



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

**Julie Muscroft**

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**Tel:** 01484 221000

## **Decision Summary**

**Committee:**

**Date:**

**Committee Clerk:**

**TEL:**

**ANNUAL COUNCIL**

**WEDNESDAY 22 MAY 2019**

**Andrea Woodside**

**01484 221000**

### **Chair**

Councillor Mumtaz Hussain

### **Councillors Attended**

Councillor Masood Ahmed

Councillor Mahmood Akhtar

Councillor Karen Allison

Councillor Bill Armer

Councillor Martyn Bolt

Councillor Cahal Burke

Councillor Aafaq Butt

Councillor Andrew Cooper

Councillor Nosheen Dad

Councillor Paul Davies

Councillor Paola Antonia Davies

Councillor Donald Firth

Councillor Charlotte Goodwin

Councillor Charles Greaves

Councillor Nell Griffiths

Councillor David Hall

Councillor Steve Hall

Councillor Erin Hill

Councillor Lisa Holmes

Councillor Yusra Hussain

Councillor Christine Iredale

Councillor Paul Kane

Councillor Viv Kendrick

Councillor Musarrat Khan

Councillor John Lawson

Councillor Vivien Lees-Hamilton

Councillor Susan Lee-Richards

Councillor Gwen Lowe  
Councillor Aleks Lukic  
Councillor Terry Lyons  
Councillor Andrew Marchington  
Councillor Peter McBride  
Councillor Darren O'Donovan  
Councillor Shabir Pandor  
Councillor Nigel Patrick  
Councillor Carole Pattison  
Councillor Amanda Pinnock  
Councillor Andrew Pinnock  
Councillor Kath Pinnock  
Councillor Mohammad Sarwar  
Councillor Cathy Scott  
Councillor Will Simpson  
Councillor Elizabeth Smaje  
Councillor Anthony Smith  
Councillor Mohan Sokhal  
Councillor John Taylor  
Councillor Kath Taylor  
Councillor Graham Turner  
Councillor Sheikh Ullah  
Councillor Gulfam Asif  
Councillor Richard Eastwood  
Councillor Fazila Loonat  
Councillor Michelle Grainger-Mead  
Councillor James Homewood  
Councillor Manisha Roma Kaushik  
Councillor Bernard McGuin  
Councillor Mussarat Pervaiz  
Councillor Richard Smith  
Councillor Rob Walker  
Councillor Alison Munro  
Councillor Richard Murgatroyd  
Councillor Mark Thompson  
Councillor Harpreet Uppal  
Councillor Habiban Zaman  
Councillor Lesley Warner

### **Apologies**

Councillor Naheed Mather, Councillor Michael Watson and Councillor Paul White

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

To elect the Mayor for the 2019/20 Municipal Year.

That Councillor Mumtaz Hussain be elected as Mayor for the 2019/2020 municipal year.

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

To appoint a Deputy Mayor for the 2019/20 Municipal Year.

That Councillor Nigel Patrick be appointed as Deputy Mayor for the 2019/2020 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 20 March 2019**

To agree as a correct record.

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 announcements, including the results of the Local Council Election held on 2 May 2019.

The Chief Executive advised of the official return of Councillors, following the local elections, held on 2 May 2019, as set out at Agenda Item 5.

The Mayor welcomed all Councillors to the new municipal year, and welcomed the newly elected Councillors, namely Councillors Aafaq Butt, Paul Davies, Paola Davies, Charlotte Goodwin, Yusra Hussain, Susan Lee-Richards, Aleks Lukic, Andrew Marchington, Anthony Smith, Lesley Warner and Paul White to the meeting.

Council received tributes to former Councillors who had not been re-elected on 2 May 2019; Councillors Donna Bellamy, Eric Firth, Hilary Richards and Ken Sims.

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

To receive any apologies for absence.

Apologies for absence were received on behalf of Councillors Mather, Watson and White.

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## **7 Ward and Place Partnerships**

To consider the proposals to support place based working.

Contact: Jacqui Gedman, Chief Executive.

That Council adopts the proposals to support place based working, as set out within the considered report, and requests that Cabinet make the necessary arrangements to implement the proposals.

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## **8 Locality Lead Role (Reference from Corporate Governance and Audit Committee)**

To consider the creation of a new locality lead role for Councillors with effect from 2019/2020.

(Report attached).

Contact: Carl Whistlecraft, Head of Democracy.

