



Joanne Roney OBE
Chief Executive
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Friday, 20 March 2020

Dear Councillor / Honorary Alderman,

Meeting of the Council – Wednesday, 25th March, 2020

A summons was issued on 17 March 2020 for meeting of the Council which will be held at 10.00 am on Wednesday, 25th March, 2020, in the Council Chamber, Manchester City Council.

The following items marked as 'to follow' on the summons are now enclosed.

6. Scrutiny Committees

Pages

To note the minutes of the following committees:

5 - 26

Resources and Governance on 4 February 2020 and 3 March 2020

Health on 4 February 2020 and 3 March 2020 (to follow)

Children and Young People on 5 February 2020 and 4 March 2020

Neighbourhoods and Environment on 5 February 2020 and 4 March 2020

Economy on 6 February 2020 and 5 March 2020

Communities and Equalities 6 February 2020, 5 March 2020 (to follow) and 11 March 2020 (to follow)

The minutes of Health on 3 March 2020 and Communities and Equalities on 5 March 2020 and 11 March 2020 are now enclosed.

7. Proceedings of Committees

Pages

To submit for approval the minutes of the following meetings and consider recommendations made by the committee:

27 - 32

Audit Committee on 11 February 2020 and 10 March 2020

Personnel Committee on 11 March 2020 (to be tabled). The meeting was adjourned, to be resumed on 25 March 2020. It is likely that when it meets on 25 March the Committee will make recommendations to this meeting of the Council. They will be set out in the minutes which will be tabled at the Council meeting.

Planning and Highways on 16 January 2020, 13 February 2020 and 12 March 2020 (to follow)

Standards Committee on 19 March 2020 – With the present risks to health the participants in this were advised not to attend if they felt that would involve some risk to them. As a consequence **there was not a quorum for the meeting and it did not go ahead.**

Health and Wellbeing Board on 18 March 2020 – **now enclosed**

Constitutional and Nomination on 25 March 2020 (to be tabled)

8. **Constitutional Amendments and Other Matters for Council Business Continuity**

Pages
33 - 46

The report of the Chief Executive, Deputy Chief Executive and City Treasurer, and the City Solicitor is now enclosed.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Joanne Roney', with a long horizontal flourish extending to the right.

Joanne Roney OBE
Chief Executive

Councillors:-

Hitchen, Abdullatif, Akbar, Azra Ali, Ahmed Ali, Nasrin Ali, Sameem Ali, Shaukat Ali, Alijah, Andrews, Appleby, Battle, Bridges, Butt, Chambers, Chohan (Chair), Clay, Collins, Cooley, Craig, Curley, M Dar, Y Dar, Davies, Dobson, Doswell, Douglas, Evans, Farrell, Flanagan, Green, Grimshaw, Hacking, Hassan, Hewitson, Holt, Hughes, Igbon, Ilyas, Jeavons, Johns, S Judge, T Judge (Deputy Chair), Kamal, Karney, Kilpatrick, Kirkpatrick, Lanchbury, Leech, Leese, J Lovecy, Ludford, Lynch, Lyons, McHale, Midgley, Madeleine Monaghan, Mary Monaghan, Moore, N Murphy, S Murphy, Newman, Noor, O'Neil, Ollerhead, B Priest, H Priest, Rahman, Raikes, Rawlins, Rawson, Razaq, Reeves, Reid, Riasat, Richards, Rowles, Russell, Sadler, M Sharif Mahamed, Sheikh, Shilton Godwin, A Simcock, K Simcock, Stanton, Stogia, Stone, Strong, Taylor, Watson, Wheeler, Whiston, White, Wills, Wilson and Wright

Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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This agenda was issued on **Friday, 20 March 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

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Health Scrutiny Committee

Minutes of the meeting held on 3 March 2020

Present:

Councillor Farrell – in the Chair

Councillors N. Ali, Clay, Curley, Holt, Mary Monaghan, Newman, O'Neil, Riasat and Wills

Apologies:

Also present:

Councillor Craig, Executive Member for Adults, Health and Wellbeing

Councillor Ilyas, Assistant Executive Member for Adults, Health and Wellbeing

Nick Gomm, Director of Corporate Affairs, Manchester Health and Care Commissioning

Mark Edwards, Chief Operating Officer, Manchester Local Care Organisation

Vicky Isaac, Manager, Manchester Community Response

Dr Jane Eddleston, Medical Director, Manchester University NHS Foundation Trust

Sophie Hargreaves, Director of Strategy, Manchester University NHS Foundation Trust

HSC/20/14

Urgent Business – Coronavirus Update

The Chair introduced an item of urgent business by inviting the Director of Population Health to provide an update on Coronavirus.

The Director of Population Health informed the Committee that it was an emerging situation and at this time he could report the Government had issued an action plan that morning, following the emergency Cobra committee meeting, held Monday 2 March 2020. He described that the current approach to the virus was containment and delay, noting that the UK was in the containment stage of management with people being advised to regularly wash their hands and to catch it, bin it, kill it (sneeze/cough into tissue then put in bin) with a national public health campaign to be rolled out. He described that if the status was escalated to delay, measures such as self-isolation, social distancing and working from home would be introduced to protect vulnerable groups.

The Director of Population Health advised that if the UK was required to go into the mitigation stage the proposal was for legislation to be introduced that would allow for additional measures to be implemented to mitigate the risk of infection, such as closing schools and cancelling large scale events. He stated that currently the World Health Organisation was not classifying Coronavirus as a pandemic, however it was an imminent Public Health emergency, commenting that 14000 people had been tested nationally with 40 positive results identified, with one case being recently diagnosed in Greater Manchester (GM).

The Director of Population Health informed the Members that the Manchester Locality Planning Group were meeting regularly to monitor the emerging situation

and reviewing key actions and this activity would continue to be reported to the local Health and Wellbeing Board and at a GM level. He stated that information and updates would also be cascaded to Members. He described that the local response would include mobilising staff to implement community testing services. He further described that policies and practices were in place at the airport site to monitor arrivals from identified countries.

The Executive Member for Adults, Health and Wellbeing stated that it was important at this time to listen to the advice of health experts and communicate information in a responsible and honest manner to avoid misinformation. She further stated that if Members had specific questions or concerns they should contact her directly.

Members thanked the Executive Member for Adults, Health and Wellbeing and the Director of Population Health for providing the update. Members further paid tribute to all of the staff working in the delivery of health services.

Decision

To note the update.

HSC/20/15 Minutes

Decision

To approve the minutes of the meeting held on 4 February 2020 as a correct record.

HSC/20/16 Update on the mobilisation of Manchester Community Response

The Committee considered a report of the Director of Adult Social Care, Manchester City Council and the Chief Operating Officer, Manchester Local Care Organisation (MLCO) that provided an update on the work of health and social care staff in the Manchester Community Response (MCR) services.

Officers referred to the main points and themes within the report which included: -

- Providing an introduction and background to the MCR;
- Describing the overarching aims of the MCR;
- Providing a description of the teams that comprised the MCR;
- Describing what the MCR aimed to deliver;
- The MCR and MLCO operating model;
- Data on the number of avoided admissions to hospital as a result of the MCR; and
- Case studies.

Some of the key points that arose from the Committee's discussions were: -

- Welcoming the introduction of integrated teams and the positive outcomes this had delivered for residents of Manchester,

- Did teams experience challenges in regard to recruiting to post and stability of teams to deliver continuity of care;
- The importance of recognising and responding to the wider determinants of health;
- What were the challenges to patient discharge from hospital;
- How many patients that were discharged from hospital readmitted;
- Did the pressures experienced by Accident and Emergency Departments at hospitals influence the decision to discharge patients;
- Were the financial savings achieved by avoiding unnecessary patient admissions to hospital calculated and reported; and
- Was the Crisis Response service restricted to the number of hours they would engage with a patient.

In response to the above comments and questions officers informed the Committee that the wider determinants of health were understood and the establishment of multidisciplinary teams allowed for services to work together and make appropriate referrals to best meet the health needs of residents and avoid escalation and unnecessary hospital admission, as it was recognised that people had better outcomes if they could be supported to remain in their homes. The Chief Operating Officer, Manchester Local Care Organisation stated that the financial savings were calculated and reported.

