



Joanne Roney OBE
Chief Executive
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Tuesday, 2 July 2019

Dear Councillor / Honorary Alderman,

Meeting of the Council – Wednesday, 10th July, 2019

You are summoned to attend a meeting of the Council which will be held at 10.00 am on Wednesday, 10th July, 2019, in the The Council Chamber, Level 2, Town Hall Extension.

1. The Lord Mayor's Announcements and Special Business

Including a presentation by two young people on Climate Change.

Including an adjournment of the meeting to allow Council members to have a private viewing of a film on the rehabilitation programme undertaken by some of the Arena attack survivors. The Council does not have permission from the people in the film for it to be viewed in public. Therefore, during the adjournment other people, the public and the press will be asked to leave the meeting room.

2. Interests

3. Minutes

9 - 14

4. Notice of Motion - Islamophobia

Manchester City Council is proud of its diversity and has a huge asset and a source of great strength. A substantial proportion of its residents are Muslim, who are an integral part of its make-up, playing a huge role in all aspects of the Manchester City's life.

Manchester City has a strong history of promoting cohesion and welcoming people from all over the world. Its residents have always united and supported each other in the fight against racism and discrimination in all its forms.

This Council therefore welcomes, endorses and adopts the working APPG (All-Party Parliamentary Group) definition of Islamophobia, including all of its examples in full, cited as follows:

"ISLAMOPHOBIA IS ROOTED IN RACISM AND IS A TYPE OF RACISM THAT TARGETS EXPRESSIONS OF MUSLIMNESS

OR PERCEIVED MUSLIMNESS."

Contemporary examples of Islamophobia in public life, the media, schools, the workplace, and in encounters between religions and non-religions in the public sphere could, considering the overall context, include, but are not limited to:

- Calling for, aiding, instigating or justifying the killing or harming of Muslims in the name of a racist/fascist ideology, or an extremist view of religion.
- Making mendacious, dehumanizing, demonizing, or stereotypical allegations about Muslims as such, or of Muslims as a collective group, such as, especially but not exclusively, conspiracies about Muslim entryism in politics, government or other societal institutions; the myth of Muslim identity having a unique propensity for terrorism and claims of a demographic 'threat' posed by Muslims or of a 'Muslim takeover'.
- Accusing Muslims as a group of being responsible for real or imagined wrongdoing committed by a single Muslim person or group of Muslim individuals, or even for acts committed by non-Muslims.
- Accusing Muslims as a group, or Muslim majority states, of inventing or exaggerating Islamophobia, ethnic cleansing or genocide perpetrated against Muslims.
- Accusing Muslim citizens of being more loyal to the 'Ummah' (transnational Muslim community) or to their countries of origin, or to the alleged priorities of Muslims worldwide, than to the interests of their own nations.
- Denying Muslim populations, the right to self-determination e.g., by claiming that the existence of an independent Palestine or Kashmir is a terrorist endeavour.
- Applying double standards by requiring of Muslims behaviours that are not expected or demanded of any other groups in society, eg loyalty tests.
- Using the symbols and images associated with classic Islamophobia.
- Holding Muslims collectively responsible for the actions of any Muslim majority state, whether secular or constitutionally Islamic.

This Council asks the Chief Executive of the council to:

1. Write to government ministers asking them to listen to Muslim communities and the cross-party group of MPs and peers and to adopt this definition of Islamophobia which classifies discrimination against Muslims as a form of racism.
2. Continue to prioritise tackling hate crime and Islamophobia in partnership. Manchester City Council works with partners, especially Greater Manchester Police, on a rolling basis, and will now coordinate future actions in line with this definition of Islamophobia for all Muslims.

Proposed by Councillor Naeem ul Hassan, Seconded by Councillor Nasrin Ali, also signed by Councillors June Hitchin, Tim Whiston, Eddy Newman, Mary Watson and Dzidra Noor

5. Notice of Motion - Climate Emergency

This Council notes:

- The serious risks to Manchester's people, of climate change/global heating affecting economic, social and environmental well-being, supply chains – including food security, financial systems and local weather, among many others
- That in 2008 the 'Principles of Tackling Climate Change in Manchester' were agreed as a call to action to engage people from all walks of life in climate change action and, build support for a new way of thinking about climate change.
- That Manchester leads the way, with an agreed Paris compliant carbon budget set in December 2018 and an acceleration of the target for becoming a zero-carbon city by 12 years, setting 2038 as the new target for the city, based on research from the world-renowned Tyndall Centre for Climate Change.
- The recent and welcome upsurge of action by the young people of Manchester, exemplifying the radical traditions of which Manchester is proud.

This Council agrees (or to the extent that the below concern executive functions, recommends to the Executive) to:

- Declare a Climate Emergency
- Continue working with partners across Manchester and GMCA to deliver the 2038 target, and determine if an earlier target can be possible, through a transparent and open review. Become carbon neutral by the earliest possible date.
- Encourage involvement in all wards by April 2020 through meetings as part of the Our Manchester strategy, to identify residents and partners who want to be actively involved in achieving the target, with provision for those who cannot attend. Ensure ward plans contain specific, measurable, achievable steps
- Review all policies, processes and procedures to ensure the council can become carbon neutral. Present an action plan by March 2020 detailing how the city can stay within its carbon budget. Report back regularly to the NESC. Review the corporate plan
- Work with the Tyndall Centre to review the actual emissions from aviation. Investigate the best way to include aviation in our overall carbon reduction programme in the long term
- Make climate breakdown and the environment, an integral part of activity throughout the Council, including all decision making, ensuring key decisions take into account the impact on achieving the zero-carbon target and including an environmental impact assessment in all relevant committee reports
- Ensure that everyone in the council receives carbon literacy

training by the end of 2020. Make attendance easier by varying times and length of sessions

- Encourage all staff on council business to use the lowest carbon, appropriate, travel
- Investigate measures to ensure future procurement is carbon neutral. Increase the percentage of social value with an additional environmental element
- Work with suppliers to green their supply chains, and support local production
- Work with training providers to ensure Manchester residents can take on green jobs
- Investigate and introduce measures to help reach domestic zero carbon levels including addressing fuel poverty and retrofitting existing homes
- Investigate ways to ensure that future local plans place a mandatory requirement for all new development to be net zero carbon by the earliest possible date
- Push GMCA to decarbonise public transport, heat and energy as early as possible
- Through our role on GMPF, encourage divestment in fossil fuels as early as possible
- Call on the government to:
 - provide powers and resources to make the zero-carbon target possible including funding for big capital projects
 - accelerate the reduction of carbon emissions from aviation
 - accelerate the decarbonisation of the electricity grid, funding low carbon energy generation
 - ensure that the UK prosperity fund focuses on enable the transition to a low carbon economy

Proposed by Councillor Annette Wright, seconded by Councillor Eve Holt, also signed by Councillors Jon-Connor Lyons, Yasmin Dar, Madeleine Monaghan, Emily Rowles, Angeliki Stogia, Nigel Murphy, Richard Leese, Mandie Shilton Godwin, Joanna Midgley, Marcus Johns, Williams Jeavons, Carl Ollerhead

6. Proceedings of the Executive

To submit the proceedings of the meeting which took place on 26 June 2019 (to follow) and, in particular, to consider:

Exe/19/46 Capital Programmes Update

To recommend that the Council approve the following changes to Manchester City Council's capital programme:

- a. Growth and Neighbourhoods – Velodrome Capital Project. A capital budget allocation through transfer of £0.530m from the Asset Management Programme budget is requested, funded by Capital receipts.
- b. Highways – School Road Safety Measures – Other sites. A

capital budget increase of £0.546m is requested, funded from External Contributions, with a further capital budget allocation through transfer of £2.779m from the Highways Investment Plan budget.

Exe/19/47 Living Wage Accreditation

To recommend to the Council that Manchester City Council applies for accreditation with the Living Wage Foundation.

Exe/19/57 Northern Gateway Strategic Acquisition (PART B)

To recommend that the Council approve the funding of the loan to the Far East Consortium of up to £11 million from the capital programme budget.

7. Questions to Executive Members under Procedural Rule 23

8. Scrutiny Committees

To note the minutes (all of which are to follow) of the following scrutiny committees:

Resources and Governance – 18 June 2019

Health – 18 June 2019

Children and Young People – 19 June 2019

Neighbourhoods and Environment – 19 June 2019

Economy – 20 June 2019

Communities and Equalities – 20 June 2019

- 9. Proceedings of Committees** 15 - 50
- To submit for approval the minutes of the following meetings and consider recommendations made by the committee, as set out in the minutes:
- Constitutional and Nomination – 10 July 2019 (to be tabled)
Planning and Highways Committee – 11 April 2019, 30 May 2019 and 27 June 2019 (to follow)
Health and Wellbeing Board – 5 June 2019
Audit Committee – 15 April 2019 and 11 June 2019
Standards Committee – 13 June 2019
- Personnel Committee – 26 June 2019 (to follow) and in particular to consider,
- PE/19/14 Living Wage Accreditation**
- To recommend to Council that the Authority applies for accreditation with the Living Wage Foundation.
- PE/19/15 Corporate Core: Senior Management Capacity**
- To recommend to Council that a market rate supplement of £20,000 be made to the Deputy City Treasurer to reflect the additional responsibilities taken on within existing grade and ensure the retention of the current post holder in light of local market forces. This had the effect of increasing the salary to £125,940.
- PE/19/20 Strategic Development: Senior Management Capacity**
- To recommend that the Council approves the regrade of the Director of Planning, Building Control and Licensing at Senior Grade SS4 (£95,953 - £105,940).
- 10. Questions on the Business of the Combined Authority, Joint Authorities and Joint Committees Rule 24**
- 11. Urgent Key Decisions Report** 51 - 54
- The report of the City Solicitor is enclosed.
- 12. Endorsing the revised Constitution for the Association of Greater Manchester Authorities (AGMA)** 55 - 92
- The Constitution of the AGMA (Association of Greater Manchester Authorities) has been revised to reflect the changes in the governance of and coordination of work in Greater Manchester and to recognise the role and statutory purposes of the GMCA (Greater Manchester Combined Authority). The Council is recommended to endorse this revised Constitution, a

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copy of which is attached, so as to allow this document to be adopted in common across Greater Manchester.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'Joanne Roney', written in a cursive style.

Joanne Roney OBE
Chief Executive

Information about the Council

The Council is composed of 96 councillors with one third elected three years in four. Councillors are democratically accountable to residents of their ward. Their overriding duty is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.

Six individuals with previous long service as councillors of the city have been appointed Honorary Aldermen of the City of Manchester and are entitled to attend every Council meeting. They do not however have a vote.

All councillors meet together as the Council under the chairship of the Lord Mayor of Manchester. There are seven meetings of the Council in each municipal year and they are open to the public. Here councillors decide the Council's overall strategic policies and set the budget each year.

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

Members of the Council

Councillors:-

Hitchen, Abdullatif, Akbar, Ahmed Ali, Azra 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, Doswell, Douglas, Evans, Farrell, Flanagan, Green, Grimshaw, Hacking, Harland, 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

Honorary Aldermen of the City of Manchester –

Gordon Conquest, William Egerton JP, Andrew Fender, Audrey Jones JP, Paul Murphy OBE, Nilofar Siddiqi, John Smith and Keith Whitmore.

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, 2 July 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension (Lloyd Street Elevation), Manchester M60 2LA

Council

Minutes of the meeting held on Wednesday, 15 May 2019

Present:

The Right Worshipful, the Lord Mayor Councillor Hitchen – in the Chair

Councillors:

Abdullatif, Akbar, Ahmed Ali, Azra Ali, Nasrin Ali, Shaukat Ali, Alijah, Andrews, Appleby, Bridges, Butt, Chambers, Chohan, Clay, Collins, Craig, Curley, M Dar, Y Dar, Davies, Doswell, Douglas, Evans, Farrell, Flanagan, Green, Grimshaw, Hacking, Harland, Hassan, Hewitson, Holt, Hughes, Igbon, Ilyas, Jeavons, Johns, S Judge, T Judge, 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

CC/18/33. Lord Mayor's Special Business - welcome to newly elected Councillors

The Lord Mayor referred to the local elections held on 2 May 2019 and the attendance of newly elected Councillors to their first meeting of the Council and Councillors that had been re-elected. The Lord Mayor welcomed Councillors Abdullatif, Butt, Chambers, Doswell, Stanton and Whiston.

CC/18/34. Lord Mayor's Special Business - MEN's Pride of Manchester Award

The Lord Mayor received the Manchester Evening News Pride of Manchester Awards – Spirit of Manchester Award on behalf of the City. The Lord Mayor introduced Mr Darren Thwaites (Editor in Chief MEN) who presented the award and spoke to the Council. The award had been made to the population of Greater Manchester in recognition of the strength of spirit shown following the Manchester Arena attack in May 2017.

The Leader of the Council reported that the award will be displayed in public buildings across Greater Manchester before being displayed in Manchester Gallery and then permanently in Manchester Town Hall, following the completion of restoration work.

CC/18/35. Lord Mayor's Special Business - Campaign for Increased Security Measures at Public Venues

The Lord Mayor introduced Ms Fegen Murray who addressed to the Council on the recent campaign for the introduction of increased security measures at public venues, which has involved a petition made to parliament.

The Leader of the Council thanked Ms Murray and gave a commitment to meet to consider how the Council may support the campaign.

CC/18/36. Election of the Lord Mayor of Manchester

The Lord Mayor invited nominations for the office of Lord Mayor for the forthcoming municipal year.

Councillor Abid Latif Chohan was nominated by Councillor Leese and seconded by Councillor Lanchbury and the Council voted by acclamation.

The Lord Mayor declared that Councillor Abid Latif Chohan was elected Lord Mayor of Manchester for the forthcoming municipal year.

Councillor Chohan then read out the Declaration of Acceptance of Office. The Council adjourned briefly while the new Lord Mayor was robed.

When the meeting resumed, the Lord Mayor Councillor Abid Latif Chohan took the Oath of Allegiance and was invested with the badge of office.

CC/18/37. Chair

The Right Worshipful, the Lord Mayor, Councillor Abid Latif Chohan (in the Chair).

CC/18/38. Thanks to the Retiring Lord Mayor

A vote of thanks to the retiring Lord Mayor was moved by Councillor Karney.

The Lord Mayor presented a Former Lord Mayor badge to the retiring Lord Mayor. The Lady Mayoress presented the retiring Lord Mayor's Consort with his commemorative badge.

Councillor Hitchen then addressed the Council.

Decision

To extend the sincere thanks of the Council to Councillor June Hitchen, the retiring Lord Mayor, for her valuable services to Manchester during her term of office, and to Councillor Carmine Grimshaw, the retiring Lord Mayor's Consort, for the work he had undertaken to support the retiring Lord Mayor.

CC/18/39. Appointment of the Deputy Lord Mayor

The Lord Mayor invited nominations for the office of Deputy Lord Mayor for the forthcoming municipal year.

Councillor Tommy Judge was nominated by Councillor Leese and Seconded by Councillor Lanchbury and the Council voted by acclamation. The Lord Mayor declared that he had been appointed.

Councillor Judge read out the Declaration of Acceptance of Office and was invested with the badge of office.

CC/18/40. Motion without Notice - Suspension of particular rules (Council Procedure Rule 19.1(k))

Councillor Leech proposed a motion without notice to 'suspend particular rules' (Council Procedure Rule 19.1(k)). The motion was seconded by Councillor Kilpatrick.

Resolution

The motion was put to Council and voted on, and the Lord Mayor declared that it was lost.

CC/18/41. Minutes

Decision

To agree the minutes of the meeting of the Council held on 27 March 2019 as a correct record.

CC/18/42. Seniority of Councillors

The Council noted the revised list of seniority of councillors following the election held in May 2019.

The seniority of the members of the Council as of 8 May 2019 is appended to these minutes.

CC/18/43. The Leader of the Council

The Lord Mayor invited nominations for election as Leader of the Council. Councillor Richard Leese was proposed by Councillor Lanchbury and seconded by Councillor Evans.

After the Council voted on this, the Lord Mayor declared that Councillor Richard Leese was elected.

Decision

To elect Councillor Richard Leese as Leader of the Council.

CC/18/44. Appointment of Committees and Chairs

The Council approved the recommendations made by the Constitutional and Nomination Committee on 15 May 2019 regarding the appointment of chairs and membership of the Council's committees.

Decision

To receive those minutes.

CC/18/45. Appointments to the Combined Authority, Joint Authorities and Joint Committees

The Council approved the recommendations made by the Constitutional and Nomination Committee on 15 May 2019 about the Council's appointments to the Combined Authority, joint authorities and joint committees.

Decision

- (1) To receive those minutes.
- (2) To extend the terms of office of Nicolē 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 two years commencing on 18 November 2019.

CC/18/46. Dates of Council meetings

The Council considered the dates of Council meetings for the forthcoming municipal year.

Decisions

- (1) To agree the following dates of ordinary meetings of the Council in 2019/2020:

Wednesday 10 July 2019	Wednesday 2 October 2019
Wednesday 27 November 2019	Wednesday 29 January 2020
Friday 6 March 2020 (Budget)	Wednesday 25 March 2020
- (2) To agree that that the Annual Meeting of the Council 2020 will be on 20 May 2020.

