



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

Julie Muscroft

Governance and Commissioning

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Decision Summary

Committee:

Date:

Committee Clerk:

TEL:

ANNUAL COUNCIL

WEDNESDAY 22 MAY 2024

Andrea Woodside

01484 221000

Chair

Councillor Nosheen Dad

Councillors Attended

Councillor Aafaq Butt

Councillor Adam Zaman

Councillor Alex Vickers

Councillor Ali Arshad

Councillor Alison Munro

Councillor Amanda Pinnock

Councillor Ammar Anwar

Councillor Andrew Marchington

Councillor Andrew Pinnock

Councillor Angela Sewell

Councillor Anthony Smith

Councillor Andrew Cooper

Councillor Ashleigh Robinson

Councillor Aziz Daji

Councillor Beverley Addy

Councillor Bill Armer

Councillor Cahal Burke

Councillor Carole Pattison

Councillor Caroline Holt

Councillor Cathy Scott

Councillor Charles Greaves

Councillor David Hall

Councillor David Longstaff

Councillor Darren O'Donovan

Councillor Donna Bellamy

Councillor Elizabeth Smaje

Councillor Eric Firth

Councillor Graham Turner

Councillor Habiban Zaman
Councillor Hanifa Darwan
Councillor Hannah McKerchar
Councillor Harry McCarthy
Councillor Karen Allison
Councillor Imran Safdar
Councillor Itrat Ali
Councillor James Homewood
Councillor John Lawson
Councillor John Taylor
Councillor Joshua Sheard
Councillor Jo Lawson
Councillor Kath Pinnock
Councillor Lisa Holmes
Councillor Mark Thompson
Councillor Matthew McLoughlin
Councillor Martyn Bolt
Councillor Masood Ahmed
Councillor Moses Crook
Councillor Mohan Sokhal
Councillor Munir Ahmed
Councillor Musarrat Khan
Councillor Paola Antonia Davies
Councillor Paul Davies
Councillor Paul Moore
Councillor Richard Smith
Councillor Sheikh Ullah
Councillor Susan Lee-Richards
Councillor Tanisha Bramwell
Councillor Timothy Bamford
Councillor Tony McGrath
Councillor Tyler Hawkins
Councillor Viv Kendrick
Councillor Vivien Lees-Hamilton
Councillor Will Simpson
Councillor Yusra Hussain
Councillor Zahid Kahut
Councillor Zarina Amin

Apologies

Councillor Gwen Lowe and Councillor Jane Rylah

1 To elect the Mayor for the ensuing year

To elect the Mayor for the 2024/2025 Municipal Year.

That Councillor Nosheen Dad be elected as Mayor for the 2024/2025 Municipal Year.

2 To appoint a Deputy Mayor for the ensuing year

To appoint a Deputy Mayor for the 2024/2025 Municipal Year.

That Councillor Elizabeth Smaje be appointed as Deputy Mayor for the 2024/2025 Municipal Year.

3 Minutes of Previous Meetings

To approve as a correct record and authorise the signing of the Minutes of (a) the Ordinary Meeting of the Council held on 6 March 2024 and (b) the Meeting of Extraordinary Council held on 20 March 2024.

Approved as a correct record.

4 Declaration of Interests

Councillors will be asked to advise if there are any items on the Agenda in which they have a disclosable pecuniary interest, which may prevent them from participating in any discussion or vote upon the item, or any other interests.

No interests were declared.

5 Announcements by the Mayor and Chief Executive

To receive any announcements, including the results of the Local Council Elections held on 2 May 2024, and the acceptance of the Office of Councillors elected.

The Chief Executive advised of the official return of Councillors following the local district elections, and the acceptance of Office of Councillors elected.

The Mayor welcomed all Councillors to the new municipal year, and welcomed newly elected Councillors Munir Ahmed, Arshad, Bramwell, Daji, Darwan, Holt, Longstaff, Kahut, Robinson, Rylah, Sewell and Vickers.

Council received tributes to former Council Members who had not been successful in re-election on 2 May 2024.

6 Apologies for absence

Group Business Managers to advise of any apologies for absence.

