

Holme Valley Parish Council

DRAFT MINUTES OF THE ANNUAL MEETING OF HOLME VALLEY PARISH COUNCIL MONDAY 19 MAY 2025

IN THE CHAIR: Cllr Pat Colling (Chair 2024-25) for item 2526 01 and then Cllr Glenn Kirkby (Chair 2025-26)

PRESENT:

Cllr Isaac Barnett
Cllr Lawrence Baylin
Cllr Mary Blacka
Cllr Pat Colling
Cllr Harry Davis
Cllr Tom Dixon
Cllr Donald Firth
Cllr Charles Greaves
Cllr Chris Green
Cllr Jenny Holmes
Cllr Glenn Kirkby
Cllr Jo Liles
Cllr Alison Morgan
Cllr Hugh Osborne
Cllr Steve Ransby
Cllr Martin Rostron
Cllr Jane Rylah
Cllr Tricia Stewart
Cllr Sarah Whitelaw

APPROVED APOLOGIES & REASONS: Cllr Donna Bellamy, Cllr Damian Brook, Cllr Andrew Fenwick, Cllr Andy Wilson.

TAKING MINUTES: Jen McIntosh (Clerk)

IN ATTENDANCE: Rich McGill (Deputy Clerk/RFO), Gemma Sharp (Assistant Clerk)

DRAFT MINUTES

Council held a minute's silence to mark the passing and funeral of Mr Greg Cropper, Councillor for 3 terms and Chairman 2017-18, whose funeral was held Tuesday 13 May 2025.

Public Question Time including a welcome and brief report from the Chair 2024-25, Cllr Pat Colling

No members of the public were present.

Cllr Colling gave a brief report on her year as Chair, stating that she was proud of what the Council had achieved in serving the community and taking action rather than just talking. She had enjoyed her year in office, particularly meeting colleagues from other parish councils. She thanked every councillor for their hard work and contributions.

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ANNUAL COUNCIL PROCEDURAL MATTERS

2526 01 Installation of Chair

Cllr Charles Greaves arrived as Cllr Colling was introducing this item.

Cllr Glenn Kirkby and Cllr Donna Bellamy received nominations as chair.

ELECTED: Cllr Glenn Kirkby was elected as Holme Valley Parish Council Chair for 2025-26.

A councillor alerted the Chair to the disrespect shown by another councillor sat opposite who had said 'It's a joke' during the vote. Cllr Colling, still in the Chair, directed that any show of disrespect to the procedures in hand must stop.

Cllr Kirkby was applauded, invested with the Chain of Office, photographed and signed the Declaration of Acceptance of Office.

Cllr Kirkby took the Chair and returned thanks for his election and thanked the retiring Chair, Cllr Pat Colling, for doing a wonderful job over the previous 12 months.

Cllr Colling replied, stating that she could not have fulfilled her role as Chair without the support of each and every councillor. She then thanked the clerking team in particular for being supportive and informative.

2526 02 Installation of Vice Chair

ELECTED: Cllr Lawrence Baylin was elected unopposed as Vice Chair for the remainder of the Council year.

Cllr Baylin was presented with the Vice Chair's Jewel and thanked the Council for his election and also thanked the retiring Vice Chair, Cllr Tom Dixon, who had completed sterling work in the role.

His remarks were met with a round of applause.

2526 03 Recording of public meeting

The meeting was recorded for public broadcast via the HOLME VALLEY PARISH COUNCIL YouTube channel.

No other requests to record the meeting were received.

2526 04 Items to be heard in private session

There were no requests to hear any items in private session.

2526 05 Apologies and reasons for absence

Apologies and reasons had been circulated prior to the meeting starting.

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The Clerk reported that a verbal apology and reason from Cllr Andy Fenwick had been passed to her shortly before the meeting started which she had not been able to distribute before the meeting.

APPROVED: apologies and reasons for absence were approved for Cllr Andy Wilson, Cllr Donna Bellamy, Cllr Damian Brook and Cllr Andy Fenwick.

2526 06 Receipt of written Declaration of Pecuniary and Other Interests

No revised written declarations of pecuniary and other interests had been received.

The Clerk reminded councillors that the upcoming item 2526 20 asked for all councillors to update their written declaration of pecuniary and other interests.

Councillor (1) sought clarification as to what more precisely a 'pecuniary' interest might mean. He had raised this with the Clerk shortly before the start of the meeting. In the specific circumstances that he held shares that he could not sell and received no income from why would this constitute a pecuniary interest? He went on to give an example of what he considered an anomaly in that if he was part of a pressure group that campaigned against a development neighbouring his property because of a perceived impact on the financial value of his property that appeared to not be treated as a pecuniary interest.

The Clerk stated that pecuniary interests were defined in the Code of Conduct. She would not wish to elaborate on that but could seek further advice from the YLCA on the matter.

It was queried by Councillor (2) as to were not all interests to be treated as pecuniary interests and had this not been covered in the whole Council training of 24 September 2024?

It was explained by the Clerk that the Code of Conduct made reference to 'pecuniary and other interests' and that in certain circumstances 'other' interests could be dealt with differently.

Councillor (2) went on to give an example of a pecuniary interest that they had from which they derived no monetary benefit but which in their view still needed to be declared as a pecuniary interest.

The Clerk stated that this issue had been dealt with in some detail at the whole Council training that had taken place. She could send out the slides/notes from that training.

Councillor (3) said that the scenario set out by councillor (2) was not entirely what was said by the trainer.

An **ACTION** for the Clerk was to send out training information about declaration of interests delivered as part of whole Council training on 24 September 2024.

A further **ACTION** for the Clerk was to seek YLCA advice as to the examples raised.

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2526 07 Declaration of interests in agenda items

Cllr Whitelaw declared an 'other' interest in item 2526 17 (a grant application) as a Director of Valleys Anchor and Secretary of Holme Valley South Labour Party on the basis that both of those organisations had given grants to the grant applicant.

Cllr Whitelaw requested a dispensation for the meeting to speak to and vote in any motion regarding the item.

The Clerk said that written dispensations formed a later item. A request such as that made by Cllr Whitelaw could be considered by Council. She advised that such a request be treated as two separate requests – consideration of permission to speak to the item and consideration of permission to vote.

Councillor (2) stated that she could not understand why the grant in item 2526 17 was on the agenda as it was not an 'emergency' as other grants that had been considered outside of the usual cycle were. Further to this, she felt that a number of councillors should not be able to vote on the application as they had a conflict of interest that they ought to have declared.

Councillor Whitelaw stated that the event in question was supported by a number of groups as a community initiative and not for political reasons. She was supported in this by Councillor (4) who stated that it was the business community who were leading the development of this event.

Councillor (5) spoke on a different matter; the Chair stated that whilst he understood the concerns expressed, he asked all councillors to confine remarks to the agenda item under consideration.

Councillor (2) replied by saying that whilst she was not against the event promoted in the grant application she believed that the rules were the rules and should be applied.

The Chair moved to a vote on two separate motions.

APPROVED: A dispensation was granted to Cllr Whitelaw for the meeting to speak to any motion regarding item 2526 17.

Councillor (6) asked Cllr Whitelaw to explain what interests she held in the matter again and she stated that she had an interest as a Director of Valleys Anchor and as Secretary of Holme Valley South Labour Party on the basis that both of those organisations had given grants to the grant applicant for this event.

APPROVED: A dispensation was granted to Cllr Whitelaw for the meeting to vote in any motion regarding item 2526 17.

Councillor (6) recalled that the YLCA trainer had said that where members were not sure about whether an interest constituted a 'pecuniary or other' interest then it was best to err on the side of caution and not speak.

Cllr Ransby declared that he was a director of Holmfirth Forward, the organisation applying for the grant under item 2526 17 and as such would not be speaking to the item in question or voting.

The Clerk reflected on the comments made. Cllr Whitelaw had declared an 'other' interest and the Council had seen fit to approve dispensations allowing her to both speak and vote. It was clear that

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Holme Valley South Labour had given a grant to the grant applicant under consideration in item 2526 17. It was therefore for councillors who were members of HVS Labour to consider – did that represent a declarable interest for each of them? It was for each individual member to decide.

Councillor (7) said that if it did constitute an interest then it would put them off getting involved in anything that had the remotest possibility of coming to Council. The training said that declaring interests was a matter of conscience for each councillor.

Councillor (2) repeated their view that every member of HVS Labour ought to be declaring an interest in item 2526 17.

The Chair stopped the discussion at this point, concluding by saying that a vote had been taken and that it was time to move on.

Cllr Tricia Stewart declared that she was related to Holme Valley South Councillor Mo Crook.

There were no further declarations.

2526 08 Standing Committees 2025-26

A final collated Committee Preference Form was circulated at the meeting.

Two of the committees had a number of councillors willing to serve which exceeded the maximum number allowed under existing Standing Orders.

The Clerk had sent out information about the options open to the Council with regards to this situation alongside guidance sought from YLCA. This information would be appended to minutes.

An **ACTION** for the clerk was to append the information referred to to the draft minutes once produced.

RESOLVED: to bring forward consideration of Standing Orders 2025-26 and Scheme of Delegation 2025-26 from item 2526 11 and amend to allow up to 23 members for each committee.

There was a detailed discussion of the pros and cons of a motion to amend Standing Orders to allow up to 23 members on each committee, resulting in two proposed amendments. The amendments were considered first and were not carried.

APPROVED: that Standing Orders 2025-26 and Scheme of Delegation 2025-26 be amended to state that each committee should have membership of up to 23 councillors and be otherwise approved.

