



**Service Director – Legal, Governance and  
Commissioning**

**Julie Muscroft**

Governance and Democratic Services

First Floor, Civic Centre 3

High Street

Huddersfield

HD1 2TG

**Tel:** 01484 221000

## Decision Summary

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**ANNUAL COUNCIL**

**WEDNESDAY 24 MAY 2017**

**Andrea Woodside**

**01484 221000**

### **Chair**

Councillor Christine Iredale

### **Councillors Attended**

M Ahmed, M Akhtar, K Allison, B Armer, D Bellamy, M Bolt, C Burke, J Calvert, A Cooper, N Dad, J Dodds, D Firth, E Firth, D Hall, S Hall, E Hill, L Holmes, E Holroyd-Doveton, J Hughes, P Kane, V Kendrick, M Khan, J Lawson, V Lees-Hamilton, R Light, G Lowe, T Lyons, A Marchington, N Mather, P McBride, M O'Neill, A Palfreeman, S Pandor, N Patrick, C Pattison, A U Pinnock, A Pinnock, K Pinnock, H Richards, M Sarwar, C Scott, D Sheard, K Sims, E Smaje, M Sokhal, J Stewart-Turner, J Taylor, K Taylor, G Turner, N Turner, S Ullah, M Watson, L Wilkinson, G Wilson, G Asif, R Eastwood, F Fadia, M Grainger-Mead, J Homewood, M Kaushik, B McGuin, Smith and R Walker

### **Apologies**

Councillor Charles Greaves, Councillor Mumtaz Hussain, Councillor Darren O'Donovan and Councillor Mussarat Pervaiz

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

To elect Mayor for the 2017/18 Municipal Year.

That Councillor Christine Iredale be elected as Mayor for the 2017/2018 municipal year.

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

To appoint Deputy Mayor for the 2017/18 Municipal Year.

That Councillor Gwen Lowe be appointed as Deputy Mayor for the 2017/2018 municipal year.

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## **3 To approve as a correct record and authorise the signing of the Minutes of the Ordinary Meeting of the Council held on 26 April 2017 and the Extra-Ordinary Meeting of the Council held on 10 May 2017**

To agree as a correct record.

That the minutes of the meetings of Council, held on 26 April 2017, and Extra-Ordinary Council, held on 10 May 2017 be approved as a correct record.

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## **4 Interests**

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

No interests were declared.

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## **5 Announcements by the Mayor and Chief Executive**

To receive any announcements.

No announcements were made. (During the Mayoral ceremony a Minute of Silence was held in remembrance of the victims of the recent attack at Manchester Arena).

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## **6 Apologies for absence from Elected Members**

To receive any apologies for absence.

Apologies for absence were received on behalf of Councillors Greaves, Hussain, O'Donovan and Pervaiz.

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## **7 Proposed Amendments to the Council's Constitution (Reference from Corporate Governance and Audit Committee)**

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

(Report attached)

Contact: Julie Muscroft, Service Director, Legal, Governance and Commissioning

- 1) That the proposed changes to the Constitution as set out at Paragraphs 2.03, 2.04, 2.05, 2.06, 2.08, 2.09, 2.13, 2.14, 2.15 and 2.21 be approved, subject to the amendment of Paragraph 2.15(a) to instruct that meetings of Council will commence at 5.30pm.
  - 2) That authority be delegated to the Service Director – Legal, Governance and Commissioning, to make appropriate amendments to the constitution, any consequential amendments to the constitution to reflect the agreed changes.
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## **8 Proposed Amendments to the Council Financial Procedure Rules (Reference from Corporate Governance and Audit Committee)**

To consider and determine amendments to the Council's Financial Procedure Rules.

(Report attached)

Contact: Martin Dearnley, Head of Audit and Risk

- 1) That the proposed changes to Financial Procedure Rules as detailed within the report be approved and effective from 1 June 2017.
- 2) That it be noted that the Service Director – Finance, IT and Transactional

Services, the Service Director – Legal, Governance and Commissioning, and the Head of Audit and Risk, may prepare additional guidance as appropriate to supplement the Financial Procedure Rules.

- 3) That the Service Director – Finance, IT and Transactional Services, and the Service Director – Legal, Governance and Commissioning, be authorised to make any recommended changes that they consider necessary.
- 4) That the Service Director – Legal, Governance and Commissioning, be empowered to amend post titles to reflect those used in practice by Officers fulfilling the stated functions.

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## **9 Proposed Amendments to Contract Procedure Rules (Reference from Corporate Governance and Audit Committee)**

To consider and determine amendments to the Council's Contract Procedure Rules.

