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Chief Executive

**THE CIVIC MAYOR, CHAIR OF
COUNCIL BUSINESS AND ALL
MEMBERS OF THE COUNCIL**

Steven Pleasant, Chief Executive
Tameside One, Market Place, Ashton-
under-Lyne, OL6 6BH

www.tameside.gov.uk

Email: Robert.landon@tameside.gov.uk

Our Ref	rl/Council
Ask for	Robert Landon
Direct Line	0161 342 2146

Dear Councillor,

You are hereby summoned to attend an **ORDINARY MEETING** of the Tameside Metropolitan Borough Council to be held on **Tuesday, 23rd July, 2019 at 5.00 pm** in the **Conference Room, Guardsman Tony Downes House, Droylsden** when the undermentioned business is to be transacted.

Yours faithfully,



**Steven Pleasant
Chief Executive**

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Robert Landon, Head of Democratic Services, to whom any apologies for absence should be notified.

Item No.	AGENDA	Page No
1.	CIVIC MAYOR'S ANNOUNCEMENTS The Civic Mayor to make any appropriate announcements. At this juncture the Civic Mayor will retire from the Chair and the Chair of Council Business shall assume the Chair for the remaining business.	
2.	MINUTES That the Minutes of the proceedings of the Annual Meeting and Special Meeting of Council held on 21 May 2019 be approved as correct records and signed by the Chair of Council Business (or other person presiding) (Minutes attached). Members are asked to agree that the minutes of the meeting of Council held on 26 February 2019 be amended to remove Councillor Buglass from the list of those present at the meeting.	1 - 16
3.	DECLARATIONS OF INTEREST To receive any declarations of interest from Members of the Council.	
4.	COMMUNICATIONS OR ANNOUNCEMENTS To receive any announcements or communications from the Chair of Council Business, the Executive Leader, Members of the Executive Cabinet or the Chief Executive.	
5.	COUNCIL BIG CONVERSATION To consider any questions submitted by Members of the public in accordance with Standing Orders 31.12 and 31.13.	
6.	MEETING OF EXECUTIVE CABINET To receive the minutes of the Meeting of the Executive Cabinet held on 26 June 2019.	17 - 24
7.	MEETING OF DEMOCRATIC PROCESSES WORKING GROUP To receive the minutes of the Meeting of the Democratic Processes Working Group held on 8 July 2019.	25 - 30
8.	AMENDMENTS TO AGMA CONSTITUTION To consider the attached report of the Executive Leader/Director (Governance and Pensions).	31 - 72
9.	TAXI LICENSING To consider the attached report of the Executive Member (Neighbourhoods, Community Safety and Environment)	73 - 82

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10. MEMBERSHIP OF COUNCIL BODIES

To agree the following changes to Council bodies:

- (i) That Councillors Dawson Lane, J Fitzpatrick, Quinn and Ricci be removed from the Integrated Care and Wellbeing Scrutiny Panel.
- (ii) That Councillor Jackson be added to the Integrated Care and Wellbeing Scrutiny Panel
- (iii) That Councillors Hollinshead and J Fitzpatrick replace Councillors Gosling and J. Lane be replaced by Councillor Hollinshead on the Place and External Relations Scrutiny Panel
- (iv) That Councillor Quinn replace Councillor Hollinshead on the Speakers Panel (Licensing)
- (v) That Councillor Newton be removed from Speakers Panel (Liquor Licensing)
- (vi) That Councillor Sharif be removed from Speakers Panel (Planning)
- (vii) That Councillor Gosling be added to the Carbon and Waste Reduction Panel.
- (viii) That Councillors Ryan (Tameside) and Pantall (Stockport) be appointed as GM Pension Fund Observers in accordance with statutory guidance.

11. NOTICES OF MOTION

83 - 84

To consider the following motions:

Motion in the name of Councillor Mills:

That this Council believes that bus services are crucial to our residents when travelling around our borough and Greater Manchester as a whole. This Council also believes that buses are vital for residents accessing important health services such as GP surgeries; getting to and from places of employment and living day to day lives. Furthermore, this Council believes that the regulation of buses is essential in the creation of a sustainable and environmentally healthy city region.

Under deregulation the existing bus system across Greater Manchester has not been fit for purpose. It is important that as a result of this we note the following:

- *80% of public transport journeys in Greater Manchester are done by*

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bus.

- *Bus deregulation happened across most cities and town in the UK in the 1980s, meaning that bus companies can run whatever routes they like, charging whatever they choose, with various ticketing structures. 140 types of tickets are available in Greater Manchester.*
- *A regulated network is how buses are in London and Jersey. In these places a local transport authority sets prices, routes and develops standard ticketing systems. In London, Transport for London puts all bus routes out to tender and buys the service from a company.*
- *Regulation mean profits can be used to subsidise socially necessary services. It also allows a simple smart ticket system, with an automatic daily cap of spend, like the oyster card in London. Without regulation, a simple and single area-wide zonal ticket, with an automatic cap on spend (examples include London's oyster card), is impossible.*
- *76% of people in Greater Manchester want buses to be regulated, according to recent polling.*
- *Bus journeys have declined by 40% in Greater Manchester since deregulation, while in London bus use has doubled. In Jersey, bus ridership has gone up by 32% in the last five years alone.*

This Council believes that local government should have the ability to plan, join up and design the bus network in Greater Manchester, and compel bus companies to deliver certain standards. Our current bus network is far too vulnerable to instabilities as we have seen, with routes changed and fares raised, hitting some of our most vulnerable residents.

The announcement of the Our Pass and Our Network schemes by the Mayor of Greater Manchester are welcomed, along with the recent public announcement by the Greater Manchester Combined Authority that bus franchising is the preferred option for buses across the city region. However this council believes that these are only the first steps in ensuring that the best bus services possible are delivered to not only the residents of our borough but of the city region as a whole.

Therefore, this Council resolves to support the Better Buses for Greater Manchester campaign, which is calling for better, regulated buses.

Motion in the name of Councillor Cooney

The Council notes that:

Unite has members across many different sectors of the economy and following the merger with UCATT last year, represent a significant amount of people employed in the construction industry.

Unite Union contacted Tameside Council as part of their campaign to engage with all Council / Group Leaders across the country regarding their Construction Charter, seeking support to have these terms nationally agreed as minimum standard in any local authority procurement policy.

The Unite Construction Charter is part of a priority campaign within this sector

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to address the practices by some firms that compromise employment protections that their members should enjoy.

The Council recognises that it has a major part to play in this ongoing strategy, specifically relating to the role of construction projects within the local authority.

The Unite Construction Charter is aligned to the Council's ethical approach to procurement and contains many beneficial clauses including essential points on Health and Safety, standards of work, apprenticeship training and implementation of appropriate nationally agreed terms and conditions of employment.

The Charter applies to contractors, sub-contractors and their supply chain engaged on construction projects awarded by a local authority.

By approving and including the Charter in the Council's ethical approach to procurement, contracts between the Council and contractors in the construction industry will be strengthened. This Charter also aligns itself to the modern slavery and Human Trafficking Policy the Council has already adopted.

Unite is calling on the Council to sign the attached charter.

This Council resolves that: (1) The Council signs the attached Unite Construction Charter. (2) The Charter is incorporated in to the Council's Procurement Rules and applied to all new construction projects commissioned by the Council.

Motion in the name of Councillor Dickinson

That this Council recognizes the strength of public feeling and acknowledges the work already undertaken by the Save Stamford Park Greenhouse Group in their efforts to save the building.

Since the demolition plans were announced to the public, the group has formed, has nearly 2,000 members and a petition with over 4,000 signatures.

Despite Stamford Park being the largest park in the Borough and had a £4 million lottery investment, I would like this Council to note that prior to the decision being made only the Stalybridge North Councillors were consulted regarding the proposals.

Given the conservatory has already been fenced off for four years, we strongly believe a further six months will make no difference to this Council.

Therefore, as I am very proud that the people of Tameside have come together to fight this decision, we propose that the scheduled demolition be postponed until March 2020 in order to allow the Save Stamford Park Greenhouse Group to apply for funding and explore options to keep the building.

12. QUESTIONS

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Robert Landon, Head of Democratic Services, to whom any apologies for absence should be notified.

To answer questions (if any) asked under Standing Order 17.2, for which due notice has been given by a Member of the Council.

13. URGENT ITEMS

To consider any other items which the Chair of Council Business (or other person presiding) is of the opinion shall be dealt with as a matter of urgency.

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Robert Landon, Head of Democratic Services, to whom any apologies for absence should be notified.

Agenda Item 2

COUNCIL

21 May 2019

Present: Councillors Kitchen (Chair), Billington, Bowden, Bowerman, Boyle, Bray, Cartey, Chadwick, Choksi, Cooney, Cooper, Dickinson, Drennan, Fairfoull, Feeley, J Fitzpatrick, P Fitzpatrick, Glover, Gosling Gwynne, Hollinshead, J Homer, S Homer, Huntbach, Jackson, Lewis, McNally, Martin, Mills, Naylor, Newton, Owen, Pearce, Reid, Ricci, Robinson, Ryan, Sharif, Sidebottom, M Smith, T Smith, Sweeton, Taylor, Ward, Warrington, R Welsh, Wild and Wills

**Apologies for
Absence:** Councillors Affleck, Alam, Buglass, A Holland, B Holland, D Lane, J Lane, Patrick and Quinn.

1 ELECTION OF CIVIC MAYOR

It was moved by Councillor Warrington and seconded by Councillor Fairfoull that the appointment of the Civic Mayor for the Municipal Year 2019/20 be deferred until 6.00pm for the ceremonial part of the meeting.

RESOLVED

That this item be deferred until 6.00pm for the ceremonial part of this meeting.

2 APPOINTMENT OF CHAIR OF COUNCIL BUSINESS

It was moved by Councillor Warrington and seconded by Councillor Fairfoull that Councillor Kitchen be appointed Chair of Council Business for the Municipal Year 2019/20.

RESOLVED

That Councillor Kitchen be appointed Chair of Council Business for the Municipal Year 2019/20.

3 CIVIC MAYOR'S ANNOUNCEMENTS

The Civic Mayor extended a warm welcome to newly elected Members and congratulated those Members who were re-elected at the Local Elections on 2 May 2019 and wished them a successful term of office.

(Councillor Kitchen, Chair of Council Business, in the Chair)

4 DECLARATION OF INTEREST

There were no declarations of interest.

5 ELECTION OF COUNCILLORS

A report of the Returning Officer was received detailing the persons elected to the office of Councillor for the Wards of the Borough. For details see **Appendix A** to the minutes.

RESOLVED:

That the report be noted.

6 COUNCIL MINUTES

Consideration was given to the minutes of the meeting of Council held on 26 February 2019.

RESOLVED

That the Minutes of the meeting of Council held on 26 February 2019 be signed by the Chair of Council Business as a correct record.

7 APPOINTMENT OF EXECUTIVE LEADER

It was moved by Councillor Fairfoull and seconded by Councillor Gwynne that Councillor Warrington be appointed as Executive Leader of the Council for the Municipal Year 2019/20.

RESOLVED

That Councillor Warrington be appointed as the Executive Leader of the Council for the Municipal Year 2019/20.

8 EXECUTIVE LEADER'S ADDRESS

The Executive Leader began by explaining that the Annual Council meeting by welcoming newly elected Members to the Council.