Membership of committees.

- 1) **APPROVED:** establishment of the Finance and Management Committee 2025-26 as 18 members with a quorum of 6 as follows:

1. Cllr Andy Wilson
2. Cllr Pat Colling
3. Cllr Tricia Stewart
4. Cllr Jenny Holmes

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5. Cllr Mary Blacka
6. Cllr Hugh Osborne
7. Cllr Alison Morgan
8. Cllr Martin Rostron
9. Cllr Isaac Barnett
10. Cllr Donna Bellamy
11. Cllr Harry Davis
12. Cllr Lawrence Baylin
13. Cllr Sarah Whitelaw
14. Cllr Chris Green
15. Cllr Glenn Kirkby
16. Cllr Damian Brook
17. Cllr Jo Liles
18. Cllr Jane Rylah

- 2) **APPROVED:** establishment of the Planning Committee as 8 members with a quorum of 3 as follows:

1. Cllr Andy Wilson
2. Cllr Mary Blacka
3. Cllr Isaac Barnett
4. Cllr Tom Dixon
5. Cllr Steve Ransby
6. Cllr Jo Liles
7. Cllr Donald Firth
8. Cllr Harry Davis

- 3) **APPROVED:** establishment of the Service Provision Committee 2025-26 with 20 members and a quorum of 7 as follows:

1. Cllr Andy Wilson
2. Cllr Pat Colling
3. Cllr Tricia Stewart
4. Cllr Jenny Holmes
5. Cllr Mary Blacka
6. Cllr Hugh Osborne
7. Cllr Alison Morgan
8. Cllr Martin Rostron
9. Cllr Isaac Barnett
10. Cllr Donna Bellamy
11. Cllr Harry Davis
12. Cllr Lawrence Baylin
13. Cllr Tom Dixon
14. Cllr Steve Ransby
15. Cllr Chris Green
16. Cllr Glenn Kirkby
17. Cllr Damian Brook
18. Cllr Jo Liles
19. Cllr Donald Firth
20. Cllr Sarah Whitelaw

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2526 09 Office Holders 2025-26

Office holders were appointed for 2025-26 in accordance with Standing Orders as follows:

- 1) **ELECTED:** Cllr Pat Colling as Chair of the Finance and Management Committee.
- 2) **ELECTED UNOPPOSED:** Cllr Andy Wilson as Chair of the Planning Committee.
- 3) **ELECTED:** Cllr Alison Morgan as Chair of the Service Provision Committee.

The appointment of Vice Chair of each of the Finance and Management Committee, the Planning Committee and the Service Provision Committee was delegated to the next meeting of those committees.

The appointment of the Chair of the Staffing Committee was included in item 2526 11 and would follow consideration of the membership of the Staffing Committee.

Cllr Mary Blacka would continue to be the Staff Performance and Development Lead as she was appointed last year by the Staffing Committee and the appointment was for 2 years.

2526 10 The Staffing Committee 2025-26

ELECTED: The Staffing Committee consisting of 7 members including:

- Chair of Council - Cllr Glenn Kirkby
- Vice Chair of Council - Cllr Lawrence Baylin
- Past Chair of Council – Cllr Pat Colling
- Chair of Planning Committee – Cllr Andy Wilson
- Chair of Service Provision Committee – Cllr Alison Morgan
- Staff Performance & Development Lead - Cllr Mary Blacka

In line with Standing Orders one further member remained to be appointed once a Vice Chair of Finance and Management Committee was decided.

This would be considered at the next FULL COUNCIL meeting on 23 June 2025 after a Vice Chair of FINANCE AND MANAGEMENT COMMITTEE had been appointed.

APPOINTED: Cllr Pat Colling (Chair of Council 2024-25) as Chair of the Staffing Committee.

ACTION for the Clerk to include appointment of the Vice-Chair of FINANCE AND MANAGEMENT COMMITTEE as a member of the STAFFING COMMITTEE 2025-26 on the FULL COUNCIL agenda for 23 June 2025.

2526 11 Council Policies

HVPC Standing Orders 2025-26 and HVPC Scheme of Delegation 2025-26 had been brought forward, **APPROVED** and minuted as part of **item 2526 08**, subject to agreed amendments being made.

The Council had been provided with a checklist of policies which could be viewed on the HVPC website as indicated.

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APPROVED: HVPC Financial Regulations 2025-26 and HVPC Code of Conduct 2025-26 as presented and all other policies available on the HVPC Website as listed in the checklist presented.

2526 12 Representatives to Outside Bodies 2025-26

The Parish Council's representatives to outside bodies were considered for the Council Year 2025-26.

RESOLVED: to appoint two representatives to Holmfirth Forward, the additional representative being Cllr Donald Firth as reflected in the list below.

APPROVED: the Parish Council's representatives to outside bodies for 2025-26 as presented below.

Outside Body	Representative(s) 2025/26
YLCA Branch meeting representatives x 2 (with permission to vote) (FULL COUNCIL)	Cllr Glenn Kirkby Cllr Lawrence Baylin
Brockholes Village Trust (FINANCE AND MANAGEMENT COMMITTEE)	Cllr Andrew Fenwick
Holmfirth Civic Hall Community Trust (FINANCE AND MANAGEMENT COMMITTEE)	Cllr Andy Wilson Cllr Steve Ransby
Holmfirth Conservation Group (PLANNING COMMITTEE)	Cllr Jo Liles
Friends of Honley Library (FINANCE AND MANAGEMENT COMMITTEE)	Cllr Glenn Kirkby Cllr Alison Morgan
Kirklees Rights of Way Forum (PLANNING COMMITTEE)	Cllr Harry Davis
Peak Park Parishes Forum (FULL COUNCIL)	Cllr Sarah Whitelaw
Holme Valley Climate Action Partnership (HVCAP) (FULL COUNCIL)	Cllr Chris Green
Kirklees Place Standards (Holmfirth Centre Planning Group) (FULL COUNCIL)	Cllr Andy Wilson
Holmfirth Forward (PLANNING)	Cllr Lawrence Baylin Cllr Donald Firth

An **ACTION** for the Clerk was to verify that Cllr Andy Fenwick, absent from the meeting, was still willing to be representative appointed to Brockholes Village Trust. If he was not available for this role Cllr Jo Liles was to be the representative.

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2526 13 To appoint Authorised Signatories under the Bank Mandates

Bank mandatees were reviewed in the light of the appointment of role-holders for 2025-26.

APPOINTED: bank mandatees as follows:

- (1) Unity Trust Bank - the main Current Account T2 and the Instant Access Account - **Cllr Kirkby, Cllr Baylin, Cllr Colling, Cllr Wilson, Cllr Morgan.**
- (2) HSBC Current Account and Business Money Manager Account - **Cllr Colling, Cllr Dixon, Cllr Wilson, Cllr Blacka, Cllr Baylin.**
- (3) CCLA Public Sector Deposit Fund – **Cllr Glenn Kirkby, Cllr Pat Colling.**

TO CONFIRM THE MINUTES OF THE PREVIOUS PARISH COUNCIL MEETINGS

2526 14 Minutes of Full Council meetings

APPROVED: the Minutes of the FULL COUNCIL Meeting held on 24 March 2025 numbered 2425 171 to 2425 206.

APPROVED: the Minutes of the EXTRAORDINARY MEETING OF THE FULL COUNCIL held on 14 April 2025 numbered 2425 207 to 2425 214.

The Clerk apologised that outstanding matters had not been itemised on the agenda. This was an oversight on her part.

The Clerk presented a brief verbal report regarding ongoing matters arising from the above minutes which did not appear under other agenda items.

These were:

- i. Updating of Ward Asset Registers and establishing an electronic copy available to councillors.
- ii. Producing an overview of councillor training 2024-25.
- iii. Updating the Action Plan, last considered in December 2024.

The Clerk explained that lack of time between the previous FULL COUNCIL and EXTRAORDINARY COUNCIL meetings and the ANNUAL COUNCIL meeting had prevented some of the outstanding matters being progressed.

They had not been forgotten and remained **ACTIONS** for the Clerk.

A councillor referred to the earlier EXTRAORDINARY COUNCIL resolution to hold a joint meeting between HOLME VALLEY PARISH COUNCIL and HOLMFIRTH CIVIC HALL COMMUNITY TRUST. This was time-sensitive.

The Clerk confirmed that agreeing a date for the meeting remained an **ACTION**.

THE COMMITTEE MINUTES UNDER DELEGATED POWERS

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2526 15 Minutes of Standing Committee meetings

APPROVED: the Minutes of the SERVICE PROVISION COMMITTEE Meeting held on 24 February 2025 numbered 2425 69 to 2425 89.

APPROVED: the Minutes of the FINANCE AND MANAGEMENT COMMITTEE Meeting held on 3 March 2025 numbered 2425 93 to 2425 111.

APPROVED: the Minutes of the CLIMATE ACTION COMMUNICATIONS AND ENGAGEMENT COMMITTEE Meeting held on 10 March 2025 numbered 2425 103 to 2425 123.

APPROVED: the Minutes of the STAFFING COMMITTEE Meeting held on 17 March 2025 numbered 2425 32 to 2425 43.

NOTED: the Minutes of the PLANNING COMMITTEE Meeting held on 31 March 2025 numbered 2425 211 to 2425 228 **APPROVED** at the meeting of the PLANNING COMMITTEE Meeting held on 28 April 2025.

APPROVED: the Minutes of the PLANNING COMMITTEE Meeting held on 28 April 2025 numbered 2526 01 to 2526 19.

