

Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
The Main Hall - Town Hall, Huddersfield on Wednesday 24 May 2023**

PRESENT

The Mayor (Councillor Cahal Burke) in the Chair

COUNCILLORS

Councillor Aafaq Butt	Councillor Adam Gregg
Councillor Adam Zaman	Councillor Alison Munro
Councillor Amanda Pinnock	Councillor Ammar Anwar
Councillor Andrew Marchington	Councillor Andrew Pinnock
Councillor Anthony Smith	Councillor Andrew Cooper
Councillor Bernard McGuin	Councillor Beverley Addy
Councillor Bill Armer	Councillor Carole Pattison
Councillor Cathy Scott	Councillor Charles Greaves
Councillor David Hall	Councillor Darren O'Donovan
Councillor Donna Bellamy	Councillor Elizabeth Reynolds
Councillor Elizabeth Smaje	Councillor Eric Firth
Councillor Graham Turner	Councillor Gwen Lowe
Councillor Habiban Zaman	Councillor Hannah McKerchar
Councillor Harry McCarthy	Councillor Karen Allison
Councillor Imran Safdar	Councillor Itrat Ali
Councillor Jackie Ramsay	Councillor James Homewood
Councillor John Lawson	Councillor John Taylor
Councillor Jo Lawson	Councillor Kath Pinnock
Councillor Lisa Holmes	Councillor Manisha Roma Kaushik
Councillor Mark Thompson	Councillor Matthew McLoughlin
Councillor Martyn Bolt	Councillor Masood Ahmed
Councillor Moses Crook	Councillor Melanie Stephen
Councillor Mohan Sokhal	Councillor Mussarat Pervaiz
Councillor Musarrat Khan	Councillor Naheed Mather
Councillor Nosheen Dad	Councillor Paola Antonia Davies
Councillor Paul Davies	Councillor Paul Moore
Councillor Richard Smith	Councillor Shabir Pandor
Councillor Sheikh Ullah	Councillor Steve Hall
Councillor Susan Lee-Richards	Councillor Timothy Bamford
Councillor Tony McGrath	Councillor Tyler Hawkins
Councillor Viv Kendrick	Councillor Vivien Lees-Hamilton
Councillor Will Simpson	Councillor Yusra Hussain
Councillor Zarina Amin	

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1 To elect the Mayor for the ensuing year

It was moved by Councillor A Smith and seconded by Councillor J Lawson;

‘That Councillor Cahal Burke be hereby elected Mayor of the Council of the Metropolitan Borough of Kirklees for the Municipal Year 2023/2024, from now until his successor accepts office, and has signed the required declaration.’

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

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

(The Mayor, Councillor Cahal Burke, took the Chair).

It was then moved by Councillor Dad, seconded by Councillor H Zaman and

RESOLVED –

- 1) That the thanks of the Council be tendered to Councillor Masood Ahmed for his service to the Office of Mayor for the 2022/2023 Municipal Year.
- 2) That the thanks of the Council be tendered to Miss Iram Ahmed for her services as Mayoress for the 2022/2023 Municipal Year.

2 To appoint a Deputy Mayor for the ensuing year

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

‘That Councillor Nosheen Dad be hereby appointed as Deputy Mayor of the Council of the Metropolitan Borough of Kirklees for the 2023/2024 Municipal Year.’

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

3 To approve as a correct record and authorise the signing of the Minutes of the Ordinary Meeting of the Council held on 8 March 2023

RESOLVED – That the Minutes of the Meeting of Council, held on 8 March 2023, be approved as a correct record.

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 district elections, held on 4 May 2023, as set out at Agenda Item 5.

The Mayor welcomed all Councillors to the new municipal year, and welcomed newly elected Councillors, namely Councillors Ali, Amin Addy, Bellamy, McKerchar, Moore and Safdar.

Council received tributes to former Councillor Michael Watson, who had not been re-elected and had represented the Denby Dale ward from May 2015.

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The Mayor advised Council of the death of former Councillor Fran Perry who had represented the Ashbrow Ward. Tributes were paid by Councillors Pandor and Homewood.

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

Apologies for absence were received on behalf of Councillors D Firth, Loonat and Sheard.

7 **Proposed Revisions to Contract Procedure Rules (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain and seconded by Councillor Taylor and

RESOLVED – That the proposed changes to Contract Procedure Rules, as set out at Appendix A of the report, be approved.

8 **Proposed Revisions to Financial Procedure Rules (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain, seconded by Councillor Taylor and

RESOLVED –

- 1) That approval be given to the amendments to Financial Procedure Rules, as set out at Appendix 1 of the considered report.
- 2) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to make any consequential amendments to financial policies and/or constitutional references.

