

Contact Officer: Andrea Woodside

## **ANNUAL COUNCIL**

### **KIRKLEES COUNCIL**

**The Meeting of Annual Council of the Borough of Kirklees held in  
the Council Chamber, Huddersfield Town Hall on Wednesday 22 May 2024**

#### **PRESENT**

**The Mayor (Councillor Nosheen Dad) in the Chair**

#### **COUNCILLORS**

Councillor Aafaq Butt	Councillor Adam Zaman
Councillor Alex Vickers	Councillor Ali Arshad
Councillor Alison Munro	Councillor Amanda Pinnock
Councillor Ammar Anwar	Councillor Andrew Marchington
Councillor Andrew Pinnock	Councillor Angela Sewell
Councillor Anthony Smith	Councillor Andrew Cooper
Councillor Ashleigh Robinson	Councillor Aziz Daji
Councillor Beverley Addy	Councillor Bill Armer
Councillor Cahal Burke	Councillor Carole Pattison
Councillor Caroline Holt	Councillor Cathy Scott
Councillor Charles Greaves	Councillor David Hall
Councillor David Longstaff	Councillor Darren O'Donovan
Councillor Donna Bellamy	Councillor Elizabeth Smaje
Councillor Eric Firth	Councillor Graham Turner
Councillor Habiban Zaman	Councillor Hanifa Darwan
Councillor Hannah McKerchar	Councillor Harry McCarthy
Councillor Karen Allison	Councillor Imran Safdar
Councillor Itrat Ali	Councillor James Homewood
Councillor John Lawson	Councillor John Taylor
Councillor Joshua Sheard	Councillor Jo Lawson
Councillor Kath Pinnock	Councillor Lisa Holmes
Councillor Mark Thompson	Councillor Matthew McLoughlin
Councillor Martyn Bolt	Councillor Masood Ahmed
Councillor Moses Crook	Councillor Mohan Sokhal
Councillor Munir Ahmed	Councillor Musarrat Khan
Councillor Paola Antonia Davies	Councillor Paul Davies
Councillor Paul Moore	Councillor Richard Smith
Councillor Sheikh Ullah	Councillor Susan Lee-Richards
Councillor Tanisha Bramwell	Councillor Timothy Bamford
Councillor Tony McGrath	Councillor Tyler Hawkins
Councillor Viv Kendrick	Councillor Vivien Lees-Hamilton
Councillor Will Simpson	Councillor Yusra Hussain
Councillor Zahid Kahut	Councillor Zarina Amin

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- 1 To elect the Mayor for the ensuing year**  
That Councillor Nosheen Dad be elected as Mayor for the 2024/2025 Municipal Year.
- 2 To appoint a Deputy Mayor for the ensuing year**  
That Councillor Elizabeth Smaje be appointed as Deputy Mayor for the 2024/2025 Municipal Year.
- 3 Minutes of Previous Meetings**  
**RESOLVED** – That the Minutes of the Meetings held on 6 March 2024 and 20 March 2024 be approved as a correct record.
- 4 Declaration of 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, and the acceptance of Office of Councillors elected.  
  
The Mayor welcomed all Councillors to the new municipal year, and welcomed newly elected Councillors Munir Ahmed, Arshad, Bramwell, Daji, Darwan, Holt, Longstaff, Kahut, Robinson, Rylah, Sewell and Vickers.  
  
Council received tributes to former Council Members who had not been successful in re-election on 2 May 2024.  
  
(Following a statement from the Leader of the Council, Councillor Scott, that she had submitted her resignation form the Labour Group, and subsequent changes to the composition of Cabinet, Council held an adjournment to enable Group Leaders to discuss the remaining Council business.)
- 6 Apologies for absence**  
Apologies for absence were received on behalf of Councillors Lowe and Rylah.  
  
(The Mayor advised that remaining business would now be considered and proposed that, in respect of Agenda Items 13, 14, 16 and 17, an additional recommendation be included to delegate authority to the Monitoring Officer to make any changes to appointments in consultation with Group Business Managers, based upon revised proportions. The proposal was moved by Councillor Lawson, seconded by Councillor Taylor, and carried).
- 7 Proposed Revisions to the Terms of Reference for Health and Wellbeing Board (Reference from Corporate Governance and Audit Committee)**  
It was moved by Councillor Homewood, seconded by Councillor Taylor and

### **RESOLVED –**

- 1) That the updated Terms of Reference for Health and Wellbeing Board be approved.