2526 16 Standing item – the Climate Emergency

The Clerk explained that **item 2526 30 CACE Committee handover** was an opportunity to look in more detail at the Council's current projects concerning climate action.

Council was reminded that all items on the agenda should be viewed where appropriate through the lens of the Climate Emergency the Council had previously declared and to consider how actions and decisions to be taken for all following items reflect/impact on the Climate Emergency.

GRANT APPLICATION FROM HOLMFIRTH FORWARD

2526 17 Grant Application from *Holmfirth Forward*

Holmfirth Forward wished the Parish Council to consider a grant application for a Community Benefit grant for £300 to support the Holmfirth Pride event due to take place in June 2025.

The Clerk clarified that she had placed the item on the FULL COUNCIL agenda even though it was outside of the normal grant cycle because it was time-sensitive. It was for the Council to decide whether or not it wished to consider the application.

The Clerk stated that concerns had been raised with her prior to the meeting about the origins of the grant application (which other bodies were sponsoring the application) and possible conflicts of interests.

Three councillors spoke in favour of considering the application before the Council moved to a vote.

RESOLVED: to allow consideration of a grant application for up to £300 from General Reserves towards DJ costs to facilitate Holmfirth Pride Day on 7 June 2025.

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Council then moved to vote on whether to support the application.

APPROVED: a grant application for up to £300 from General Reserves towards DJ costs to facilitate Holmfirth Pride Day on 7 June 2025.

FINANCIAL MATTERS

2526 18 Council Finances – 2024-25 outturn, Budget 2025-26 and expenditure to date 2025-26

The Deputy Clerk/RFO reported that the budget out-turn 2024-25 reflected how the out-turn stood on 31 March 2025. There was still work to do with regards to ensuring all transactions were assigned to the correct financial year before accounts for 2024-25 could be finalised for the Annual Governance and Accounting Return (AGAR).

With regards to the 2025-26 budget, projected income stood at £470,245 of which £447,780 came from the Precept. Projected expenditure was expected to be £406,998 meaning that a surplus of £63,247 at the end of 2025-26 was projected. The surplus represented a necessary boost to General Reserves.

With regards to the Year-to-date budgets/ income and expenditure 50% of the Precept had been received on 1 May 2025. Some recent expenditure needed to be reported as part of the 2024-25 accounts.

NOTED: budget reports received as presented.

2526 19 Schedule of Payments

The Schedule of Payments for April 2025 and the month-to-date Schedule of Payments for May were presented by the Deputy Clerk/RFO.

NOTED: Schedule of Payments for April 2025.

APPROVED: Schedule of Payments for month-to-date May 2025.

MATTERS RESERVED FOR FULL COUNCIL

2526 20 Annual update of Declarations of Pecuniary Interest

It was resolved on 26-06-2023 at Annual Council that all councillors would update their DPI annually.

Fresh forms had been distributed around the room.

An **ACTION** for the Clerk was to email out an electronic blank copy with the new Council logo on, existing DPIs and the slides from the whole council training on declaring interests.

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Following discussion, the Clerk suggested councillors deferred revising written DPIs until they had received any guidance forthcoming from YLCA on the definition of a 'pecuniary interest'.

A councillor stated that whilst councillors could complete written DPIs and so be transparent about their interests, written dispensations could then be considered to allow councillors to speak to and vote on matters where their declared interests were not pecuniary and had no additional benefit for them as individuals than for any other person. This was of relevance for agenda **item 2526 21 Arrangements for written dispensation.**

The Clerk requested that members complete their annual update to their written declaration of pecuniary and other interests and that these are returned to her completed, signed and dated at the meeting itself or as soon as possible after YLCA advice on pecuniary interests had been distributed.

NOTED: all councillors to complete a fresh written Declaration of Pecuniary Interest for the Council Year 2025-26 and return to the Clerk.

2526 21 Arrangements for written dispensations

An **ACTION** for the Clerk from FULL COUNCIL on 24 March 2025 was to secure written dispensations from councillors appointed as HVPC representatives to organisations at the ANNUAL COUNCIL Meeting on 19 May 2025.

Where members have an ongoing pecuniary or other interest in an item that was likely to feature in a substantial number of meetings then it was possible to complete a written dispensation to cover a period of time.

A dispensation form to be used for that purpose was presented.

The Clerk stated that whilst Standing Order 13 enabled written dispensations to be received by the Clerk she would as a matter of routine present any such dispensations to Council for consideration.

A Kirklees ward councillor explained Kirklees approach to issuing written dispensations. The Clerk explained that during her tenure to date written dispensations had not been made use of but, as set out in Standing Orders, the provision was there for them to be used.

2526 22 Annual signing of register acknowledging the Code of Conduct

It was resolved on 26-06-2023 that all councillors would sign a separate register at the Annual Council meeting or at the next opportunity to acknowledge that they are in receipt of, understand and continue to sign up to the Code of Conduct. This was a recommendation from Internal Audit.

The register for signing was available at the meeting.

NOTED: all councillors present had signed the register acknowledging receipt of and adherence to the Code of Conduct.

Those councillors absent from the meeting were to be invited to sign the register at their next attendance at a council meeting.

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2526 23 Referrals to the Monitoring Officer

The Kirklees Monitoring Officer had reported to the Clerk that there were no referrals currently under consideration.

NOTED: that no referrals were currently under consideration by the Kirklees Monitoring Officer.

2526 24 Establishment of a Communications and Engagement Sub-Committee

The Clerk reported that it had been intended to establish a Communications and Engagement Sub-committee at the meeting as part of the agenda item. However, research to resolve issues regarding committee membership had revealed that the Council could appoint standing committees and working groups but not sub-committees. Only a committee could appoint a sub-committee.

This interfered with the Council's intention to establish a Communications and Engagement Sub-committee.

A possible solution, discussed between the Clerk and the Assistant Clerk, was to have any such sub-committee report to the Finance and Management Committee. A councillor stated that this directly contradicted the stated aim to cut down layers of bureaucracy in achieving communications and engagement objectives.

Another councillor suggested that the sub-committee could be termed a working group and report directly to Full Council as intended. The Clerk advised that working groups were generally task-oriented.

Further discussion was had and an **ACTION** for the Clerk was to research and report back on the legal basis for the situation she had described (ie Council being not able to appoint a subcommittee).

The matter was returned to at the end of **item 2526 25** and a motion considered to establish a working group to commence working whilst the issue over whether a Sub-committee could report to Full Council was investigated further.

RESOLVED: to establish a Communications and Engagement Working Group reporting to Full Council.

Members to include Cllr Whitelaw, Cllr Baylin, Cllr Colling, Cllr Kirkby and Cllr Holmes.

An **ACTION** for the Assistant Clerk was to contact councillors who were not at the meeting to see if they wished to be members and to contact all members regarding establishing a date and time for the first meeting.

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2526 25 Publication on the Holme Valley Parish Council website of direct contact details for individual councillors

The agenda notes reported that the Parish Council had received a request from a member of the public to display full contact details for all councillors, including personal mobile phone numbers and home addresses, on the HVPC website.

Currently, only councillors' HVPC email addresses were publicly listed as standard. Home addresses were currently redacted in the DPI and not published on the website.

Historically, the Council had displayed this information but over time as newer councillors had come in, personal contact details had not been added in line with advice from Kirklees.

When transitioning to the new website, personal contact details were not migrated, as only a small number of current councillors had previously shared this information.

At present, there was no formal resolution or policy in place regarding the publication of councillor contact details.

In their considerations of the matter councillors were asked to be aware that:

1. A member of the public had raised this matter with the Council.
2. Nationally, practice varies from council to council.
3. The Council did not provide mobile phones.
4. Contact could be made with the clerk team through the website, via clerk team email addresses which were widely publicised and via the direct phone line which had voicemail. The clerk team regularly put members of the public in touch with ward councillors.
5. In recent years, both nationally and locally, there had been reports of intimidation and abuse directed towards candidates and councillors by members of the public.
6. Changes in legislation allowed councils to withhold personal details where concerns existed regarding intimidation, abuse, or violence against councillors.

A councillor referred to by the member of the public spoke to the issue, the pertinence of points 3, 4, 5 and 6 above, and proposed a motion from a number of alternative approaches outlined.

RESOLVED: that HVPC not publish personal contact details for councillors, only their HVPC means of contact, as is the current practice.

This meant that councillors could be contacted via their councillor email address or via the office and the clerking team would pass on any messages.

2526 26 Councillor training – evaluations received

Brief written evaluations of training undertaken since 24 March 2025 were presented.

NOTED: Evaluations of councillor training undertaken since 24 March 2025.

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2526 27 Review of the lease held by the Holmfirth Civic Hall Community Trust

It was reported to the Council that the Working Group had used advice from VAT specialists the Parkinson Partnership to determine a direction of travel with regards to reviewing the lease held by Holmfirth Civic Hall Community Trust (HCHCT).

The series of motions considered reflected that direction of travel and, once approved by the Council, would lead to the drawing up of a lease and memorandum of understanding. It was hoped to have a completed lease prepared for approval at the Council meeting on Monday 8 September 2025.

A significant element of any new lease would be that it was to be a non-business lease, meaning that the Council would make no charges to the Trust and would take on the commissioning of works under the 10-year programme.

The Council would be able to reclaim VAT on all such works commissioned.

Members of the working group referred to the work that had been put into reaching this point and recommended the motions to the Council for consideration.

