



Constitutional and Nomination Committee

Date: Wednesday, 13 July 2022

Time: 9.00 am

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

Access to the Council Antechamber

Public access to the Council Antechamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension.

There is no public access from the Lloyd Street entrances of the Extension.

Membership of the Constitutional and Nomination Committee

Councillors - Karney (Chair), Craig, Curley, Flanagan, Lanchbury, Leech, Rahman, Reeves and Richards

Agenda

- 1. Urgent Business**
To consider any items which the Chair has agreed to have submitted as urgent.
- 2. Appeals**
To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.
- 3. Interests**
To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.
- 4. Minutes** 5 - 14
To approve as a correct record the minutes of the meeting held on 18 May 2022.
- 5. Membership of Committees 2022/23 and the Appointments to GMCA Outside Bodies** 15 - 18
The report of the City Solicitor attached
- 6. Terms of Office of the Independent Members of the Standards Committee and the Independent Persons** 19 - 22
The report of the City Solicitor and Monitoring Officer is enclosed. The Committee is requested to consider the proposed reappointment of the two independent co-opted members of the Standards Committee and the Council's two Independent Persons.

Information about the Committee

The Constitutional and Nomination Committee deals with the appointment of councillors to serve on committees and certain external organisations.

The Committee also considers proposed changes to the Council Constitution and recommendations for the granting of civic honours to individuals and organisations. Business for consideration at a meeting is set out on the agenda sheet.

Copies of the agenda are available beforehand from the reception area at the Main Entrance of the Town Hall in Albert Square and may be viewed on the Council's website up to seven days prior to the date of the meeting (see web information below). Some additional copies are available at the meeting from the Committee Officer.

It is the Council's policy to consult people as fully as possible before making decisions which affect them. Members of the public do not have a right to speak at meetings but may do so if invited by the Chair. If you have a special interest in an item on the agenda and want to speak, tell the Committee Officer, who will pass on your request to the Chair.

Agenda, reports and minutes of all Council meetings can be found on the Council's website www.manchester.gov.uk

Joanne Roney OBE
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Further Information

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

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This agenda was issued on **Tuesday, 5 July 2022** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 2, Town Hall Extension (Library Walk Elevation), Manchester M60 2LA.

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Constitutional and Nomination Committee

Minutes of the meeting held on Wednesday, 18 May 2022

Present:

Councillor Karney – in the Chair

Councillors Curley, Flanagan, Lanchbury, Leech, Rahman and Richards

CN/22/08 Minutes

Decision

To approve the minutes of the meeting held on 4 March 2022 as a correct record.

CN/22/09 Establishment of a Housing Advisory Committee

The Committee considered the report of the Strategic Director (Growth and Development) to establish a Housing Advisory Committee, following the decision to bring back in house the Northwards Housing Arm's Length Management Organisation (ALMO) that used to manage the Council's housing stock. The report also provided a summary to the background to the proposal to create a Housing Advisory Committee.

Decision

1. To defer consideration of the report to allow Council Officers to explore governance options further and report back to the Committee at a later date.
2. To recommend that Council defer its consideration of the report.

CN/22/10 Membership of Committee 2022/23 and the Appointment of Chairs of Committees

The Committee considered the report of the City Solicitor that made recommendations to Council about the size and composition of the Council's Committees and to appoint chairs and deputy chairs.

Decision

To recommend that Council:

1. Agree the size the Council's Committees and the appointment of members to serve on the various committees listed below.
2. Agree the appointment of members to serve as chairs of scrutiny committees and chairs of non-executive committees.
3. Agree the appointment of Councillor Andrews for the purpose of answering questions at Council on the work of the Standards Committee, in accordance with Article 9 of the Council Constitution.

