COUNCIL

KIRKLEES COUNCIL

At the Annual Meeting of the Council of the Borough of Kirklees held at
The Town Hall, Huddersfield on Wednesday 3 September 2014

PRESENT

The Mayor (Councillor Ken Smith) in the Chair

COUNCILLORS

M AHMED        R LIGHT
M AKHTAR        T LYONS
K ALLISON       G LOWE
S ALVY          P McBRIDE
B ARMER         A C G MARCHINGTON
R BARRACLOUGH   N MATHER
D K BELLAMY     M H MAYET
J BLANCHANRD    D O'DONOVAN
M BOLT          P O'NEILL
T BRICE         A PALFREEMAN
C BURKE         S PANDOR
J CALVERT       A PATEL
A V COOPER      N PATRICK
W J DODDS       A C PINNOCK
D M FIRTH       K M PINNOCK
E FIRTH         C PREEST
C GREAVES       H S RICHARDS
D J HALL        D RIDGWAY
S HALL          K ROWLING
D HARDCASTLE    C SCOTT
M HEMINGWAY     P SCOTT
E HILL          E E SMAJE
L J HOLMES      M S SOKHAL
E HOLROYD-DOVETON J STEWART TURNER
J M HUGHES      A L STUBLEY
M HUSSAIN       K TAYLOR
C M IREDALE     G TURNER
P KANE          N TURNER
V KENDRICK      E WARD
J C LAWSON      M WALTON
V LEES-HAMILTON L M WILKINSON
Announcements by the Mayor and Chief Executive
(a) The Mayor announced the pending appointment of Councillor Kath Pinnock to the House of Lords and conveyed congratulations on behalf of the Council.

(b) The Mayor sought authority from Council to grant leave of absence to Councillor Cath Harris. Council resolved that leave of absence be granted.

(c) The Mayor announced the death of former Councillor and Mayor, Margaret Bates, and conveyed sympathies to her family on behalf of Council. Tributes were paid by Councillors Light, Ward, Calvert, Holmes, K Pinnock, D Firth, Cooper, D Hall, Walton and Palfreeman.

(d) The Chief Executive confirmed the withdrawal of Agenda Item 5 (Report Relating to Strategic Planning Committee) to enable further discussions to take place with political groups prior to the consideration of the matter at Council.

Apologies for absence
Apologies for absence were received on behalf of Councillors Harris, Khan, Lyons, S Patel, Sarwar, Sheard and Sims.

Minutes of Previous Meeting
It was moved by The Mayor (Councillor Smith), seconded by the Deputy Mayor (Councillor Kane) and

RESOLVED - That the Minutes of the meeting held on 16 July 2014 be approved as a correct record subject to the amendment of Minute No 15 to reflect that apologies for absence had been submitted on behalf of Councillor Preest.

Declaration of Interests
No interests were declared.

Written Questions to Committee Chairs and Nominated Spokespersons of Joint Committees/External Bodies
(1) Question by Councillor Ridgway to the Spokesperson for West Yorkshire Police and Crime Panel (Councillor Ahmed)

"In light of the revelations from Rotherham, can the Police and Crime Panel's Spokesperson for Kirklees Council confirm what they have done to reassure themselves, councillors and members of the public that West Yorkshire Police’s historic and present procedures for dealing with reports of sexual abuse have protected the vulnerable from sexual predators and not in fact abandoned them to further abuse?"

Councillor Ahmed replied thereto.

Minutes of Cabinet & Cabinet Committee – Local Issues
The Minutes of the Meetings of (i) Cabinet held on 11 March, 25 March, 8 April, 22 April, 6 May, 19 May, 3 June, 17 June, 1 July, 15 July and 29 July 2014 and (ii) Cabinet Committee - Local issues held on 18 June and 16 July 2014 were received and noted.

Holding the Executive to Account: Corporate Plan 2014/2015 - Community Commitment Measures
Cabinet Members received questions relating to the Community Commitment Measures as set out in the 2014/2015 Corporate Plan.

(a) Councillor Burke made reference to the commitment to increase the number of residents aged 50 and over in Council commissioned activity programmes and asked how this would be achieved in light of the removal of the bowling facility from the new sports centre.
The Cabinet Member (Councillor O'Neill) replied thereto.