The Clerk further reported that the third motion to be considered was 'in principle' and did not stipulate a monetary amount as yet. This was because work needed to be carried out on behalf of the Council to understand HCHCT's finances better, including what the annual running costs were and what level of reserves the Trust should be building up to ensure sustainability. A figure could be settled upon once that work was complete. For guidance only, the Working Group estimated that the running costs figure could be in the region of £25,000.

APPROVED each of the following:

1. Recommendation from the Working Group to draw up a new non-business lease with HCHCT, including:
 - i. Stipulation that this be a 30-year rolling lease, to be reviewed every 5 years;
 - ii. Robust break clauses for both HVPC and HCHCT;
 - iii. Stipulation that HVPC is responsible for the 10-year programme of works drawn up by Mosedale Gillet and for any other structural repairs that may be required;
2. Recommendation from the Working Group to draw up a memorandum of understanding to cover matters which should be excluded from the lease such as the relationship between HVPC and HCHCT.
3. Recommendation from the Working Group to include in principle in the lease a running costs grant to be given annually to cover utilities and energy costs, minor repairs and cleaning costs.

2526 28 The purchase and use of a Parish Flag

Cllr Isaac Barnett introduced a motion to purchase a flag of the Holmfirth coat of arms for display at the Civic Hall, Holmfirth, and also to replace the damaged Union Flag currently flown.

Published guidance regarding flag-flying had been included in papers for the meeting.

Holme Valley Parish Council

Background: the Holme Valley Parish Council had a proud identity and heritage, symbolised through its official crest/coat of arms. Displaying the flag at the Civic Hall would foster a greater sense of community pride and civic presence (for example; similar to Dewsbury, Chorley and York). It would also visually reinforce the Parish Council's role in public life and enhance the dignity of events held at the Civic Hall.

Costs: The proposal was to replace the Union flag with one to be purchased from Flying Colours for £165 (anti fray netting) and also to purchase the Holmfirth crest/ coat of arms from Flying Colours for up to £198.60 resulting in expenditure of up to £363.60 (with the possibility of a £5 discount for a first order).

The Clerk reported via agenda notes that the Civic Trust applied for planning permission regarding the flagpole and owned the Union flag used at the moment.

In line with guidance the Union flag was the flag flown throughout the year.

The Civic Trust also had the Yorkshire and St George's flags which were flown on their appropriate days, 1 August and 23 April.

An objection to the project was that the flag was the Holmfirth flag and did not represent the Holme Valley.

RESOLVED: that the following motions be considered by the Communications and Engagement Working Group as part of the Council's wider engagement and branding strategy.

1. That the Parish Council commissions and purchases a high-quality flag featuring its official coat of arms.
2. That the flag be flown at Civic Hall, Holmfirth on either daily or civic occasions and at other times as deemed appropriate by the Clerk or Chair of the Parish Council.
3. That a modest budget of up to £400 be allocated from General Reserves for the procurement of the coat of arms flag and replacement of the Union flag and any necessary fittings or fixtures required.
4. That the Clerk be authorised to make the necessary arrangements.
5. Any other matter related to flags.

REFERRALS FROM STANDING COMMITTEES

STAFFING COMMITTEE

2526 29 Pay award for a member of the Clerk Team

On Saturday 3 May 2025 the Deputy Clerk/RFO received notification that he had been awarded the Certificate in Local Council Administration (CILCA).

The Council applauded the Deputy Clerk/RFO for his achievement.

A pay award of one incremental point was **APPROVED** in principle for the Deputy Clerk/RFO by the STAFFING COMMITTEE at its meeting on 17-3-2025, payable from the date the qualification was obtained in line with contractual entitlements.

Holme Valley Parish Council

NOTED: the Deputy Clerk/RFO was awarded the Certificate in Local Council Administration on 3 May 2025.

NOTED: The Council congratulated the Deputy Clerk/RFO on being awarded CiLCA.

CLIMATE ACTION, COMMUNICATIONS AND ENGAGEMENT COMMITTEE

2526 30 CACE Committee – handover

The Chair of the Climate Action, Communications and Engagement Committee 2024-25 presented the Handover document/ recommendations to Full Council. This constituted a thorough review of projects begun or planned by the CACE Committee and their current status. Given that the Council was now halfway through its term of office this was an ideal time to review priorities.

The Council Structures Review Working Group provided the ideal forum to consider the paper.

Some of the projects would fall into the remit of the Service Provision Committee and were being taken forward there.

CORRESPONDENCE

2526 31 Reports from Kirklees Ward Councillors

An action for the Clerk from the CLIMATE ACTION, COMMUNICATIONS AND ENGAGEMENT COMMITTEE meeting of 23 October 2023 was to add a standing item on FULL COUNCIL agendas for Kirklees Councillors who were also Parish Councillors to report back on relevant activity and news from Kirklees.

The agenda had been shared with all Kirklees Ward Councillors from Holme Valley South and Holme Valley North to invite any feedback from them regarding news from Kirklees.

During the item Standing Orders were suspended to allow the meeting to conclude the business after 9pm.

Cllr Rylah (HVS) reported on the following Kirklees projects:

- The Healthy Child Programme (£8.1 million)
- Highways (£20.8 million expenditure projected)
- The Local Electric Infrastructure Fund (£2.5 million investment plus private providers)
- The official opening of Dementia Daycare Facilities

Cllr Greaves (HVN) reported on the following Kirklees projects:

- Improvements being carried at Meltham Road Recreation Ground in Honley.
- Programme of works to start at Gynn Lane, Honley.
- Layout reconfiguration at Meltham Recycling and Waste Unit to cut wait times following the reduction to the days open for residents' use.
- Planned reduction in staffing levels for community teams supporting schools etc from 5 roles down to 1 to cover Colne Valley, Holme Valley and Denby Dale.

Holme Valley Parish Council

2526 32 Correspondence with River Holme Connections

The 2024-25 Chair chose to confer what remained in the Chair's Expenses 2024-25 budget line, £435, as a gift to River Holme Connections.

NOTED: correspondence between HVPC and River Holme Connections regarding the gifting of £435 from Chair's Expenses budget line 2024-25.

MISCELLANEOUS ITEMS

2526 33 Items for Publicity

The Assistant Clerk presented potential items for publicity arising from the meeting included:

- Free use of Stotts buses for the Arts Festival
- Honley Show
- Big Community Celebration
- Design Code

A request was made by the Assistant Clerk that, where possible, councillors share social media posts from the HVPC accounts. Such sharing proved to be very helpful in publicising the work of the Council.

The meeting closed at 9.10pm.

clerk@holmevalleyparishcouncil.gov.uk

From: clerk@holmevalleyparishcouncil.gov.uk
Sent: 15 May 2025 13:07
To: Jen McIntosh
Cc: Jen McIntosh
Subject: Item 2526 Standing Committees 2025-26 - further information

Good afternoon, all.

I am writing ahead of the Annual Council meeting on Monday 19 June concerning item **2526 08 Standing Committees 2025-26**.

As **Appendix B 2025-26 Committee Preferences – collated v2** shows we have what in my experience is a first in that 2 of the committees are considerably over-subscribed. For your information councillor self-nominations are listed in the order in which they were received.

Councillors should be aware that appointments to committees are covered by **Standing Order 8a. Voting on appointments** which states:

‘Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting.’

After the agenda and papers were sent out 2 councillors have been in contact with me regarding the process of appointing councillors to committees, with the suggestion that the Parish Council mirrors the approach that principal authorities such as Kirklees use in constituting committee bodies.

In using this approach Kirklees is conforming to the **Local Government and Housing Act 1989 Section 15** – see attached. This law does not apply to parish councils which is why it is not reflected in Standing Orders.

See **YLCA Advice Note No12** for advice regarding Committees.

Given that at least two councillors have expressed a concern regarding appointments to committees I’ve sought advice from YLCA on, initially, 3 possible ways open to the Parish Council for dealing with this matter. I’ve received that advice and am waiting for further advice – please refer to **YLCA Support Ticket #13521**, particularly as it pertains to YLCA’s views on the options outlined below.

The options Council may wish to consider - slightly amended from those I sought advice on originally - are:

1. In line with **standing order 8 voting on appointments** allocate the 13 seats through voting, with councillors who achieve an absolute majority being placed first and any remaining seats decided by eliminating councillors with the lowest vote share until all seats are filled.
2. Amend standing orders **before** considering standing committees to allow all councillors who have put themselves forward to serve on their choice of committee (ie Committee 1 to increase from 13 to 17 and Committee 2 to increase from 13 to 20). (This would mean bringing item 2526 11 forward in respect of considering and amending Standing Orders)
3. Amend standing orders **before** considering standing committees to increase committee membership to 23. (This would mean bringing item 2526 11 forward in respect of considering and amending Standing Orders)

4. Amend standing orders before considering standing committees to consider approving make up of committees reflecting the political balance of the council - ie
 - a. Labour Party has 11/23 seats being 47.8% = 6.2 out of 13 places ie 6 seats rounded down.
 - b. Conservative Party has 8/23 seats being 34.7% = 4.5 out of 13 places ie 5 seats rounded up.
 - c. Green Party has 1 seat being 4.3% = 0.51 out of 13 places ie 1 seat rounded up.
 - d. Independent Councillor for Hepworth Ward has 1 seat being 4.3% = 0.51 out of 13 places ie 1 seat rounded up.
 - e. Independent Councillor for Honley West Ward (1) has 1 seat being 4.3% = 0.51 out of 13 places ie 1 seat rounded up.
 - f. Independent Councillor for Honley West Ward (2) has 1 seat being 4.3% = 0.51 out of 13 places ie 1 seat rounded up.