Membership of Committees 2022/23 and Appointment of Chairs of Committees

Chairs and Deputies

Scrutiny Committees:

| | |
|--------------------------------|---------------------------|
| Young People and Children | Councillor Reid |
| Communities and Equalities | Councillor Hitchen |
| Economy | Councillor Johns |
| Resources and Governance | Councillor Simcock |
| Environment and Climate Change | Councillor Shilton-Godwin |
| Health | Councillor Green |

Chairs and deputy chairs of the non-executive committees for the next municipal year:

| Committee | Chair | Deputy Chair |
|-------------------------------|---------------------|---------------------|
| Audit | | |
| Planning & Highways | Councillor Curley | |
| Licensing and Appeals | Councillor Grimshaw | Councillor Connolly |
| Licensing Committee | Councillor Grimshaw | Councillor Connolly |
| Licensing Policy | Councillor Grimshaw | Councillor Connolly |
| Constitutional and Nomination | Councillor Karney | |
| Personnel | Councillor Akbar | |

Membership of Committees

Scrutiny Committees

Children and Young People (at least 10 members)

Councillors -

| | | | | |
|------------|--------|----------|-------|--------|
| Abdullatif | Alijah | Amin | Bano | Cooley |
| Gartside | Good | Hewitson | Judge | Lovecy |

| | | | | |
|--------------|--------|----------------|--|--|
| Reid (Chair) | Sadler | Sharif Mahamed | | |
|--------------|--------|----------------|--|--|

Co-opted Members

Representative of the Diocese of Manchester – Vacant*
 Representative of the Diocese of Salford – Mrs Julie Miles*
 Parent governor representative – Dr Walid Omara*
 Parent governor representative - Gary Cleworth*
 Parent governor representative - Katie McDaid*

Secondary sector teacher representative – Saba Iltaf
 Primary sector teacher representative – Laura Smith
 * denotes members with voting rights on education matters

Communities and Equalities (at least 10 members)

Councillors -

| | | | | |
|----------|-----------|-----------------|----------|---------|
| Azra Ali | Benham | Chambers | Connolly | M. Dar |
| Evans | Hilal | Hitchen (Chair) | Hussain | Iqbal |
| Johnson | Ogunbambo | H Priest | Rawson | Whiston |
| Wills | Wilson | | | |

Environment and Climate Change (at least 10 members)

Councillors -

| | | | | |
|------------------------|---------|--------|--------|--------|
| Chohan | Doswell | Holt | Hughes | Ilyas |
| Jeavons | Lyons | Nunney | Razaq | Sheikh |
| Shilton-Godwin (Chair) | Wright | | | |

Economy (at least 10 members)

Councillors -

| | | | | |
|--------|--------|------------|---------------|-------|
| Bayunu | Bell | Good | Johns (Chair) | Moran |
| Noor | Raikes | I Robinson | Taylor | |

Health (at least 10 members)

Councillors -

| | | | | |
|---------|----------|---------|------------------|--------|
| N Ali | Appleby | Curley | Green (Chair) | |
| Johnson | Karney | Mchale | Newman | Reeves |
| Riasat | Richards | Russell | Wheeler | |

Resources and Governance (at least 10 members)

Councillors -

| | | | | |
|-----------|--------|----------------------|-------------|-----------|
| Andrews | Davies | Good | Kirkpatrick | Lanchbury |
| B. Priest | Rowles | A Simcock (Chair) | Wheeler | |

Non-Executive Committees

Art Galleries Committee - In addition to the members of the Council, 7 persons are to be nominated by University of Manchester.

Councillors -

| | | | | |
|---------|--------------|--------|------------|---------|
| Akbar | Bridges | Craig | Midgely | Johnson |
| Rawlins | White | Rahman | T Robinson | Igbon |
| Hacking | 7 x Co-opted | | | |

Audit Committee (11 members plus 2 independent co-opted)

Councillors -

| | | | | |
|----------------------------------|---------------------------------|------|-----------|---------|
| Curley | Flanagan | Good | Lanchbury | Russell |
| Simcock | Wheeler | | | |
| Dr D Barker (Co-opted member) | Mr S Downs (Co-opted member) | | | |

Planning and Highways Committee (up to 15 members)

Councillor

| | | | | |
|---------|-------------|-------------|-------------------|--------|
| Andrews | Shaukat Ali | Baker-Smith | Curley (Chair) | Y. Dar |
| Davies | Flanagan | Hitchen | Kamal | Leech |
| Lovecy | Lyons | Riasat | Richards | Stogia |