CC/18/47. Greater Manchester Transport Committee - Roles and Responsibilities

The Council considered a report proposing the establishment of the Greater Manchester Transport Committee.

Decisions

- (1) To approve the establishment of the new Greater Manchester Transport Committee as a joint committee of the 10 districts, Greater Manchester Combined Authority and Mayor.
- (2) To approve the Terms of Reference and Operating Agreement for the Committee as set out in Schedule 1 of the report.
- (3) To delegate the functions as set out in the Terms of Reference to the Greater Manchester Transport Committee.
- (4) To appoint two members to the Transport Committee for 2019 – 2020, one being the Executive Member for Environment, Planning and Transport, and one other Councillor as recommended by the Constitutional and Nomination Committee.

- (5) To appoint as a substitute for the Executive Member the Assistant Executive Member for Environment, Planning and Transport, and to appoint another Councillor as the second substitute as recommended by the Constitutional and Nomination Committee.

CC/18/48. Council Constitution 2019/20

The Leader of the Council moved the recommendations in the City Solicitor's report about amendments and revisions to the Constitution.

Decisions

- (1) To adopt, subject to 3 below, the attached Parts of the Constitution of the Council, namely –

Part 3, Section F
Part 4, Section A
Part 8
- (2) To agree that the City Solicitor may make such consequential amendments to other Parts of the Constitution as may be required to reflect the changes made to the Parts referred to in 1 above;
- (3) To note that, in relation to Part 3, that responsibility for the discharge of executive functions and the delegation of such responsibility rests with the Leader of the Council and that the recommended delegations of executive functions as set out in the attached Part 3, Section F (Scheme of Delegation to Officers) are for the information of the Council only;
- (4) To note that the Leader has approved the delegations of executive functions contained in Part 3, Section F and has agreed that the City Solicitor may make any consequential amendments to Part 3, Section A (Local Choice Functions) of the Constitution, insofar as they relate to executive functions; and
- (5) To note that the report submitted represents an interim review of the Constitution and a report on a full review will be brought to the Council's October meeting.

Members of the Council and their Seniority - May 2019

Seniority by Office

The Right Worshipful, The Lord Mayor
The Deputy Lord Mayor
The Leader of the Council
The Leader of the Opposition

Seniority by length of service

Patrick Karney	Nasrin Ali	Ali Ilyas
Richard Leese	Ahmed Ali	Richard Kilpatrick
Basil Curley	Luke Raikes	Annette Wright
Eddy Newman	Angeliki Stogia	William Jeavons
Glynn Evans	Shaukat Ali	Sam Lynch
Brian O'Neil	Joanna Midgley	Sean McHale
Susan Murphy	Afia Kamal	Majid Dar
Susan Cooley	Tina Hewitson	Eve Holt
Paul Andrews	Donna Ludford	Sam Wheeler
Bernard Priest	Sarah Russell	Ben Clay
Joanne Green	Azra Ali	Adele Douglas
Bernard Stone	Madeleine Monaghan	Gavin White
John Flanagan	Sandra Collins	Fias Riasat
Tom Judge	Yasmin Dar	Jon-Connor Lyons
June Hitchen	John Hacking	Marcus Johns
Abid Chohan	James Wilson	Tim Whiston**
Mary Watson	Rebecca Moore	Shazia Butt**
Naeem Ul-Hassan	Mandie Shilton Godwin	Greg Stanton**
Nigel Murphy	Emily Rowles	Jade Mary Doswell**
Andrew Simcock	Dzidra Noor	Amna Saad Omar Abdullatif**
John Leech	Basat Sheikh	Becky Chambers**
Rosa Battle	Paula Appleby	
Sameem Ali	Dave Rawson	Notes
Veronica Kirkpatrick	Garry Bridges	Seniority is calculated on total
Luthfur Rahman	Sarah Judge	aggregated length of service as
Suzannah Reeves	Lee-Ann Igbon	a member of the Council.
Rabnawaz Akbar	John Farrell	
Suzanne Richards	Paula Sadler	** The seniority of the members
Julie Reid	Andy Harland	marked, without previous
Tracey Rawlins	Emma Taylor	service as councillors for
Aftab Razaq	Mary Monaghan	Manchester, was determined by
Matthew Strong	Mahadi Mahamed	a ballot conducted by the Lord
Bev Craig	Hannah Priest	Mayor on 8 May 2019.
John Hughes	Kelly Simcock	
Carmine Grimshaw	Zahra Alijah	
Carl Ollerhead	Chris Wills	
Shelley Lanchbury	Jill Lovecy	
Joan Davies		

Planning and Highways Committee

Minutes of the meeting held on Thursday, 11 April 2019

Present: Councillor Ellison (Chair)

Councillors: Nasrin Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, Lovecy, Shaukat Ali, Watson, White and Wilson

Apologies: Councillor Lyons and Madeleine Monaghan

Also present: Councillors: Wright, Noor and A. Simcock

PH/19/30 Supplementary Information on Planning Applications on this agenda.

To receive and note the late representations.

Decision

To receive and note the late representations as circulated.

PH/19/31 Minutes

To approve the minutes of the meeting held on 14 March 2019 as a correct record.

Decision

To approve the minutes of the meeting held on 14 March 2019 as a correct record.

PH/19/32 121011/FO/2018 – Garages to rear of 88 School Lane, Manchester M13 0SG

The application related to the erection of a part 2/ part 3 storey terrace of four dwellings (3 bedrooms) and one detached, 2 storey dwelling (3 bedrooms), following demolition of existing commercial buildings and garages.

The Committee had been Minded to Refuse the application at the previous meeting held on 14 March 2019 and amendments to the proposal were submitted in order to address the concerns that were expressed by the Committee.

A member proposed that the Committee undertake a site visit for a better understanding of the site and impacts arising from the development.

The Chair put the proposal for a site visit to the Committee and it was agreed.

Decision

To defer consideration of the matter for a site visit.

PH/19/33 121465/FO/2018 - 52 Ainess Road, Manchester M16 8HW

The application related to the proposed conversion of existing loft space with rear dormer extension and erection of a three storey rear extension to create 3 no. Class C3a additional apartments (11 no. apartments in total) with associated elevational alterations to the existing building, the reconfiguration of external space to form amenity space, car parking, bin storage, cycle storage, landscaping and new boundary treatments

The Committee welcomed the application and the changes and improvements made to the proposed development. Officers were questioned on the term 'sustainable modes' under the heading Highway Services of the planning report and it was reported that this referred to walking and cycling. Reference was also made to the description given of a 'range of public transport facilities' with point made that the local area is served by a single bus service which has a limited frequency. Officers noted the comments made.

The Committee referred to the landscaping to the rear of the site and what arrangements were in place to ensure that the agreed layout works are carried out.

Officers reported that the site layout plan had been agreed with the developer and this included a timescale for the completion of the works, as indicated, under Condition 4 of the application report.

Decision

To approve the application, subject to the conditions and reasons detailed in the report submitted.

**PH/19/34 119100/FO/2018 – Former Hardy’s Well Public House 257
Wilmslow Road, Manchester M14 5LN**

The application related to the erection of a part two, part three, part four and part five storey building to provide 8 ground floor A1 retail/ A2 financial and professional services at ground floor and 35no. apartments above with associated access, parking and landscaping arrangements.

A member proposed that the Committee undertake a site visit to gain a better understanding of the traffic management issues involved in the proposal.

The Chair put the proposal for a site visit to the Committee and it was agreed.

Decision

To defer consideration of the application for a site visit.

PH/19/35 121857/FO/2018 – 84 Cambridge Street, Manchester, M15 6BP

The Committee undertook a site visit in the morning prior to the start of the meeting.

The application related to the erection of a twelve-storey purpose built student accommodation building comprising 97 units with roof top terrace and associated landscape and highway works, following demolition of existing structures.

A local resident spoke in objection to the proposal and said that the development proposed would, due to its scale, reduce daylight and cause the loss amenity to the adjacent properties due to overlooking of neighbouring properties.

The applicant was present at the meeting and spoke in support of the application.

Councillor Annette Wright spoke as Ward Councillor in opposition to the application and raised concerns on the impact the development would have on the local community and the loss of amenity to local residents, in particular, the loss of light.

Officers reported that it had been recognised that the development would result in a degree of impact, loss of light and loss of amenity and this had been addressed within the report to the Committee.

The Committee referred to the site visit that had taken place and raised concerns regarding the scale of the development and how this would impact on the local community, the loss of amenity and light to adjacent properties. Other concerns were raised regarding the knock on effect from a lack of parking in the area resulting from residents of the proposed development with cars and the potential for anti-social behaviour from activities taking place on the roof terrace.

Officers reported that car parking controls were already in place in the locality and it was considered unlikely that students residing in the proposed development would have a vehicle due to the close proximity of the city centre and university campuses. The use of a management plan would control activities at the development and limit the risk of anti-social behaviour. The potential disturbance from noise levels produced by residents on the roof top terrace had been assessed by the Council's Environmental Health officers and were considered to be acceptable due to the height and location of the roof top terrace, combined with the level of background noise.

Decision

Minded to refuse the application due to concerns expressed regarding the negative impact of the proposed development on neighbouring properties resulting in a loss of amenity, overlooking and reduction in daylight.

(The Head of Planning has been requested to submit a report which addresses the concerns raised and whether there are reasons for refusal which could be sustained.)

PH/19/36 122042/FO/2018 – Land off Cringle Road, Manchester M15 6BP.

The application related to an outline planning application for the erection of 57 dwellings, with all matters reserved, except for access, with associated access off Cringle Road, car parking, landscaping and other associated works.

Officers reported that a previous application for planning permission had been refused by the Committee on 24 August 2017 and was the subject of an appeal to the Planning Inspectorate. The appeal was subsequently dismissed. From the findings of the appeal hearing, the Planning Inspector had considered that there was very limited recreational activity associated with the site which also held no formal recreational status and had not been designated within the City Council's 'open space study' in 2009. The Planning Inspector had considered that there would be no harm to the landscaped character of the wider area as a result of development at the application site. The reason for the decision to dismiss the appeal was based on the grounds that there had been no suitable mitigation agreed between the Council and the applicant to minimise the wider impacts on Highfield Country Park. On this basis the proposal was deemed to be in conflict with policies EN9 and EN10 of the Core Strategy and saved policy LL3 of the Unitary Development Plan.

Local residents from the area attended the meeting and a spokesperson addressed the Committee on their behalf to explain their objection to the proposal. The spokesperson said that the ecology report which informed the planning report was based on incorrect information and bats have been regularly spotted on the site. Also, none of the buildings on the site had been accessed as part of the ecology survey to check for the presence of protected species. An independent ecology report produced by a bat specialist had suggested that the buildings on the site had moderate potential to support roosting bats. The spokesperson referred to Planning Inspectors report and did not accept the suggestion that the site should not be regarded as a recreational facility as described in Policy EN 10 of the Manchester Core Strategy 2012. The spokesperson stated that the community had regularly accessed the farm area but following the agreement made with the site owner and the developer involved in the application, the farm had been purposely run down over a three-year period. The spokesperson said that the Inspector had based their decision on the current state of the site and had not recognised the site as a valuable community facility which was regularly accessed by the local community. The spokesperson stated that the Planning Inspector had concluded that there would be significant harm to the country park as result of the development. Also, the sale of the land was believed to be contrary to government guidance on the sale of land by a non-profit organisation that had received contributions from the local community. The spokesperson referred to the existing problems caused by traffic congestion in the area and the impact that the development would have on the health and wellbeing of future generations from the loss of green space.

The agent for the applicant was present at the meeting and spoke in support of the proposed application.

Councillor Noor spoke as Ward Councillor in opposition to the application and raised concerns regarding the impact of the development on the local area as a result of the loss of a valued 'community green space'. Also, the increase in the amount of traffic generated by the development would add to the existing traffic congestion problems

and the addition of new families moving into the properties would increase pressure on the existing local infrastructure.

Officers reported that the ecology report had included an assessment of buildings on the site and concluded that no bats or other protected species were present at the site. The GM Ecology Unit had reviewed and had accepted the findings. If agreed, the planning permission would include a note that would require development work to stop, if bats or other protected species were found to be living on the site, other national legislation would also apply on the protection of wildlife. Associated traffic calming measures would be introduced on the highway, as part of the development scheme and these would be funded by the developer.

The Committee referred to the financial contribution by the developer and the 20% affordable housing provision and asked for further details on how this would be determined and how the allocation of the affordable properties would be managed. Concern was expressed over the loss of the green space and how a financial contribution would not address this. The point was made that the farm site had been in private ownership at the time of the open space study in 2009, which made it inappropriate to refer to the area as recreational land. The Committee commented that the report was problematical in that the site had previously been used for landfill and concern was expressed that using the site for residential development may result in remedial action being required.

Officers reported that there would be a financial contribution, for the loss of the open space, from the developer to mitigate impacts to Highfield Country Park and to improve accessibility to the park. The 20% affordable housing on the development would be a shared ownership arrangement and this would be retained into the future. A Registered Provider would manage the shared ownership and properties, as part of a S106 legal agreement. Any subsequent changes made to the final arrangements would be subject to negotiation and agreement with Executive members and the Director of Housing. The arrangements are in accordance with current local and national policy. The developer was in negotiations with a Registered Provider that would work closely with the Council and nomination rights would be applied in accordance with their existing procedures.

Officers reported that the principle of the development of the site had been deemed acceptable based on the findings of the planning inspector and this was now a material consideration. The current recommendation was against the previous planning recommendation to the Planning and Highways Committee that had been refused, however, after the appeal process, the Council considered the inspectors report and what the mitigation between the Council and developer should be. It was determined that the mitigation would be the financial contribution to enhance Highfield Country Park, which had been negotiated through relevant officers within the Council. The Inspector, in conducting the appeal, had balanced the policies of the Council against the merits of the proposed development and did not consider the weight of the policies to be sufficient to merit a refusal of the application.

Decision

Minded to refuse the application for the reason that the proposed financial agreement between the Council and the applicant is insufficient to mitigate against the loss of green space and infrastructure and conflicts with policies:

- EN9 – Maintaining green infrastructure;
- EN10 – Safeguarding open space, sport and recreation facilities;
- Saved Policy LL3 - Environmental Improvements and Protection.

(The Head of Planning has been requested to submit a report which addresses the concerns raised and whether there are reasons for refusal which could be sustained.)

PH/19/37 115468/OO/2017 – Land to the rear of Whitehouse Club, Middleton Road, Manchester M8 4JZ

The application related to an outline application for development comprising of the erection of part two storey, part three storey social club with associated car parking, landscaping, public realm and other associated works following demolition of the existing social club and bowling green; and an outline application (with all matters reserved except for access) for the erection of 74 residential dwellinghouses.

The applicant's agent attended the meeting and addressed the Committee in support of the application.

The Committee referred to the loss of sports facilities from the site and how this would be addressed through alternative local provision. In addition, officers were asked what arrangements were in place for the drainage of the site as part of the development.

Officer's reported that the loss of the sports pitch on the site was considered in conjunction with the Council's Sports Pitch Strategy in determining what alternative provision would be available. A financial contribution of £200,000 from the developer had been agreed for use in upgrading other sports facilities in the local area. The proposal for a financial contribution had been endorsed by Sport England in view of the loss of the provision.

Decision

Minded to approve, subject to the signing of a legal agreement in order to secure monies associated with mitigating against the loss of the sports facilities together with securing 20% on site affordable housing.

Planning and Highways Committee

Minutes of the meeting held on Thursday, 30 May 2019

Present: Councillor Curley (Chair)

Councillors: Nasrin Ali, Clay, Kamal, Lovecy, Lyons, Madeleine Monaghan, Raisat, Shaukat Ali, Watson, White and Wilson

Apologies: Councillors Davies and Y Dar

Also present: Councillors: Ahmed Ali, Akbar, Kilpatrick, A. Simcock and Stone

PH/19/38 Supplementary Information submitted on Planning Applications

To receive and note the late representations.

Decision

To receive and note the late representations as circulated.

PH/19/39 Minutes

To approve the minutes of the meeting held on 11 April 2019 as a correct record.

Decision

To approve the minutes of the meeting held on 11 April 2019 as a correct record.

PH/19/40 122797/FO/2019 – Land at Leach Street and Crossley Garages, Manchester M18 8BA

The application related to the erection of 45 dwelling houses on a vacant brownfield site at the junction of Leach Street and Crossley Street.

The applicant attended and did not speak to the application.

In welcoming the application members referred to bin storage at the front of the proposed properties and asked if this arrangement was an acceptable practice.

Officers reported that storing bins at the front of the properties was an acceptable arrangement for the reason that the properties are terraced and there is no external access to the rear. A member asked what arrangements were in place for the planting of trees and was informed that an agreed landscaping scheme would determine tree planting locations across the site. In response to questions relating to affordable housing, officers also explained that the properties would be operated under a shred ownership arrangement.

Decision

To approve the application, subject to the conditions and reasons detailed in the report submitted.

(Councillor Kamal declared a prejudicial interest in the application and left the meeting room during consideration of the application.)

PH/19/41 122042/OO/2018 – Land off Cringle Road, Manchester M16 8HW

The application related to an outline planning application for the erection of 57 dwellings, with all matters reserved except for access, with associated access off Cringle Road, car parking, landscaping and other associated works.