That Council agrees to (i) establish the Locality Lead role on a 4:1:1:1 ratio as set out within the considered report and (ii) that the remuneration for the role be referred to the Members Allowances Independent Review Panel for consideration following a re-draft of a role profile in order to provide more clarity of the role further to the request of the Corporate Governance and Audit Committee.

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## **9 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 changes to the Constitution in 2018/2019, as set out in Appendix 1 to the report, be noted.
- 2) That approval be given to the proposed changes to the Constitution as set out at paragraphs 2.04, 2.08, 2.09, 2.11, 2.12 and 2.13 of the considered report.
- 3) That it be noted that further work will be undertaken to keep the Constitution under review.
- 4) That authority be delegated to the Service Director (Legal, Governance and Commissioning) amend the Constitution accordingly, and to also make any consequential amendments.

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## **10 Proposed Changes to the Code of Conduct (Reference From Corporate Governance and Audit Committee)**

To consider the proposed changes to the Council's Code of Conduct.

(Report attached).

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

- 1) That approval be given to the proposed changes to the Code of Conduct and the standards process, as set out in paragraphs 2.03, 2.07 to 2.10 and 2.12 to 2.22 of the considered report.
  - 2) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to amend the Constitution accordingly, and also to make any consequential amendments.
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**11 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: Julie Muscroft, Service Director, Legal, Governance and Commissioning

That approval be given to the proposed changes to Contract Procedure Rules, as set out within in the considered report.

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**12 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

That approval be given to the proposed changes to Financial Procedure Rules, as set out within the considered report.

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**13 Meetings of Council 2019/20 (Reference from Corporate Governance and Audit Committee)**

To determine the schedule of meetings of Council for the 2019/20 Municipal Year.

(Report attached)

Contact: Andrea Woodside, Principal Governance Officer

That approval be given to the schedule of meetings of Council being held on the following dates for the 2019/2020 Municipal Year; 17 July 2019, 18 September 2019, 16 October 2019, 13 November 2019, 11 December 2019, 15 January 2020, 12 February 2020, 18 March 2020 and 20 May 2020.

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## **14 Committees of the Council**

To determine the Committees of the Council for the 2019/20 Municipal Year.

(Report attached)

Contact: Andrea Woodside, Principal Governance Officer

That approval be given to the establishment of the following meetings of Council for the 2019/2020 municipal year;

Appeals Panel, Corporate Governance and Audit Committee, Health and Wellbeing Board, Licensing and Safety Committee, Overview and Scrutiny Management Committee, Personnel Committee, Standards Committee, Strategic Planning Committee and Statutory Officer Dismissal Committee.

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## **15 Re-establishment of Boards and Working Parties 2019/2020**

To consider the re-establishment of Boards and Working Parties for the 2019/20 Municipal Year, including amended Terms of Reference.

(Report attached)

Contact: Helen Kilroy, Principal Governance Officer

1) That approval be given to the re-establishment of (i) Corporate Parenting Board (ii) Kirklees Democracy Commission Working Party and (iii) the Climate Emergency Working Party, for the 2019/20 Municipal Year, in accordance with the terms of reference as set out within the considered report.

2) That, pursuant to (1) above, authority be delegated to Group Business Managers to determine the membership of the Board and Working Parties.

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## **16 Proposed revisions to Terms of Reference - Health and Wellbeing Board**

To consider the amended Terms of Reference of the Health and Wellbeing Board.

Contact: Jenny Bryce-Chan, Principal Governance Officer

1) That the approval be given to the proposed revisions to the Health and Wellbeing Board, and set out within the considered report.

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## 17 Allocation of Seats

To determine for the Municipal Year 2019/20 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 if there are any outstanding unallocated places.

(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 considered report.
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## **18 Membership of Committees, Boards, Panels and Ratio of Substitutes Panel**

To determine for the Municipal Year 2019/20 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 of Committees, Boards and Panels be as set out in the attached report, and that Group Business Managers be delegated authority to make any subsequent changes.

(Schedule attached)

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

To determine for the Municipal Year 2019/20.

(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 at Agenda Item 18.

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## 20 Appointment of Members to Joint Authorities

To determine for the Municipal Year 2019/20 arrangements for the allocation of seats on Joint Authorities.

