

**Manchester City Council  
Report for Resolution**

**Report to:** Constitution and Nomination Committee – 15 May 2024  
Council – 15 May 2024

**Subject:** Constitution of the Council

**Report of:** The City Solicitor

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**Summary**

To request that the Constitutional and Nomination Committee consider, and the Council adopt, proposed amendments to the Constitution of the Council.

**Recommendation** – Constitutional and Nomination Committee

The Constitutional and Nomination Committee is requested to note the report and recommend that the Council agree the recommendations below.

**Recommendations** – Council

The Council is requested to:

1. Adopt, subject to recommendations 4 and 5 below, the attached revised Sections of the Constitution of the Council, namely:
  - a) Part 2
  - b) Part 3: Sections B, C and F
  - b) Part 4: Sections A, B, E and F
  - c) Part 5: Section C and D
  - d) Part 6: Sections B and C
  - e) Part 7
  - f) Part 8
2. Re-adopt the remainder of the Constitution with the overarching changes set out in section 2 of this report.
3. Note that any changes to the Constitution already approved by the Council since the last review 30 November 2022 will be included in the revised Constitution.
4. Note in relation to Part 3 of the Constitution 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 set out in Part 3 (Sections A, B and F) are for the information of the Council only.

5. Note that, as the Licensing Committee has statutory responsibility for the discharge and delegation of certain licensing authority functions, the proposed delegations of such functions set out in Part 3 (Sections C and F) have been considered and reaffirmed by the Licensing Committee and to that extent are for the information of the Council only.

**Wards Affected: All**

<b>Environmental Impact Assessment</b> - the impact of the issues addressed in this report on achieving the zero-carbon target for the city
Not applicable

<b>Equality, Diversity and Inclusion</b> - the impact of the issues addressed in this report in meeting our Public Sector Equality Duty and broader equality commitments
Not applicable

<b>Manchester Strategy outcomes</b>	<b>Summary of how this report aligns to the OMS/Contribution to the Strategy</b>
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	Not applicable
A highly skilled city: world class and home-grown talent sustaining the city’s economic success	Not applicable
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	Not applicable
A liveable and low carbon city: a destination of choice to live, visit, work	Not applicable
A connected city: world class infrastructure and connectivity to drive growth	Not applicable

Full details are in the body of the report, along with any implications for:

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

**Financial Consequences – Revenue** None

## **Financial Consequences – Capital None**

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

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

Constitution of the Council – November 2022

## 1. Background

- 1.1 Section 9P of the Local Government Act 2000, requires the Council to prepare and keep up to date a Constitution.
- 1.2 The City Solicitor is required to monitor and review the operation of the Constitution on an on-going basis and, where necessary, bring forward amendments to the Council. The City Solicitor is, under Article 15 of the Constitution, also authorised to make minor changes to the Constitution, provided that they do not materially affect the Constitution.
- 1.3 Changes to the Council's Constitution are considered by full Council once a year. In recent years the updates to the Constitution have been brought to Council for consideration generally in October or November. Consideration of revisions to the Constitution is reverting to the Council's Annual Meeting which is a more traditional timeline and the changes proposed in this report are therefore the first opportunity since the last update in November 2022 to seek the approval of the Council to these proposed amendments.
- 1.5 It should be noted that under the Leader and Cabinet form of executive governance, responsibility for the delegation of executive functions, including those local choice functions which the Council has designated as executive functions, does not rest with the Council, but is the responsibility of the Leader. The Leader may determine to exercise executive functions personally or to delegate their discharge to the Executive, a Committee of the Executive, an Executive Member, an area committee or an officer of the Council (without prejudice to the Leader's ability to exercise such functions personally). Consequently, the recommended delegations of executive functions set out in Part 3: Sections A, B and F of the Constitution are for the purpose of information only; recommended delegations of non-executive functions set out in those sections remain (subject to paragraph 1.6 below) a matter for the Council.
- 1.6 It should further be noted that (subject to limited exceptions, such as Full Council approval of the Licensing Policy Statement) the discharge of the functions of the Council as licensing authority under the Licensing Act 2003 and the Gambling Act 2005, and the further delegation of those functions to officers, is the statutory responsibility of the Licensing Committee. These were affirmed by the Licensing Committee on 23 October 2023. Consequently, the delegations of such licensing authority functions set out in Part 3: Sections C and F of the Constitution are for the purpose of information only; recommended delegations of other non-executive functions set out in those sections remain, however, a matter for the Council.
- 1.7 The proposed changes to the Constitution are set out in the attached revised versions and are shown as "track-changes" for clarity and show new wording in bold. Bold text has also been used to highlight certain changes in officer role titles that might not otherwise be immediately apparent.