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- 2) That authority be delegated to the Chair of the Board to appoint to the position of Deputy Chair.

**8 Amendment to arrangements for Corporate Parenting Board (Reference from Corporate Governance and Audit Committee)**

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

**RESOLVED** - That the proposed amendments to the arrangements for Corporate Parenting Board, as set out within the report, be approved.

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

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

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

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

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

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

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

It was moved by Councillor Homewood and seconded by Councillor Taylor that;

- 1) That the changes made to the Constitution in 2023-2024, as listed in Appendix 1, be noted.
- 2) That approval be given to the following proposed changes to the Constitution, as set out in section 2 of the report considered by Corporate Governance and Audit Committee:
  - (i) That 6.1.1 of Article 6 – Overview and Scrutiny Function, be amended to remove responsibility for Flood Risk Management from the Overview and Scrutiny Management Committee and re-allocate to the Environment and Climate Change Scrutiny Panel.
  - (ii) Amendments to CPR 9 relating to the presentation of petitions and referral of subject matter.
  - (iii) Amendments to CPR 9a subject to the replacement of the word “may” with “will” and clarification that where a debate is requested (for petitions exceeding 3000 valid signatures) this will be scheduled within a reasonable time period.
  - (iv) Amendments to CPR's 9 and 10 to make them consistent with CPR 11 in respect of the need to be a resident or business owner in Kirklees in order to be able to present a petition or deputation.

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- (v) That the proposed amendments in respect of CPR 11(6) be applied to CPR 12 for written questions by the public and Elected Members at Full Council meetings only.
  - (vi) That CPR 12(6) be approved subject to the removal of wording “with the consent of the Chair”
  - (vii) Amendments to CPR 11(7) subject to the removal of wording “for a period of 12 months”.
- 3) That it be noted that, for clarity, proposals relating to Member Speaking Rights (CPR 36(1)), Permission to Speak by Members of the Public (CPR 37), Video requests for deputations (CPR10) and the wider application of the proposals set out in (2v) above to Cabinet and Council Committees will be subject to further consideration following a future review.
- 4) That work will continue to keep the Constitution under review.
- 5) That authority be delegated to the Service Director – Legal, Governance and Commissioning to make any appropriate amendments to the Constitution, as well as any consequential amendments to the Constitution to reflect the agreed changes.

Whereupon, it was moved by Councillor Cooper, by way of AMENDMENT, that the following wording be added to Council Procedure Rule 14(11) ‘Amendments to Motions will be circulated to all Council Members by 5pm on the day before the Council Meeting.’

The amendment, upon being put the vote was CARRIED.

The Motion, as AMENDED, was therefore put to the vote, and it was **RESOLVED**;

- 1) That the changes made to the Constitution in 2023-2024, as listed in Appendix 1, be noted.
- 2) That approval be given to the following proposed changes to the Constitution, as set out in section 2 of the report considered by Corporate Governance and Audit Committee:
  - (i) That 6.1.1 of Article 6 – Overview and Scrutiny Function, be amended to remove responsibility for Flood Risk Management from the Overview and Scrutiny Management Committee and re-allocate to the Environment and Climate Change Scrutiny Panel.
  - (ii) Amendments to CPR 9 relating to the presentation of petitions and referral of subject matter.
  - (iii) Amendments to CPR 9a subject to the replacement of the word “may” with “will” and clarification that where a debate is requested (for petitions exceeding 3000 valid signatures) this will be scheduled within a reasonable time period.
  - (iv) Amendments to CPR’s 9 and 10 to make them consistent with CPR 11 in respect of the need to be a resident or business

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- owner in Kirklees in order to be able to present a petition or deputation.
- (v) That the proposed amendments in respect of CPR 11(6) be applied to CPR 12 for written questions by the public and Elected Members at Full Council meetings only.
  - (vi) That CPR 12(6) be approved subject to the removal of wording “with the consent of the Chair”
  - (vii) Amendments to CPR 11(7) subject to the removal of wording “for a period of 12 months”.
- 3) That it be noted that, for clarity, proposals relating to Member Speaking Rights (CPR 36(1)), Permission to Speak by Members of the Public (CPR 37), Video requests for deputations (CPR10) and the wider application of the proposals set out in (2v) above to Cabinet and Council Committees will be subject to further consideration following a future review.
- 4) That work will continue to keep the Constitution under review.
- 5) That authority be delegated to the Service Director – Legal, Governance and Commissioning to make any appropriate amendments to the Constitution, as well as any consequential amendments to the Constitution to reflect the agreed changes.
- 6) That Council Procedure Rule 11 be amended to include the wording that ‘Amendments to Motions will be circulated to all Members of the Council by 5.00pm on the day before the Council Meeting’.