The Executive Leader set out priorities for the forthcoming Municipal Year and had amended the structure and Membership of the Executive Cabinet to enable the leadership to deliver on those priorities. The first of these would be to develop the built environment through encouraging growth and infrastructure, creating jobs and improving services for residents. This would include work to preserve Tameside's natural environment, raising awareness not just of greenspaces and areas of beauty, but also how they can help improve the health and quality of life of residents. Work would continue to build on the Tameside Green Summit such as reducing the energy demand across the corporate estate through management and retrofitting. Over 4,500 trees had been planted in 2019, beating the established target by 1,115. A Refill Tameside campaign was to be launched, encouraging residents to swap plastic water bottles for reusable alternatives that can be refilled for free at local businesses. The public consultation on the Greater Manchester Clean Air Plan was ongoing with the Executive Leader encouraging all residents to take part.

The Executive Leader highlighted that following the opening of Tameside One 6,000 residents had visited the new library within the first week; double that of the old Ashton Central Library. That popularity had been maintained, with visitor numbers consistently averaging over 5,000 a week since. Construction was progressing on two other major infrastructure projects. The new transport hub in Ashton-under-Lyne when completed would encourage the use of public transport across the borough and connect to the wider Greater Manchester economy, into Yorkshire and beyond. The structural work for the Denton Wellness Centre was underway, and had been complemented with a £1.5 million grant award by Sport England. Investment in Stalybridge and Hyde town centres was a priority and formal submission of bids to receive a share of the government's £675 million Future High Streets Fund had been made.

A further area of focus was the continuation of work to integrate health and social care, including the opening of five Primary Care Access Service hubs, and the Urgent Treatment Centre at Tameside Hospital. Working alongside existing neighbourhood teams and building on existing good practice, these networks would help guarantee residents access to place-based, high-quality and person-centred care. Mental Health services would continue to be a high priority, by 2021 funding would be doubled for initiatives to tackle mental health issues in Tameside and Glossop to £5 million. This would be backed up by the Suicide Prevention Strategy, which set out a comprehensive approach to reduce suicide rates in Tameside by at least 10% within a year.

The Executive Leader set out how care for elderly residents was being revolutionised to empower residents to live a full and independent life with help from £3.1 million from the GM Transformation Fund. Work in this area had already been recognised nationally, as no fewer than 12 health and social care schemes in Tameside and Glossop had been shortlisted in the prestigious Health Service Journal Value Awards and Municipal Journal Awards.

The Executive Leader highlighted investment in care leavers to help transition into a fulfilling adult life from council tax support, to apprenticeships, free driving lessons and transitional living arrangements. A new and enhanced Early Help offer was being developed for families, getting them the support they needed to resolve issues before they escalated. Working closely with the police, schools and other partners, a Multi-Agency Safeguarding Hub would deliver swift, effective and integrated solutions.

The Council would seek accreditation as a Cooperative Council, reinforced by a comprehensive economic strategy embedded in growth, housing and co-operative principles and would continue to support a number of other projects such as improving the Private Rented Sector and bringing empty homes in Tameside back into use to make Tameside a better place to live and work in.

The Executive Leader concluded by renewing and recommitting to the priorities outlined above.

9 AMENDMENTS TO CONSTITUTION

It was moved by Councillor Warrington and seconded by Councillor Fairfoull that the amendments to the Constitution set out in the report be agreed and the revised Executive Member portfolios be noted.

RESOLVED

- (i) That the revised Executive Member portfolios be noted.**
- (ii) That the establishment of the new GM Transport Committee as a joint committee of the 10 districts, GMCA and Mayor be approved.**
- (iii) That the Terms of Reference and Operating Agreement for the Committee as set out in Appendix 1 of the report be agreed.**
- (iv) That the functions set out in the Terms of Reference be delegated to the Transport Committee.**
- (v) That the Council appoint one Member to the Transport Committee for 2019 – 2020.**
- (vi) That the revised Terms of Reference for the Audit Panel and Overview (Audit) Panel as set out in Appendix 2 be approved.**
- (vii) That the Council adopt the ‘STAR’ Procurement Standing Orders made pursuant to Section 135 of the Local Government Act 1972 set out in Appendix 3, which will ensure we are aligned with Stockport Council, Trafford Council, and Rochdale Council to facilitate a more economical, efficient and effective discharge of Procurement Functions via a shared procurement service known as “STAR”.**
- (viii) That the Executive Member with responsibility for Finance be appointed as the Council’s representative on the STAR Joint Committee.**
- (ix) That it be agreed that the Borough Solicitor may make such consequential amendments to the Constitution as may be required to reflect the changes made above.**

10 APPOINTMENTS OF EXECUTIVE CABINET, PANELS, THE STANDARDS COMMITTEE, OUTSIDE BODIES AND OPPOSITION SPOKESPERSONS

It was moved by Councillor Warrington and seconded by Councillor Fairfoull that appointments for the Municipal Year 2019/20, detailed in the tabled report, be approved.

RESOLVED

That the appointments to the Executive Cabinet, Panels, Standards Committee, Outside Bodies and Opposition Spokespersons for the Municipal Year 2019/20 be approved and adopted as set out in Appendix B to these minutes.

11 STANDING LIST OF CONFERENCES 2019/2020

It was moved by Councillor Warrington and seconded by Councillor Fairfoull that the Standing List of Conferences for 2019/20, as detailed in the submitted report, be agreed.

RESOLVED

That the Standing List of Conferences for the Municipal Year 2019/20, as detailed in the submitted report be approved as set out in Appendix C to these minutes.

12 EXECUTIVE CABINET MEETING

Consideration was given to the minutes of the meeting of the Executive Cabinet meetings held on 27 March 2019 and 24 April 2019.

RESOLVED

That the minutes of the Executive Cabinet meetings held on 27 March 2019 and 24 April 2019 be noted.

13 ELECTION OF CIVIC MAYOR

It was moved by Councillor Choksi and seconded by Councillor Lewis that Councillor Leigh Drennan be elected Civic Mayor of Tameside for the Municipal Year 2019/20.

RESOLVED

That Councillor Leigh Drennan be hereby elected Civic Mayor of the Metropolitan Borough of Tameside for the Municipal Year 2019/20.

Councillor Drennan was then escorted into the meeting and advised by the retiring Civic Mayor of the Council's decision. After duly making and subscribing the prescribed Declaration of Acceptance of Office, Councillor Drennan took his place as Civic Mayor of the Metropolitan Borough of Tameside expressing his appreciation of the honour bestowed upon him.

14 ELECTION OF DEPUTY MAYOR

It was moved by Councillor Newton and seconded by Councillor Gwynne that Councillor Reid be appointed Deputy Mayor of the Metropolitan Borough of Tameside for the Municipal Year 2019/20.

RESOLVED

That Councillor Reid be hereby appointed Deputy Mayor of the Metropolitan Borough of Tameside for the Municipal Year 2019/20.

15 TO ACCORD A VOTE OF THANKS TO THE RETIRING CIVIC MAYOR AND MAYORESS

It was proposed by the Civic Mayor and seconded by Councillor Ricci that a sincere vote of thanks be accorded to the retiring Civic Mayor, Councillor Ward and Consort, Councillor McNally for their dedicated services to the Metropolitan Borough of Tameside.

RESOLVED

That a sincere vote of thanks be accorded to the retiring Civic Mayor, Councillor Ward and Consort, Councillor McNally, for their dedicated services to the Metropolitan Borough of Tameside.

16 PRESENTATION OF MEDALLION TO THE RETIRING CIVIC MAYOR

The Civic Mayor presented Medallions to the retiring Civic Mayor and Consort, Councillor Ward and Councillor McNally, as a memento of their year of office.

17 RESPONSE OF RETIRING CIVIC MAYOR

Councillor Ward set out how touched she had been to meet a large amount of inspiring people during her year as the Civic Mayor of Tameside, highlighting in particular the work done by volunteers and helpers across the borough.

She thanked all Members of the Council, the Chief Executive, the Mayoral Team and her Chaplain, for their support to herself and the Consort throughout the year. She was pleased to announce that, with the help of the Deputy Mayor, they had attended almost 400 engagements.

She thanked all who had contributed all those who had kindly supported her Mayoral Charity Appeal Fund dedicated to a number of organisations that were close to her heart. She was pleased to report that £23,000 had been raised, which would be shared equally amongst the charities.

In conclusion, she extended her best wishes to the new Civic Mayor, Councillor Leigh Drennan and his Consort, Cory James and to the Deputy Mayor Councillor Claire Reid and Mr Paul Reid Deputy Mayor's Consort.

18 URGENT ITEMS

There were no urgent items of business for consideration at this meeting.

CHAIR

APPENDIX A

ANNUAL MEETING OF THE COUNCIL – 21 MAY 2019

TAMESIDE METROPOLITAN BOROUGH COUNCIL

REPORT OF THE RETURNING OFFICER ON THE PERSONS ELECTED TO THE OFFICE OF COUNCILLOR FOR THE WARDS INDICATED BELOW

The following persons, at the elections held on 2 May 2019, were elected to the Office of Councillor for the Wards respectively indicated, to hold office for a period of four years:-

WARD	NAME AND PARTY OF COUNCILLOR ELECTED
ASHTON HURST	Mike Glover (Labour)
ASHTON ST. MICHAEL'S	Yvonne Cartey (Labour)
ASHTON WATERLOO	Lee Huntbach (Green)
AUDENSHAW	Charlotte Martin (Labour)
DENTON NORTH EAST	Allison Gwynne (Labour)
DENTON SOUTH	Jack Naylor (Labour)
DENTON WEST	Brenda Warrington (Labour)
DROYLSDEN EAST	Laura Boyle (Labour)
DROYLSDEN WEST	Ann Holland (Labour)
DUKINFIELD	John Taylor (Labour)
DUKINFIELD/STALYBRIDGE	David Sweeton (Labour)
HYDE GODLEY	Betty Affleck (Labour)
HYDE NEWTON	Helen Bowden (Labour)
HYDE WERNETH	Shibley Alam (Labour)
LONGDENDALE	Jacqueline Owen (Labour)
MOSSLEY	Taf Sharif (Labour)
ST PETERS	David McNally (Labour)
STALYBRIDGE NORTH	Adrian Pearce (Labour)
STALYBRIDGE SOUTH	Clive Patrick (Conservative)

APPENDIX B

APPOINTMENT OF EXECUTIVE CABINET, PANELS, DISTRICT ASSEMBLIES, STANDARDS COMMITTEE, INDEPENDENT REMUNERATION PANEL AND OPPOSITION SPOKESPERSON FOR 2019/2020

THE CABINET

Executive Leader	Councillor Warrington
Deputy Executive Leader (Children and Families)	Councillor Fairfoull
<u>Executive Members</u>	
Finance & Economic Growth	Councillor Ryan
Health, Social Care & Population Health	Councillor Wills
Housing, Planning & Employment	Councillor Cooney
Lifelong Learning, Equalities, Culture & Heritage	Councillor Feeley
Neighbourhoods, Community Safety & Environment	Councillor Gwynne
Transport Connectivity	Councillor Bray
<u>Lead Member</u>	
Chair of Council Business	Councillor Kitchen
Assistant Executive Member	Support to Executive Cabinet Member
Cllr Dawson Lane	Executive Leader
Cllr Dolores Lewis	Cllr Eleanor Wills
Cllr Janet Cooper	Cllr Bill Fairfoull
Cllr Mike Smith	Cllr Leanne Feeley
Cllr Barrie Holland	Cllr Warren Bray
Cllr Laura Boyle	Cllr Allison Gwynne
Cllr Claire Reid	Cllr Ged Cooney
Cllr George Newton	Executive Leader
Cllr Jack Homer	Cllr Oliver Ryan
Assistant Executive Member	Additional responsibilities
Cllr Dawson Lane	Age Friendly Tameside
Cllr Dolores Lewis	Tameside Cooperative Councils
Cllr Janet Cooper	Early Years and Equalities
Cllr Mike Smith	Crime Prevention
Cllr Barrie Holland	Green Travel & Connectivity
Cllr Laura Boyle	Green Tameside
Cllr Jack Homer	Housing and Employment
Cllr George Newton	Policy and Communications
Cllr Claire Reid	Planning and Civic Design