1.8 To avoid repetition Members are advised that changes already approved by the Council in year, e.g. to reflect the changes to the remits of Scrutiny Committees and the name changes of the Environment and Climate Change Scrutiny Committee to the Environment, Climate Change and Neighbourhoods Scrutiny Committee and the Economy Scrutiny Committee to the Economy and Regeneration Scrutiny Committee as approved by the Council at its meeting on 17 May 2023 and to reflect the removal of the Code of Corporate Governance from the Constitution approved by the Council on 1 February 2023 will be included in the revised version of the Constitution without seeking further endorsement by the Council in this report.

## **2. General**

2.1 Changes are proposed to the Constitution to update the following which are referenced throughout:

- references to the 'Greater Manchester Transport Committee' have been changed to the 'Bee Network Committee' to reflect the name change to this Committee made by the Greater Manchester Combined Authority.
- References to Executive Members have been changed to refer to their portfolios rather than their title for consistency and for future proofing.
- Where appropriate gender-neutral language e.g. they/them rather than he/she, him /her has been adopted.
- References to 'Deputy Chief Executive and City Treasurer' to 'Deputy Chief Executive' or 'City Treasurer' have been updated throughout the Constitution following the separation of these roles approved by the Council on 20 March 2024. Further detail on this in relation to delegations is set out in Section 4 of this report.
- References to the post of Director HROD have been updated throughout to Director of Human Resources, Organisational Development & Transformation as designated in the report to the Personnel Committee in February 2024.
- Any typographical errors have been addressed.

## **3. Part 2 of the Constitution - Articles**

3.1 In addition to the changes proposed at Section 2 of this report:

- Article 16.4(b) has been updated to change reference to the 'Manchester Clinical Commissioning Group' to 'Greater Manchester Integrated Care Board', to reflect the creation of the Integrated Care Board

- Article 14(4) has been amended to align the contractual threshold in respect of which written contracts are required with current thresholds in relevant legislation as set out in more detail in Section 6 of this report
- The decision of the Council on 20 March 2024 to designate the City Treasurer as “Section 151 Officer”, is reflected in the designation of the post of City Treasurer as “Chief Finance Officer” in Article 12.1(c).

#### **4. Part 3 of the Constitution – Responsibility for Functions**

4.1 In Part 3 Section B (Executive Functions) the functions delegated to the Bee Network Committee have been updated since, as the GMCA is now able to exercise the Road Traffic Act 1988 function in relating to road safety measures itself and has delegated this directly to the Bee Network Committee, this provision is no longer required.

4.2 In Part 3 Section C (Non-Executive Functions):

- The remit of the Standards Committee (as set out in Article 9 of the Constitution) has also been included in Part 3 Section C (Non- Executive Functions) for ease of reference and consistency as the remit of other Committees is set out in in this Section.
- A minor change is proposed in relation to delegations relating to ‘untidy land’ notices. to correspond with a change proposed to the Scheme of Delegation, Details regarding this are set out in paragraph 4 below.
- The remit of the Audit Committee has been updated so that approval of the Code of Corporate Governance is a function of this Committee following removal of the Code of Governance from the Constitution (as mentioned) in paragraph 1.8 of this report.
- The reference to ‘Clinical Commissioning Groups’ has been changed to ‘Integrated Care Boards’ as Integrated Care Boards have replaced Clinical Commissioning Groups.