In response to the question raised regarding barriers to discharging patients from hospital, the Director of Adult Social Care stated that they continued to work with acute settings to ensure that people were discharged, once medically optimised, to their home or other place of residence rather than remaining in hospital. The Chief Operating Officer, Manchester Local Care Organisation further stated that the pressures experienced at Accident and Emergency Departments did not influence the decision to discharge patients and free beds. He stated that alternative bed managements practices would be implemented, such as cancelling elective surgery. He further commented that people still attended Accident and Emergency Departments when other sources of assistance, such as General Practice or Pharmacy's would be more appropriate and this resulted in additional pressures across Accident and Emergency Departments. In response to the specific question regarding the rates of re-admittance following discharge he advised that the analysis of this would be circulated following the meeting.

In response the question asked regarding the number of hours a person would receive the Crisis Response service, the Manager, Manchester Community Response stated that they would support the person as long as was required. She further commented that whilst teams had experienced challenges in regard to recruitment to posts, this was a national issue. She described that teams worked together and shared care plans to ensure a continuity of care was maintained.

Decision

To note the report.

The Committee considered a report of the Director of Population Health that summarised the key messages from the 'The Marmot Review – 10 Years On' that was published on 25 February 2020'. It further provided an initial assessment of how plans, programmes and activities in Manchester relate to the key recommendations contained in the review report.

The Director of Population Health referred to the main points and themes within the report which included: -

- Providing an introduction and background to the six priority objectives identified by Sir Michael Marmot in his report published February 2010 entitled 'Fair Society Healthy Lives';
- Detailing the key messages from the review that were presented to a national conference on 25 February 2020;
- Describing the work of the Manchester Public Health Team to respond to the recommendations.

Some of the key points that arose from the Committee's discussions were: -

- The report presented the political choices that had been taken over the previous years;
- Noting that the Black Report, published in 1980 had reported similar conclusions regarding the link between social and economic factors and health outcomes;
- The report represented a failure by Government to adequately fund the National Health Service and Adult Social Care (ASC), noting that current indications suggested that future ASC budgets would be reduced;
- Noting the impact of austerity on people's mental health;
- Expressing concern that the data that reported that among women in the most deprived 10 percent of areas, life expectancy fell between 2010-12 and 2016-18;
- Noting the response in Manchester to protect the most vulnerable residents; and
- All Scrutiny Committees needed to understand and consider the wider determinants of health.

The Executive Member for Adults, Health and Wellbeing stated that the reports demonstrated the direct link between austerity and health outcomes and life expectancy. She stated the report clearly identified and recognised the wider determinants of health and commented that health was a social justice issue and she called for adequate funding from the Government. She stated that despite the continued budget cuts, Manchester had responded by adopting policies, such as the Family Poverty Strategy, to protect the most vulnerable residents. She further commented that mental health was not an isolated issue, and needed to be understood in a wider social and economic context, and mental health had the same parity of esteem with physical health in Manchester. She described that a whole system approach was required and the Council needed to consider health when making all decisions and adopting policies, including planning, licensing and housing. The Chair recommended that he would speak on this issue at Council when he was invited by the Mayor to move the minutes.

In response to the population health data released in December 2019 the Director of

Population Health stated that he hoped to see continued improvements in the data. He stated that local data would also assist with identifying any groups or communities that required further or additional health interventions. The Executive Member for Adults, Health and Wellbeing suggested that Committee may wish to schedule a report on inclusive health when Members met to consider the work programme in the new municipal year. Members noted that the recommendations indicated that a national response was required, however expressed reservations that those would not happen. The Director of Population Health commented that these would require national policy changes.

The Director of Population Health informed the Committee that the Chief Executive of Manchester City Council, Joanne Roney, was a member of the National Advisory Group for the review and had played a leading role in bringing the Marmot Review Team to work with partners in Greater Manchester (GM), adding that Greater Manchester had been a designated Marmot City Region. He described that work would continue to influence wider GM policies and this in turn would inform the ask of government from the city region.

A Member recommended that the Committee should receive an annual update on the work to address the findings of the review. The Director of Population Health stated that this could be addressed through the annual population health update report.

Decisions

The Committee;

1. Note the report; and
2. Recommend that the Chair, when invited by the Mayor to move the minutes at the next meeting of Council, address Council and emphasise the importance of considering health when making all decisions and adopting policies.

HSC/20/18 Manchester Foundation Trust Clinical Service Strategy Programme Update

The Committee considered a report of the Group Medical Director and Director of Strategy that described that Manchester University Foundation Trust was created in 2017 following the merger of Central Manchester Foundation Trust and University Hospital South Manchester Foundation Trust and Clinical teams and services across the hospital sites had now been integrated. The report further provided an update on this work and to outline some of the proposals the merged clinical teams had identified to improve services further.

The report authors referred to the main points and themes within the report which included: -

- Information on the Single Hospital Service;
- An update on what had been achieved following the merger;

- Examples of improvements realised post merger;
- An overview of the Clinical Service Strategy Programme;
- Information on the engagement undertaken during the development of the strategy;
- Information on patient engagement and equality impact assessment; and
- Next steps.

Some of the key points that arose from the Committee's discussions were: -

- What was the relationship between Healthier Together and the Single Hospital Service (SHS);
- What were the management arrangements at North Manchester General Hospital (NMGH) to prepare for the absorption into the Manchester SHS;
- Were patient records accessible across the different sites; and
- An update was requested on the seven day service at the hospital sites.

Dr Eddleston stated that the Healthier Together decision had been taken into consideration when designing the SHS and that the SHS model was informed by sound clinical rationale.

In response to questions regarding NMGH, Dr Eddleston stated that an effective senior management team had been established at the site, pending the transfer of NMGH into the SHS. The Chair commented that he had experienced improvements with the leadership team at the site, noting that they had driven improvements at the hospital and demonstrated local accountability. Dr Eddleston welcomed these comments and added that this had also proven positive for the staff working at NMGH by providing leadership to deliver improved services for the benefit of local residents.

In response to the question asked regarding patient records, Dr Eddleston stated that across the SHS patients had a unique patient identifier so that records could be accessed across all sites. She stated that the intention was to introduce a system by September 2022 that allowed patients to access their own records and provide patients with certain functionalities, such as booking and amending appointments.

Dr Eddleston confirmed that clinical services were delivered seven days a week.

Decision

To note the report and recommend that an update report is submitted for consideration at an appropriate time.

HSC/20/19 Overview Report

A report of the Governance and Scrutiny Support Unit which contained key decisions within the Committee's remit and responses to previous recommendations was submitted for comment. Members were also invited to agree the Committee's future work programme.

Decision

To note the report and approve the work programme.

Communities and Equalities Scrutiny Committee

Minutes of the meeting held on 5 March 2020

Present:

Councillor Hacking - In the Chair
Councillors Chambers, Collins, M Dar, Evans, Grimshaw, Hitchen, Kirkpatrick and Rawson

Also present:

Councillor Akbar, Executive Member for Neighbourhoods
Councillor Craig, Executive Member for Adult Health and Wellbeing
Councillor Rahman, Executive Member for Skills, Culture and Leisure
Mike Wild, Macc
Martin Preston, Macc

Apologies:

Councillors Douglas and Rawlins

CESC/20/15 Minutes

Decision

To approve the minutes of the meeting held on 6 February 2020 as a correct record.

CESC/20/16 Review of Advice Services in Manchester - Final Report and Recommendations

The Committee received a report of the Review of Advice Services in Manchester Task and Finish Group which presented the findings, conclusions and recommendations of the Review of Advice Services in Manchester Task and Finish Group. The Task and Finish Group had been established to consider the availability of advice services across the city, with a view to producing recommendations to be considered in the budget in the next financial year.

The Executive Member for Adult Health and Wellbeing thanked the Members of the Task and Finish Group and other stakeholders who had contributed to this work, advising that it had been a helpful process and that the recommendations were useful and achievable. She proposed that, if the Committee endorsed the recommendations in the report, she and relevant officers could bring a report to a future meeting which outlined their response to the recommendations. She informed Members of work which had already commenced in relation to the recommendations, including work to provide ward-level information on available advice services, work to provide additional training for frontline staff, including library staff, discussions taking place with Registered Social Landlords (RSLs) and consideration of options for out of hours advice provision. She also informed the Committee about resources for and work to improve the provision of advice services in relation to homelessness and the

prevention of homelessness and also for asylum seekers, refugees and people with no recourse to public funds.

