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TRAFFORD COUNCIL

Tuesday, 14 May 2019

Trafford Town Hall
Talbot Road
Stretford
M32 0TH

Dear Councillor,

Please find enclosed reports in respect of the following items of business listed on the Summons for the **ANNUAL MEETING** of the Council on **WEDNESDAY, 22 MAY 2019**, at **6.00 P.M.** in the **COUNCIL CHAMBER, TRAFFORD TOWN HALL, TALBOT ROAD, STRETFORD**:

	Pages
6. Leader of the Council and Membership of the Executive	
To elect the Leader of the Council and note that the Leader will appoint the membership of the Cabinet and a Deputy Leader.	1 - 4
7. Shadow Executive	
To note the membership of the Shadow Executive.	5 - 6
8. Council Committees	
To receive a report on the Committees of the Council, their composition, membership and terms of reference for the 2019/20 Municipal Year.	7 - 44
9. Appointments to Outside and Independent Bodies	
To receive a report on Council appointments to outside and independent bodies.	45 - 50
10. Timetable of Council and Committee Meetings	
To approve a timetable of meetings for 2019/20.	51 - 52
12. Delegation of Functions and Amendments to the Constitution	
To receive a report of the Corporate Director of Governance and Community Strategy and Monitoring Officer.	53 - 98

14. **Greater Manchester Transport Committee - Role and Responsibilities**

To receive a report of the Corporate Director of Governance and Community Strategy and Monitoring Officer.

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Yours sincerely,

SARA TODD
Chief Executive

Membership of the Council

Councillors T. Ross (Mayor), R. Chilton (Deputy Mayor), D. Acton, S. Adshead, A. Akinola, S.B. Anstee, Dr. K. Barclay, J. Baugh, J. Bennett, Miss L. Blackburn, R. Bowker, C. Boyes, J. E. Brophy, B. Brotherton, D. Bunting, D. Butt, T. Carey, Dr. S. Carr, K.G. Carter, C.H. Churchill, G. Coggins, M. Cordingley, J. Dillon, A. Duffield, N. Evans, M. Freeman, Mrs. D.L. Haddad, J. Harding, B. Hartley, J. Holden, C. Hynes, D. Jarman, D. Jerrome, P. Lally, J. Lamb, J. Lloyd, S. Longden, M. Minnis, A. Mitchell, D. Morgan, P. Myers, A. New, J.D. Newgrosh, E. Patel, K. Procter, S.B. Procter, B. Rigby, B. Shaw, J. Slater, E.W. Stennett, S. Taylor, S. Thomas, R. Thompson, L. Walsh, M.J. Welton, A. Western, D. Western, G. Whitham, A.M. Whyte, A.J. Williams, B.G. Winstanley, J.A. Wright and Mrs. P. Young.

Further Information

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

Ian Cockill, Democratic Services Officer
Tel: 0161 912 1387
Email: ian.cockill@trafford.gov.uk

This Supplementary Agenda was issued on **Wednesday, 22 May 2019** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

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TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 22 May 2019
Report for: Decision
Report of: Corporate Director of Governance and Community Strategy

Report Title

APPOINTMENT OF LEADER AND MEMBERSHIP OF THE EXECUTIVE

Summary

To elect the Leader of the Council and note that the Leader will appoint the Deputy Leader, decide the composition of the Executive Cabinet and appoint the Membership of the Executive Cabinet.

Recommendation(s)

Council is requested to:

1. Elect a Leader of the Council and note the term of office and
 - note that the Leader proposes that the Executive shall comprise the Leader of the Council plus 9 councillors
 - note that the Leader proposes to appoint the membership of the Executive, including the appointment of a Deputy Leader as set out in the Appendix to the report.
2. Authorise the Corporate Director of Governance and Community Strategy to make the necessary amendments to the Constitution arising as a result of these proposed arrangements.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387
Background Papers: None

1.0 Background

- 1.1 At its meeting on 2 December 2009, the Council approved a new style 'strong' Leader and Cabinet model of executive leadership, in accordance with the Local Government and Health Act 2007. The Act required changes to the leadership of Councils giving only two options, both of which place all executive powers in the hands of one individual, who, in the normal course of events, will serve an uninterrupted 4 year term. The Council's new Executive Arrangements came into operation on 6 May 2010.

