

Constitutional and Nomination Committee

Minutes of the meeting held on Wednesday, 15 May 2019

Present:

Councillor Karney – in the Chair

Councillors Curley, Flanagan, Lanchbury, Leech, S Murphy and N Murphy

Apologies: Councillors Leese, Razaq and Reeves

CN/19/7 Minutes

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

CN/19/8 Membership of Committees 2019/20 and Appointment of Chairs of Committees

A report was submitted which asked the Constitutional and Nomination Committee to make recommendations to the Council about the size and composition of the Council's committees and to appoint chairs and deputy chairs of the committees.

The Committee expressed its thanks to the staff of the Council who had helped with the compilation of the membership details for all the committee appointments and other positions.

The Committee noted where for the purposes of Political Balance in accordance with rule 6.6 of the Council Procedure Rules the Opposition Group of the Council was entitled to a place on a committee and had not taken up that place.

The details of appointments of chairs and members of the committee are listed below:

Decision

To recommend to Council the appointment of the following members to the Executive Standing Panel for 2019/20:

Executive Standing Consultative Panel

Councillors -

Ilyas	S Judge	Karney	Leech	Midgeley
M Sharif Mahamed	Sheikh	Taylor		

Chairs and Deputies

Decisions

1. To recommend to Council the appointment of the following members as chairs of scrutiny committees for the next municipal year:

Young People and Children	Councillor Stone
Communities and Equalities	Councillor Hacking
Economy	Councillor H Priest
Resources and Governance	Councillor Russell
Neighbourhoods and Environment	Councillor Igbon
Health	Councillor Farrell

2. To recommend the Council to appoint the following members as chairs and deputy chairs of the non executive committees for the next municipal year:

Committee	Chair	Deputy Chair
Audit	Councillor Ahmed Ali	
Planning & Highways	Councillor Curley	Councillor N. Ali
Licensing and Appeals	Councillor Ludford	Councillor Grimshaw
Licensing Committee	Councillor Ludford	Councillor Grimshaw
Licensing Policy	Councillor Ludford	Councillor Grimshaw
Constitutional and Nomination	Councillor Karney	
Personnel	Councillor Ollerhead	

Membership of Committees

The Committee reviewed the membership of committees.

Decision

To recommend to Council the membership of committees for the municipal year 2019/20 as follows:

Scrutiny Committees

Children and Young People (at least 10 members)

Councillors -

Kilpatrick	S. Ali	Alijah	Hewitson	T. Judge
Lovecy	McHale	Madeleine Monaghan	Rawlins	Reeves
Reid	Sadler	Stone (Chair)	Wilson	

Co-opted Members

Representative of the Diocese of Manchester – Vacant*
 Representative of the Diocese of Salford – Mrs Julie Miles*
 Parent governor representative – Mr Ade Arogundade*
 Parent governor representative – Dr Walid Omara*
 Parent governor representative – Ms Zaneta Stepan*
 Secondary sector teacher representative – Mr Liam Duffy

Primary sector teacher representative – Mr Russell Lammas * denotes members with voting rights on education matters

Communities and Equalities (at least 10 members) - a position on the Committee has not been taken up by the Liberal Democrats Group

Councillors -

Andrews	Chambers	Collins	M. Dar	Doswell
Douglas	Evans	Grimshaw	Hacking (Chair)	Kirkpatrick
Rawson	Rowles			

Neighbourhoods & Environment (at least 10 members)

Councillors -

Azra Ali	Appleby	Butt	Flanagan	Harland
Hassan	Hughes	Igbon (Chair)	Jeavons	Kilpatrick
Lynch	Lyons	Razaq	Sadler	Strong
Whiston	White	Wright		

Economy (at least 10 members)

Councillors -

Abdullatif	Douglas	Green	Hacking	Hitchen
Johns	Noor	H. Priest (Chair)	Raikes	Shilton Godwin
K. Simcock	Stanton			

Health (at least 10 members) – a position on the has not been taken up by the Liberal Democrats Group

Councillors -

Curley	Farrell (Chair)	Holt	Mary Monaghan	Newman
Riasat	Watson	Wills	Vacant	Vacant

Resources and Governance (at least 10 members)

Councillors -

Ahmed Ali	Andrews	Battle	Clay	Davies
Lanchbury	Moore	O'Neil	B. Priest	Russell (Chair)
A Simcock	Stanton	Wheeler		

Non Executive Committees

Art Galleries Committee - In addition to the members of the Council, 7 persons are to be nominated by University of Manchester. (14 elected members)