Licensing and Appeals Committee (not less than 10 and not more than 15)

Councillors -

| | | | | |
|----------|----------------------------|---------|---------|----------|
| Evans | Grimshaw (Chair) | Hughes | Jeavons | Hewitson |
| Judge | Connolly (Deputy Chair) | Andrews | Hassan | Reid |
| Flanagan | Riasat | | | |

Licensing Committee (not less than 10 and not more than 15)

Councillors -

| | | | | |
|----------|----------------------------|---------|---------|----------|
| Evans | Grimshaw (Chair) | Hughes | Jeavons | Hewitson |
| Judge | Connolly (Deputy Chair) | Andrews | Hassan | Reid |
| Flanagan | Riasat | | | |

Licensing Policy Committee (up to 6)

Councillors -

| | | | | | |
|---------|--------|---------------------|----------|-------|-------|
| Rawlins | Davies | Grimshaw (Chair) | Flanagan | Leech | Evans |
|---------|--------|---------------------|----------|-------|-------|

Standards Committee (6 members of the Council, 1 Ringway Parish Councillor and 2 Independent members)

Councillors -

| | | | | |
|---|--|-------------------------------------|-----------|-----------|
| Andrews | Evans | Connolly | Lanchbury | A Simcock |
| Nunney | | | | |
| Nicole Jackson (Co-opted Independent Chair) | Parish Councillor Christopher O'Donovan (Ringway PC) | Geoff Linell (Co-opted Independent) | | |

In accordance with Article 9 of the Council Constitution, to recommend the appointment of Councillor Andrews for the purpose of answering questions at Council on the work of the Standards Committee.

Personnel Committee - Membership formula comprises the Leader of the Council, all members of the Executive, one Assistant Executive Member (Finance and Human Resources*) and such opposition group representation as is necessary to meet political balance requirements.

Councillors -

| | | | | |
|----------|------------|---------|---------|-------|
| Akbar | Bridges | Craig | Rawlins | Leech |
| Midgely | Rahman | Hacking | White | |
| Stanton* | T Robinson | Igbon | | |

Employee Appeals Committee (Formulaic Membership)

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

Two members drawn from the Council’s Executive Members or their Assistant Executive Members, or elected members drawn from a prescribed ‘pool’; the nominated members are –

- Councillor Evans
- Councillor Reid
- Councillor N Ali
- Councillor Cooley
- Councillor Connolly
- Councillor Shilton-Godwin
- Councillor Wheeler

Constitutional and Nomination Committee (10 members)

Councillors -

| | | | | |
|----------|-------------------|-----------|----------|-------|
| Curley | Karney (Chair) | Lanchbury | Richards | Leech |
| Flanagan | Rahman | Reeves | Craig | |

Health and Wellbeing Board

To recommend membership as follows:

- (Leader of the Council) (Chair)
- (Executive Member for Health and Social Care) (MCC)

- (Executive Member for Early Years Children and Young People) (MCC)
- Dr Ruth Bromley, Chair Manchester Health and Care Commissioning
- Katy Calvin-Thomas - Manchester Local Care Organisation
- Kathy Cowell, Chair, Manchester University NHS Foundation Trust
- Rupert Nichols, Chair, Greater Manchester Mental Health NHS Foundation Trust
- Mike Wild, Voluntary and Community Sector representative
- Vicky Szulist, Chair, Healthwatch
- Dr Tracey Vell, Primary Care representative - Local Medical Committee
- Paul Marshall, Strategic Director of Children's Services
- David Regan, Director of Public Health
- Bernadette Enright, Director of Adult Social Services
- Dr Murugesan Raja Manchester GP Forum
- Dr Geeta Wadhwa Manchester GP Forum
- Dr Doug Jeffrey, Manchester GP Forum
- Dr Shabbir Ahmad Manchester GP Forum (substitute member)
- Dr Denis Colligan, Manchester GP Forum (substitute member)

