

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

ANNUAL COUNCIL

**At the Meeting of Annual Council of the Borough of Kirklees held at
Council Chamber - Town Hall, Huddersfield on Wednesday 23 May 2018**

PRESENT

The Mayor (Cllr Gwen Lowe) 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 Andrew Cooper
Councillor Nosheen Dad	Councillor Donald Firth
Councillor Eric Firth	Councillor Charles Greaves
Councillor David Hall	Councillor Steve Hall
Councillor Lisa Holmes	Councillor Edgar Holroyd-Doveton
Councillor Judith Hughes	Councillor Mumtaz Hussain
Councillor Christine Iredale	Councillor Paul Kane
Councillor Viv Kendrick	Councillor Musarrat Khan
Councillor John Lawson	Councillor Vivien Lees-Hamilton
Councillor Robert Light	Councillor Terry Lyons
Councillor Naheed Mather	Councillor Peter McBride
Councillor Darren O'Donovan	Councillor Marielle O'Neill
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 Sheikh Ullah
Councillor Michael Watson	Councillor Gemma Wilson
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 Nell Griffiths	Councillor Alison Munro
Councillor Richard Murgatroyd	Councillor Mark Thompson
Councillor Harpreet Uppal	Councillor Habiban Zaman

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1 To elect the Mayor for the ensuing year

It was moved by Councillor Pandor and seconded by Councillor Kendrick;

‘That Councillor Gwen Lowe be hereby elected Mayor of the Council of the Metropolitan Borough of Kirklees for the Municipal Year 2018-19, from now until her successor accepts office, and signed the required declaration.’

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

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

(The Mayor, Councillor Gwen Lowe, took the Chair)

It was moved by Councillor John Lawson, seconded by Councillor Cahal Burke, and;

RESOLVED:

(1) That the thanks of the Council be hereby tendered to Councillor Christine Iredale for the efficient and dignified manner in which she has performed the duties of the Office of Mayor during the period May 2017 to May 2018.

(2) That the thanks of the Council be tendered to Mr Robert Iredale for his services as the Mayor’s Consort.

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 Mumtaz Hussain be hereby appointed as 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 Mumtaz Hussain then made the declaration of Acceptance of Office as required by law, returned thanks for his appointment, and named Mrs Noreen Hussain as Deputy Mayoress for the ensuing year.

3 To approve as a correct record the Minutes of the Ordinary Meeting of the Council held on 21 March 2018

RESOLVED - That the Minutes of the Meeting of Council held on 21 March 2018 be approved as a correct record.

Adjournment - At This Point, The Meeting Adjourned For A Short Period Of Time.

(Upon Resumption)

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4 **Interests**

No interests were declared.

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

The Chief Executive advised of the official return of Councillors, following the local elections, held on 3 May 2018, 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 Griffiths, Munro, Murgatroyd, Thompson and Uppal, to the meeting.

The Mayor also conveyed the Council's best wishes to Councillor Jewitt.

It was moved by the Mayor, seconded by Councillor E Firth, and;

RESOLVED – That approval be given to the continuation of maternity leave for Councillor Erin Hill.

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

Apologies for absence were received on behalf of Councillors Hill and Jewitt.

7 **Election of Leader of the Council**

It was moved by Councillor Sheard, seconded by Councillor E Firth, and

RESOLVED - That Councillor Shabir Pandor be elected as Leader of the Council.

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

It was moved by Councillor Richards and seconded by Councillor Pattison;

1) That approval be given to the changes as set out in paragraphs 2.04, 2.07, 2.08, 2.09, 2.10, 2.11, 2.12, 2.13, 2.18, 2.19 and 2.26, and accompanying appendices.

2) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to make the appropriate amendments to the constitution, and any consequential changes.

3) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to draft the DBS Policy, as referred to in paragraphs 2.03 and 2.12.

Whereupon, it was moved by Councillor Bolt, and seconded by Councillor J Taylor, by way of AMENDMENT, that the recommendation at paragraph 2.11 (iv) be deleted.

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

Whereupon, it was moved by Councillor D Hall, and seconded by Councillor Sims, by way of AMENDMENT, that the recommendation at paragraph 2.13 be deleted.