Councillors -

Akbar	Bridges	Craig	Leech	Leese
N Murphy	S Murphy	Ollerhead	Stogia	Richards
Rahman	7 x Co-opted			

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

Councillors -

Ahmed Ali (Chair)	Clay	Lanchbury	Russell	Stanton
Watson	Vacant	Vacant	Vacant	Vacant
Vacant	Dr D Barker (Co-opted member)	Mr S Downs (Co-opted member)		

Planning and Highways Committee (up to 15 members) – a position on the Committee has not been taken up by the Liberal Democrats Group

Councillor

Nasrin Ali	Shaukat Ali	Clay	Curley (Chair)	Y. Dar
Davies	Hitchen	Kamal	Lovecy	Lyons
Madeleine Monaghan	Riasat	Watson	White	Wilson

Licensing and Appeals Committee (not less than 10 and not more than 15) – a position on the Committee has not been taken up by the Liberal Democrats Group

Councillors -

Evans	Grimshaw	Hughes	Jeavons	T. Judge
Ludford (Chair)	Lyons	McHale	Madeleine Monaghan	Reid
Stone	Lynch			

Licensing Committee (not less than 10 and not more than 15) - a position on the Committee has not been taken up by the Liberal Democrats Group

Councillors -

Evans	Grimshaw	Hughes	Jeavons	T. Judge
Ludford (Chair)	Lyons	McHale	Madeleine Monaghan	Reid
Stone	Lynch			

Licensing Policy Committee (up to 6) - a position on the Committee has not been taken up by the Liberal Democrats Group

Councillors -

Akbar	Davies	Grimshaw	Ludford (Chair)		
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Standards Committee (6 members of the Council, 1 Ringway Parish Councillor and 2 Independent members)

Councillors -

Andrews	Evans	Kilpatrick	Lanchbury	A Simcock
Nicole Jackson (Co-opted Independent Chair)	Cllr O'Donovan (Ringway PC)	Geoff Linell (Co-opted Independent)	Sarah Beswick (Co-opted Independent)	

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

Personnel Committee - Membership formula comprises the Leader of the Council, all members of the Executive, one Assistant Executive Member, one member of the Liberal Democrats Group.

Councillors -

Akbar	Bridges	Craig	Leech	Leese
N Murphy	S Murphy	Ollerhead (Chair)	Stogia	Richards
Rahman	Sheikh			

Employee Appeals Committee (Formulaic Membership)

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

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

Councillor Leech
Councillor Stone
Councillor Evans
Councillor Reid
Councillor Strong
Councillor Rawlins
Councillor N Ali
Councillor Watson

Constitutional and Nomination Committee (10 members)

Councillors -

Curley	Karney (Chair)	Lanchbury	Leech	Leese
N Murphy	S Murphy	Razaq	Reeves	

Health and Wellbeing Board

1. To recommend membership as follows:

Councillor Richard Leese, Leader of the Council (Chair)
Councillor Craig, Executive Member for Adults (MCC)
Councillor Sue Murphy, Executive Member for Public Service Reform (MCC)
Councillor Bridges, Executive Member for Children's Services (MCC)
Dr Ruth Bromley, Chair Manchester Health and Care Commissioning
Dr Denis Colligan, GP Member (North) Manchester Health and Care Commissioning
Dr Murugesan Raja GP Member (Central) Manchester Health and Care Commissioning
Dr Claire Lake Member (South) Manchester Health and Care Commissioning
Kathy Cowell, Chair, Manchester University NHS Foundation Trust
Jim Potter, Chair, Pennine Acute Hospital Trust
Rupert Nichols, Chair, Greater Manchester Mental Health NHS Foundation Trust
Mike Wild, Voluntary and Community Sector representative
Vicky Szulist, Chair, Healthwatch
Dr Tracey Vell, Primary Care representative - Local Medical Committee
Paul Marshall, Strategic Director of Children's Services
David Regan, Director of Public Health
Bernadette Enright, Director of Adult Social Services
Dr Angus Murray-Browne, South Manchester GP federation
Dr Vish Mehra, Central Primary Care Manchester
Dr Amjad Ahmed, Northern Health GP Provider Organisation

2. To also recommend that Council approves that Health and Wellbeing Board member organisations can appoint a named substitute.

CN/19/9 Appointments to Joint Authorities and Joint Committees

The Committee was invited to review the appointments and make recommendations for appointments to the Combined Authority, joint authorities and joint committees together with the appointment of spokespersons to answer questions about the work of the joint authorities at meetings of the Council as outlined in Council Procedural Rule 24.