The Committee, at its meeting held on 11 April 2019, had resolved that it was minded to refuse the application and had deferred the application. The Committee had requested officers to submit a report to address the concerns raised relating to the loss of the facilities at the farm together with impacts on ecology, the local highway and ground conditions.

The applicant attended the meeting and addressed the committee on the application.

Councillor Stone spoke as a ward councillor against the application.

Members referred to the report regarding the proposed financial sum contribution for enhancements and improvements at the Country Park and whether the use of the contribution had been consulted on locally. It was reported that discussions had taken place with officers from the leisure services and parks and would involve wider consultation through neighbourhood officers.

A member asked for further information on the bat survey of the area funded by local residents. Officers reported that the report produced on behalf of local residents had been considered by the GM Ecology Unit and an additional condition had been added to the proposed planning permission.

Decision

Minded to refuse the application for the reason that the proposed financial agreement between the Council and the applicant is insufficient to mitigate against the significant harm to Highfield Country Park, loss of green space and infrastructure and conflicts with policies:

- EN9 – Maintaining green infrastructure;
- EN10 – Safeguarding open space, sport and recreation facilities;
- Saved Policy LL3 - Environmental Improvements and Protection.

PH/19/42 122644/FO/2018 – 60 Charles Street, Manchester, M1 7DF

The application related to the erection of a 16 storey building plus plant level comprising a hotel (Use Class C1) with ancillary ground floor bar and restaurant uses (Use Classes A3, A4) with associated works to facilitate access, servicing and other associated works following demolition of existing building on-site.

An objector to the application addressed the Committee on the potential impact of the proposal on their business and concerns on traffic management issues that would be caused from the development.

The applicant spoke on the application and responded to the points raised by the objector.

A member referred to the application, in particular, the local labour agreement, the completion of surveys and lack of information and comments from the Manchester Conservation Area and Historic Buildings Panel on the proposed materials for the construction.

Officers reported that two objections had been received on the application. The issue raised regarding the Local Labour Agreement had been considered and had limited weight in view of the employment that the scheme would generate. In response to the completion of surveys and gaps in information, it was reported that officers were confident that the planning report contained all the required information necessary to satisfy the planning process and contained no information gaps. An assurance was given that the materials proposed to be used on the construction are of a high quality and have been used on existing buildings in St Peter's Square and this would be reflected in the proposed conditions.

A member referred to the style of the building proposed and how this would fit in with other older buildings in a conservation area.

Officers reported that that the design of the building replicates the Victorian style of buildings in Manchester with a modern interpretation involving a tripartite sub-division. The proposed development would enhance the current street and would be in keeping with the conservation area.

A member referred to the lack of trees on the street due the width of the pavement area and requested that an additional condition be added to address this and for trees to be included.

Decision

To approve the application, subject to the conditions and reasons detailed in the report submitted and subject to the inclusion of an additional condition to require officers to reconsider the inclusion of tree planting scheme within the proposal.

PH/19/43 119100/FO/2018 – Former Hardy's Well Public House 257 Wilmslow Road, Manchester M14 5LN

The Committee undertook a site visit in the morning prior to the start of the meeting.

The application related to the erection of a part two, part three, part four and part five storey building to provide 8 ground floor A1 retail /A2 financial and professional

services at ground floor and 35 apartments above with associated access, parking and landscaping arrangements.

Councillor Ahmed Ali spoke as a ward councillor against the application and gave the views of local community and residents associations and the local civic society. The issues raised included increased traffic resulting from the development in view of the location and the impact this will have on local schools, college and mosque. The point was made the further retail units were not needed in view of the empty shop units on Wilmslow Road.

The applicant also spoke to the application.

Members referred to the parking area and the space available for vehicles accessing and leaving the development and asked what consideration had been given to vehicle emissions waiting to access the site. Reference was also made to refuse collection vehicles access to the site and the high volume of traffic Wilmslow Road which could cause additional traffic congestion and make the movement of vehicles to and from the site difficult.

It was reported that a detailed investigation of traffic management of the site had taken place including calculations on the path of vehicles entering and leaving to ensure there is sufficient space. It was reported that ventilation is included in the design of the building to address vehicle emissions which has been assessed by environmental health. Waste collection arrangements and access would be managed by traffic regulation orders and this had been addressed in a condition. It was considered that the development is acceptable for this location and surveys and assessments had been undertaken to support the expected hourly vehicle movements.

Decision

Minded to approve, subject to the signing of a legal agreement which will include a provision for a reconciliation, which would require a contribution to be paid if values change at an agreed point, there would also be provision for a future review mechanism so if the residential units are to be retained as a rented scheme or are changed from rented to sale at a future date.

PH/19/44 122963/FO/2019 and 122964/LO/2019 – British Muslim Heritage Centre, College Road, Manchester, M16 8BP

The application related to the retaining of an existing temporary marquee for a further three years and for associated listed building consent.

The applicant was not present and no objectors attended to speak. Officers did not add any further information to the report submitted.

Decision

To approve the application, subject to the conditions and reasons detailed in the report submitted.

(Councillor Watson declared a personal interest in the application.)

PH/19/45 121011/OO/2018 – Garage Rear of 88 School Lane, Manchester, M20 6GH

The Committee undertook a site visit in the morning prior to the start of the meeting.

The application related to the erection of a part 2/part 3 storey terrace of four dwellings (3 bedrooms) and one detached 2 storey dwelling (3 bedrooms) following demolition of existing commercial buildings and garages.

An objector to the application addressed the Committee on the potential impact of the proposal.

The applicant addressed the Committee on the issues raised relating to parking and refuse storage arrangements and revisions made to the scheme.

Members referred to the issue of parking on the pavement on School Lane and asked officers if preventative measures could be taken and if the positioning of street trees could support this.

Officers reported that vehicles parking on the pavement would be an obstruction of the highway and that would be a matter for the Greater Manchester Police. Planning officers undertook to consult with the arboricultural officers on the siting of street trees to prevent pavement parking.

Decisions

1. To approve the application, subject to the conditions and reasons detailed in the report submitted.
2. To approve an additional condition on the siting of trees on the pavement area of School Lane to prevent parking.

PH/19/46 122464/FO/2019 – Land at Junction of Honford Road and Broadoak Road, Manchester

The application related to revised drawings for the erection of two 4 bedroom bungalows and one 2 bedroom bungalow with parking, gardens and amenity space

A member proposed that the Committee undertake a site visit for a better understanding of the site and impacts arising from the development in view of issues raised on public amenity and recreational space.

The Chair put the proposal for a site visit to the Committee and it was agreed.

Decision

To defer consideration of the application for a site visit.

PH/19/47 122466/FO/2019 – Land at Junction of Panfield Road and Broadoak Road, Manchester

The application related to the erection of 4 two bed bungalows with associated parking and landscaping works.

A member proposed that the Committee undertake a site visit for a better understanding of the site and impacts arising from the development in view of issues raised on public amenity and recreational space.

The Chair put the proposal for a site visit to the Committee and it was agreed.

Decision

To defer consideration of the application for a site visit.

PH/19/48 122638/FO/2019 – Land to South of Wilmslow Old Road and the West of Aviation Viewing Park, Manchester, WA15 8XQ

The application related to the development of a combined bussing and motor transport service centre consisting of a part single/part two storey motor transport building, a single storey bus washing building, provision of a public long stay car park (2,700 car parking spaces), amendments to the layout of Wilmslow Old Road, together with the provision of landscaping and surface water drainage infrastructure and the demolition of four residential properties (Vicarage Cottages).

A member proposed that the Committee undertake a site visit for a better understanding of the site and impacts arising from the development in view of the proximity of the proposed site to an area of scientific interest and the protection of wildlife and heritage and environmental issues.

The Chair put the proposal for a site visit to the Committee and it was agreed.

Decision

To defer consideration of the application for a site visit.

PH/19/49 120849/FO/2018 – The Limes 816 Wilmslow Road, Manchester, M20 2RN

The application related to the erection of 3 storey building plus basement containing 15 apartments (7x1 bed, 8x2 beds), following partial demolition of vacant care home building (retention of front façade), together with the erection of a terrace of 4 no. three storey townhouses (4 bedrooms); with associated landscaping and car parking for 25 vehicles.

The applicant attended the meeting addressed the Committee.

Councillor A Simcock (Didsbury East Ward) spoke in favour of the application. A member referred to the design and position to ensure that sun light and natural light for basement properties in the proposed development and how this would be addressed.

Officers reported that Building Regulations would require the plans for the construction of the development and these would be assessed by officers accordingly.

Decision

To approve the application, subject to the conditions and reasons detailed in the report submitted.

Health and Wellbeing Board

Minutes of the meeting held on 5 June 2019

Present

Councillor Richard Leese, Leader of the Council (MCC) (Chair)
Councillor Bev Craig, Executive Member for Adult Health and Wellbeing (MCC)
Kathy Cowell, Chair, Manchester University Hospitals Foundation Trust (MFT)
Dr Ruth Bromley, Chair, Manchester Health and Care Commissioning
David Regan, Director of Public Health
Rupert Nichols, Chair, Greater Manchester Mental Health NHS Foundation Trust
Vicky Szulist, Chair, Healthwatch
Jim Potter, Chair, Pennine Acute Hospital Trust
Paul Marshall, Strategic Director of Children's Services

Also present

Karen Dyson, Voluntary and Community Sector representative
Peter Blythin, Director SHS Programme – Manchester University Foundation Trust
Michael McCourt, Manchester Local Care Organisation
Matt Makin, Medical Director, Pennine Acute NHS Trust

Apologies

Mike Wild, Voluntary and Community Sector representative
Dr Tracey Vell, Primary Care representative – Local Medical Committee

HWB/19/14 Minutes

The Chair referred to a correction in the minutes relating to the title of Rebecca Livesey - CEO Manchester Active and the inclusion of Karen Dyson (Voluntary and Community Sector representative) to the list of those present at the meeting.

Decision

To agree as a correct record, the minutes of the meeting of the Health and Wellbeing Board held on 20 March 2019, subject to the above changes.

HWB/19/15 Manchester Locality Plan – Update - Single Hospital Service (NMGH) and MHCC Phase 2

The Board received a report from the Director of Planning and Operational Services, Manchester Health and Care Commissioning which provided progress on the Locality Plan: Our Healthier Manchester, with a focus on the following areas:

- Single Hospital Service (SHS) – an update on the benefits realised post-merger and the planned acquisition of North Manchester General Hospital; and
- Manchester Health and Care Commissioning (MHCC) – an update on Phase 2, the further development of MHCC as a strategic commissioning

organisation and the phased transfer of operational commissioning responsibilities to the LCO.

Ed Dyson introduced the report and verbal updates were provided by Matt Makin (Medical Director NMGH) and Peter Blythin (Director SHS Programme – Manchester University Foundation Trust).

The Chair invited comments from Board members.

A member commented that there was frustration at the pace of change, however during this time there was a focus on ensuring that patient safety continues to be protected. An inspection by the CQC was anticipated and the organisation was confident and prepared for this test.

A member asked if the expected deadline for the transfer of NMGH to MFT set for April 2020 would be achieved.

It was reported that the April deadline was the ambition however, the NHS still has two complex transactions to resolve and this may potentially jeopardise the deadline.

The Chair referred to the changes in MFT and taking account of the future with NMGH and asked if this was included in the thinking in the progress being made around Theme 3.

It was reported that Theme 3 was included within the process and discussions within the Transaction Overview Group. Also the decisions on Theme 3 will be carried at a GM Commissioner level and would include planning of scenarios relating to the future of the NMGH site.

The Chair commented that the merger of hospitals can present problems however, the work being done at NMGH was working and producing the health benefits expected. Officers were congratulated on the progress being made. Officers were also asked to include information about changes in senior management and board level in the MHCC and MLCO report to a future meeting of the Health and Wellbeing Board.

Councillor Craig suggested that the next joint MLCO/MHCC report submitted to the Board will demonstrate the connection and ambition of the two organisations.

Decision

1. To note the report submitted, including the progress made toward completing the Single Hospital System (SHS) and Manchester Health and Care Commissioning (MHCC) Phase 2 transformation programmes.
2. To note the comments received.
3. To request that the next report of the MLCO MHCC to the Health and Wellbeing Board be presented as a joint report and include information about changes in senior management and board level in the MHCC and MLCO.

HWB/19/16 Locality Workplace Health and Wellbeing

The Board received a report from the Director of Workforce and Organisation Development, MHCC and the Director of Population, Health and Wellbeing. The report provided an overview of progress in the delivery of a locality based approach to improving workplace health and wellbeing systems and outcomes for the combined health and social care workforce within the city.

The Director of Population, Health and Wellbeing introduced the report.

The Director of Workforce and Organisation Development, MHCC also addressed the board on the work that has taken place since the presentation of the first report in July 2017. Reference was made to the report appendix which provided progress and next steps on the 2017 Baseline Assessment report recommendations.

The Work and Skills Lead officer (MCC) reported that an assessment tool had been developed for use by employers and was ideal for integrated health and social care working. This approach had been agreed and supported by a wide number of individual organisations.

The Chair invited questions from the Board

A board member commented that the wellbeing of GP's should also be considered and asked if there had been an outreach to independent organisations in view of the shortage of GP's and the strain on the current service.

It was reported that GP's could refer themselves or be referred to the Manchester Fit for Work service and the Working Well Early Help Service, as employees to support and enable them to stay in work and avoid long term illness. It was reported that extending the Employer Assistance Programme would be considered, as a possible option, across MHCC and the City Council.

Councillor Craig referred to issue of mental health and mental wellbeing across all employment sectors within the city and sought assurance that information learned from this area is helping to inform the mental health commissioning strategy. Officers were asked if recommendation 5 of the report could be reconsidered and looked at in a broader context than just employee assistance programmes to provide a wider and more generalised access to mental health services and enhancement of services already commissioned.

It was reported that programmes currently exist across Manchester in conjunction with other GM Colleagues, this will include the commissioning of a specialist employment service in partnership with the GMCA and the GM Health and Care Partnership. Also, tools put in place by employers were helping with collective learning to help and support employees with mental health conditions and develop support to help unemployed residents.

A member referred to the health issues of staff and the initiatives that already exist that provide social value.

It was reported that the organisations are already taking part and offer activities to employees to help support employee health and the recruitment. Further information would be included in the next update report to the Board.

The Chair stated that the work referred to in the report is important and indicates that there is an ambition to expand the work to both the population and the workforce and currently the organisations involved include over 30000 people. The Health and Wellbeing Board has looked at the relationship between work and health with the view that being in work is good for health as opposed to being out of work. The report looks at work and health differently and enforces the link that work provides positives for employees, their organisations and the people who receive their services. Reference was also made to the Independent Prosperity Review and the research on the review that underpins the Manchester Local Industrial Strategy which will be launched shortly. Research taken from the strategy suggested that a reason for low productivity in the GM area is ill health and the promoting of good health of employees will benefit the productivity of organisations. The Chair also referred to the Good Employment Charter which currently has twenty employers involved with the organisations now working towards the agreement on a set of standards that will be rolled out later in the year to promote better engagement with local employers. The Chair stated that the organisations that work to engage their employees find that the employees were more likely to be retained than those not engaged.

Decisions

1. To note the findings of the report and the comments received.
2. To request officers to reconsider Recommendation 5 in view of the comments made.
3. To note that a further progress report will be submitted to the Health and Wellbeing Board in 2020.

HWB/19/17 Joint Strategic Needs Assessment Evaluation

The Board received a report from the Director of Population, Health and Wellbeing which described the interim findings of the Manchester Joint Strategic Needs Assessment (JSNA) and outlined the next steps for further evaluation and action. The final evaluation would be completed by September 2019.

The Chair invited questions from the Board.

A Board member welcomed the report and referred to the useful information it contains and asked officers what changes would be made to address the issue of ward boundary changes and would those changes be incorporated in future updates. It was reported that Office for National Statistics was working to address the 32 wards and new data would be available in the next few months.

The Chair referred to ward boundary data and reported that the Our Manchester Investment Board is working to harmonise existing boundaries of partner organisations to ensure joined up working and effective targeting.

The Chair of the MLCO reported that a report would be produced on joined up services to a future meeting of the Board.

Decision

To note the report and the comments received.

HWB/19/18 Health and Wellbeing Board Forward Plan

The Board received a report from the Director of Population, Health and Wellbeing presenting the cycle of Board meetings for 2019/20 Municipal Year. The Board was requested to comment on items for inclusion of work items in the Forward Plan for the meetings scheduled for the remainder of the year.

The Chair invited questions and suggestions from the Board.

Members made the following suggestions for inclusion in the Forward Plan:

- Frailty – relating to - in hospital, out of hospital and primary care.
- Children and Adult - multi agency safeguarding arrangements – implementation.
- Social prescribing and more innovative approaches to health and how this is working for Manchester.
- Changes to organisation and development changes at GM level in order to understand the changes at a locality level.
- Bringing services together in health and social care through the LCO.

Decisions

1. To note the report submitted.
2. To note the suggestions for future work items.

Audit Committee

Minutes of the meeting held on 15 April 2019

Present:

Councillor Ahmed Ali - In the Chair
Councillors Lanchbury, Russell, A. Simcock and Watson
Dr S Downs (Co-opted member)

Apologies:

Councillor Connolly
Dr D Barker (Co-opted member)

AC/19/17 Minutes

The minutes of the Audit Committee held on 11 March 2019 were submitted for approval.