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

Whereupon, it was moved by Councillor Light, and seconded by Councillor Smaje, by way of AMENDMENT, that the recommendation at paragraph 2.19 be deleted.

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

Upon being put to the vote, the SUBSTANTIVE Motion was CARRIED and it was therefore;

RESOLVED -

- (1) That approval be given to the changes as set out in paragraphs 2.04, 2.07, 2.08, 2.09, 2.10, 2.11, 2.12, 2.13, 2.18, 2.19 and 2.26, and accompanying appendices.
- (2) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to make the appropriate amendments to the constitution, and any consequential changes.
- (3) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to draft the DBS Policy, as referred to in paragraphs 2.03 and 2.12.

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

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

RESOLVED - That approval be given to the amendments to Financial Procedure Rules, as set out in the considered report.

10 Meetings of Council 2018/19 (Reference from Corporate Governance and Audit Committee)

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

RESOLVED - That approval be given to the meetings of Council being held on the following dates for the 2018/2019 Municipal Year; 11 July 2018, 12 September 2018, 10 October 2018, 7 November 2018, 12 December 2018, 16 January 2019, 13 February 2019, 20 March 2019 and 22 May 2019.

11 Committees of the Council

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

RESOLVED - That approval be given to the establishment of the following meetings of Council for the 2018/2019 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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12 **Re-establishment of Corporate Parenting Board**

It was moved by Councillor Kendrick, seconded by Councillor Sheard, and;

RESOLVED -

- (1) That approval be given to the re-establishment of the Corporate Parenting Board for the 2018-2019 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 as previously approved on 24 May 2017.

13 **Re-establishment of Regional Issues Working Party**

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

RESOLVED -

- (1) That approval be given to the re-establishment of the Regional Issues Working Party for the 2018/2019 municipal year in accordance with the membership and terms of reference as set out in the considered report.
- (2) That authority be delegated to Group Business Managers to determine the membership of the Working Party.

14 **Re-establishment of Kirklees Democracy Commission Working Party**

It was moved by Councillor Scott, seconded by Councillor Cooper, and;

RESOLVED -

- (1) That approval be given to the re-establishment of the Democracy Commission Working Party for the 2018/2019 municipal year on a 3:2:1:1 ratio.
- (2) That authority be delegated to Group Business Managers to determine the membership of the Working Party.

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

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

RESOLVED - That the revised Terms of Reference of the Health and Wellbeing Board, as set out in the considered report, be approved.

16 **Allocation of Seats**

It was moved by Councillor Sokhal, seconded by Councillor Sheard, 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 considered report

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

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

RESOLVED - That the membership of Committees, Boards and Panels be as set out in the considered report, and that Group Business Managers be delegated authority to make any subsequent changes.

18 **Dates/Times of Committees, Boards and Panels**

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

RESOLVED - 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.

19 **Appointment of Members to Joint Authorities**

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

RESOLVED -

- 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 for the time being 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.

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- 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.

20 **Appointment to Outside Bodies/Other Committees**

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

RESOLVED –

- (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 Paul Kemp (Service Director – Economy, Regeneration and Culture) 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.

21 **Spokespersons of Joint Committees and External Bodies**

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

RESOLVED -

- (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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22 Appointment of Chairs of Committees

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

RESOLVED - That the Chairs of Committees and Panels for the 2018/2019 Municipal Year be approved as follows;

Committee/Board/Panel	Chair
Appeals Panel	Cllr N Dad
Corporate Governance & Audit Committee	Cllr H Richards
Health and Wellbeing Board	Cllr S Pandor
Licensing & Safety Committee	Cllr C Pattison
Overview & Scrutiny Management Committee	Cllr J Stewart-Turner
Personnel Committee	Cllr S Pandor
Standards Committee	Cllr E Firth
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
Children’s Scrutiny Panel	Cllr C Burke
Corporate Scrutiny Panel	Cllr G Asif
Economy and Neighbourhood Scrutiny Panel	Cllr R Walker
Health and Adult Social Care Scrutiny Panel	Cllr E Smaje