OPPOSITION SPOKESPERSONS

Shadow Brief	Spokesperson
Executive Leader	Councillor Dickinson
Deputy Executive Leader	Councillor Welsh
Children and Families	Councillor Welsh
Finance and Economic Growth	Councillor Billington
Health, Social Care and Population Health	Councillor Patrick
Housing, Planning and Employment	Councillor Dickinson
Lifelong Learning, Equalities, Culture and Heritage	Councillor Patrick
Neighbourhoods, Community Safety and Environment	Councillor Chadwick
Transport and Connectivity	Councillor Billington

Strategic Neighbourhood Forums	
North (Ashton Hurst, Ashton St Michael's, Ashton Waterloo, St Peters)	Councilor Bowerman (Chair); Councillor Sidebottom (Vice-Chair), Councillors Bray, Cartey, Choksi, Drennan, Fairfoull, Glover, Hollinshead, Huntbach, Lewis, McNally
South (Hyde Godley, Hyde Newton, Hyde Werneth, Longdendale)	Councillor P. Fitzpatrick (Chair), Councillor Robinson (Vice-Chair), Councillors Affleck, Alam, Bowden, Buglass, Chadwick, Cooper, J. Fitzpatrick, Kitchen, Owen, Welsh
East (Dukinfield, Dukinfield/Stalybridge, Mossley, Stalybridge North, Stalybridge South)	Councillor Pearce (Chair), Councillor Sharif (Vice-Chair), Councillors Billington, Dickinson, Feeley, Gosling, J. Homer, S. Homer, Jackson, J. Lane, Patrick, Sweeton, Taylor, Wild, Wills
West Audenshaw, Denton North East, Denton South, Denton West, Droylsden East, Droylsden West	Councillor Ward (Chair), Councillor A. Holland (Vice-Chair), Councillors Boyle, Cooney, Gwynne, B. Holland, D. Lane, Martin, Mills, Naylor, Newton, Quinn, Reid, Ricci, Ryan, M. Smith, T. Smith, Warrington

SPEAKERS PANEL (PLANNING)

14 Members (Labour 12: Conservative 1)

Labour	
1.	Councillor McNally (Chair)
2.	Councillor Wild (Deputy)
3.	Councillor Glover
4.	Councillor Gosling
6.	Councillor Choksi
7.	Councillor Lewis
8.	Councillor Naylor
9.	Councillor Owen
10.	Councillor Ricci
11.	Councillor Sharif
12.	Councillor Ward
Conservative	
13.	Councillor Dickinson

SPEAKERS PANEL (LIQUOR LICENSING)

12 Members (Labour 11: Conservative 1)

Labour	
1.	Councillor Sweeton (Chair)
2.	Councillor Bowden (Deputy)
3.	Councillor Affleck
4.	Councillor Bowerman
5.	Councillor Cartey
6.	Councillor D. Lane
7.	Councillor Martin
8.	Councillor Naylor
9.	Councillor Newton
10.	Councillor Quinn
11.	Councillor Wild
Conservative	
12.	Councillor Welsh

SPEAKERS PANEL (LICENSING)

13 Members (Labour 12: Conservative 1)

Labour	
1.	Councillor Drennan (Chair)
2.	Councillor Gosling (Deputy)
3.	Councillor Buglass
4.	Councillor Hollinshead
5.	Councillor J. Homer
6.	Councillor S. Homer
7.	Councillor J. Lane
8.	Councillor McNally
9.	Councillor Sharif
10.	Councillor Sidebottom
11.	Councillor Taylor
12.	Councillor Ward
Conservative	
13.	Councillor Chadwick

OVERVIEW PANEL

12 Members (Labour 11: Conservative 1)

Labour	
1.	Councillor Ricci (Chair)
2.	Councillor Cartey (Deputy)
3.	Councillor Cooper
4.	Councillor Fairfoull
5.	Councillor J. Fitzpatrick
6.	Councillor Glover
7.	Councillor J. Homer
8.	Councillor Kitchen
9.	Councillor Ryan
10.	Councillor T. Smith
11.	Councillor Warrington
Conservative	
12.	Councillor Welsh

SPEAKERS PANEL (EMPLOYMENT APPEALS)

5 Members (Labour 4: Conservative 1)

Labour	
1.	Chair of Council
2.	Relevant Executive Member for employee
3.	Deputy Executive Leader
4.	Assistant Executive Member Economic Growth and Housing
Conservative	
5.	Councillor Dickinson

AUDIT PANEL

8 Members (Labour 7: Conservative 1)

Labour	
1.	Councillor Ricci (Chair)
2.	Councillor Cartey (Deputy)
3.	Councillor Fairfoull
4.	Councillor J. Fitzpatrick
5.	Councillor J. Homer
6.	Councillor Kitchen
7.	Councillor Ryan
Conservative	
8.	Councillor Dickinson

STRATEGIC PLANNING AND CAPITAL MONITORING PANEL

9 Members (Labour 8: Conservative 1)

Labour	
1.	Councillor Warrington (Chair)
2.	Councillor Cooney
3.	Councillor Fairfoull
4.	Councillor Feeley
5.	Councillor McNally
6.	Councillor Newton
7.	Councillor Reid
8.	Councillor Ryan
Conservative	
9.	Councillor Dickinson

CARBON AND WASTE REDUCTION PANEL

9 Members (Labour 8: Conservative 1)

Labour	
1.	Councillor Boyle (Chair)
2.	Councillor Affleck
3.	Councillor Cooper
4.	Councillor B. Holland
5.	Councillor J. Lane
6.	Councillor Mills
7.	Councillor Pearce
8.	Councillor Taylor
Conservative	
9.	Councillor Patrick

HEALTH AND WELLBEING BOARD

4 Executive Members

Labour	
1.	Executive Leader (Chair)
2.	Executive Member (Children and Families)
3.	Executive Member (Housing, Planning and Employment)
4.	Executive Member (Health, Social Care and Population Health)

STRATEGIC COMMISSIONING BOARD

7 Executive Members

Labour	
1.	Executive Leader (Chair)
2.	Deputy Executive Leader (Children and Families)
3.	Executive Member (Finance and Economic Growth)
4.	Executive Member (Health, Social Care and Population Health)
5.	Executive Member (Housing, Planning and Employment)
6.	Executive Member (Lifelong Learning, Equalities, Culture and Heritage)
7.	Executive Member (Neighbourhoods, Community Safety and Environment)
8.	Executive Member (Transport and Connectivity)

DEMOCRATIC PROCESSES WORKING GROUP

10 Members (Labour 10: Conservative 1)

Labour	
1.	Councillor Cooney (Chair)
2.	Councillor Fairfoull
3.	Councillor Feeley
4.	Councillor J. Fitzpatrick
5.	Councillor Kitchen
6.	Councillor Reid
7.	Councillor Ryan
8.	Councillor M. Smith
9.	Councillor Ward
10.	Councillor Warrington
Conservative	
11.	Councillor Billington

EDUCATION ATTAINMENT IMPROVEMENT BOARD

7 Members (Labour 6: Conservative 1)

Labour	
1.	Councillor Feeley (Chair)
2.	Councillor Boyle
3.	Councillor Buglass
4.	Councillor Cooper
5.	Councillor Fairfoull
6.	Councillor M. Smith
Conservative	
7.	Councillor Patrick

**PLACE AND EXTERNAL RELATIONS
SCRUTINY PANEL**

20 Members (Labour 18: Conservative 2)

Labour	
1.	Councillor Glover (Chair)
2.	Councillor Mills (Deputy)
3.	Councillor Alam
4.	Councillor Bowden
5.	Councillor Bowerman
6.	Councillor Choksi
7.	Councillor P. Fitzpatrick
8.	Councillor Gosling
9.	Councillor A. Holland
10.	Councillor Jackson
11.	Councillor J. Lane
12.	Councillor Lewis
13.	Councillor Naylor
14.	Councillor Pearce
15.	Councillor Robinson
16.	Councillor Sharif
17.	Councillor Sidebottom
18.	Councillor Sweeton
Conservative	
19.	Councillor Billington
20.	Councillor Chadwick

**INTEGRATED CARE AND WELLBEING
SCRUTINY PANEL**

19 Members (Labour 17: Conservative 2)

Labour	
1.	Councillor T. Smith (Chair)
2.	Councillor S. Homer (Deputy)
3.	Councillor Affleck
4.	Councillor Boyle
5.	Councillor Buglass
6.	Councillor Cooper
7.	Councillor Drennan
8.	Councillor J. Fitzpatrick
9.	Councillor Gosling
10.	Councillor Hollinshead
11.	Councillor D. Lane
12.	Councillor Martin
13.	Councillor Mills
14.	Councillor Owen
15.	Councillor Quinn
16.	Councillor Ricci
17.	Councillor Wild
Conservative	
18.	Councillor Patrick
19.	Councillor Welsh

STANDARDS COMMITTEE

Allowance will only be payable to Independent Person and Deputy Independent Person

Chair

Valerie Bracken (Independent)

Mrs J Barnes (Independent) together with Councillors Boyle, Dickinson, McNally, Ricci and M. Smith and Parish Councillor Stimson (substitute Parish Councillor S Homer)

INDEPENDENT REMUNERATION PANEL

Subject to review

OUTSIDE BODY APPOINTMENTS

Other than the following bodies any other appointment will be made by the Executive Leader following a recommendation by the relevant Executive Member for example: Citizens Advice Bureau, Ring & Ride Steering Group

GM Combined Authority	Executive Leader
	Substitute: Deputy Executive Leader
AGMA Executive Board	Executive Leader
	Substitute: Deputy Executive Leader
	Substitute: Councillor Ryan
Police and Crime Panel	Councillor Gwynne
GM Planning and Housing Commission	Executive Member (Housing, Planning and Employment)
Combined Authority Scrutiny Committee	Councillor Glover Councillor T. Smith Councillor S. Homer Councillor Pearce Councillor Billington Councillor R. Welsh
GM Health Scrutiny Panel	Councillor S. Homer Substitute: Councillor T. Smith
GM Health and Social Care Strategic Partnership Board	Executive Leader Deputy Executive Leader (substitute)
GM Reform Committee	Deputy Executive Leader
Greater Manchester Pension Fund	Councillor Warrington (Chair)
	Councillor Cooney (Deputy Vice-Chair)
	Councillor M. Smith (Vice-Chair)
	Councillor Drennan
	Councillor J. Fitzpatrick
	Councillor J. Homer
	Councillor Newton
	Councillor Patrick
	Councillor Ricci
	Councillor Sharif
	Councillor Ward
	Councillor Wills
Local Pensions Board	Employer Reps:
	Councillor Fairfoull (Chair)
	R Paver
	J Hammond
	Councillor Cooper
	P Taylor
	Scheme Member Reps:
	M Rayner
D Schofield	
Pension Fund Working Groups:	
Administration Employer Funding Viability	Chair: Councillor M. Smith
Investment Monitoring and ESG	Chair: Councillor Cooney
Policy and Development	Chair: Councillor Warrington
Pension Fund Working Groups:	
Transport for Greater Manchester Committee	Executive Member for Transport and Connectivity
Greater Manchester Waste Disposal Authority	Councillor Gwynne
AGMA Statutory Functions Committee	Relevant Executive Member or nominee

