

Decision Summary

Committee: Annual Council
Date: 23 May 2012
Committee Clerk: Adrian Johnson
Tel: 01484 221000

1. To elect the Mayor for the ensuing year

To note.

Decision: Councillor David Ridgway was elected Mayor for the ensuing year.

2. To appoint a Deputy Mayor for the ensuing year

To note.

Decision: Councillor Martyn Bolt 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 21 March 2012

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 3 May 2012 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 3 May 2012, as per the detailed report, and that all Members elected would retire in 2016, and had made the statutory declaration of acceptance of office.

The Mayor welcomed all new Members to the Council.

The Mayor announced that the Council's congratulations were to be sent to Her Majesty the Queen on her Diamond Anniversary.

The Mayor announced his charity for 2012-13 would be the Yorkshire Regiment Benevolent Trust and invited sponsorship support for his weight losing challenge during his term of office.

6. To receive any apologies for absence from Elected Members

To note.

Decision: Apologies for absence were received on behalf of Councillor S Hall; apologies were received from Councillor J Hughes, who had been present at the start of the meeting but had to leave early on account of illness; on behalf of Council the Mayor expressed best wishes to Councillor Hughes for a speedy recovery.

7. Invitation to Group Leaders to set out their Approach to the 2012/13 Administration and Beyond

Group Leaders to respond.

Decision: Councillors Cooper, K Pinnock, Light and Khan each gave a presentation on their approach to the 2012/13 administration and beyond.

8. Election of Leader of the Council

In accordance with Article 7.5.1 it is necessary for the Council to elect a leader for a maximum term of four years. 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: Council elected Councillor Mehboob Khan as Leader of the Council for a maximum term of four years.

9. 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 presented a paper (attached) setting out appointments to Deputy Leader and Portfolios for the current municipal year. In summary:-

Councillor D Sheard to continue as Deputy Leader
Leader's Portfolio (Councillor M Khan) - Sustaining the Kirklees Economy
Children's Services Portfolio - Councillors C Harris and P O'Neill
Resources Portfolio - Councillors D Sheard and S Pandor
Health, Well-being and Communities Portfolio - Councillors M Walton and J Calvert
Place (Investment and Housing) Portfolio - Councillors P McBride and C Scott

10. 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, Governance and Monitoring)

Contact: Vanessa Redfern 01484 221720

Decision: That the proposed changes to the Constitution, apart from those that relate to executive functions, referred to in the Key Points section of the submitted report at Item 10 of the Council Summons, be approved, and that the Council's Monitoring Officer be given delegated authority to make all the necessary amendments, subject to an amendment to the existing table in Article 10.2 of the Constitution so as to provide for the substitution of the Valleys Area Committee with the following:-

Colne Valley Area Committee - All elected Members from the Wards of Golcar and Colne Valley, together with Co-optees as approved from time to time by the Council.

Holme Valley Area Committee - All elected Members from the Wards of Holme Valley North and Holme Valley South and two Members nominated by each Parish/Town Council.

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

To consider and determine.

(Report of Head of Audit and Risk, attached)

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 11 of the Council Summons, be approved and that the Director of Resources be authorised to finalise and implement the drafting required to give effect to the amendments.

12. Code of Conduct Transitional Arrangements

To consider recommendation from the Standards Committee of 14 May 2012.

Contact: Dermot Pearson 01484 222674

Decision: That in the event that the provisions of the Localism Act 2011, which relates to the abolition of the current Standards Regime, are brought into force on 1 July 2012, Council adopts the proposed transitional Code of Conduct, as set out in the submitted report at Item 12 of the Council Summons, to cover any interval between the abolition of the current Standards Regime and the adoption of new arrangements by the Council.

13. Constitutional Working Party Update

To consider a recommendation from Corporate Governance and Audit Committee of 11 May 2012 in relation to the Council's Policy Framework.

Contact: Adrian Johnson 01484 221712

Decision: That, as recommended by the Corporate Governance and Audit Committee of 11 May 2012, approval be given to work taking place between now and September 2012 to revisit and refresh the Council's Policy Framework which will therefore be used as a basis for full Council to establish a time limited Policy Advisory Committee that will undertake detailed work that is reported to full Council, who will thereafter agree policy and request Cabinet to implement such policy.

14. To approve the dates, times and venues of meetings of the Council for the Municipal Year 2012/13 as proposed by Corporate Governance and Audit Committee on 27 April 2012

To determine, as per the attached report.

