

Contact Officer: Andrea Woodside

ANNUAL COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Annual Council of the Borough of Kirklees held at
Huddersfield Town Hall on 19 May 2021**

PRESENT

The Mayor (Councillor Nigel Patrick) in the Chair

COUNCILLORS

Councillor Aafaq Butt	Councillor Aleks Lukic
Councillor Andrew Marchington	Councillor Susan Lee-Richards
Councillor Paola Antonia Davies	Councillor Yusra Hussain
Councillor Anthony Smith	Councillor Lesley Warner
Councillor Paul Davies	Councillor Masood Ahmed
Councillor Mahmood Akhtar	Councillor Karen Allison
Councillor Martyn Bolt	Councillor Cahal Burke
Councillor Andrew Cooper	Councillor Nosheen Dad
Councillor Donald Firth	Councillor Charles Greaves
Councillor David Hall	Councillor Steve Hall
Councillor Erin Hill	Councillor Lisa Holmes
Councillor Mumtaz Hussain	Councillor Viv Kendrick
Councillor Musarrat Khan	Councillor John Lawson
Councillor Vivien Lees-Hamilton	Councillor Gwen Lowe
Councillor Terry Lyons	Councillor Naheed Mather
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 Elizabeth Smaje	Councillor Mohan Sokhal
Councillor John Taylor	Councillor Sheikh Ullah
Councillor Michael Watson	Councillor Fazila Loonat
Councillor James Homewood	Councillor Manisha Roma Kaushik
Councillor Bernard McGuin	Councillor Mussarat Pervaiz
Councillor Will Simpson	Councillor Richard Smith
Councillor Alison Munro	Councillor Mark Thompson
Councillor Harpreet Uppal	Councillor Habiban Zaman
Councillor Timothy Bamford	Councillor Adam Gregg
Councillor Robert Iredale	Councillor Matthew McLoughlin
Councillor Jackie Ramsay	Councillor Elizabeth Reynolds
Councillor Joshua Sheard	Councillor Melanie Stephen
Councillor Donna Bellamy	Councillor Eric Firth

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1 To elect the Mayor for the ensuing year

It was moved by Councillor Martyn Bolt and seconded by Councillor Michael Watson;

‘That Councillor Nigel Patrick be hereby elected Mayor of the Council of the Metropolitan Borough of Kirklees for the Municipal Year 2021-2022, from now until his successor accepts office, and has signed the required declaration.’

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

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

(The Mayor, Councillor Nigel Patrick, took the Chair).

It was then moved by Councillor Shabir Pandor, seconded by Councillor Masood Ahmed,

RESOLVED –

- 1) That the thanks of the Council be tendered to Councillor Mumtaz Hussain for his service to the Office of Mayor for the 2019/2020 and 2020/2021 Municipal Year.
- 2) That the thanks of the Council be tendered to Mrs Noreen Hussain for her services as the Mayor’s Consort.

2 To appoint a Deputy Mayor for the ensuing year

It was moved by Councillor Shabir Pandor, and seconded by Councillor Habiban Zaman,

‘That Councillor Mahmood Akhtar be hereby appointed as Deputy Mayor of the Council of the Metropolitan Borough of Kirklees for the 2021-2022 Municipal Year.’

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

Councillor Mahmood Akhtar then made the declaration of Acceptance of Office as required by law, returned thanks for his appointment, and named Mrs Ghulam Hafiza as Deputy Mayoress for the 2021-2022 Municipal Year.

3 Minutes of the Ordinary Meeting of the Council held on 17 March 2021

RESOLVED - That the Minutes of the Meeting of Council held on 17 March 2021 be approved as a correct record.

4 Interests

No interests were declared.

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

The Chief Executive advised of the official return of Councillors following the local elections, held on 6 May 2021, 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 Tim Bamford, Adam Gregg, Robert Iredale, Matthew McCloughlin, Jackie Ramsay, Elizabeth Reynolds, Joshua Sheard and Mel Stephen.

Council received tributes to former Councillors who had not been re-elected on 6 May 2021; Richard Eastwood and Graham Turner.

6 **Apologies for absence**

Apologies for absence were received on behalf of Councillors Armer, K Taylor and White.