(Report attached)

Contact: Mark Barnes, Legal Services

- 1) That the changes to Contract Procedure Rules as detailed within the report be approved and effective from 1 June 2017.
- 2) That it be noted that the Head of Legal Services may prepare additional guidance as appropriate to supplement the Contract Procedure Rules and aid compliance with appropriate European and national legislation.
- 3) That the Head of Legal Services be authorised to amend post titles to reflect those used in practice by Officers fulfilling the stated functions.

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## **10 Proposed Amendments to Overview and Scrutiny**

To consider and determine amendments to the Council's Overview and Scrutiny process.

(Report attached)

Contact: Penny Bunker, Governance and Democratic Engagement Manager

- 1) That the proposed changes to Overview and Scrutiny as set out within the report be approved.

- 2) That, pursuant to (1) above, the Service Director – Legal, Governance and Commissioning, be delegated authority to make appropriate changes to the Constitution to reflect the agreed changes to scrutiny arrangements.
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## **11 Meetings of Council - 2017/2018 (Reference from Corporate Governance and Audit Committee)**

To determine the schedule of meetings of Council for the 2017/2018 Municipal Year.

(Report attached)

Contact: Andrea Woodside, Principal Governance Officer

That the proposed Schedule of Council Meetings for 2017-2018 be approved, subject to (i) the amendment of the date of 5 July 2017 to 11 July 2017, and (ii) the change of the start time being in accordance with the resolution to Agenda Item 7.

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## **12 Committees of the Council**

To determine for the Municipal Year 2017/2018 the Committees of the Council.

(Report attached)

Contact: Andrea Woodside, Principal Governance Officer

That approval be given to the establishment of the Committees, Panels, Boards, for the ensuing year, in accordance with the Constitution and the submitted report.

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## **13 Corporate Parenting Board**

To consider the re-establishment of Corporate Parenting Board for the 2017/2018 Municipal Year, including amended Terms of Reference.

(Report attached)

Contact: Andrea Woodside, Principal Governance Officer

- 1) That approval be given to the re-establishment of Corporate Parenting Panel for the 2017-2018 Municipal Year.
  - 2) That approval be given to the membership of the Board being on a 1:1:1:1 ratio.
  - 3) That the Terms of Reference of the Board be updated from those previously approved on 25 May 2016, in accordance with the appendix to the report.
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## **14 Re-establishment of (i) Town Centre Working Party and (ii) Regional Issues Working Party**

To consider the re-establishment of the Town Centre Working Party and the Regional Issues Working Party.

(Report attached)

Contact: Andrea Woodside, Principal Governance Officer

That approval be given to the refurbishment of the Town Centre Working Party and Regional Issues working Party for the 2017/2018 Municipal Year, in accordance with the membership as set out at Paragraph 2 of the report, and the appended terms of reference.

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## **15 Allocation of Seats**

To determine for the Municipal Year 2017/18 the allocation of seats on Committees and to any Political Groups formed under the Local Government (Committees and Political Groups) Regulation 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 attached)

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 Section 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  
Health and Wellbeing 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 (Committee and Political Groups) Regulations 1990. Each proposal will require approval with no Members of the Council voting against.

Contact: Andrea Woodside, Principal Governance Officer

- 1) That the requirements of Section 15 and 16 of the Local Government Act and Housing Act 1989 shall not apply to the Corporate Governance and Audit Committee, Overview and Scrutiny Management Committee, and Health and Wellbeing Board, for the ensuing Municipal Year.
- 2) That the number and proportion of members of Committees, Boards and Panels be in accordance with the schedule as set out within the report.

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## **16 Dates/Times of Committees, Boards and Panels**

To determine for the Municipal Year 2017/2018

(Schedule attached)

Contact: Andrea Woodside, Principal Governance Officer

That the dates and times of meetings of Committees, Boards and Panels be in accordance with the schedule as set out in accordance with the attached schedule, subject to the amendment of the dates of Council as set out at Agenda Item 11.

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## **17 Membership of Committees, Boards and Panels and Ratio of Substitutes Panel**

To determine for the Municipal year 2017/2018 the Membership of the Committees, Boards and Panel in accordance with nominations from Group Business Managers, and the ratio of the Panel of Substitute Members for each Political Group.

(Schedule to follow)

Contact: Andrea Woodside, Principal Governance Officer

That the membership, as set out in the considered report, be approved, and that the allocation of outstanding places on any Committee, Board or Panel, or any subsequent changes, be delegated to Group Business Managers.

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## **18 Appointment of Members to Joint Authorities**

To determine for the Municipal Year 2017/18 arrangements for the allocation of seats on Joint Authorities.

