

Constitutional and Nomination Committee

Minutes of the meeting held on 11 July 2012

Present:

Councillor Curley - In the Chair
Councillors Andrews, J. Battle, Hassan, Karney, S. Murphy, Tavernor, Watson and Wheale

CN/12/11 Minutes

Decision

To approve as a correct record the Minutes of the meeting held on 15 May 2012.

CN/12/12 Constitution of the Council – Financial Regulations – Minor Amendments

The Committee considered a report of the City Solicitor and the City Treasurer, which proposed minor amendments to the Financial Regulations at Part 5, Sections A, B, C and D of the Council's 2012 Constitution. The Committee considered these proposals prior to their submission to the Council on 11 July 2012.

The City Solicitor is required to monitor and review the operation of the Constitution on an ongoing basis, and, where necessary, bring forward amendments to the Council. The City Solicitor has been advised by the City Treasurer of the need to make a number of minor amendments to the Council's Financial Regulations set out at Part 5, Sections A, B, C and D of the Council's 2012 Constitution.

The amendments are summarised in paragraph two of the report and an amended Part 5, Sections A, B, C and D is attached as an Appendix to this report.

Decision

To recommend that the Council adopt the amended Part 5, Section A, B, C and D of the Council's 2012 Constitution.

CN/12/13 The Localism Act 2011 – New Code of Conduct for Members and the Arrangements to Deal With Complaints

The Localism Act 2011 ("the Localism Act") has made major changes to the system of regulation of standards of conduct of elected and co-opted members of the Council, which have been the subject of regular reports to the Council's Standards Committee.

The Committee considered a report of the City Solicitor, which proposed a new Code of Conduct for Members and arrangements for investigating and deciding upon

complaints against members, pursuant to the provisions of the Localism Act 2011. The Committee considered this report prior to its submission to the Council on 11 July 2012.

The City Solicitor suggested a minor amendment to paragraph 11.1 of the new Code.

Decision

To recommend that the Council approve the recommendations of the Standards Committee of 25 June 2012 and -

- (1) adopt the new Code of Conduct for Members as set out at Appendix 1 with an amendment to paragraph 11.1 to the effect that existing members of the Council should notify the Monitoring Officer of their personal interests within two months of the adoption of this Code (rather than 28 days);
- (2) adopt the new Arrangements for dealing with complaints about Members under the Code of Conduct for Members as set out at Appendix 2;
- (3) delegate to the Monitoring Officer the making of arrangements for the recruitment and selection of at least two Independent Persons (whose appointment must then be approved by a majority of the Council);
- (4) agree to establish and appoint a new Standards Committee, composed of 6 elected Members of Manchester City Council, 1 Member of Ringway Parish Council and 2 Co-opted Independent Members (with one of the Co-opted Independent Members as Chair), and delegates to the new Standards Committee responsibility for the discharge of the functions set out at Appendix 3;
- (5) delegate to the Monitoring Officer responsibility for the discharge of the functions set out at Appendix 4;
- (6) agree to amend the Councils Procedure Rules and Executive Procedure Rules in Part 4 of the Constitution as set out in Appendix 5 in order to give effect to the requirements of the Code of Conduct for Members in relation to the notification and disclosure of interests and withdrawal from a meeting where a Member has either a disclosable pecuniary interest or a prejudicial interest.
- (7) authorise the Monitoring Officer to make any consequential changes to the Council's Constitution to reflect the above decisions.
- (8) request the Monitoring Officer to arrange training for Members on the new Code of Conduct and the new Arrangements.
- (9) request the Standards Committee to keep the operation of the new Code of Conduct and Arrangements under review.

CN/12/14 Membership of Council committees and representation on joint boards and joint committees

Decision

1. To note the resignation of the three independent members of the Standards Committee, Mr Snaddon, Ms Isles, and Ms Carmichael.
2. To request the Council to agree to suspend Procedural Rule 25.1 in relation to the following decisions (marked *) which involve reconsideration of a decision taken by the Council within the previous six months.
3. To recommend the Council to make the following changes in appointments to Committees of the Council*: -

Committee	Member removed	Member appointed
Communities Scrutiny Committee	Hitchen	P Murphy
Health Scrutiny Committee (increase the membership to 16)	N Ali	Akbar Craig
Finance Scrutiny Committee	P Murphy Smitheman	Hitchen Peel
Art Galleries Committee	Vacancy (Lab)	Cookson
Audit Committee	Craig	Hackett
Licensing & Appeals	Vacancy (Lab)	Ollerhead
Licensing	Vacancy (Lab)	Ollerhead
Standards Committee	Vacancy (Lab)	Andrews

Joint Authority	Member removed	Member appointed
Pennine Acute Trust Joint Scrutiny	Kirkpatrick Hassan Vacancy (Liberal Democrat)	Davies Hackett Lyons