(b) Councillor N Turner made reference to the commitment to reduce the number of obese children at the end of Key Stage 2 from 32% to 30% and asked what this percentage reflected in real figures, and also whether a percentage reduction of 2% was sufficiently aspirational.

The Cabinet Member (Councillor O'Neill) replied thereto.

(c) Councillor Marchington made reference to the commitment to increase the number of affordable houses and asked (i) what timescales were set in terms of achieving the figures specified within the report and (ii) what action had been taken since the last Council meeting to implement the action set out in the Motion relating to affordable housing.

The Cabinet Member (Councillor McBride) replied thereto.

(d) Councillor D Hall made reference to the commitment to tackling anti-social behaviour and the fear of crime and asked, in light of the proposal to reduce PCSO funding in Year 3 of the Budget, how this would be achieved?

The Cabinet Member (Councillor O'Neill) replied thereto.

(e) Councillor A Pinnock made reference to the commitment to secure £4 of investment from the private sector for every £1 of business support investment by the Council, and asked how this would be achieved.

The Cabinet Member (Councillor McBride) replied thereto.

(f) Councillor Light made reference to the commitment to publish performance information and asked whether this would be across all services, and also whether the results of resident and staff surveys would be published.

The Cabinet Member (Councillor G Turner) replied thereto.

(g) Councillor Cooper made reference to the commitment to increase resident income, reducing the cost of living and expressed concerns regarding the ability to achieve these goals against the agenda of national government. He asked how the Council could work together, across political groups, to try and achieve these goals.

The Cabinet Member (Councillor Calvert) replied thereto.

(h) Councillor Smaje made reference to the commitment to promote healthy lifestyles and to increase engagement with community based organisations. She asked if engagement would take place either before or after decisions are taken which may affect these people.

The Cabinet Member (Councillor O'Neill) replied thereto.

(i) Councillor Bolt made reference to the commitment to champion the rights of vulnerable people and asked (i) what was being done to investigate the allegations set out in a recent statement by Barry Sheerman MP regarding safeguarding and (ii) that a report be submitted to provide assurance that when a young person in Council care raises concerns they would not be dismissed.

The Cabinet Member (Councillor Calvert) replied thereto.

(j) Councillor Ridgway made reference to the commitment to reduce obesity in Key Stage 2 children and sought clarification in regards to the percentage figures stated.
The Cabinet Member (Councillor Calvert) replied thereto.

(k) Councillor Light welcomed Cabinet’s commitment to produce a report regarding safeguarding, and asked that it be as detailed as possible in order to address concerns regarding the authority’s role in protecting vulnerable children, and to set out how the Council works in conjunction with other safeguarding bodies to carry out its duty.

The Cabinet Member (Councillor Calvert) replied thereto.

33 Holding the Executive to Account: Oral Questions/ Comments to Cabinet Members on their portfolios and on relevant Cabinet Minutes

(a) Councillor Marchington commented on the need for safeguarding training, and asked that all Members of the Council be involved as appropriate.

The Cabinet Member (Councillor Calvert) replied thereto.

(b) Councillor Holmes asked whether the Cabinet believed that Kirklees schools were performing well.

The Cabinet Member (Councillor Pandor) replied thereto.

(c) Councillor Dodds referred to the pending increase in the number of houses in the Scissett area and asked what was being done to ensure that local schools would be able to accommodate the influx of children into the area.

The Cabinet Member (Councillor Pandor) replied thereto.

(d) Councillor Light made reference to the statement by the Police and Crime Commissioner that there were currently 65 live investigations in the West Yorkshire and asked for reassurance that the Cabinet Member was aware of what was currently happening and that the Council was actually engaged in the investigation.

The Cabinet Member (Councillor Calvert) replied thereto.

(e) Councillor K Pinnock made reference to the statistics of children at risk of sexual exploitation and asked (i) what safeguards the Council had in place to fulfil its duty as Corporate Parent and protect the children in its care and (ii) the safety of children not in care of the Council in terms of how the Council engages with the families concerned.

The Cabinet Member (Councillor Calvert) replied thereto.