#### **4.3- The Council’s Scheme of Delegation. (Part 3, Section F of the Constitution).**

##### **4.3.1 General Delegations.**

- A duplicated general delegation to Officers relating to the filling of vacant posts within approved establishments has been removed
- Delegation number 45 (and the Financial Regulations) require that surplus stock, equipment, etc. must be sold to the highest bidder via tender/auction. This has often been found not to represent best value by the time storage, transportation, and auction fees are taken into account. In practice this has been addressed by seeking waivers under the Contract Procurement Rules. To remedy this it is proposed that the procedure for the

disposal of assets is changed from a tender process to a more sustainable and economical methodology which represents best value and/or serves the financial interests of the Council. Linked to this an amendment is proposed to update general delegation 38 to expand the description of the types of assets that may be written off to include surplus or obsolete equipment and office furniture plant, machinery and stock and to require disposals to be either (as now) subject to the agreement of the City Treasurer or in accordance with guidance issued by the City Treasurer. These changes have been requested by the Council's Finance and Procurement Teams.

#### 4.3.2 Chief Executive

- A change is proposed in relation to approval of Special Severance Payments. Determination of severance packages of £100,000 and above are already reserved to the full Council by Article 4 of the Constitution. Statutory guidance published in May 2022 accessible by the following link [Statutory guidance on the making and disclosure of Special Severance Payments by local authorities in England - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/guidance/statutory-guidance-on-the-making-and-disclosure-of-special-severance-payments-by-local-authorities-in-england) states that 'Special Severance Payments' of £20,000 and above, but below £100,000 for reasons of accountability must be personally approved and signed off by the Head of Paid Service (i.e. the Chief Executive), with a clear record of the Leader's approval and that of any others who have signed off the payment. The Statutory Guidance also states that payments below £20,000 must be approved according to the local authority's scheme of delegation.
- In this context in brief 'Special Severance Payments' are payments made to staff and contractors outside of statutory, contractual or other requirements when leaving employment in public service. The Government is of the view that paying additional, discretionary sums, on top of these entitlements ("special severance payments") do not usually provide good value for money or offer fairness to the taxpayers who fund them and so, should only be considered in exceptional cases and should be in line with best value principles including securing value for money in spending decisions. The Statutory Guidance states that the following types of payments are likely to constitute 'Special Severance Payments':
  - a) any payments reached under a settlement agreement between the employer and employee to discontinue legal proceedings without admission of fault
  - b) the value of any employee benefits or allowances which are allowed to continue beyond the employee's agreed exit date
  - c) write-offs of any outstanding loans
  - d) any honorarium payments
  - e) any hardship payments

f) any payments to employees for retraining related to their termination of employment

and that the following do not constitute Special Severance Payments:

a) statutory redundancy payments

b) contractual redundancy payments, whether applicable to voluntary or compulsory redundancy, and whether agreed by collective agreement or otherwise

c) severance payments made in accordance with that local authority's policy adopted pursuant to Regulation 7 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

d) a strain cost paid to the relevant LGPS administering authority under LGPS Regulation 68(2) which results from a LGPS member's retirement benefits becoming immediately payable without reduction under Regulation 30(7), or under Regulation 30(6) where the employer has waived the reduction under Regulation 30(8)

e) payment for untaken annual leave

f) payments ordered by a court or tribunal or agreed as part of a judicial or non-judicial mediation

g) payments made as part of the ACAS Early Conciliation process

h) payments made to compensate for injury or death of the worker

i) payments made in consequence of the award of ill-health retirement benefits under Regulation 35 of the LGPS Regulations

