

Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

**At the Meeting of the Council of the Borough of Kirklees held at
on Wednesday 25 May 2022**

PRESENT

The Mayor (Councillor Masood Ahmed) in the Chair

COUNCILLORS

Councillor Karen Allison	Councillor Ammar Anwar
Councillor Bill Armer	Councillor Timothy Bamford
Councillor Cahal Burke	Councillor Aafaq Butt
Councillor Andrew Cooper	Councillor Moses Crook
Councillor Nosheen Dad	Councillor Paul Davies
Councillor Eric Firth	Councillor Charles Greaves
Councillor Adam Gregg	Councillor David Hall
Councillor Steve Hall	Councillor Tyler Hawkins
Councillor Lisa Holmes	Councillor James Homewood
Councillor Yusra Hussain	Councillor Manisha Roma Kaushik
Councillor Viv Kendrick	Councillor Musarrat Khan
Councillor Fazila Loonat	Councillor Gwen Lowe
Councillor Jo Lawson	Councillor John Lawson
Councillor Susan Lee-Richards	Councillor Vivien Lees-Hamilton
Councillor Aleks Lukic	Councillor Andrew Marchington
Councillor Naheed Mather	Councillor Harry McCarthy
Councillor Tony McGrath	Councillor Bernard McGuin
Councillor Matthew McLoughlin	Councillor Alison Munro
Councillor Carole Pattison	Councillor Shabir Pandor
Councillor Mussarat Pervaiz	Councillor Amanda Pinnock
Councillor Andrew Pinnock	Councillor Kath Pinnock
Councillor Darren O'Donovan	Councillor Jackie Ramsay
Councillor Elizabeth Reynolds	Councillor Mohammad Sarwar
Councillor Cathy Scott	Councillor Joshua Sheard
Councillor Will Simpson	Councillor Elizabeth Smaje
Councillor Anthony Smith	Councillor Richard Smith
Councillor Mohan Sokhal	Councillor Melanie Stephen
Councillor John Taylor	Councillor Mark Thompson
Councillor Graham Turner	Councillor Sheikh Ullah
Councillor Michael Watson	Councillor Paul White
Councillor Adam Zaman	Councillor Habiban Zaman

1 To Elect the Mayor for the ensuing year

It was moved by Councillor Nosheen Dad and seconded by Councillor Habiban Zaman;

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'That Councillor Masood Ahmed be hereby elected Mayor of the Council of the Metropolitan Borough of Kirklees for the Municipal Year 2022/2023, from now until his successor accepts office, and has signed the required declaration.'

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

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

(The Mayor, Councillor Masood Ahmed, took the Chair).

It was then moved by Councillor David Hall, seconded by Councillor Michael Watson and

RESOLVED –

- 1) That the thanks of the Council be tendered to Councillor Nigel Patrick for his service to the Office of Mayor for the 2021/2022 Municipal Year.
- 2) That the thanks of the Council be tendered to Mrs Judith Patrick for her services as Mayoress for the 2021/2022 Municipal Year.

2 To Appoint a Deputy Mayor for the ensuing year

It was moved by Councillor Anthony Smith and seconded by Councillor John Lawson;

'That Councillor Cahal Burke be hereby appointed as Deputy Mayor of the Council of the Metropolitan Borough of Kirklees for the 2022/2023 Municipal Year.'

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

3 Minutes of the Ordinary Meeting of the Council held on 16 March 2022

RESOLVED – That the Minutes of the Meeting of Council held on 16 March 2022 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 elections, held on 5 May 2022, 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 Anwar, Crook, Hawkins, J D Lawson, McCarthy, McGrath, Perry, Turner and A Zaman.

Council received tributes to former Councillors who had not been re-elected on 5 May 2022; Donna Bellamy, Robert Iredale and Terry Lyons.

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6 **Apologies for Absence**

Apologies for absence were received on behalf of Councillors P A Davies, D Firth, Perry, K Taylor and Warner.

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

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

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

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

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

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

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

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

RESOLVED –

- 1) That (i) the amendments made to the Constitution in the 2021/2022 municipal year, as set out at Appendix 1, and (ii) the approval of Safeguarding Policy be Cabinet, as set out at para. 2.04, be noted.
- 2) That approval be given to the amendment to the Policy Framework, as set out at para. 2.04, subject to agreement by Council for the inclusion of Cross Council Corporate Safeguarding Policy within the Policy Framework.
- 3) That approval be given to amendments to the Constitution as set out at paras. 2.08, 2.11, 2.12, 2.13, 2.14, 2.15, 2.16 and 2.22 of the considered report, and relevant appendices.
- 4) That it be noted that further work will be taken to review the Constitution.
- 5) That it be noted that further work will be undertaken in regards to the standards regime.
- 6) That authority be delegated to the Service Director (Legal, Governance and Commissioning) to make appropriate amendments to the Constitution, and any consequential amendments.