Given that one of the independent councillors has opted not to stand for any committee it is not possible for any committee to reflect exactly the balance suggested above. If nominations remain as they are this would mean amending standing orders so that the size of committees was set at 13 for F&M and 14 for SPC.

5. In connection with any of the above, Council approving a system of substitutions in case of absence for each committee.

There are pros and cons to each of the alternatives set out above and I will be able to advise Council of these at the meeting.

The item itself sets out 3 motions regarding making appointments to the three committees. It will be possible to amend these to reflect possible options outlined above.

I will also put forward an action for the Clerk at the meeting to attach this email memo and the related appendices to the draft minutes of the meeting so that the information I am now sharing with Council is made public in due course. I've created an all-in-one pdf of this memo and the related documents for ease of reference. These will be posted out to those councillors who receive paper copies today.

There are three other matters in connection with this to be aware of.

- Several councillors have given apologies for Monday's meeting and so will not be eligible to vote.
- Councillors can alter their preferences in the meeting itself.
- I'm still waiting for further advice from YLCA.

Kind regards

Jen McIntosh

Mrs Jen McIntosh
Clerk

Holme Valley Parish Council
Holmfirth Civic Hall
Huddersfield Road
Holmfirth HD9 3AS

Tel: 01484 687460
Email: clerk@holmevalleyparishcouncil.gov.uk

Please note that the HVPC Office is open to the public Tuesdays and Thursdays 9.30am through to 2.30pm. At other times please leave a recorded message or contact me via email. The HVPC office is based on the Third Floor in Holmfirth Civic with access through the Exhibition Room.

My usual working pattern is Monday to Thursday.

Holme Valley Parish Council
Committee Preference Form: Council Year 2025-26 v2.

Committees
<p>Finance and Management – max 13 members, meets alternate months to Full Council.</p> <ol style="list-style-type: none"> 1. Cllr Andy Wilson (1st pref) CHAIR 2. Cllr Pat Colling CHAIR 3. Cllr Tricia Stewart 4. Cllr Jenny Holmes 5. Cllr Mary Blacka 6. Cllr Hugh Osborne 7. Cllr Alison Morgan 8. Cllr Martin Rostron 9. Cllr Isaac Barnett (1st pref) 10. Cllr Donna Bellamy 11. Cllr Harry Davis 12. Cllr Lawrence Baylin 13. Cllr Sarah Whitelaw 14. Cllr Chris Green 15. Cllr Glenn Kirkby 16. Cllr Damian Brook 17. Cllr Jo Liles (1st pref)
<p>Planning – max 13 members, meets every 8 weeks approx.</p> <ol style="list-style-type: none"> 1. Cllr Andy Wilson (2nd pref) CHAIR – only if not chair of F&M 2. Cllr Mary Blacka CHAIR 3. Cllr Isaac Barnett (2nd pref) 4. Cllr Tom Dixon 5. Cllr Steve Ransby 6. Cllr Jo Liles (3rd pref) 7. Cllr Donald Firth
<p>Service Provision – max 13 members, meets 4 times a year.</p> <ol style="list-style-type: none"> 1. Cllr Andy Wilson (3rd pref) 2. Cllr Pat Colling 3. Cllr Tricia Stewart 4. Cllr Jenny Holmes 5. Cllr Mary Blacka 6. Cllr Hugh Osborne 7. Cllr Alison Morgan CHAIR if nominated 8. Cllr Martin Rostron 9. Cllr Isaac Barnett (3rd pref) 10. Cllr Donna Bellamy (1st pref) CHAIR 11. Cllr Harry Davis 12. Cllr Lawrence Baylin 13. Cllr Tom Dixon 14. Cllr Steve Ransby 15. Cllr Chris Green 16. Cllr Glenn Kirkby 17. Cllr Damian Brook 18. Cllr Jo Liles (2nd pref) 19. Cllr Donald Firth 20. Cllr Sarah Whitelaw

Jen McIntosh – 15-05-2025 – all preferences received.



Support Ticket #13521

View ticket # 13521

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Subject Constitution of standing committees

Description Good afternoon

Ahead of the Annual Council Meeting on Monday 19 May councillors were asked to inform the Clerk of their preferences regarding being appointed to serve on any of the three standing committees. Standing orders currently stipulate that a maximum of 13 out of 23 councillors should be appointed to each committee. However, two of the three committees are going to be over-subscribed, with one having 17 nominations and one 19.

Two councillors have been in contact with me to suggest that the Council mirrors our principal council, Kirklees, and allocates seats to political groups in accordance with representation, in line with the Local Government and Housing Act 1989.

Having read YLCA Advice Note 12 I am aware that there is no requirement for political proportionality at parish council level.

As Clerk I want to be able to give the Council effective advice as to how to proceed and perhaps offer some solutions.

Therefore I am asking for YLCA to comment on the efficacy/legality of the following approaches.

1. In line with standing order 8 voting on appointments allocate the 13 seats through voting, with councillors who achieve an absolute majority being placed first and any remaining seats decided by eliminating councillors with the lowest vote share until all seats are filled. (I hope I've understood that correctly)

2. Amend standing orders before considering standing committees to allow all councillors who have put themselves forward to serve on their choice of committee (ie Committee 1 to increase from 13 to 17 and Committee 2 to increase from 13 to 19)

3. Council to consider approving make up of committees reflecting the political balance of the council - ie

- party 1 has 11/23 seats being 47.8% = 6.2 out of 13 places,
- party 2 has 8/23 seats being 34.7% = 4.5 out of 13 places,
- party 3 has 3 seats being 13% = 1.69 out of 13 places
- party 4 has 1 seat being 4.3% = 0.51 out of 13 places.

In reality rounding up and down would be required if this system were to be used, meaning that party 1 would have 6 seats available, party 2 would have 5 seats available, party 3 would have 2 seats available and party 4 would have 1 seat available. This would mean amending standing orders so that the size of committees was set at 14.

I would also be grateful for suggestions about other approaches to this issue.

Kind regards

Jen McIntosh

Clerk

Status	open
Owner	Jen McIntosh
Council	Holme Valley
District	Kirklees
Priority	urgent
URL	
Category	Council Business, Law & Procedure
Attachments	
Updated	15/05/2025 10:26
Submitted	14/05/2025 16:07

Comments (2)

Sheena Spence

15/05/2025 08:18

From: Yorkshire Local Councils Associations.

Dear Jen,

HOLME VALLEY PARISH COUNCIL – APPOINTMENTS TO COUNCIL COMMITTEES

Thank you for your enquiry to YLCA which I have picked up this morning. Please see below our advice for the Council against the questions you have raised:

Q. In line with standing order 8 voting on appointments allocate the 13 seats through voting, with councillors who achieve an absolute majority being placed first and any remaining seats decided by eliminating councillors with the lowest vote share until all seats are filled. (I hope I've understood that correctly)

A. Yes you have and strangely enough this has been one of our questions to one of the NALC solicitors this week for another member council. The solicitor confirmed that the process defined in SO8 is applicable to committee appointments.

Q. Amend standing orders before considering standing committees to allow all councillors who have put themselves forward to serve on their choice of committee (ie Committee 1 to increase from 13 to 17 and Committee 2 to increase from 13 to 19).

A. It is an option. The only comment that we can make is that the Council is empowered to do it. We don't know the specific workings of the Council well enough to say whether this is a good idea for your authority.

Q. Council to consider approving make up of committees reflecting the political balance of the council - ie

- party 1 has 11/23 seats being 47.8% = 6.2 out of 13 places,
- party 2 has 8/23 seats being 34.7% = 4.5 out of 13 places,
- party 3 has 3 seats being 13% = 1.69 out of 13 places
- party 4 has 1 seat being 4.3% = 0.51 out of 13 places.

In reality rounding up and down would be required if this system were to be used, meaning that party 1 would have 6 seats available, party 2 would have 5 seats available, party 3 would have 2 seats available and party 4 would have 1 seat available. This would mean amending standing orders so that the size of committees was set at 14.

A. Again, it is not unlawful to do it this way. The view of our Joint Executive Board is that at parish level, such politicalisation is not necessary. Parish and town councillors are there for the betterment of the community right at the grassroots level and we cannot see a place for politics at that level. Obviously it occurs and if the Council resolves that it wants to do this, then so be it. If this system is adopted, the Council will also need to think about the allocation of seats when there are ordinary elections, a by-election or a co-option to the Council, ie as the political make up of the Council changes. The Council might be stable in its membership but if the trend is for frequent resignations and replacements, then this system may prove challenging.

You have mentioned 'parties' but what about councillors who are truly independent and are not representing any political party? Perhaps they are not catered for in the current suggested formula because there are no councillors who are in that position?

If the Council resolves a different method of appointment to that in SO8, it would be sensible to amend SO8 to reflect that the process that it defines does not include appointments to council committees.

We hope this is helpful and I am happy to discuss it further with you if needed before the Annual Meeting on 19 May.

Yours sincerely,

Sheena Spence
CHIEF OFFICER

This advice is for the exclusive use of the Council or Parish Meeting and is based on the information supplied to YLCA in the enquiry. If received in error, please notify us immediately and delete it. Any disclosure, reproduction, modification, or publication of this transmission without prior written consent is strictly prohibited. Any views indicated are solely those of the author and, unless expressly confirmed, not those of Yorkshire Local Councils Associations.

To send further information if requested or contact YLCA again in this matter, please log into the YLCA website and re-open the ticket - www.yorkshirelca.gov.uk

Jen McIntosh

15/05/2025 09:26

Hi Sheena

Thank you for your response which is very helpful.