- To give effect to the Statutory Guidance it is proposed to include an additional delegation to the Chief Executive for the payment of Special Severance Payments between £20,000 and up to but not including £100,000 in consultation with the Leader and to add to the City Treasurer's delegations the power to approve Special Severance Payments up to but not including £20,000. The choice of City Treasurer has been informed by the reasons given in the Statutory Guidance regarding the need to ensure value for public money. These changes have been discussed with the City Treasurer and the Director of Human Resources, Organisational Development & Transformation and will bring the position in line with the statutory guidance.
- As now, the position regarding non 'Special Severance Payments' (as these are effectively contractual or statutory payments) will be managed under usual management arrangements and overseen by the Director of Human Resources, Organisational Development & Transformation.



- A further change is requested by the City Treasurer to delete the delegation relating to the Chief Executive attending and voting at meetings of Manchester Airport Holdings Ltd as the Leader of the Council attends such meetings on behalf of the Council as Shareholder and as there is already a delegation to the Chief Executive which would cover this situation if needed (with a minor amendment) making the Airport delegation redundant.

#### 4.3.3 Deputy Chief Executive and City Treasurer

- The delegations to the Deputy Chief Executive and City Treasurer role have been reallocated to reflect that this role has been split between the new City Treasurer and Deputy Chief Executive roles. As shown in more detail in the attached revised Scheme of Delegation, functions that are financial have been allocated to the City Treasurer together with any functions that sit within Teams in his reporting line as set out in the report to the Council's Personnel Committee in February 2024. Allocations have been informed by the historical arrangements in place prior to the merging of these 2 roles and following discussions with the Chief Executive's Office and the City Treasurer.
- In brief all the existing specific delegations of the Deputy Chief Executive and City Treasurer have been moved to the City Treasurer except (in summary) the following which will sit with the Deputy Chief Executive:
  - i. To exercise a strategic overview of the Council's functions and services relating to environmental strategy
  - ii. To consider grievances which cannot appropriately be resolved at departmental level
  - iii. To discharge the functions of the Council relating to Building Cleaning, Depot Facilities Management, Public Conveniences, Security Storage and Archiving and Town Hall Services (including security
  - iv. Insofar as they relate to the Council's operational estate, dealing with all matters relating to the management of the Council's interests in land and property (excluding acquisition and disposal of such interests) and without prejudice to the general delegations of Chief Officers and Chapter 3A Officers in relation to the management of operational land and property or to specific estate management functions delegated to the Strategic Director (Growth and Development)
  - v. Determining appropriate arrangements in relation to the Council's duty to manage asbestos in non-domestic premises insofar as they relate to the Council's operational estate.
  - vi. To pay compensation in lieu of wages to persons excluded from work on public health grounds.
  - vii. To exercise the Council's functions in relation to the naming and numbering of streets and their renaming and renumbering. The existing delegation refers to the powers of street numbering/re-numbering contained in section 22 of the Greater Manchester Act 1981. It is proposed to amend the delegation to also refer to similar powers of street naming/renaming contained in sections 17-19 of the Public Health Act 1925 for the sake of completeness.