2.0 New Style Leader and Cabinet

- 2.1 Under this model the Council appoints the Leader for a fixed term of office of 4 years. The Leader then appoints a Cabinet but also determines the size of the Cabinet (within the statutory minimum and maximum of 3 and 10). Under these executive arrangements provision must be made for the appointment of a Deputy Leader with power to act in the Leader's absence. Again the Deputy Leader is appointed (and may also be removed) by the Leader.
- 2.2 The term of office of the Leader is from the date of election as Leader to the first annual meeting after their normal day of retirement as a councillor i.e. up to 4 years. Thus, a Leader needing to seek re-election as a councillor before the end of the maximum 4 year term will be elected for a shorter term.
- 2.3 The Council includes provisions in its Constitution whereby the Council may remove the Leader from office at any time (if the Council did not include such provision for the mid term removal of the Leader, the Leader would remain in office for their full term). The Council's Constitution states that the Leader shall hold office until:
- (a) (s)he resigns from the office; or
 - (b) (s)he is disqualified from being a councillor; or
 - (c) (s)he is no longer a councillor; or
 - (d) the first Annual Meeting after their normal day of retirement as a councillor save that the Council may by resolution remove the Leader from office at an earlier date.
- 2.4 The Leader will be vested with all the authority's executive functions, initially holding all the Council's executive functions under their personal control. It is then for him/her to choose whether to exercise some or all of these functions personally or to make arrangements for their discharge by the executive, a committee of the executive, by an individual member of the executive, or by officers and these will be notified at the Annual Meeting of the Council.
- 2.5 Councillor Andrew Western's term of office ended in May this year and he was re-elected as a Member of Council. Council is therefore required to elect a Leader of the Council and to note the term of office.

- 2.6 Subject to his reappointment as Leader, Councillor Andrew Western proposes to appoint an Executive Member as Deputy Leader with power to act in the Leader's absence. Details of the proposed deputy are as set out in the Appendix
- 2.7 He is also proposing to appoint 9 Executive Members and these are set out in the Appendix. Executive Members appointed by the Leader of the Council (including the Executive Member appointed as Deputy Leader) shall hold office until:
- (a) they resign from office; or
 - (b) (s)he is disqualified from being a councillor; or
 - (c) they are no longer councillors; or
 - (d) the Annual General Meeting following the meeting at which they are appointed to the Executive save that the Leader of the Council may remove them from office either individually or collectively at an earlier date.

**EXECUTIVE
PORTFOLIOS 2019/20**

<u>Councillor</u>	<u>PORTFOLIO</u>
Andrew Western	Leader of the Council
Catherine Hynes (Deputy Leader)	Children's Social Care (with all statutory children's responsibilities)
Joanne Harding	Adult Social Care
Graham Whitham	Communities and Partnerships
Jane Baugh	Culture and Leisure
Stephen Adshead	Environment, Air Quality and Climate Change
Tom Ross	Finance and Investment
Jane Slater	Health, Wellbeing and Equalities
James Wright	Housing and Regeneration
Mike Freeman	Public Safety, Governance and Reform

Non-Executive Portfolio

Karina Carter	Lead Member for Education
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TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 22 May 2019
Report for: Information
Report of: Chief Executive

Report Title

SHADOW EXECUTIVE

Summary

To note the Members of the main opposition with shadow responsibility for the Executive portfolio areas.

Recommendation(s)

To note the members of the Shadow Executive as set out in the Appendix.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers: None.