7 **Motion Submitted Under Council Procedure Rule 15 (4)**

It was moved by Councillor Marchington, seconded by Councillor D Hall and

RESOLVED – That (i) under Council Procedure Rules 15 and 14(3), Corporate Governance and Audit Committee be asked to consider a report to enable the Council to make a decision as to whether to move from the Strong Leader and Cabinet System to a Committee System and that the report shall (contain sufficient detail and be completed within appropriate timescales to meet the requirements of the Local Government Act 2000, so that the Council can make a decision as to whether to return to the Committee System for the meeting of Annual Council in May 2022 (ii) the report should be completed in order to enable a debate at the meeting of Council on 8 September 2021 and (iii) Council note the request to return to the Committee system in order to increase councillor participation in Council decisions, increase the transparency of decision making and improve the quality of decisions made in Kirklees.

8 **Election of the Leader of the Council**

The Mayor invited nominations for Leader of the Council.

It was moved by Councillor J Taylor and seconded by Councillor Bolt, that Councillor D Hall be appointed as Leader of the Council.

Whereupon it was moved by Councillor Scott, and seconded by Councillor Sokhal, that Councillor Pandor be appointed as Leader of the Council.

The Motion for the appointment of Councillor D Hall, upon being put to the vote was LOST, whereupon the Motion that Councillor Pandor be appointed as Leader of the Council was put to the vote and was CARRIED.

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

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

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

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

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

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

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

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

It was moved by Councillor Simpson and seconded by Councillor S Hall,

‘That the proposed changes to the Council’s Constitution, as set out within the report, be approved.’

Whereupon it was moved by Councillor Bolt, and seconded by Councillor D Hall, by way of amendment, that Council Procedure Rule 35 (2) (iii) be amended to include the words ‘...or the Strategic Planning Committee or Sub Committee thereof’, thereby reading as follows ‘shall not appoint the Leader, the Deputy Leader of the Council or any Members of the Cabinet as Members of the Overview and Scrutiny or its Panels or the Strategic Planning Committee or Sub Committee thereof.’

Following the receipt of legal advice with regards to the validity of the amendment, it was moved by Councillor Greaves and seconded by Councillor Pandor that a meeting of Corporate Governance and Audit Committee be convened to enable the proposal to be discussed and a recommendation be submitted to the next meeting of Council.

The proposal, upon being put to the vote, was carried. The SUBSTANTIVE MOTION as amended was therefore put to the vote and it was

RESOLVED –

- 1) That the proposed amendments to the Council’s Constitution, as set out within the considered report, be approved.
- 2) That Corporate Governance and Audit Committee be asked to consider the amendment as submitted by the Conservative Group, which sought to amend CPR 35 (2) (iii) to read ‘shall not appoint the Leader or Deputy Leader of the Council, or any Members of the Cabinet, as Members of Overview and Scrutiny Management Committee, or its Panels, or of Strategic Planning Committee or Sub Committee thereof’ and that a report of Corporate Governance and Audit Committee be submitted to the next meeting of Council.

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12 Proposed revisions to the Terms of Reference of Health and Wellbeing Board (Reference from Corporate Governance and Audit Committee)

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

RESOLVED – That the proposed amendments to the Terms of Reference of Health and Wellbeing Board, as set out within the considered report, be approved.

13 Meetings of Council 2021/2022 (Reference from Corporate Governance and Audit Committee)

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

RESOLVED – That the schedule of Meetings of Council, as set out in the considered report be approved, subject to the amendment of the date of Annual Council 2022 being moved from 18 to 25 May 2022.

14 Appointment of Committees, Boards and Panels

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

RESOLVED – That approval be given to the establishment of the Committees, Boards and Panels, as set out within the considered report, for the 2021/2022 Municipal Year.

15 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 Corporate Parenting Board, 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.

16 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 Police and Crime Panel, be delegated 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 those bodies.

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- 3) That the appointed spokesperson for the West Yorkshire Joint Adoption Committee be the relevant Cabinet Portfolio Holder.

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

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

RESOLVED – 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.