Some of the key points that arose from the Committee's discussions were:

- Request for more information on proposals for out of hours advice provision, noting that if telephone advice was to be made available through libraries, privacy was important;
- That RSLs should have a greater input, including a financial contribution, to the provision of advice services and a suggestion that RSLs could commission the Council to provide advice services, noting that the Executive Member for Adult Health and Wellbeing agreed to raise this through the Housing Providers Forum;
- The importance of having a pro-active approach to addressing debt, for example improving people's understanding of interest rates and raising awareness of issues relating to rent-to-own companies such as BrightHouse which charged high interest rates to low-income families;
- That this work should include consideration of the role RSLs could play in early intervention and that this could include a standard approach to providing support to tenants who were falling behind in their rent; and
- Concern that some tenants in overcrowded accommodation were de-prioritised for alternative accommodation because of their rent arrears and to ask that consideration be given to how households in this situation could be helped.

Decisions

1. To note the findings of the Task and Finish Group and endorse the recommendations as set out in the report.
2. To submit the recommendations to the Executive Member for Adult Health and Wellbeing and the recently-established multi agency Advice Forum for their consideration.
3. To request that the Committee receive a report in approximately six months' time which updates Members on actions being taken in response to the recommendations.
4. To request that the Executive Member for Adult Health and Wellbeing additionally consider the issues that Members have raised at this meeting and that a response to these also be included in the report.

CESC/20/17 Review of Council's Processes - Accessibility for Disabled People

The Committee received a report of the City Solicitor which set out the intended approach for a review of how the Council engaged with disabled residents, to act upon the Council's previously stated commitment to embed disability inclusion and

accessibility considerations in the design and development of Manchester's capital and public realm projects.

The report stated that embedding effective processes for accessibility for disabled people would ensure that Equality Impact Assessments (EIAs) would recognise that climate change might have differential and unique impacts on disabled people's communities across the city, for example in terms of poor air quality, more frequent incidences of extreme weather and initiatives to reduce car journeys or the use of plastics.

The Chair outlined the context within which the report was requested, noting the desire to learn from and rectify the issues which had become apparent when an inaccessible design for the Peterloo Memorial was approved.

Officers referred to the main points and themes within the report which included:

- Review of engagement mechanisms with disabled residents;
- Internal engagement;
- External research and engagement;
- Inclusive design round table;
- Outcomes and scope;
- Proposed timescales; and
- Communication.

Some of the key points that arose from the Committee's discussions were:

- To welcome this review and to recognise the contribution of the Lead Member for Disability in this work;
- That the timescale for this work seemed long and what were the reasons for this;
- How the Council would ensure that partners, such as companies contracted to undertake building work, aligned with the Council's policies;
- Whether some of the work taking place in Manchester could in future be expanded across Greater Manchester; and
- Concern that there was a shortage of accessible housing for disabled people and to ask what data was available on future need and what could be done to plan for this.

The Director of Policy, Performance and Reform reported that the timescales had been set to allow time for a good consultation with a range of people and to engage with different areas of the Council, as well as to allow for other work that the Equality, Diversity and Inclusion Team was involved in; however, he advised that the team was not waiting until the review was finished to start making improvements to processes.

The Director of Policy, Performance and Reform reported that the Council used its Ethical Procurement Policy to require contractors to comply with its standards and that the Council was in discussion with other partners about this approach including

discussions with Greater Manchester partners on adopting a consistent approach to ethical procurement.

The Equalities Specialist advised Members that she would discuss the issue of accessible housing with colleagues in the housing service as part of the review.

In response to a Member's question, the Equalities Specialist informed Members that the Our Manchester Disability Plan Board and its Access Subgroup would be involved in the review. The Chair encouraged both Members and officers to consider, and to ask other stakeholders, whether there was anyone else who should be involved in this review.

Decision

To request that the Committee receive a further report after the Inclusive Design Round Table meeting in October 2020.

CESC/20/18 Equality Objectives 2020 - 2024

The Committee received a report of the City Solicitor which set out the Council's proposed equality objectives for the period 2020 - 2024. It outlined the approach that the Council had taken to setting these in the past and described the process that had been undertaken to ensure that the most recent set of objectives represented the priorities of Manchester residents and other stakeholders, as well as those of the Council. The report set out the objectives in draft form and provided an opportunity for the Committee to comment on these to influence further refinement of them before they were published by no later than 6 April 2020.

The report noted that, whilst the process of setting equality objectives did not directly demonstrate an impact on the achievement of the Council's zero-carbon target, the refresh of the draft objectives did take the opportunity to commit to more fully understanding the interaction of equality issues and environmental issues. It stated that the Council would complete EIAs against relevant aspects of its environmental programme, which would support this undertaking.

The main points and themes within the report included:

- Engagement on the Equality Objectives 2020 – 2024;
- Draft Equality Objectives 2020 – 2024;
- Monitoring and reporting progress; and
- Publicising the Equality Objectives.

Some of the key points that arose from the Committee's discussions were:

- How progress would be monitored;

- That deprivation and poverty should be included in this work, in addition to the protected characteristics listed in the Equality Act 2010; and
- What work would be done to increase the proportion of Black and Minority Ethnic (BAME) people in the Council's workforce and to improve representation in the Council's senior leadership.

The Director of Policy, Performance and Reform drew Members' attention to section 4 of the report, which outlined how progress would be monitored. He proposed that the Committee receive a report on an annual basis, which would provide both qualitative and quantitative evidence on progress made. A Member suggested that the Committee receive a progress report sooner than this, in order to check that the work was on track. The Chair advised that he would be happy for this item to be considered sooner.

The Executive Member for Neighbourhoods confirmed that the Council's work on equality and diversity went beyond the protected characteristics listed in the Equality Act 2010 and did include deprived communities. The Director of Policy, Performance and Reform drew Members' attention to the Council's Inclusive Growth Strategy and Family Poverty Strategy, which aimed to address issues of deprivation and poverty. He reported that there were actions which the Council was able to take to improve the life chances of people in more deprived communities but that some factors, such as the impact of welfare reform, were not fully within the Council's control, although the Council would try to mitigate their impact.

The Executive Member for Neighbourhoods informed Members about an Independent Race Review of the Council, reporting that this work was currently being finalised. He advised the Committee that the Council would need an action plan with short, medium and long-term actions to improve representation of both BAME people and disabled people at all levels. He stated that a report on this would be submitted to the relevant committee, which was likely to be either the Audit Committee or the Resources and Governance Scrutiny Committee.

Decision

To request a further report on how the Council was achieving these objectives.

CESC/20/19 Voluntary, Community and Social Enterprise (VCSE) Infrastructure Service

The Committee received a report of the Director of Policy, Performance and Reform which provided an update on the VCSE infrastructure service, specifically on the contract management arrangements put in place since October 2019.

The report stated that officers would work with Macc (the provider) to consider how the VCSE Infrastructure service contract could contribute to Manchester's ambitions to live within the city's science-based carbon budget and become a zero carbon city by 2038 at the latest.

Officers referred to the main points and themes within the report which included:

- Background information;
- The contract management framework; and
- Next steps.

The Committee discussed the proposals for future communication and engagement with Council Members set out at point 4.1 in the report, including the benefits of both larger sessions for a big group of Members and smaller meetings. Members supported the proposals but commented that two Members' briefings per year would be sufficient, rather than the three or four suggested in the report.

In response to a Member's question on the referral mechanism for local groups, Mike Wild from Macc advised the Committee that this was a proposal for Ward Councillors to be able to refer local groups to Macc for support and to provide Macc with useful information about the group. He offered to re-circulate the link for how to put groups in contact with Macc.

Decision

To support the proposals for communication and engagement with Members outlined in the report, while noting that two Members' briefings per year will be sufficient.

CESC/20/20 Community Events Funding and Applications

The Committee received a report of the Strategic Director (Neighbourhoods) which provided an update on the funding of Community Events and additional information related to applications to the Community Events Fund.

The report stated that recipients of Community Event Funding support were required to demonstrate a commitment to implementing a range of sustainable event practices as part of the management of their event in order to support the Council's carbon reduction target and work with the Council and partners to support Manchester in accelerating its efforts to encourage all residents, businesses and other stakeholders to take action on climate change. It also stated that it was a requirement that the Council's Sustainable Event Guide for Community Events was used as part of the planning, management and monitoring of sustainable practice and that this had been produced to help support community event organisers incorporate good practice into their event planning and delivery.

The main points and themes within the report included:

- Background information on Community Events Funding;
- Community Events Funding Programme 2019/20, including the allocation of funding; and
- 2020/21 Community Events Funding.

Some of the key points that arose from the Committee's discussions were:

- What was the rationale for the different amounts of funding allocated to each event;
- Were there any other sources of funding which could contribute to these events;
- That it would be useful in future to be provided with the reasons why applications had been declined;
- That some events were being funded every year, meaning that less funding was available to new groups to help them become established; and
- Funding for the Wythenshawe Games.