APPENDIX C

ANNUAL MEETING OF THE COUNCIL – 21 May 2019

STANDING LIST OF CONFERENCES

Part A – Member and Officer attendance

CONFERENCE (by Service Area)	REPRESENTATION
Chief Executive	
Local Government Association	One Member and the Chief Executive
iNetwork	Chief Executive and the Director (Finance) or nominee
SOLACE	Chief Executive
Director (Governance and Pensions)	
Institute of Revenues, Rating and Valuation	One Member and the Director (Governance & Pensions) or nominee
Institute of Revenues, Rating and Valuation (Recovery)	One Member and the Director (Governance & Pensions) or nominee
Institute of Revenues, Rating and Valuation (Benefits)	One Member and the Director (Governance & Pensions) or nominee
CIPFA Benefits	One Member and the Director (Governance & Pensions) or nominee
Public Sector People Managers' Association	One Member and the Director (Governance & Pensions) or nominee
Chartered Institute of Personnel Development	One Member and the Director (Governance & Pensions) or nominee
Northern Personnel Briefing (Employers' Organisation)	One Member and the Director (Governance & Pensions) or nominee
Centre for Public Scrutiny Annual Conference	Members of the Scrutiny Panels and the Director (Governance & Pensions) or nominee
National Association of Pension Fund Conferences	One Member and the Director (Governance and Pensions) (or nominee - relevant Service Unit Manager)
Local Government Chronicle Investment Conference	One Member and the Director (Governance & Pensions) (or nominee - relevant Service Unit Manager)
Local Authority Pension Fund Forum Conference	Members of the Panel and the Director (Governance and Pensions) (or nominee - relevant Service Unit Manager)
Director (Finance)	
Chartered Institute of Public Finance and Accountancy	One Member and the Director (Finance) or nominee
Special Interest Group of Metropolitan Authorities (SIGOMA)	One Member and the Director (Finance) or nominee
Society of Computer Information Technology Managers	One Member and the Director (Finance) or nominee.
Director (Adults)	
Annual Social Services Conference	One Member and the Director (Adults) or nominee
Director (Children)	

CONFERENCE (by Service Area)	REPRESENTATION
Local Government Association (Education Section)	One Member and the Director (Children) or nominee
North of England Education Conference	One Member and Director (Children) or nominee
Director (Growth)	
Local Government Association (Planning and Economic Development)	One Member and Director (Growth) or nominee
Local Government Association – Housing Conference	One Member and the Director (Growth) or nominee
Director (Neighbourhoods and Operations)	
National Association of British Market Authorities	One Member and the Director (Neighbourhoods & Operations) or nominee
Chairs of Transport Conference	One Member and the Director (Neighbourhoods & Operations) or nominee
Institute of Waste Management	One Member and the Director (Neighbourhoods & Operations) or nominee
Environmental Health Congress	One Member and the Director (Neighbourhoods & Operations) or nominee
Institute of Trading Standards	One Member and the Director (Neighbourhoods & Operations) or nominee
Institute of Licensing	One Member and the Director (Neighbourhoods & Operations) or nominee
National Society for Clean Air	One Member and the Director (Neighbourhoods & Operations) or nominee
Institute of Cemetery & Crematorium Management Operations	One Member and the Director (Neighbourhoods & Operations) or nominee
Health and Safety	One Member and the Director (Neighbourhoods & Operations) or nominee
The Museums Association	One Member and the Director (Neighbourhoods & Operations) or nominee
The Public Library Authorities	One Member and the Executive Director (People) or nominee
Local Government Association – Culture, Tourism and Sport Conference	One Member and the Director (Neighbourhoods & Operations) or nominee
Director of Population Health	
Local Government Association – Public Health	One Member and Director of Population Health or nominee and one consultant
Public Health England	One Member and Director of Population Health or nominee and 3 officers
Faculty of Public Health	One Member and Director of Population Health or nominee and one consultant

(NOTE: In most instances the elected Member attending conferences would normally be the appropriate Executive Member. In those instances where they cannot attend then an appointee shall be decided following consultation with the Executive Member).

COUNCIL

21 May 2019

Present: Councillors Kitchen (Chair), Billington, Bowden, Bowerman, Boyle, Bray, Cartey, Chadwick, Choksi, Cooney, Cooper, Dickinson, Drennan, Fairfoull, Feeley, J Fitzpatrick, P Fitzpatrick, Glover, Gosling Gwynne, Hollinshead, J Homer, S Homer Huntbach, Jackson, Lewis, McNally, Martin, Mills, Naylor, Newton, Owen, Pearce, Reid, Ricci, Robinson, Ryan, Sharif, Sidebottom, M Smith, T Smith, Sweeton, Taylor, Ward, Warrington, R Welsh, Wild and Wills

Apologies for
Absence: Councillors Affleck, Alam, Buglass, A Holland, B Holland, D Lane, J Lane, Patrick and Quinn.

19 CONFERMENT OF TITLE OF HONORARY ALDERMAN

The Civic Mayor asked Councillor Warrington to move the formal motion proposing the conferment of the title of Honorary Alderman of the Borough upon Mr John Bell

Members were informed that Mr John Bell had been elected to Tameside Council in 1975, when the borough was only a year old. After losing his seat in 1995, John returned three years later. In total he had given 41 years' service to the residents of Hyde Werneth ward and to Tameside as a whole.

During his time as a member of Tameside Council, John was best known for leading the opposition Conservative group for more than 20 years, and for his 20-year membership of the Greater Manchester Fire and Rescue Authority.

He served on many other external bodies, including the North Western Regional Health Authority and the Greater Manchester Police Authority.

Councillor Dickinson then seconded the motion and the Civic Mayor put the motion to vote and it was:

RESOLVED:

That in pursuance of Section 249 of the Local Government Act 1972 John Bell be admitted as Honorary Alderman of Tameside Metropolitan Borough Council in recognition of the eminent services he has rendered as a former Councillor of the Borough.

CHAIR

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EXECUTIVE CABINET

26 June 2019

Present: Councillors Fairfoull (Vice-Chair, in the Chair), Bray, Feeley, Gwynne, Kitchen and Wills

In Attendance:

Stephanie Butterworth	Director of Adult Services
Sarah Dobson	Assistant Director of Policy, Performance & Communications
Emma Varnam	Assistant Director of Operations & Neighbourhoods
Jayne Traverse	Director of Growth
Debbie Watson	Interim Assistant Director of Population Health
Tom Wilkinson	Assistant Director of Finance
Jessica Williams	Interim Director of Commissioning

Apologies for Absence: Councillors Cooney, Ryan and Warrington,

1 DECLARATIONS OF INTEREST

There were no declarations of interest.

2 EXECUTIVE CABINET

Consideration was given to the minutes of the meeting of the Executive Cabinet held on 24 April 2019.

RESOLVED

That the minutes of the meeting of the Executive Cabinet held on 24 April 2019 be approved and signed by the Chair as a correct record.

3 STRATEGIC COMMISSIONING BOARD

Consideration was given to the minutes of the meeting of the Strategic Commissioning Board held on 24 April 2019.

RESOLVED

That the minutes of the meeting of the Strategic Commissioning Board held on 24 April 2019 be received.

4 ENFORCEMENT CO-ORDINATION PANEL

Consideration was given to the minutes and recommendations from the meeting of the Enforcement Co-ordination Panel held on 17 April 2019.

RESOLVED

That the minutes of the meeting of the Enforcement Co-ordination Panel held on 17 April 2019 be noted and the following recommendations be approved:

That the revised Regulation of Investigatory Powers Policy be adopted.

5 GREATER MANCHESTER COMBINED AUTHORITY

Consideration was given to a report of the Executive Leader and Chief Executive, which informed Members of the issues considered at recent Greater Manchester Combined Authority meetings.

RESOLVED

That the content of the report be noted.

6 ONE EQUALITY SCHEME ANNUAL REVIEW 2019

Consideration was given to a report of the Executive Leader / Executive Member for Lifelong Learning, Culture and Heritage / Assistant Director of Policy, Performance and Communications seeking approval of the One Equality Scheme following an annual review.

Members were informed that the report had been considered by the Strategic Commissioning Board at the meeting held on 26 June 2019. The Strategic Commissioning Board had recommended that Executive Cabinet approve the One Equality Scheme and subsequent publication.

Members were advised that the One Equality Scheme 2018-22 was the first joint equality scheme of Tameside & Glossop Strategic Commission (Tameside Council and NHS Tameside and Glossop Clinical Commissioning Group). Such arrangements had enabled the successful establishment of a joint approach and shared vision for the equality and diversity of residents, patients and service users across Tameside and Glossop. The scheme set out how the Council and Clinical Commissioning Group strived to reduce the impact of inequality and improve the lives of the most vulnerable members of our communities. The scheme demonstrated the commitment to ensure that our ethos towards equality and diversity was embedded within everything we do to design and delivery a range of services.

RESOLVED

That the One Equality Scheme (2019) be approved and published.

7 2018/19 REVENUE OUTTURN REPORT

Consideration was given to a report of the Executive Member for Finance & Economic Growth / Director of Finance that provided an overview on the financial position of the Tameside and Glossop Health economy in 2018/19. For the year to 31 March 2019 the report forecast that service expenditure would exceed the approved budget in a number of areas, due to a combination of cost pressures and non-delivery of savings. These pressures were being partially offset by additional income in corporate and contingency, which were unlikely to be available in future years.

For the 2018/19 financial year the Integrated Commissioning Fund had spent £588,974k, against a net budget of £589,000k thereby meeting financial control totals and delivering an under-spend of £26k. This overall underspend at a global level had only been possible as a result of non-recurrent financial interventions and it should be noted that contained within this position were several directorates with significant overspend, including Children's Services which had spent £8,043k in excess of budget.

The Director of Finance outlined the Council's Collection Fund outturn for 2018/19. The 2018/19 outturn position on the Collection Fund was better than originally forecast due to income from Business Rates exceeding initial forecasts, and the level of provision required for non-collection of Council Tax and appeals against Business Rates were both lower than originally anticipated. It was explained that the cumulative deficit on Business Rates could be funded from the NNDR deficit reserve in 2019/20. The cumulative surplus on Council Tax would be transferred to earmarked

reserves in 2019/20, and the Medium Term Financial Plan assumes that this surplus will be used to support the budget over the next five years.

RESOLVED

That the year-end financial position across both the Strategic Commission and the Integrated Care Foundation Trust be noted.

8 CAPITAL OUTTURN 2018/19

Consideration was given to a report of the Executive Member for Finance & Economic Growth / Director of Finance summarising the 2018/19 capital expenditure monitoring position at 31 March 2019, based on information provided by project managers. The report detailed actual capital investment in 2018/19 of £51.545m at March 2019. This was less than the original budgeted capital investment for 2018/19, and is in part due to project delays that are being experienced following the temporary pause to the Capital Programme.

Service areas had spent £51.545m on capital investment in 2018/19, which was £5.899m less than the current capital budget for the year. The slippage was spread across a number of areas, and was in part due to project delays now being experienced as a result of the temporary pause on the capital programme and the liquidation of Carillion who, through the Local Education Partnership (LEP) had been delivering or managing a number of key projects.

It was proposed that the capital investment programme be re-profiled to reflect current information. Proposed re-profiling of £5.810m into the next financial year was identified within the individual service area tables in **Appendix 3** to the report. Approved re-profiling at Quarter 1 was £16.753m, £10.796m at Quarter 2 and £9.308m at Quarter 3. Once re-profiling had been taken into account, capital investment was forecast to be £0.089m less than the capital budget for this year.