MEMBERSHIP OF THE SHADOW EXECUTIVE 2019/20

<u>Councillor</u>	<u>PORTFOLIO</u>
Nathan Evans	Leader of the Opposition
Patrick Myers (Deputy Leader)	Finance and Investment
John Holden	Adult Social Care
Sean Anstee	Children's Social Care (with all statutory children's responsibilities)
Brian Shaw	Communities and Partnerships
John Lamb	Culture and Leisure
Dylan Butt	Environment, Air Quality and Climate Change
Miss Linda Blackburn	Health, Wellbeing and Equalities
Dave Morgan	Housing and Regeneration
Chris Boyes	Public Safety, Governance and Reform

Non-Executive Portfolio

To be confirmed	Lead Member for Education
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Note: The Members' Allowances Scheme specifies that Shadow Executive arrangements should reflect the composition of the Council's Executive, thus:

- (a) the Shadow Executive must be composed of identical portfolio areas; and*
- (b) the number of Members appointed to the Shadow Executive (including the Members appointed as Leader and Deputy Leader) must be equal to or less than the number of Members appointed to the Executive.*

TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 22 May 2019
Report for: Decision
Report of: Corporate Director of Governance and Community Strategy

Report Title

COUNCIL COMMITTEES

Summary

To agree the Committees of the Council, their size, political composition, membership and terms of reference for the 2019/20 municipal year.

Recommendation(s)

- 1) That the Standing Committees and their composition, as set out in Appendix 1 to the report, be approved.
- 2) That the Terms of Reference for each Committee, as set out in Appendix 2 to the report, be approved.
- 3) That the membership of Committees for the 2019/20 municipal year, as set out in Appendix 3* to the report, be approved.
- 4) That the appointment of Committee Chairs and Vice-Chairs, as set out in Appendix 3*, be approved and the nomination of Opposition Spokespersons (where appropriate), be noted.
- 5) That the Licensing Committee be recommended to appoint the membership of the Safety at Sports Grounds Sub-Committee and as set out in Appendix 4.
- 6) That the Appointments and Appeals Panel be formally appointed, the membership for which will be drawn from all members of the Council.

[When sitting, the Panel shall comprise a smaller number of members selected for specific purposes and shall be politically balanced. When acting as an Appeals Panel, the membership shall be restricted to a pool of Members who have undertaken the necessary Members Appeals Training. Please refer to the Terms of Reference (Appendix 2) for details on the role of this Panel.]

- 7) That the Council appoints to the Health and Wellbeing Board, as set out in Appendix 5, and the Board be recommended to endorse the Council's membership.
- 8) That the Joint Health Scrutiny Committee be formally reinstated by the Council, as set out in Appendix 6, and appointed during the year if required.

- 9) That the Council delegate to the Chief Executive, in accordance with the written request of the relevant Group Leader, the power and authority to change the membership of committees and sub-committees as may be needed from time to time.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers: None.

1. COMPOSITION OF COUNCIL COMMITTEES

1.1 In accordance with the provisions of the Local Government and Housing Act 1989, the Chief Executive has been informed of the following political groups on the Council:-

- Labour Group - 36 members
- Conservative Group - 20 members
- Liberal Democrat Group - 3 members
- Green Party Group - 3 members

1.2 In addition, 1 Individual Liberal Democrat member does not wish to be attached to any of the political groups, however, there is not a requirement to offer any seats as an individual does not constitute a group.

1.3 The regulations require that the composition of committees is in accordance with the political balance of the 63 members of the Council and that this is reviewed as a result of any changes to that balance.

1.4 Subject to the need to allocate each political group a total allocation of seats in proportion to its strength on the Council, the Membership of each Ordinary Committee should be made up of the following proportions: -

- Labour (36/63) - 57.1%
- Conservative (20/63) - 31.7%
- Liberal Democrat (3/63) - 4.8%
- Green Party (3/63) - 4.8%
- Independent Liberal Democrat (1/63) - 1.6%

1.5 The proposed Committee structure is set out in Appendix 1.

PROPOSED COMMITTEE ENTITLEMENTS FOR THE MUNICIPAL YEAR 2019/20

Committee	No. of Members	Ex-officio Members	Co-opted Members	Proposed Places			
				LAB	CON	L/D	GP
<u>Ordinary Committees</u>							
Accounts and Audit	9	-	1	5	3	0	1
Employment	9	-	-	6	3	0	0
Planning and Development Management	13	-	-	7	4	1	1
Licensing *	15	-	-	8	5	1	1
Standards	11	-	5^^	6	3	1	1
Scrutiny	9	2#	-	5	3	1	0
Health Scrutiny	9	2#	-	6	3	0	0
Children and Young Peoples Scrutiny	9	2#	5^	6	3	0	0
POLITICALLY BALANCED PLACINGS (excluding other Committees)	84	6	11	49	27	4	4
<u>Other Committee(s)</u>							
Health and Wellbeing Board**	5	-	16^^^	3	1	1	0
OVERALL PLACINGS	89	6	27	52	28	6	4

* Committees for which political balance rules may be disapplied

** Committee for which political balance rules do not apply

The Chairmen of the three Scrutiny Committees shall be appointed as ex-officio non-voting members on each of the other Committees.