Apologies for absence were received on behalf of Councillors Lowe and Rylah.

7 Proposed Revisions to the Terms of Reference for Health and Wellbeing Board (Reference from Corporate Governance and Audit Committee)

To consider the report.

Contact: Alex Chaplin, Adults and Health

RESOLVED –

- 1) That the updated Terms of Reference for Health and Wellbeing Board be approved.
 - 2) That authority be delegated to the Chair of the Board to appoint to the position of Deputy Chair.
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8 Amendment to arrangements for Corporate Parenting Board (Reference from Corporate Governance and Audit Committee)

To consider the report.

Contact: Joel Hanna, Children and Families

RESOLVED - That the proposed amendments to the arrangements for Corporate Parenting Board, as set out within the report, be approved.

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

To consider the report.

Contact: Jane Lockwood, Head of Procurement

RESOLVED - That the proposed amendments to Contract Procedure Rules, as set out within the report, be approved.

10 Proposed Amendments to Financial Procedure Rules (Reference from Corporate Governance and Audit Committee)

To consider the report.

Contact: Martin Dearnley, Head of Audit and Risk

RESOLVED - That the proposed amendments to Financial Procedure Rules, as set out within the report, be approved.

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

To consider the report.

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

RESOLVED –

- 1) That the changes made to the Constitution in 2023-2024, as listed in Appendix 1, be noted.
- 2) That approval be given to the following proposed changes to the Constitution, as set out in section 2 of the report considered by Corporate Governance and Audit Committee:
 - (i) That 6.1.1 of Article 6 – Overview and Scrutiny Function, be amended to remove responsibility for Flood Risk Management from the Overview and Scrutiny Management Committee and re-allocate to the Environment and Climate Change Scrutiny Panel.
 - (ii) Amendments to CPR 9 relating to the presentation of petitions and referral of subject matter.
 - (iii) Amendments to CPR 9a subject to the replacement of the word “may” with “will” and clarification that where a debate is requested (for petitions exceeding 3000 valid signatures) this will be scheduled within a reasonable time period.
 - (iv) Amendments to CPR’s 9 and 10 to make them consistent with CPR 11 in respect of the need to be a resident or business owner in Kirklees in order to be able to present a petition or deputation.
 - (v) That the proposed amendments in respect of CPR 11(6) be applied to CPR 12 for written questions by the public and Elected Members at Full Council meetings only.
 - (vi) That CPR 12(6) be approved subject to the removal of wording “with the consent of the Chair”
 - (vii) Amendments to CPR 11(7) subject to the removal of wording “for a period of 12 months”.
- 3) That it be noted that, for clarity, proposals relating to Member Speaking Rights (CPR 36(1)), Permission to Speak by Members of the Public (CPR 37), Video requests for deputations (CPR10) and the wider application of the proposals set out in (2v) above to Cabinet and Council Committees will be subject to further consideration following a future review.
- 4) That work will continue to keep the Constitution under review.
- 5) That authority be delegated to the Service Director – Legal, Governance and Commissioning to make any appropriate amendments to the Constitution, as well as any consequential amendments to the Constitution to reflect the agreed changes.

- 6) That Council Procedure Rule 11 be amended to include the wording that ‘Amendments to Motions will be circulated to all Members of the Council by 5.00pm on the day before the Council Meeting’.
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12 Appointment of Committees, Boards and Panels

To determine the Committees, Boards and Panels of the Council for the 2024/2025 Municipal Year.

(Report attached)

Contact: Leigh Webb, Acting Head of Governance

RESOLVED - That approval be given to the establishment of the Committees, Boards and Panels as listed within this report, in accordance with the Council’s Constitution.

13 Allocation of Seats

To determine, for the 2024/2025 Municipal Year, the allocation of seats on Committees and 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 if there are any outstanding unallocated places.

(Schedule attached)

It is proposed that arrangements for representation of Political Groups on (i) Health and Wellbeing Board and (ii) Overview and Scrutiny Committee 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.

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: Leigh Webb, Acting Head of Governance

RESOLVED –

- 1) That the requirements of Section 15 and 16 of the Local Government and Housing Act 1989 shall not apply to 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 report as set out at Agenda Item 13.