RESOLVED

- (i) The re-profiling of £5.810m of capital budgets to reflect up to date investment profiles as set out in Appendix 3 of the submitted report, be approved.**
- (ii) The changes to the Capital Programme as set out within Appendix 1 to the submitted report, be approved.**
- (iii) The updated Prudential Indicator position set out within Appendix 5 to the submitted report be approved.**
- (iv) The capital budget monitoring position as at 31 March 2019 be noted.**
- (v) The resources currently available to fund the Capital Programme be noted.**
- (vi) The updated capital receipts position be noted.**
- (vii) The timescales for review of the Council's three year capital programme.**

9 COOPERATIVE COUNCILS

Consideration was given to a report of the Executive Leader / Assistant Director for Policy, Performance and Communications summarising the Cooperative Councils initiative including benefits of membership and the application process which Local Authorities must follow to join the network.

It was explained that the Cooperative Councils Network had been set up to promote the delivery of local services in a co-operative or co-productive manner. It was stated that Cooperative Councils aimed to drive forward new cooperative approaches to transform the way local public services were delivered in their areas and support local communities in the face of funding cuts. Collective action, co-operation, empowerment and enterprise would be used to help transform local services and local communities. The vision was to end the era of top-down services where people were expected to put up with whatever's on offer.

The Assistant Director for Policy, Performance and Communications advised that the accreditation process was a Local Authority led process, which would require a review of several existing Council practises, including the way in which Tameside Council provided most of its basic and statutory services. The Cooperative Councils Innovation Network (CCIN) had a formal application in which new co-operative Councils' standards were assessed before accreditation.

The necessary requirements for Local Authorities to join the CCIN were outlined in the report as follows, along with proposed timescales should Tameside Council wish to take forward a cooperative approach:

- Endorse the values and principles of the Network and the ambition to become a cooperative council at Board/ Cabinet.
- Establish a code of ethics. Example for discussion and development in appendix 4.
- Discuss the cooperative approach with strategic partners and/or community partners through the Health and Wellbeing Board/Public Service Reform Board.
- Hold an elected members' development session led by a representative of the CCIN. This will ensure that all Parties are properly consulted.
- Adopt cooperative values in our approach to commissioning. (Commission STAR to undertake a review)
- Carry out any corporate communication of cooperative values.
- Take a Cabinet decision to endorse cooperative values.
- Undertake any public campaigns that demonstrate cooperative principles.
- Discuss holding a Cooperative conference in the autumn, bringing local community projects together for a morning/afternoon event.
- Discuss plans to change the Council constitution to reflect cooperative values at Full Council.

RESOLVED

That the report be noted.

10 CHARGING FOR PRE-APPLICATION ADVICE

Consideration was given to a report of the Executive Member for Housing, Planning and Employment / Director of Growth seeking approval to undertake a period of consultation on proposals to charge for pre-planning application advice.

The Director of Growth advised that pre-application engagement by prospective applicants provided significant opportunities to improve both the efficiency and effectiveness of the planning application system and improve the quality of planning applications and their likelihood of success. It allowed relevant policies to be identified along with other material planning considerations associated with proposed development at an early stage. It was explained that Councils had the ability to charge for providing pre-application advice, with four of the Greater Manchester Councils not charging for providing this Tameside, Manchester, Bolton and Oldham. As a result of not charging Tameside MBC received a high volume of requests that were becoming increasingly difficult to accommodate to a high professional standard.

The Director of Growth advised that the proposed charging schedule had been developed around a fixed price structure comprising four tiers to reflect the varying degree of resources needed for the different types of development projects. As such, the four categories of service proposed allowed the charging structure to be simplified, yet the charges reflected the level of work, engagement and consultation necessary commensurate to the scale and complexity of the proposals

RESOLVED

That approval be given to a period of consultation to be undertaken with active planning agents who have submitted planning applications in the preceding twelve month period, on

the proposed Charging Schedule for pre-application advice attached at Appendix 1 to the submitted report.

11 REVIEW OF THE LOCAL EDUCATION PARTNERSHIP

Consideration was given to a report of the Director of Growth / Assistant Director of Finance, which set out the options for services currently delivered by the Local Education Partnership and sought an extension to the Additional Service Contract until 31 July 2020, to enable a full review of future options.

The Director of Governance and Pensions informed Members that the Local Education Partnership was established in February 2009 as a condition of the then government's flagship Building Schools for the Future programme. The creation of the Local Education Partnership, as a delivery vehicle, allowed the Council to access more than £400m of capital investment which allowed the Council to replace, rebuild and refurbish the majority of its secondary school estate, which, like most of the national school estate, was in poor condition and no longer suitable to modern educational needs. The Council's arrangement with the Local Education Partnership was for an initial 10 year period with an option to extend for up to another 5 years, up to February 2024.

It was stated that the Local Education Partnership was due to be reviewed in 2018, but the collapse of Carillion meant that the Council had to focus its energies and redirect resources on maintaining existing service continuity and completion of significant capital project Tameside One. The Council supported the Local Education Partnership in securing a new delivery partner, allowing the completion of the flagship Tameside One building, which was only partially built when Carillion entered liquidation.

RESOLVED

- (i) That Executive Cabinet notes until the collapse of Carillion in 2018, the additional services arrangements with the LEP have served the Council well. However, after a decade, a review was always necessary to ensure the arrangements remained fit for purpose in a changing landscape brought about by significant austerity budget reductions together with the Council's own ambitions as set out in its newly launched corporate plan. Additionally it should be acknowledged that the decision to agree Robertson in replacing Carillion as the building and construction partner have also served the Council well. Robertson have supported the Council in completing ambitions for Tameside One and supporting the workforce who deliver crucial services to schools and the council in relation to catering, FM and capital projects.**
- (ii) That the Additional Service Contract is extended until 31 July 2020, whilst options are explored in respect of the following 3 services:**
 - Primary School Catering**
 - Capital Projects**
 - Facilities Management (FM)**
- (iii) That the Director of Growth and Assistant Director Education notify schools of the extended arrangements for Primary School Catering to July 2020 and consult with them about alternative options.**
- (iv) That the Director of Growth be authorised to inform the Local Education Partnership that management of the Strategic Estates service will be brought back in-house during August 2019 subject to any contractual and TUPE consultations being undertaken as necessary.**
- (v) That the Director of Growth be nominated as the Council's representative on the Local Education Partnership Board and its associated companies, replacing the Chief Executive.**

12 CAREERS SUPPORT SERVICE CONTRACT

Consideration was given to a report of the Executive Member for Children's Services / Director of Growth requesting authorisation to conduct an open and competitive tender process, testing the market to secure an appropriate supplier to deliver a Career Guidance and Support Service for Tameside.

Members were informed that the service currently performed well compared to statistical neighbours due to a focus on early intervention and maximising other funding sources to align provision. The current budget was £450,000 per annum and it was envisaged the service should run for a further five years subject to satisfactory performance.

Annual contract discussions with a report of the previous 4 quarters would be required to substantiate the review and ongoing contract period. A 3 – 6 month notice or change of direction period would also be applied.

RESOLVED

That approval to undertake a competitive tender process for the provision of a Career Guidance and Support Service for Tameside, be granted.

13 STAMFORD PARK CONSERVATORY

Consideration was given to a report of the Executive Member for Neighbourhoods, Community Safety and Environment / Assistant Director of Operations and Neighbourhoods seeking approval for the demolition of the conservatory within Stamford Park and the creation of a new formal garden in its place.

The Assistant Director of Operations and Neighbourhoods advised Members that the conservatory had been closed to the public since April 2015 after safety concerns were raised following a structural survey. The proposal to create a formal garden would include ornamental planting, formal benches, paths and pergolas created from the original ironwork within the conservatory.

The Assistant Director of Operations and Neighbourhoods detailed alternative options for consideration by Executive Cabinet. Option one, to retain and repair the existing structure did not offer a long term solution as repairs would be only guaranteed for five years and require significant costs for maintenance and ongoing heating of the structure. Option two, to replace the existing structure with an alternative new structure was reported to be the most expensive option.

RESOLVED

That the demolition of the conservatory within Stamford Park and the creation of a formal garden, as detailed within the submitted report, be approved.

14 PLOTS A & B HATTERSLEY INDUSTRIAL ESTATE, STOCKPORT ROAD, HATTERSLEY

Consideration was given to a report of the Executive Member for Housing, Planning & Environment / Director of Growth seeking approval of the sale of the land at Hattersley Industrial Estate to RSK Group for the sum of £400,000.

The Director of Governance and Pensions informed Members that the site comprised 2 separate plots of land extending to 1.14 and 1.95 acres respectively. It was originally acquired from Manchester City Council forming part of Hattersley Industrial Estate on 29 March 1978 for the sum of £111,500. It was subsequently sold on 6 October 1980 to Greater Manchester Economic Development Corporation (GMEDC) for £125,000 and immediately leased back to the Council under the terms of a lease for a term of 125 years' subject to payment of an annual rent of £28,690. The Council subsequently purchased the freehold from GMEDC for £287,000 on 25 March 1983.

Terms were agreed to sell the land for the sum of £400,000 in March 2017 subject to the grant of planning after marketing with Manchester Agents WT Gunson and on the basis that this was a very good albeit the only offer received to purchase the land. Planning permission had been approved at the meeting of the Speakers Panel (Planning) held on 29 May 2019.

The Director of Governance and Pensions explained as there was no current Estates Disposal Policy, the Director of Growth was not in a position to sell any land without approval of Cabinet.

RESOLVED

- (i) That the sale of land at Hattersley Industrial Estate, as detailed within the submitted report be approved.**
- (ii) The Borough Solicitor be authorised to finalise the legal due diligence and to complete all the necessary legal documentation to complete the sale.**

CHAIR

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DEMOCRATIC PROCESSES WORKING GROUP

8 July 2019

Commenced: 4.00pm

Terminated: 5.15pm

Present: Councillors Cooney (In the Chair), Billington, Fairfoull, J. Fitzpatrick, Kitchen, Ryan, M Smith, Ward and Warrington.

Apologies: Councillor Feeley and Reid.

1. MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting of the Working Group held on 18 February 2019 be approved as a correct record subject to the inclusion of Councillor Warrington as present.

2. 2019 ELECTIONS

Consideration was given to a report of the Director (Governance and Pensions), which outlined the administrative matters that arose during the 2019 Local and European Parliamentary Elections. The 2019 Local Elections took place on 2 May 2019. It was explained that during much of the planning for the Local Elections, which began six months in advance, it was unclear whether or not there would be European Parliamentary Elections on the scheduled date of 23 May 2019. The uncertainty around the European Parliamentary Elections, which was not announced until the legal minimum deadline, had a significant impact on work for the local elections and left very little time for the organisation and administration of the European Elections themselves. In ordinary circumstance in the year of a European Election the date of the local elections would have been changed to the same day as the European Elections, which would have assisted with planning and preparation reduced both cost and risk, with a year's lead in time for planning and preparation. This had a national impact on electoral administrators and third party suppliers including printers, mobile polling station providers and the Royal Mail.

Members considered the nominations process and production of postal votes. Members were reminded that this year, as in previous years, each candidate had been offered the opportunity to have their nomination papers informally checked prior to submission. There were a significant number of errors on draft nomination papers, which candidates and or agents were advised on prior to the deadline for formal submission of nomination papers, resulting in no rejected nomination papers. Members were reminded that it is the responsibility of candidates to ensure the validity of their nomination papers and that they were submitted in a timely way and Returning Officer staff are under considerable pressure to meet legal deadlines and ensure that printing deadlines were met.

