

**COUNCIL**

**KIRKLEES METROPOLITAN COUNCIL**

**At the Annual Meeting of the Council of the Borough of Kirklees held at  
the Town Hall, Huddersfield on Wednesday 30 June 2004**

**PRESENT**

**The Mayor (Mrs B Allonby) in the Chair**

**COUNCILLORS**

**M AKHTAR  
G ALVY  
I A AMEEN  
T J ASLAM  
S AWAN  
M R BATES  
P A N BATTYE  
R D BATTYE  
G BEEVER  
M BLANSHARD  
S M BOLT  
M BOWER  
MRS M BOWER  
T BRICE  
J CALVERT  
A V COOPER  
A E DENHAM  
W J DODDS  
A M ELLAM  
D EXLEY  
S E FALLOWS  
M R FEARNLEY  
D M FIRTH  
E A FIRTH  
D J HALL  
M HARKIN  
M HEMINGWAY  
D HILLAS  
D HULLOCK  
K HUSSAIN  
N HUSSAIN  
K IQBAL  
C M IREDALE  
R C IREDALE  
P KANE**

**M KHAN  
R C LIGHT  
D LINDLEY  
T LYONS  
P D MCBRIDE  
A C G MARCHINGTON  
M H MAYET  
A MURPHY  
A K OLDROYD  
A PALFREEMAN  
S PANDOR  
N PATRICK  
A C PINNOCK  
K M PINNOCK  
A RAISTRICK  
M SARWAR  
J M SCOTT  
D P SHEARD  
K D SIMS  
E E SMAJE  
A SMITH  
C M L SMITH  
K A SMITH  
J R SMITHSON  
M S SOKHAL  
C M STANFIELD  
J STEWART TURNER  
K TAYLOR  
M WALTON  
B J A WARBY  
E WARD  
L M WILKINSON  
A O WOODHEAD  
D YATES**

**1 Election of Mayor**

It was moved by Councillor Walton, seconded by Councillor Pandor.

That Councillor Mary Harkin be and is hereby elected Mayor of the Council of the Metropolitan Borough of Kirklees for the municipal year from now until her successor accepts office and signs the required declaration.

The Motion on being put to the meeting was CARRIED.

Councillor Harkin then made the declaration of Acceptance of Office required by law, took the Chair and returned thanks for her election and named Mr Gerald Harkin as her Consort.

**2 The Mayor (Councillor M Harkin) in the Chair.**

**Vote of Thanks to Retiring Mayor**

It was moved by Councillor J Smithson, seconded by Councillor Beever and

**RESOLVED -**

**(1) That the best thanks of the Council are due and are hereby tendered to Mrs Barbara Allonby for the efficient and dignified manner in which she has performed the important and varied duties of the Office of Mayor during the period May 2003 to June 2004.**

**(2) That the very real thanks of the Council be tendered to Mr Roy Allonby for his services as the Mayor's Consort.**

Mrs Allonby then returned thanks to Officers who had offered assistance and advise to her during her term of office; to all those organisations and individuals who she had met during the previous thirteen months and to her Consort, Mr Roy Allonby.

**3 Appointment of Deputy Mayor**

It was moved by Councillor Beever, seconded by Councillor Marie Bower

That Councillor Margaret Rose Fearnley be and is hereby appointed Deputy Mayor of the Council of the Metropolitan Borough of Kirklees for the ensuing year.

The Motion on being put to the meeting was CARRIED.

Councillor Fearnley then made the declaration of Acceptance of Office as required by law and returned thanks for her appointment and named Mr Barry Fearnley as the Deputy Mayor's Consort.

**4 Minutes**

It was moved by The Mayor (Councillor Harkin), seconded by the Deputy Mayor (Councillor Fearnley) and

**RESOLVED - That the Minutes of the meeting of the Council held on 12 May 2004 be approved and signed as a correct record.**

**5 Adjournment**

At the conclusion of the election and appointment of Members to the Mayoralty the meeting adjourned for a short period of time.

(Upon resumption)

**6 Announcements**

The Mayor welcomed new and re-elected Members to the Council meeting.

**7 Apologies for Absence**

Apologies for absence were submitted from Councillor M Sokhal who had retired from the meeting due to a family illness.

**8 Results of the District Council Election 10 June 2004**

The Chief Executive presented the official return of the election of Councillors held on 10 June 2004 which indicated that the following persons had been elected and would retire at the dates indicated. All Members had made and subscribed to the Statutory Declaration of Acceptance of Office.