- 3) That authority be delegated to the Service Director (Legal, Governance and Monitoring) to make any changes to appointments in consultation with Group Business Managers, based upon revised proportions.
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14 Membership of Committees, Boards and Panel and Ratio of Substitutes Panel

To determine the Membership of Committees, Boards and Panels (and ratio of the Substitutes Panel) for the 2024/2025 Municipal Year, in accordance with nominations from Group Business Managers.

RESOLVED –

- 1) That the memberships, as set out in the tabled report, be approved and that the allocation of any outstanding places on any Committees, Boards and Panels, or subsequent amendments, be delegated to Group Business Managers.
 - 2) That authority be delegated to the Service Director (Legal, Governance and Monitoring) to make any changes to appointments in consultation with Group Business Managers, based upon revised proportions.
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15 Dates and Times of Committees, Boards and Panels

To determine the date and time of Meetings of Committees, Boards and Panels for the 2024/2025 Municipal Year.

(Schedule attached)

Contact: Leigh Webb, Acting Head of Governance

RESOLVED - That the dates and times of meetings of Committees, Boards and Panels be in accordance with the schedule at Agenda Item 15.

16 Appointment of Members to Joint Authorities

To determine the arrangements for the allocation of seats on Joint Authorities for the 2024/2025 Municipal Year.

(Report attached)

Contact: Leigh Webb, Acting Governance Manager

RESOLVED –

- 1) That Council appoint the Leader as Kirklees Council's Elected Member for the West Yorkshire Combined Authority (WYCA), with the Deputy Leader as the WYCA Substitute Member and notes that these members will also be appointed to the WYCA Governance and Audit Committee and the WYCA Finance, Resources and Corporate Committee.

- 2) That Council delegate authority to the Chief Executive, in consultation with Group Leaders, WYCA's Managing Director and other West Yorkshire Chief Executives, to appoint the 3 additional Members to WYCA and their substitutes, so that the 8 constituent council members taken as a whole reflect the balance of political parties for the time being among members of WYCA's constituent councils, so far as reasonably practicable.

- 3) That Council delegate authority to the Service Director – Legal, Governance and Commissioning, in consultation with the Group Business Managers, to nominate members to WYCA's Transport Committee, 4 members; 2 Ordinary, 1 Transport Engagement Lead, 1 Transport Portfolio Holder.

- 4) That Council delegate authority to the Service Director – Legal, Governance and Commissioning, in consultation with Group Business Managers, to nominate Members and substitutes to the WYCA Scrutiny Committee(s).

- 5) That Council delegate authority to the Service Director – Legal, Governance and Commissioning, in consultation with Group Business Managers, to:
 - a. confirm any relevant Portfolio Holder to be appointed, or
 - b. make any additional/revised nominations

to any WYCA Committee or Panel, as requested by WYCA after this Council's annual meeting.

Kirklees has 1 place (for the Portfolio Holder or most appropriate Member) on each of the five-WYCA Committees:

- (i) Business, Economy and Innovation Committee
- (ii) Climate, Energy and Environment Committee
- (iii) Place, Regeneration and Housing Committee
- (iv) Employment and Skills Committee
- (v) Culture, Heritage and Sports Committee

- 6) That Council delegate authority to the Service Director – Legal, Governance and Commissioning, in consultation with the Group Business Managers, to appoint a representative and substitute to the West Yorkshire Business Board (LEP)

- 7) That in order to fill places on (i) West Yorkshire Fire and Rescue Authority, and (ii) West Yorkshire Police and Crime Panel, Council delegate authority to Group Business Managers for determination.

- 8) That Council delegate authority to Group Business Managers to determine the appointment of Elected Members/Representatives to the remaining Joint Authorities not otherwise set out in this report.
- 9) That authority be delegated to the Service Director (Legal, Governance and Monitoring) to make any changes to appointments in consultation with Group Business Managers, based upon revised proportions.

17 Appointments to Outside Bodies and Other Committees

To determine the appointment of representatives to other Committees, Outside Bodies etc for the 2024/2025 Municipal Year, except for those appointments to bodies which is exercisable only by the Leader or is delegated by the Council.

