

**Manchester City Council  
Report for Resolution**

**Report to:** Resources and Governance Scrutiny Committee  
21 June 2018

**Subject:** Greater Manchester Combined Authority Governance  
Arrangements Update

**Report of:** Deputy City Solicitor

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**Summary**

This report provides an update to the Committee concerning the governance arrangements in place in relation to the Greater Manchester Combined Authority.

**Recommendations**

Members are asked to note the report.

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**Wards Affected:** All

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**Alignment to the Our Manchester Strategy Outcomes (if applicable)**

<b>Manchester Strategy outcomes</b>	<b>Summary of how this report aligns to the OMS</b>
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	Effective governance underpins the Council's activities in support of its strategic priorities
A highly skilled city: world class and home grown talent sustaining the city's economic success	
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	
A liveable and low carbon city: a destination of choice to live, visit, work	
A connected city: world class infrastructure and connectivity to drive growth	

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**Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

Report of the City Solicitor, "Greater Manchester Combined Authority Governance", 12 October 2017:

[http://www.manchester.gov.uk/download/meetings/id/23628/5\\_greater\\_manchester\\_combined\\_authority\\_governance](http://www.manchester.gov.uk/download/meetings/id/23628/5_greater_manchester_combined_authority_governance)

Greater Manchester Combined Authority Constitution 2017:

[http://www.greatermanchester-ca.gov.uk/download/downloads/id/313/gmca\\_constitution\\_2017.pdf](http://www.greatermanchester-ca.gov.uk/download/downloads/id/313/gmca_constitution_2017.pdf)

The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017:

<http://www.legislation.gov.uk/ukxi/2017/68/contents/made>

Report of the Mayor of Greater Manchester to the Greater Manchester Combined Authority, "GMCA Governance Review", 27 April 2018:

[https://www.greatermanchester-ca.gov.uk/download/meetings/id/3184/item\\_12\\_-\\_governance\\_review](https://www.greatermanchester-ca.gov.uk/download/meetings/id/3184/item_12_-_governance_review)

Report of the GMCA Monitoring Officer to the GMCA's Corporate Issues and Reform Overview and Scrutiny Committee, "GMCA Governance Review", 19 June 2018:

[https://www.greatermanchester-ca.gov.uk/download/meetings/id/3310/item\\_13a\\_gmca\\_constitution\\_review\\_201819](https://www.greatermanchester-ca.gov.uk/download/meetings/id/3310/item_13a_gmca_constitution_review_201819)

## 1. **Background**

- 1.1 On 12 October 2017 a report was made to the Committee concerning the governance arrangements in place in relation to the Greater Manchester Combined Authority ("GMCA"). That report provided an overview of the functions of the GMCA and of its governance arrangements.
- 1.2 The following broad categories of GMCA functions were identified:
- Transport
  - Economic Development, Regeneration and Housing
  - Policing
  - Fire and Rescue
  - Health
  - Waste Disposal
- 1.3 It was explained how GMCA functions could be either:
- Non-mayoral functions;
  - General mayoral functions; or
  - Police and Crime Commissioner functions.
- 1.4 The report also addressed the role of overview and scrutiny within the governance arrangements of the GMCA. This was principally provided by way of the GMCA's three overview and scrutiny committees, which draw their membership from the elected members of the ten Greater Manchester constituent councils. In relation to non-mayoral and general mayoral functions the GMCA's overview and scrutiny committees have similar powers to those exercised in respect of district councils by their district-level overview and scrutiny committees. However, in relation to Police and Crime Commissioner functions oversight is principally provided by the Police and Crime Panel rather than the GMCA overview and scrutiny committees.
- 1.5 The report also touched on the GMCA's other Committees, including its Standards Committee, Audit Committee and Resources Committee. Reference was also made to the Mayor's Fire Committee (now disestablished, see para.2.7 below)
- 1.6 Finally the report noted that, while not a formal part of the GMCA's governance arrangements, it was open to an overview and scrutiny committee of a constituent council to consider the decisions or actions of the GMCA if:
- a) those decisions or actions affect the area of the constituent council or its inhabitants; and
  - b) the decisions or actions being considered relate to matters coming within the remit given by the constituent council to the overview and scrutiny committee concerned.

In such a case the constituent council's overview and scrutiny committee's powers would be limited to making reports or recommendations on the matters concerned to the constituent council or its Executive and it would have no power to compel officers or members of the GMCA to appear before it (although it could invite them).

1.7 This current report aims to provide an update to the 12 October 2017 report and in particular to:

- Report on the GMCA's Governance Review.
- Detail how members of constituent councils who are not appointed to GMCA bodies can contribute to the GMCA's governance arrangements.

## **2. GMCA Governance Review**

2.1 On 27 April 2018 the Mayor of Greater Manchester submitted a report to the GMCA on the subject of a "GMCA Governance Review". Key points arising from the report are detailed below.

2.2 In relation to Fire and Rescue functions the Mayor had decided, following consultation with GMCA members:

- To pursue the amendment of the relevant GMCA Order to provide for the Deputy Mayor for Policing and Crime to exercise delegable Fire and Rescue functions.
- To include advice and support on Fire and Rescue issues insofar as possible as matters for the Police and Crime Panel to consider.
- To seek permission to rename the Police and Crime Panel as the Police, Crime and Fire Panel.
- To disestablish the Fire Committee.
- To appoint representatives to certain outside bodies, namely North West Fire Control Limited, the Local Government Association in relation to Fire and Rescue, the North West Fire Forum and the Association of Metropolitan Fire and Rescue Authorities.