The Executive Member for Skills, Culture and Leisure reported that the Community Events Fund could be used to fund up to 20% of the overall budget of an event so, where larger amounts had been awarded, these were for higher cost events. He reported that events could cover the rest of their costs from a range of sources, including other funders, commercial income and sponsorship, and that the Council encouraged groups to try to increase their funding from other sources so that they needed less funding from the Council. The Events Lead informed Members that obtaining sustainable funding from other sources could be challenging but that there had been some successes, for example, event organisers obtaining alternative funding from the Arts Council. He advised Members that, where events had received funding from the Council every year for a number of years, this was because they met the criteria and this had been assessed as being justified.

The Executive Member for Skills, Culture and Leisure confirmed that information could be provided on the reasons for the declined applications. He advised the Committee that this Fund was for events which had a citywide remit so one of the reasons for declining applications was that they were for more local events. He informed Members that in some cases the Council supported unsuccessful groups to build their capacity to enable them to successfully obtain funding in future. He reported that, following an underspend on the MCRactive budget, this budget had been used to fund the Wythenshawe Games.

Decision

To note the report.

CESC/20/21 Overview Report

A report of the Governance and Scrutiny Support Unit was submitted. The overview report contained a list of key decisions yet to be taken within the Committee's remit, responses to previous recommendations and the Committee's work programme, which the Committee was asked to approve.

The Chair noted that the Committee had requested a further report on the Peterloo Memorial and advised that he wanted to schedule this for when there was some substantial information to update the Committee on. He asked the Executive Member for Skills, Culture and Leisure to briefly outline the current position, including

when it was likely that there would be something substantial to report.

The Executive Member for Skills, Culture and Leisure reported that discussions had taken place with stakeholders to discuss options to make the Memorial accessible for disabled people but that, while over 20 options had been considered, the majority of these had not been viable. He advised the Committee that a couple of further options were now being explored in detail, for example, considering whether there was sufficient space available around the monument for the proposed design and whether it met with relevant regulations. He informed Members that, following this, a meeting would be held with all the stakeholders and an independent chair to identify the most acceptable option. He suggested that the Committee might want to receive a further report on this at its June 2020 meeting, when a more substantial update should be available.

Decision

To note the report and agree the work programme and to provisionally schedule the Peterloo Memorial report for the June 2020 meeting.

Communities and Equalities Scrutiny Committee

Minutes of the meeting held on Wednesday, 11 March 2020

Present:

Councillor Hacking (Chair) – in the Chair
Councillors Andrews, Chambers, Collins, M Dar, Doswell, Douglas, Grimshaw, Hitchen and Rawson

Also present:

Councillor Akbar, Executive Member for Neighbourhoods
Councillor N Murphy, Deputy Leader

Apologies: Councillors Battle, Evans, Kirkpatrick and Rawlins

CESC/20/1 Call In: To make a Public Spaces Protection Order in respect of the City Centre for a maximum of 3 years

The Committee considered a call in of the decision taken by the Strategic Director (Neighbourhoods) relating to the decision to make a Public Space Protection Order in respect of the City Centre for a maximum of three years

The Call In had been proposed by Councillor Hacking, Chair of the Communities and Equalities Scrutiny Committee. Councillor Hacking informed the Committee that the reason he had called the decision in was to seek an assurance from the Strategic Director that the concerns raised by the Communities and Equalities Scrutiny Committee at its meeting on 7 November 2019 in relation to the proposed PSPO for the City Centre had been taken fully into account prior to the decision being made.

The Strategic Director (Neighbourhoods) responded to the concerns raised by the Chair. In doing so she advised that to enable the Council to enable its strategic objectives of a safe, clean and welcoming city centre the Council and the police used a wide range of informal and formal powers to protect the public and tackle crime and antisocial behaviour. These measures included community resolution, warnings, Acceptable Behaviour Agreements, Community Protection Notices, injunctions, dispersal powers, arrests, prosecution and Criminal Behaviour Orders, alongside appropriate offers of intervention and support. The use of these powers had enabled the Council and Police to address some of the ASB that occurred in the city, however there were limitations to these powers. Current powers did not always facilitate an appropriate response to some of the problems that were frequently reported in the City Centre, like urination and defecation, health and safety hazards caused by the erection of tents and obstruction of exits, and build-up of commercial waste on the city streets.

The Strategic Director commented that she felt satisfied that the conditions as set out in Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 had been met and that by introducing the PSPO it would prohibit certain activities or require specified activities to be carried out by persons to ensure compliance with the Order.

In order to make the decision, the Strategic Director advised that she had taken the following into consideration:-

- The evidence of the issues concerned'
- The consultation responses from the statutory consultation between 12 Feb to 8 April 2019, which included over 2000 responses; and
- The proposals for the PSPO presented to the Communities and Equalities Scrutiny Committee on 7 November 2019 and the associated feedback form Committee Members.

The Committees attention was drawn to two specific points that had been withdrawn from the original proposal. These were the removal of begging with associated ASB as either a prohibition or a requirement and at Article 7 in relation to the obstructions and erection of tents and structures had also been amended to ensure that this requirement was intended to address health and safety risks only.

The Strategic Director assured the Committee that in making the decision she had taken full account of the concerns that had been raised by the Committee at its meeting in November 2019 and the response to those matters were detailed in section 8 of the report. She also explained in making the decision, she had decided to include a six month review of the implementation and impact of the PSPO, which was not requirement of the provisions of the legislation and offered to bring a report back to this Committee in regards to this.

The Chair then invited the Committee to ask questions of the Strategic Director (Neighbourhoods). Some of the key questions and points that were made by the Committee were:-

- It was felt that the proposals around displacement were weak and there was concern that there was no dedicated team or officer identified to implement the proposals;
- How would the commercial waste element of the PSPO be enforced and who would be attributed the blame of creating commercial waste, the employee or employer;
- What would the six month review of the PSPO cover;
- What analysis had been undertaken of the use of existing powers to determine that they were not sufficient to address the areas that the PSPO addressed and as part of the six month review it was requested that a breakdown of how effective and how often the PSPO had been used in comparison to existing powers was included;
- In relation to Article 6 (Health and/or safety risks – obstruction), if there was a protest in the city and the highways were being blocked, who would the written order be served on;
- In relation to Article 7 (Health and safety risks – obstruction), who would you serve a written order n if they were homeless,
- There was concern that there had been no consultation with wards that neighboured the city centre in respect of the proposals around displacement;
- How was Greater Manchester Police going to deliver the required training to its Officers to deal with displacements in neighbouring wards;

- What would happen if a person who was rough sleeping refused to move or was on private property;
- It was requested that a measure of adherence to the Equality Act was included in the six month review of the PSPO;
- What was the timeframe for the needle exchange review; and
- What consideration was given to the letter received by over 50 community and voluntary organisations who worked in partnership with the Council to combat homelessness and adhered to the homelessness charter.

The Strategic Director (Neighbourhoods) advised that the PSPO would look to identify what support people, who were subject to displacement, needed through an existing strong multi agency partnership and it was clarified that it was not meant to be used in a punitive way and was part of a suite of tools and powers. It was acknowledged that displacement was not just confined to the City Centre and it was commented that there was a clear approach to addressing this across the city. What was proposed as part of the displacement article was to monitor carefully any issues that were directly arising from displacement.

In terms of commercial waste, it was reported that the PSPO would not be used in isolation to tackle this but it would however provide a more robust approach to addressing commercial waste which was not currently being achieved through existing powers. It was also confirmed that this would be enforced against the employer, not the employee and would not be enforced if the employer had complied with their contracted collection time but their waste had not been collected on time by their waste contractor. It was also confirmed that reporting back on the performance of the PSPO in regards to commercial waste could be reported back as part of the six month review.

The Strategic Director (Neighbourhoods) advised that some existing powers did not go far enough in tackling particular issues, such as commercial waste and obstructions. The six month review of the PSPO would cover the implementation and impact of the PSPO in the City Centre but at the current moment in time the exact content was still being scoped.

The Committee was advised that if there was a protest in the City Centre, the PSPO legislation would not be used, but rather Public Order legislation and this was covered by the Police. In terms of obstructions from tents, this would not be a prohibition of the PSPO but a requirement and as such those causing an obstruction would be asked to move. The Strategic Director (Neighbourhoods) clarified that the consultation on the PSPO had been available to everyone in the city and a number of responses had been received from groups and individuals in the city, not just the city centre.