Appointment of Lead Members

| | |
|--------------------------------|--|
| LGBT Men's Lead | Councillor Wills |
| LGBT Women's Lead | Councillor Baker-Smith |
| Race | Councillor Hussain |
| City Centre | Councillor Karney |
| Disability | Councillor Curley/ Councillor Flanagan |
| Age Friendly Manchester | Councillor Newman |
| Women | Councillor Lynch/ Councillor Chambers |
| Active Travel | Councillor Shilton Godwin |
| Mental Health Champion | Councillor Douglas |
| Race Women | Councillor Igbon |
| Trauma Informed | Councillor Doswell |

CN/22/11 Membership of Committee 2022/23 and the Appointment of Chairs of Committees

The Committee considered the report of the City Solicitor that provided information about the Council's appointments to the joint authorities and joint committees. The Committee was invited to review the appointments and make recommendations to Council about the Council's representatives for the 2022/23 Municipal Year. The report also requested the Committee to make recommendations to the joint authorities about the appointment of spokespersons to answer questions at Council meetings.

Decision

1. To recommend Council agree the following appointments to serve on the Combined Authority and joint authorities and to recommend the appointment of the Council's representatives for the 2022/23 Municipal Year as listed below.

2. To recommend Council to agree the appointment of spokespersons to answer questions about the work of the joint authorities at meetings of the Council as indicated.
3. To recommend Council to agree the appointment of members to the GMCA Executive Board, GMCA Police and Crime Panel, GMCA Statutory Functions Committee.
4. To recommend to Council the appointment of members to the School Forum and the Manchester Port Health Authority.
5. To recommend to Council the removal of Councillor Ahmed Ali from the Fostering Panel

Appointments to Joint Authorities and Joint Committees

To appoint the following members to serve on the Joint Authorities and joint committees for the 2022/23 Municipal Year:

Greater Manchester Waste and Recycling Committee

Councillors Rawlins and Shaukat Ali

Greater Manchester Combined Authority

Councillor Craig (Councillor Rahman - Deputy Leader as a substitute)

GM Transport Committee

Councillor Noor (Substitute Councillor Wills)

Councillor Hassan (Substitute Councillor Judge)

AGMA Executive Board

Councillor Craig (Councillor Rahman - Deputy Leader as substitute)

AGMA Statutory Functions Committee

Councillor Whiston (Councillor Flanagan as substitute)

Greater Manchester Police and Crime Panel (1 member)

Councillor Rahman

Greater Manchester Health Scrutiny Panel (1 member)

Councillor Collins (substitute -)

Greater Manchester Audit Committee

Councillors Lanchbury and Russell (2 vacancies)

Appointments to GMCA Overview and Scrutiny Committee (current structure under review)

Councillors Banu, Foley, Sadler, Shilton-Godwin and Stanton

Other bodies for the 2022/23 municipal year:

Manchester Port Health Authority

Councillors Evans, Lanchbury, Andrews and Johnson

Schools Forum

Councillor Reid (1 substitute)

GM Culture and Social Impact Fund Committee

Councillor Whiston (1 substitute)

GM Work and Skills Executive

Councillor White

Health and Social Care Partnership

Councillor Craig (1 substitute)

Health and Social Care – Joint Commissioning Board

Councillor Midgley

Clean Air Charging Authorities Committee

Councillor Rawlins (Councillor Foley as substitute)

Air Quality Administration Committee

Councillor Rawlins (Councillor Foley as substitute)

Draft Joint Development Plan – Places for Everyone Committee

Councillor Rawlins

Police and Crime Panel Steering Group

Councillor Rahman

Planning and Housing Commission

Councillor White

GM Pension Management

Councillor Andrews

Peoples History Museum

Councillor Douglas

North-West Employers

Councillor Hacking

Manchester Airport Consultative Committee

Councillors Baker-Smith and Judge

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**Manchester City Council
Report for Resolution**

Report to: Constitutional and Nomination Committee – 13 July 2022

Subject: Appointments to Council Committee's and GMCA Outside Bodies

Report of: The City Solicitor

Purpose of Report

This report provides information about the Council's current appointments to Council Committees and a number of GMCA bodies. The Committee is invited to review the appointments and make recommendations to Council about the Council's representatives for the 2022/23 Municipal Year.