(f) Councillor D Hall made reference to the number of children in the Dewsbury and Batley areas that attended secondary school in Morley and asked how the Cabinet intended to accommodate such numbers of children if Leeds City Council were to close any of those schools.

The Cabinet Member (Councillor Pandor) replied thereto.

(g) Councillor Smaje made reference to the key themes of cross directorate activity set out in the draft Medium Term Financial Plan and asked the Cabinet Member how she thought services under her portfolio would be modelled in the future within this framework.

The Cabinet Member (Councillor Kendrick) replied thereto.

(h) Councillor Light made reference to the proposal within the Medium Term Financial Plan to close all but two Kirklees Libraries and asked that the detail of this proposal be confirmed.

The Cabinet Member (Councillor O'Neill) replied thereto.
34  **Minutes of Other Committees**  
The Minutes of the undermentioned meetings were received for information;

(a) Area Committee - Batley, Birstall and Birkenshaw - 10 December 2013 and 4 March 2014.


(c) Area Committee - Dewsbury - 8 October 2013, 10 December 2013, 18 February 2014 and 18 March 2014.

(d) Area Committee - Holme Valley - 24 October 2013, 12 December 2013 and 6 February 2014.


(g) Area Committee - Spen Valley - 10 October 2013, 12 December 2013, 30 January 2014 and 27 March 2014.

(h) Corporate Governance and Audit Committee - 16 May 2014 and 4 July 2014.


(k) Personnel Committee - 23 June 2014.

(l) Planning and Highways Committee - 7 May 2014.

35  **Oral Questions to Committee Chairs and Nominated Spokespersons of Joint Committees/External Bodies**

(a) Councillor Smaje asked the following question to the Chair of District Committee - Batley and Spen (Councillor Alvy);

"How as Chair of the District Committee are you representing the views from Batley and Spen on the Cabinet Working Group?"

Councillor Alvy replied thereto.

(b) Councillor Light asked the following question to the Chair of District Committee - Batley and Spen (Councillor Alvy);

"As there are five Members of the Batley and Spen District Committee who are Members of the Cabinet, ie. A majority of the Cabinet, can you assure us that the views of Batley and Spen will be heard by the Cabinet?"

Councillor Alvy replied thereto.

(c) Councillor P Scott asked the following question to the Chair of District Committee - Huddersfield (Councillor Mather);

"Why was tomorrow's planning meeting cancelled?"
Councillor Mather replied thereto.

(d) Councillor Cooper asked the following question to the Chair of District Committee - Huddersfield (Councillor Mather);

"At the previous Huddersfield Area Committee there seemed to be an embargo on discussion on Huddersfield Town Centre matters. Could you give me your views regarding whether the new District Committee will be discussing operational matters to do with Huddersfield Town Centre?"

Councillor Mather replied thereto.

(e) Councillor Ridgway asked a question to the Chair of District Committee - Kirklees Rural regarding the name of the Committee and the schedule of locations for its meetings.

Councillor Holroyd-Doveton replied thereto.

(f) Councillor Patrick asked the following question to the Chair of Licensing and Safety Committee (Councillor Hussain);

"What action has he taken to tackle offences committed by some taxi drivers in Holmfirth?"

Councillor Hussain replied thereto.

(g) Councillor Bolt asked the following question to the Chair of Licensing and Safety Committee (Councillor Hussain);

"About 12 months ago the legislation covering scrap dealers was charged so that mobile scrap dealers should now have a displayed permit issued by the Council. Could the Chair tell us whether there have been any prosecutions recently for vehicles not displaying such a permit?"

Councillor Hussain replied thereto.

(h) Councillor Bolt asked the following question to the Spokesperson of West Yorkshire Fire and Rescue Authority (Councillor Stubley);

"Would the Spokesperson comment upon the report in the Examiner today that West Yorkshire has the worst fire safety record in the country with 75% of firms failing fire safety checks, and what are they going to do to ensure the safety of our residents."

Councillor Stubley replied thereto.

(i) Councillor Ridgway asked the following question to the Spokesperson for West Yorkshire Fire and Rescue Authority (Councillor Stubley);

"Could the Spokesperson comment upon the proposals that have come from Government today on the merging of Fire, Police and Ambulance services?"

Councillor Stubley replied thereto.