- viii. Except where the functions are non-executive, specifically delegated to other officers, delegated to the Greater Manchester Combined Authority or delegated to a joint committee, to discharge the Council's functions in relation to:
- a. On-street and off-street parking including without prejudice to the generality of the foregoing the administration of parking within the Council's remit and dealing with the misuse of permits and the badges on vehicles, included disabled person's badges;
  - b. Parking and Bus lane enforcement (except those relating to appointment etc. of Adjudicators to be discharged by joint committee arrangements) and to approve and authorise officers to undertake the function of cancelling penalty Charge Notices;
  - c. The removal and immobilisation of vehicles in accordance with the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997 and to store and dispose of such vehicles;
  - d. Dealing with abandoned vehicles and vehicles causing a nuisance and to take whatever action is required, including authorisation of entry onto land and premises;
  - e. Providing and maintaining parking spaces on the highway and regulate parking on grass verges, central reservations and footways; and
  - f. Determining applications for operational car parking spaces in the Council's car parks and to reserve car parking spaces in off street car parks for exhibitions and other events, subject to capacity being available.
- ix. To discharge the functions of the Council as Billing Authority for the purposes of the Business Improvement Districts (England) Regulations 2004 and the Business Improvement Districts (Property Owners) (England) Regulations 2014.
- x. To determine (in consultation with the relevant Executive Member) whether to accept, reject or modify any expression of interest in providing a relevant service that is made to the Council under the Localism Act 2011 (Community Right to Challenge).
- xi. To make amendments to the Council's Community Right to Challenge Procedure.
- xii. To have operational responsibility for the Revenue and Benefits Services and in particular to exercise the following functions:
- To assess and administer the Council Tax support scheme and Housing and Education benefits.
  - To determine requests for the award of discretionary housing payments in exceptional circumstances.
  - To grant discretionary rate relief under Section 47 of the Local Government Finance Act 1988.

- To reduce or remit liability for rates under Section 49 of the Local Government Finance Act 1988.
- To reduce the liability of a person for council tax under Section 13A of the Local Government Finance Act 1992.
- To institute and conduct recovery proceedings (including winding up of companies) in relation to council tax, poll tax and national non-domestic rates
- To nominate persons to appear in Courts of Law in connection with any proceedings for distress or other recovery action relating to the National Non-Domestic Rate and Council Tax.

Paragraph xii above would give operational responsibility for the Revenue and Benefits Services to the Deputy Chief Executive in accordance with the Personnel Committee report of February 2024. To ensure however that the City Treasurer is adequately aware of decisions in this area to enable him to properly exercise his general financial supervisory role as Section 151 Officer it is proposed to add a delegation to the City Treasurer as follows:

*Without prejudice to the corresponding delegations to the Deputy Chief Executive, to have a strategic financial oversight in relation to the following functions:*

- a) *the assessment and administration of the Council Tax support scheme and Housing and Education benefits;*
  - b) *the determination of requests for the award of discretionary housing payments in exceptional circumstances;*
  - c) *the granting of discretionary rate relief under Section 47 of the Local Government Finance Act 1988;*
  - d) *the reduction or remission of liability for rates under Section 49 of the Local Government Finance Act 1988;*
  - e) *the reduction in the liability of a person for council tax under Section 13A of the Local Government Finance Act 1992; and*
  - f) *the institution and conduct of recovery proceedings (including winding up of companies) in relation to council tax, poll tax and national non-domestic rates*
- It is also proposed to delete the City Treasurer's delegation in relation to MANSAT in accordance with the instructions of the City Treasurer who has confirmed this company no longer exists.

#### **4.3.4 Strategic Director (Growth and Development)**

- It is proposed to move the delegation currently with the Strategic Director (Growth and Development) relating to preparation and maintenance of Local Development Plans under Part 2 of the Planning and Compulsory Purchase Act 2004 to the Director of Planning, Building Control and Licensing as requested by the latter as in practice this function has been undertaken by the Planning Department from around the time the current Strategic Director

Growth & Development took up their role so this revision would reflect the actual arrangements. It has been indicated that the delegation is infrequently used.

- A delegation proposed to be added to the delegations to the Strategic Director (Growth and Development) to enable them to appoint 'appointing officers' under the Party Wall Act 1996. The Council is required to appoint an officer ('the appointing officer') to appoint a surveyor to resolve disputes under the Act where the parties to the dispute cannot agree on an alternative surveyor themselves. The Council received its first request to undertake this under this Act recently. As there was no existing delegation authority to appoint 'appointing officers' the function was exercised by the Chief Executive as an interim measure (under her general delegation to discharge any function which has not been specifically delegated) and the proposed amendment is to allocate this delegation to the appropriate Chief Officer.