^ 2 Church and 3 Parent-Governor representatives

^^ 2 Parish representatives and 3 Independent members

^^^ Corporate Director of Children, Families and Wellbeing plus 16 External Partners

ACCOUNTS AND AUDIT COMMITTEE

Statement of Purpose

The purpose of the committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Authority's financial and non financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

Composition

Membership of the Audit and Accounts Committee shall comprise 7 Members, be politically balanced and shall not include any Members of the Executive. A non voting member, with appropriate skills and experience, may be co-opted on to the Committee with the approval of the Council.

Terms of Reference

Internal and External Audit

- a) Review and approve (but not direct) the Internal Audit Charter and Strategy, including internal audit resourcing.
- b) Review and approve (but not direct) the annual Internal Audit work programme. Consider the proposed and actual Internal Audit coverage and whether this provides adequate assurance on organisations main business risks, review the performance of Internal Audit.
- c) Receive summary internal audit reports and seek assurance on the adequacy of management response to internal audit advice, recommendations and action plans.
- d) Review arrangements made for cooperation between Internal Audit, External Audit and other review bodies and ensure that there are effective relationships which actively promote the value of the audit process.
- e) Receive the Annual Internal Audit report and opinion.
- f) Review and consider proposed and actual External Audit coverage and its adequacy and consider the reports of external audit and inspection agencies.
- g) Receive updates from External Audit on External Audit findings and opinions (including the audit of the annual financial statements and the value for money conclusion) and seek assurance on the adequacy of management response to External Audit advice, recommendations and action plans.

Risk Management

- a) Review the adequacy of arrangements for identifying and managing the organisation's business risks, including partnerships with other organisations. This

includes review of the Council's risk management policy and strategy and their implementation.

- b) Review the robustness of the strategic risk register and the adequacy of associated risk management arrangements.
- c) Receive and consider regular reports on the risk environment and associated management action.

Internal Control Arrangements, Corporate Governance and the Annual Governance Statement

- a) Review the effectiveness of corporate governance arrangements and internal control across the organisation and the adequacy of action taken to address any weaknesses or control failures.
- b) Conduct a review of the draft Annual Governance Statement (AGS), which is a key assurance statement required to be completed each year in accordance with the Accounts and Audit Regulations 2015.
- c) Approve the final version of the Annual Governance Statement.

Anti - Fraud and Corruption Arrangements

- a) Review and ensure the adequacy of the organisation's Anti – Fraud & Corruption policy and strategy and the effectiveness of their application throughout the Authority.
- b) Review and ensure that adequate arrangements are established and operating to deal with situations of suspected or actual fraud and corruption.

Accounts

- a) Approve the annual Statement of Accounts, including subsequent amendments.
- b) Consider the External Auditor's report on the audit of the annual financial statements.
- c) Be responsible for any matters arising from the audit of the Council's accounts, including the auditor's opinion on the accounts, identification of any misstatements, comments on the accounting and internal control systems and qualitative aspects of accounting practices and financial reporting.

Access and Reporting

- a) To have the right of access to senior officers and all committees of the Council.
- b) To report directly to the Executive or Council, as appropriate, on matters within these terms of reference.

Delegation

In exercising the power and duties assigned to the Committee in its terms of reference, the Audit and Accounts Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

EMPLOYMENT COMMITTEE

Terms of Reference

1. To determine collective and corporate terms and conditions of employment.
2. To consider any matter referred to the Committee by the Head of Paid Service or Corporate Director Transformation and Resources.
3. To consider, approve and adopt any new or significant revision to existing corporate human resources strategies and policies in so far as they relate to the appointment, terms and conditions of employment and dismissal of staff.
4. To determine any other matters relating to the appointment, terms and conditions of employment and dismissal of staff which are neither covered by policies of the Council nor delegated to Officers under the Scheme of Delegation.