(Report attached)

Contact: Helen Kilroy, Principal Governance Officer

- 1) That the appointments to (i) West Yorkshire Fire and Rescue Authority and its Committees and (ii) West Yorkshire Police and Crime Panel, be referred to Group Business Managers for determination.
  - 2) That the Council Leader be appointed as the representative to the West Yorkshire Combined Authority, with the Deputy Leader 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 Combined Authority and their substitutes, so that the 8 constituent council members taken as a whole reflect the balance of political parties among members 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 West Yorkshire Combined Authority's Transport Committee on a 2:1 ratio.
  - 5) That authority be delegated to Group Business Managers to determine three members and their substitutes to West Yorkshire Combined Authority's Overview and Scrutiny Committee.
  - 6) That it be noted that the Council's relevant Cabinet Portfolio Holder will be co-opted by the West Yorkshire Combined Authority to the West Yorkshire and York Investment Committee.
  - 7) That it be noted that the West Yorkshire Combined Authority Member appointed by this Council will be appointed (in their capacity as a WYCA Member) to the West Yorkshire Combined Authority's Leeds City Region Partnership Committee.
  - 8) That authority be delegated to the Chief Executive, in consultation with Group Business Managers, to (i) confirm any relevant portfolio holder to be appointed, or (ii) make any additional nomination, to any West Yorkshire Combined Authority Committee or Panel, as requested by WYCA following this meeting of Annual Council.
  - 9) That authority be delegated to the Chief Executive to appoint a local authority representative and substitute to the Leeds City Region Enterprise Partnership Board.
  - 10) That authority be delegated to Group Business Managers to determine the appointment of Elected Members/Representatives to the remaining Joint Authorities not otherwise set out in the considered report.
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## **21 Appointment to Outside Bodies/Other Committees**

To determine for the Municipal Year 2019/20 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: Helen Kilroy, Principal Governance Officer

- 1) That approval be given to the allocation of places and ratios, as set out in the considered report, and that authority be delegated to Group Business Managers to submit nominations to the Service Director (Legal, Governance and Commissioning) to fill vacancies and make adjustments to any nominees as listed.
- 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, Council agrees to waive 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 one vote on behalf of the Council.
- 4) That one of the Council Trustees on Kirklees Active Leisure 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.
- 5) That it be noted that Eamonn Croston (Service Director – Finance) is the Company Secretary for Kirklees Stadium Development Limited.
- 6) That it be noted that Julie Muscroft (Service Director – Legal, Governance and Commissioning) is the Company Secretary for Kirklees Theatre Trust.

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## **22 Spokespersons of Joint Committees and External Bodies**

To determine, for the Municipal Year 2019/20 the Council's spokespersons nominated to reply to oral questions at Council meetings upon any service provided by various organisations.

(Report attached)

Contact: Helen Kilroy, Principal Governance Officer

- 1) That the nomination of spokespersons to reply to oral questions at Council meetings for the following organisations; Kirklees Active Leisure, Kirklees Neighbourhood Housing and West Yorkshire Crime Panel, be referred to Group Business Managers for determination.
- 2) That it be noted that the spokespersons for the West Yorkshire Combined Authority (and its Committees); West Yorkshire Fire and Rescue Authority, and West Yorkshire Joint Services Committee will be notified by these bodies.
- 3) That the appointed spokesperson for the West Yorkshire Joint Adoption Committee be the relevant Cabinet Portfolio Holder.

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## 23 Appointment of Chairs of Committees

To appoint Chairs of the following Committees for the 2019/20 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
- (i) Statutory Officer Dismissal Committee
- (j) Scrutiny Panel – Childrens
- (k) Scrutiny Panel – Corporate
- (l) Scrutiny Panel – Economy & Neighbourhood
- (m) Scrutiny Panel – Health & Adult Social Care

(Note: This schedule is based upon the approval of the proposed as set out at Agenda Item 14).

That the Chairs of Committees and Panels for the 2019/2020 Municipal Year be approved as follows;

<b>Committee/Board/Panel</b>	<b>Chair</b>
Appeals Panel	CLLR N DAD
Corporate Governance & Audit Committee	CLLR W SIMPSON
Health and Wellbeing Board	CLLR V KENDRICK
Licensing & Safety Committee	CLLR A U PINNOCK
Overview & Scrutiny Management Committee	CLLR SMAJE
Personnel Committee	CLLR S PANDOR
Standards Committee	CLLR P DAVIES

Strategic Planning Committee	CLLR S HALL
Planning Sub Committee – Heavy Woollen	CLLR P KANE
Planning Sub Committee – Huddersfield	CLLR T LYONS
Statutory Officer Dismissal Committee	CLLR S PANDOR

<b>Scrutiny Panels</b>	
Childrens	CLLR C BURKE
Corporate	CLLR A COOPER
Economy and Neighbourhood	CLLR H UPPAL
Health and Adult Social Care	CLLR H ZAMAN

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