

Contact Officer: Andrea Woodside

ANNUAL COUNCIL

KIRKLEES COUNCIL

**At the Meeting of Annual Council of the Borough of Kirklees held at
Main Hall - Town Hall, Huddersfield on 24 May 2017**

PRESENT

The Mayor (Councillor Christine Iredale) in the Chair

COUNCILLORS

Councillor Masood Ahmed	Councillor Mahmood Akhtar
Councillor Karen Allison	Councillor Bill Armer
Councillor Donna Bellamy	Councillor Martyn Bolt
Councillor Cahal Burke	Councillor Jean Calvert
Councillor Andrew Cooper	Councillor Nosheen Dad
Councillor Jim Dodds	Councillor Donald Firth
Councillor Eric Firth	Councillor David Hall
Councillor Steve Hall	Councillor Erin Hill
Councillor Lisa Holmes	Councillor Edgar Holroyd-Doveton
Councillor Judith Hughes	Councillor Paul Kane
Councillor Viv Kendrick	Councillor Musarrat Khan
Councillor John Lawson	Councillor Vivien Lees-Hamilton
Councillor Robert Light	Councillor Gwen Lowe
Councillor Terry Lyons	Councillor Andrew Marchington
Councillor Naheed Mather	Councillor Peter McBride
Councillor Marielle O'Neill	Councillor Andrew Palfreeman
Councillor Shabir Pandor	Councillor Nigel Patrick
Councillor Carole Pattison	Councillor Amanda Pinnock
Councillor Andrew Pinnock	Councillor Kath Pinnock
Councillor Hilary Richards	Councillor Mohammad Sarwar
Councillor Cathy Scott	Councillor David Sheard
Councillor Ken Sims	Councillor Elizabeth Smaje
Councillor Mohan Sokhal	Councillor Julie Stewart-Turner
Councillor John Taylor	Councillor Kath Taylor
Councillor Graham Turner	Councillor Nicola Turner
Councillor Sheikh Ullah	Councillor Michael Watson
Councillor Linda Wilkinson	Councillor Gemma Wilson
Councillor Gulfam Asif	Councillor Richard Eastwood
Councillor Fazila Fadia	Councillor Michelle Grainger-Mead
Councillor James Homewood	Councillor Manisha Roma Kaushik
Councillor Bernard McGuin	Councillor Richard Smith
Councillor Rob Walker	

1 To elect the Mayor for the ensuing year

It was moved by Councillor Nicola Turner and seconded by Councillor Andrew Marchington;

‘That Councillor Christine Iredale be hereby elected Mayor of the Council of The Metropolitan Borough of Kirklees for the Municipal Year 2017-2018, from now until her successor accepts office, and signed the required declaration.’

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The motion, on being put to the meeting was CARRIED.

Councillor Iredale then made the declaration of Acceptance of Office required by law, took the chair, returned thanks for her election and named Mr Robert Iredale as her Consort for the coming year.

The Mayor (Councillor Christine Iredale) in the Chair.

Vote of thanks to the Retiring Mayor.

It was moved by Councillor Robert Light, seconded by Councillor David Hall and;

RESOLVED -

- (1) That the thanks of the Council are due and hereby tendered to Councillor Jim Dodds for the efficient and dignified manner in which he has performed the important and varied duties of the Office of Mayor during the period May 2016 to May 2017.
- (2) That the thanks of the Council be tendered to Mrs Carol Dodds for her services as Mayoress.

Councillor Dodds then returned his thanks.

2 To appoint a Deputy Mayor for the ensuing year

It was moved by Councillor David Sheard, and seconded by Councillor Shabir Pandor;

'That Councillor Gwen Lowe be 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 Gwen Lowe then made the declaration of Acceptance of Office as required by law, returned thanks for her appointment and named Mr Ken Lowe as her Consort for the coming year.

3 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

RESOLVED -

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.

ADJOURNMENT

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At this point, the meeting adjourned for a short period of time.

(Upon resumption)

4 Interests

No interests were declared.

5 Announcements by the Mayor and Chief Executive

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).

6 Apologies for absence from Elected Members

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

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

It was moved by Councillor Richards, and seconded by Councillor J Taylor;

'That the proposed changes to the Constitution, and the recommendations as set out at paragraph 6 of the considered report, be approved.'

Whereupon it was moved by Councillor Lawson, and seconded by Councillor A Marchington that the start time of the meetings of council be amended to 5.30pm.

The AMENDMENT, on being put to the vote, was CARRIED.

The AMENDMENT, on becoming the SUBSTANTIVE MOTION, was put to the vote, and it was;

RESOLVED -

- 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.

8 Proposed Amendments to the Council Financial Procedure Rules (Reference from Corporate Governance and Audit Committee)

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It was moved by Councillor Richards, seconded by Councillor J Taylor and;

RESOLVED -

- 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.

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

It was moved by Councillor Richards, seconded by Councillor J Taylor and;

RESOLVED -

- 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.

10 Proposed Amendments to Overview and Scrutiny

It was moved by Councillor Richards, seconded by Councillor Sokhal and;

RESOLVED -

- 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.

11 Meetings of Council - 2017/2018 (Reference from Corporate Governance and Audit Committee)

It was moved by Councillor Richards, and seconded by Councillor J Taylor;

'That the schedule of Council meetings for the 2017-2018 municipal year, as set out at agenda item 1, be approved.'

Whereupon, it was moved by Councillor Sheard, and seconded by Councillor Pandor;

'That the meeting scheduled to take place on Wednesday 5 July be moved to Tuesday 11 July 2017.'

The AMENDMENT, on being put to the vote, was CARRIED.

The AMENDMENT, on becoming the SUBSTANTIVE MOTION, was put to the vote, and it was;

RESOLVED -

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.

12 Committees of the Council

It was moved by Councillor Sokhal, seconded by Councillor Patrick, and;

RESOLVED -

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.

13 Corporate Parenting Board

It was moved by Councillor Sokhal, seconded by Councillor Patrick, and;

RESOLVED -

- 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.

14 Re-establishment of (i) Town Centre Working Party and (ii) Regional Issues Working Party

It was moved by Councillor Sokhal, seconded by Councillor Patrick, and;

RESOLVED -

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.

15 Allocation of Seats

It was moved by Councillor Sokhal, seconded by Councillor Patrick, and;

RESOLVED -

- 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.

16 Dates/Times of Committees, Boards and Panels

It was moved by Councillor Sokhal, seconded by Councillor Patrick and;

RESOLVED -

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.

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

It was moved by Councillor Sokhal, seconded by Councillor Patrick and;

RESOLVED -

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.

18 Appointment of Members to Joint Authorities

It was moved by Councillor Sokhal, seconded by Councillor Patrick and;

RESOLVED -

- 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.

19 Appointment to Outside Bodies/Other Committees

It was moved by Councillor Sokhal, seconded by Councillor Patrick, and;

RESOLVED -

- 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

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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.

20 Spokespersons of Joint Committees and External Bodies

It was moved by Councillor Sokhal, seconded by Councillor Patrick, and;

RESOLVED -

- 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.

21 Appointment of Chairs of Committees

RESOLVED -

- 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

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- 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.