Delegation

The Executive Member with responsibility for Strategic HR and the Corporate Director Transformation and Resources will notify/keep the Committee informed of all other relevant HR related issues, as required.

In exercising the above powers and responsibilities, the Committee shall have delegated power (subject to Council Procedure Rule 9 - Call-in of Decisions taken under Delegated Powers) to make decisions on behalf of the Council, except for any matter where:

- the Head of the Paid Service determines the matter should be considered by full Council, or
- the Council has resolved to determine the matter

[Note: The Committee may itself determine not to exercise its delegated powers and instead make recommendations to Council]

LICENSING COMMITTEE

Terms of Reference

1. To exercise the Council's licensing functions under the Licensing Act 2003 with the exception of any function conferred on the Council under Section 5 of the Act (statement of licensing policy).
2. In respect of each 5 year period, in consultation with the Executive, to formulate or prepare for approval by the Council its policy with respect to the exercise of its licensing functions under the Licensing Act 2003.
3. To keep the policy with respect to the exercise of its licensing functions under the Licensing Act 2003 under review and recommend any revisions to the policy to the Council.
4. To exercise the Council's licensing functions under the Gambling Act 2005 with the exception of any function conferred on the Council under Section 349 of the Act (statement of licensing policy).
5. To exercise powers in relation to the following functions as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000:
 - (i) all licensing and registration functions except those relating to town and country planning and the regulation of the use of the highway;
 - (ii) functions under any 'relevant statutory provision' within the meaning of Part I of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as employer; and
 - (iii) associated functions under any local Act.
6. To establish one or more Sub-Committees under Section 10(1) of the Licensing Act 2003 and Section 154 of the Gambling Act 2005 consisting of three members of the Licensing Committee for the discharge of functions exercisable by the Committee under the Licensing Act 2003 and the Gambling Act 2005. The functions to be exercised by the Sub-Committees include the functions set out at Appendix 1 and Appendix 2. Licensing Act and Gambling Act Sub-Committees shall be chaired in accordance with the protocol set out at Appendix 3.
7. To establish a Safety at Sports' Grounds Sub-Committee consisting of three Members of Council to oversee the exercise of the Council's functions in relation to safety at sports' grounds.
8. To establish a Public Protection Sub-Committee for the discharge of all other licensing, registration and regulatory functions within the terms of reference of the Licensing Committee not covered by the sub-committees in paragraphs 6 and 7 above. That in establishing a Public Protection Sub-Committee this is to be a Sub-Committee of 9 Members (5:3:1) with up to 5 substitute Members for the Sub-Committee Members being allowed (3:2:0). The substitute Members for the Sub-Committee can only be nominated from the membership of the Licensing Committee.

Delegation

In exercising the power and duties assigned to them in their terms of reference, the Licensing Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

Appendix 1 to the Licensing Committee's Terms of Reference

Delegated Functions

Licensing Act

TABLE OF DELEGATED FUNCTIONS

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection is made	If no objection is made
Application for personal licence with unspent convictions		All Cases	
Application for premises licence/club premises certificate		If a relevant representation is made	If no relevant representation is made
Application for provisional statement		If a relevant representation is made	If no relevant representation is made
Application to vary premises licence/club premises certificate		If a relevant representation is made	If no relevant representation is made
Application to vary designated premises supervisor		If a police objection is made	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection is made	All other cases
Application for interim authorities		If a police objection is made	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision to Serve Counter Notice to Temporary Event Notice		All cases	

Appendix 2 to the Licensing Committee's Terms of Reference

Delegated Functions

Gambling Act

TABLE OF DELEGATED FUNCTIONS

Matter to be dealt with	Full Council	Sub-Committee of Licensing Committee	Officers
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Application for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

Appendix 3 to the Licensing Committee's Terms of Reference

List of proposed Chairs

Name	Order of Priority
Chair of Licensing Committee	1
Vice-Chair of Licensing Committee	2
Opposition Spokesperson for Licensing Committee	3
Member of Licensing Committee	4
Member of Licensing Committee	5

Note: the order of priority is applicable when more than one chair is a member of the same Sub-Committee.