2.3 In relation to Waste Disposal the GMCA agreed:

- To invite two nominations from each district (except Wigan) for the establishment of a Waste Committee as a GMCA committee from 2 July 2018.
- That the Committee will have between 12-15 members to ensure political proportionality and gender balance.

- That the size and Chairing of the Committee would be agreed at the June GMCA AGM.
- To agree the Terms of Reference of the Committee at the June AGM which will include delegated authority to progress contract negotiations.

2.4 In relation to Transport the GMCA agreed:

- To request districts to consider the functions, size and membership of the Transport for Greater Manchester Committee ("TfGMC") as a joint committee of the districts, the GMCA and the Mayor.
- To determine the re-constitution of TfGMC at the June GMCA AGM.
- To request districts to make appointments to the existing TfGMC at their annual meetings for the period May-July 2018, and that those appointments include the Transport Portfolio holder in each district.

2.5 The GMCA also agreed that portfolio governance and the wider engagement of GM elected members be reviewed after the GMCA AGM in June. The review is to be overseen by portfolio leads supported by the GMCA's Monitoring Officer and Assistant Director, Governance and Scrutiny.

2.6 The full report on the GMCA Governance Review is available here:  
[https://www.greatermanchester-ca.gov.uk/download/meetings/id/3184/item\\_12\\_-\\_governance\\_review](https://www.greatermanchester-ca.gov.uk/download/meetings/id/3184/item_12_-_governance_review)

2.7 The most recent position on the matters raised in the GMCA Governance Review is set out in a report of the GMCA's Monitoring Officer that will be considered by the GMCA's Corporate Issues and Reform Overview and Scrutiny Committee on 19 June 2018. The current position, as described in that report, is as follows:

- The Mayor's decision to disestablish the Fire Committee took effect on 9 May 2018.
- The GMCA Monitoring Officer is in discussion with the Home Office in relation to the GMCA Fire Order. The Home Office has indicated its agreement in principle to amend the Fire Order to enable the Mayor to authorise the Deputy Mayor for Policing and Crime to exercise Fire and Rescue functions.
- The Home Office has asked for further information on the functions to be undertaken by the Police and Crime Panel in relation to Fire and Rescue.
- The district councils have made their nominations to the GMCA in respect of the Waste Committee.
- The GMCA Monitoring Officer is consulting on draft terms of reference and delegations in respect of Waste Disposal functions. In broad terms matters

such as setting the levy, setting the capital programme, and approving the Waste and Resources Strategy would be reserved to the GMCA.

- The district councils have made their appointments to TfGMC. The districts will be asked to report back their views on the future functions, size and membership of TfGMC as a joint committee of the districts, the GMCA and the Mayor in July.
- The review of portfolio governance will be included in the Legal and Governance Business Team Plan.

### **3. The Contribution of Constituent Council Members to GMCA Governance**

- 3.1 Individual members of constituent councils may play a direct role in GMCA governance where they are either members of the GMCA itself or sit as members of its Overview and Scrutiny Committees, its Audit Committee, its Waste Committee or as a member of TfGMC (which is a joint committee of the ten districts and the GMCA). The Mayor's 27 April 2018 report to the GMCA on the GMCA Governance Review states that:

*"In relation to the involvement of elected members in the work of the CA current governance and delivery arrangements across portfolios include for approximately 190 GM elected members (excluding Leaders). However this number simply reflects numbers appointed to the CAs various bodies it does not capture other ways of engagement and involvement by the CA or how GM work is communicated and shared within Districts. These are areas that are recommended for further review by portfolio leads following the June CA AGM when any portfolio changes have also been agreed. The review will engage with the 10 districts and will welcome views from all councillors on how they wish to engage with the CA to ensure that it is transparent and accountable across all authorities and is seen to be so."*

- 3.2 For individual members of constituent councils who are not appointed to a GMCA body, current avenues for involvement in GMCA governance include:
- a) holding to account their authority's GMCA member through the mechanisms provided for within their district's constitutional arrangements – for example, in Manchester Members may put questions to the Leader in relation to the GMCA under Rule 24 of the Council Procedure Rules;
  - b) holding to account their authority's representatives on TfGMC through the mechanisms provided for within their district's constitutional arrangements – in Manchester Members may put questions to the Council's nominated TfGMC spokesperson in relation to the work of TfGMC under Rule 24 of the Council Procedure Rules;
  - c) holding to account their authority's representative on the Police and Crime Panel through the mechanisms provided for within their district's constitutional arrangements – in Manchester Members may put questions to the Council's nominated Police and Crime Panel spokesperson in

relation to the work of the panel under Rule 24 of the Council Procedure Rules;

- d) considering the decisions or actions of the GMCA via the overview and scrutiny committees of districts, as described at paragraph 1.6 above;
- e) exercising the right of a member of a constituent council, under Article 6 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 (and in accordance with the GMCA's Scrutiny Procedure Rules), to refer to a GMCA overview and scrutiny committee any matter which is relevant to the functions of that committee.

#### **4. Recommendations**

- 4.1 The recommendations are set out at the beginning of this report.