

Contact Officer: Andrea Woodside

## **ANNUAL COUNCIL**

### **KIRKLEES COUNCIL**

**At the Meeting of the Council of the Borough of Kirklees held at  
Main Hall - Town Hall, Huddersfield on Wednesday 22 May 2019**

#### **PRESENT**

**The Mayor (Councillor Mumtaz Hussain) in the Chair**

#### **COUNCILLORS**

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	

## Annual Council - 22 May 2019

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

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

‘That Councillor Mumtaz Hussain be hereby elected Mayor of the Council of the Metropolitan Borough of Kirklees for the Municipal Year 2019-2020, from now until his successor accepts office, and has signed the required declaration.’

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

Councillor Hussain then made the declaration of Acceptance of Office required by law, took the Chair, returned thanks for his election and named Mrs Noreen Hussain as his Mayoress for the coming year.

(The Mayor, Councillor Mumtaz Hussain, took the Chair).

It was then moved by Councillor Viv Kendrick, seconded by Councillor Pandor, and

#### **RESOLVED –**

- (i) That the thanks of the Council be tendered to Councillor Gwen Lowe for her service to the Office of Mayor for the 2018-2019 Municipal Year.
- (ii) That the thanks of the Council be tendered to Mr Ken Lowe for his services as the Mayor’s Consort.

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

It was moved by Councillor D Hall, and seconded by Councillor D Firth;

‘That Councillor Nigel Patrick be hereby appointed as Deputy Mayor of the Council of the Metropolitan Borough of Kirklees for the 2019-2020 Municipal Year.’

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

Councillor Nigel Patrick then made the declaration of Acceptance of Office as required by law, returned thanks for his appointment, and named Mrs Judith Patrick as Deputy Mayoress for the 2019-2020 Municipal Year.

### 3 Minutes of the Meeting of the Council held on 20 March 2019

**RESOLVED** - That the Minutes of the meeting of Council held on 20 March 2019.

### 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 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.

## Annual Council - 22 May 2019

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.

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

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

### **7 Ward and Place Partnerships**

It was moved by Councillor Pandor, seconded by Councillor McBride, and

**RESOLVED** - That the proposals to support place based working, as set out within the considered report be adopted, and that Cabinet be requested to make the necessary arrangements to implement the proposals.

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

It was moved by Councillor Pattison, seconded by Councillor Sokhal, and

**RESOLVED** - That approval be given 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.

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

It was moved by Councillor Pattison, seconded by Councillor J Taylor, and

#### **RESOLVED –**

- (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.

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

It was moved by Councillor Pattison, seconded by Councillor J Taylor, and

#### **RESOLVED -**

- (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.

## Annual Council - 22 May 2019

- (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.
- (3) 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.
- (4) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to amend the Constitution accordingly, and also to make any consequential amendments.

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

It was moved by Councillor Pattison, seconded by Councillor J Taylor, and

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

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

It was moved by Councillor Pattison, seconded by Councillor J Taylor, and

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

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

It was moved by Councillor Pattison, seconded by Councillor J Taylor, and

**RESOLVED** - That approval be given to the 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.

### 14 **Committees of the Council**

It was moved by Councillor Sokhal, seconded by Councillor J Taylor, and

**RESOLVED** - 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.

### 15 **Re-establishment of Boards and Working Parties**

It was moved by Councillor Sokhal, seconded by Councillor J Taylor, and

**RESOLVED –**

- (1) That approval be given to the re-establishment of (i) Corporate Parenting Board (ii) Kirklees Democracy Commission Working Party and (iii) the

## Annual Council - 22 May 2019

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.

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

It was moved by Councillor Sokhal, seconded by Councillor R Smith, and

**RESOLVED** - That the approval be given to the proposed revisions to the Health and Wellbeing Board, and set out within the considered report.

### 17 **Allocation of Seats**

It was moved by Councillor Sokhal, seconded by Councillor R Smith, 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.

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

It was moved by Councillor Sokhal, seconded by Councillor R Smith, and

**RESOLVED** - That approval be given to 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.

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

It was moved by Councillor Sokhal, seconded by Councillor R Smith, and

**RESOLVED** - That the dates and times of meetings of Committees, Boards and Panels be in accordance with the schedule as set out within the considered report for the 2019/2020 Municipal Year.

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

It was moved by Councillor Sokhal, seconded by Councillor R Smith, 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.

## Annual Council - 22 May 2019

- (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.

21

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

It was moved by Councillor Sokhal, seconded by Councillor R Smith, 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.

## Annual Council - 22 May 2019

- (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.

### 22 Spokespersons of Joint Committees and External Bodies

It was moved by Councillor Sokhal, seconded by Councillor R Smith, 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.

### 23 Appointment of Chairs of Committees

It was moved by Councillor Sokhal and seconded by Councillor R Smith that the Chairs of Committees, Boards and Panels be as set out at Agenda Item 23.

Whereupon, it was moved by Councillor Lawson, and seconded by Councillor Munro, that Councillor Burke be appointed as Chair of Overview and Scrutiny Committee. The amendment, upon being put to the vote, was not carried, and it was;

**RESOLVED** - 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 Dad
Corporate Governance & Audit Committee	Cllr Simpson
Health and Wellbeing Board	Cllr Kendrick
Licensing & Safety Committee	Cllr AU Pinnock
Overview & Scrutiny Management Committee	Cllr Smaje
Personnel Committee	Cllr Pandor
Standards Committee	Cllr P Davies
Strategic Planning Committee	Cllr Hall
Planning Sub Committee – Heavy Woollen	Cllr Kane
Planning Sub Committee – Huddersfield	Cllr Lyons
Statutory Officer Dismissal Committee	Cllr Pandor
Scrutiny Panel - Childrens	Cllr Burke
Scrutiny Panel - Corporate	Cllr Cooper
Scrutiny Panel - Economy and Neighbourhood	Cllr H Uppal
Scrutiny Panel - Health and Adult Social Care	Cllr H Zaman