Regarding independents, I completely take your point and see how the proportions I've suggested can be misinterpreted. 'Party 3' is actually 3 independent councillors who do not vote as a bloc and have very different interests, united by a commitment to do good for the community. A better representation would be to treat each independent as a separate party, meaning under the logic of how I've calculated seats on committees each of the independents could choose to sit. So, a recalculation suggests committee make up as follows:

- party 1 has 11/23 seats being 47.8% =6.2 out of 13 places ie 6 seats rounded down

- party 2 has 8/23 seats being 34.7% = 4.5 out of 13 places ie 5 seats rounded up

- party 3 has 1 seat being 4.3% = 0.51 out of 13 places ie 1 seat rounded up

- party 4 has 1 seat being 4.3% = 0.51 out of 13 places ie 1 seat rounded up


-party 5 has 1 seat being 4.3% = 0.51 out of 13 places ie 1 seat rounded up

-party 6 has 1 seat being 4.3% = 0.51 out of 13 places ie 1 seat rounded up

This would mean amending standing orders so that the size of committees was set at 15.

Would welcome your comment on that.

Comment

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URL (Optional):

Attachments (Optional):

Attach file(s)

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YORKSHIRE LOCAL COUNCILS ASSOCIATIONS

ADVICE NOTE:	Number 12
SUBJECT:	Committees of the Council

Committees of the Council

The term Local Council is used throughout to refer to a Parish/Town/Community/Neighbourhood or Village Council.

This advice note aims to answer the following questions:

- *How does a local council make decisions?*
- *When is a committee structure appropriate?*
- *How is a committee created and how should it be managed?*
- *Why is a finance committee different?*
- *What is a joint committee?*
- *What is a sub-committee?*
- *How do advisory committees/working parties/groups/panels fit in?*
- *What are terms of reference and how do they work?*

How does a Local Council make decisions?

A local council may only take decisions at a meeting of the council.

(Ref: Local Government Act 1972, Schedule 12, paragraph 39)

The council is a corporate body in law which can delegate some decision making to a committee, sub-committee, an officer of the council or any other local authority.

(Ref: Local Government Act 1972, section 101)

A council may not delegate any decision making to an individual councillor.

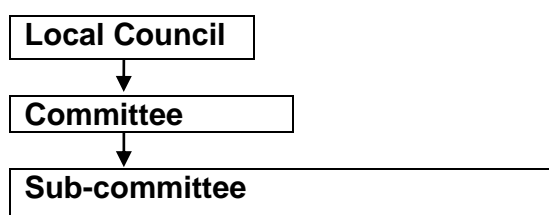
There are a few specific items that the local council cannot delegate, these are:

- Precept setting (*Local Government Act 1972, section 101, paragraph 6*)
- Borrowing money (*Local Government Act 2003, Schedule 1, paragraph 2.4*)
- Adopt or revise a code of conduct for its members (*Localism Act 2011, section 28, paragraph 13*)

It is the delegation to committees and how this works in practice which will be considered in this advice note.

When is a Committee structure appropriate?

Whilst many small local councils may only conduct business at a full council meeting, it is common in medium to large local councils to have a committee structure to assist with the workload of the council. The Hierarchy of a local council's committee structure:



As a committee is appointed by the council, the council will always have the ultimate authority and may at any time, step in and exercise the functions which it has delegated to a committee, or indeed disband the committee (within the parameters of its Standing Orders).

A more detailed example committee structure can be seen at Appendix A of this advice note.

How is a committee created and how should it be managed?

A committee is created by resolution (agreement) of the council and may be delegated to make decisions for and on behalf of the council. It may include council members and non-members of council (except for a Finance Committee – see below)

The limited rights of non-councillor members on committees and sub-committees is included at Appendix B of this advice note.

A meeting of a committee must be called in the same way as a council meeting. The agenda, including a summons to the meeting should be issued with three clear days' notice of the meeting to the committee members and by a public notice. The meeting must be open to the public and managed in the same way as a council meeting abiding by the local council's standing orders. The press and public can be excluded by resolution of the committee for the same reasons as exclusion from a council meeting.

(Ref: Public Bodies (Admission to meetings Act 1960, para 1(2)).

There is no requirement for political proportionality on committees at parish level, regardless of whether the parent council operates on a political party basis.

Typically, a local council may split its functions into a number of committees, for example:

- Planning
- Policy
- Finance
- Staffing
- Events
- Environment

The committee structure should be fit for purpose and reviewed along with the number and appointed members of the committee at the Annual Meeting of the council or as and when required.

Each committee may appoint sub-committees (a committee of a committee) or working parties to assist with the committee workload, if empowered to do so by the full council.

A council can appoint non-councillors to some committees (see finance committee below). Non-councillor members of a committee can only vote in certain specified circumstances which are listed in Appendix B.

(Ref: Local Government and Housing Act 1989, ss 13(1) and (7)).

A council can agree whether there is a public participation session at a committee meeting but can resolve that this forum will only be provided at meetings of the full council. It is best practice to define the council's policy in its Standing Orders.

Why is a finance committee different?

All members of a Finance Committee must be members of the council, ie councillors.

(Ref: Local Government Act 1972, section 102, paragraph 3)

What is a Joint Committee?

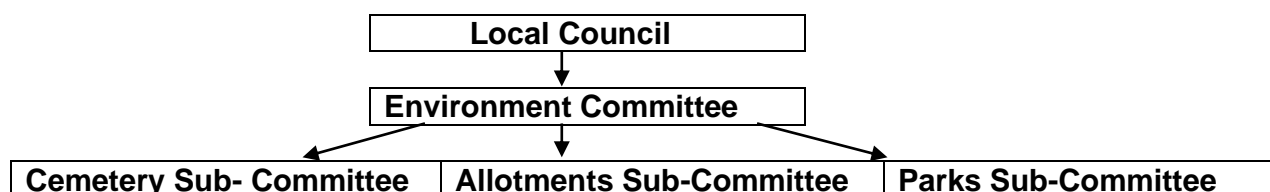
A joint committee can be created with two or more local councils or principal local authorities (county, district, borough or city council) working together, with each appointing a proportion of the members of the committee. These are most commonly used to manage jointly held cemeteries and

burial facilities.
(Ref: Local Government Act 1972, s.102(4).)

What is a sub-committee?

A sub-committee is appointed by a committee, i.e. is a committee of a committee. Nb. If the grouping has been appointed directly by the council, it is a committee and not a sub-committee.

A committee must have the authorisation of the full council to appoint a sub-committee and just as the council sets out the membership and function of a committee, a committee should, in turn, set out the membership and function of any sub-committee that it appoints. (Ref: Local Government Act 1972, section 102(1A)b).



How do Advisory Committees, working parties, groups, panels fit in?

An advisory committee (sometimes called a working party, group or panel) can be set up by the council itself or by a committee or sub-committee. They consist of a group of people tasked with acting on an informal basis. The committee/group can never be delegated decision-making powers but can only offer advice or recommendations to the body that appointed it.

For example, using the Environment Committee structure above, the Parks sub-committee may appoint a working party to research the options available for the improvements to a play area site in the parish.

What are 'Terms of Reference' and how do they work?

A council should set clear guidance for its committees using terms of reference and ensure that these terms are defined

(Ref: Local Government Act 1972, Section 102(2).

It is the YLCA view that terms of reference should be in writing, should be quite detailed and a copy be given to all councillors so that everyone concerned has a good understanding of the role and responsibilities of a council's committees and sub-committees. A separate policy document containing terms of reference can be created. In turn a committee would set the terms of reference for its sub-committees or working parties. The terms of reference should be tailored to each committee/sub-committee to ensure they are fit for purpose.

A terms of reference document covers the practical arrangements for meetings and may include:

- Frequency and Location of meetings
- Names of members and quorum (minimum number of members to be present to hold the meeting). A council has power to define the quorum of a committee (and in turn a committee can define the quorum of a sub-committee). The minimum number of members permitted to form a committee is two but for obvious reasons, YLCA and the National Association of Local Councils recommends at least three.
(Ref: Local Government Act 1972, Schedule 12 paragraph 12).
- Stipulate who is responsible for providing administrative support for the meetings.
- The procedure for the appointment of the committee chairman (i.e. by council or committee)
- The appointment of the chairman and vice-chairman of the local council as ex-officio members of the committee (mayor and deputy mayor in the case of a town council).
If so, they will have full voting rights.
- Delegated powers (include any spending limit) – i.e. what is the remit of the committee or sub-committee. This is a vitally important element of the terms of reference.

- How long the committee will remain in existence.

As a matter of best practice, a committee should not be allowed to make or change its terms of reference. This is a full council responsibility as the appointing body.

Further reading

This advice note is intended as a brief guide to member councils. Further advice can be found on the YLCA website:

NALC Advice Note - Local Councils' powers to discharge their functions

NALC Advice Note - Parish Sector Council Meetings

NALC Advice Note - Non-Councillor members of committees

The NALC publication '*Local Councils Explained*' by Meera Tharmarajah also outlines the committee system.