(j) Councillor Light asked the following question to the Spokesperson for the West Yorkshire Police and Crime Panel (Councillor Ahmed);

"Given the suggestion that blue light service be at least administratively run together in the future, which has been talked about on a number of occasions in the past, do you think that the present Police and Crime Commissioner, and Panel, could accommodate such a change?"
Councillor Ahmed replied thereto.

36 Motion submitted in accordance with Council Procedure Rule 14 as to a High Speed Rail Link for the North of England

It was moved by Councillor A Pinnock, and seconded by Councillor Wilkinson

'That This Council:

(1) After decades of neglect by successive national Government, welcomes, in principle, the proposed creation of a transpennine high speed rail link for the North of England.

(2) Sees this announcement as an indication that Central Government is finally waking up to the need to invest in northern infrastructure in order to allow northern town and cities to release their true economic potential.

(3) Believes such a development:

a) would be a huge boost to Kirklees businesses and would help to better balance the UK economy which is too reliant on the South of England;

b) would create new jobs and business opportunities in Kirklees improving peoples prospects, health and quality of life;

c) would increase business rates revenue that could be spent on the provision of local public services in Kirklees.

(4) However, also believes that what has been described as HS3 and as running between Manchester and Leeds:

a) should Stretch from Liverpool to Hull connecting towns, cities, ports and airports from East to West across the North of England;

b) would be of greater value to the UK economy than HS2;

c) should be delivered as soon as possible, either at the same time or in place of HS2.

(5) Furthermore, also believes that if northern towns and cities are to go on to truly compete at a national and international level, investment in infrastructure needs to be accompanied by greater devolution of both fiscal and decision making powers to regional and local levels.

(6) Therefore resolves to instruct the Chief Executive to write to the Leaders of the main political parties at Westminster:

a) informing them of Council’s support for high speed rail in the north;

b) recommending to them that the high speed rail link runs the whole breadth of the North of England, connecting towns, cities, ports and airports from Liverpool to Hull;

b) advising them that Council believes that such an investment would be of greater value to the UK economy than HS2 and as such it should be delivered as soon as possible, either alongside or in place of HS2;

b) urging them to marry investment in infrastructure with greater devolution of fiscal and decision making powers to regional and local authority levels so people living in the north and elsewhere can create the conditions for greater economic growth and the eventual creation of a balanced sustainable economy across all parts of the UK.'

Whereupon it was proposed by Councillor McBride, on behalf of the Labour Group, that the Motion be amended as follows;
‘That This Council:

(1) After decades of neglect by successive national Government, welcomes, in principle, the proposed creation of a transpennine high speed rail link for the North of England.

(2) Sees this announcement as an indication that Central Government is finally waking up to the need to invest in northern infrastructure in order to allow northern town and cities to release their true economic potential.

(3) Believes such a development:

a) would be a huge boost to Kirklees businesses and would help to better balance the UK economy which is too reliant on the South of England;

b) would create new jobs and business opportunities in Kirklees improving peoples prospects, health and quality of life;

c) would increase business rates revenue that could be spent on the provision of local public services in Kirklees.

(4) However, also believes that what has been described as HS3 and as running between Manchester and Leeds:

a) should Stretch from Liverpool to Hull connecting towns, cities, ports and airports from East to West across the North of England;

b) should be delivered as soon as possible, preferably at the same time or before HS2.

(5) Furthermore, also believes that if northern towns and cities are to go on to truly compete at a national and international level, investment in infrastructure needs to be accompanied by greater devolution of both fiscal and decision making powers to regional and local levels.

(6) Therefore resolves to instruct the Chief Executive to write to the Leaders of the main political parties at Westminster:

a) informing them of Council’s support for high speed rail in the north;

b) recommending to them that the high speed rail link runs the whole breadth of the North of England, connecting towns, cities, ports and airports from Liverpool to Hull;

c) advising them that Council believes that such an investment would be of great value to the UK and as such it should be delivered as soon as possible;

d) urging them to marry investment in infrastructure with greater devolution of fiscal and decision making powers to regional and local authority levels so people living in the north and elsewhere can create the conditions for greater economic growth and the eventual creation of a balanced sustainable economy across all parts of the UK.’