Decisions

To appoint the following members to serve on the Joint Authorities for the 2019/20 Municipal Year:

Greater Manchester Waste Committee

Councillors Akbar and Shaukat Ali

Greater Manchester Combined Authority

Councillor Leese (Deputy Leader as a substitute)

To appoint the following members to serve on the joint committees for the 2019/20 municipal year:

Patrol Adjudication Joint Committee

Councillor Stogia

Transport for Greater Manchester Committee

Councillors Hassan, Newman (substitute), Noor (Substitute), Stogia

AGMA Executive Board

Councillor Leese (2 Deputy Leaders as a substitute)

AGMA Statutory Functions Committee

Councillor Stone

Manchester and Trafford Joint Health Scrutiny Committee – 5 seats (1 substitute) - A position on the Joint Committee has not been taken up by the Liberal Democrats Group

Councillors Newman, Reid, Wilson and Reeves. 1 Vacancy.

Greater Manchester Police, Fire and Crime Panel (1 member)

Councillor N. Murphy

Greater Manchester Joint Health Scrutiny Panel (1 member)

Councillor Holt (Councillor Reid as substitute)

To appoint the following members to serve on the other bodies for the 2019/20 municipal year:

Manchester Port Health Authority

Councillors Sameem Ali, Lanchbury, Leech

Schools Forum

Councillor Stone (plus 1 substitute)

The Committee appointed the following to the Joint Authorities the following members to act as Spokespersons in accordance with Section 41 of the Local Government Act 1985 –

The GMCA's constitution approved at the 30 June 2017 meeting confirmed that the GMCA should have the following three scrutiny committees:

(a) Corporate Issues and Reform

- Matters of coordination and cross cutting policy themes
- Devolution and legislative matters
- Budget oversight and other financial matters
- GMCA organisational and staffing issues
- GM communications
- GM Connect data sharing

- GM's reform work
- Fire and rescue functions
- Fairness, equalities and cohesion

(b) Economy, Business Growth and Skills

- Investment
- Science and technology
- GM's global brand
- Culture, leisure and sport
- Improving GM's international competitiveness
- Business support
- Skills and employment to support business growth

(c) Housing, Planning and Environment

- Transport
- Regeneration
- Housing and planning
- Low carbon
- Waste

Decision

1. To make nominations for membership of the 3 GMCA Scrutiny Committees of Councillors Leech, Raikes, Shilton Godwin, with a pool of people who are Councillors Clay, Doswell, Hitchen, Lyons and Wheeler.

(4 of these nominations should be from the ruling group and 2 from the major opposition group, except where there is a hung council (or no opposition group). Districts with a 3 way hung council are expected to be politically inclusive in their nominations. One of those two positions has not been taken up by the Liberal Democrats Group.

CN/19/10 Appointment of Lead Members

To appointed the following lead members –

LGBT Men's Lead	Councillor Wills
LGBT Women's Lead	Councillor Craig
Intergenerational Issues	Councillor Holt
Race	Councillor Ahmed Ali
City Centre	Councillor Karney
Disability	Councillor Rawlins
Age Friendly Manchester	Councillor Watson
Women	Councillor S Judge
Active Travel	Councillor Shilton Godwin
Mental Health Champion	Councillor Midgeley
Carers Champion	TBC

CN/19/11 Terms of Office of the Independent Members of the Standards Committee and the Independent Persons

The Council has a Standards Committee the role of which includes promoting and maintaining high standards of conduct by Councillors, Co-opted Members and church and parent governor representatives. In 2015 the Council appointed 2 Independent Members to its Standards Committee and 2 'Independent Persons' each for 4 year terms. A report by the City Solicitor invited the Committee to consider the extension of the terms of office of the Council's Independent Members of the Standards Committee and the Independent Persons for a further two years, all of whom would otherwise leave office in November 2019. The extension to the terms of office was supported by the Standards Committee.

Decision

To recommend that Council 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.

CN/19/12 The Council's Constitution

The Committee considered the report of the City Solicitor setting out proposed changes to the Council's Constitution.

The report described the changes that had been made.

Decisions

1. To recommend that the Council 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 recommend that the Council 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 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 this report represents an interim review of the Constitution and a report on a full review will be brought to the Council's October meeting.

CN/19/13 Greater Manchester Transport Committee - Roles and Responsibilities

This report outlined the current GM transport governance arrangements. In the context of the Devolution Agreement and specifically the GMCA Transport Order 3, it also presented some broad revised terms of reference for a reconstituted GM Transport Committee, options for its structure, responsibilities and examples of how it might work in practice.