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 14 of the Council Summons, be approved; that the Budget Council meeting be held on 20 February 2013 at 5.00pm and that the provisions of Council Procedure Rule 3 shall apply to that meeting; and that the provisional date of 22 May 2013 be noted for the Annual Meeting of the Council.

15. Committees of the Council

To determine for the Municipal Year 2012/13 the Committees of the Council.

(Report attached)

Contact: Adrian Johnson 01484 221712

Decision: That approval be given to the establishment of the Committees/Panels/Board for the ensuing year, in accordance with the submitted report at Item 15 of the Council Summons.

16. Allocation of Seats

To determine for the Municipal Year 2012/13 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).

Contact: Adrian Johnson 01484 221712

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 Budget Advisory Board for the ensuing municipal year.
- (2) That the number and proportions of Members of the Committees and Panels be in accordance with the submitted schedule, marked Item 16, as circulated to each Member, for the ensuing year, such schedule (attached) having been adjusted to provide that proportionality shall apply to the Overview and Scrutiny Management Committee on a 3.2.1.1 ratio.
- (3) That the Corporate Governance and Audit Committee meets prior to the 4 July 2012 Council meeting to consider and make recommendations to Council on requisite adjustments to the Scrutiny Articles as a consequence of the decision to apply proportionality to the Overview and Scrutiny Management Committee.

17. Dates/Times of Committees and Panels

To determine for the Municipal Year 2012/13.

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

Contact: Adrian Johnson 01484 221712

Decision: That the dates and times of meetings of Committees and Panels be in accordance with the submitted schedule at Item 17 of the Council Summons in accordance with the revised schedule attached as an Appendix, adjusted to include circulated dates/times for Corporate Governance and Audit Committee and Batley, Birstall and Birkenshaw Area Committee and to delete from the schedule the dates previously proposed for meetings of the Valleys Area Committee consequent upon the decision to replace that Committee with the Colne Valley Area Committee and Holme Valley Area Committee, dates for each to be agreed in consultation with the relevant Chairs.

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

To determine for the Municipal Year 2012/13 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)

Contact: Adrian Johnson 01484 221712

Decision: Please see additional report.

19. Establishment of West Yorkshire Police and Crime Panel

To determine, as per the attached report.

Contact: Adrian Johnson 01484 221712

Decision: That, as recommended by Corporate Governance and Audit Committee, Council:-

(a) Notes Council's statutory obligation to establish and agree arrangements.

(b) Agrees to form a Joint Committee with the four other West Yorkshire Councils, as detailed in the submitted report at Item 19 of the Council Summons, and that nominations to fill the Council's two places on the Joint Committee be referred to the Group Business Managers, following advice from the West Yorkshire Leaders.

(c) Approves the agreement and rules of procedure and protocols documents, as submitted.

20. Appointment of Members to Joint Authorities

To determine for the Municipal Year 2012/13 arrangements for the allocation of seats on the Joint Authorities.

(Report attached)

Contact: Adrian Johnson 01484 221712

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 2012/13, as outlined in the submitted report at Item 20 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 Director of Resources.

(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.

21. Appointments to Outside Bodies/other Committees

To determine for the Municipal Year 2012/13 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)

Contact: Adrian Johnson 01484 221712

Decision: Please see additional report.

22. Spokespersons of Joint Committees and External Bodies

To determine, for the Municipal Year 2012/13 the Council's spokespersons nominated to reply to oral questions at Council meetings upon any service provided by various organisations.

(Report attached)

Contact: Adrian Johnson 01484 221712

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 Stubley.

(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.

23. To appoint the Chairs and, if considered appropriate, the Deputy Chairs of the following Committees etc for the Municipal Year 2012/13

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) Area Committees for:
 - (i) Batley, Birstall and Birkenshaw
 - (ii) Dewsbury
 - (iii) Huddersfield
 - (iv) Mirfield, Denby Dale and Kirkburton
 - (v) Spen Valley
 - (vi) The Valleys

Contact: Adrian Johnson 01484 221712

Decision: That the appointment of Chairs of Committees and the Lead Members on Overview and Scrutiny Panels for the new municipal year be approved in accordance with the schedule circulated to all Members of the Council at Item 23 on the Council Summons, duly adjusted in the meeting, attached herewith.