

## Decision Summary

**Committee:** Annual Council  
**Date:** 25 May 2011  
**Committee Clerk:** Adrian Johnson  
**Tel:** 01484 221000

---

### 1. To elect the Mayor for the ensuing year

To note.

**Decision:** Councillor Eric Firth was elected Mayor for the ensuing year.

### 2. To appoint a Deputy Mayor for the ensuing year

To note.

**Decision:** Councillor Christine Iredale 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 23 March 2011

To agree and authorise the Mayor to sign as a correct record.

**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 5 May 2011 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 on 5 May 2011, as per the detailed report, and that all Members elected would retire in 2015, and had made the statutory declaration of acceptance of office.

The Mayor welcomed all new Members to the Council.

## **6. To receive any apologies for absence from Elected Members**

To note.

**Decision:** Apologies for absence were received on behalf of Councillors Denham and Stanfield. It was agreed to convey the Council's best wishes to Councillor Denham for a speedy recovery.

## **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 13 May 2011)

**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 13 May 2011, 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 submitted report at Item 8 be approved, and that the Director of Resources be authorised to finalise and implement the drafting required to give effect to the amendments.

**9. To approve the dates, times and venues of meetings of the Council for the Municipal Year 2011/12 as proposed by Corporate Governance and Audit Committee on 28 April 2011**

(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 in the submitted report at Item 9 of the Council Summons, be approved, that the Budget Council meeting be held on 22 February 2012 at 5.00pm and that the provisions of Council Procedure Rule 3 shall apply to that meeting, and that the provisional date of 23 May 2012 be noted for the Annual meeting of the Council.

**10. Invitation to Group Leaders to set out their Approach to the 2011/12 Administration and Beyond**

Group Leaders to respond.

**Decision:** Councillors Cooper, K Pinnock, Light and Khan each gave a presentation on their approach to the 2011/12 administration and beyond.

**11. Election of Leader of the Council**

The Leader of the Council gave a commitment at last year's Annual Meeting to put himself forward for election. Following his expected resignation, to be made immediately prior to this item, the Council will 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:** No nominations were put forward and so, accordingly, under current legislation, the current Leader of the Council, Councillor Mehboob Khan would continue in this role.

## **12. Corporate Plan, 2011/12**

To consider recommendation from Cabinet of 24 May 2011, to be verbally reported to the meeting.

**Contact:** Andy Simcox 01484 225035

**Decision:** That the final version of the Corporate Plan for 2011/12, as submitted at Item 12 on the Council Summons, be approved, subject to correction to the wording on Page 23 of the report, under the heading 'Driving Physical Renewal', second bullet point, so as to substitute the word 'continue' for the word 'began'.

## **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 the Council that Councillor K Smith would continue as Deputy Leader in the current Municipal Year and that he would shortly notify all Council Members of the make-up of the Cabinet and delegation of Executive functions and specifically indicated that Councillor Calvert would be joining the Cabinet.

## **14. Committees of the Council**

To determine for the Municipal Year 2011/12 the Committees of the Council.

(Report attached)

**Decision:** That the Committees of the Council for the ensuing year be in accordance with the submitted report at Item 14 of the Council Summons.

## 15. Allocation of Seats

To determine for the Municipal Year 2011/12 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  
Budget Advisory Board  
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, Budget Advisory Board, and the Overview and Scrutiny Management Committee, for the ensuing Municipal Year.
  - (2) That the number and proportions of Members of Committees and Panels be in accordance with the submitted schedule marked Item 15, as circulated to each Member, for the ensuing year. (attached)

## 16. Dates/Times of Committees and Panels

To determine for the Municipal Year 2011/12.

(Schedule attached; NB: This includes provisional dates for Cabinet and its Committee on Local Issues)

- Decision:**
- That the dates and times of meetings of Committees and Panels be in accordance with the submitted schedule at Item 16 of the Council Summons.

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

To determine for the Municipal Year 2011/12 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 2011/12 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 2011/12, 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, Governance and Monitoring.

(3) That pursuant to Section 31 of the Local Government Act 1985 the Acting Assistant Director, Legal, Governance and Monitoring, 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 new 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 2011/12 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:**
- (1) 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, Governance and Monitoring to fill any vacancies or make any adjustments to nominees previously put forward, as appropriate.
  - (2) That those bodies with executive functions be referred to Cabinet to put forward nominations.
  - (3) That, in relation to the Yorkshire Purchasing Organisation Joint Committee, the Council agrees to waive political balance rules which apply in accordance with Section 17 of the Local Government and Housing Act, and that Cabinet, in determining the nominees, resolves which Member will have the one vote on behalf of the Council.

## 20. Spokespersons of Joint Committees and External Bodies

To determine, for the Municipal Year 2011/12 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, or otherwise be referred to Group Business Managers for nomination and subsequent report and notification to next Council:-  
  
Kirklees Neighbourhood Housing - Councillor M Walton  
  
Kirklees Active Leisure - Councillor A L Stubbley
  - (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 2011/12**

To determine for:-

- (a) Appeals Panel
- (b) Budget Advisory Board
- (c) Corporate Governance and Audit Committee
- (d) Licensing and Safety Committee
- (e) Overview and Scrutiny Management Committee
- (f) Personnel Committee
- (g) Planning and Highways Committee
- (h) Standards Committee
- (i) Town and Valley Committees for:
  - (i) Batley, Birstall and Birkenshaw
  - (ii) Dewsbury
  - (iii) Huddersfield
  - (iv) Mirfield, Denby Dale and Kirkburton
  - (v) Spen Valley
  - (vi) The Valleys

**Decision:** That the appointment of Chairs of Committees and the Lead Members on Overview and Scrutiny Panels for the Municipal Year be approved in accordance with the schedule circulated to all Members of the Council at Item 21 on the Council Summons, attached herewith.

**22. Leeds Children's Heart Surgery Unit at Leeds General Infirmary - Government Response to Motion Approved and Adopted by Council**

To note response from the Department of Health to the Motion approved and adopted by the Council on 23 March 2011 relating to the Leeds Children's Heart Surgery Unit at Leeds General Infirmary.

**Contact:** Adrian Johnson 01484 221712

**Decision:** Council noted the response from the Department of Health, for information.