Decision

To approve the minutes of the meeting held on 11 March 2019 as a correct record.

AC/19/18 Draft Annual Governance Statement 2018/19

Members considered the report of the Deputy Chief Executive and City Treasurer which set out the draft 2018/19 Annual Governance Statement (AGS). The Annual Governance Statement was produced following completion of the annual review of the Council's governance arrangements and systems of internal control. It was reported that the AGS had been considered by the Standards Committee.

In welcoming the report, a member suggested that all Council members should be provided with the AGS for the reason that it is useful in raising awareness of the Council's governance arrangements.

The Chair invited questions from the Committee.

A member referred to the Council's webpages and requested that the information contained on the 'Your Councillors' pages appeared to be duplicated and should be merged to one page. Reference was also made to the Council's Ethical Procurement Policy and officers were asked how robustly the policy is applied in the procurement of services.

It was reported that any external provider seeking to apply to the tender of goods and services to the Council is subject to a tendering process which requires the tenderer to demonstrate how it meets the Council's ethical procurement standards.

A member acknowledged and congratulated the positive involvement of officers involved in servicing Scrutiny Committees, referred to in the AGS, as part of the assessment of the robustness of the Council's corporate governance across services.

A member referred to Section 6 of the AGS, and commented on the wording used in the Bheard Survey findings relating to 'strengthening the way the organisation's senior leadership team visibly demonstrate the behaviours'. The suggestion was made that the wording be amended to say "including strengthening the visibility of the way the organisation's senior leadership team demonstrate the behaviours".

Officers noted the comments and undertook to review the wording in advance of completing the final version of the AGS document.

A member referred to homecare contract governance under Action 3 of the document and requested officers to update the Council website to provide a clearer explanation of 'Electronic Call Monitoring' for the benefit of users.

Officers noted the comments made and reported that the Homecare Contract was not yet live and undertook to ensure that electronic call monitoring was given a clear description.

Members referred to Action 5 of the document regarding GDPR and the level of take-up of the e-learning module by Councillors and officers. The suggestion was made that a report be submitted to the Standards Committee on the number of Councillors that had completed the e-learning module.

Decisions

1. To note the draft 2018/19 Annual Governance Statement.
2. To delegate authority to the Chief Executive in consultation with Audit Committee members, to approve revisions to the AGS reflecting further progress against governance challenges made during the remainder of the 2018/19 financial year.
3. To note the comments raised by the Committee.
4. To recommend that officers submit a report to the Standards Committee to provide information on the take-up of the GDPR e-learning module by Councillors.

AC/19/19 Review of Effectiveness of Internal Audit

The Committee considered the report of the Deputy Chief Executive and City Treasurer which set out the process for the annual review of effectiveness of the Council's system of internal audit as part of its governance assurance processes. The process is designed to provide assurance to the Deputy Chief Executive and City Treasurer and the Audit Committee over the system of internal audit including

the role, function and performance of the internal audit service.

The Chair invited questions from the Committee.

A member referred to the audit outputs issued to date and asked officers to explain why the number of audits for 2018/19 had reduced in comparison to previous years and the reasons for this. Officers were asked to explain changes to the Audit Committee Terms of Reference regarding “impairment to independence or objectivity arising from additional roles outside of internal auditing of the Head of Internal Audit and Risk Management.

The Committee was informed that there had been three time consuming investigations that, although were carried out separately, were counted as a single output. Also, since 2016 there were now fewer standard compliance grant audits taking place that were quicker to complete. The development of the new audit approach had required time with members of the audit team which had been a factor in completing audit work. In addition, the point was made that the outputs from external counter fraud work undertaken is not recorded as an audit output. In view of the number available resource hours (2500 days) and the volume and complexity of the audits, it was anticipated work would increase, with approximately 120 audit outputs per year. The Head of Internal Audit and Risk Management explained that the change to the Terms of Reference was to provide clarity on his role and to enable him to not be involved in areas of audit work he may be responsible for.

A member referred to paragraph 3.8 of the report and asked officers why there was an intention to change the levels of assurance from five to four in 2019/20 as part of the revised audit approach. In reference to paragraph 3.9, officers were requested to send all audit report to Executive Members rather than a summary implementation of recommendations. The point was made that Executive members were part of the assurance reporting framework and must be included.

The Head of Internal Audit and Risk Management reported that the assurance levels had been amended to an even number to avoid setting ‘safe’ middle ground levels of assurance. Officers undertook to forward full audit reports and summary reports to Executive Members and this would be included within the Audit manual.

A member referred to the proposed revision to the Audit Committee Terms of Reference, Internal Audit and requested that the word “Review and” be inserted at the start of the second bullet point relating to the risk-based internal audit plan. Officers were also requested to retain paragraph 4.4 as detailed in the current Audit Committee Terms of Reference.

The Head of Internal Audit and Risk Management undertook to retain the words “Review and” in the proposed Terms of Reference, Internal Audit - second bullet point and to retain paragraph 4.4 of the current Audit Committee Terms of Reference in the proposed version of the Terms of Reference.

The Committee agreed that it was satisfied with the assurance provided by the review of effectiveness and management of improvement actions provided from the QAIP 2018/19 and planned actions for 2019/20, as detailed in Appendix 1 of the

report.

Decisions

1. To note the report submitted and the comments made.
2. To note the amendments made in respect of the Audit Committee Terms of Reference, as detailed in Appendix 2 of the report submitted.
3. To approve the Internal Audit Charter, as detailed in Appendix 3 of the report submitted.
4. To request that a report is submitted to the Audit Committee in six months to provide details on the circulation of audit reports and summary reports to Executive Members.

AC/19/20 Head of Audit and Risk Management Annual Audit Opinion

The Committee considered the report of the Head of Internal Audit and Risk Management which provided the Head of Audit and Risk Management's annual assurance opinion and reported on the Council's system of governance, risk management and internal control. The report was produced in accordance with the Public Sector Internal Standard 2450, which requires it to culminate in an annual audit opinion. The Head of Audit and Risk Management's provided a moderate annual assurance opinion on the Council's governance.

The Chair invited questions from the Committee.

A member asked what action the Council needed to take to improve the assurance opinion from moderate.

It was reported that further work was required to:

- The Adults Improvement Plan
- The Implementation of the ICT Disaster and Recovery Plan
- Prioritisation of scarce resources and on key priorities
- Focussing and a strong oversight on Council delivery on core services.

A member referred to the use of improvements plans in improving service areas and had this proved helpful in particular the attendance of Executive Members and service Directors to the Committee.

It was reported that the process of the Audit Committee making recommendations and inviting Executive Members and Officers to attend meetings to answer member questions had proved useful in improving focus on areas of service.

Decision

1. To note the Head of Audit and Risk Management's Annual Assurance Opinion and Report.

2. To note the comments made on the report.

AC/19/21 Annual Internal Audit Plan 2019/20

The Committee considered the report of the Deputy Chief Executive and City Treasurer and the Head of Internal Audit and Risk Management setting out the Internal Audit Plan 2019/20. The Council has adopted the standards for internal audit set out by the Public Sector Internal Audit Standards (PSIAS). The Internal Audit Plan has been produced following consultation and requests made for audit work from key stakeholders.

The Chair invited questions from the Committee.

A member referred to the percentage of time spent investigating counter fraud which appeared to have risen from 20% to 30% and asked if this would be sufficient in helping the Council to improve its level of assurance.

It was reported that the level of resource invested in counter fraud work would need to be balanced but may increase to 30%, although it was noted that this would not be at the expense of other audit work. Some of the counter fraud work would be self-funding and re-invested into audit work.

A member asked if the 100 days identified as contingency for in year priorities and was this sufficient.

It was reported that 75-80 days had been left unallocated to deal with in year priorities, although any changes required to the Audit Plan would be referred to the Audit Committee for consideration.

A member referred to the AGS and asked if other areas such as supporting attendance management, performance management and ensuring staff appraisal had a higher priority to help reduce misconduct investigations.

The Head of Internal Audit and Risk Management undertook to consider including a piece of work on attendance and management performance.

A member referred to counter fraud and the risk based nature of the Audit Plan and asked officers why those audit areas were not included within the Council's Risk Register and other areas were audited.

It was reported that not all areas with potential significant financial or reputational risk were considered as a corporate risk would be included. A report would be submitted in Quarter 3 to provide information of a broader assurance. In addition, the issue of making officers aware of counter fraud issues could be raised as part of officer training in financial related areas of service.

Decision

1. To note the report submitted and the comments raised.

2. To approve the Annual Audit Plan 2019/20.

AC/19/22 Audit Committee Progress Report and Technical Update

The Committee considered the report of Council's External Auditors (Mazars) which provided an update on the progress made in delivering its responsibilities. The report included information on key emerging national issues and developments.

Decision

To note the report submitted.

AC/19/23 Work Programme and Audit Committee Recommendations Monitor

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

The Head of Internal Audit and Risk Management reported that the Work Programme would be refreshed for the next municipal year.

It was reported that changes to the Committee's Terms of Reference would be subject to the approval of changes to the Council Constitution by Council.

Decision

To note that the Work Programme and Recommendations Monitor will be updated for the next meeting of the Audit Committee.

Audit Committee

Minutes of the meeting held on 11 June 2019

Present:

Councillor Ahmed Ali - In the Chair
Councillors Clay, Lanchbury, Russell and Stanton
Dr S Downs (Co-opted member)

Also Present:

Karen Murray, Mazars

Apologies:

Councillor Watson
Dr Barker (Co-opted member)

AC/19/24 Minutes

The minutes of the Audit Committee held on 15 April 2019 were submitted for approval. The Chair moved a recommendation that decision two for item AC/19/19 'Review of Effectiveness of Internal Audit' be amended to 'To agree the amendments made in respect of the Audit Committee Terms of Reference, as detailed in Appendix 2 of the report submitted.'

Decision

To approve the minutes of the meeting held on 15 April 2019 as a correct record subject to the above amendment.

AC/19/25 Draft Annual Statement of Accounts

Members considered the report of the Deputy Chief Executive and City Treasurer that provided the 2018/19 Annual Accounts, which had been signed by the Deputy Chief Executive and City Treasurer. The report described the process of approval for the annual accounts, noting that the audited accounts together with the external audit report will be considered at the Audit Committee meeting on 30 July.

The Deputy City Treasurer introduced the report and referred to the main themes, noting the work of the Finance Team to produce the accounts in a timely manner. She also referred to the timeline for the certification of the final accounts by the External Auditors and that this may necessitate some changes being presented to Committee at the July meeting following the publication of the agenda. The Chair commented that the report that had been submitted had been very well presented, clearly written and supported with a useful narrative to assist the reader. He stated that he welcomed that the Our Manchester approach was evident throughout the document.

A Member commented on the reported overspends in relation to Homelessness, Children's Services and Adult Social Care and commented that these will be

recurring costs. The Deputy City Treasurer and City Treasurer acknowledged this comment and stated that the budget pressures due to demand were monitored and resources allocated appropriately. She also commented that the challenges to funding Adult Social Care was a national issue and not unique to Manchester.

In response to a comment from a Member regarding concern that £8.1m grant element the Parks Development Programme had been removed from the Capital Programme, the Deputy Chief Executive and City Treasurer reported that her comments would be relayed to the Parks Development Programme Board, and further added that compared to other cities Manchester's investment in Parks was significant.

In response to specific questions raised, the Deputy Chief Executive and City Treasurer stated that further information would be provided to the Committee on interest rate charges and the percentage of homes that were to be built at an affordable price, commenting that there was an agreed target for the next five years.

Members enquired what the money clawed back from Schools was to be used for. The Deputy City Treasurer said that the levels of reserves held by individual schools had been reviewed and where appropriate funds had been clawed back and this money was ring fenced to schools to improve the outcomes for the children in Manchester, and would address some of the challenges of the funding shortfall for high needs.

In response to a question regarding the airport dividend the Deputy Chief Executive and City Treasurer described that the process applied in budgeting and subsequent allocation of the dividend.

Decisions

To note the unaudited 2018/19 Annual Accounts, signed by the Deputy Chief Executive and City Treasurer, including the narrative report.

AC/19/26 Revenue Outturn Report 2018/19

Members considered the report of the Deputy Chief Executive and City Treasurer which outlined the final outturn position for 2018/19.

A member enquired about the savings identified from vacant staff posts and enquired if there was a process to deploy staff into these rather than make them redundant. The Deputy Chief Executive and City Treasurer commented that there was a robust policy and approach to seek to avoid compulsory redundancies and the M People process had been established to support staff move into new posts. She said that vacant posts existed due to a number of reasons, including measures that were implemented as part of the budget recovery plan in 2018/19 and difficulties experienced in recruiting to temporary and permanent posts, such as Enforcement Officers within the Neighbourhoods Service and this situation would be reviewed as part of the budget setting process.

In response to a question regarding the Bed For Every Night scheme designed to

support homeless people the Deputy Chief Executive and City Treasurer confirmed that commitments of the GM Mayor did not impose a new statutory duty on the Council and the Deputy City Treasurer commented that the funding provided by GMCA was in addition to Manchester's budget and consideration would be given as to how this was reported in future to ensure this difference was clear.

In reply to comments regarding receipt of Housing Benefit payments the Committee were reminded that the Revenue and Benefits Annual Report would be submitted to the Resources and Governance Scrutiny Committee and that would provide detailed information on Discretionary Housing Payments, noting that the budget to support DHP had been increased as part on an in year adjustment to the budget.

Members commented that future reports should include specific reference as to where budgets had been adjusted in year to enable comparisons to be made and assist the reader. The Deputy Chief Executive and City Treasurer agreed that this information would be provided in future reports.

Members noted that there was a reported underspend in relation to reablement services, commenting that this is an activity where investment was required to realise savings in the future. The Deputy Chief Executive and City Treasurer commented that this area of activity was being scaled up, however recruitment of staff was a challenge.

Decisions

1. The Committee noted recommendations to the Executive one to three and endorsed recommendations four and five as listed below.

1. Note the outturn position for 2018/19 as set out in the report and summarised in the table at paragraph 4.
2. Note the Housing Revenue Account position for 2018/19 as outlined in paragraphs 48 to 51.
3. Note the overall General Fund position for 2018/19 as outlined in paragraph 52.
4. Approve the use of budgets to be allocated as outlined in paragraph 53.
5. Approve the use of reserves as outlined in paragraph 55.

AC/19/27 Capital Budget Outturn Report 2018/19

Members considered the report of the Deputy Chief Executive and City Treasurer which provided the Committee with information on the outturn of capital expenditure and financing for 2018/19; the major variances between the 2018/19 outturn and the previous Capital Programme monitoring report submitted in February 2019; and the commitments to be carried over into the five-year Capital Programme 2019/20 to 2023/24.

In response to a question from a Member the Deputy Chief Executive and City Treasurer stated that the additional money allocated to the Factory was for the overall budget for the delivery of the project and that a report on the lessons learnt from the MSIRR (Regent Road) highways project would be reported to the appropriate Committee.

Decision

The Committee note the report and endorse the recommendation that the Executive:

1. Note the outturn of capital expenditure 2018/19 for the Manchester City Council Programme was £361.6m. The outturn of capital expenditure 2018/19 for the Programme on behalf of Greater Manchester was £91.2m.
2. Note the changes to the outturn attributable to movement in the programme that occurred after the previous monitoring report to Executive in February 2019.
3. Approve the budget transfers between capital schemes to maximise the use of funding resources available to the Council.
4. Note the decisions of the Deputy Chief Executive and City Treasurer regarding the funding of capital expenditure in 2018/19.
5. Note the impact of final expenditure in 2018/19 on the revised Capital Programme 2019/20 to 2023/24.
6. Deputy Chief Executive and City Treasurer to confirm with respective Audit Committee and Scrutiny Committee Chairs to which Committee the MISIRR Lessons Learned report will be presented.

AC/19/28 Treasury Management Annual Report 2018/19

Members considered the report of the Deputy Chief Executive and City Treasurer that described the Treasury Management activities of the Council 2018/19. The Deputy Chief Executive and City Treasurer commented that the 2019 /20 Treasury Management Strategy had been considered by the Executive as part of the Budget setting considerations and updates on this would be reported during the year.

Members enquired about the reported online fraud case and the financial loss incurred by the Council. The Head of Internal Audit reported that detailed information and lessons learnt would be provided to the Committee in the confidential Annual Counter Fraud Report that was scheduled for the consideration at the September meeting.

A Member requested that an update on the levels of compliance with the Council's policy on use of purchase orders is provided to the relevant Committee including a break down by Directorate.

Decision

Deputy Chief Executive and City Treasurer to confirm with respective Audit Committee and Scrutiny Committee Chairs to which Committee a report on the policy and monitoring of the use of purchase orders will be presented.

AC/19/29 Response Letters to External Audit

Members considered the report of the Deputy Chief Executive and City Treasurer that described that as part of the audit of the accounts, the External Auditor requested information from the Deputy Chief Executive and City Treasurer and the Chair of the Audit Committee in respect of financial accounting arrangements, the risks of fraud and compliance with laws and regulations.

