

Decision Summary

Committee: Annual Council
Date: 26 May 2010
Committee Clerk: Adrian Johnson
Tel: 01484 221000

1. To elect the Mayor for the ensuing year

To note.

Decision: Councillor Andrew Palfreeman was elected Mayor for the ensuing year.

2. To appoint a Deputy Mayor for the ensuing year

To note.

Decision: Councillor Eric Firth was appointed Deputy Mayor for the ensuing year.

3. To approve as a correct record and authorise the signing of the Minutes of the Ordinary Meeting of the Council held on 24 March 2010

Please see detailed report.

Decision: The Minutes were agreed as a correct record and signed by the Mayor.

4. Interests

The Councillors will be asked to say if there are any items on the Agenda about which they might have a personal interest which prevents them from taking part in the discussions. They could be financial or some other reason. A form is attached for completion by Councillors if they have an interest in any of the items to be discussed at the meeting. Please complete this form and return it to the Committee Officer at the end of the meeting.

Decision: No interests were declared.

5. Announcements by the Mayor and Chief Executive

To note, including results of District Council Elections held 6 May 2010, and the acceptance of Office of Councillors elected.

(Please see detailed report)

Decision: The Chief Executive advised of the official return of the election of Councillors held 6 May 2010, as per the detailed report, and that all Members elected would retire in 2014, and had made the statutory declaration of acceptance of office.

The Mayor welcomed all new Members onto the Council.

6. To receive any apologies for absence from Elected Members

To note.

Decision: No apologies were received.

7. Proposed Amendments to the Council's Constitution

To consider and determine amendments to the Constitution of Kirklees Council:

(Report of the Acting Assistant Director, Legal and Governance, which include the Minutes of Corporate Governance and Audit Committee of 28 April 2010)

Contact: Vanessa Redfern 01484 221720

Decision: Please see additional report.

8. Proposed Amendments to Contract Procedure Rules and Financial Procedure Rules

To consider and determine.

(Report of Assistant Director, Risk and Performance, attached; Minutes of Corporate Governance and Audit Committee of 28 April 2010, attached as part of item 7 above, also refer)

Contact: Martin Dearnley 01484 221133

Decision: That the proposed Amendments to Contract Procedure Rules and Financial Procedure Rules referred to in the report at Item 8 be approved, and that the Director of Finance be authorised to finalise and implement the drafting required to give effect to the Amendments.

9. Revised Area Governance Arrangements

To consider a structure for Area Governance (Matter initially considered by Corporate Governance and Audit Committee on 14 May 2010)

Contact: Jane Scullion 01484 225375 / Merran Mcrae 01484 221248

Decision: Please see additional report.

10. To approve the dates, times and venues of meetings of the Council for the Municipal Year 2010/11 as proposed by Corporate Governance and Audit Committee on 28 April 2010

(Report attached)

Contact: Adrian Johnson 01484 221712

Decision: That the dates, times and venues of ordinary meetings of the Council for the ensuing Municipal Year, as set out at the report at Item 10 of the Council Summons, be approved, that the 'Budget' Council Meeting be held on 23 February 2011 at 5.00 pm and that the provisions of Council Procedure Rule 3 shall apply to that meeting, and that the provisional date of 25 May 2011 be noted for the Annual Meeting of the Council.

11. Invitation to Group Leaders to set out their Approach to the 2010/11 Administration and Beyond

Group Leaders to respond.

Decision: Councillors Khan, K Pinnock, Light and Cooper each gave a presentation on their approach to the 2010/11 administration and beyond.

12. Election of Leader of the Council

To elect a Leader of the Council for the term of office specified in Article 7.5 of the Constitution (maximum term of office 4 years)

To receive nominations, following which the nominees will outline their approach to fulfilling the role, and thereafter Council will determine who will be Leader.

NB: Council Procedure Rule 24(5) provides that:

'If there are more than 2 persons nominated for any appointment to be filled by the Council (including the election of the Mayor and the Leader) and there is no overall majority in favour of one person, the following procedure will apply. The name of the person who has received the least number of votes will be struck off the list of nominations and a fresh vote taken. This procedure will continue until a majority vote is given in support of one of the persons nominated so that one person must be appointed.'

Decision: Councillor Khan was elected Leader of the Council.

13. Notification of Deputy Leader, Cabinet Membership and Delegation of Executive Functions

The Leader will advise Council accordingly on his/her appointment of Deputy Leader and on Cabinet portfolios and delegation of Executive functions.

Decision: The Leader informed Council of the following appointments he had made:-

Councillor K Smith - Deputy Leader

Councillors Sheard, McBride and Harkin - Regeneration, Environment and Transportation Cabinet Portfolio

Councillors K Smith and Harris - Children and Young People Portfolio

Councillor Pandor - Corporate Portfolio

Councillors Walton and O'Neill - Adults and Communities Portfolio.

14. Committees of the Council

To determine for the Municipal Year 2010/11 the Committees of the Council.

(Report attached)

Decision: That the Committees of the Council for the ensuing year be in accordance with the report at Item 14 of the Council Summons, subject to the Area Committees being established in accordance with the structure determined at Item 9 of the Council Summons.

15. Allocation of Seats

To determine for the Municipal Year 2010/11 the allocation of seats on Committees to any Political Groups formed under the Local Government (Committees and Political Groups) Regulations 1990 or any substituted regulations and the allocation of seats to any Members of the Council who are not Members of any such Political Groups.