**4.3.5 Strategic Director (Neighbourhoods)** It is proposed to amend delegations to the Strategic Director (Neighbourhoods) relating to estate management to simplify and clarify the wording including separating out the regarding the service of Notices to Quit. The reference to the City Solicitor in his delegation has been deleted as this does not require a specific delegation. It is proposed to add a delegation to enable the Strategic Director of Neighbourhoods to exercise powers to remove of projections from buildings under s 152 of the Highways Act 1980 as this type of enforcement now sits with this Chief Officer.

**4.3.6 Director of Population Health and Wellbeing.** References to 'Public Health England' are proposed to be changed to the 'Office for Health Improvement and Disparities' to reflect that Public Health England has been dissolved and in this context has been replaced by the Office for Health Improvement and Disparities.

**4.3.7 Director of Highways** It has been identified that an amendment is needed to make it clearer that the power for making off street parking places should sit with the Director of Highways. It is proposed to amend the existing Delegation 42(a) to the Director of Highways to include the making of orders concerning pay and display car parks. A new delegation is also to be added to cover the enforcement of Moving Traffic Contraventions under the Traffic Management Act 2004 as approved by the Executive on 14 September 2022. Authority to enforce has previously been sought from the Chief Executive as an interim measure under her general delegation to discharge any function which has not been specifically delegated and the proposed amendment is to provide a specific delegation regarding this to the appropriate officer.

#### **4.3.8 Director of Planning Building Control and Licensing.**

Currently the authority to issue untidy land notices under section 215 of the Town and Country Planning Act 1990 sits with both the Director of Planning Building Control and Licensing and the Strategic Director (Neighbourhoods) in each case with a proviso that each consult with the other before using the power to avoid potential duplicate notices being issued. The Director of Planning Building Control and Licensing has requested (as the power is mainly used by that Director's Service) for

efficiency that the need for consultation by her with the Strategic Director (Neighbourhoods) is removed. The requirement for consultation with the Director of Planning Building Control and Licensing by the Strategic Director (Neighbourhoods) is retained which should solve any potential duplication of services of such notices.

## 5. Part 4 – Rules of Procedure

5.1 In addition to the changes referred to in Section 2 of this report it is proposed to make minor amendments as follows:

- **The Council Procedure Rules.** An update to Rule 11 of the Council Procedure Rules is proposed to provide that in addition to cancelling or postponing meetings, meetings dates may also be brought forward. This is intended to cover exceptional circumstances such as moving a Council meeting from the pre- election period as approved by Council at its meeting in October 2023.
- **Access to Information Rules.** Rule 15 of the Access to Information Procedure Rules (Part 4, Section B) is proposed to be revised in line with changes requested in 2023 by the Council's then Deputy Chief Executive and City Treasurer to:
  - remove the exemption relating to Direct Service Organisations / Direct Labour Organisations as these references are no longer relevant. and
  - to add two new exemptions to the definition of 'key decision' to cover situations where urgency is invariably required. One relates to care plans where the need to provide sometimes high value care packages for children and adults with complex needs can arise suddenly for example following a court decision and the other in relation to certain officer decisions that need to be taken urgently out of hours to implement Council's Emergency Management Plan. The reasoning for this is it would be better for such decisions to be exempted from the key decision definition rather than have to apply the urgency provisions in each case.
- **Scrutiny Procedure Rules.** Updates are proposed to the Scrutiny Procedure Rules (Part 4, Section E) of the Constitution:
  - to change references to the 'Manchester Clinical Commissioning Group' to 'Greater Manchester Integrated Care Board' to reflect the creation of the Integrated Care Board.
  - to add wording in Rule 13.5 to clarify for the avoidance of doubt that a decision may not be called-in if the relevant Scrutiny Committee has already wholly endorsed the particulars of the decision which reflects current practice
- **The Officer Employment Rules** (Part 4 Section E) have been updated to change the reference to 'Proper Officer' in Annex 1 and Annex 3 to

‘Deputy Chief Executive’ in line with arrangements in place before the merger of this role with that of the City Treasurer.