There has been significant change to GM governance since 2011, when the existing Transport for Greater Manchester Committee was established. In that time period, the mayoral combined authority has been established, major reforms of scrutiny arrangements and the former waste, fire and police authorities undertaken, and more recently the confirmation of GM Order 3 (which was agreed by all of the Districts) has specific implications for transport governance.

The proposed Terms of Reference for the Committee were included in the Operating Agreement (Schedule 1). They set out the key areas of work for the Committee and the delegations from the Mayor, GMCA and the districts. The Terms of Reference more accurately reflect the proposed role of the Committee and do not make any changes to the delegations from the Districts.

The first Operating Agreement was entered into between GMCA and the districts in 2011. It set out how the Committee would be appointed to, the Terms of Reference of the Committee, and other provisions relating to Transport Protocols, funding and scrutiny arrangement.

The proposed amendments update the membership and appointment process; include the Mayor as a signatory as he now has specific transport powers; deletes the references to a joint scrutiny committee as the CA now has Scrutiny functions; retains the same funding provisions and the Rules of Procedure.

Decision

To recommend that Council: -

1. Approve the establishment of the new GM Transport Committee as a joint committee of the 10 districts, GMCA and Mayor.
2. Approve the Terms of Reference and Operating Agreement for the Committee as set out in Schedule 1 of the report.
3. Delegate the functions as set out in the Terms of Reference to the Transport Committee.

4. As set out above in minute CN/19/08 - appoint two members to the Transport Committee for 2019 – 2020, one being the Executive Member for Environment, Planning & Transport, and one other Councillor.
5. As set out above in minute CN/19/08 - appoint as a substitute for the Executive Member the Assistant Executive Member for Environment, Planning & Transport, and to appoint another Councillor as the second substitute.

CN/19/14 Redesignation of polling places for the European Parliamentary Elections on 23 May 2019.

Not all of the locations used as polling places in the Local Election on 2 May are also available at short-notice for use for the European Parliamentary Elections on 23 May. Where a polling place was not available to Chief Executive used delegated powers to re-designate an alternative.

Ward / District – Cheetham, Deansgate 1CTB/1DGA

As a result of the short notice given for the European Parliamentary Elections the Electoral Services Unit was unable to secure a booking for the polling station currently designated for the 1CTB / 1DGA polling district located at The Park Inn, Cheetham Hill Road. It has not been possible to secure a polling place within either of the polling districts. However, an alternative polling place for the EPE only has been identified at Manchester Cathedral Visitors Centre. Although it is located in the adjoining polling district 2DGC, it is in a well-known location and is accessible to all electors. Having consulted the relevant Councillors, the Chief Executive made the decision to re-designate on a temporary basis this polling place for the EPE only.

Ward / District - Chorlton Park - 4CPA

As a result of the short notice given for the European Parliamentary Elections the Electoral Services Unit was unable to secure a booking for the polling place currently designated for the 4CPA polling district which is at Loreto High School. Exams are taking place in the school at this time. Unfortunately, the Maris Centre on the same site is also not available for use. An alternative location, for the EPE only, has been identified as the Function Room located within Sai Spice Indian Restaurant on Mauldeth Road West. This is on the ground floor, is accessible to electors and has some parking available outside. Having consulted the relevant Councillors, the Chief Executive made the decision to re-designate on a temporary basis this polling place for the EPE only.

Ward / District - Didsbury West - 4DWE

As a result of the short notice given for the European Parliamentary Elections the Electoral Services Unit was unable to secure a booking for the polling place currently designated for the 4DWD polling district located at St James and Emmanuel Church Parish Centre. An alternative location, for the EPE only, has been identified as Ivy Church Manchester, which is also the polling place for 4DWE. The building is well known to local residents and has enough space to accommodate both stations.

Having consulted the relevant Councillors, the Chief Executive made the decision to re-designate on a temporary basis this polling place for the EPE only.

Ward / District - Fallowfield – 3FAD

As a result of short notice given for the European Parliamentary Elections the Electoral Services Unit was unable to secure a booking for the polling place currently designated for the 3FAD polling district located at the Armitage Centre. An alternative location, for the EPE only, was identified at Owens Park. This polling place is already used by electors in polling district 3FAE. There is enough room for all electors from both polling districts to use this polling place and the building is well known to all electors in the area. Having consulted the relevant Councillors, the Chief Executive made the decision to re-designate on a temporary basis this polling place for the EPE only.

Decision

To note and endorse the urgent decisions made by the Chief Executive to change the scheme of polling places to be in use for the European Parliamentary Elections later this month.