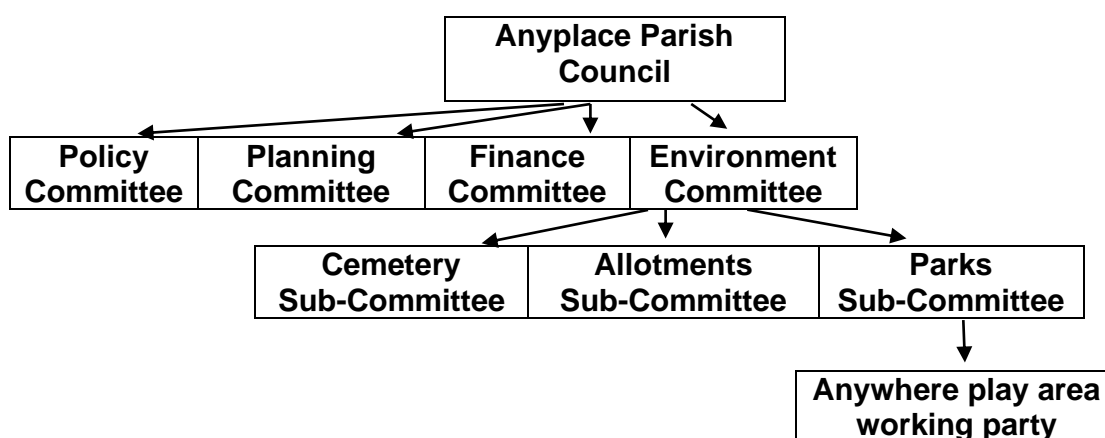
APPENDIX A – EXAMPLE COMMITTEE STRUCTURE

The Local Council is Anyplace Parish Council

The Council has Policy, Planning, Finance and Environment Committees

The Environment Committee has sub-committees for Cemetery, Allotments and Parks.

The Parks sub-committee has an Anywhere play area working party



Dependent on the size of the local council this structure could have fewer or more committees/sub-committees.

APPENDIX B: NON-COUNCILLOR MEMBERS OF COMMITTEES

Introduction

This Appendix outlines the circumstances in which local councils may invite non-councillors to sit on council committees. Non-councillors may be invited to sit on two types of committee:

Committees set up to discharge functions of a council, but councils are obliged to include at least one councillor (pursuant to section 102(3) of the Local Government Act 1972;

Advisory committees (pursuant to section 102(4) of the Local Government Act 1972) known sometimes as working parties/groups/panels, set up to advise a council in any matter relating to the discharge of their functions. Such committees may be wholly comprised of persons who are not members of the council (pursuant to section 102(4) of the 1972 Act). In practice and dependent on their terms of reference, advisory committees are usually comprised of both councillors and non-members of the council.

It should be noted that under section 102(3) of the Local Government Act 1972 committees and sub-committees (including joint committees) of councils can appoint persons to (sub-) committee who are not members of the authority. The power given by the Local Government Act 1972 is drafted very broadly and applies to all committees and sub-committees of the council, other than: 'A committee for regulating and controlling the finance of the local authority or of their area.'

Disqualification

Section 102(3) of the Local Government Act 1972 provides that a person can be appointed as a non-councillor member of a committee unless they have been disqualified pursuant to section 104 of the Local Government Act 1972.

This states that a person is disqualified if he/she would be disqualified from being elected or being a member of a local authority. Section 80 of the Local Government Act 1972 sets out the circumstances in which a person is disqualified from being a member of a council.

In summary, a non-councillor cannot sit on a committee if he/ she:

- holds any paid office or employment (other than the office of chair, vice chair or deputy chair) to which he/she has been appointed by the council or any committee or sub-committee of the council, or by a paid officer of the council, or by any joint committee on which the council is represented; or
- is the subject of a bankruptcy restrictions order or interim bankruptcy order; or
- has within five years before the day of election, or since his election, been convicted of any offence and has had passed on him/her a sentence of imprisonment of at least three months (whether suspended or not) without the option of a fine; or
- has been found guilty of corrupt or illegal practices or was responsible for incurring unlawful expenditure and the court orders his disqualification.

Qualification Criteria

Persons wishing to become councillors may only do so if they meet the qualification requirements set out in section 79 of the Local Government Act 1972. These qualification provisions, however, do not apply to non-councillor members of committees.

Voting Rights

Non-councillor members of committees and sub-committees do not have voting rights, except in respect of Article 3 of The Parish and Community Councils (Committees) Regulations 1990 which gives non-councillor members of committees voting rights in respect of:

- The management of land owned or occupied by the council;
- The functions of the council as a harbour authority;
- Any function under s. 144 of the 1972 Act relating to the promotion of tourism;
- Any function under s. 145 of the 1972 Act relating to the management of a festival.

Code of Conduct

It should be noted that, in some circumstances, the Code of Conduct will apply to non-councillor members, this is especially so where the person is entitled to vote on any question which needs to be decided at a meeting of a committee to which they have been appointed. Councils and individuals are advised to seek further advice where this is an issue.

Other Provisions

Non-councillor members of committees will be required to comply with the council's standing orders and will have the same rights as members of the public to attend meetings of the council or other committees of which they are not members. This applies to all non-councillor members of committees – even where they are councillors of other authorities.

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Local Government and Housing Act 1989

1989 CHAPTER 42

PART I

LOCAL AUTHORITY MEMBERS, OFFICERS, STAFF AND COMMITTEES ETC.

Political balance on committees etc.

15 Duty to allocate seats to political groups.

- (1) It shall be the duty of a relevant authority having power from time to time to make appointments to a body to which this section applies to review the representation of different political groups on that body—
- (a) where the members of the authority are divided into different political groups at the time when this section comes into force, as soon as practicable after that time;
 - (b) where the authority hold annual meetings in pursuance of paragraph 1 of Part I of Schedule 12 to the ^{M1}Local Government Act 1972 (annual meeting of principal councils) and the members of the authority are divided into different political groups at the time of any such meeting, at or as soon as practicable after the meeting;
 - (c) where, at the time of the meeting required by paragraph 1 of Schedule 7 to the ^{M2}Local Government (Scotland) Act 1973 to be held in an election year within twenty-one days of the election, the members of the authority are divided into different political groups, at or as soon as practicable after the meeting;
 - (d) as soon as practicable after any such division as is mentioned in paragraphs (a) to (c) above occurs; and
 - (e) at such other times as may be prescribed by regulations made by the Secretary of State.
- (2) Except in such cases as may be prescribed by regulations made by the Secretary of State, it shall be the duty of every committee of a relevant authority which is a committee having power from time to time to make appointments to a body to which

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this section applies to review the representation of different political groups on that body—

- (a) where the members of the authority are divided into different political groups at the time when this section comes into force, as soon as practicable after that time; and
 - (b) as soon as practicable after any occasion on which the members of the committee are changed in consequence of a determination under this section.
- (3) Where at any time the representation of different political groups on a body to which this section applies falls to be reviewed under this section by any relevant authority or committee of a relevant authority, it shall be the duty of that authority or committee, as soon as practicable after the review, to determine the allocation to the different political groups into which the members of the authority are divided of all the seats which fall to be filled by appointments made from time to time by that authority or committee.
- (4) Subject to subsection (6) below, it shall be the duty of a relevant authority or committee of a relevant authority—
- (a) in performing their duty under subsection (3) above; and
 - (b) in exercising their power, at times not mentioned in subsection (3) above, to determine the allocation to different political groups of seats on a body to which this section applies,
- to make only such determinations as give effect, so far as reasonably practicable, to the principles specified in subsection (5) below.
- (5) The principles mentioned in subsection (4) above, in relation to the seats on any body which fall to be filled by appointments made by any relevant authority or committee of a relevant authority, are—
- (a) that not all the seats on the body are allocated to the same political group;
 - (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
 - (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.
- (6) Where any relevant authority or committee of a relevant authority are required, in determining the allocation to different political groups of seats on a body to which this section applies, to give effect to the principles specified in subsection (5) above—
- (a) any seats which, in accordance—
 - (i) with provision made by virtue of subsection (5) of section 13 above;
 - or
 - (ii) with subsection (6) of section 14 above,
 are to be or may be filled by the appointment of persons who are not members of the authority shall be taken into account for the purpose of determining how many seats constitute a majority of the seats on a body mentioned in either of those subsections; but

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- (b) that authority or committee shall, in making that determination, disregard for all other purposes any seats which, in accordance with any such provision, the said subsection (6) or otherwise, are to be or may be so filled;

and for the purposes of this subsection a seat on an advisory committee of a relevant authority or on a sub-committee appointed by such an advisory committee shall not be treated as one which may be so filled unless the authority have determined that it must be so filled.

- (7) Schedule 1 to this Act shall have effect for determining the bodies to which this section applies and for the construction of this section and sections 16 and 17 below.