(Schedule to be tabled)

Members are informed that it is proposed that arrangements for representation of Political Groups on the Committees and Panel listed below should NOT be in accordance with the requirements of Sections 15 and 16 of the Local Government and Housing Act 1989 but should be as set out in the report to be circulated at this item:

Corporate Governance and Audit Committee
Personnel Committee
Overview and Scrutiny Management Committee

This notice is given in accordance with Section 17 of the 1989 Act and Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990. Each proposal will require approval with no Member of the Council voting against.

(Part 3 of the Local Government Act 2000 states: A Standards Committee of a relevant authority in England is not to be regarded as a body to which Section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to Political Groups) applies).

- Decision:**
- (1) That the requirements of Section 15 and 16 of the Local Government and Housing Act 1989 shall not apply to the Corporate Governance and Audit Committee and the Overview and Scrutiny Management Committee for the ensuing year, but that proportionality shall apply to the Personnel Committee in light of there being one objection.
 - (2) That the number and proportions of Members on Committees and Panels be in accordance with the schedule marked Item 15, as circulated to each Member, and as now amended as a consequence of the decision taken in (1) above in relation to the Personnel Committee, and at Item 7 of the Council Summons relating to the Constitution of the Overview and Scrutiny Management Committee, for the ensuing year (attached).

16. Dates/Times of Committees and Panels

To determine for the Municipal Year 2010/11 the dates and times of meetings of Committees and Panels.

(Schedule attached; NB: this includes provisional dates for Cabinet)

Decision: That the dates and times of meetings of Committees and Panel be in accordance with the schedule at Item 16 of the Council Summons, subject to the deletion of all meetings of Area Committees under the previous structure, in respect of which Council approved a new structure for Area Governance at Item 9 of the Council Summons, with dates to be determined in consultation with the appointed Chairs.

17. Membership of Committees/Panels and Ratio of Substitutes Panel

To determine for the Municipal Year 2010/11 the Membership of the Committees and Panels in accordance with nominations from Group Business Managers and the ratio of the Panel of Substitute Members for each Political Group.

(Report to be tabled)

Decision: Please see additional report.

18. Appointment of Members to Joint Authorities

To determine for the Municipal Year 2010/11 arrangements for the allocation of seats and the Joint Authorities.

(Report attached)

Decision:

- (1) That the proposed allocation of seats between the Groups for the appointment of Members to the West Yorkshire Joint Authorities for the year 2010/11, as outlined in the report at Item 18 of the Council Summons, be approved, and that the arrangements for seat allocations on the Police Authority be noted.
- (2) That the Group Business Managers forward names of the Members to be appointed to the Joint Authorities to the Acting Assistant Director, Legal and Governance.
- (3) That pursuant to Section 31 of the Local Government Act 1985 the Acting Assistant Director, Legal and Governance terminates the appointment(s) of any Members appointed to a Joint Authority(ies) who have been replaced pursuant to Resolution (2) above and that she gives notice of the appointment(s) and the termination of the previous appointment(s) to the Joint Authority(ies) concerned.

19. Appointments to Outside Bodies/other Committees

To determine for the Municipal Year 2010/11 the appointment of representatives to other Committees, outside bodies etc. except where appointment to those bodies has been delegated by the Council or is exercisable only by the Cabinet.

(Report attached)

Decision: That the allocation of places/ratios, as appropriate, in the report at Item 19 of the Council Summons, be confirmed; that Group Business Managers put forward nominations to the Acting Assistant Director, Legal and Governance, to fill any vacancies or make any adjustments to nominees previously put forward, as appropriate, excepting those bodies with executive functions, which be referred to Cabinet for nomination.

20. Spokespersons of Joint Committees and External Bodies

To determine, for the Municipal Year 2010/11 the Council's spokespersons nominated to reply to oral questions at Council meetings upon any service provided by various organisations.

(Report attached)

Decision: (1) That the following Councillors be nominated to reply to oral questions at Council meetings:-

Kirklees Neighbourhood Housing - Councillor Walton
Kirklees Active Leisure - Councillor D Woodhead.

(2) That Council notes that the appointed Leader of the Council will be the spokesperson for the Leeds City Region Leaders' Board; further, that spokespersons for the:-

West Yorkshire Integrated Transport Authority
West Yorkshire Fire and Rescue Authority
West Yorkshire Police Authority and
West Yorkshire Joint Services Committee, will be notified by those bodies.

21. To appoint the Chairs and, if considered appropriate, the Deputy Chairs of the following Committees etc for the Municipal Year 2010/11

To determine for:-

- (a) Overview and Scrutiny Management Committee
- (b) Standards Committee
- (c) Planning and Highways Committee
- (d) Licensing and Safety Committee
- (e) Personnel Committee
- (f) Area Committees for:
 - (i) Batley
 - (ii) Birstall and Birkenshaw
 - (iii) Colne Valley
 - (iv) Denby Dale
 - (v) Dewsbury
 - (vi) Holme Valley North
 - (vii) Holme Valley South
 - (viii) Huddersfield North
 - (ix) Huddersfield South
 - (x) Kirkburton
 - (xi) Mirfield
 - (xii) Spen Valley

or as otherwise determined following discussion on the Area Committee structure under the Constitution at item 7 above.

- (g) Appeals Panel
- (h) Corporate Governance and Audit Committee

Decision: That the appointment of Chairs of Committees for the Municipal Year be approved in accordance with the schedule circulated to all Members of the Council at Item 21 of the Council Summons, as now amended to specify the Committees established under the new Area Governance arrangements at Item 9 of the Council Summons, and attached herewith, and that any outstanding appointments be determined in accordance with the provisions of Council Procedure Rule 38 (1) (i).