It was clarified that the PSPO would only be operational within the City Centre and would not be used outside of the city centre boundary. The enforcement of displacement would be from a combination of Police Officers and Neighbourhood staff working in the city centre who would all be adequately trained. Having spoken to the Chief Superintendent for the City, it was envisaged that it would predominantly be city centre Neighbourhood Beat Officers who would be trained to use these

powers. Again it was reiterated that the PSPO would not be used in isolation but rather as a suite of powers. As it had not been considered to use the PSPO anywhere outside of the City Centre it was explained that there was a requirement to train staff who worked outside of the city centre and in terms of displacement there were teams of people who worked across the city to tackle anti social behaviour.

Officers explained that the first step in dealing with rough sleepers would be to try and engage with the individual, find out who they were and what support they needed. to try and identify if they were already known or engaging with services. Only if this approach was unsuccessful or where someone continued to engage in anti social behaviour or cause an hazard by obstruction would enforcement action then be considered. It was also reported that powers would still be able to be used on private land that was publically accessible.

The Strategic Director (Neighbourhoods) advised that she would ask the Director of Population Health to share information on the needle exchange review. Furthermore she advised that if the letter from the voluntary and community organisations was received as part of the consultation it was taken into consideration alongside all other responses received

A member of the Committee sought clarification as to what power the Strategic Director (Neighbourhoods) had in respect of incorporating any recommendations that the Committee may ask that she took into account if asked by the Committee to reconsider the decision. The Chair provided clarification of what options the Committee had in terms of determining what it could do in terms of dealing with the Call In, and if it was minded to refer the decision back to the Strategic Director (Neighbourhoods), she would be required to give consideration to any recommendations put forward but was not obliged to accept them.

After all questions were asked, the Chair proposed a five minute adjournment

On the recommencement of the meeting, it was proposed to refer the decision back to the Strategic Director (Neighbourhoods) with the following recommendations:-

- That as part of the six month review, this was to include information and data on homelessness and information and data on commercial waste;
- That in relation to displacement, consideration be given to establishing a dedicated Officer or Team to deal with any displacements arising from the implementation of the PSPO; and
- That the enforcement of the PSPO should only be done by Police Officers or Council Staff who had received the necessary training to implement the PSPO;

Decisions

The Committee:

- (1) Agrees to refer the decision back to the Strategic Director (Neighbourhoods) with the following recommendations
 - That as part of the six month review, this was to include information and data on homelessness and information and data on commercial waste;

- That in relation to displacement, consideration be given to establishing a dedicated Officer or Team to deal with any displacements arising from the implementation of the PSPO; and
 - That the enforcement of the PSPO should only be done by Police Officers or Council Staff who had received the necessary training to implement the PSPO;
- (2) Requests that the Strategic Director (Neighbourhoods) when scoping the content of the six month review of the PSPO, the additional points and areas raised by the Committee in its discussions is taken into account and included where possible; and
- (3) Requests that the six month review is reported back to a future meeting of this committee, the precise date to be agreed in consultation with the Chair.

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Health and Wellbeing Board

Minutes of the meeting held on 18 March 2020

Present:

Councillor Richard Leese, Leader of the Council (Chair)
Councillor Craig, Executive Member for Adult Health and Wellbeing
Dr Ruth Bromley, Chair Manchester Health and Care Commissioning
Paul Marshall, Strategic Director of Children's Services
David Regan, Director of Public Health
Bernadette Enright, Director of Adult Social Services

HWB/20/07 Minutes

The minutes of the meeting held on 22 January 2020 were submitted for approval.

Decisions

To agree as a correct record, the minutes of the meeting of the Health and Wellbeing Board held on 22 January 2020.

HWB/20/08 COVID-19 (Coronavirus) Update

Consideration was given to the report of the Director of Population Health that provided a brief overview of the current plans to ensure the City of Manchester could respond effectively to the respective phases of the COVID-19 pandemic.

The report provided an introduction and background to the development of Coronavirus, both in a national and international context. The report further described the National Guidance published on 3 March 2020.

The report provided information on the Manchester response to the emerging situation stating that preparations to respond to COVID-19 had commenced in early January following an assessment of the emerging situation in Wuhan (Manchester's sister city) and Hubei Province.

The Board were informed that a decision had been made to rename the Manchester Health Protection Group which already had a formal link to the Manchester Health and Wellbeing Board, as the Manchester COVID-19 Locality Planning Group (MCLPG) for the duration of the pandemic.

The MCLPG would fulfil the functions of the 'Borough/City Pandemic Co-ordinating Group' as set out in the Greater Manchester Resilience Forum Pandemic Plan. The MCLPG would also report to the Greater Manchester Strategic Co-ordination Group and link to NHS COVID-19 Incident Management Teams and the Council's Resilience Forum.

The Board were invited to review the Terms of Reference that were provided with the report and are set out below. Included with this was the key responsibilities,

membership and a draft of the current governance and reporting arrangements. The Board noted that the governance and reporting arrangements would be further updated following discussions with Manchester City Council and NHS Organisations.

“Terms of Reference

1. Introduction

1.1 The Manchester Health Protection Group is the established group for all health protection issues in Manchester. It meets quarterly and has a formal reporting and governance line to the Health and Wellbeing Board agreed in 2013. The group is chaired by the Director of Public Health.

1.2 It is proposed to rename the Manchester Health Protection Group as the Manchester COVID-19 Locality Planning Group (MCLPG) for the duration of the COVID-19 national incident. This will ensure a direct escalation route to the Health and Wellbeing Board, chaired by the Leader of the City Council, and with all relevant Manchester NHS organisations represented on it. The Christie is not represented on the Health and Wellbeing Board because it is a regional centre, however, for COVID-19 they will link into the Manchester structures.

1.3 Furthermore, the MCLPG will fulfil the functions of the “Borough Pandemic Co-ordinating Group” set out in the Greater Manchester Resilience Forum Pandemic Strategic Response Plan. The Plan does relate to an influenza outbreak situation but many of the general principles contained in the plan will guide the work on COVID-19.

1.4 The MCLPG will report to the GM Strategic Co-ordination Group (GMSCG) and link to NHS Incident Management Teams and the Council’s Resilience Forum.

1.5 The key responsibilities of the group are provided in Appendix 1 and these have been “lifted” from the GM Pandemic Plan document. They have been amended to reflect the evolving COVID-19 situation.

2. Membership

2.1 The core membership of the group is attached as Appendix 2. A set of structure charts and reporting arrangements are attached as Appendix 3.

2.2 People attending the meeting must have delegated authority from their respective organisations so that decisions can be made quickly. A number of workstreams/sub groups will be established to respond to the various phases of the UK outbreak, namely:

1. Containment
2. Delay
3. Mitigation

4. Research

3. Frequency of meetings

- 3.1 It is planned to have weekly meetings for March and April with a review at the end of this period. It will be important to give sufficient time for sub groups to implement plans agreed.
- 3.2 All meetings will be structured with an agreed agenda and key actions will be recorded to enable rapid circulation of information.”

The Director of Adult Social Services provided an oral update by stating that a control room had been established to coordinate the response to the emerging situation and to provide support and advice to care providers. She advised that Personal Protective Equipment had been delivered to providers and the Care Quality Commission had expedited the registration of local providers to increase capacity within the sector. She said that the Manchester Local Care Organisation was actively working to identify and support any persons with complex needs to ensure the most vulnerable residents were supported at this time. She concluded by stating that the situation would continue to be monitored in line with Government guidance and legislation.

The Strategic Director of Children's Services advised that the situation across a range of provisions and services, including schools, foster carers and Pupil Referral Units continued to be closely monitored and consideration given to how they can all be best supported in line with current Public Health England and the Department for Education guidance. He stated that day to day services were being reviewed and reprioritised, noting that consideration would be given to redeploying staff where appropriate to undertake other duties to support service and protect residents.

The Chair Manchester Health and Care Commissioning stated that changes had been introduced to Primary Care settings, noting the introduction of telephone triage for patients, recognising the need to protect both patients and colleagues. She stated that work force planning was underway and would be continually reviewed to respond and plan effectively during this period. She further advised that Manchester would lead on the response to support the homeless during this period on behalf of Greater Manchester.

The Executive Member for Adult Health and Wellbeing recognised and paid tribute to the commitment and dedication of all staff working across the public sector in their response to this emerging situation. Noting the work of the Council and its partners to effectively coordinate the support and serviced provided to protect the residents of the city. She recognised the role of the established local Neighbourhood Teams, working collaboratively with partners in the health service to support vulnerable residents and local community initiatives, such as food banks and other sources of support.