(Report attached).

Contact: Leigh Webb, Acting Head of Governance

RESOLVED –

- 1) That Council notes that Group Business Managers will put forward nominations to the Service Director – Legal, Governance and Commissioning to fill places or make any adjustments to nominees, as appropriate, following Council.
- 2) That those bodies with executive functions be referred to the Leader of the Council to put forward nominations.
- 3) That, in relation to the Yorkshire Purchasing Organisation Management Committee, Council agrees to waive political balance rules which apply in accordance with Section 17 of the Local Government and Housing Act 1989 (this requires approval with no Member voting against).
- 4) That, Council delegate authority to the Leader, in consultation with Group Business Managers, to nominate one nominee and a substitute to the Yorkshire Purchasing Organisation (YPO) Management Committee and to nominate a Director to the associated limited company: YPO Procurement Holdings Ltd.
- 5) That authority be delegated to the Group Business Managers to determine which of the two appointed Members on Kirklees Active Leisure will be authorised, for the purposes of Member meetings (distinct from Director meetings), to exercise a vote, pursuant to Section 323 of the Companies Act 2006.
- 6) That authority be delegated to the Service Director (Legal, Governance and Monitoring) to make any changes to appointments in consultation with Group Business Managers, based upon revised proportions.

18 Appointment of Spokespersons for Joint Committees and External Bodies

To determine the Council's spokespersons nominated to reply to oral questions at Council for the 2024/2025 Municipal Year.

(Report attached).

Contact: Leigh Webb, Acting Head of Governance

RESOLVED –

- 1) That the nomination of spokespersons to reply to oral questions at meetings of Council, on behalf of Kirklees Active Leisure and West Yorkshire Police and Crime Panel, be delegated to Group Business Managers for determination.
- 2) That it be noted that the Member appointed by Council to the West Yorkshire Combined Authority will be the spokesperson for that body and its Committees.
- 3) That it be noted that the Member appointed to the post of Transport Engagement Lead on the WYCA Transport Committee will be the spokesperson for that body.
- 4) That it be noted that the spokespersons for the West Yorkshire Fire and Rescue Authority and West Yorkshire Joint Services Committee will be notified by those bodies.
- 5) That the appointed spokesperson for the West Yorkshire Adoption Joint Committee (One Adoption) be the relevant Cabinet Portfolio Holder.

19 Appointment of Chairs of Committees, Boards and Panels

To appoint Chairs of the following Committees, Boards and Panels for the 2024/2025 Municipal Year.

- (a) Appeals Panel
- (b) Corporate Governance and Audit Committee
- (c) District Wide Planning Committee
- (d) Health and Wellbeing Board
- (e) Licensing and Safety Committee
- (f) Overview and Scrutiny Management Committee
- (g) Personnel Committee
- (h) Standards Committee
- (i) Strategic Planning Committee
- (j) Statutory Officer Dismissal Committee
- (k) Scrutiny Panel – Childrens
- (l) Scrutiny Panel – Environment and Climate Change

- (m)Scrutiny Panel – Growth and Regeneration
- (n) Scrutiny Panel – Health and Adult Social Care

RESOLVED – That the appointment of Chairs of Committees and Panels be in accordance with the schedule below;

Appeals Panel – Councillor Longstaff
Corporate Governance and Audit Committee – Councillor Taylor
District Wide Planning Committee – Councillor Ullah
Health and Wellbeing Board – Subject to Cabinet Appointment
Licensing and Safety Committee – Councillor A U Pinnock
Overview and Scrutiny Management Committee – Councillor Burke
Personnel Committee – Councillor Scott
Standards Committee – Councillor Armer
Strategic Planning Committee – Councillor Homewood
Statutory Officer Dismissal Committee – Councillor Scott
Scrutiny Panel (Childrens) – Councillor Ali
Scrutiny Panel (Environment and Climate Change) – Councillor Cooper
Scrutiny Panel (Growth and Regeneration) – Councillor Amin
Scrutiny Panel (Health and Adult Social Care) – Councillor J D Lawson