The AMENDMENT, upon being accepted by the Proposer and Seconder of the original Motion, was put to the vote, was CARRIED and therefore became the SUBSTANTIVE MOTION.

The Motion was therefore put to the vote, was CARRIED, and it was:

RESOLVED -
‘That This Council:

(1) After decades of neglect by successive national Government, welcomes, in principle,
the proposed creation of a transpennine high speed rail link for the North of England.

(2) Sees this announcement as an indication that Central Government is finally waking up to the need to invest in northern infrastructure in order to allow northern town and cities to release their true economic potential.

(3) Believes such a development:

a) would be a huge boost to Kirklees businesses and would help to better balance the UK economy which is too reliant on the South of England;

b) would create new jobs and business opportunities in Kirklees improving peoples prospects , health and quality of life;

c) would increase business rates revenue that could be spent on the provision of local public services in Kirklees.

(4) However, also believes that what has been described as HS3 and as running between Manchester and Leeds:

a) should Stretch from Liverpool to Hull connecting towns, cities, ports and airports from East to West across the North of England;

b) should be delivered as soon as possible, preferably at the same time or before HS2.

(5) Furthermore, also believes that if northern towns and cities are to go on to truly compete at a national and international level, investment in infrastructure needs to be accompanied by greater devolution of both fiscal and decision making powers to regional and local levels.

(6) Therefore resolves to instruct the Chief Executive to write to the Leaders of the main political parties at Westminster:

a) informing them of Council’s support for high speed rail in the north;

b) recommending to them that the high speed rail link runs the whole breadth of the North of England, connecting towns, cities, ports and airports from Liverpool to Hull;

c) advising them that Council believes that such an investment would be of great value to the UK and as such it should be delivered as soon as possible;

d) urging them to marry investment in infrastructure with greater devolution of fiscal and decision making powers to regional and local authority levels so people living in the north and elsewhere can create the conditions for greater economic growth and the eventual creation of a balanced sustainable economy across all parts of the UK.'

37 Motion submitted in accordance with Council Procedure Rule 14 as to Sustainable Communities Act - Large Retailer Levy

It was moved by Councillor Greaves, and seconded by Councillor Holroyd-Doveton

"That This motion calls for all local authorities to be given the power to create a new local rate of 8.5% on large retail outlets with a rateable value not less than £500,000, and the power for them to use this revenue to improve local economic activity, local services and facilities, social and community wellbeing and environmental protection.

Kirklees Council will undertake appropriate public consultation, and if supported by residents of Kirklees, this Council will call on the government to give Local Authorities the power to introduce a new local rate under the Sustainable Communities Act.'

The Motion, on being put to the vote, as LOST.
RESOLVED - That the Motion not be carried.

38 Motion submitted in accordance with Council Procedure Rule 14 as to Towns against Tax Dodging
It was moved by Councillor O'Neill, and seconded by Councillor Kendrick

'This Council notes:
* It has been estimated that the UK Treasury loses as much as £12 billion to tax dodging by multinational companies every year which would be better used to invest in the services and infrastructure our citizens need. Developing countries lose three times more to tax dodging than they receive in aid each year – enough to give a basic education to the 57 million children currently missing out.
* The UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5 of the world’s tax havens in the British Overseas Territories and Crown Dependencies.
* The use of tax havens by UK companies is rife, with 98 of the FTSE 100 companies routinely using tax havens. Large multinational companies pay as little as 5% in corporate taxes globally, while smaller businesses pay up to 30%.

This Council believes:
* As a local authority we have a duty to provide the best possible public services.
* Our ability to provide quality local services would be significantly enhanced by the increased revenues from the government tackling tax dodging.
* All who benefit from public spending should contribute their fair share.
* The UK must take a lead role in creating a fairer tax system and combatting tax dodging.

This Council recognises:
* That within Kirklees many ordinary people face falling household income and rising costs of living, whilst some multinational companies are avoiding billions of pounds of tax from a tax system that fails to make them pay their fair share.
* Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling towns and cities around the world to provide quality public services.

This Council therefore resolves:
* To write to the Chancellor to express the strength of public feeling on this issue and asks the Government to act swiftly, to end the injustice of tax dodging by large multinational companies, in developing countries and the UK.'