The Leader reiterated the comment of the Executive Member for Adult Health and Wellbeing by recognising the work of all staff during these difficult and challenging times. He acknowledged that in response to the emerging situation consideration

would need to be given as to what services were provided by the Council and that staff resources would be utilised in the most appropriate way to ensure essential and critical services continued to be delivered.

The Leader further commented that he recognised that many Mancunians may experience financial difficulties during this period and he encouraged residents to contact the Council as soon as they were experiencing this for support and advice. He stated that there would be a need to reduce face to face contact and he encouraged residents to contact the Council via email, adding that IT systems were available in public libraries.

Decision

To note the report and approve the formal establishment of the Manchester COVID-19 Locality Planning Group as set out in Annex A of the report, with the Terms of Reference as set out above.

HWB/20/09 MHCC and MLCO Operational Plans

Consideration was given to the joint report of the Executive Director of Strategy, Manchester Health & Care Commissioning (MHCC), Executive Director of Strategy & Deputy Chief Executive Manchester Local Care Organisation (MLCO) that outlined the approach and progress to developing the MHCC Operational Plan for 2020/2021 and the MLCO Operating Plan for 2020/2021.

The report described that since 2019, planning leads from MHCC, Manchester City Council (MCC), MLCO and Manchester University NHS Foundation Trust Hospital (MFT) had worked together to ensure that the business, corporate and operational plans across the health and care system were aligned, and that planning and business processes had been streamlined as possible, minimising duplication that had existed in previous years, with all plans developed to take account of relevant national and local guidance.

The Board noted that the final versions of all plans would be published by the end of March 2020 and that the delivery of the plan was underpinned by a financial strategy and budget plan for 2020/2021, which had been developed with, and agreed by system partners.

Decision

The Board note the approach to develop the MHCC Operational Plan and MLCO Operating Plan 2020/21 as described in the paper and the timescales for final publication of the plans.

HWB/20/10 Manchester Healthy Weight Strategy 2020-2025

Consideration was given to the report of the Director of Population Health that provided an introduction to the Manchester Healthy Weight Strategy 2020-2025

which took a strong partnership approach to tackling obesity in the city. The report described that the strategy had been developed across four key themes; Food & Culture, Physical Activity, Environment & Neighbourhoods and Support & Prevention, it has been informed by a wide variety of stakeholders and supported the Public Health England guidance 'Reducing obesity is everybody's business' (Public Health England 2018).

The report described that the strategy had been developed over the previous ten months and followed the recent publication of the 'Marmot Review 10 Years on' highlighting the increasing gap in health inequalities between the wealthiest and poorest communities, and the increase in preventable deaths in deprived areas. Further noting that Public Health England guidelines had informed the content, methodology and development of the strategy.

The Board was asked to approve the strategy and all ten members would be invited to sign the Food Active 'Healthy Weight Declaration', a nationally recognised pledge which would demonstrate a strategic commitment to this area of important work.

Decisions

1. To note the report.
2. To approve the Healthy Weight Strategy 2020-2025.
3. To sign the Healthy Weight Declaration.

HWB/20/11 Manchester's Approach to Prevention and Wellbeing Services – an update focused on social prescribing

Consideration was given to the report of the Director of Population Health that provided an overview of current social prescribing provision in Manchester within the context of the Prevention Programme, and outlined the high level plans for the future development of prevention and wellbeing services in the city, through the 2021 Wellbeing Model.

The report described that the development of Manchester's five year Prevention Programme began in 2016, with the aim of the Manchester's Local Care Organisation (MLCO) to take a community-centred and asset-based approach to delivering care, and promote health and wellbeing for residents of the city, working through the MLCO's 12 Neighbourhood Teams, noting that the development of a coherent citywide social prescribing model was one of the core components of the Prevention Programme.

The report further described that the three delivery work streams of the Prevention Programme aimed to make a significant mid to long-term impact on the health of Manchester's population by reducing the occurrence of the mental and physical long-term conditions that led to poor health outcomes and quality of life, and impacted on the capacity and costs of the health and care system.

The Board were further informed of the city wide social prescribing model in Manchester, known as Be Well and would be delivered by the Big Life Company. This model was based on a set of principles that embodied the 'Our Manchester' approach, noting that social prescribing was a means of enabling health and social care services to refer people to a range of local, non-clinical support, often provided by voluntary and community sector organisations.

To support this activity, the report described that in the 2019 Long Term Plan, NHS England had committed to building the infrastructure for social prescribing in primary care by providing additional resource to Primary Care Networks (PCNs) to recruit social prescribing link workers as part of their multi-disciplinary teams. The majority of Manchester PCNs were currently working with the Big Life Company to recruit link workers aligned to current Be Well provision.

The Board further noted that an evaluation of the Prevention Programme would run for the duration of the programme and this would be delivered by an independent organisation who had been commissioned to carry this out. In addition, the 2021 Wellbeing Model set out the next stage of development of prevention and wellbeing approaches for Manchester, building on the successes of the Prevention Programme.

Decisions

1. To note the report.
2. To endorse the approach to developing prevention and wellbeing support provision through the 2021 Wellbeing Model.

HWB/20/12 Collaborating for outcomes: Partnership Pilot - Maternity, LCO and Manchester City Council services

Consideration was given to the report and accompanying presentation of Manchester City Council, Manchester Local Care Organisation and Saint Mary's Midwifery Service that provided an update on the partnership work undertaken to strengthen relationships and collaboration across Manchester City Council's Early Years and Early Help Services and the Local Care Organisation's Children's Community Health Services and Saint Mary's Midwifery Service. The report described that to develop a strengthened partnership approach across these services, a practical pilot had been scoped that would inform future relationships between these services.

Decision

The Board support the delivery of the pilot in 2020/21.

**Manchester City Council
Report for Resolution**

Report to: Council – 25 March 2020

Subject: Constitutional Amendments and Other Matters for Council Business Continuity

Report of: The Chief Executive, Deputy Chief Executive and City Treasurer, and the City Solicitor

Summary

This report proposes the making of arrangements to ensure continuity of the Council's decision-making functions during the COVID-19 outbreak, with the risks that might arise from members and officers being unable to participate in council business.

The report is being prepared before the provisions of the Government's emergency legislation are known. By 25 March much or all of what is proposed below could have been overtaken by that legislation. If that is the case then the Council will be given an update at the meeting.

Recommendations

1. That from 25 March 2020 until 26 November 2020, under the provisions of Sections 85(1) and Section 85(2A) of the Local Government Act 1972, the protection of the health of the residents of the city or the health of the individual member shall be an approved reason for the non-attendance of a Member at any meeting (including, in the case of members of the Executive, non-attendance at meetings of the Executive); and that for this approval Rule 25 of the Council Procedure Rules be suspended so that this may be rescinded or extended by the Council at any time before then.
2. That the set of delegations set out in section 4 of the report be approved until 26 November 2020, and that for each of these Rule 25 of the Council Procedure Rules be suspended so that it may be rescinded or extended by the Council at any time before then.
3. That should an officer declare an interest in any decision to be made under (2) above, then the delegated authority transfers as follows:
 - from Chief Executive to the Deputy Chief Executive and City Treasurer,
 - from the Deputy Chief Executive and City Treasurer to the City Solicitor.
4. That in relation to scrutiny committee "call-in" the constitutional amendment proposed in section 6.3 of the report be approved until 26 November 2020, and that Rule 25 of the Council Procedure Rules be suspended so that this may be rescinded or extended by the Council at any time before then.

5. That for urgent financial decisions the Council agree that until 26 November 2020 the provisions of Rule 6 of the Budget and Policy Framework Procedure Rules be amended to include urgent decisions outside of the budget, including the use of the Council's reserves, and that for this constitutional change Rule 25 of the Council Procedure Rules be suspended so that it may be rescinded or extended by the Council at any time before then.
6. That for urgent financial decisions the Council agree that until 26 November 2020, where this amended provision of Rule 6 of the Budget and Policy Framework Procedure Rules is to be used to make an urgent change to the revenue or capital budget, that Rule 7 of the same rules be suspended, and that for this constitutional change Rule 25 of the Council Procedure Rules be suspended so that it may be rescinded or extended by the Council at any time before then.
7. That all Chief Officers and officers set out in Chapters 3A and 3B of Part 3, Section F of the Constitution that are already able to exercise delegated authority under the Constitution be required to nominate another officer or officers who are able to act on their behalf in their absence, and provide a copy of those nominations to the City Solicitor.

Wards Affected – All

Financial Consequences – Revenue Financial Consequences – Capital

There are no revenue or capital consequences that arise directly from this report but it does propose temporary changes to the Council's rules on the budget and policy framework as set out in the Constitution.