Almondbury Ward	Ann Denham	Liberal Democrat	2008
Almondbury Ward	John Smithson	Liberal Democrat	2007
Almondbury Ward	Linda Wilkinson	Liberal Democrat	2006
Ashbrow Ward	Kenneth Smith	Labour	2008
Ashbrow Ward	Deryck Hillas	Labour	2007
Ashbrow Ward	Jean Calvert	Labour	2006
Batley East Ward	Mohammed Mayet	Labour	2008
Batley East Ward	Mary Harkin	Labour	2007
Batley East Ward	Mahmood Akhtar	Labour	2006
Batley West	Shabir Pandor	Labour	2008
Batley West	Paul Battye	Liberal Democrat	2007
Batley West	Geoffrey Alvy	Liberal Democrat	2006
Birstall and Birkenshaw	Andrew Palfreeman	Conservative	2008
Birstall and Birkenshaw	Robert Light	Conservative	2007
Birstall and Birkenshaw	Elizabeth Smaje	Conservative	2006
Cleckheaton	Kath Pinnock	Liberal Democrat	2008
Cleckheaton	Andrew Pinnock	Liberal Democrat	2007
Cleckheaton	Ann Raistrick	Liberal Democrat	2006
Colne Valley	Gordon Beever	Liberal Democrat	2008
Colne Valley	Margaret Fearnley	Liberal Democrat	2007
Colne Valley	Dorothy Lindley	Conservative	2006
Crosland Moor & Netherton	Molly Walton	Labour	2008
Crosland Moor & Netherton	Mohammad Sarwar	Liberal Democrat	2007
Crosland Moor & Netherton	Shahida Awan	Liberal Democrat	2006
Dalton	Peter McBride	Labour	2008
Dalton	Roger Battye	Liberal Democrat	2007
Dalton	Angela Ellam	Labour	2006
Denby Dale	Maggie Blanshard	Labour	2008
Denby Dale	Elaine Ward	Conservative	2007
Denby Dale	William Dodds	Conservative	2006
Dewsbury East	Paul Kane	Labour	2008
Dewsbury East	Dennis Hullock	Liberal Democrat	2007
Dewsbury East	Eric Firth	Labour	2006
Dewsbury South	Khizar Iqbal	Conservative	2008
Dewsbury South	Imtiaz Ameen	Conservative	2007
Dewsbury South	Jonathan Scott	Conservative	2006
Dewsbury West	Karam Hussain	Liberal Democrat	2008
Dewsbury West	Naz Hussain	Liberal Democrat	2007
Dewsbury West	A Keith Oldroyd	Liberal Democrat	2006
Golcar	Christine Iredale	Liberal Democrat	2008
Golcar	Robert Iredale	Liberal Democrat	2007
Golcar	Andrew Marchington	Liberal Democrat	2006
Greenhead	Mehboob Khan	Labour	2008
Greenhead	Anne Smith	Labour	2007
Greenhead	Mohan Sokhal	Labour	2006
Heckmondwike	David Exley	BNP	2008
Heckmondwike	David Sheard	Labour	2007
Heckmondwike	Tabasum Aslam	Liberal Democrat	2006
Holme Valley North	Terry Lyons	Independent	2008
Holme Valley North	Marie Bower	Liberal Democrat	2007
Holme Valley North	Michael Bower	Liberal Democrat	2006
Holme Valley South	Donald Firth	Conservative	2008
Holme Valley South	Kenneth Sims	Conservative	2007
Holme Valley South	K Nigel Patrick	Conservative	2006
Kirkburton	Adrian Murphy	Conservative	2008
Kirkburton	Mark Hemingway	Conservative	2007
Kirkburton	Christine Smith	Conservative	2006
Lindley	Christine Stanfield	Liberal Democrat	2008
Lindley	Tony Woodhead	Liberal Democrat	2007
Lindley	Anthony Brice	Conservative	2006

Liversedge and Gomersal	Margaret Bates	Conservative	2008
Liversedge and Gomersal	Derrick Yates	Conservative	2007
Liversedge and Gomersal	David Hall	Conservative	2006
Mirfield	Martyn Bolt	Conservative	2008
Mirfield	Kathleen Taylor	Conservative	2007
Mirfield	Beverley Warby	Conservative	2006
Newsome	Andrew Cooper	Green	2008
Newsome	Julie Stewart Turner	Green	2007
Newsome	Sharon Fallows	Green	2006

## 9 Constitution of Kirklees Metropolitan Council

It was moved by Councillor K Pinnock, seconded by Councillor Iqbal and

### RESOLVED -

(1) That amendments to the Constitution set out or referred to in the report of the Solicitor to the Council previously circulated at Item 7 of the Agenda be approved and adopted with the exception that parts (iv), (v) and (vi) referred to under the heading "Additional Proposals" which were not dealt with (following a point of order as to part 15.2(a) of Article 15 of the Constitution) be referred to Council Business Committee on 5 July and then to Council on 14 July for further consideration.

