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**COUNCIL**

**KIRKLEES COUNCIL**

**At a Meeting of the Council of the Borough of Kirklees held at  
The Town Hall, Huddersfield on Wednesday 21 March 2012**

**PRESENT**

**The Mayor (Councillor Eric Firth) in the Chair**

**COUNCILLORS**

M AKHTAR  
M BATES  
D K BELLAMY  
J C BLANCHARD  
M BOLT  
T BRICE  
C BURKE  
J CALVERT  
J COOK  
A COOPER  
A DENHAM  
W J DODDS  
D M FIRTH  
D HALL  
S HALL  
D HARDCASTLE  
C HARRIS  
L J HOLMES  
E HOLROYD-DOVETON  
J M HUGHES  
K HUSSAIN  
M HUSSAIN  
K IQBAL  
C M IREDALE  
P KANE  
V KENDRICK  
M KHAN  
J LAWSON  
V LEES-HAMILTON  
R C LIGHT  
T LYONS  
A C G MARCHINGTON

H MAYET  
A MURPHY  
D O'DONOVAN  
P O'NEILL  
S PANDOR  
R PARCHMENT  
S PATEL  
N PATRICK  
C PATTISON  
A C PINNOCK  
K M PINNOCK  
C PREEST  
H S RICHARDS  
D RIDGWAY  
M SARWAR  
C SCOTT  
D P SHEARD  
G SIMPSON  
K D SIMS  
E E SMAJE  
B SMITH  
C M L SMITH  
K SMITH  
M S SOKHAL  
C STANFIELD  
A L STUBLEY  
K TAYLOR  
N TURNER  
M WALTON  
E WARD  
L WILKINSON

**140 Announcements by the Mayor**

As a mark of respect for the six soldiers of 3rd Battalion the Yorkshire Regiment who tragically lost their lives recently in Afghanistan, three of whom were from our locality, namely Private Daniel Wilford, Corporal Jake Hartley and Private Anton Frampton, the Mayor called for one minutes silence to be observed.

The Mayor called on Councillor Calvert who provided an update of progress on establishing a Kirklees Community Covenant which it was intended be signed on Armed Forces Day, 30 June 2012. In response to Member comments she also confirmed that

the facility of a Veteran's Discount Card would be looked into, and informed Council that the dedicated support officer on the development of the Covenant was David Morby.

The Mayor announced that the following Members were standing down at the forthcoming elections, namely Councillors Ann Denham, Karam Hussain and Beryl Smith; the Group Leaders, Councillors K Pinnock, Light, Khan, Cooper and Lyons paid their personal tributes.

On behalf of the Chief Executive the Director of Resources reported that due to the unavailability of the Acting Director of Place to report to the Council, arrangements had been made for her to make presentations on Neighbourhood Planning directly to individual groups.

**141 Apologies for Absence**

Apologies for absence were received from Councillors Ahmed, Lowe, McBride, Palfreeman and Stewart Turner.

**142 Minutes of the Budget Council held on 22 February 2012 and the Extraordinary Council held 6 March 2012**

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

**RESOLVED - That the Minutes of the Budget Council held 22 February 2012 and Extraordinary Council held on 6 March 2012 be approved and signed by the Mayor as correct records.**

**143 Declarations of Interest**

- (1) Councillors Bates and Light each declared a personal interest in the update on the Kirklees Community Covenant given under Mayor's Announcements, on the basis that each have a son serving in the armed forces.
- (2) Councillor Smaje declared a personal interest in Item 8 of the Council Summons relating to the Scrutiny Update on the grounds of reference in her presentation to the Integrated Transport Authority and Kirklees Neighbourhood Housing, both of which she is a member.
- (3) All Members in attendance declared a personal interest in Item 9 of the Council Summons relating to the Members' Allowances Scheme for 2012/13.
- (4) Councillor Hardcastle declared a personal interest in Item 11 of the Council Summons relating to the Monitoring Report on Treasury Management in relation to the £3m invested in 2011/12 with Leeds Building Society, on the grounds that he is an employee.

**144 Petitions**

Councillor K Pinnock submitted a petition on behalf of residents of Cleckheaton, Gomersal and Liversedge expressing concern regarding the future of Cleckheaton Town Hall given the move of some staff from the building to Dewsbury with no replacement staff moving in.

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

**145 Deputations**

Council received a deputation on behalf of Shelley Action Group in relation to current planning policy on the erection of wind turbines.

In accordance with Council Procedure Rule 10(6) the Mayor directed that the subject matter of the deputation be referred to the appropriate Assistant Director for Investigation and report to Cabinet or an appropriate Committee; additionally the Leader undertook to provide the deputation spokesperson with a written response to the issues raised and to copy this to all Members.

**146 Questions by Members of the Public**

No questions were asked.