### 12 **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 this report, in accordance with the Council’s Constitution.

### 13 **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 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 13.
- 3) That authority be delegated to the Service Director (Legal, Governance and Monitoring) to make any changes to appointments in consultation with Group Business Managers, based upon revised proportions.

**14 Membership of Committees, Boards and Panel and Ratio of Substitutes Panel**

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

**RESOLVED –**

- 1) That the memberships, 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.
- 2) That authority be delegated to the Service Director (Legal, Governance and Monitoring) to make any changes to appointments in consultation with Group Business Managers, based upon revised proportions.

**15 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 be in accordance with the schedule at Agenda Item 15.

**16 Appointment of Members to Joint Authorities**

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

**RESOLVED –**

- 1) That Council appoint the Leader as Kirklees Council's Elected Member for the West Yorkshire Combined Authority (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 the Service Director – Legal, Governance and Commissioning, in consultation with the 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 the Service Director – Legal, Governance and Commissioning, in consultation with Group Business Managers, to nominate Members and substitutes to the WYCA Scrutiny Committee(s).
- 5) That Council delegate authority to the Service Director – Legal, Governance and Commissioning, in consultation with Group Business Managers, to:

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- a. confirm any relevant Portfolio Holder to be appointed, or
- b. make any additional/revised nominations

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, Heritage and Sports Committee
- 6) That Council delegate authority to the Service Director – Legal, Governance and Commissioning, in consultation with the Group Business Managers, to appoint a representative and substitute to the West Yorkshire Business Board (LEP)
  - 7) That in order to fill places on (i) West Yorkshire Fire and Rescue Authority, and (ii) West Yorkshire Police and Crime Panel, Council delegate authority to Group Business Managers for determination.
  - 8) 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.
  - 9) That authority be delegated to the Service Director (Legal, Governance and Monitoring) to make any changes to appointments in consultation with Group Business Managers, based upon revised proportions.

### 17 **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 the 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).

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- 4) That, Council delegate authority to the Leader, in consultation with Group Business Managers, to nominate one nominee and a substitute to the Yorkshire Purchasing Organisation (YPO) Management Committee and to nominate a Director to the associated limited company: YPO Procurement Holdings Ltd.
- 5) That authority be delegated to the Group Business Managers to determine which of the two appointed Members on Kirklees Active Leisure will be authorised, for the purposes of Member meetings (distinct from Director meetings), to exercise a vote, pursuant to Section 323 of the Companies Act 2006.
- 6) That authority be delegated to the Service Director (Legal, Governance and Monitoring) to make any changes to appointments in consultation with Group Business Managers, based upon revised proportions.

### 18 **Appointment of Spokespersons for 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 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 Member appointed by Council to the West Yorkshire Combined Authority will be the spokesperson for that body and its Committees.
- 3) That it be noted that the Member appointed to the post of Transport Engagement Lead on the WYCA Transport Committee will be the spokesperson for that body.
- 4) That it be noted that the spokespersons for the West Yorkshire Fire and Rescue Authority and West Yorkshire Joint Services Committee will be notified by those bodies.
- 5) That the appointed spokesperson for the West Yorkshire Adoption Joint Committee (One Adoption) be the relevant Cabinet Portfolio Holder.

### 19 **Appointment of Chairs of Committees, Boards and Panels**

**RESOLVED –** That the appointment of Chairs of Committees and Panels be in accordance with the schedule below;

Appeals Panel – Councillor Longstaff

Corporate Governance and Audit Committee – Councillor Taylor

District Wide Planning Committee – Councillor Ullah

Health and Wellbeing Board – Subject to Cabinet Appointment



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Licensing and Safety Committee – Councillor A U Pinnock  
Overview and Scrutiny Management Committee – Councillor Burke  
Personnel Committee – Councillor Scott  
Standards Committee – Councillor Armer  
Strategic Planning Committee – Councillor Homewood  
Statutory Officer Dismissal Committee – Councillor Scott  
Scrutiny Panel (Childrens) – Councillor Ali  
Scrutiny Panel (Environment and Climate Change) – Councillor Cooper  
Scrutiny Panel (Growth and Regeneration) – Councillor Amin  
Scrutiny Panel (Health and Adult Social Care) – Councillor J D Lawson