(An additional report under Item 7, circulated at the meeting which related to the appointment of two Area Committees for Huddersfield was similarly referred to Council Business Committee on 5 July and then to Council on 14 July for further consideration)

(2) That the Officer Delegation Scheme previously circulated at Item 7(a) of the Agenda together with the supplementary report circulated at the meeting at Item 7(b) be approved and adopted.

(3) That the Solicitor to the Council and the Head of Democratic Support Service be authorised to finalise and implement the drafting required to give effect to the Amendments.

## 10 Dates, Times and Venues of Council Meetings 2004/2005

It was moved by Councillor P Battye, seconded by Councillor Iqbal and

### RESOLVED -

(1) That the dates, times and venues of meetings of the Council for the ensuing municipal year as set out at the report previously circulated at Item 8 of the Agenda be approved with the exception that the Ordinary meeting scheduled for 9 February 2005 be deleted from the Programme

i.e.

(a) Ordinary meetings of the Council to be held on 14 July 2004, 15 September 2004, 20 October 2004, 1 December 2004, 19 January 2005 and 13 April 2005.

(b) Council on 2 March 2005 to deal solely with the Revenue Budget and Capital Plan for 2005/2006.

(c) All Ordinary meetings to commence at 2.00 p.m. at the Town Hall, Huddersfield - Council Procedure Rule 2(3) refers.

(2) That a provisional date of 18 May 2005 be agreed for the Annual Meeting of the Council 2005/2006. (To commence at 1.00 p.m.)

- 11 Election of Leader of the Council 2004/2005**  
It was moved by Councillor J Smithson, seconded by Councillor P Battye that Councillor K Pinnock be elected Leader of the Council for 2004/2005.

**RESOLVED - That Councillor K Pinnock be elected Leader of the Council for the 2004/2005 municipal year.**

- 12 Cabinet Portfolios and Appointment of Members Thereto and Appointment of Deputy Leader**  
It was moved by Councillor K Pinnock, seconded by Councillor P Battye and

**RESOLVED -**

**(1) That 9 Members be appointed to the Cabinet.**

**(2) That the following Cabinet Portfolios for 2004/2005 and the appointment of Members thereto be approved and adopted:-**

<b>Portfolio</b>	<b>Member</b>
<b>Policy and Resources</b>	<b>Leader of the Council (Councillor K Pinnock)</b>
<b>Regeneration</b>	<b>Councillor J Smithson</b>
<b>Admin and Business</b>	<b>Councillor P Battye</b>
<b>Children's Services</b>	<b>Councillor G Alvy</b>
<b>Environment and Highways</b>	<b>Councillor A Denham</b>
<b>Health and Social Services</b>	<b>Councillor D Hullock</b>
<b>Housing</b>	<b>Councillor A Cooper</b>
<b>Planning and Procurement</b>	<b>Councillor A Pinnock</b>
<b>Supporting Communities</b>	<b>Councillor A Raistrick</b>

**(3) That Councillor J R Smithson be appointed Deputy Leader of the Council for the 2004/2005 municipal year.**

**(4) That as a consequence of the above mentioned changes to existing Portfolios, the Solicitor to the Council be authorised to make the necessary changes to Part 3 of the Constitution of Kirklees Metropolitan Council (Responsibility for Functions)**

- 13 Committees Etc of the Council**  
It was moved by Councillor P Battye, seconded by Councillor Iqbal and

**RESOLVED - That the following Committees etc. of the Council be established for the ensuing year:-**

<b>Council Business Committee</b>	
<b>Overview and Scrutiny Committee</b>	
<b>Personnel Committee</b>	
<b>Standards Committee</b>	
<b>Planning and Highways Committee</b>	
<b>Grants Advisory Committee</b>	
<b>Devolution Advisory Committee</b>	
<b>Housing Management Committee -</b>	<b>Batley</b>
	<b>Calder</b>
	<b>Colne Valley and Crosland Moor</b>
	<b>Dewsbury</b>
	<b>Holme Valley and Newsome</b>
	<b>Huddersfield North</b>
	<b>Huddersfield South</b>
	<b>Spennings Valley</b>