Whereupon it was moved by Councillor Marchington, and Seconded by Councillor N Turner, by way of AMENDMENT;

'That this Council;

(1) Notes that the total tax revenue gap caused by tax evasion and avoidance in the UK currently stands at £9 billion per annum (HMRC 1 Sept 2014).

(2) Believes that tax dodging, especially by large multinational firms, is indefensible; has a negative impact on all aspects of social life and the ability of national and local Governments, at home and abroad, to deliver services and support for the betterment of their citizens.

(3) Therefore welcomes many of the constructive steps the UK Government has taken towards tackling this issue since 2010 including:

* The introduction of a General Anti-Abuse Rule (GAAR) to bring an end to artificial and abusive tax avoidance schemes;
* The investment of more than £1 billion in the HMRC’s capacity to tackle tax avoidance and evasion (which in 2013/14 meant £23.9 billion more in additional tax was collected
with the same amount expected in 2014/15: in both cases £10 billion more than was
collected in the last year of the previous Government);* The increase in the number of HMRC staff working on tax evasion and tax avoidance by
2,500 (following a drop to 9,000 members of staff between 2005 and 2010);
* The recruitment of an additional 200 criminal investigators (which has increased the
number of people prosecuted for tax evasion from 165 in 2010 /2011 to 1,165 in
2014/2015);
* The expansion of HMRC’s Affluent Unit with 100 extra investigators and intelligence
staff to identify and deal with avoidance and evasion by the wealthiest individuals;
* The recruitment of more specialist personal tax inspectors to prevent evasion and
avoidance of inheritance tax, using offshore trusts, bank accounts and other entities;
* The introduction of procurement guidelines that make sure companies who take on big
Government contracts (above £5 million) deliver on their tax obligations;
* The introduction of a “true list of company owners” which will stop tax avoiders hiding
behind complex structures, trails of paper, bogus owners and directors;
* Provision of support for tax capacity projects in developing countries, working alongside
international organisations such as the African Tax Administration Forum, the World Bank
and the OECD;
* Providing more than £10 million of new funding to support projects to tackle tax
avoidance in developing countries;
* With other G8 members in 2013:
* Signing up to the automatic exchange of information between tax authorities which will
boost Governments’ abilities to tackle cross-border tax evasion;
* Calling on the Organisation for Economic Co-operation and Development (OECD) to
create a mechanism via which global corporations will report on their profits and payment
of taxes around the world.

(4) However, and despite the positive steps that have been made since 2010, Council
wants to see more done so that:

(a) Big corporations and multinationals are made to pay what they owe;

(b) Kirklees and all Local Authorities in the United Kingdom and across the world can
provide quality public services to their citizens;

(c) The unacceptable situation of developing countries losing three times more in tax
avoidance than they receive in aid is brought to an end.

(5) Council therefore resolves to:

(a) Write to the Chancellor of the Exchequer welcoming the Government’s track record on
tackling tax avoidance and evasion to date but communicating to him its wish to see the
UK Government do more at home and abroad for the reasons outlined at 4 (a-c) above.’

The Amendment, on being put to the vote, was LOST.

There being no further amendments, the Motion was put to the vote, was CARRIED, and
it was:

RESOLVED -
'That this Council notes:

* It has been estimated that the UK Treasury loses as much as £12 billion to tax dodging
by multinational companies every year which would be better used to invest in the
services and infrastructure our citizens need. Developing countries lose three times more
tax dodging than they receive in aid each year – enough to give a basic education to
the 57 million children currently missing out.
* The UK has a particular responsibility to end tax dodging, as it is responsible for 1 in 5
of the world’s tax havens in the British Overseas Territories and Crown Dependencies.
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* Our ability to provide quality local services would be significantly enhanced by the increased revenues from the government tackling tax dodging.
* All who benefit from public spending should contribute their fair share.
* The UK must take a lead role in creating a fairer tax system and combatting tax dodging.

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* Local governments in developing countries and the UK alike would benefit from a fairer tax system where multinational companies pay their fair share, enabling towns and cities around the world to provide quality public services.

This Council therefore resolves:
* To write to the Chancellor to express the strength of public feeling on this issue and asks the Government to act swiftly, to end the injustice of tax dodging by large multinational companies, in developing countries and the UK.