It was explained that the deadlines for submission of candidate information to the printers was extremely tight as Tameside sent out postal votes a week earlier than most other Returning Officers (including all other GM Returning Officers). It was stated that the tight deadlines had always carried with them a high risk of error and at the local elections a production error occurred with the postal ballot papers for Hyde Godley, which resulted in an incorrect postal ballot paper being issued to the 1673 electors who had requested a postal vote. The Statement of Persons Nominated correctly recorded the 5 validly nominated candidates, unfortunately the ballot paper failed to show all five candidates. On becoming aware of this error we arranged with the printers to reissue every postal voter with a replacement ballot paper to ensure that they had every opportunity to cast a legally valid vote. Members were informed that there was no legal deadline for issuing postal ballot papers, however, the reissue whilst regrettable, fell well within the good

practice standards produced by Electoral Commission and meant that Hyde Godley postal votes were delivered at the same time as the rest of Greater Manchester.

The Hyde Godley Ward postal votes were processed separately by the Senior Postal Vote Manager and Deputy Returning Officer. All the original ballot papers were voided so could not be counted as received into the Count and the ballot paper envelopes (brown envelope B) were not opened. The ballot paper error was easily distinguishable as the ballot papers showed 4 not the required 5 legal candidates so were different sizes.

It was explained that by close of poll 74 people were unable to or chose not to return a corrected ballot paper, the elected candidate won by 284 votes. Therefore even if all 74 unreturned had voted for the next most popular candidate they would still not have won the election. There was not a single individual elector who contacted the Elections Office who was not provided with the means to take part in the election. At all stages the Electoral Commission was advised of the situation and the action taken. The Electoral Commission were in support of the steps we took and in the circumstances decided no further action was necessary.

Members were informed that in order to help reduce the risk of what happened with the Hyde Godley postal votes happening again the Returning Officer had determined that the facility for informal checks of nomination papers would only be available by appointment and would not be available on the final day for the delivery of nomination papers, so any nomination papers that were brought in on the final day would only be accepted formally and checks would only then be undertaken, any errors would invalidate the nomination.

In addition the Statement of Persons Nominated would be published the day after close of nominations and no information will be provided to candidates and agents about who is standing until the day after close of nominations. These steps were intended to free up time for Returning Officer staff to do the necessary formal checks of nomination papers and proofs provided by printers prior to production of ballot papers.

Members also considered campaign issues at the Local Elections on 2 May 2019. It was explained that prior to nominations all candidates and agents received, amongst other things, a revised Code of Conduct for Campaigners. The new version of the Code, which had been produced by the Electoral Commission, included enhanced requirements regarding unacceptable behaviour by campaigners.

Members were informed that on the day of the Local Elections a number of complaints had been made relating to Hyde Werneth, in particular the polling station at St Georges, where the Conservative Candidate's Election Agent had raised a number of matters including Labour Party leaflets being left in the polling station, too many Labour Party tellers outside the polling station and Labour Party posters on vehicles in the vicinity of the polling station.

In advance of the election Returning Officer staff had specifically raised the issue with the Police Single Point of Contact (SPOC) in order that the police were aware of the nature of conduct to monitor, look out for and to ensure operational support was available and ready to be deployed to resolve any incident at or in the vicinity of a polling station according to the identified level of risk.

The police visited every polling station in the borough at least once and were fully aware of the allegations that were likely to be made in the Hyde Werneth ward.

It was stated that everyone should be alert to whether voters are affected by the behaviour outside polling stations. That said, tellers are an established part of the democratic process although they had no standing in law, it was necessary to be mindful of the fact that tellers may be seen as impeding, obstructing or intimidating electors on their way into the polling station.

The Conservative Party Agent expressed concern about there being more than one Labour Party teller outside polling stations. This complaint about tellers was raised with the Presiding Officer,

Polling Station Inspector and two Deputy Returning Officers who raised the matter with the Labour Party Agent and Local Co-ordinator, but ultimately only the police had jurisdiction and power to take any action and those complaining were advised to raise the matter with the police.

It was important to note that the Returning Officer and his staff protected and upheld their neutrality and integrity especially during the election. It was important that Returning Officer staff did not take sides or appear to be doing so particularly where, as in this case there was a close political rivalry and very close electoral results and becoming embroiled in complaints so as to give the appearance that there were supporting one over the other.

Consequently whilst advice was given and recommendations about conduct was provided the Returning Officer was not the enforcing authority and, given the interests of the voter should take priority, the Returning Officer staff always advise candidates and agents to contact the police directly. The dangers involved were highlighted by the use of local and social media where comments from current and past councillors could be viewed as negative comments about the conduct of Returning Officer staff but not making any formal complaints to the police.

It was stated that at no time during the election or since had the Elections Office received a complaint from a member of the public about conduct of tellers or anyone campaigning during the Hyde Werneth Election. The police also confirmed that at no time were they contacted by the public and/or any representatives of candidates or any other interested party during or since the election.

RESOLVED:

- (i) That it be noted that all informal checks of nomination papers will be by appointment only;**
- (ii) That it be noted that no informal checks of nomination papers will be carried out on the final day for receipt of nominations;**
- (iii) That candidates and agents be reminded of the restrictions on access to polling stations for tellers and the presence of tellers at St George's Church, Werneth Ward be restricted to outside the polling place (i.e. the whole building) to assist in upholding the integrity of the elections.**

2. LOCAL GOVERNMENT BOUNDARY REVIEW

Consideration was given to a report of the Executive Director (Governance and Pensions), which informed Members that the Local Government Boundary Commission for England intended to undertake a Boundary Review of Tameside during 2020/2021.

It was explained that the electoral arrangements of every principal local authority in England must, by law, be reviewed from time to time. These reviews, where the electoral arrangements of every English local authority were reviewed by the Commission, were known as Periodic Electoral Reviews (PERs). The Local Government Boundary Commission for England (LGBCE) is an independent body responsible for determining the electoral arrangements of local authorities across England. The Commission had decided to undertake an electoral review of Tameside Council in 2020/2021. The last electoral review of Tameside was completed in 2003.

It was stated that there were a number of other GM Authorities who would be subject to the same review in the same timeframe and it was the intention of the LGBCE to review all authorities previously reviewed before 2004.

Members were informed that the Local Democracy, Economic Development and Construction Act 2009 set out the duty placed on the LGBCE to undertake an electoral review of every principal local authority in England 'from time to time'. The last electoral review of Tameside was completed in 2003. By the time the review stages began in 2020, it would have been 17 years since

Tameside's last electoral review. This review will be an opportunity to examine how many councillors were needed to provide the governance and representation required for the next 15 years. It would be necessary to consider how an electoral review may help support the Council's vision for the future.

It was stated that in advance of the formal start of the review, the LGBCE will gather information from the Council, including detailed mapping and electorate forecasts, the information requirements were appended to the reports.

Although the preparations for the review would begin this year, the formal timetable would begin in June 2020. The proposed timetable set by the LGBCE of the various stages was as follows:

- June/July 2020 Number of councillors decided
- June/July 2020 Start of 10 week consultation seeking views on new wards
- September 2020 End of consultation; we begin analysing submissions and forming draft recommendations
- December 2020/ January 2021 Publication of draft recommendations, start of second consultation
- February/ March 2021 End of consultation; we begin analysing submissions and forming final recommendations
- May/June 2021 Publication of final recommendations
- Ordinary day of elections 2022 Election on new electoral arrangements

It was explained that each review would generally start with a preliminary period during which time the LGBCE would meet with the local authority and interested parties to explain the review process and enable them to prepare the information they would need for the review. In this stage the LGBCE would work with the Council and their key partners to gather information regarding the following:

- Details of current electoral arrangements and the current electoral register;
- Identification of parishes and their boundaries;
- Other indicators which identify and build up a map of communities;
- Five year electorate forecasts from the planned end of the review.

Members were informed that the election immediately following the outcome of the Boundary Review will be all out i.e. all seats will be up for election in 2022.

Members attention were drawn to the recent reports of Manchester and Salford City Councils undertaken in the last two years to assist in understanding the considerations that the Local Government Boundary Commission for England would take into account.

RESOLVED:

That it be noted that the Local Government Boundary Commission for England intended to undertake a Boundary Review during 2020/2021 and that further details briefings would be provided for Members prior to and during the review.

4. ELECTORAL COMMISSION BULLETINS

Consideration was given to a report of the Executive Director (Governance and Pensions) that provided Members with recent copies of the Electoral Commission news bulletin, which set out current issues affecting the democratic framework for local government.

RESOLVED:

That the report be noted.

5. GM MAYORAL ELECTION 2020

Members were informed that there would be a combined GM Mayoral and Local Election on Thursday, 7 May 2020. It had been intended to undertake the Count for the Mayoral Election on Friday 8 May 2020, however, this would now be the repurposed bank holiday to mark VE day. Members' views were sought on options for both the timing of the verification and count and the venue.



RESOLVED:

- (i) That the Local Election and GM Mayoral verification take place immediately following close of poll in 7 May 2020 and the counting of Local Election ballot papers take place immediately following verification.**
- (ii) That the Returning Officer for the GM Mayoral Election be informed of the Council's preference for a centralised counting of votes for the GM Mayoral Election and that of the options available the preference was for Monday 11 May 2020.**
- (iii) That a report on the administrative arrangements for the May 2020 Elections be submitted to the next meeting of the Working Group.**

CHAIR

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Agenda Item 8

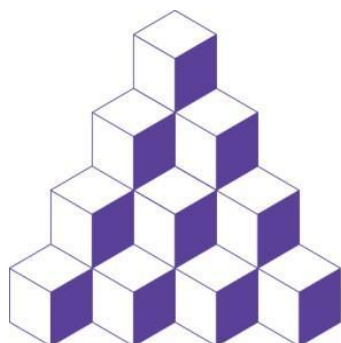
Report to:	COUNCIL
Date:	23 July 2019
Executive Member/Reporting Officer:	Councillor Brenda Warrington – Executive Leader Sandra Stewart – Director (Governance and Pensions)
Subject:	AMENDMENTS TO AGMA CONSTITUTION
Report Summary:	To inform Members that the AGMA Executive Board have agreed a number of amendments to the AGMA constitution following a review by the GMCA Monitoring Officer
Recommendations:	Members are asked to: <ul style="list-style-type: none">(i) Note the AGMA Executive Board and Greater Manchester Combined Authority have agreed the amendments to the AGMA Constitution;(ii) That the revised AGMA be agreed as appended to the report;(iii) That Councillor Fairfoull be appointed as the substitute member on the AGMA Executive Board.
Corporate Plan:	The Constitution and Democratic Framework provides a framework for implementing the Corporate Plan.
Policy Implications:	There are no policy implications.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There are no direct financial implications.
Legal Implications: (Authorised by the Borough Solicitor)	The report concerns the legal aspects of the governance arrangements of AGMA. The AGMA Executive Board and the Greater Manchester Combined Authority have previously agree the amendments and the 10 GM Boroughs are being asked to approve the proposals.
Risk Management:	None arising directly out of this report.
Access to Information:	Background papers relating to this report can be inspected by contacting: Robert Landon, Head of Democratic Services  Telephone - 0161 342 2146  E-mail robert.landon@tameside.gov.uk

1. INTRODUCTION

- 1.1. The GMCA Monitoring Officer undertook a review of the AGMA Constitution and proposed a number of changes to the Constitution, which were approved by the GMCA & AGMA Executive Board on 28 June 2019.
- 1.2. A revised version of the AGMA Constitution accompanies this report. New wording appears in tracked changes in the revised version.
- 1.3. The main revisions are requested to reflect the change in GM Transport governance arrangements. Following the making of the Transport Order, districts, GMCA and the Mayor have agreed to establish a new GM Transport Committee as a joint committee of the 10 districts, the GMCA and the Mayor and to enter into a new Operating Agreement.
- 1.4. In addition the number of substitute members has been reduced to 1 member, and it is suggested that this be same substitute member as appointed to the GMCA, given that meeting of the GMCA and AGMA Executive Board take place on the same day.
- 1.5. Further, the range of functions carried out by AGMA has significantly reduced due to the increase in the functions of the GMCA since 2017 by way of new statutory Orders. Work in relation to a number of functions is now undertaken within the GMCA and where relevant commended to the Greater Manchester constituent councils by the GMCA.