PLANNING AND DEVELOPMENT MANAGEMENT COMMITTEE

Terms of Reference

1. To exercise powers in relation to planning and development management over development proposals in the Borough in the context of Government and Council policies and guidance in order to maintain and improve the quality of life and the natural and built environment of the Borough.
2. To exercise powers in relation to the following functions as specified in schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended:
 - (i) town and country planning;
 - (ii) the protection and registration of common land or town and village greens and to register the variation of rights of common; and
 - (iii) the exercise of powers relating to the regulation of the use of highways.
3. To exercise powers under Section 101 of the Local Government Act 1972 in respect of the discharge of functions under the Planning Acts to any other local authority.

Delegation

In exercising the power and duties assigned to them in their terms of reference, the Planning and Development Management Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

STANDARDS COMMITTEE

Terms of Reference

1. To promote and maintain high standards of conduct.
2. To make recommendations to Council on the council's code of conduct and its register of interests.
3. To determine by way of its Hearing Panel whether a breach of the code has occurred; if so, whether to take any action and, if so, what action to take.
4. To determine appeals from the Monitoring Officer's decision on dispensations.

Delegation

In exercising the power and duties assigned to the Committee in its terms of reference, the Standards Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

SCRUTINY COMMITTEE

Terms of Reference

1. To act as the Council's Overview and Scrutiny Committee and Crime and Disorder Committee for the purposes of all relevant legislation including, but not limited to, the Local Government Act 2000 (as amended), and Police and Justice Act 2006.
2. The Committee will also be responsible for the review and scrutiny of decisions made or actions taken in connection with the provision, planning and management of education in the borough of Trafford and, in particular, all of the functions of the Council as an education authority under the Education Acts, School Standards and Framework Act 1998 and all other relevant legislation in force from time to time. Co-opted Members will be appointed to discuss education matters and will attend the Scrutiny Committee when they consider education matters.

General Role

3. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities.
4. In relation to the above functions:
 - a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate
 - b) to consider any matter affecting the area or its inhabitants
5. In relation to any function within the remit of this Committee:-
 - a) as set out in (b) below to exercise the power to call in, for reconsideration, executive decisions made but not yet implemented set out in Section 21(3) of the Local Government Act 2000.
 - b) The call-in of an executive decision is to be exercised as follows:-
 - i) the decision must not have been designated as urgent by the decision taker
 - ii) the request to call in a decision must be made within 5 working days of the decision being published
 - iii) any 3 members of an overview and scrutiny committee or select committee can ask the Chairman of this Committee or, in his/her absence, the Vice-Chairman to call in an executive decision
 - iv) in deciding whether or not to approve the request to call in a decision, the Chairman or Vice-chairman may consult the Vice-Chairman and the chairmen of the Select Committees as appropriate
 - v) if the Chairman, or Vice-Chairman as appropriate, approve the call in of a decision the request to call in the decision must be made to the Chief Executive within the timescale set out in (ii) above

- vi) the Chairman may decide, after consulting as appropriate, to call in a decision whether or not a request under (iii) has been received.
6. To put in place and maintain a system to ensure that referrals from overview and scrutiny to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
 7. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
 8. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

Specific functions

9. Maintain a strategic overview of progress towards the achievement of the ambitions and priorities within Trafford's Sustainable Community Strategy.
10. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.
11. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.
12. Receive, consider and action as appropriate requests:
 - a) from the Executive in relation to particular issues; and
 - b) on any matters properly referred to the Committee
13. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
14. In relation to the terms of reference of the Committee it may:
 - a) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
 - b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
 - c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;

- e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
- f) question and gather evidence from any other person with their consent.
- g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
- i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
- j) undertake any other activity that assists the Committee in carrying out its functions.