(Report attached)

Contact: Andrea Woodside, Principal Governance Officer

- 1) That authority be delegated to Group Business Managers to determine representatives on (i) West Yorkshire Fire and Rescue Authority, and its Committees and (ii) West Yorkshire Police and Crime Panel.
  - 2) That the Leader of the Council, Councillor Sheard, be appointed as the Council's Elected Member for the West Yorkshire Combined Authority, and the Deputy Leader, Councillor Pandor, be appointed as the substitute member.
  - 3) That authority be delegated to the Chief Executive, in consultation with Group Leaders, West Yorkshire Combined Authority's Managing Director and other West Yorkshire Chief Executives, to appoint the three additional members to the West Yorkshire Combined Authority, and their substitutes, so that the eight constituent council members taken as a whole reflect the balance of political parties of West Yorkshire Combined Authority's constituent Councils so far as reasonably practicable.
  - 4) That authority be delegated to Group Business Managers to determine members to the West Yorkshire Combined Authority's Transport Committee, on a 2:1:1 ratio.
  - 5) That authority be delegated to Group Business Managers to determine three members to the West Yorkshire Combined Authority's Overview and Scrutiny Committee.
  - 6) That it be noted that it is anticipated that the Council's relevant Executive Portfolio Holder be co-opted by the West Yorkshire Combined Authority to the West Yorkshire and York Investment Committee, and that no nomination is required.
  - 7) That it be noted that the West Yorkshire Combined Authority Member appointed by this Council will be appointed, in their capacity as a West Yorkshire Combined Authority Member, to the West Yorkshire Combined Authority's Leeds City Region Partnership Committee.
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## **19 Appointment to Outside Bodies/Other Committees**

To determine for the Municipal Year 2017/ 2018 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 Leader.

(Report attached)

Contact: Andrea Woodside, Principal Governance Officer

- 1) That the allocation of ratios, as set out within the submitted schedules, be confirmed, and that it be noted that Group Business Managers will put forward nominations to the Service Director – Legal, Governance and Commissioning, to fill any vacancies or make any adjustments to nominees as appropriate.
  - 2) That those bodies with executive functions be referred to the Leader of the Council to put forward nominations.
  - 3) That, in relation to Yorkshire Purchasing Organisation Joint Committee, approval be given (with no Member voting against) to the waiver of political balance rules which apply in accordance with Section 17 of the Local Government and Housing Act 1989, and that the Leader of the Council, in determining the nominees, resolves which Member will have the one vote on behalf of the Council.
  - 4) That one of the Council Trustees on Kirklees Active Leisure, to be determined by Group Business Managers, be authorised to represent the Council for the purposes of Member meetings pursuant to Section 323 of the Companies Act 2006, to exercise a vote.
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## **20 Spokespersons of Joint Committees and External Bodies**

To determine, for the Municipal Year 2017/2018 the Council's spokespersons nominated to reply to oral questions at Council meetings upon any service provided by various organisations.

(Report attached)

Contact: Andrea Woodside, Principal Governance Officer

- 1) That the nomination of Councillors to reply to oral questions at Council on behalf of (i) Kirklees Neighbourhood Housing (ii) Kirklees Active Leisure and (iii) West Yorkshire Police and Crime Panel, be referred to Group Business Managers for determination.

- 2) That it be noted that the spokespersons for West Yorkshire Combined Authority, West Yorkshire Fire and Rescue Authority, and West Yorkshire Joint Services Committee will be notified by these bodies.
  - 3) That the spokesperson for the West Yorkshire Joint Adoption Committee be delegated to the Leader of the Council by virtue of the spokesperson being the relevant Cabinet Portfolio Holder.
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## **21 Appointment of Chairs of Committees**

To appoint Chairs of the following Committees for the 2017/18 Municipal Year:-

- (a) Appeals Panel
- (b) Corporate Governance and Audit Committee
- (c) Health and Wellbeing Board
- (d) Licensing and Safety Committee
- (e) Overview and Scrutiny Management Committee
- (f) Personnel Committee
- (g) Standards Committee
- (h) Strategic Planning Committee

Note: this list is based upon the approval of the proposal as set out at Agenda Item 12.

Contact: Andrea Woodside, Principal Governance Officer

- 1) That the appointment of Chairs of Committees and Panel for the 2017/2018 Municipal Year be set out as below:
    - Appeals Panel – Councillor Dad
    - Corporate Governance and Audit Committee – Councillor Richards
    - Health and Wellbeing Board – Councillor Sheard
    - Licensing and Safety Committee – Councillor Pattison
    - Overview and Scrutiny Management Committee – Councillor Stewart-Turner
    - Personnel Committee – Councillor Sheard
    - Standards Committee – Councillor Marchington
    - Strategic Planning Committee – Councillor S Hall
    - Planning Sub Committee (Heavy Woollen Area) – Councillor Kane
    - Planning Sub-Committee (Huddersfield) – Councillor Lyons
  - 2) That Councillors Asif, Burke, Smaje and Walker be appointed as Scrutiny Panel Lead Members and that the allocation of the Panels be delegated to the Chief Executive in consultation with the Chair of Overview and Scrutiny Management Committee.
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