This report provided the draft responses proposed to be issued to the External Auditor from the Audit Committee Chair and Deputy Chief Executive and City Treasurer for the audit of the 2018/19 accounts.

Decision

To note the report.

AC/19/30 External Audit – Progress Report and Technical Update

Members considered the report of the Council's External Auditor that described that since last meeting the External Auditor had met with finance staff to clarify the requirements and expectations in respect of the 2018/19 final audit visit; will keep up to date through their on-going review of agendas and minutes and will complete their detailed audit work for the Council's 2018/19 VFM conclusion.

Detailed audit work would continue and the final audit visit would commence on 17 June 2019, noting that there were no significant matters arising to date.

Decision

To note the report.

AC/19/31 Internal Audit Outturn Report

Members considered the report of the Head of Audit and Risk Management that provided the Committee with confirmation of the audit work completed based on the agreed Audit Plan 2018/19 and subsequent agreed amendments to that plan. Detailed reports on assurances issued and work progress were provided quarterly to Audit Committee in year and the report noted that the first assurance report for 2019/20 will be provided in July 2019.

Members commented that the Highways Framework had been given a limited assurance opinion for 2018/19 and the Head of Audit and Risk Management stated that the department's responses to the recommendations would be reported. A Member commented on the recent incident with MSIRR (Regent Road) and queried whether issues might have been identified earlier had contractors utilised a Whistleblowing Policy to raise concerns.

A member commented that the number of Assurance Ratings are to be changed for 5 to 4 opinions in line with national practice and it will be interesting to see what ratings apply to future audits including the Head of Audit and Risk Management's annual opinion. The Head of Audit and Risk Management stated that the refreshed Assurance Ratings would be applied and reported. The Member commented that it

would be interesting to understand the impact of budget cuts and staffing levels on the number of Limited Assurances given.

A Member commented that information needed to be included in the Internal Audit Quarterly Report that was scheduled to be submitted for consideration at the July meeting on how long recommendations had been outstanding, and where appropriate the relevant Executive Member and Strategic Lead should attend the Audit Committee to provide an account as to the reasons for this. The Member also requested assurance at the July meeting that audit reports are being issued to Executive Members.

Decision

To note the report.

AC/19/32 Work Programme and Audit Committee Recommendations Monitor

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

The Head of Audit and Risk Management stated that the Committee may wish to consider receiving reports on Disaster and Recovery, Contracts and Procurement and ICT in line with requests from previous meetings. The Deputy Chief Executive and City Treasurer noted that themed reports on contracts and ICT were also scheduled for Resources and Governance Scrutiny Committee and may cover similar topics. A Member further recommended that a detailed report on the Limited Assurances awarded to Adult Social Care and Children's Services be considered at an appropriate time and that the relevant Executive Members be in attendance.

The Chair informed the Committee that he would discuss these suggestions further with the Head of Audit and Risk Management and Chair of Resources and Governance Scrutiny Committee and schedule updates for an appropriate meeting.

Decision

1. To agree the Work Programme subject to the above.
2. To note the Recommendation Monitor.

Standards Committee

Minutes of the meeting held on 13 June 2019

Present

Independent Co-opted Member: N Jackson – In the Chair
Councillors Andrews, Evans, Kilpatrick, Lanchbury and A. Simcock

Independent Co-opted Member: G Linnell

Apologies

Ringway Parish Council: Councillor O'Donovan
Independent Person: A Eastwood
Independent Person: S Beswick

ST/19/10 Minutes

The minutes of the meeting held 21 March 2019 were submitted for approval. Mr Linnell requested that his apologies be recorded.

In regard to item ST/19/06 Member Development Strategy, a Member commented that he had recently attended a Member development training session and he reported that Member Development was working well.

Decision

To approve the minutes of the meeting held on 21 March 2019 as a correct record subject to the above amendment.

ST/19/11 Review of the operation and efficacy of the Arrangements for dealing with complaints about Councillors and amendment to the Arrangements

The Committee considered the report of the City Solicitor that outlined the operation and efficacy of the Arrangements for dealing with complaints about Councillors ('the Arrangements') as well as seeking the Committee's approval of an amendment to the Arrangements.

The report described that there were three specific stages in the Arrangements and outlined how these had operated in relation to new complaints received during the period 1 April 2018 – 31 March 2019, which fully completed stage one as well as complaints which were on-going as of 1 April 2018 and completed either the stage two or three phase during the same period.

The Committee noted that they had considered a report at their March 2019 meeting regarding the Review into Local Government Ethical Standards by the Committee for Standards in Public Life ('CSPL') and that in order to comply with the CSPL recommendation it was proposed that paragraph 8.1 of the Arrangements be amended to state that any view of the Council's Independent Person must be recorded on future decision notices issued following a formal investigation.

Decisions

1. To note the position with the operation and efficacy of the Arrangements.
2. To approve the proposed amendment to paragraph 8.1 of the Arrangements.

ST/19/12 Dispensations

The Committee considered the report of the City Solicitor that provided information on the operation and efficacy of the process for granting dispensations. The report described the limited grounds prescribed within The Localism Act 2011 for the granting of a dispensation in those circumstances where a Member or co-opted member had a Disclosable Pecuniary Interest.

The report further described the operation and efficacy of the granting of dispensations, noting that it was the Monitoring Officer's opinion that the requests for dispensations that had been made had been sought in appropriate circumstances and that the level of requests for dispensations did not give rise to concern.

In response to Members' questions the Head of Governance reported that dispensations could also be granted in relation to a Member's Prejudicial Interest and would apply to meetings of Scrutiny Committees. A Member commented that a briefing note should be circulated to all Members and co-opted members of the Authority to remind them of the requirement to submit a written request for a dispensation to the City Solicitor.

The Head of Governance informed the Committee that the Monitoring Officer for each Authority was responsible for the granting of any dispensation and advised that for those Members appointed to Committees of the Greater Manchester Combined Authority a written application would need to be submitted to the Monitoring Officer for the Combined Authority.

Decision

1. To note the report.
2. To request that the Monitoring Officer circulate a briefing note to all Members and co-opted members of the Authority to remind them of the requirement to submit a written request for a dispensation to the City Solicitor.

ST/19/13 Review of Member/Officer Relations Protocol

The Committee considered the report of the City Solicitor that provided an update following a review of the Member/Officer Relations Protocol. The report advised that the review of the Protocol had identified no significant areas of required revision, accounting for both the Committee on Standards in Public Life (CSPL) recommendations and other feedback on the Protocol's relevance and operation.

The Committee noted that only a small number of amendments had been identified as necessary to the Member/Officer Relations Protocol to bring the document up to date with the CSPL recommendations and other feedback. The report informed the Committee that the language had been refreshed and clarified in some areas and a small number of substantive changes were also suggested and summarised within the report.

Members supported the amendments to the protocol, commenting that it was important to foster professional and courteous relationships between officers and Members. A Member commented that officers needed to be confident that complaints against Member behaviour were dealt with appropriately.

The Chair recommended that this protocol should be included as part of all new employee induction briefings. The Head of Governance reported that this was being discussed with HROD as part of a wider refresh of officer induction sessions.

The Chair further commented that in her experience the adoption of a Member/Officer Relations Protocol was a very useful tool to embed a positive culture within an organisation and could also assist with addressing informal complaints.

A Member enquired if a Member/Member Protocol existed. The Head of Governance indicated that there were existing procedures within Groups and through the Monitoring Officer via the Member Code of Conduct to address such issues when they arose, Members requested officers undertake an exercise to see if any other authorities had a Member/ Member protocol.

In response to a Member's question the Head of Governance advised that 'recorded information' in relation to Freedom of Information requests referred to anything that was written down, including hand written notes and emails for example. She further commented that clarification would be provided as to which Committee a report on Freedom of Information requests would be submitted and members of the Standards Committee would be advised of this.

A Member requested that the revised Member/Officer Relations Protocol be circulated to all Members.

Decisions

1. To note and endorse the report and the suggested minor amendments recommended to the Member/Officer Relations Protocol.
2. To request Council to agree the amendments for inclusion within the Council's Constitution, when it next considers the full review of the Constitution.
3. To recommend that the amended Member/Officer Relations Protocol is circulated to all Members.
4. To recommend that the amended Member/Officer Relations Protocol is included in officer induction sessions

5. To recommend that the Head of Governance provide clarification as to which Committee would consider a report on Freedom of Information requests.

ST/19/14 Planning Protocol

The Committee considered the report of the City Solicitor that provided information on the operation and efficacy of the Planning Protocol. The report informed the Committee that mandatory training had taken place in May 2018, following the changes in the Planning and Highways Committee's membership after the local elections in May 2018, and a mid-year follow-up to that training was being planned, and a further training session, aimed principally at new Members appointed to the Planning and Highways Committee, but open to all Committee Members had taken place on the morning of the meeting held on 30 May 2019.

Members were also informed that since the last consideration of the Planning Protocol, a training session on Section 106 Planning Obligations and Viability had taken place at the end of November 2018 and that further relevant training sessions would be arranged.

The Committee were also informed that a note on the importance of the Protocol and its application to site visits was now part of every Planning and Highways Committee agenda.

The Committee was advised that it continued to be the view of officers that the Protocol was considered to be effective and there continued to be very few occasions when the Protocol had to be referred to, and there are had been no complaints that it had been breached.

The Committee noted that whilst officers considered that the Planning Protocol was effective, it was continually kept under review and officers were of the opinion that the provisions relating to discussions between Members and developers could be improved and clarified. The Committee noted the proposed amendment to the Planning Protocol section headed "Pre and post application discussions" was presented within the report.

Officers further provided a definition of what constituted a pre application meeting in terms of the planning process and commented that the wording of this paragraph would be reviewed and a definition of this type of meeting would be included for clarity within the Protocol following the comments raised by the Committee.

Members welcomed the proposed revision to the Planning Protocol and stated that this should be adopted as soon as practically possible. Officers confirmed a briefing note could be issued setting out the revisions pending a formal change to the Council's Constitution.

A Member enquired what would happen if a Member were to act as an agent on behalf of a planning matter. The Head of Planning advised the Committee that the Protocol was not designed to prevent a Member from discharging their role in representing their constituents or in their role as an opposition Member, but rather to address inappropriate use of their position to act as agents or influence planning

applications. An indication was provided to the Committee of what an 'agent' and what a 'developer' was in terms of planning and the Head of Planning stated that if there were issues she would address these directly with the Member and where necessary involve the legal officers.

The Head of Planning further commented that the Protocol was very useful for officers to understand the role and remit of Councillors so that if necessary they could challenge any inappropriate attempts to influence a planning application.

A Member commented on the challenge experienced when attending consultation or drop in events and the perceptions of the capacity in which they were attending, i.e. as a local resident or Councillor, with another member commenting that they needed to be mindful of public perceptions at all times.

Decisions

1. To note the position regarding the operation and efficacy of the Planning Protocol.
2. To endorse the proposed amendments to the Planning Protocol.
3. To recommend that a briefing note is prepared and circulated to all Members to advise of the amended Planning Protocol, pending any formal adoption into the Council's Constitution.
4. To recommend that officers review the wording of the proposed paragraph in the Protocol relating to pre application meetings and a definition of such meetings to be included.
5. To recommend that guidance be issued to all Members who attend planning related drop in events / consultations in their capacity as a resident compared to attending an event as a Councillor.
6. To recommend that guidance is issued to all Members on their responsibilities when making representations on planning applications that are not within the ward to which they are elected.

ST/18/15 Work Programme

The Committee received the report of the Governance and Scrutiny Support Unit which allowed the Committee the opportunity to consider and revise its work programme for future meetings.

The Chair advised the Committee that the report listed for the October meeting entitled 'Whistleblowing Policy' may be removed from the Work Programme following clarification, through amendment of the Constitution, as which Committee had overall responsibility for the document as there was currently ambiguity would be considered by the Audit Committee and not the Standards Committee.

The Chair recommended that a report be included for consideration at the October 2019 meeting that outlined how the requirements of the Council's Member Code of

Conduct is incorporated into the overall governance arrangements of organisations that the City Council has entered into Partnership Arrangements with, to demonstrate adequate assurance is in place.

The Chair recommended that the Annual Governance Statement be submitted for consideration at the March 2020 meeting and that a report on the recommendations from the Committee on Standards in Public Life be included as an item to be scheduled.

Decision

To agree the Work Programme subject to the above amendments.

**Manchester City Council
Report for Information**

Report to: Council – 10 July 2019

Subject: Urgent Key Decisions

Report of: City Solicitor

Purpose of report

To report those key decisions that have been taken in accordance with the urgency provisions in the Council's Constitution.

Recommendation

To note the report.

Wards affected: All

Financial consequences for the Revenue budget

None

Financial consequences for the Capital Budget

None

Implications for:

Antipoverty
No

Equal Opportunities
No

Environment
No

Employment
No

Contact officers:

Fiona Ledden
City Solicitor
0161 234 3087
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Background documents:

None.

1. Background

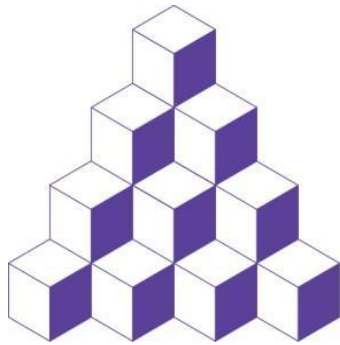
- 1.1 The Constitution (Overview and Scrutiny Procedure Rules) establishes a procedure for dealing with key decisions where action needs to be taken immediately for reasons of urgency, and is therefore not subject to the normal call in arrangements.
- 1.2 The procedures states that the chair of the appropriate scrutiny committee must agree that both the decision proposed is reasonable in all the circumstances, and to it being treated as a matter of urgency.
- 1.3 Such decisions are to be reported to the Council. is set out overleaf.

2. Urgent Key Decisions taken since the last meeting of Council

2.1 A list of key decisions requiring exemption from the call in procedure that have been taken since the last meeting of Council is listed below.

Date	Subject	Reason for urgency	Decision Taken by	Approved by
19 June 2019	Acquisition of the remnants of the unexpired leasehold interest at Edwin House, Edwin Road Industrial Estate	The vendor was under pressure from a third party land owner to exchange contracts on the relocation site for its business. The Council was advised that the third party land owner would cease negotiations with the vendor if contracts were not exchanged within a specific timescale	City Treasurer (Deputy Chief Executive)	Councillor Russell – Chair of Resources and Governance Scrutiny Committee

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AGMA
ASSOCIATION OF
GREATER MANCHESTER
AUTHORITIES

THE ASSOCIATION OF GREATER MANCHESTER AUTHORITIES

CONSTITUTION

AS AGREED AT A MEETING OF THE ASSOCIATION ~~IN~~
~~TRAFFORD ON 27 NOVEMBER 2015~~

Operating agreement and Constitution (Joint Arrangements) Committee

This agreement is made on ~~November 27th 2015~~ between:

The Parties in this Agreement, and who have executed this Agreement.

WHEREAS:

- (1) Each of the Parties is a local authority within the meaning of the Local Government Acts 1972 and 2000 for the purposes of their administrative areas, or is a combined authority within the meaning of the Local Democracy, Economic Development and Construction Act 2009.
- (2) The Executive and full Council of each of the Parties (or in the case of a combined authority a meeting of that combined authority) has determined by resolution to establish (or to subsequently join) this joint committee for the purposes of exercising agreed functions over their 'combined administrative area'.
- (3) The joint committee was established as the (Joint Arrangements) Committee and is called the AGMA Executive Board, AGMA being the acronym for the Association of Greater Manchester Authorities.
- (4) The Greater Manchester Combined Authority ("the GMCA") was established on 1 April 2011 with a remit covering transport, economic development and regeneration functions, and it was subsequently agreed that the GMCA may join the AGMA Executive Board as a Full Member (it having previously been an Associate Member of AGMA).

THIS AGREEMENT witnesses as follows:

1. Key principles

- 1.1. The Parties are committed to joint working in relation to the functions covered by this Agreement.
- 1.2. The Parties have established a joint committee which provides streamlined decision making; excellent co-ordination of services across the combined administrative area; mutual co-operation; partnering arrangements, and added value in the provision of shared services.

- 1.3. The Parties are committed to open and transparent working and proper scrutiny and challenge of the work of the joint committee.
- 1.4. Any new Parties to this agreement after the agreement becomes effective will have all the same rights and responsibilities under this agreement.
- 1.5. The Parties are committed to ensure that any decisions, proposals, actions whether agreed or considered will be subject to an obligation upon the Leader of each of the Parties to report it to their own authorities.
- 1.6. The collective name of the parties who are signatories to this operating agreement shall be the Association of Greater Manchester Authorities.

2. Definitions

‘AGMA Executive Board’ (hereinafter called ‘the Board’) means the Joint Committee established under this Agreement.

‘functions’ means those functions of the Parties delegated from time to time to the joint committee to discharge and set out in Schedule 1.

‘the combined administrative area’ means the local government areas of the Parties combined.

‘the Parties’ means the signatories to this agreement for the time being.

‘voting members’ means the appointed elected member(s) of each of the Participating Parties in the decision.

‘Sub-committees’ will only comprise elected members with decision making powers.

‘Commissions’ may comprise of elected and non elected members whose decisions are subject to ratification by the Board.

