

Dewsbury Town Board - Governance Support/Procedures

Purpose of Report: This report sets out details of the governance processes in relation to the Town Board. The procedures below largely align with the Council's procedure rules, as set out in the Council's Constitution, having regard for the terms of reference of the Dewsbury Town Board.

Agenda Format

Town Board agendas are produced in line with Council Committee meetings and include standard default items in addition to any reports provided. Agendas will follow the following format:

Membership of Committee:

The first item on the agenda will be to receive any apologies for absences and report details of any substitutions or changes in membership. Any substitute Members nominated to attend should be listed within the declaration of interest form completed by the original Board Member.

Minutes:

The Minutes of the previous meeting will be submitted for approval by the Board. Any discrepancies with regard to the accuracy of the minutes can be raised at this point in the meeting, and it is for the Board to agree to any amendments to the minutes. Final approved Minutes will be published on the Council Committee website.

With regard to format, the minutes that are produced are not a verbatim record of the meeting. In terms of minute style, the Governance Officer will produce minutes which primarily set out any agreed actions and decisions of the Board. The minutes will include a record of attendance and brief summary of the items and debates. Where particular comments are made that result in an agreed action or decision these will be referenced in the Minutes of the meeting.

Declaration of interests:

All Members of the Town Board are required to complete a Register of Interests form which will be available for public inspection. The Register is required to be updated annually and it is the responsibility of Board Members to ensure their register is up to date. Any change in circumstances relating to the register can be reported to the Governance Team who will ensure an updated register is available for public inspection.

Having regard to the nature of the likely interventions that will be explored as part of development of the Investment Plan, from time to time a conflict of interest may arise for Board Members. A conflict of interest arises where a Board Member, a close associate, immediate family, business, organisation or employer has an interest in a matter which is the same as, connected to or may be affected by the matter under discussion.

Board Members are required to consider whether they have an interest on any individual agenda item and if so to make that known at the meeting. Declaring an interest in a particular item will not necessarily prevent the Board Member from participating in the discussion on the item, and advice should be sought from the Governance Team in advance of the meeting. Where a Board Member has a disclosable pecuniary interest in any matter being discussed, this would prevent the Member from participating in any discussion or vote on the matter. Again, advice can be sought from the Governance Team.

Listed substitutes for the Board should also have completed a register of interest form and provided it to the Governance Team.

Admission of the Public:

Meetings of Dewsbury Town Board are held in public. Officers are encouraged, as far as possible, to produce reports/information for the Board that can be published in the public domain. However, there may be occasions where information provided to the Board is of a sensitive or confidential nature. Where this is the case the Board will pass the following resolution to exclude the press and public from the meeting for consideration of the item:

“That acting under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically state in the undermentioned minute”

A copy of Schedule 12A is appended to the report and sets out the reasons whereby a report can reasonably be excluded from the public part of the meeting. It is good practice for officers writing reports to be mindful of the importance of providing as much information as possible in the public part of the meeting. In practice this can often mean producing a report in two parts, one for consideration in the public part of the meeting and one for consideration following the exclusion of the press and public. Where this is the case the Chair of the Board will remind Board Members of the importance of not disclosing any information provided to them confidentially in the public session of the meeting, and to limit their contributions to the information provided in the public facing report.

Deputations

A deputation is where up to 5 people can attend the meeting and make a short presentation (5 mins max) on a particular area of concern which falls within the remit of the Town Board. Following the deputation, the Chair will respond on behalf of the Board, after which there will be no further discussion on the item. Any request to make a deputation should be submitted at least 3 clear working days prior to the meeting. A copy of the deputation speech must accompany the request.

A deputation will not be received if the Chair, following consultation with the Council’s Monitoring Officer, considers that it includes references to the following:

- (a) Matters which in the opinion of the Monitoring Officer are likely to involve the disclosure of confidential or exempt information.
- (b) Information relating to complaints made under statutory provisions which have not been finally dealt with.
- (c) Matters relating to items already listed on a public agenda or listed for consideration by a committee including, but not limited to the Council, Cabinet or a committee, sub-committee, panel or officers.
- (d) Information concerning the merit of applications relating to planning, licensing and other administrative or regulatory matters.
- (e) Information of a personal nature or which is defamatory, offensive, frivolous, repetitive or vexatious.
- (f) Deputations with the sole or predominant purpose of promoting any company's or individual's own business interests or financial position will not be permitted.

Petitions

Petitions on issues on which the Board has powers may be presented by a Board Member or any member of the public to the Town Board. When a petition is received at the Board meeting no discussion shall take place on the item. The Chair may direct that the subject matter of a petition be referred to an appropriate Service Director for investigation and report to Cabinet or an appropriate Committee.

Public questions

Any Member of the public resident in Kirklees may ask a question of the Board on any issue which comes within the terms of reference of the Town Board. All public questions must be submitted by 5pm on the Monday before the meeting on Thursday.

Questions Which Will Not Be Answered

Questions will not be answered if the Chair, following consultation with the Monitoring Officer, considers that they include references to the following:

- (a) Matters which in the opinion of the Monitoring Officer are likely to involve the disclosure of confidential or exempt information.
- (b) Questions relating to complaints made under statutory provisions which have not been finally dealt with.
- (c) Questions about the merit of applications or other matters currently before the Council, Cabinet or a Committee, Sub-Committee, Panel or Officers for determination in respect of which the Council is under a duty to act quasi judicially.
- (d) Questions of a personal nature or which are defamatory, offensive, frivolous, repetitive or vexatious.

The period allowed for the asking and answering of public questions at any one meeting shall not exceed 15 minutes. At any one meeting no person may ask more than two questions and no more than two questions may be asked on behalf of one organisation. A questioner may also put one supplementary question to the Board for each original question asked. Any question which cannot be dealt with during public

question time will be dealt with by a written answer. The Governance Officer shall record in the Minutes of the meeting the question(s) and the name of the respondent.

Openness and Transparency

The date, time and venue for each Town Board meeting will be shown in the agenda for the meeting which will be issued by the Service Director - Legal, Governance and Commissioning at least 5 clear days before a meeting. The agenda will specify the business to be transacted and will be accompanied by reports where appropriate. The items of business for consideration at Board meetings will be limited to those set out in the agenda for the meeting, with the exception of items of urgent business for which the Chair shall have prior notice and which, after consultation with the Monitoring Officer, they consider appropriate for discussion at the meeting.

Kirklees Council Exclusion of the Public

By virtue of Paragraph(s) 1 of Part 1 of Schedule 12A of the Local Government Act 1972

By virtue of Regulation 21 (1) (A) of the Local Authorities (Executive Arrangements) (Access to information) (England) Regulations 2000

Contains information provided by a political advisor or assistant.

Exemption Clause 1	Information relating to any individual.
Exemption Clause 2	Information which is likely to reveal the identity of an individual.
Exemption Clause 3	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
Exemption Clause 4	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
Exemption Clause 5	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
Exemption Clause 6	Information which reveals that the authority proposes <ul style="list-style-type: none"> (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.
Exemption Clause 7	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
Exemption Clause 7a	Information which is subject to any obligation to confidentiality
Exemption Clause 7b	Information which relates in any way to matters of national security