2. RECOMMENDATIONS

- 2.1 As set out on the front of the report.



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 ~~27~~26.1 of this agreement.

26.3. Nothing in Clause ~~27~~26.2 should be taken as assuming that any positions held by any person at the time that the Secretary issues information under Clause ~~27~~26.1 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 ~~10-7~~ of the Operating Agreement.

2. Duration of Appointments.

See Paragraph 6 of the Operating Agreement.

3. Servicing.

See paragraph ~~15~~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 wordsbut 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.~~

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Agenda Item 9

Report to:	COUNCIL
Date:	23 July 2019
Executive Member/Reporting Officer:	Councillor Allison Gwynne – Executive Member (Neighbourhoods, Community Safety and Environment) Ian Saxon – Director (Operations & Neighbourhoods)
Subject:	REQUEST FOR PERMISSION TO CONSULT ON PROPOSED GREATER MANCHESTER COMMON MINIMUM STANDARDS FOR THE TAXI & PRIVATE HIRE TRADE
Report Summary:	Council is asked to approve a period of consultation in respect of proposed common minimum standards for the Taxi and Private Hire trade across Greater Manchester.
Recommendations:	Council is asked to recommend a period of public consultation.
Corporate Plan:	This report corresponds to the 'Living Well' strand of the Corporate Plan, by supporting the development of modern infrastructure and a sustainable environment that works for all generations and future generations. It will aid improvements in air quality.
Policy Implications:	Any changes to Licensing policies will be subject to full consultation and Council approval.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	There are no direct financial implications.
Legal Implications: (Authorised by the Borough Solicitor)	Setting and changing the conditions of taxi licensing is a function of the Council and not the Executive. Speakers Panel enforce and uphold any policy framework set by Council. The Council has powers and duties under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976 to license Taxi and Private Hire drivers, vehicles and operators. There is an absolute duty to consult on any changes given the implications for individual's livelihoods. All the legal requirements as to consultation must be followed.
Risk Management:	Failure to review policies and procedures exposes the Council to risk of challenge through the courts and Local Government Ombudsman with potential financial and reputational consequences.

Access to Information:

APPENDIX A	A draft copy of the proposals
APPENDIX B	Benchmarking of GM authorities as to whether already meeting proposed minimum standards

Background papers relating to this report can be inspected by contacting:

Sharon Smith, Head of Public Protection

Telephone - 0161 342 2277

E-mail sharon.smith@tameside.gov.uk

1. INTRODUCTION

- 1.1 This report outlines a set of draft proposed common minimum standards to be implemented across Greater Manchester (GM) and asks for permission to start a period of consultation. There are many challenges that both the trade and licensing authorities are facing with the current regulations and inconsistent standards across GM. We want to achieve a trade that is fit for purpose for the 21st Century and contributes to our vision for an improved integrated transport system for GM.
- 1.2 The key drivers for this review are around public safety, out-of-area operation, vehicle standards, congestion and poor air quality. The proposed approach looks to encourage consistently high standards for Hackney Carriage and Private Hire services in (GM), and to encourage Government to pursue regulatory reform to ensure high safety standards.
- 1.3 We all want to see taxi and private hire services in GM that consistently deliver safe and high quality services for the public. By establishing GM wide minimum standards in taxi and private hire licensing, we can ensure a consistent approach for all residents and visitors in Greater Manchester.
- 1.4 Over the past 18 months, GM's licensing authorities, supported by Transport for Greater Manchester (TFGM), have been working together to collectively; develop and agree a common set of minimum standards for licensing the Taxi and Private Hire trade.
- 1.5 The next step is for TfGM to host a consultation, on behalf of all GM Licensing Authorities, on the proposed minimum standards, as further detailed in this report below.

2. PROPOSED COMMON MINIMUM STANDARDS

- 2.1 Significant progress has been made by the GM Licensing Managers Group in developing common minimum standards which define the expectations for drivers, vehicles and operators across the whole of Greater Manchester. A draft copy of the proposals are attached at **Appendix A**.
- 2.2 These standards will ensure that all GM authorities apply rigorous tests & checks to those engaged in the taxi trade, ensuring that the travelling public across GM are suitably protected, and that GM puts itself in a strong position to lobby for legislative change.
- 2.3 The proposed minimum standards relate to the four key areas identified by the GM Licensing Managers Group; Drivers, Vehicles, Operators and Local Authority Standards, and aim to raise standards across GM with a view to a more consistent approach to taxi licensing across the region.
- 2.4 Tameside Council already meets or exceeds many of the agreed minimum standards. A spreadsheet which benchmarks each of the GM authorities is shown at **Appendix B**.

3. TIMETABLE

- 3.1 A briefing took place with Andy Burnham, Mayor of Greater Manchester, Executive members and Chairs of Licensing Committees across GM on Monday 3 June 2019.
- 3.2 The proposed further timetable is detailed below:

17 June 2019	Briefing to all elected members
24 June 2019	Advanced trade briefings of the proposals

Summer/Autumn 2019	Formal consultation commences
January 2020	Reports taken through governance for decision
April 2020	Implementation commences

3.3 TfGM will host the consultation on behalf of all GM Licensing Authorities.

4. **RECOMMENDATIONS**

4.1 As set out on the front of the report.

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Proposed Greater Manchester Minimum Licensing Standards – June 2019

Introduction

About the proposed Greater Manchester Minimum Licensing Standards

Around 32 million trips are made in taxis and private hire vehicles in Greater Manchester each year. It's an important way for many people to travel around the city region.

There are around 2,000 taxis (known as black cabs or hackney carriages) and over 14,000 private hire vehicles (where you need to pre-book the journey in advance) licensed by the ten Greater Manchester authorities.



We want to make sure that anyone licensed by the ten Greater Manchester authorities who drives or operates a taxi or private hire vehicle in Greater Manchester meets the same minimum standards.

In addition, we want to support the trade to become fit for purpose for the 21st century and contribute to the vision for an integrated transport system. Currently, older licensed vehicles are damaging our environment and action is needed to address this important issue.

The proposed minimum standards have been developed by the ten Greater Manchester authorities to achieve a single vision for licensed vehicles in future, which support the GM Clean Air Plan proposals to tackle air pollution across Greater Manchester. These proposals will allow any person using a vehicle licensed in Greater Manchester to be assured that a high level and standard of check has been carried out. In addition, this will ensure, as far as possible, that the driver can be trusted, the vehicle is safe, and is not contributing to poor air quality. They will also be assured, as far as possible, that any operator licensed in Greater Manchester who they book a journey with will hold their information safely and that it will not be misused. This supports the key licensing principles of public protection.

It is proposed that where the current standards in a local authority are higher than the minimum standards, the current standards will remain in place.

We want to let the taxi and private hire trade in Greater Manchester know about the proposals before a formal consultation, which will take place later in 2019.

Greater Manchester's Clean Air Plan

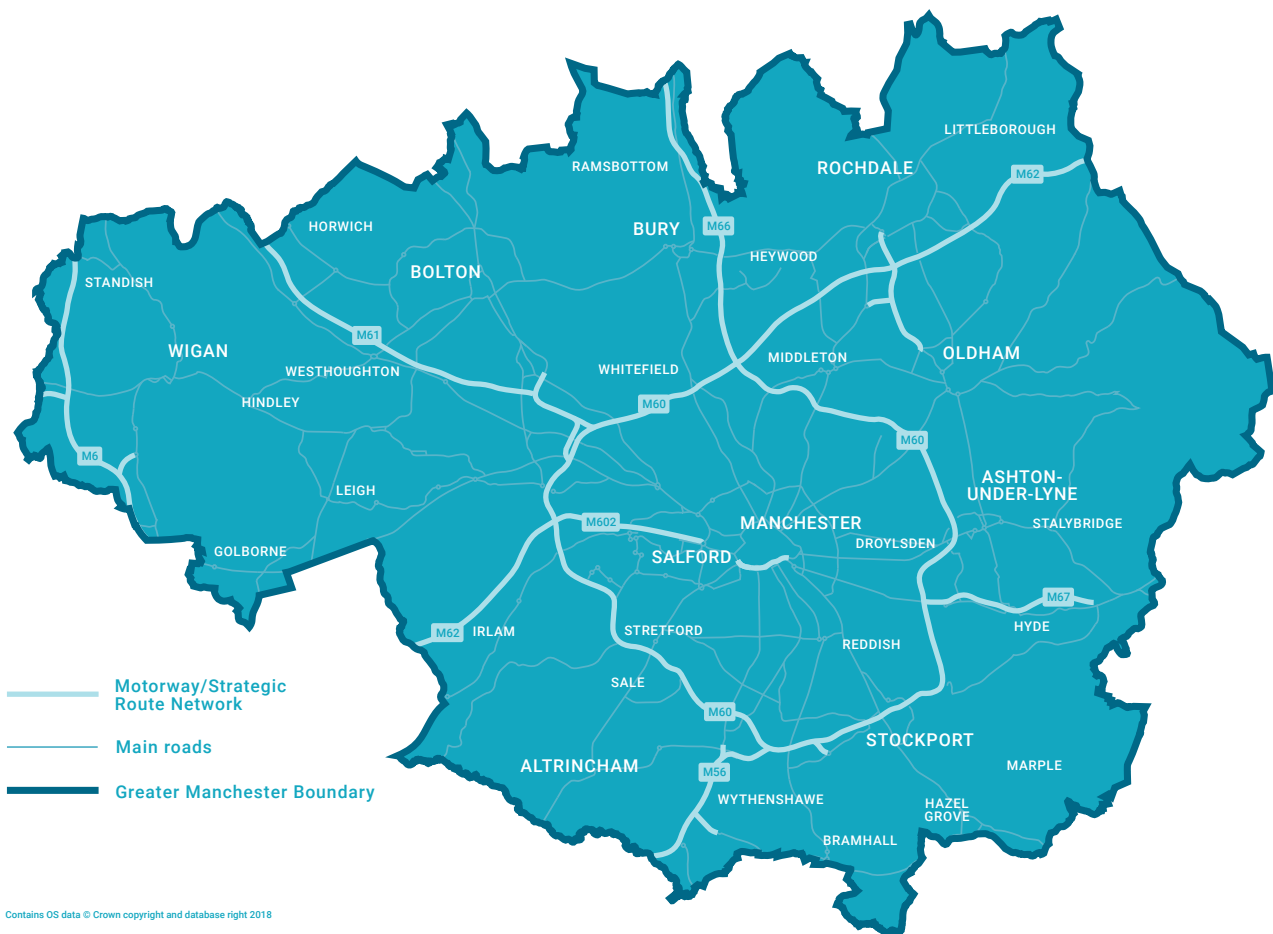
Dirty air from road transport can seriously damage our health and plays a part in thousands of deaths every year. Along with other major cities across the country, Greater Manchester needs to reduce air pollution to legal levels as quickly as possible.