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

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

RESOLVED –

- 1) That the dates and times of meetings of Committees, Boards and Panels for the 2021/2022 municipal year be in accordance with the schedule as set out at Agenda Item 16.
- 2) That, pursuant to Agenda Item 12, the Meeting of Annual Council 2022 be moved to 25 May 2022.
- 3) That, pursuant to Minute No. 6, an additional meeting of Corporate Governance and Audit Committee be scheduled prior to the first Ordinary Meeting of Council.

19 **Appointment of Members to Joint Authorities**

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

RESOLVED -

- (1) That in order to fill places on (i) West Yorkshire Fire and Rescue Authority, and its Committees and (ii) West Yorkshire Police and Crime Panel, authority be delegated to Group Business Managers for determination.
- (2) That Council appoint the Leader as Kirklees Council's Elected Member for the WYCA, with the Deputy Leader as the WYCA Substitute Member.
- (3) 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.
- (4) That Council delegate authority to Group Business Managers to nominate members to WYCA's Transport Committee (3 members) on a ratio of 2:1.

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- (5) That Council note that the WYCA Member appointed by this Council (the Leader) will be appointed (in their capacity as WYCA Member), to WYCA's Leeds City Region Partnership Committee and delegate authority to Chief Executive to appoint a substitute member.
- (6) That Council delegate authority to the Chief Executive to nominate one member of the WYCA's Business Investment Panel.
- (7) That Council delegate authority to Group Business Managers to nominate three members to each of the three WYCA Scrutiny Committees; Corporate Overview and Scrutiny Committee, Economy Overview and Scrutiny Committee and Transport Overview and Scrutiny Committee. (Any nominated member may act as a substitute for another member on any of the three committees).
- (8) That Council delegate authority to the Leader and Chief Executive, in consultation with Group Business Managers to:
 - Confirm any relevant Portfolio Holder to be appointed, or
 - Make any additional nominationto any WYCA Committee or Panel, as requested by WYCA, after this Council's annual meeting.
- (9) That Council delegate authority to the Chief Executive to appoint a local authority representative and substitute to the LEP Board.
- (10) 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.

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Appointments to Outside Bodies and Other Committees

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

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 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); and notes that the Leader of the Council, in determining the nominees (in consultation with the Group Business Managers), will resolve which Member will have the one vote on behalf of the Council, or whether the vote will be transferable between the nominees (and their sub).

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- 4) That one of the Council Trustees on Kirklees Active Leisure, to be determined by the 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.

21 **Appointment of Chairs of Committees and Lead Councillors - Place Partnership**

RESOLVED – That Chairs of Committees and Panels, and Lead Councillors – Place Partnership, be appointed as follows for the 2021/2022 Municipal Year;

Appeals Panel – Councillor J Ramsay
Corporate Governance and Audit Committee – Councillor Y Hussain
Health and Wellbeing Board – Councillor V Kendrick
Licensing and Safety Committee – Councillor A U Pinnock
Overview and Scrutiny Management Committee – Councillor E Smaje
Personnel Committee – Councillor S Pandor
Standards Committee – Councillor E Hill
Strategic Planning Committee – Councillor S Hall
Planning Sub Committee (Heavy Woollen Area) – Councillor M Hussain
Planning Sub Committee (Huddersfield Area) – Councillor T Lyons
Statutory Officer Dismissal Committee – Councillor S Pandor

Scrutiny Panel (Childrens) – Councillor A Marchington
Scrutiny Panel (Corporate) – Councillor A Cooper
Scrutiny Panel (Economy and Neighbourhood) – Councillor H Uppal
Scrutiny Panel (Health and Adult Social Care) – Councillor H Zaman

Place Partnership Lead (Batley, Birstall and Birkenshaw) – Councillor G Lowe
Place Partnership Lead (Colne Valley) – Councillor E Reynolds
Place Partnership Lead (Dewsbury) – Councillor N Dad
Place Partnership Lead (Huddersfield Central) – Councillor K Allison
Place Partnership Lead (Huddersfield North) – Councillor S Ullah
Place Partnership Lead (Huddersfield Rural) – Councillor C Greaves
Place Partnership Lead (Spenn Valley) – Councillor A Pinnock