Recommendations

To recommend that Council agree the amendments to Council Committees and Council representatives on a number of GMCA bodies as detailed in the report.

Wards Affected: All

Contact Officers

Mike Williamson
Governance and Scrutiny Support Manager
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michael.williamson@manchester.gov.uk

Background Documents

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.

1. Introduction

- 1.1 At its meeting on 18 May 2022, the Constitutional and Nomination Committee proposed a number of appointments to Council Committees and a multitude of GMCA bodies for approval by Ful Council.
- 1.2 In addition to notification received on requests for changes to the membership of Council Committees, a small number of amendments to the appointments to GMCA bodies has been requested to better align the appointment with Executive Members' portfolios.

2. Proposed amendments

- 2.1 The table below details the proposed changes to Council Committees.

| Committee | Member to be added | Member to be removed |
|-------------------------------------|---------------------|------------------------------|
| Economy Scrutiny | Cllr Shilton Godwin | |
| Planning Committee | | Cllr Hitchen |
| Health Scrutiny | Cllr Bayunu | Cllr Johnson Cllr Wheeler |
| Children & Young People Scrutiny | Cllr Johnson | Cllr Good |
| Constitution & Nomination Committee | Cllr Johnson | Cllr Leech |

- 2.1 The table below details the proposed amendments to GMCA bodies.

| GMCA Body | Requirement for Appointment | Current Appointed Rep | Proposed Appointed Rep |
|--------------------------------|---|--------------------------|---------------------------|
| GMCA Executive Board | <i>Substitute cannot be same as Police and Crime Panel representative</i> | Cllr Rahman (Substitute) | Cllr Midgley (Substitute) |
| GM Waste & Recycling Committee | <i>Exec Member with responsibility for environment/waste where possible</i> | Cllr Rawlins | Cllr Igbon |
| GM Works and Skills Executive | <i>Executive Member with responsibility for Work & Skills</i> | Cllr White | Cllr Hacking |

- 2.2 In addition, GMCA have requested that the Council give consideration to appointing substitute members to the following bodies.

| GMCA Body | Requirement | Current Appointed Rep | Proposed Substitute Rep |
|---|--|------------------------------|--------------------------------|
| Integrated Care Partnership (formerly Health & Social Care Partnership Board) | <i>Request Council's to appoint Leaders</i> | Cllr Craig | Cllr T Robinson (Substitute) |
| GM Culture and Social Impact Fund Cttee | <i>Membership to replicate the AGMA Statutory Functions Cttee</i> | Cllr Whiston | Cllr Flanagan (Substitute) |
| Planning and Housing Commission | <i>Recommended that the appointment is the Lead Executive Member for Planning & Housing</i> | Cllr White | |
| GM Health Scrutiny Committee | <i>Recommended that the appointment is the Chair of LA's Health Scrutiny Committee or a member of Health Scrutiny</i> <i>Cannot be Executive Member</i> | Cllr Butt | Cllr Green (Substitute) |
| Places for Everyone | <i>Member must be the Leader</i> | Cllr Rawlins | |

3. Recommendations

- 3.1 The Committee is requested to recommend that Council agree the amendments to Council Committees and Council representatives on GMCA bodies as detailed above.

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**Manchester City Council
Report for Resolution**

Report to: Standards Committee

Subject: Terms of Office of the Independent Members of the Standards Committee and the Independent Persons

Report of: City Solicitor and Monitoring Officer

Purpose of the Report

To seek the views of members in relation to the terms of office of the two independent co-opted members of the Standards Committee and the Council's two Independent Persons.

