

Constitutional and Nomination Committee Minutes of the meeting held on 9 October 2013 as amended at the Council meeting of 9 October 2013

Present: Councillor Karney - In the Chair
Councillors Curley, Flanagan, Lanchbury, S Murphy, Hennigan, Watson

Apologies: Cllr Stogia

CN/13/13 Urgent Business

Decision

To note that the Chair had agreed that consideration of item CN/13/18 – Employee Appeals Committee would be taken as urgent business.

CN/13/14 Minutes

Committee agree to amend the minute CN/13/11 to:

Committee	Member removed	Member appointed
Economy Scrutiny	Taylor	Boyes
Finance Scrutiny	Strong	
Health Scrutiny		Strong
Manchester and Trafford Joint Health Scrutiny	Akbar	(as substitutes) M Murphy, Reid

Decision

To approve as a correct record the minutes of the meeting held on 11 September 2013 subject to the above amendment.

CN/13/15 Juvenile Employment

Consideration was given to the report submitted by the Director for Children and Commissioning Services which informed members that the Juvenile Employment Service fulfils a statutory function dealing with applications for juvenile employment licences, chaperone licences and providing a safeguarding service for employed (both paid and unpaid) children of compulsory school age. In line with the Council's Corporate Transformation priorities set out in the Corporate Plan 2011-2014, the licensing function is to be transferred to the Council's Licensing Unit. Therefore, the delegated responsibility for the issuing of these licences must be transferred to the Head of Planning, Building Control & Licensing. Responsibility for the safeguarding element of this service will remain with the Strategic Director of Children and Commissioning Services.

Decision

To recommend that Council approve an amendment to the Scheme of Delegation to Officers in Part 3, Section F of the Council's Constitution to transfer the responsibility for licensing the employment of children (Part II of the Children and Young Persons Act 1933 byelaws made under that Part, and Part II of the Children and Young Persons Act 1963) from the Director for Children and Commissioning Services to the Head of Planning, Building Control & Licensing. The transfer of responsibility will be formally made from 1 January 2014 to allow for the new process to be finalised and formally set up

CN/13/16 Delegation of non-executive functions to the Head of Neighbourhood Delivery

Consideration was given to the report submitted by the City Solicitor which sought a recommendation to Council to delegate to the post of the Head of Neighbourhood Delivery the non-executive functions that are set out in Appendix 1 to the report.

Decision

That the Committee:

1. Recommends that Council delegates to the post of the Head of Neighbourhood Delivery the discharge of those of the Council's functions that are designated as "Non-Executive Functions" in Appendix 1 to the report;
2. Recommends that Council delegates to the post of the Head of Neighbourhood Delivery the discharge of those of the Council's functions that are designated as "General Functions" in Appendix 1 to this report, insofar as these are non-executive functions.
3. Notes the delegations to the post of the Head of Neighbourhood Delivery in relation to the discharge of those of the Council's functions that are designated as "Executive Functions" in Appendix 1 that were made by Executive at its meeting on 11 September 2013.

CN/13/17 Revision of a Joint Health Overview and Scrutiny Committee with Trafford Council

Consideration was given to the report submitted by the Governance and Scrutiny Support Unit which informed members that the Council currently has a Joint Health Overview and Scrutiny Committee (JHOSC) with Trafford Council, established as a result of the general direction from the Secretary of State to respond to the New Health Deal for Trafford NHS consultation. The JHOSC made a referral to the Secretary of State that the proposals were not in the interests of the health service and the patients of Trafford and Manchester. The Secretary of State refused the

referral but indicated that there was still a role for the JHOSC to play in an assurance capacity whilst the proposals were implemented.

Decision

That the Committee:

1. Recommend that the Council agree to establish a joint health scrutiny committee with Trafford Council for the purposes of providing an assurance role in respect of the implementation of the New Health Deal for Trafford proposals
2. Recommend that the Council appoint Councillors Cooley, Ellison, E. Newman and Watson (Liberal Democrat vacancy) to the Joint Health Overview and Scrutiny Committee.
3. To appoint Councillors M. Murphy and Reid as substitute members.
4. To appoint Councillor E. Newman as spokesperson for the Joint Health Committee

CN/13/18 Employee Appeals Committee

Consideration was given to the report submitted by the Assistant Chief Executive (People) which sought approval from the Committee to recommend changes to the Employee Appeals Committee to facilitate speedy resolution of dismissal appeals.

Decision

The Committee recommend that Council;

1. Revise the arrangements for membership of the Employee Appeals Committee to consist as follows. –

An Executive Member with a relevant portfolio (i.e. Executive Member for the service in which the employee was working or the Executive Member with a portfolio relevant to the specific subject area of the appeal) or an appropriate Assistant Executive Member.

One Member drawn from the Council's Executive Members or their Assistant Executive Member, or an Elected Member drawn from a prescribed 'pool'; the nominated Members are -

Cllr Bernard Stone
Cllr Chris Paul
Cllr. Daniel Gillard
Cllr Mary Murphy
Cllr Glynn Evans
Cllr Julie Reid
Cllr Matt Strong
Cllr Bridie Adams
Cllr Tracey Rawlins
Cllr Carl Ollerhead

Cllr Nasrin Ali
Cllr Carl Austin
Cllr Carmine Grimshaw
Cllr Mary Watson

And an Opposition Member or their nominated substitute.

Each EAC to be chaired by an Executive Member decided by mutual agreement of the Members present on the panel.

At least 3 Members needed for EAC to be quorate.

2. Each EAC to be chaired by an Executive Member decided by mutual agreement of the Members present on the panel.

3. The Opposition member will be Councillor Di Mauro and Councillor Chamberlain is the nominated substitute.

CN/13/19 Membership of Council committees and representation on joint boards and joint committees

1. 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.

2. To recommend the Council to make the following changes in appointments to Committees and Joint Committees of the Council*

Committee	Member removed	Member appointed
Health Scrutiny Committee	Judge	

To appoint Councillor Cox as the Chair of Young People and Children Scrutiny Committee

Health and Wellbeing Board

Mike Houghton-Evans, Interim Director of Families Health and Wellbeing to replace Liz Bruce.

Dr Attila Vegh, University Hospital of South Manchester to replace Karen James.