‘elected member’ includes, in addition to elected councillors, an Elected Mayor ~~and, in the case of the GMCA, also an Interim Mayor.~~

‘Commission Work Programme’ means an annual Work Programme required to be agreed by the Board under section ~~8~~7.4 of this constitution. One will be required for each Commission set up under section ~~8-7~~7 of this constitution. It will set out the main areas of work, objectives and targets for each Commission for the forthcoming year plus any financial requirements in terms of contributions from the Parties, to be determined under clause ~~15~~15.2 of this constitution. Commissions may, at their discretion or if required by the Board, seek to formally amend or revise their Work Programme during each year.

'Lead Authority' means the authority appointed by the Parties under this agreement to lead on a specified matter or function.

'Participating Parties' means those parties which have delegated to the Board the functions set out in Schedule 1

'GMCA' means the Greater Manchester Combined Authority.

'Leader' includes an Elected Mayor ~~and, in the case of the GMCA, also an Interim Mayor.~~

'Chief Executive' means the Head of Paid Service of an authority.

3. Objectives

3.1. The objectives of the Board are to:

- (i) improve outcomes in the economic, social and environmental conditions across the combined administrative area.
- (ii) Streamline decision making where joint arrangements already exist.
- (iii) Develop and agree current and new areas of joint working.
- (iv) Develop joint working arrangements with the GMCA.

4. Powers and functions

4.1. The Board is established under section 9EB of the Local Government Act 2000 and Parts 2 and 4 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012, and section 101(5) of the Local Government Act 1972 enabling the Parties to perform the functions in the manner set out in this agreement.

4.2. The Board has the power to take decisions on behalf of the Parties in relation to those functions set out in Schedule 1. The role of the Board is restricted to those matters described in Schedules 1 and 2. The Board may only exercise those functions delegated to it by the parties and the Board reserves the right to refuse the delegation. The delegation of functions to the Board may be amended or withdrawn by resolution of any of the Parties. Where any such resolution affects any financial liabilities and/or commitments of the Board twelve months notice must be given in writing not later than 31 March in any year to withdraw with effect from 1 April in the following year from any of the functions of the Board.

5. Terms of reference

5.1. The terms of reference of the Board will be as set out in Schedule 2.

6. Membership and voting rights

6.1. The Board comprises the Leader of each of the Parties to this agreement. Each of the Parties will appoint for each Municipal Year ~~two-one~~ additional members of their Executive (or in the case of the GMCA ~~two-one~~ additional members of that authority) one of whom may substitute for the Leader as necessary. The Parties will inform the Secretary to the Board in writing of these annual appointments. An individual may not at any given time sit on the Board as a representative of more than one Party. Where, as a consequence of overlapping authority memberships, one Party's additional member currently sits on the Board on behalf of a second Party, that additional member may only act as a substitute for the Leader of the first Party if during the time they do so they are also substituted for in respect of their role representing the second Party.

6.2. The term of office of each member of the Board shall be for as long as the member is the Leader of the appointing authority or a member of that authority's Executive (or in the case of the GMCA a member of that authority) in relation to substitute members.

6.3. Non-voting advisers may attend the Board from any or all of the Parties or from other organisations as the Board may agree. These advisers may participate in the debate but may not vote.

6.4. The following can be "Associate Members":-

~~— The Greater Manchester Fire and Rescue Authority.
The Greater Manchester Police and Crime Commissioner
— The Greater Manchester Waste Disposal Authority.
The ~~Transport for~~ Greater Manchester Transport Committee.
The Greater Manchester Local Enterprise Partnership~~

Together with any local authority or any joint committee of local authorities outside Greater Manchester subject to the agreement of the Board. These Associate Members may participate in the debate but may not vote.

~~7.... [DN: Functions of the Board in respect of the Business Leadership Council have transferred to the GMCA]~~

7. Sub-committees/Commissions/advisory groups

7.1. The Board may establish sub-committees, commissions and or advisory groups as it may determine.

7.2. When establishing a sub-committee, commissions and or advisory groups the Board will agree the:

- (i) terms of reference for the sub-committee, commission and or advisory groups.

- (ii) size and membership of the sub-committees, commissions, and or advisory groups including co-optees.
- (iii) the period where appropriate for which the sub-committee or commission will remain constituted.
- (iv) chair of the sub-committee or commission or will delegate the appointment to the sub-committee or commission.

7.3. Within the arrangements to be agreed at 87.2 above the Board will ensure that there is political and geographical proportionality across sub committees, commissions and advisory groups and that, as far as is possible, this will also apply within individual sub-committees, commission and advisory groups.

7.4. Any Commission created under clause 8-7 of this constitution shall be required to produce, on at least an annual basis, a Commission Work Programme for approval by the Board. This Work Programme will need to include any specific budget requirements. The Board will indicate, when confirming each Commission Work Programme, for which elements they are prepared to waive the process described in clauses 87.6 and 87.7 below. If agreement on issues where the Board are prepared to waive the process set out in 87.6 and 87.7 cannot be reached without a vote a 2/3 majority of the Participating Parties will be needed as set out in clause 1211.3 of this agreement.

7.5. The Board shall appoint a Lead Officer in relation to each Commission with delegated authority to take all necessary actions and decisions, in consultation with the relevant Commission, to implement the Work Programme of that Commission which has been approved by the Board.

7.6. Following each meeting of any Commission established under clause 87.1 above it will be a requirement of the Chair of the Commission, within two working days of the Commission meeting to provide the AGMA Secretary with a record of proceedings ~~within two working days of each meeting~~. The AGMA Secretary will then e-mail a record of proceedings of the meeting to all members of the Board within two working days of receipt.

7.7. Following the issuing of any record of proceedings from a Commission meeting, any Party may, within 5 working days, refer any item considered at that meeting to the Board for reconsideration, except where it has previously been agreed that this process can be waived as set out in clause 87.4 above. The Party must set out the reasons for referral in a Notice signed by the Chief Executive of the Board member or named substitute appointed under clause 6.1. The notice must be served in accordance with clause 24-23 of this constitution.

7.8. Any proposed decision on any such issue referred to the Board under clause 87.7 above must be considered at the next meeting of the Board and shall not take effect until after the Board has considered the matter.

7.9. In relation to any Commission set up under clause 87.1 above, notice of meetings and access to agendas and reports will be in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 or Part VA and Schedule 12A of the Local Government Act 1972 as appropriate.

8. Delegation to sub-committees and officers

8.1. The Board will establish a scheme of delegation and will review the scheme annually.

9. Meetings and procedure

9.1. A Chair and up to 3 Vice Chairs (“the four offices”) will be appointed by the Board from amongst its membership.

9.2. The Chair of the Board will be appointed from the largest political group represented on the Board. Where two or more political groups have an equal number of seats on the Board, the group which holds the larger number of seats on district councils within the combined administrative area will be regarded as being the largest political group.

9.3. Subject to (b) below 3 Vice Chairs of the Board will be appointed by the Board from its number under the following principles:

- (a) If more than one political group is represented on the Board then all the four offices will not be occupied by members from the same group
- (b) If less than three political groups are represented on the Board, then the Board may choose not to make an appointment to one of the three Vice Chair positions
- (c) If at least three political groups are represented on the Board, the three largest political groups will be entitled to at least one of the four offices
- (d) For the purposes of (c) above, where two or more political groups have an equal number of seats on the Board, the group which holds the larger number of seats on district councils within the combined administrative area will be regarded as being the largest political group

9.4. If the Chair is present at a meeting of the Board he/she will preside. If the Chair is not present, if there is a Vice Chair from the same political group as the Chair he/she will preside; if neither the Chair nor that Vice Chair is present one of the other Vice Chairs will preside. In the

absence of the Chair and all the Vice Chairs, the meeting will elect a Chair for that meeting from those present.

9.5. The Chair and Vice Chairs (sitting as a sub-committee) may have decision making powers delegated to them. Such powers will require to be delegated by the full Board.

9.6. The quorum of the Board will be two thirds of participating Parties for any particular function listed in Schedule 1 that is under discussion

9.7. The Board will conduct its business in accordance with this operating agreement and Schedule 3 to this agreement.

10. Agenda setting and access to meetings and information

10.1. The agenda for the Board shall be agreed by the Chair of the Board.

10.2. Notice of meetings and access to agendas and reports will be in accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 or Part VA and Schedule 12A of the Local Government Act 1972 as appropriate and the Board Rules of Procedure as set out in schedule 3.

11. Decision making

11.1. The principle of decision making by the Board shall be that, wherever possible decisions of the Board will be made by agreement, without the need for a vote. Where this is not possible a vote may be taken where the Chair considers it to be necessary or where any Voting Member requests that a vote be taken. The vote will be by way of a show of hands and the vote of each member recorded in the Minutes.

11.2. In the event of a vote, only the appointed member(s) of each of the Parties present at the meeting shall be entitled to vote (including the Chair). In the event of a tied vote the Chair has no second or casting vote. Any motion or proposal which results in a tied vote will be deemed not to have been agreed.

11.3. The following areas have been identified as matters of strategic importance, where – as a matter of last resort if agreement cannot be reached without a vote – a 2/3 majority of the Participating Parties will be needed:-

1. adoption of sub regional strategic policies and plans.

2. responses to Government consultations.
 3. decisions with financial consequences/costs to the member authorities (e.g. AGMA Units contributions, budgets - if any – delegated to individual Commissions, etc).
 4. decisions/recommendations on levies/precepts of joint authorities.
 5. endorsement of strategic plans produced by the new Commissions.
 6. Associate Membership under Clause 6.4.
 7. Proposed amendments to this Agreement
- 11.4. For the following areas a simple majority need only apply
1. appointments to external bodies.
 2. appointments to the new Commissions when established.
 3. election to any of the four offices set out in section 10.1 above.
- 11.5. For issues not covered in Clauses ~~1211.3~~ or ~~1211.4~~ where agreement cannot be reached without a vote the presumption will be that a two thirds majority of the Parties will be needed.
- 11.6. Where the effect of a particular proposition, if adopted by the Board, would give rise to contractual or financial implications for any of the Parties, then a vote must be taken and the vote(s) of the appointed member(s) of the effected Party (ies) on of the proposition shall be recorded.

12. Forward Plan

- 12.1. The Board will produce a register of forthcoming key decisions (“forward plan”) in accordance with the requirements of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

13. Scrutiny

- 13.1. Scrutiny arrangements will be in accordance with the ~~statutory provisions referred to in Schedule 4. Operating Agreement between the Parties and the GMCA dated 1st April 2011 which is set out in Schedule 4.~~

14. Lead authorities and allocation of roles

14.1. In order to achieve the objectives of the Board, the Parties may appoint one or more Lead Authority/ies for any of the functions under this Agreement. All governance arrangements will be in accordance with the CIPFA/SOLACE guidance for the time being and using the Lead Authorities standing orders and financial regulations.

14.2. Staff from the Lead Authority or any other Authority are commissioned to provide services, advice and support to the Board and will continue to be employees of the relevant Lead Authority or said other Authority.

14.3. Responsibility for the following support functions to the Board will be allocated to one or more of the Parties as Lead Authority as agreed by the Board from time to time:

- (i) the provision of legal advice and services.
- (ii) the provision of financial advice and services.
- (iii) secretariat support and services.
- (iv) communications support and services.

14.4. In order to provide accountability for these support functions, the Board shall appoint: -

- (a) The GMCA Head of Paid Service as A Secretary
- (b) The GMCA Treasurer as A Treasurer
- (c) Such other officer(s) as may be deemed appropriate.

These appointments may be terminated and/or new appointments made at any Meeting of the Board.

14.5. The cost of the services and advice set out in this section and additional services agreed will be apportioned and paid for in accordance with paragraph ~~46~~15.

15. Budgetary arrangements/ delegated funds

15.1. The Board shall prepare a budget to cover all its expenses which will be submitted to and agreed by the Board before submission of the levy to each of the Parties by the last day of February in each year.

15.2. Each party to this levy agreement shall agree to pay a contribution to fund the budget as unanimously agreed by the Parties or, in default of agreement, proportionate to its resident population at the relevant date as estimated by the Registrar General.

15.3. For the purposes of Clause ~~46~~15.2 the relevant date is 30th June in the financial year which commenced two years previously.

16. Amendments to this operating agreement

16.1. This Agreement may be amended following a resolution of two thirds of the Board and also approved by two thirds of the Parties.

16.2. The operation of the agreement will also be subject to annual review.

17. New membership and cessation of membership

17.1. New Parties may join the Board provided that the Executive and full council of the joining Party (ies) and of all the Parties to the agreement for the time being so resolve.

17.2. Any of the Parties may cease to be a party to this Agreement following notice of cessation subsequent to a decision by the relevant Party/ies. A minimum of twelve months notice is required for any Party to leave the Board and in any event, any notice of cessation can only be effective at the end of a financial year.

17.3. Termination of this agreement must be by agreement of all but one of the Parties who are signatories to the agreement when any such termination is proposed.

18. Dispute resolution

18.1. Any dispute between the Parties arising out of this Agreement which cannot be settled by the Chief Executives of the Parties shall be referred to a single arbitrator to be agreed between the Parties, or, where no agreement can be reached, and having regard to the nature of the dispute, by an arbitrator nominated by the Chair of the Local Government Association and will be carried out in accordance with the provisions of the Arbitration Act 1996 as amended or modified and in force for the time being.

19. Mutual indemnification

19.1. Each of the Parties is responsible for its own personnel and property and any consequential losses arising out of this agreement, and for the personnel and property and consequential losses of each of the other Parties of any decision taken by a party to this agreement under clauses 4.2 and ~~17~~14.2.

19.2. Each of the Parties shall ensure that they have a sufficient policy of insurance for any work that they undertake on behalf of the Board and for a period of six years after termination of this Agreement.

20. Intellectual Property

- 20.1. The Board will not acquire any right, title or interest in or to the intellectual property rights of the Parties unless agreement to do so is given by the party or parties with the right.
- 20.2. Any issues, challenges or claims in relation to any intellectual property rights shall be advised to each of the Parties immediately, and any intellectual property right claim shall be managed by the Parties as agreed.

21. Data Protection, Freedom of Information, information sharing & confidentiality

- 21.1. Subject to the specific requirements of this clause, each of the Parties shall comply with its legal requirements under data protection legislation, freedom of information and associated legislation, and the law relating to confidentiality.
- 21.2. An authority will be appointed as Lead Authority for the purposes of ensuring compliance with any legal requirements relating to these issues should they arise directly in relation to the Board (as compared to information held by the Parties to this Agreement).
- 21.3. The Board will abide by any Information Sharing Protocol in relation to information shared between the Parties, any third parties and the Board.

22. Severability

- 22.1. If any term, condition or provision contained in this agreement shall be held to be invalid, unlawful or unenforceable to any extent, such term, condition or provision shall not affect the validity, legality or enforceability of the remaining parts of this agreement.

23. Notice

- 23.1. Any notice, demand or other communication required to be served under this Agreement shall be sufficiently served if delivered personally to or sent by pre-paid first class recorded delivery post or email ~~or facsimile transmission~~ to the address of the

Association of Greater Manchester Authorities
 c/o Governance & Scrutiny Team
GMCA
Churchgate House
56 Oxford Street
Manchester
M1 6EU
 GMIST
 PO Box 532

Manchester City Council
Town Hall
Manchester
M60 2LA
Fax: 0161 236 6459
E-mail: info@agma.gov.uk

If so sent any such notice, demand or other communication shall, subject to proof to the contrary, be deemed to have been received by the addressee the time of personal delivery or on the second working day after the date of posting or unsuccessful transmission as the case may be.

24. Counterparts

- 24.1. This agreement may be executed in any number of counterparts, all of which when taken together shall constitute one and the same instrument.

25. Exercise of statutory authority

- 25.1. Without prejudice to this agreement, nothing in this agreement shall be construed as a fetter or restriction on the exercise by any of the parties of their statutory functions.

26. Appointment to External Bodies

- 26.1. Not less than two months before the Annual Meeting of the Board it shall be the responsibility of the Secretary to advise Parties of those positions on other bodies to which the Board need to make nominations for the forthcoming year.
- 26.2. It shall be the responsibility of Chief Executives of each of the Parties to advise the Secretary, in writing and not less than 15 days before the Annual Meeting of the Board, of any nominations which that Party wishes to make to those positions that have been identified by the Secretary under Clause ~~2726~~.1 of this agreement.
- 26.3. Nothing in Clause ~~2726~~.2 should be taken as assuming that any positions held by any person at the time that the Secretary issues information under Clause ~~2726~~.1 of this constitution are automatically re-nominated for consideration at the Annual General Meeting. For any such position it will be the responsibility of Chief Executives of any Party to confirm to the Secretary, in writing and not less than 15 days before the Annual Meeting of the Board, where any existing representatives are to be re-nominated.
- 26.4. It shall be the responsibility of the Secretary to advise Parties of all nominations received for representation on outside bodies. This

advice must be issued in writing to Parties not less than 14 days before the Annual Meeting of the Board.