Recommendation

That the Standards Committee:

- (1) Agree that the Committee's views are sought regarding the reappointment of Nicolé Jackson & Geoff Linnell (the two independent co-opted members of the Standards Committee) and Alan Eastwood & Sarah Beswick (the Council's two Independent Persons) for a further four-year term provided they are agreeable to this extension
 - (2) Agree that the matter then be referred to the Constitutional and Nominations Committee and Full Council for a decision to be taken regarding the potential extensions of their terms of office.
 - (3) Supports the proposal to advertise and interview an additional Independent Person and in the event vacancies arise, advertise and interview to other vacant roles to enable recommendations to full Council on this matter.
-

Wards Affected: All

Contact Officers:

Name: Fiona Ledden
Position: City Solicitor
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Name: Poornima Karkera
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Background documents (available for public inspection):

None.

1.0 Background

- 1.1 The Localism Act 2011 fundamentally changed the local authority Standards regime in England with the current standards regime coming into effect from mid-2012.
- 1.2 The Council has delegated to the Standards Committee the power to deal with matters of conduct and ethical standards, and the promoting and maintaining of high standards of conduct by Councillors, Co-opted Members and church and parent governor representatives.

2.0 Independent Members of the Standards Committee

- 2.1 The Standards Committee is composed as follows:
 - Six elected Members of Manchester City Council (none of whom may be the leader of any political group and no more than one of whom may be a member of the Executive);
 - One Member of Ringway Parish Council who is not a Member of Manchester City Council (the Parish Member); and
 - Two people appointed by the Council who are not councillors or officers of the Council (Independent Members).
- 2.2 Independent Members are not be entitled to vote at meetings.
- 2.3 The Council appoints one of the Independent Members as Chair of the Standards Committee. In the absence of the appointed Chair, the Committee is chaired by the other Independent Member.

3.0 Independent Persons

- 3.1 Section 28 (7) of the Localism Act 2011 requires all English local authorities to appoint Independent Persons (IPs) to help them to discharge their duty to promote and maintain high standards of conduct by their Councillors and co-opted members and any Parish Councillors.
- 3.2 An IP must be a person who has applied for the post following advertisement of a vacancy for the post and appointed by a positive vote from a majority of all the Members of the Council at a meeting of the full Council.
- 3.3 Independent Persons have the following roles:
 - a) An IP's views **must** be sought, and taken into account, by the authority before it makes its decision on an allegation that it has decided to investigate;
 - b) The authority may also seek an IP's views on an allegation that it has not decided to investigate. However, there is no requirement for the authority to do so, or to take those views into account;

- c) A member or co-opted member of the authority (or of a parish council in its area) may seek an IP's views on an allegation made against them.

4. Terms of Office of the Independent Members and Independent Persons

- 4.1 The current terms of office of Nicolé Jackson and Geoff Linnell as Independent co-opted members of this Committee date from November 2015. Sarah Beswick's appointment as Independent Person was on the same date and Alan Eastwood's appointment as Independent Person predates this. All appointments have been extended twice until 18 November 2022 whilst awaiting the Government's response to the Committee on Standards in Public Life's (CSPL) recommendation that the term of office of an IP should be limited to 2 years renewable once.

5.. Government's Response to the CSPL recommendation regarding terms of office of Independent Persons

- 5.1.1 As previously reported the CSPL completed a review of local government ethical standards and published a report on 30 January 2019. CSPL Recommendation 8 was that the Localism Act 2011 should be amended to require that Independent Persons [IP's] are appointed for a fixed term of 2 years, renewable once
- 5.2 The government 's response is that it does not accept this recommendation as appropriate for legislation on the basis that it would be likely to be unworkable. The government's view is that it would be more appropriately implemented as a best practice recommendation for local authorities. Discussions with Monitoring Officers indicate that in practice most local authorities would likely find servicing this rate of turnover unachievable. When local authorities have found effective [IPs] who demonstrate the capability, judgement and integrity required for this quite demanding yet unpaid role, it is understandable that they may be reluctant to place limitations on the appointment.
- 5.3 The Monitoring Officer proposes in these circumstances (subject to the availability of current appointees) to ask the Committee to recommend existing appointments for a further 4 year period and to recruit an additional Independent Person to enable provision of support to members where more than one member is the subject of a complaint (i.e. to cover the situation in 3.3 c) above).

6. Recommendation

The recommendation appears at the top of this report.