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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.

Coronavirus (COVID-19) - NHS website

<https://www.nhs.uk/conditions/coronavirus-covid-19/>

1. Members' Vacation of Office by Failure to Attend Meetings

- 1.1 Section 85(1) of the Local Government Act 1972 says that if a member fails throughout a period of six consecutive months to attend any meeting of the authority they shall cease to be a member of the authority. Furthermore, Section 85(2A) of the 1972 Act provides if a member of the Executive fails to attend any meeting of the Executive throughout a period of six consecutive months they shall cease to be a member of the authority. However, those sections enable a Local Authority to approve the reason for non-attendance, provided that approval is given by the Authority before the expiry of the six month period.
- 1.2 It is therefore proposed that from 25 March 2020 until 26 November 2020, the protection of the health of the residents of the city or the health of the individual member shall be an approved reason for the non-attendance of a Member at any meeting (including, in the case of members of the Executive, non-attendance at meetings of the Executive). A meeting of the Council is planned for 25 November 2020. If the timescale of this provision needs to be extended it can (and will) be considered at that meeting, or for it to be rescinded before then.

2. Decision Making and Council Functions

- 2.1 The Council's functions are either:
- **Council-only:** matters that must be decided at a Council meeting;
 - **Non-Executive Functions:** matters that cannot be decided by the Leader and so are delegated by the Council to a Committee or to an officer;
 - **Executive Functions:** matters to be decided by the Leader which are delegated to the Executive or to officers; and
 - **Scrutiny Functions:** advisory matters to be dealt with by scrutiny Committees.
- 2.2 The COVID-19 outbreak creates risks to the normal decision making arrangements of the Council, in particular where it becomes unsafe or improper for a group of members to meet to make a decision that falls to them to make. This paper deals with how the Council-only and non-executive functions decision making might be protected to help ensure business continuity throughout the outbreak.
- 2.3 It is understood that the Government is looking into legislating so as to allow members to take part in meetings remotely, using information technology. Until that legislation is in place all such decision making has to involve a group of members being together in the same room, something that is being actively discouraged at this time. Members will want to remain engaged in the Council's decision making throughout the outbreak, and will at the same time want to ensure their own safety and that of their families and communities. Members must therefore be free to avoid attending meetings if they feel it is unsafe or improper to do so, and yet still allow for business continuity in the Council. For any meeting of members there must be a minimum number present, a quorum, before the meeting is valid and can legally make decisions.

It also sets out proposals in relation to those meetings which are open to the public to limit risks to the public as far as possible. However, any meeting will be a risk and therefore the only meetings to be called will be those that are, in the opinion of the Chief Executive in consultation with the Leader and the City Solicitor, essential to the proper functioning of the Council where there is no alternative way for an important decision to be made.

- 2.4 If remote participation is allowed for in legislation, there could be technical challenges to overcome to make it work and make it practical for all councillors to use. It will be unsafe to rely entirely on that solution until it is tested and reliable.
- 2.5 The intent of this report is to put in place a set of provisions that will allow for decision-making to continue if members are unable to attend meetings, or if a meeting is called but a quorum is not present. It proposes a set of officer delegations. The specific proposals for each committee and subcommittee are below. These delegations would always be subject to declarations of interests by officers so no officer will be able to make a decision where they have declared an interest in that decision. In addition, the delegations referred to below will be subject to any limitation in law on a particular decision-making function being delegated to an officer.

3. Council – Membership 96, quorum 25

- 3.1 No specific delegations proposed. Any meeting called will need to be conducted using isolated seating in the Council Chamber. The meetings are webcast. The public have a right to access the meeting and so should be asked on the website and in the published meeting papers to not attend.
- 3.2 If a situation arises that would require a decision of the Council as a matter of urgency then the Chief Executive has an existing delegated authority that can be used:

“3. Take any action which is required as a matter of urgency in the interests of the Council, in consultation with the Leader if time permits.”

4. Non-Executive Functions

Planning and Highways Committee – Membership 15, quorum 5

- 4.1 A delegation is proposed:
 - that authority be delegated to the Chief Executive to determine any planning application, listed building consent and tree preservation order application that would otherwise have been decided at a meeting of the committee. This delegated authority to be exercised in consultation with the Director of Planning, Building Control and Licensing and with the Chair and Deputy Chair of the committee when both are available, and either if only one is available.

Licensing and Appeals Committee – Membership 14, quorum 5

- 4.2 A delegation is proposed to cover the decision making by the full committee and by panels (subcommittees) that deal with most of the routine decision making:
- that authority be delegated to the Chief Executive to determine any matter that would otherwise have been determined at the meeting of the committee or at a subcommittee. This delegated authority to be exercised in consultation with the Director of Planning, Building Control and Licensing and with the Chair of the committee, or if the Chair is unavailable, the Deputy Chair.

Licensing Committee – Membership 14, quorum 5

- 4.3 No delegations proposed as there are legal limitations that prevent many licencing matters being delegated to officers. Until legislation is introduced to change this some licensing matters will need to be decided by members, or put on hold.

Licensing Policy Committee – Membership 6, quorum 3

- 4.4 No delegations proposed as meetings are infrequent, the last meeting of this committee was in July 2018.

Employee Appeals Committee – Membership 3, Quorum 3

- 4.5 No delegations to officers are proposed as it would be improper given the role of the committee.

Art Galleries Committee – Membership 11 councillors, quorum 3 councillors as co-opted members present at a meeting do not count towards a quorum.

- 4.6 No delegations proposed as the next meeting of the committee is likely to be February 2021.

Constitutional and Nomination Committee – Membership 10, quorum 3

- 4.7 A delegation is proposed:
- that authority be delegated to the Chief Executive to recommend to Council:
 1. the appointment of councillors to Committees, to the Executive Consultative Panel and to appoint Assistant Executive Members, in consultation with the Leaders of political groups as appropriate; and
 2. the appointment of co-opted members to committees and to renew the appointment of co-opted members.

- 4.8 No delegation of the committee's role in decision making on polling districts and polling places is proposed.

Personnel Committee – Membership 12, quorum 3

- 4.9 A delegation is proposed:

- that authority be delegated to the Chief Executive to determine any matter that would otherwise have been decided at the meeting of the Personnel Committee. This delegated authority to be exercised in consultation with the Chair of the committee, or if the Chair is unavailable, the Leader of the Council.

Audit Committee – Membership 6 councillors, quorum 3 councillors as co-opted members present at a meeting do not count towards a quorum.

- 4.10 A delegation is proposed:

- that authority be delegated to the Chief Executive, in consultation with the Chair of the Committee or with the Chair of the Resources and Governance Scrutiny Committee if the Chair is unavailable, to approve an internal audit plan for 2020/21.

- 4.11 The committee will also have a role in the approval of the annual accounts for 2019/20, and the consideration of the external auditor's report, before the deadline of the end of July 2020. This role cannot be delegated to an officer. The mitigation of the risk that the deadline is missed will most likely require government action to relax the deadline. It is unlikely that a failure to meet the deadline will result in any sanction against the Council. The feasibility of undertaking the external audit of the Council's 2019/20 accounts in a safe way is yet to be established.

Health and Wellbeing Board – Membership 21, quorum any 5 members of the Board including non-councillors as they are full members rather than co-opted.

- 4.12 A delegation is proposed:

- that authority be delegated to the Chief Executive to determine any matter that would otherwise have been decided at the meeting of the Board. This delegated authority to be exercised in consultation with the Chair of the Board, or if the Chair is unavailable, the Deputy Chair.

Standards Committee - Membership 5 councillors, quorum 3 councillors as co-opted members present do not count towards a quorum.

- 4.13 No delegation is proposed.

5. Executive Functions

- 5.1 The delegation of Executive Functions is decided by the Leader of the Council and the Executive. A separate report will be made to the Executive on this.

6. Scrutiny Functions

- 6.1 There are six Scrutiny Committees.

- Children and Young People Scrutiny Committee – Membership 14 councillors, quorum 5 councillors as co-opted members present do not count towards a quorum.
- Communities and Equalities Scrutiny Committee – Membership 14, quorum 5.
- Economy Scrutiny Committee – Membership 10, quorum 3.
- Health Scrutiny Committee – Membership 10, quorum 3.
- Neighbourhoods and Environment Scrutiny Committee – Membership 17, quorum 5.
- Resources and Governance Scrutiny Committee – Membership 13, quorum 5.

- 6.2 Scrutiny Subgroup meetings should be suspended for the time being.