Delegation

15. The Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

HEALTH SCRUTINY COMMITTEE

Terms of Reference

1. To act as the Council's Overview and Scrutiny Committee for the purposes of all relevant legislation including, but not limited to the Health and Social Care Act 2001 and the National Health Service Act 2006.
2. All health scrutiny powers provided under the Health and Social Care Act 2001 are delegated to the Health Scrutiny Committee.
3. The Health Scrutiny Committee will have the power to refer a proposed substantial variation in service delivery to the Secretary of State. If the Committee wish to exercise this power, then this must also be agreed by the Chairman of the Scrutiny Committee who will be an ex-officio member of the Health Committee and will hold the power of veto in respect of any proposed referral of a substantial variation to the Secretary of State.

General Role

4. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities in relation to health and well-being issues.
5. In relation to the above functions:
 - a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate
 - b) to consider any matter affecting the area or its inhabitants
6. To put in place and maintain a system to ensure that referrals from the Health Scrutiny Committee to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
7. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
8. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

Specific functions

9. Maintain a strategic overview of progress towards the achievement of the ambitions and priorities within Trafford's Sustainable Community Strategy in relation to health and well-being matters.
10. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.

11. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.
12. Receive, consider and action as appropriate requests:
 - a) from the Executive in relation to particular issues; and
 - b) on any matters properly referred to the Committee
13. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
14. In relation to the terms of reference of the Committee it may:
 - a) assist the Council, Executive and shadow Health and Well-being Board in the development of its budget and policy framework by in-depth analysis of policy issues;
 - b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
 - c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;
 - e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
 - f) question and gather evidence from any other person with their consent.
 - g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
 - h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
 - i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
 - j) undertake any other activity that assists the Committee in carrying out its functions.

Delegation

15. The Health Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

CHILDREN AND YOUNG PEOPLE'S SCRUTINY COMMITTEE

Terms of Reference

1. The Committee will be responsible for the review and scrutiny of decisions made or actions taken in connection with the provision, planning and management of education in the borough of Trafford and, in particular, all of the functions of the Council as an education authority under the Education Acts, School Standards and Framework Act 1998 and all other relevant legislation in force from time to time. Co-opted Members will be appointed to discuss education matters and will attend the Scrutiny Committee when they consider education matters.
2. To review and scrutinise decisions made or actions taken in connection with:
 - (a) the provision, planning and management of children's and young people's services and community lifelong learning in the borough of Trafford;
 - (b) all functions of the council insofar as they relate to the provision of opportunities for education, training and learning outside the school environment, including pre-school, adult and community learning.
3. The development of the council's LEA Strategic Plan (incorporating the Education Development Plan) and the Early Years Development Plan.

General Role

4. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities.
5. In relation to the above functions:
 - (a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate.
 - (b) to consider any matter affecting the area or its inhabitants.
6. To put in place and maintain a system to ensure that referrals from the Children and Young People's Scrutiny Committee to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
7. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
8. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

Specific functions

9. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.
10. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.
11. Receive, consider and action as appropriate requests:
 - (a) from the Executive in relation to particular issues; and
 - (b) on any matters properly referred to the Committee.
12. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
13. In relation to the terms of reference of the Committee it may:
 - (a) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
 - (b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
 - (c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - (d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;
 - (e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
 - (f) question and gather evidence from any other person with their consent.
 - (g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
 - (h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
 - (i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
 - (j) undertake any other activity that assists the Committee in carrying out its functions.

Delegation

14. The Children and Young People's Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

APPOINTMENTS AND APPEALS PANEL

To act as the Council's appeals body regarding appeals other than those for which specific arrangements have been established.

To be responsible for staff appointment and related matters regarding:

- short-listing applicants and appointments of Corporate Directors and Directors;
- short-listing applicants and appointments of Joint Council / Trafford Clinical Commissioning Group Director level posts. Appointment panels to consist of one member from each political party and 2 from the Governing Body;
- appeals in accordance with the disciplinary and grievance procedures;
- appeals by employees against grading.