**Area Committees -** **Batley**  
**Birstall and Birkenshaw**  
**Colne Valley**  
**Denby Dale**  
**Dewsbury**  
**Holme Valley North**  
**Holme Valley South**  
**Kirkburton**  
**Mirfield**  
**Spennings**

**Licensing and Safety Committee**  
**Appeals Panel.**

**14**

**Ratios of Committees, Etc.**

It was moved by Councillor P Battye, seconded by Councillor Iqbal and

**RESOLVED -**

**(1) That the number and proportions of Members of Committees and Panels etc. be in accordance with the schedule marked 10c circulated to Members of the Council, and set out below:**

<b>Cabinet/Committees/Panels</b>	<b>Total No. of Members</b>	<b>Lib</b>	<b>Con</b>	<b>Lab</b>	<b>Green Party</b>	<b>Ind</b>	<b>BNP</b>	<b>Day in Cycle</b>	<b>Time</b>
Cabinet	9	8			1			Please see draft Calendar of Meetings for days in cycle and time	4.00 p.m. except when Council meets on same day
Personnel Committee	9	8	0	0	1				
Overview and Scrutiny Committee	Chair of Scrutiny + 9								
Overview and Scrutiny Management Group	4	1	1	1	1				
Council Business Committee	13 + Chair of Scrutiny, Mayor and Deputy (Ex Officio)								
Devolution Advisory Committee	14 (12 drawn from Area Committee Chairs, + Cabinet and Scrutiny Member)								
Standards Committee	4	1	1	1	1				
Grants Advisory Committee	7	3	2	1		1			
Planning Committee (Heavy Woollen)	15	5	6	4					
Planning Committee (Huddersfield)	15	6	4	4		1			
Planning and Highways Committee	16	6	5	4			1		
Licensing and Safety Committee	15	5	5	4	1				
Appeals Panel	15	5	5	4	1				

Cabinet/Committees/Panels	Total No. of Members	Lib	Con	Lab	Green Party	Ind	BNP	Day in Cycle	Time
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Scrutiny Panels + Lead Member * for Children Bill	43	15	14	11*	2	1			
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8 Panels

Panels to cover:-

Overview and Scrutiny Panel for Regeneration		2	2	1	1				
Overview and Scrutiny Panel for Environment		3	2	1					
Overview and Scrutiny Panel for Transportation		2	2	1	1				
Overview and Scrutiny Panel for Education and Young People's Services		2	2	2					
Overview and Scrutiny Panel for Social Affairs		2	2	2					
Overview and Scrutiny Panel for Health		2	2	2					
Overview and Scrutiny Panel for Corporate and External Affairs		2	2	1				1	

Special Standing Panel for the Children Bill  
(To comprise Lead Member plus Members from the Education and Young People's Services, Social Affairs and Health Panels)

Housing Management Committees (8)  
+ Co-opted Members

Membership to be all Councillors from Wards with 100 or more properties within each geographical area. Members who represent Wards with less than 100 properties shall be invited to meetings of the Committees as observers.

(Batley)  
(Hudds North)  
(Hudds South)  
(Spenn Valley)  
(Dewsbury)  
(Holme Valley & Newsome)  
(Calder)  
(Colne Valley & Crosland Moor)

**(2) That the requirements of Section 15 and 16 of the Local Government and Housing Act 1989 shall not apply to the following Committees.**

**Council Business Committee  
Personnel Committee  
Overview and Scrutiny Committee  
Devolution Advisory Committee.**

**15 Dates and Times of Meetings of Committees Etc.**

It was moved by Councillor P Battye, seconded by Councillor Iqbal and

**RESOLVED -**

**(1) That the dates and times of meetings of Committees and the Appeals Panel and proposed dates and times of Cabinet meetings as listed on the Calendar of Meetings be noted for the period 1 to 23 July 2004.**

**(2) That the dates and times of such meetings from 24 July 2004 be referred to Council on 14 July 2004 for determination.**

**16 Membership of Committees, Panels Etc.**

It was moved by Councillor P Battye, seconded by Councillor Iqbal and

**RESOLVED -**

**(1) That the membership of Committees and Panels with the exception that the Area Committees for Huddersfield North and South, the Overview and Scrutiny Management Group and the Overview and Scrutiny Panels shall stand deferred to Council on 14 July 2004 be determined in accordance with the schedule circulated to each Member and that the appointment of two independent Members and two Parish Members to the Standards Committee be agreed.**