**147 Scrutiny Update**

Council received presentations from the undermentioned Scrutiny Lead Members on the following issues:-

Councillor Smaje, highlighting the work of the Well-Being and Communities Scrutiny Panel in reviewing the progress made against a number of recommendations made by Scrutiny following the "Independence Without Isolation" project.

Councillor Burke, highlighting the work of the Children and Young People's Scrutiny Panel in developing closer links with Kirklees Youth Council and involving young people more in the work of Scrutiny.

Councillor Marchington, reviewing progress made following the Scrutiny of Winter Maintenance.

**148 Reference from Corporate Governance and Audit Committee - Members' Allowances Scheme 2012/13**

It was moved by Councillor Wilkinson, seconded by Councillor D Hall and

**RESOLVED - That the Members' Allowances Scheme for 2012/13, as set out in Appendix A of the submitted report, be approved with effect from 1 April 2012.**

**149 Corporate Plan 2012/15 Revision**

It was moved by Councillor Sheard, seconded by Councillor Khan and

**RESOLVED - That the Corporate Plan Revision for 2012/15, as set out in the submitted report, be approved.**

**150 Reference from Corporate Governance and Audit Committee/Cabinet - Monitoring Report on Treasury Management**

Council received, for information, the second Treasury Management report for 2011/12 covering the period 1 April to 31 December 2011.

**151 Written Questions to the Leader and Cabinet Members**

Council received the undermentioned questions:

(a) **Question by Councillor Linda Wilkinson to the Cabinet Member for Place (Councillor Peter McBride)**

"In light of previous promises to improve the former Co-op Building on New Street in Huddersfield. Do you have a starting date for this work?"

**In the absence of Councillor McBride, Councillor Sheard undertook to ensure that Councillor McBride would provide a written response.**

(b) **Question by Councillor Christine Stanfield to the Cabinet Member for Resources (Councillor Shabir Pandor)**

"There is increasing attention being paid to those who are avoiding taxation by being paid through Personal Service Companies so avoiding PAYE and other

taxes. Houses being bought through off shore companies thereby avoiding stamp duty.

Local Authorities from Craven in Yorkshire, Fulham and Hammersmith, Hackney and Lewisham have been found to have employees paid through this type of company and so not appearing on the Local Authority's pay roll. This is costing the Country millions.

Are there any members/(employees) of this Council being paid through Personal Service Companies?"

**The Cabinet Member responded thereto.**

(c) **Question by Councillor Christine Stanfield to the Cabinet Member for Well-being and Communities (Councillor Jean Calvert)**

"I have been asked by members of the public if the Council has any plans for a special memorial to the local service men who have fallen in the conflict in Iraq and Afghanistan?"

**The Cabinet Member responded thereto.**

(d) **Question by Councillor Christine Stanfield to the Cabinet Member for Resources (Councillor Shabir Pandor)**

"In Lindley there are two sizeable properties with another really much more valuable property to be disposed of in the near future. Because of lack of security, since they were emptied, these properties have been completely stripped bare of any value at all. The first is Fieldhead, a listed building which since security was removed, despite doors and window being shut with metal shutters, has been entered via the roof and everything of value removed. Fireplaces, pipework, radiators – all have been stripped out leaving a wet shell full of both dry and wet rot.

The second is East Lawns, thought to be safe as the window and door protection is perfectly in place. That has now been entered by the roof and again everything of value removed. Ceilings, floors, all pipe work and radiators. In each case the electric cable has been severed rendering the alarm system useless.

The third, Briar Court, a beautiful listed building with lead on the roof and many fine internal features, is on the list to be disposed of. If this building is empty, there is no way that it will not be stripped within a week.

Is it right that these capital assets are allowed to become almost valueless as buildings because security can not be afforded? There is a firm which supplies Guardians, people who agree to live in the property for an agreed time and their presence guards the buildings better than the normal security system. The physical presence of people living in a building has been found to be a great deterrent.

This is not limited to Lindley. Both Burghmill House and Style Common School have had to be demolished because of the extent of the damage caused by vandalism. This was despite Orbit shutters being fitted. In this way the capital assets of this Authority are being so degraded, Kirklees is losing hundreds of thousands of pounds in an already depressed property market. Is this the way to look after our assets which, if sold in good condition, could have brought in money to help the upkeep of our remaining fine buildings?"

**The Cabinet Member responded thereto.**

- (e) **Question by Councillor James Blanchard to the Cabinet Member for Resources (Councillor Shabir Pandor)**

"What would be the cost of running a referendum across Kirklees to coincide with this May's local elections?"

**The Leader responded to this question.**

- (f) **Question by Councillor James Blanchard to the Cabinet Member for Resources (Councillor Shabir Pandor)**

"What costs would be incurred by splitting Kirklees into two parts, covering North and South respectively, and what costs would be ongoing for the two new Councils as a result of this split? What would the impact of these costs be on council tax bills and/or services?"