10 **Report of the Members' Allowances Independent Review Panel (Reference from Corporate Governance and Audit Committee)**

It was moved by Councillor Hussain, seconded by Councillor K Pinnock and

RESOLVED –

- 1) That Council conveys thanks to the Members Allowances Independent Review Panel, and notes the outcome of the report, as attached at Appendix A of the report.
- 2) That approval be given to the incorporation of the role of Lead Councillor – Primary Care Networks and Local Health Improvement (9 localities) into the

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Members Allowance Scheme, replacing the existing 7 Place Partnership Lead Councillors.

- 3) That a review of the new role profile be undertaken after 6 months and that the review include the accountability of those in lead roles, having regard to any learning from the Place Based working role, and that a report be submitted to Corporate Governance and Audit Committee.

11 **Meetings of Council 2022/2023 (Reference from Corporate Governance and Audit Committee)**

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

RESOLVED – That the schedule of meetings of Council for the 2022/2023 municipal year, as set out within the considered report, be approved.

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 set out within the considered report, for the 2022/2023 municipal year.

13 **Allocation of Seats**

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

‘That the requirements of Section 15 and 16 of the Local Government and Housing Act 1989 shall not apply to the Corporate Parenting Board, Corporate Governance and Audit Committee, Overview and Scrutiny Management Committee and Health and Wellbeing Board, for the ensuing year.

Whereupon, it was moved by Councillor Watson that a separate vote be taken upon the non-application of Sections 15 and 16 to Corporate Governance and Audit Committee. Upon being put to the vote, it was requested by Councillor Pandor under the provisions of Council Procedure Rule 24(3) that the vote be taken by recorded vote.

Under the provision of Council Procedure Rule 24(3), a recorded vote was taken as follows;

For: Councillor Pandor

Against: Councillor D Hall

As one vote was cast (prior to the completion of the recorded vote of all members present) against the non-application of Sections 15 and 16 to Corporate Governance and Audit Committee, in accordance with Section 17 of the 1989 Act and Regulation 20 of the Local Government (Committee and Political Groups) Regulations 1990, the matter was therefore carried and it was moved by Councillor D Hall, seconded by Councillor Watson and

RESOLVED – That authority be delegated to Group Business Managers to determine the membership of Corporate Governance and Audit Committee, based upon the application of proportional membership.

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It was then further **RESOLVED** that;

- 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, 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, subject to the amendment of Corporate Governance and Audit Committee to reflect a proportional membership.

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

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

RESOLVED - That the Membership of Committees, Boards and Panels be as set out in the tabled report, and that the allocation of any vacant positions or subsequent amendments be delegated to Group Business Managers.

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 for the 2022/2023 municipal year be in accordance with the schedule as set out at Agenda Item 15.

16 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.
- (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 and 1 transport portfolio holder 3:1).
- (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

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as a substitute for another member, from the same district and political group, on any of the three committees 5:2:1:1)

- (5) That Council note that the WYCA Leeds City Region Partnership Committee is no longer established.
- (6) That Council delegate authority 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 WYCA Committee or Panel, as requested by WYCA, after this Council's annual meeting and that it be noted that this Council 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 and (v) Culture, Arts and Creative Industries Committee.
- (7) That Council delegate authority to the Chief Executive to appoint a local authority representative and substitute to the LEP Board.
- (8) That authority be delegated to Group Business Managers to determine the appointment to places on West Yorkshire Fire and Rescue Authority and its Committees, and West Yorkshire Police and Crime Panel.
- (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.

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 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 authority be delegated 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) to 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 Council for the

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

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 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.

19 **Appointment of Chairs of Committees and Lead Councillors - Primary Care Networks and Local Health Improvement**

RESOLVED – That Chairs of Committees and Panels, and Lead Councillors – Primary Care Networks and Local Health Improvement, be appointed as follows for the 2022/2023 Municipal Year;

Appeals Panel – Councillor E Reynolds

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 J D Lawson

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 Marchington

Scrutiny Panel (Corporate) – Councillor J Taylor

Scrutiny Panel (Economy and Neighbourhood) – Councillor Y Hussain

Scrutiny Panel (Health and Adult Social Care) – Councillor J Ramsay

Primary Care Network and Local Health Improvement – Spen –
Councillor L Holmes

Primary Care Network and Local Health Improvement – Batley and Birstall –
Councillor H Zaman

Primary Care Network and Local Health Improvement – Three Centres – Councillor
Anwar

Primary Care Network and Local Health Improvement – Dewsbury and Thornhill –
Councillor Dad

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Primary Care Network and Local Health Improvement – The Valleys – Councillor Greaves

Primary Care Network and Local Health Improvement – The Mast – Councillor Armer

Primary Care Network and Local Health Improvement – Viaduct – Councillor Allison

Primary Care Network and Local Health Improvement – Greenwood – Councillor Homewood

Primary Care Network and Local Health Improvement – Tolson – Councillor Hawkins