SCHEDULE ONE

A. General functions

1. To promote and improve the economic, social and environmental well-being of Greater Manchester, and to assist the GMCA in the production of an integrated strategy for Greater Manchester to set out the key economic, social and environmental objectives for the combined administrative area.
2. Where the Parties have decided it is appropriate to operate at the level of the combined administrative area,
 - (a) development and adoption of sub regional strategic policies and plans
 - (b) responses to regional, national and international consultations
3. To hold to account bodies which impact upon the social, economic and environmental well being of Greater Manchester; ~~including any Joint Authorities operating within the combined administrative area.~~
4. Undertake and publish research to support any function exercised by this agreement.

B. Financial Functions

5. Agree any financial matters related to the exercise of any of the functions set out in this schedule.
- ~~6. Monitoring of the budgets and expenditure of all authorities or bodies having power to issue a precept or levy on the Parties and effecting appropriate consultation with them and taking appropriate action.~~
- ~~7.6. Receive on an annual basis a report on the management and performance of the Greater Manchester Superannuation Scheme and the Pension Fund.~~

C Planning & Housing

- ~~8.7. Developing and coordinating the operation of a Greater Manchester Spatial Strategy as a framework for underpinning and linking partners Local Development Frameworks and Core Spatial Strategies.~~
- ~~9.8. To coordinate and manage joint Local Development Framework activity across the combined administrative area on behalf of the 10 local planning authorities, in circumstances where this is agreed as appropriate.~~
- ~~10. To develop and coordinate the operation of a Greater Manchester Housing strategy.~~
- ~~10. To determine the future allocation of any pooled public sector housing resources across the combined administrative area and provide a sub-regional context for managing the scale, distribution and mix of new housing development.~~

D Environment

- ~~12 — Preparation and co-ordination of delivery of strategic plans and projects, design of infrastructure for the combined administrative area for the purpose of protecting and improving environmental quality, and liaison and advice with the Board and other work areas to ensure alignment of Plans and projects with environmental objectives.~~
- ~~13 — Establish, and where appropriate, provide a governance pathway for agencies, groups and organisations whose remit is to drive forward environmental priorities.~~
- ~~14 — Establishment and Management of effective strategy, plans and infrastructure to co-ordinate and deliver an effective response to Climate Change, including the establishment of a Climate Change Agency for the combined administrative area.~~
- ~~15 — Together with the Greater Manchester Waste Disposal Authority (WDA), and Wigan Metropolitan Borough Council in its role as a WDA, to develop a comprehensive city regional sustainable waste management approach that encompasses commercial, industrial and construction and demolition waste streams, delivers synergies and economies of scale, and promotes sustainable production and consumption.~~

~~E — Health~~

- ~~16 — To develop a shared health vision for Greater Manchester.~~
- ~~17 — To provide leadership and challenge for the development and delivery of high level health indicators within the context of a shared vision.~~
- ~~18 — To coordinate the necessary response within Greater Manchester to the Audit Commission Review of health Inequalities within Greater Manchester and any such subsequent reviews.~~
- ~~19 — To oversee, when appropriate, any interface between health and social care functions where this is appropriate at a Greater Manchester level.~~

~~F — Public Protection~~

- ~~20 — To, oversee where appropriate, measures to protect the community from terrorism, disasters and organised crime.~~
- ~~21 — To collaborate in measures to ensure reduction in crime and disorder and to improve community safety.~~
- ~~22 — To co-ordinate measures to improve service delivery in the field of public protection to ensure services that best meet the needs of the community and raise public confidence.~~

~~G — Improvement and Efficiency~~

- ~~23 — To establish a Manchester City Region Improvement and Efficiency Strategy.~~
- ~~24 — To provide effective overarching governance arrangements to deliver the Strategy, Identify innovative ways of working to deliver the Strategy, maximise skills,~~

~~knowledge and expertise within the City Region to deliver the strategy and seek and secure available funding.~~

H . Other Miscellaneous Functions

~~11.9.~~ To act as: -

i.) the joint committee for trading standards and related functions for the purposes of paragraph 15 of Schedule 8 to the Local Government Act 1985;

~~ii.) a joint committee in respect of the grants and schemes pursuant to Section 48 of that Act (subject to the provisions of that section and taking account of the fact that the GMCA is not a constituent council for the purposes of a Section 48 scheme);~~

~~iii.) a joint committee in respect of schemes and relevant activities under Section 88 of that Act;~~

~~iv.)~~ ii.) a joint committee in respect of the Greater Manchester County Record Office;

~~v.)~~ iii.) a joint committee for such other purpose or purposes as all the Parties concerned may at any time agree.

SCHEDULE TWO

TERMS OF REFERENCE

The terms of reference for the Board are to:-

- (a) conduct its business and direct its affairs in accordance with any policies and guidelines which may from time to time be jointly agreed by the parties to this agreement and as set out in this agreement;
- (b) receive and, if approved, adopt recommendations from ~~the Business Leadership Council, or~~ any Sub Committee or Commission set up by virtue of this agreement with or without amendment, addition or deletion;
- (c) work together in order to achieve the promotion or improvement of the economic, physical and social well being of the Manchester City Region, its people and businesses, through measures and joint actions which member authorities may determine from time to time;
- (d) work with other appropriate agencies and bodies beyond Greater Manchester in order to achieve the above objective;
- (e) operate within the regional context of N W England and whatever regional structures and arrangements are in place;
- (f) provide a forum for the discussion of matters of common concern and interest;
- (g) provide a means of co-ordination and decision-making in respect of joint action and working including the monitoring of joint professional teams and units;
- (h) exercise statutory functions which the parties to this agreement are required or empowered to refer or delegate to joint committees;
- (i) to consult and liaise with other bodies or organisations of a public or quasi-public nature exercising functions or carrying out activities which are of importance to Greater Manchester;
- (j) to provide a forum for consulting with other bodies on issues of common interest;
- (k) ~~to keep under review expenditure incurred and services provided by Joint Authorities and~~ to keep under review and control expenditure incurred and services provided by the parties to this agreement ~~s~~ and other bodies, teams or units under arrangements or statutory provisions whereby costs are recoverable from or chargeable to some or all of the parties to this agreement, whether by levy or otherwise;
- (l) to watch over, protect and promote the interest, rights, powers, functions and duties of the parties to this agreement and local government generally in Greater Manchester; and
~~to provide a means for the formulation and expression of joint views of the parties to this agreement to the Local Government Association, central government and other~~

~~bodies and organisations in respect of legislation, proposed legislation and other matters of concern, interest or relevance to Greater Manchester;~~

~~to provide a means of contact and liaison with institutions of the European Communities and to advance the interests of Greater Manchester in Europe and elsewhere in the world; and~~

(m) approve an annual statement of accounts of the Board made up to the 31st March in each year for submission to its Annual General Meeting.

SCHEDULE 3

Rules of Procedure

1. Annual General Meeting.

There will be an Annual General Meeting of the Board in the June of each year.

The AGM will annually elect –

The Chair
Vice Chairs

See Paragraphs ~~40~~7 of the Operating Agreement.

2. Duration of Appointments.

See Paragraph 6 of the Operating Agreement.

3. Servicing.

See paragraph ~~45~~14.3 of the Operating agreement.

4. Meeting Agendas.

- (i.) The Chair of the Board will decide upon the agenda for the meetings of the Board. He/she may put on the agenda of any meeting any matter which he/she wishes
- (ii.) Any member of the Board may require the Secretary to make sure that an item is placed on the agenda of the next available meeting of the Board for consideration.
- (iii.) The Secretary will make sure that an item is placed on the agenda of the next available meeting of the Board where any Commission or the Business Leadership Council have resolved that an item be considered by the Board.
- (iv.) Any Party to this agreement may ask the Chair of the Board to put an item on the agenda of a meeting of the Board for consideration. If the item is in line with the Terms of Reference (Schedule 2) then this request must be agreed by the Chair and the item considered at the next available meeting of the Board. The notice of the meeting will give the name of the Party which asked for the item to be considered.
- (v.) The Secretary or Honorary Treasurer may include an item for consideration on the agenda of a meeting of the Board.

- (vi.) Any item proposed to be included on the agenda for any Board meeting in accordance with 4(i)-(v) above which is not submitted before 5 clear days of the meeting shall not be included on the agenda for that meeting unless it is agreed by the Chair. In this case the amended agenda for the meeting will state the reason for the late acceptance of any such item.

See also Paragraphs 7, 8, and 9 ~~and 10~~ of the Operating Agreement.

5. Substitutes.

See Paragraph 6 of the Operating Agreement.

6. Sub-Committees.

See Paragraphs ~~8 & 9~~ 7 & 8 of the Operating Agreement.

7. Voting.

See Paragraph ~~12-11~~ of the Operating Agreement.

8. Quorum.

See Paragraph ~~10-9~~ of the operating Agreement.

9. Rules of Debate.

- (i) A motion or amendment shall not be discussed unless it has been proposed and seconded.
- (ii) A Member shall address the Chair and direct any speech to the question under discussion. If two or more Members indicate they wish to speak the Chair shall call on one to speak first.
- (iii) An amendment shall be
 - (a) to leave out words
 - (b) to leave out words and insert or add others
 - (c) to insert or add words
 but any such amendment must not have the effect of introducing a new proposal into or of negating the original motion.
- (iv) A Member shall not speak for longer than 5 minutes on any matter without the consent of the Board.
- (v) No Member shall address the Board more than once on any issue unless this be by invitation of the Chair, but the mover of an original motion may reply, in which reply no new matter shall be introduced, but the reply shall be confined strictly to answering the previous observations.

- (vi) A Member may claim to speak on a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a specified statutory provision or this constitution or any of its Schedules and the way in which the Member raising it considers that it has been broken. A personal explanation shall be confined to some material part of a former speech by him in the current debate which may appear to have been misunderstood. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion
- (vii) If an amendment is rejected other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any other amendment may be moved.
- (viii) A further amendment shall not be moved until the Board has disposed of every amendment previously moved, provided that the Chair shall have discretion to allow debate to take place on two or more amendments.
- (ix) A Member at the conclusion of a speech of another representative may move without comment
 - (a) that the question be now put
 - (b) that the debate be now adjourned
 - (c) that the Board proceed to the next business
 - (d) that the Board do now adjourn
 If such a motion is seconded, the Chair, shall, subject to the mover's right to reply, put the motion to the vote, and if it is carried -
in case (a) - the motion then before the meeting shall, subject to the right of reply, be put to the vote; or
in case (b) - the debate on the motion then before the Board shall stand adjourned until the next ordinary meeting of the Board; or
in case (c) - the motion then before the Board shall be regarded as lost and the Board shall proceed to the next item on the Agenda, if any; or
in case (d) - the meeting shall stand adjourned.
- (ix) If the Chair is of the opinion that the matter before the Board has been sufficiently discussed he may put the motion that the question now be put
- (x) The Chair shall decide all questions of order and any ruling by the Chair upon such questions and the interpretations of these Standing Orders, and upon matters arising in debate shall be final and shall not be open to discussion.

10. Admission of Public.

All meetings of the Board shall be open to the Public (including the Press) except to the extent that they are excluded whether during the whole or part of the proceedings either:-

- (i) In accordance with Section 100A(2) of the Local Government Act 1972 or Regulation 4(2)(a) of the The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012; or
- (ii) By resolution passed to exclude the public on the grounds that it is likely, in view of the nature of the proceedings, that if members of the public were present there would be disclosure to them of exempt information as defined in Section 100I of the Local Government Act 1972 (and Regulation 2 of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012). Any such Resolution shall identify the proceedings or the part of the proceedings to which it applies and state the description, in terms of Schedule 12A to the Local Government Act 1972 of the exempt information giving rise to the exclusion of the public.

11. Public Rights of Appeal

- i) This Rule applies where a member of the public has requested the Secretary that a report to be considered at a meeting of the Board or any public meeting of a Committee or Commission operating under this constitution which contains exempt information should be discussed in the public part of the agenda or that s/he should have access to inspect the report or any background document
- ii) If the Secretary (after consulting the Chief Officer responsible for the report) agrees to the request, the report (and any requested background document) will be made available to the member of the public and on the GMCA/AGMA website.
- iii) If the Secretary (after consulting the Chief Officer responsible for the report) refuses the request, s/he must give the member of the public reasons for the decision, together with details of the appeals procedure.
- iv) The process for appealing against the Secretary's decision is as follows:
 - (a) the appellant must write to the Secretary at least 24 hours before the meeting in question and any request after this time will be invalid.
 - (b) The appeal will be dealt with in private as the first item on the agenda
 - (c) The Secretary or the relevant Chief Officer will give the reasons for their decisions (without the appellant being present) and will answer questions from members
 - (d) The appellant will then be called into the meeting and the Chair will summarise the reasons given for the refusal

- (e) The appellant will be given an opportunity to address the meeting give and to justify their request and members will be able to ask questions of the appellant (but having regard to the confidentiality of the item)
- (f) The appellant will then withdraw and the meeting will consider and determine the appeal

12. Disorderly Conduct.

- (i) If the Chair is of the opinion that a Member has misconducted, or is misconducting him or herself by persistently disregarding the ruling of the Chair or by behaving irregularly, improperly or offensively or by wilfully obstructing the business of the Board the Chair may notify the meeting of that opinion and may take any of the following actions either separately or in sequence:
 - (a) the Chair may direct the Member to refrain from speaking during all or part of the remainder of the meeting
 - (b) the Chair may direct the Member to withdraw from all or part of the remainder of the meeting
 - (c) the Chair may order the Member to be removed from the Meeting
 - (d) the Chair may adjourn the meeting for such period as shall seem expedient to him
- (ii) In the event of general disturbance which in the opinion of the Chair renders the due and orderly dispatch of business impossible, the Chair, in addition to any other power invested in the Chair, may without question, adjourn the meeting of the Board for such periods as in the Chair's discretion shall be considered expedient.

13. Urgent Business.

Any member of the Board may, with the agreement of the Chair, raise an item of urgent business during the course of any meeting of the Board.

See also section 4 (vi) of this Schedule

14. Declaration of Interests.

- (i.) Any elected member of the Board or any Commission or Sub Committee established under this operating agreement must disclose any personal interests in any business conducted by any meeting held under this operating agreement in accordance with the Member's Code of Conduct.

- (ii.) Any other person who is a member of any Commission or Sub Committee established under this operating agreement must disclose any personal interests in any business conducted by any meeting held under this operating agreement. Such a declaration must occur at the start of the relevant item of business or as soon the interest becomes apparent. Upon declaration of any such personal interest it shall be for the other members of the meeting to determine what action should be taken as a result of the disclosure of any personal interest.

15. Access to Documents.

(i) Notices Of Meeting

At least five clear days notice of any meeting of the Board will be given by posting details of the meeting at the address specified in Paragraph [2423.1](#) of this operating agreement

(ii) Access To Agenda And Reports Before The Meeting

Copies of the agenda and reports of the Board, if available, will be available for inspection at the address specified in Paragraph [2423.1](#) of this operating agreement at least five clear days before the meeting. If an item is added to the agenda later, the revised agenda and any such item will be open to inspection at the time the item is added to the agenda.

(iii) Supply of Copies

Copies of:

- any agenda and reports which are open to public inspection;
- any further statements or particulars necessary to indicate the nature of the items in the agenda;

shall be available from the address specified in Paragraph 24.1 of this operating agreement to any person on payment of a charge for postage and any other costs.

(iv) Access To Minutes Etc After The Meeting

Copies of the following will be made available for six years after a meeting:

- the minutes of the meeting, records of decisions taken, together with reasons, for all meetings of the Board, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- the agenda for the meeting; and
- reports relating to items when the meeting was open to the public.

(v). Background Papers

The author of the report will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- disclose any facts or matters on which the report or an important part of the report is based; and
- which have been relied on to a material extent in preparing the report

(vi) Public inspection of background papers

Background papers listed in any report shall be made available by the authority which employs the author of any such report. One copy of each will be made available for public inspection for four years after the date of the meeting.

~~15a — Public Rights of Appeal~~

~~This Rule applies where a member of the public has requested the Secretary that a report to be considered at a meeting of the Board or any public meeting of a Committee or Commission operating under this constitution which contains exempt information should be discussed in the public part of the agenda or that s/he should have access to inspect the report or any background document~~

~~If the Secretary (after consulting the Chief Officer responsible for the report) agrees to the request, the report (and any requested background document) will be made available to the member of the public and on the GMCA website.~~

~~If the Secretary (after consulting the Chief Officer responsible for the report) refuses the request, s/he must give the member of the public reasons for the decision, together with details of the appeals procedure.~~

~~The process for appealing against the Secretary's decision is as follows:~~

- ~~(a) — the appellant must write to the Secretary at least 24 hours before the meeting in question and any request after this time will be invalid.~~
- ~~(b) — The appeal will be dealt with in private as the first item on the agenda~~
- ~~(c) — The Secretary or the relevant Chief Officer will give the reasons for their decisions (without the appellant being present) and will answer questions from members~~
- ~~(d) — The appellant will then be called into the meeting and the Chair will summarise the reasons given for the refusal~~
- ~~(e) — The appellant will be given an opportunity to address the meeting give and to justify their request and members will be able to ask questions of the appellant (but having regard to the confidentiality of the item)~~

~~(f) — The appellant will then withdraw and the meeting will consider and determine the appeal~~

16. Suspension of Rules of Procedure

Any of the preceding Rules of Procedure Orders may be suspended at any meeting so far as regards any business on the Agenda for such a meeting, providing that the majority of the members present and voting so decide.

