"During the Council budget meeting in February this year, it was stated that an all party committee would look at the future of Libraries in Kirklees. I am particularly interested in the Denby Dale Library - could you give me an update on the progress made since February on the future of Libraries?"

Cabinet Member replied thereto.

(p) **Question by Councillor Christine Stanfield to the Leader (Councillor Khan)**

"Would Councillor Khan agree that we should take the opportunity to involve as many young people as possible with the anticipated journey we hope the Olympic Torch will make through Kirklees as it passes between Manchester and Leeds, by asking the Children and Young People Service to contact all the schools so that they may select young people across the widest spectrum of sporting activity to accompany the Torch across the Authority, thus enabling as many of our young people as possible to be part of the ceremony?"

The Leader deferred the question to the Cabinet Member for Health, Well-Being and Communities (Councillor Calvert) who replied thereto.
36 Written Questions to Chairs of Committees/Sub-Committees/Panels and Spokespersons of Joint Committees/External Bodies
No questions were asked.

37 Minutes of Meetings of Cabinet and Cabinet Committee - Local Issues
The Minutes of the meetings of Cabinet held on 1, 15, 22 and 29 March, and 12 and 26 April 2011, together with the Cabinet Committee - Local Issues of 2 and 30 March, 27 April and 18 March 2011, were received for information.

38 Cabinet Members’ Portfolio Plans
Council received a presentation from the Leader, Councillor Khan, in which he set out the priorities of the Administration for the 2011/12 Municipal Year.

39 Oral Questions to Cabinet Members on their Portfolios and on relevant Cabinet Minutes
(a) Councillor Palfreeman addressed a question to Councillor Harris (Cabinet portfolio holder for Children's Services) seeking confirmation that the decision made to establish two primary schools to replace first schools in Birkenshaw and East Bierley would go ahead as planned, for completion by 2013.

Councillor Harris replied thereto.

(b) Councillor D Hall addressed a question to Councillor O'Neill (Cabinet portfolio holder for Children's Services) as to whether he would condemn the decision by the major teaching unions to strike the following Thursday.

Councillor O'Neill replied thereto.

(c) Councillor Holmes addressed a question to Councillor Harris (Cabinet portfolio holder for Children's Services) as to what matters Cabinet would take account of when considering the forward plan for the reorganisation of primary education in Gomersal and Cleckheaton.

Councillor Harris replied thereto.

(d) Councillor K Pinnock addressed a question to Councillor Harris (Cabinet portfolio holder for Children and Families) asking if she agreed that Birstall and Birkenshaw Councillors had neglected the needs of Birstall children in their consistent opposition to a co-education school on the site of Howden Clough.

Councillor Harris replied thereto.

(e) Councillor Palfreeman addressed a question to Councillor Harris (Cabinet portfolio holder for Children and Families) seeking further clarification as to whether the plans for the future of primary schools in Birkenshaw and East Bierley would go ahead.

Councillor Harris replied thereto.

(f) Councillor D Hall addressed a question to Councillor O'Neill (Cabinet portfolio holder for Children's Services) in relation to the impact on parents/pupils as a result of the potential impending strike action by teachers.

Councillor O'Neill replied thereto.

(g) Councillor Smaje addressed a question to Councillor O'Neill (Cabinet portfolio holder for Children's Services) as to whether he would confer with the Kirklees Music School to see if that Service could provide music delivered by brass bands in Kirklees' Parks.
Councillor O'Neill replied thereto.

(h) Councillor Bolt addressed a question to Councillor Calvert (Cabinet portfolio holder for Health, Well-Being and Communities) seeking support of Cabinet Members in bringing the Olympic torch relay team through Kirklees.

Councillor Calvert replied thereto.

(i) Councillor Sheard addressed a question to Councillor Calvert (Cabinet portfolio holder for Health, Well-Being and Communities) asking if her meetings with the Olympic Torch Committee were confidential.

Councillor Calvert replied thereto.

(j) Councillor Bates addressed a question to Councillor Sheard (Cabinet portfolio holder for Investment and Housing) asking when the Scrutiny recommendations on the future of the Management Agreement with Kirklees Neighbourhood Housing would be reported.

Councillor Sheard replied thereto.

(k) Councillor Lawson addressed a question to Councillor Khan (Leader), referring to recent press reports and asking if any progress had been made in relation to scrap dealers handling stolen metals.

Councillor Khan replied thereto.

(l) Councillor Sims addressed a question to Councillor Sheard (Cabinet portfolio holder for Investment and Housing) referring to the problems of the traffic light design and new chicane at the Victoria Street junction in Holmfirth and asking if he could give a date for the promised site meeting to discuss this.

Councillor Sheard replied thereto.

(m) Councillor Iqbal addressed a question to Councillor Sheard (Cabinet portfolio holder for Investment and Housing) asking if the Cabinet would reconsider the request for a zebra crossing in Thornhill, as supported by a petition.

Councillor Sheard replied thereto.

(n) Councillor Sims addressed a question to Councillor Sheard (Cabinet portfolio holder for Investment and Housing) as to which Section 106 monies had been used in relation to the development at Huddersfield Road in Holmfirth.

Councillor Sheard replied thereto.

(o) Councillor Light addressed a question to Councillor McBride (Cabinet portfolio holder for Investment and Housing) referring to the allocation of £12m in the 2008 Capital Plan for strategic investment regeneration in Dewsbury, and asking if he would arrange for a report to be brought back on the utilisation of that allocation.

Councillor McBride replied thereto.

No questions were asked of the Cabinet portfolio holders for Resources.

40 Meetings of Other Committees
The Minutes of the undermentioned Committee meetings were received for information:

(a) Corporate Governance and Audit Committee - 28 April and 13 May 2011.
(b) Licensing and Safety Committee - 5 May 2011.

(c) Overview and Scrutiny Management Committee - 15 February, 15 March and 12 April 2011.

(d) Personnel Committee - 22 February and 12 April 2011.

(e) Planning and Highways Committee - 21 March and 25 May 2011.

(f) Standards Committee - 29 March 2011.

41 Oral Questions/Comments, within the respective Terms of Reference, to Chairs of Committees/Sub-Committees/Panels and the Council's Nominated Spokespersons of Joint Committees/External Bodies

Councillor D Hall addressed a question to Councillor Wilkinson, Chair of Corporate Governance and Audit Committee, seeking clarification regarding Members' questions permitted under Oral Question Time to Cabinet Members on their portfolios and on relevant Cabinet Minutes. Councillor undertook to submit a written reply.

(During consideration of this item the normal time for concluding Council Business was reached, with the result that the further business of the Council was not considered and which would now be dealt with, as appropriate, in accordance with the relevant Council Procedure Rules)