Modifications etc. (not altering text)

- C1** Ss. 15-17 applied (with modifications) by S.I. 1990/1553, **regs. 21, 22**
- C2** Ss. 15, 16 modified by S.I. 1990/1553, **reg. 16(1)(2)**
- C3** S. 15 excluded (3.4.1995) by 1994 c. 19, **ss. 30(11), 31(9)** (with ss. 54(7), 55(7), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/852, **art. 5**
 S. 15 applied (with modifications) (8.5.2000) by 1999 c. 29, **s. 57(1)** (with Sch. 12 para. 9(1)); S.I. 2000/801, **art. 2(2)(b), Sch. Pt. 2**
 S. 15 extended (E.W.) (26.11.2000 for E. and 28.7.2001 for W.) by 2000 c. 22 ss. 21(11)(b), 108(4); S.I. 2000/2849, **art. 2(a)**
 S. 15 excluded (E.W.) (19.12.2000 for E. and police authorities in Wales otherwise 28.7.2001) by 2000 c. 22, **ss. 53(10), 108(4); S.I. 2000/3335, art. 2**
 S. 15 applied (E.) (2.4.2001) by S.I. 2001/1299, **reg. 6(10)(b)**
 S. 15 excluded (W.) (28.7.2001) by S.I. 2001/2283, **reg. 12**
 S. 15 applied (W.) (28.7.2001) by S.I. 2001/2284, **reg. 5(1)(b)**
- C4** S. 15 applied in part (with modifications) (E.W.) (7.7.2005) by The North Northamptonshire Joint Committee Order 2005 (S.I. 2005/1552), arts. 1(2), **5(3)**
- C5** S. 15 applied (W.) (16.2.2007) by The Local Authorities (Alternative Arrangements) (Wales) Regulations 2007 (S.I. 2007/397), regs. 1(1), **9(2)**
- C6** S. 15 excluded (E.W.) (28.11.2008) by The Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 (S.I. 2008/2867), regs. 1(1), **17** (with reg. 1(2))
- C7** S. 15 modified (3.12.2011 for specified purposes, 4.5.2012 in so far as not already in force) by 2000 c. 22, **s. 9FA(6)(b)** (as inserted by Localism Act 2011 (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/1008, art. 4(b))
- C8** S. 15 excluded (3.12.2011 for specified purposes, 4.5.2012 in so far as not already in force) by 2000 c. 22, **s. 9GC** (as inserted by Localism Act 2011 (c. 20), s. 240(2), **Sch. 2 para. 1**; S.I. 2011/2896, art. 2(e); S.I. 2012/1008, art. 4(b))
- C9** S. 15 excluded (E.W.) (1.4.2013) by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (S.I. 2013/218), regs. 1(2), **7(a)**
- C10** S. 15 excluded (W.) (24.5.2013) by The Local Authorities (Joint Overview and Scrutiny Committees) (Wales) Regulations 2013 (S.I. 2013/1050), regs. 1(2), **5(3)**
- C11** S. 15 excluded (W.) (1.5.2014) by S.I. 1990/1553 reg. 16AA (as inserted by The Local Government (Committees and Political Groups) (Amendment) (Wales) Regulations 2014 (S.I. 2014/476), regs. 1(1), 2(4))
- C12** Ss. 15-17: power to apply (with or without modifications) conferred (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by 2009 c. 20, **s. 107D(4)(f)** (as inserted (E.W.) by Cities and Local Government Devolution Act 2016 (c. 1), **ss. 4(1), 25(2)**)
- C13** Ss. 15-17: power to exclude conferred (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by 2009 c. 20, s. 107E(4) (as inserted (E.W.) by Cities and Local Government Devolution Act 2016 (c. 1), **ss. 4(1), 25(2)**)

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- C14** Ss. 15-17: power to exclude conferred (26.12.2023) by [Levelling-up and Regeneration Act 2023](#) (c. 55), **ss. 32(4)**, 255(2)(c) (with s. 247)
- C15** S. 15(2)(3)(5) modified by [S.I. 1990/1553](#), **reg. 23** (as added by [S.I. 1991/1398](#), **reg. 8**)

Marginal Citations

- M1** 1972 c. 70.
M2 1973 c. 65.

16 Duty to give effect to allocations.

- (1) Where any relevant authority or any committee of a relevant authority have determined the allocation to different political groups of the seats on a body to which section 15 above applies, it shall be the duty of that authority or committee so to exercise their power to make appointments to that body as to give effect—
 - (a) as soon as practicable after the determination; and
 - (b) if a vacancy subsequently occurs on that body, as soon as practicable after the occurrence of the vacancy,
 to such wishes about who is to be appointed to the seats on that body which are allocated to a particular political group as are expressed by that group.
- (2) Where—
 - (a) any person has been appointed, otherwise than for a fixed term, to a body to which section 15 above applies; and
 - (b) that appointment was made, in pursuance of subsection (1) above, in accordance with the wishes of a political group,
 then, so long as that person's seat continues to be allocated to that group, the authority or committee which made the appointment shall act in accordance with the wishes of that group in determining whether and when to terminate the appointment.
- (3) The proceedings of a body to which section 15 above applies shall not be invalidated by any defect by virtue of this section or that section in the appointment of any person to that body.
- (4) This section applies in relation to an allocation of seats to different political groups whether or not that allocation is made in pursuance of any duty under section 15 above.

Modifications etc. (not altering text)

- C12** Ss. 15-17: power to apply (with or without modifications) conferred (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [2009 c. 20](#), **s. 107D(4)(f)** (as inserted (E.W.) by [Cities and Local Government Devolution Act 2016](#) (c. 1), **ss. 4(1)**, 25(2))
- C13** Ss. 15-17: power to exclude conferred (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [2009 c. 20](#), **s. 107E(4)** (as inserted (E.W.) by [Cities and Local Government Devolution Act 2016](#) (c. 1), **ss. 4(1)**, 25(2))
- C14** Ss. 15-17: power to exclude conferred (26.12.2023) by [Levelling-up and Regeneration Act 2023](#) (c. 55), **ss. 32(4)**, 255(2)(c) (with s. 247)
- C16** Ss. 15-17 applied (with modifications) by [S.I. 1990/1553](#), **regs. 21**, 22
- C17** Ss. 15, 16 modified by [S.I. 1990/1553](#), **reg. 16(1)(2)**
- C18** S. 16 applied (with modifications) (8.5.2000) by [1999 c. 29](#), **s. 57(1)** (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/801](#), **art. 2(2)(b)**, **Sch. Pt. 2**
- C19** S. 16 applied (with modifications) (E.W.) (7.7.2005) by [The North Northamptonshire Joint Committee Order 2005](#) (S.I. 2005/1552), **arts. 1(2)**, **5(3)**

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C20 S. 16 excluded (E.W.) (1.4.2013) by [The Local Authority \(Public Health, Health and Wellbeing Boards and Health Scrutiny\) Regulations 2013 \(S.I. 2013/218\)](#), regs. 1(2), **7(b)**

17 Exceptions to and extensions of political balance requirements.

- (1) Subject to subsection (2) below, sections 15 and 16 above shall not apply in relation to appointments by a relevant authority or committee of a relevant authority to any body in so far as different provision is made by arrangements approved by the authority or committee—
 - (a) in such manner as may be prescribed by regulations made by the Secretary of State; and
 - (b) without any member of the authority or committee voting against them.
- (2) Arrangements approved under subsection (1) above in relation to any body shall not affect any duty imposed by virtue of section 15(1)(c), (d) or (e) or (2) above on a relevant authority or committee to review the representation of different political groups on that body; and, accordingly, such arrangements shall cease to have effect when any such duty arises.
- (3) The Secretary of State may, for the purpose of securing what appears to him to be the appropriate representation of different political groups on any sub-committee falling within subsection (4) below, by regulations make such provision as he thinks fit.
- (4) The sub-committees that fall within this subsection are those to which appointments may be made by bodies to which section 15 above applies but which are not themselves such bodies.
- (5) Without prejudice to the generality of subsection (3) above, regulations under that subsection may contain provision applying, with or without modifications, any provision made by or under section 15 or 16 above, subsections (1) and (2) above or Schedule 1 to this Act.

Modifications etc. (not altering text)

- C12** Ss. 15-17: power to apply (with or without modifications) conferred (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [2009 c. 20, s. 107D\(4\)\(f\)](#) (as inserted (E.W.) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), ss. **4(1)**, 25(2))
- C13** Ss. 15-17: power to exclude conferred (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [2009 c. 20, s. 107E\(4\)](#) (as inserted (E.W.) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), ss. **4(1)**, 25(2))
- C14** Ss. 15-17: power to exclude conferred (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), ss. **32(4)**, 255(2)(c) (with s. 247)
- C21** Ss. 15-17 applied (with modifications) by [S.I. 1990/1553](#), regs. **21**, 22
- C22** S. 17 applied (with modifications) (8.5.2000) by [1999 c. 29, s. 57\(1\)](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/801](#), art. 2(2)(b), [Sch. Pt. 2](#)

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Changes and effects yet to be applied to :

- s. 1(1C) inserted by [2024 asc 5 s. 65\(2\)\(c\)](#)
- s. 1(13) inserted by [2024 asc 5 s. 65\(2\)\(d\)](#)
- s. 2(1C) inserted by [2024 asc 5 s. 65\(3\)\(a\)](#)
- s. 2(10D)(10E) inserted by [2024 asc 5 s. 65\(3\)\(b\)](#)
- s. 76A76B inserted by [2014 c. 29 s. 24\(2\)](#)
- s. 87(1A) inserted by [2014 c. 29 s. 24\(5\)](#)
- Sch. 10 para. 5(4A) inserted by [2024 c. 22 Sch. 9 para. 8\(b\)](#)
- Sch. 10 para. 5(4)(a)(b) and words substituted for words by [2024 c. 22 Sch. 9 para. 8\(a\)](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(1C) inserted by [2024 asc 5 s. 65\(2\)\(c\)](#)
- s. 1(13) inserted by [2024 asc 5 s. 65\(2\)\(d\)](#)
- s. 2(1C) inserted by [2024 asc 5 s. 65\(3\)\(a\)](#)
- s. 2(10D)(10E) inserted by [2024 asc 5 s. 65\(3\)\(b\)](#)
- s. 76A76B inserted by [2014 c. 29 s. 24\(2\)](#)
- s. 87(1A) inserted by [2014 c. 29 s. 24\(5\)](#)
- Sch. 10 para. 5(4A) inserted by [2024 c. 22 Sch. 9 para. 8\(b\)](#)
- Sch. 10 para. 5(4)(a)(b) and words substituted for words by [2024 c. 22 Sch. 9 para. 8\(a\)](#)