SCHEDULE 4

Scrutiny Arrangements

~~[The former content of Schedule 4 was replaced by the new scrutiny arrangements contained in Schedule 3 of the Operating Agreement between the Parties brought into effect on 1st April 2011 and amended June 2012 as set out below (note that the references therein to “this Constitution” are to the GMCA Constitution).]~~

The former content of Schedule has been superseded by the statutory scrutiny arrangements established under Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

~~Extract from GMCA Operating Agreement Schedule 3~~

~~Scrutiny Arrangements for GMCA, TfGMC and TfGM~~

~~1. Introduction~~

~~1.1 Schedule 3 to the Operating Agreement dated 1st April 2011 and made between (1) the GMCA and (2) the Constituent Councils contains a protocol that provides a framework for carrying out joint scrutiny work of –~~

~~(a) The AGMA Executive Board;~~

~~– (b) The GMCA;~~

~~(c) TfGMC; and~~

~~(d) TfGM~~

~~1.2 The key provisions of this Scrutiny Protocol in relation to the GMCA, TfGMC and TfGM are set out for information below.~~

~~1.3 The Scrutiny Protocol will be reviewed annually to ensure that it remains relevant.~~

~~1.4 References in these Arrangements to major and strategic decisions of the TfGMC taken in accordance with the delegations set out in Part 3 Section B II of this Constitution include major and strategic decisions taken by sub-committees of TfGMC in accordance with such delegations.~~

~~2. Objectives of scrutiny of the GMCA, TfGMC and TfGM~~

~~2.1 These arrangements have been established to act as a focus for the scrutiny and challenge of the GMCA, the TfGMC and the TfGM, and for investigating matters of strategic importance to residents within the combined administrative area covered by the Constituent Councils.~~

~~2.2 The role of these arrangements will include:-~~

~~(a) monitoring:-~~

~~(i) the decisions of the GMCA; and~~

~~(ii) — major and strategic decisions of the TfGMC which are taken by the TfGMC in accordance with the delegations set out in Part 3 Section B II of this Constitution;~~

~~and to make recommendations for improvement and/or change;~~

~~(b) — investigating matters of strategic importance to residents of the Constituent Councils and reporting with recommendations to the GMCA or the TfGMC as appropriate;~~

~~(c) — reviewing the performance of the GMCA against objectives within the Greater Manchester Strategy;~~

~~(d) — facilitating the exchange of information about the work of the GMCA and the TfGMC and to share information and outcomes from reviews;~~

~~(e) — The role of these arrangements in relation to the TfGM will include:~~

~~(i) — monitoring the TfGM's delivery of transport services against the Local Transport Plan and to make recommendations for improvement and/or changes;~~

~~(ii) — obtaining explanations from the TfGM regarding its delivery of transport services.~~

~~(f) — The terms of reference for these scrutiny arrangements and the work programme in relation to scrutiny of the GMCA and the TfGMC will be subject to an annual review.~~

~~3. — Operation of Scrutiny Arrangements for GMCA, TfGMC and TfGM~~

~~3.1 — A pool of elected members (the "Scrutiny Pool") will be established which will comprise of 3 councillors from each of the Constituent Councils. Appointees to the Scrutiny Pool must not be members of the Executive Board, the GMCA (including substitute members) or the TfGMC. Both sexes must be represented within the 3 elected members from each of the Constituent Councils.~~

~~3.2 — Appointments to the Scrutiny Pool by the Constituent Councils will be made in accordance with the principles of political balance set out in Section 15(5) of the LGHA 1989.~~

~~3.3 — Any elected member appointed to the Scrutiny Pool under these scrutiny arrangements who is also appointed to any Committee or Sub-Committee of the GMCA cannot participate in the operation of the scrutiny arrangements on any issues which were taken at any meeting of the GMCA or any Committee or Sub-Committee of the GMCA at which they were present.~~

~~3.4 — The term of office for members of the Scrutiny Pool will be one year from the date of the annual council meeting of the Constituent Council that appoints them to the Scrutiny Pool unless:-~~

~~(a) — they cease to be an elected member of the Constituent Council that appointed them;~~

~~(b) — they wish to no longer participate in these arrangements; or~~

~~(c) — the Secretary to AGMA is advised by any of the Constituent Councils that it wishes to change one or more of its appointees to the Scrutiny Pool in accordance with paragraphs 3.1-3.3 of this Clause 3.~~

~~3.5 — Non-voting members may be co-opted to participate in these arrangements from all or any of the associated authorities or from other organisations as the Scrutiny Pool members may decide.~~

~~4. — Meetings of Scrutiny Pool Members~~

~~4.1 — The members appointed to the Scrutiny Pool under Clause 3 above will hold at least one joint annual meeting and may convene additional joint meetings in accordance with these arrangements.~~

~~4.2 — At the annual joint meeting the Scrutiny Pool members will:~~

~~(a) — elect a Chair and Vice Chair. The Chair and Vice Chair must come from different political groups.~~

~~(b) — determine the areas of review and scrutiny that they wish to pursue during the ensuing 12 months.~~

~~(c) — agree to establish Scrutiny Panels from amongst their number in order to carry out agreed areas of review and scrutiny.~~

~~4.3 — The quorum for this annual meeting and any other joint meetings held under this Clause 4 will be 10, and must include representatives of at least 7 of the Constituent Councils.~~

~~4.4 — The principle of decision making at any such joint meeting shall be that, wherever possible decisions will be made by agreement, without the need for a vote. If a vote is necessary it will be a simple majority of those present and the Chair will not have a casting vote.~~

~~4.5 — The venue for each annual meeting and any other joint meetings held under this Clause 4 will be decided by the Chair and notified to Constituent Councils for inclusion on their Council web sites.~~

~~4.6 — Notice of the annual meeting and any other joint meetings held under this Clause 4 will be sent to each Scrutiny Panel member in accordance with the requirements of the Local Government Act 1972.~~

~~4.7 — The Chair will approve the agenda for each annual meeting and any other joint meetings held under this Clause 4; however, any member of the Scrutiny Panel will be entitled to require an item to be placed on the agenda for the meeting.~~

~~4.8 — Subject to paragraphs 4.1-4.7 of this Clause 4, meetings will proceed in accordance with the Rules of Procedure set out at Schedule 3 to the AGMA Operating Agreement.~~

~~5. — Call in of decisions~~

~~5.1 — Call in of decisions of GMCA and TfGMC~~

~~(a) — Members of the Scrutiny Pool appointed under this Protocol will have the power to call in:-~~

- ~~(i) — any decision of the GMCA;~~
- ~~(ii) — any major or strategic decision of the TfGMC which is taken by the TfGMC in accordance with the delegations set out in Part 3 Section B II of this Constitution.~~

~~5.2 — Publication of Notice of Decisions~~

~~— (a) — When:-~~

- ~~(i) — a decision is made by the GMCA; — or~~
- ~~(ii) — a major or strategic decision is made by the TfGMC in accordance with the delegations set out in Part 3, Section B II of this Constitution;~~

~~the decision shall be published, including where possible by electronic means, and shall be available from the normally within 2 days of being made.— It shall be the responsibility of the Secretary to send electronic copies of the records of all such decisions to all members of the Scrutiny Pool within the same timescale.~~

~~(b) — The notices referred to at subparagraph 5.2(a) above will bear the date on which they are published and will specify that the decision will come into force, and may then be implemented, as from 4.00 pm on the fifth day after the day on which the decision was published, unless 5 members of the Scrutiny Pool object to it and call it in.~~

~~5.3 — Call-in of decisions of the GMCA, and the TfGMC~~

~~(a) — During the “Call-in” period specified at subparagraph 5.2(b) above the Secretary shall:-~~

~~(i) — call in a decision of the GMCA for scrutiny by a joint meeting of Scrutiny Pool members if so requested by any five members from the Scrutiny Pool, and shall then notify members of the GMCA of the call-in. The Secretary shall call a joint meeting of Scrutiny Pool members on such date as he/she may determine, where possible after consultation with the Chair of the Scrutiny Pool, and in any case within 2 weeks of the decision to call in;~~

~~(ii) — call in a major or strategic decision made by the TfGMC in accordance with the delegations set out in Part 3, Section B II of this Constitution for scrutiny by a joint meeting of Scrutiny Pool members if so requested by any five members from the Scrutiny Pool, and shall then notify members of the TfGMC of the call-in. The Secretary shall call a joint meeting of Scrutiny Pool members on such date as he/she may determine, where possible after consultation with the Chair of the Scrutiny Pool, and in any case within 2 weeks of the decision to call in.~~

~~(b) — If, having considered:-~~

~~(i) — a decision made by the GMCA; or~~

~~(ii) — a major or strategic decision made by the TfGMC in accordance with the delegations set out in Part 3, Section B II of this Constitution~~

~~the joint meeting of Scrutiny Pool members is still concerned about it, then it may refer it back to the GMCA or the TfGMC (as appropriate) for reconsideration, setting out in writing~~

~~the nature of its concerns. If a decision is referred by a joint meeting of Scrutiny Pool members to the GMCA or the TfGMC (as appropriate), then the GMCA or the TfGMC (as appropriate) will reconsider the decision before adopting a final decision.~~

~~——(c)—— If, following an objection to:-~~

~~(i)—— a decision of the GMCA; or~~

~~(ii)—— a major or strategic decision made by the TfGMC in accordance with the delegations set out in Part 3, Section B II of this Constitution;~~

~~the joint meeting of Scrutiny Pool members does not refer it back to the GMCA or the TfGMC (as appropriate) for reconsideration, the decision shall take effect on the date of the joint meeting of Scrutiny Pool members.~~

~~——(d)—— The call-in procedure set out above, shall not apply where:-~~

~~(i)—— the decision being taken by the GMCA; or~~

~~(ii)—— the major or strategic decision made by the TfGMC in accordance with the delegations set out in Part 3, Section B II of this Constitution ;~~

~~is urgent.~~

~~(e)—— For the purposes of subparagraph 5.4(d) above a decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the interests of the GMCA, the Constituent Councils, or the residents and/or businesses of Greater Manchester. The record of the decision and the notice by which it is made public shall state whether in the opinion of the decision making body, (having considered the advice of the Head of Paid Service and/or the Monitoring Officer and/or the Treasurer) the decision is an urgent one, and therefore not subject to call-in. The GMCA or the TfGMC (as appropriate) must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.~~

~~(f) The call-in procedure set out above shall not apply where, in relation to-~~

~~(i)—— a decision taken or matter to be considered by the GMCA or the Executive Board, or~~

~~(ii) a major or strategic decision taken or to be considered by TfGMC, or~~

~~(iii) a decision or matter that has already been reviewed by the Scrutiny Pool members under either the call-in procedure or pre-policy scrutiny.~~

~~6. Key principles for the operation of the scrutiny arrangements~~

~~6.1 The Constituent Councils will work together to maximise the exchange of information and views, to minimize bureaucracy and make best use of the time of members and officers of other bodies or agencies.~~

~~6.2 Members of the Scrutiny Pool will, when considering reviews, determine whether the issue is more appropriately dealt with by one of the Constituent Councils or elsewhere and will not duplicate the work of existing bodies or agencies.~~

~~6.3 Subject to prior consultation, the Constituent Councils will respond positively to requests for information, or for the attendance of a member or officer at any meetings set up under these arrangements.~~

~~6.4 While it is ultimately for each Constituent Council to decide who it considers the most appropriate person(s) to speak on its behalf at any meetings set up under these arrangements consideration will be given to meeting specific requests.~~

~~6.5 Dates and times for officer and member attendance at any meetings set up under these arrangements should be by agreement.~~

~~6.6 Members appointed under these arrangements may request the attendance of officers employed by the Constituent Councils to answer questions and give evidence at any meetings set up under these arrangements. All such requests must be made via the Chief Executive of the relevant Constituent Council. If any request is declined by the Chief Executive, he/she must state the reasons for so doing.~~

~~6.7 When considering any matter in respect of which a Scrutiny Panel member appointed under these arrangements is subject to a party whip the member must declare the existence~~

~~of the whip and the nature of it before the commencement of any deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.~~

~~7. — Scrutiny Panels~~

~~7.1 — The annual meeting of members of the Scrutiny Pool will establish Scrutiny Panels to undertake agreed scrutiny reviews. — Membership of the Scrutiny Panels will be determined at the annual meeting and the principle of political balance from across Scrutiny Pool members must be applied when membership is agreed.~~

~~7.2 — Scrutiny Panels established by this Clause 7 shall include representatives from at least 7 of the Constituent Councils. — Each Scrutiny Panel shall appoint a Chair and Vice Chair from amongst its members. — Unless unanimously agreed by all members appointed to any Scrutiny Panel, the Chair and Vice Chair of each Scrutiny Panel must come from different political groups.~~

~~7.3 — Scrutiny Panels established under this Protocol must be appointed to carry out specific scrutiny tasks and be time limited. — Their continuation will be subject to confirmation at each annual meeting of the Scrutiny Pool members. — Any Scrutiny Panel continuing for more than two years must be subject to confirmation by the Executive Board and/or the GMCA as appropriate.~~

~~7.4 — The Executive Board and/or the GMCA may also, if they choose, request that a Scrutiny Panel drawn from amongst members appointed under Clause 3 of this Protocol be appointed to examine a specific issue in more detail and report back its findings to the Executive Board and/or the GMCA as appropriate.~~

~~8. — Reviews and recommendations~~

~~8.1 — The process of joint scrutiny will be an open and transparent process designed to engage the Constituent Councils, their residents and other stakeholders.~~

~~8.2—Meetings will be held in public unless the meeting decides to convene in private in order to discuss confidential or exempt information, in accordance with the relevant provisions of the LGA 1972 or LGA 2000.~~

~~8.3—The terms of reference, timescale and outline of any review will be agreed by Scrutiny Pool members appointed at their annual meeting.~~

~~8.4—Different approaches to scrutiny reviews may be taken in each case but members will seek to act in an inclusive manner and will take evidence from a wide range of opinion. The Scrutiny Pool will make specific efforts to engage with hard to reach groups.~~

~~8.5—The primary objective of any Scrutiny Panel established under these arrangements will be to reach consensus on its recommendations, but where a minimum number of 2 members express an alternative to the majority view, they will be permitted to produce a minority report.~~

~~8.6—Voting if needed will be by a show of hands and a simple majority will be required to approve any recommendation.~~

~~9.—Budget and Administration~~

~~9.1—The annual meeting of Scrutiny Pool members will prepare a budget to cover the costs of operating these arrangements in the forthcoming year and will submit this to the Executive Board and to the GMCA for agreement.~~

~~9.2—Contributions to the costs of the joint scrutiny arrangements shall be determined by apportioning the costs in such proportions as the Constituent Councils unanimously agree or, in default of such agreement, in proportion to the total resident population at the Relevant Date of the area of each Constituent Council as estimated by the Registrar General.~~

~~9.3—The budget will be required to meet all officer support to the joint scrutiny arrangements, including research support.~~

~~9.4—The decisions and recommendations of any Scrutiny Panels set up under these arrangements will be communicated to the Executive Board and/or the GMCA and/or the~~

~~TfGMC and/or the TfGM as appropriate, other Scrutiny Pool members and Constituent Councils as soon as possible after resolution by those appointed to any such Scrutiny Panel.~~

10. — Support and advice to scrutiny arrangements

~~10.1 — Members appointed to any Scrutiny Panel under these arrangements may ask individuals or groups to assist it on a review by review basis and may ask independent professionals for advice during the course of reviews. Such individuals or groups will not be able to vote.~~

~~10.2 — Members appointed to any Scrutiny Panel under these arrangements may invite any other person to attend their meetings to answer questions or give evidence; however attendance by such persons cannot be mandatory.~~

11. — Linking Sub-Regional Scrutiny with Local Scrutiny

~~11.1 — The Scrutiny Officer of each Constituent Council will ensure that the work programmes and minutes relating to the work carried out by the Scrutiny Pool in scrutinising the Executive Board, GMCA, TfGMC and TfGM are circulated appropriately within their own Constituent Council's scrutiny arrangements.~~

~~11.2 — The Secretary shall within 2 weeks of every meeting of a Scrutiny Panel produce an e-briefing or all members of the Constituent Councils that provides a user friendly summary of the issues discussed at the Scrutiny Panel, together with links to any relevant reports and presentations. The Secretary shall quarterly produce an e-briefing for all members of the Constituent Councils that provides an updated work programme relating to the work to be carried out by the Scrutiny Panels in scrutinising the Executive Board, GMCA, TfGMC and TfGM.~~

~~11.3 — Each Constituent Council will nominate one of the 3 members of that Constituent Council who have been appointed to the Scrutiny Pool in accordance with paragraph 3.1 of this Protocol to act as that Constituent Council's "AGMA Scrutiny Link". The AGMA Scrutiny Link will be responsible for reporting back to their own Constituent Council on the scrutiny work carried out by the Scrutiny Pool in relation to the Executive Board, GMCA, TfGMC and TfGM. The AGMA Scrutiny Link will also be responsible for reporting to the Scrutiny Pool any issues identified locally by their own Constituent Council which may warrant scrutiny at a sub-regional level. The nomination of an AGMA Scrutiny Link and the way in which this role will be performed will be determined by each Constituent Council.~~