9 **Changes to the Council Constitution (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain, seconded by Councillor Taylor and

RESOLVED –

- 1) That the changes made to the Constitution during the 2022/2023 municipal year, as set out at Appendix 1, be noted.
- 2) That approval be given to the proposed changes to the Constitution as set out at paragraphs 2.07, 2.13, 2.15, 2.21-2.42, 2.44 and 2.46, and the accompanying appendices subject to the following amendments to Council Procedure Rules as set out at paragraph three of Appendix 1; (viii) Council Procedure Rule 10(2) Paragraph 2.24 – deadline for receipt of a deputation to be amended to three clear working days notice (ix) Council Procedure Rule 10(4) – sustainability of a deputation shall be determined by the Chief Executive in consultation with the Mayor and (x) Council Procedure Rule 10(5) – remove (5) with consequential amendment to 10(6), and renumbering accordingly (xi) Council Procedure Rule 10(8) – remove and renumber accordingly (xii) Council Procedure Rule 10(9c) – redraft of wording (xiii) Council Procedure Rule 11(1) paragraph 2.28 – deadline for receipt of public questions to be amended to three clear working days notice and (xiv) Council Procedure Rule 12 paragraph 2.33 – written questions, be amended to three clear working days notice.

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- 3) The changes as set out at paragraphs 2.16, 2.17, 2.43, 2.48 and 2.49 of Appendix 1 be noted.
- 4) That it be noted that the Constitution will continue to be reviewed.
- 5) That the proposed work in relation to the Member Officer Protocol (Appendix 1, Paragraph 2.65) be noted.
- 6) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to make appropriate amendments to the Constitution, including consequential changes.

10 **Proposed Amendments to Overview and Scrutiny (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain, seconded by Councillor Taylor and

RESOLVED –

- 1) That approval be given to the proposed changes as set out at Appendix 1 (paragraphs 2 and 3) of the considered report.
- 2) That, pursuant to (1) above, authority be delegated to the Service Director (Legal, Governance and Commissioning) to make appropriate changes to the Constitution.
- 3) That the update on the implementation of the recommendations of the Kirklees Democracy Commission in relation to the review of governance models be noted.
- 4) That it be noted that a report reviewing the workings of the new scrutiny arrangements will be submitted to Corporate Governance and Audit Committee during March 2024.

11 **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 listed within the considered report, in accordance with the Council's Constitution.

12 **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 and Housing Act 1989 shall not apply to the Corporate Parenting Board, 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 12.

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

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

RESOLVED - That the membership of Committees, Boards and Panels, 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.

14 **Dates and 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 for the 2023/2024 municipal year be in accordance with the schedule as set out at Agenda Item 14.

15 **Appointment of Members to Joint Authorities**

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

RESOLVED –

- (1) That Council appoint the Leader as Kirklees Council's Elected Member for the 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 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 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, from the same district and party, on any of the three committees. If any member does not have another member from the same party and district then they may nominate a named substitute).
- (5) That Council delegate authority to the Chief Executive, in consultation with Group Business Managers to:
 - a. confirm any relevant Portfolio Holder to be appointed, or
 - b. make any additional nomination

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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, Arts and Creative Industries Committee

- (6) That Council delegate authority to the Chief Executive to appoint a local authority representative and substitute to the LEP Board.
- (7) That Council delegate authority to the Chief Executive to appoint a substitute to the Leeds City Region Partnership Committee.
- (8) 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, Council delegate authority to Group Business Managers for determination.
- (9) 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.

16 **Appointments to Outside Bodies and Other Committees**

It was moved by Councillor Sokhal, seconded by Councillor Taylor 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);
- 4) That, Council agrees to delegate authority to the Leader to nominate one nominee and a substitute (in consultation with Group Business Managers); and the Leader (in consultation with Group Business Managers) will nominate a Director to the associated Limited Company: YPO Procurement Holdings Ltd.
- 5) That one of the Council Trustees on Kirklees Active Leisure, to be determined by the Group Business Managers, be authorised to represent the

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Council for the purposes of Member meetings pursuant to Section 323 of the Companies Act 2006, to exercise a vote.

17 **Appointment of Spokespersons for Joint Committees and External Bodies**

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

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

18 **Appointment of Chairs of Committees, Boards and Panels**

RESOLVED – That Chairs of Committees, Boards and Panels be appointed as follows for the 2023/2024 Municipal Year;

Appeals Panel – Councillor E Reynolds
Corporate Governance and Audit Committee – Councillor J Homewood
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 M Crook
Strategic Planning Committee – Councillor S Hall
Planning Sub Committee (Heavy Woollen Area) – Councillor G Lowe
Planning Sub Committee (Huddersfield Area) – Councillor S Ullah
Statutory Officer Dismissal Committee – Councillor S Pandor

Scrutiny Panel (Childrens) – Councillor A Cooper
Scrutiny Panel (Environment and Climate Change) – Councillor J Ramsay
Scrutiny Panel (Growth and Regeneration) – Councillor Y Hussain
Scrutiny Panel (Health and Adult Social Care) – Councillor B Armer