## **6. Part 5 – Financial Procedures**

- 6.1 In addition to the changes referred to in Section 2 of this report in **Section C Financial Systems and Procedures** as requested in 2023 by the then Deputy Chief Executive and City Treasurer it is proposed to add an approval procedure to ensure the Council complies with the Subsidy Control Act 2022 when giving financial assistance. The Subsidy Control Act replaces the state aid provisions following the UK leaving the European Union. Provisions on the disposal of assets has been added from the Contract Procurement Rules. Changes are proposed (as indicated at paragraph 4 above) in relation the wording relating to disposal of assets for consistency.
- 6.2 In **Section D Contract Procurement Rules** – It is proposed to increase the financial thresholds from £25,000 to £30,000 to reflect the increased thresholds in national legislation. A number of drafting changes are proposed to future proof contract procedures to reflect new legislation. Provisions on the disposal of assets has been removed and added to Part C of the Financial Procedure Rules as it sits more closely in this Part. A technical change is proposed to the wording in relation to sealing of documents (replacing the reference to consecutive sealing number with unique sealing number) to facilitate the move to electronic sealing of documents as part of the move to increased use of technology.
- 6.3 Changes to Part 5 have been made in accordance with instructions from the Council’s Finance and Procurement Teams

## **7. Part 6 – Codes and Protocols**

- 7.1 The Planning Protocol has been updated to reflect minor changes endorsed by the Council’s Standards Committee in June 2023 and reported to full Council as part of the minutes of that meeting.
- 7.2 A proposed amendments to the Use of Resources Guidance for Members were supported by the Standards Committee at its meeting in June 2023 and adopted by Council at its meeting in July 2023. The main changes relate to Information Security including completion of cyber security e-learning, and to clarify that ‘@manchester.gov.uk’ email addresses and Councillor telephone numbers are Council resources. The only further amendment proposed relates to the name change of the ‘Greater Manchester Transport Committee’ to the ‘Bee Network Committee’.

## **8. Part 7 of the Constitution – Members’ Allowances Scheme**

- 8.1 Members Allowances are independently recommended to the Council.

- 8.2 In February 2022 the Council's Independent Remuneration Panel (IRP) issued a report that recommended that a number of amendments be made to the Members Allowances Scheme. Those recommendations were reported to Council on 18 May 2022 and the recommendations were agreed by Council.
- 8.3 Unfortunately, one of the recommendations of the IRP, in relation to broadband allowances to Members, was not referenced in the report to Council. In relation to this the IRP recommended as follows:

**“Expenses deemed included within the Basic Allowance**

32. Currently, the Basic Allowance has been deemed to be sufficient to cover broadband provision, in-City travel and parking, in-City subsistence, all telephone expenses (including mobile phone) office and all other incidental expenses not otherwise expressly specified in the allowances scheme.
33. There was some very limited representation arguing that the Basic Allowance should not be deemed to cover broadband, telephone and printing costs on the basis that the Basic Allowance was no longer sufficient.
34. The IRP notes that it is common for the Basic Allowance in the more compact Councils includes in-City travel and subsistence expenses. It is now common for the same to apply to broadband and telephone costs as broadband and telephones are now so omnipresent to be perceived as a utility. As such, the IRP has not changed the current range of expenses that the Basic Allowance is deemed to cover.
35. The IRP recommends that there should be no change to the current range of expenses that the Basic Allowance is deemed to include.”
- 8.4 No Member of the Council currently receives the £15 per month payment in respect of their broadband usage.
- 8.5 Given the above the Council is recommended to agree the deletion of paragraph 15 of the Members' Allowances Scheme.

**9. Part 8 of the Constitution – Management Structure**

- 9.1 It is proposed that amendments are made to the management structure set out in Part 8 of the constitution to reflect changes to the senior management structure.

**10. Recommendations**

- 10.1 The recommendations appear at the beginning of this report.