**The Leader responded to this question.**

- (g) **Question by Councillor Andrew Marchington to the Leader (Councillor Mehboob Khan)**

"How many referendums, on issues of concern to local residents, has this Council organised in the last ten years?"

**The Leader responded thereto.**

- (h) **Question by Councillor Cahal Burke to the Cabinet Member for Children's Services (Councillor Cath Harris)**

"Can Cabinet members please advise Council how much Section 106 money for improving educational provision in Lindley has been generated by developments in the last 10 years; how much of that money has currently been allocated; and what percentage of that allocation is currently intended to deliver improvements in provision in the area where the money was generated?"

**The Cabinet Member responded thereto.**

**152 Written Questions to the Chairs of Committees/Sub-Committees/Panels and Spokespersons of Joint Committees/External Bodies (the latter as defined in Council Procedure Rule 13 (4))**

No questions were asked.

**153 Minutes of meetings of Cabinet and Cabinet Committee - Local Issues**

The Minutes of the undermentioned Cabinet and Cabinet Committee - Local Issues meetings were received for information:

- (a) Cabinet - 21 November, 6, 14 and 20 December 2011, and 3, 17 and 31 January, and 7 and 14 February 2012.
- (b) Cabinet Committee - Local Issues - 7 December 2011 and 4 January 2012.

**154 Cabinet Members' Portfolio Progress on Priorities**

Council received updates on progress against priorities, as under:-

Councillors O'Neill/Harris - Children's Services, including improving education and training outcomes; reducing inequalities; keeping children safe; external judgements; and priorities for 2012/13.

Councillor Cathy Scott - Housing element of the Place Portfolio.

Councillor Sheard - Place Portfolio, including highways maintenance, crematoria and cemeteries, parks and recreation grounds, dog control, bin collections and street lighting.

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**Oral Questions/Comments to Cabinet Members on their Portfolios and on relevant Cabinet Minutes**

- (a) Councillor K Pinnock addressed a question to Councillor Sheard (Cabinet Portfolio Holder for Place) asking how many of the 64 sites referenced in the greenbelt review had been included in the Local Development Core Strategy to be put forward for housing development, and also enquiring as to his view about the coverage of this matter in the local press following a letter by a Member of the Council to the Huddersfield Examiner.

**Councillor Sheard replied thereto.**

- (b) Councillor Calvert addressed a question to Councillor Sheard (Cabinet Portfolio Holder for Place) relative to the response of wards to the pilot initiative to make savings through switching off of non-essential street lighting on the basis of 77 per ward.

**Councillor Sheard replied thereto.**

- (c) Councillor Cooper addressed a question to Councillor Sheard (Cabinet Portfolio Holder for Place) asking if he would agree it would be a good idea for the Highways Service to come up with a matrix of criteria to determine the most appropriate lights suitable for switching off in wards.

**Councillor Sheard replied thereto.**

- (d) Councillor Bates addressed a question to Councillor Sheard (Cabinet Portfolio Holder for Place), referring to the street lighting pilot project and alluding to options for private sector provision.

**Councillor Sheard replied thereto.**

- (e) Councillor Calvert addressed a question to Councillor Sheard (Cabinet Portfolio Holder for Place) asking if he could clarify that, were a business park built after our last Urban Development Programme was set to be full of street lights, would such lights qualify as ones which could be turned off under the street lighting pilot project.

**Councillor Sheard replied thereto.**

- (f) Councillor Bolt addressed a question to Councillor Sheard (Cabinet Portfolio Holder for Place) asking if the Council could consider giving back assets subsumed within the Kirklees Authority under the 1973 organisation, back to Mirfield and specifically referring to Knowl House which had been given for the benefit of the people of Mirfield.

**Councillor Sheard replied thereto.**

- (g) Councillor Light addressed a question to Councillor Sheard (Cabinet Portfolio Holder for Place) asking, in ensuring that the Place Directorate delivered its services to local communities, if he would as Cabinet Member be prepared to look at how those services could be more devolved to best serve those communities.

**Councillor Sheard replied thereto.**

**Minutes of other Committees**

The Minutes of the undermentioned Committee meetings were received for information:

- (a) Corporate Governance and Audit Committee - 25 November 2011 and 3 February 2012.
- (b) Employee Relations Sub-Committee - 17 November 2011 and 24 February 2012.
- (c) Licensing and Safety Committee - 27 October and 17 November 2011.
- (d) Overview and Scrutiny Management Committee - 30 August, 25 October and 22 November 2011 and 17 January 2012.
- (e) Personnel Committee - 25 November 2011 and 31 January 2012.
- (f) Planning and Highways Committee - 12 January 2012.
- (g) Standards Committee - 7 November 2011 and 31 January 2012.

(At this point in the meeting 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)