- 6.3 The six scrutiny committees all share a common risk to decision making if meetings cannot be called or do not have a quorum: that an Executive decision is “called-in” under Scrutiny Procedure Rule 13 and then unable to proceed. For all six committees the same temporary amendment to the constitutional arrangements is proposed.

- that if a decision is “called-in”, that the Chair of the Committee that would normally consider the “call-in” be authorised, if they deem it appropriate, to apply Rule 14 of the Scrutiny Procedure Rules “Call-in and Urgency” to then exempt the decision from that “call-in” on the grounds that the delay before the matter could be looked at by the committee would seriously prejudice the legal or financial position of the Council or the interests of the residents of Manchester.

- 6.4 Rule 14 of the Scrutiny Procedure Rules is in place to allow urgent decisions to be exempt from “call-in” **before** they are made. This proposed change will allow for consideration to be given by the Committee Chair **after** a decision has been made and “called-in”. It will apply when it will not be possible for a committee to consider a “call-in” without the delay involved in that being prejudicial.

7. Urgent Financial Decisions outside of the Approved Budget

- 7.1 Rule 5 of the Budget and Policy Framework Procedure Rules (see appendix) requires all decisions that are outside of the approved budget or the approved Policy Framework to be referred to the Council. Rule 6 creates an exception to Rule 5 that allows urgent decision outside of the **Policy Framework** to be made if certain tests are met. Rule 6 does not include financial decisions outside the budget, only decisions outside the policy framework.
- 7.2 It is therefore proposed to extend the scope of Rule 6 to allow urgent decisions outside of the approved budget to be made in the same way as urgent decisions outside the policy framework. The same tests as set out in Rule 6 will also apply to those urgent budget decisions.
- 7.3 To further permit urgent financial decisions to be made, whenever this amended Rule 6 is being utilised to make an urgent financial decision, the virement limits and limits of authority in Rule 7 will be suspended.
- 7.4 It is stressed that this change to Rule 6 and 7 will only be used for urgent and major decisions where legal or financial position of the Council or the interests of the Council and/or the residents of Manchester would otherwise be prejudiced. Existing delegations will deal with most of the financial decision making.

8. Officers Exercising Delegated Powers as set out in the Constitution

- 8.1 Senior officers already have extensive delegated authority under the constitution and under the resolutions of the Council, the Executive and of Committees. However, each of those delegations is normally to a single officer and to them alone. All such officers should therefore be required to authorise other officers to act in their stead, should they be absent. A register of these authorisations should be lodged with the City Solicitor so that it will be possible to ensure all decisions are taken by the right people, who are authorised to make them.
- 8.2 The Constitution already allows for the Chief Executive to exercise the powers delegated to a Chief Officers if that Chief Officer is unable to act and for other Chief Officers to exercise the delegated powers of their subordinate officers in similar circumstances. That 'upwards-delegation' could result in an excessive decision making burden falling on the Chief Executive and/or other Chief Officers. If others are authorised to act instead that risk will be lessened. The Chief Executive should therefore also authorise other officers to exercise the authorities granted in Section 4 of the report, if unable to act themselves.

9. Communication of Decisions and Intentions

- 9.1 Unless the government legislates accordingly, which is believed to be unlikely, all of the constitutional and legislative requirements around Key Decisions and the communication of executive and non-executive decision making by officers will remain in place – rules 16 to 24 of the Access to Information Procedure Rules. Residents and all Councillors will be made aware of the exercise of any

of these additional delegated powers during the virus outbreak through emails, notices and by means of the website.

Appendix

Budget and Policy Framework Procedure Rules 5, 6 and 7

5. Decisions outside the Budget or Policy Framework

- 5.1 Subject to the provisions of paragraph 7 and Financial Regulations in relation to the budget, and paragraphs 6 and 8 in relation to the policy framework, the Executive, committees of the Executive, individual members of the Executive and any officers discharging Executive functions may only make decisions which are in line with the budget and policy framework. If any of these bodies or persons wishes to make a decision which is contrary to the policy framework, or contrary to or not wholly in accordance with the budget approved by full Council, then that decision may only be taken by the Council.
- 5.2 If the Executive, committees of the Executive, individual members of the Executive and any officers, discharging Executive functions want to make such a decision, they shall take advice from the Monitoring Officer and/or the Chief Finance Officer as to whether the decision they want to make would be contrary to the policy framework, or contrary to or not wholly in accordance with the budget. If the advice of either of those officers is that the decision would not be in line with the existing budget, and not authorised by paragraphs 7 or Financial Regulations, then the decision must be referred by that body or person to the Council for decision. If the advice of the Monitoring Officer is that the decision would be contrary to the policy framework and not authorised by paragraph 8, then the decision must be referred by that body or person to the Council for decision, unless the decision is a matter of urgency, in which case the provisions of paragraph 6 apply.

6. Urgent Decisions Outside the Policy Framework

- 6.1 The Executive, a committee of the Executive, an individual member of the Executive or officers, discharging Executive functions] may take a decision which is contrary to the Council's policy framework if the decision is a matter of urgency. However, the decision may only be taken if:
- (a) either the Chief Executive, the Chief Finance Officer or the Monitoring Officer advise in writing that the legal or financial position of the Council or the interests of the Council and/or the residents of Manchester would be prejudiced if the matter were not determined before the next scheduled Council meeting, AND
 - (b) the chair of a relevant scrutiny committee (or in their absence the Lord Mayor or, in the absence of both, the Deputy Lord Mayor) agrees that the decision is a matter of urgency.
- 6.2 The advice of the Chief Executive, Chief Finance Officer or Monitoring Officer and the consent of the chair of the relevant scrutiny committee (or, if relevant, the Lord Mayor or Deputy Lord Mayor) to the decision being taken as a matter of urgency must be noted on the record of the decision.

- 6.3 Following the decision, the decision taker will provide a full report to the next available Council meeting explaining the decision, the reasons for it and why the decision was treated as a matter of urgency.

7. Virement and In-Year Changes to the Budget

- 7.1 Steps taken by the Executive, a committee of the Executive, an individual member of the Executive or officers, discharging Executive functions to implement Council policy shall not exceed those budgets allocated to each budget heading, subject to paragraphs 7.2 to 7.4 below.
- 7.2 Such bodies or individuals shall be entitled to vire across budget headings as follows:

(a) Capital

- A Chief Officer (as defined in Part 8 of this Constitution) may vire capital up to £50,000 from within the capital programme following notification to the Deputy Chief Executive and City Treasurer (or, up to £100,000 with the approval of the Deputy Chief Executive and City Treasurer, in consultation with the Executive Member for Finance and Human Resources).
- The Executive may vire capital up to £500,000 across budget headings.
- Any capital virement above £500,000 shall require the approval of full Council

(b) Revenue

- A Chief Officer (as defined in Part 8 of this Constitution) may vire revenue up to £100,000 following notification to the Deputy Chief Executive and City Treasurer.
- A Chief Officer may vire up to £250,000 with the approval of the Deputy Chief Executive and City Treasurer and Executive Member for Finance and Human Resources.
- The Executive may vire revenue up to £500,000 across budget headings.
- Any revenue virement above £500,000 shall require the approval of full Council.

- 7.3 The Executive may:

- (a) Increase capital or revenue expenditure in-year by use of reserves (in addition to the use of reserves planned in the budget calculations), provided that such use of reserves does not exceed £2,000,000 in aggregate in a financial year and provided that the Deputy Chief Executive and City Treasurer has certified in writing that such use of reserves would not cause the Council's overall reserves to fall below a

prudent level. Any such use of reserves shall be reported to the next meeting of full Council.

- (b) Increase the capital budget provided that additional expenditure can be funded through:
 - Additional external resources
 - Additional capital receipts

- 7.4 The Chief Executive may exercise any of the powers of the Executive under 7.2 and 7.3, in consultation with the Leader, the Executive Member for Finance and Human Resources and the Deputy Chief Executive and City Treasurer where the legal or financial position of the Council or the interests of the residents of Manchester would be prejudiced if the matter were not determined before the next scheduled executive meeting. The Chief Executive will report any such decision to the next meeting of the Executive.
- 7.5 The Deputy Chief Executive and City Treasurer may authorise in consultation with the Executive Member for Finance and Human Resources, increases in capital expenditure by up to £500,000 per scheme, subject to external funding, capital receipts or revenue budget being available. Increases in capital expenditure above £500,000 which can be funded through additional external funding, capital receipts or available revenue budget require the approval of the Executive. Where capital expenditure is to be supported through borrowing this requires the approval of full Council.

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