The 10 local councils in Greater Manchester, in conjunction with Transport for Greater Manchester, are developing a Clean Air Plan to tackle this major risk to our health.

The current proposals aim to introduce a Greater Manchester Clean Air Zone in which the most polluting buses, coaches, HGVs, vans, taxis and private hire vehicles would pay a daily penalty to drive in. This is alongside major government funding to clean up the region's most polluting vehicles.

We estimate that almost 1,400 taxis (around 69%) licensed in Greater Manchester and just over 4,000 private hire vehicles (about 36%) licensed in Greater Manchester would need to pay a daily penalty if a Clean Air Zone was introduced in 2021.

Find out more about the clean air proposals and take part in the conversation (which is open until 30 June) by visiting cleanairgm.com



The Proposed Greater Manchester Minimum Licensing Standards

Licensed Vehicles – emissions standards

The proposed Greater Manchester Minimum Licensing Standards must support the Clean Air Plan proposals to improve air quality across Greater Manchester in the shortest possible time. Therefore it is proposed that all Greater Manchester licensed vehicles meet the standards in government's Clean Air Framework: Euro 4 petrol engines (typically registered from 2005 onwards), Euro 6 diesel engines (likely to have been registered from 2016 onwards), or an ultra-low emission engine.

You can check the Euro Standard of your vehicle by visiting eurostandards.co.uk

Licensed Vehicles – age requirements

It is proposed that when a vehicle is first licensed, it would be under 5 years old (from the date of manufacture) and would only be licensed until it was 10 years old.

Licensed Vehicles – livery

It is proposed that a standard livery would apply across all vehicles, with the relevant authority issuing door and bonnet stickers to be placed on all vehicles. Private hire vehicles would be white in colour and taxis would be black and wheelchair accessible.

Examples can be seen below:



Licensed Vehicles – other proposals

- CCTV installed in all vehicles and this may include audio as well as visual recording
- Local authority specific licence plates to be displayed on the front and rear of vehicles
- No retrofitting of engines into older vehicles (although retrofit emissions technology may be installed if CVRAS approved)
- All vehicles over the age of three will be tested at least twice a year
- No vehicles that have been written off in any category to be licensed
- No roof signs permitted on private hire vehicles

Licensed Drivers

We are proposing minimum standards for drivers to create consistency:

- Undergo enhanced criminal records checks and register for the update service
- Undertake a Group 2 medical examination
- Have a local knowledge test
- Have an English language assessment
- Undertake driver training and proficiency
- Comply with a dress code

Private Hire Operators

It is proposed that:

- The minimum standards will require operators and their staff to undergo a basic criminal record check to ensure that only safe and suitable people have access to Operator records
- Operators will not be able to use the word 'taxi' in materials relating to their business
- Operators will have to abide by a more stringent set of requirements in relation to their booking records
- Operators will have to take more responsibility for the behaviour of their drivers and where they plot around Greater Manchester awaiting jobs

Common Licence Conditions

It is proposed that a common set of licence conditions will apply for whichever of the ten Greater Manchester authorities you are licensed by.

Criteria for Safe and Suitable Licence Holders

A Greater Manchester policy on the suitability of licence holders and applicants will be included in the proposed minimum standards and will be consulted upon.

Local Authority Standards

It is also important that there are a common set of standards from a regulatory perspective, which will be outlined as part of the forthcoming consultation.

What next?

- Take part in the Clean Air conversation by visiting cleanairgm.com by 30 June 2019
- Consider the implications of the proposed minimum standards for you and your business and discuss with your local representatives
- A formal consultation will take place on the minimum licensing proposals later in 2019. At that time a consultation pack will be available which will include full details of the proposals and key documents

Taxi and Private Hire Minimum Licensing Standards Audit - GM 10 Local Authorities		Bury	Bolton	Manchester	Oldham	Rochdale	Salford	Stockport	Tameside	Trafford	Wigan	
LICENSED DRIVERS	Criminal Record Checks - applicants require an enhanced DBS certificate and sign up to the DBS update service		No update service							Enhanced DBS required but not yet required to register with update service.		
	Require certificate of good conduct for applicants who have lived outside the UK for 6 months or more		Trialling with new applicants for sometime			If applicants have not lived in UK consecutively for the last 5 years, will require certificate of good conduct						
	Applicants/drivers must meet DVLA Group 2 Medical Standards and medicals to be undertaken by GP's who have access to applicant's full medical history - and proposed frequency									Must be completed by applicant's own doctor but currently only require Group 1	Group 2 Medical with any Doctor	
	Applicants required to take a local area knowledge test											
	Authorities to ensure that drivers can communicate in English orally and in writing to a standard required to fulfil their duties											
	Authorities must require all drivers to undertake safeguarding/child sexual exploitation/human trafficking awareness training and also disability awareness training		Awaiting approval for rollout							All new drivers required to take safeguarding training		
	All new drivers required to pass a practical driving test with a GM approved supplier											
LICENSED VEHICLES	All licensed vehicles must comply with the current Euro standard relating to vehicle emissions at first licensing. (Petrol - Euro 4 2005 + and Diesel - Euro 6 2015 +)			Emissions policy only applicable to HCVs at present (Euro 5 & 6 permitted)								
	All vehicles must be under five years of age at first licensing and will not be licensed beyond ten years of age.				PH vehicles - upto 7 years until 12 years HC vehicles - upto 7 years until 14 years				PH vehicles - upto 5 years until 12 years PH WAV's & HC vehicles - upto 5 years until 15 years	4 years and 10 years unless vehicle is in exceptional condition	PH vehicles - off at 7 years HC vehicles - off at 10 years NOT ENFORCED	
	Vehicle Colour - all Private Hire vehicles will be white in colour and all taxis/hackney carriage vehicles to be black in colour			Currently allow 'True Silver' in PHVs also					Currently, all HV's must be black			
	Vehicle Stickers as prescribed by the Council only - no advertisements, no magnetic stickers		Approved adverts on taxis but no adverts on private hire - problems with company wraps on private hire				We have set criteria for size and content of operator stickers - no magnetics but operators are free to design their own. We do not currently issue them. NO advertisement permitted. Insurance stickers issued by us.					
	All taxis to be Wheelchair Accessible Vehicles (WAV).		Purpose built fleet									
	All Licensed vehicles over the age of three will be tested at least twice a year		All vehicles test twice									All vehicles tested every 6 months - Licensed for 12 months
	Not allowing retrofit of engines											
	Not licensing vehicles that have previously been written off		Allow category D vehicles		Will consider licensing Cat S & N - must pass Autolign inspection	Will consider licensing Cat S & N provided it meets the Council's compliance test	We allow if they are professionally repaired and meet DVSA standards and compliance test			Will consider licensing Cat S & N - must pass Autolign inspection		
	Window tint allowances (as proposed)		Current failure item - Light transmittance through: a. front-window glass is less than 75% b. side-door glass is less than 70% c. remaining glass (except rear window) is less than 70%									As manufacture fitted
	No roof signs on PHVs											
	Proprietors to have DBS check											
	All Licensed vehicles to be fitted with mandatory CCTV cameras to a standard yet to be determined.											
	LICENSED OPERATORS	Operator Licence Conditions that set clear requirements around records and responsibilities		Have this but proposed conditions go further and put further responsibilities around policy and training	Have this but proposed conditions go further and put further responsibilities around policy and training		We do have conditions relating to this, but proposed conditions are more robust					
DBS Checks for Operators and Staff every three years				DBS for Operator Licence Holders but not staff at present		A basic/standard DBS required at the point of application from operators who are not currently licensed as a driver		DBS for Operator Licence Holders but not staff at present				
Fit and Proper criteria for operator applications				This will be dealt with in the suitability policy								

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CONSTRUCTION CHARTER

As a Local Authority we are responsible for the procurement of a multitude of construction projects. It is therefore appropriate that we as a responsible client enter into this agreement and commit to working with the appropriate trade unions, in order to achieve the highest standards in respect of; direct employment status, health & Safety, standard of work, apprenticeship training and the implementation of appropriate nationally agreed terms and conditions of employment. The following shall be a requirement for all contractors and their supply chain engaged by this Authority: -

1. All parties recognise that the highest level of compliance with current HMRC regulations must be achieved where public funds are utilised. It is therefore a requirement that all operatives are directly employed on a PAYE basis under a contract of employment unless the nature of the work requires specialist skills and experience including work on listed and heritage buildings/assets, etc. Whilst it is recognised that on an exceptional basis the use of an intermediate payroll company may be required, an over reliance on this form of staff engagement is prohibited.
2. Health and Safety of workers on all of our construction projects is paramount. It is therefore a requirement that all contractors rigorously implement and adhere to our minimum standards for health and safety, as set out in our procurement documents. In addition we require all contractors to provide quality welfare facilities fit for purpose in accordance with the Construction Design and Management Regulation of 2015.
3. It is a recognised fact that the presence of trade union safety representatives significantly improves safety in the workplace. Contractors and their supply chain are required to work collaboratively with the appropriate trade unions to identify and implement reasonable real-world initiatives.
4. The Authority requires all projects to be completed to the highest standard, so as to meet the aspirations of the residents of this Authority. In order to achieve this it is recognised that it is necessary that all workers are competent and have the appropriate level of skill to carry out the work they are employed to do. To assist in the achievement of this goal the Authority's contractors and their supply chain will ensure they retain documented evidence that all workers are competent to carry out the work they have been employed to do. They will ensure that such evidence is retained in a way as to allow the Authority or its nominee's to audit the documentation. Possession of the recognised industry skills / grade card such as JIB or CSCS will be considered acceptable evidence
5. The Authority is mindful of the industry skills shortage and the need to address this through appropriate apprenticeships, including adult training in up skilling. The Authority's contractors and supply chain will in consultation with the Authority and other interested parties develop and implement a programme that addresses the skills shortage and provides training opportunities to local residents.
6. The Authority recognises the right of all construction workers to be employed under and to be protected by the appropriate national industry collective agreement. The

Authority supports full compliance with all appropriate national agreements applicable to the construction industry.

7. All contractors and their supply chain will accept the right of any trade union that is a signatory to an appropriate national agreement, to appoint shop stewards, workplace health & safety representatives and Union Learning Reps. All trade union accredited representatives will be granted appropriate time and facilities to carry out their responsibilities.
8. The Authority, its contractors and their supply chain are committed to a fair and transparent recruitment policy. All contractors and their supply chain will actively ensure that the engagement of labour is based on the individual's ability to meet the needs of the project and the specific tasks for which they are recruited to undertake.
9. The Authority its contractors and their supply chain agree it's not acceptable for anyone to use or make reference to any form of blacklist.
10. The Authority recognises the benefit trade unions bring to the workplace and the rights of workers to hear from trade union representative. The Authority's contractors and their supply chain are required to allow access to nominated trade union officer from trade unions that are signatories to the appropriate national agreements. Access shall mean access to welfare facilities during working times so as to allow them to consult with their members and potential members.

The Authority supports the Get Britain Building campaign, which is aimed at supporting and sustaining the British construction industry. Consequently, all relevant construction and engineering contracts which require structural steel and other relevant materials to be covered by BES 6001 Responsible Sourcing of Construction Product certification, or equivalent and demonstrate that their sourcing strategy is ethical, value for money and aligns with our aspirations to use local supply chains wherever practical and possible.