**(2) That a Panel of substitute Members for each party Group be established on a 5:5:5:2 ratio; that any Member from such Panel be authorised to substitute for a Member(s) provided that details of the substitutions, if any, are reported to the meetings, and that any such substitution shall be effective for the whole of that meeting only.**

**(3) That this provision shall not apply to the Overview and Scrutiny Committee, Area Committees and the Standards Committee and to the Overview and Scrutiny Management Group and Panels when appointed.**

**(4) That the Business Manager to each Party be authorised to forward to the Head of Democratic Support Service, no later than 9 days prior to a meeting of a Committee or Panel concerned any change(s) in the membership of a Committee or Panel which do not involve a Member of the Substitutes Panel and any change(s) to the names of those Members included on the Panel of substitutes approved by the Annual Council Meeting.**

**17 Appointment to Other Committees, Outside Bodies Etc.**

It was moved by Councillor Battye, seconded by Councillor Iqbal and

**RESOLVED -**

**(1) That appointments to the Joint Authorities made in accordance with Section 33 of the Local Government Act 1985 be determined as indicated on the report at Item 10(f) previously circulated to all Members of the Council.**

**(2) That the Group Business Managers forward names of the Members to be appointed to the Joint Authorities to the Head of Democratic Support Service.**

**(3) That pursuant to Section 31 of the Local Government Act 1985, the Head of Democratic Support Service terminate the appointment of any Members appointed**

to a Joint Authority who has been replaced pursuant to resolution (2) above and that he give notice of the new appointment and the termination of the previous appointment to the Joint Authority concerned.

(4) That nominations/appointments to the remainder of the Outside Bodies etc., be referred to the Business Managers Sub-Committee for determination and that the Business Managers be empowered to forward to the Head of Democratic Support Service the name or names of Members nominated to fill vacancies, including changes to the representation.

18

#### **Appointment of Chairs of Committees and Panels**

It was moved by Councillor P Batty, seconded by Councillor Iqbal and

**RESOLVED - That the Members named below be appointed Chair of the relevant Committees etc. for the current municipal year:**

<b>Committee Etc.</b>	<b>Chair</b>
<b>Cabinet</b>	<b>Councillor K Pinnock</b>
<b>Overview and Scrutiny Committee</b>	<b>Councillor Palfreeman</b>
<b>Standards Committee</b>	<b>Councillor Warby</b>
<b>Council Business Committee</b>	<b>Councillor Hemingway</b>
<b>Planning and Highways Committee</b>	<b>Councillor Sims</b>
<b>Licensing and Safety Committee</b>	<b>Councillor Sheard</b>
<b>Personnel Committee</b>	<b>Councillor K Pinnock</b>
<b>Grants Advisory Committee</b>	<b>Councillor C Smith</b>
<b>Devolution Advisory Committee</b>	<b>To be determined at the first meeting with confirmation by Council</b>
<b>HMC - Batley</b>	<b>Councillor Mayet</b>
<b>HMC - Calder</b>	<b>Councillor Ameen</b>
<b>HMC - Colne Valley and Crosland Moor</b>	<b>Councillor Marchington</b>
<b>HMC - Dewsbury</b>	<b>Councillor N Hussain</b>
<b>HMC - Holme Valley and Newsome</b>	<b>Councillor K Sims</b>
<b>HMC - Huddersfield North</b>	<b>Councillor Calvert</b>
<b>HMC - Huddersfield South</b>	<b>Councillor Wilkinson</b>
<b>HMC - Spenn Valley</b>	<b>Councillor Hall</b>
<b>Area Committee - Batley</b>	<b>Councillor Pandor</b>
<b>Area Committee - Birstall and Birkenshaw</b>	<b>Councillor Smaje</b>
<b>Area Committee - Colne Valley</b>	<b>Councillor Fearnley</b>
<b>Area Committee - Denby Dale</b>	<b>Councillor Dodds</b>
<b>Area Committee - Dewsbury</b>	<b>Councillor Iqbal</b>
<b>Area Committee - Holme Valley North</b>	<b>Councillor M Bower</b>
<b>Area Committee - Holme Valley South</b>	<b>Councillor Patrick</b>
<b>Area Committee - Kirkburton</b>	<b>Councillor C Smith</b>
<b>Area Committee - Mirfield</b>	<b>Councillor Warby</b>
<b>Area Committee - Spenn Valley</b>	<b>Councillor Aslam</b>
<b>Appeals Panel</b>	<b>Councillor Taylor</b>