HEALTH AND WELLBEING BOARD

Terms of Reference

1. To provide strong leadership and direction of the health and wellbeing agenda by agreeing priority outcomes for health and wellbeing.
2. To develop a shared understanding of the needs of the local population and lead the statutory Joint Strategic Needs Assessment (JSNA).
3. To seek to meet those needs by producing a Joint Health and Wellbeing Strategy for Trafford and ensure that it drives commissioning of relevant services.
4. To drive a genuine collaborative approach to commissioning of improved health and care services which improve the health and wellbeing of local people and reduces health inequalities.
5. To promote joined-up commissioning plans across the NHS, social care and public health.
6. To have oversight of local Clinical Commissioning Group (CCG) and local authority commissioning plans.
7. To operate as a thematic partnership within the context of the Sustainable Community Strategy Trafford 2021 and align its work to the Trafford Partnership in that capacity.
8. To improve local democratic accountability and engage with the Health and Wellbeing Forum which includes Trafford residents, service providers and other key stakeholders to understand health and wellbeing needs in Trafford.
9. To monitor and review the delivery of health and wellbeing improvements and outcomes through robust performance monitoring.

Item 8: APPENDIX 3

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

Note on Membership: In accordance with Chartered Institute of Public Finance and Accountancy (CIPFA) recommended practice the Chair and Vice-Chair of the Accounts and Audit Committee should not also be a Chair or Vice-Chair of an Overview and Scrutiny Committee / Select Committee.

COMMITTEE		NO. OF MEMBERS	
ACCOUNTS AND AUDIT		9 (plus 1 Co-optee)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Barry Brotherton CH Jayne Dillon Anne Duffield Judith Lloyd Liz Patel V-CH	Chris Boyes OS Paul Lally Alan Mitchell		Geraldine Coggins
TOTAL	5	3	0
			1

NON-VOTING CO-OPTEE (1) – Mrs. Jeannie Platt

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

Note on Membership: Members of the Employment Committee will also be appointed as representatives of the Council (Employer's Side) on the Joint Consultative Panel.

COMMITTEE		NO. OF MEMBERS	
EMPLOYMENT		9	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
David Acton Akilah Akinola Joanne Bennett CH Mike Cordingley Rose Thompson Amy Whyte V-CH	John Holden Paul Lally OS Brian Rigby		
TOTAL	6	3	0

Substitute Members:

1 Vacancy

Sean Anstee

(1)

(1)

(0)

(0)

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

Notes on Membership:

(1) It is advisable that the number of members serving on both the Licensing and Planning and Development Management Committees in each political group is kept to a minimum to ensure that the potential for conflicts of interest is kept to a minimum.

(2) All Licensing Committee Members may be called upon as Members of the Licensing Sub-Committee, the meetings for which are held during the working day. Therefore, it would be preferable if Members serving on this Committee could also be available during the day time.

COMMITTEE		NO. OF MEMBERS	
LICENSING		15	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Barry Brotherton Anne Duffield CH David Jarman V-CH Steven Longden Adele New Whit Stennett Sophie Taylor Simon Thomas	Dan Bunting Dylan Butt OS Mrs. Denise Haddad John Holden <i>1 Vacancy</i>	Julian Newgrosh	Michael Welton
TOTAL	8	5	1
		1	1

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

Note on Membership: It is advisable that the number of members serving on both the Planning & Development Management and Licensing Committees in each political group is kept to a minimum to ensure that the potential for conflicts of interest is kept to a minimum.

COMMITTEE		NO. OF MEMBERS	
PLANNING AND DEVELOPMENT MANAGEMENT		13 (plus 7 Substitutes)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Mike Cordingley Liz Patel Kevin Procter Whit Stennett Laurence Walsh CH Aidan Williams V-CH Barry Winstanley	Dr. Karen Barclay Dan Bunting OS Thomas Carey Dave Morgan	Meena Minnis	Daniel Jerrome
TOTAL	7	4	1

**Substitute
Members:**

Dr. Serena Carr Ben Hartley Simon Thomas	Nathan Evans John Holden	Julian Newgrosh	Michael Welton
(3)	(2)	(1)	(1)

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

COMMITTEE		NO. OF MEMBERS	
STANDARDS		11	
		+ 2 PARISH REPRESENTATIVES + 3 INDEPENDENT MEMBERS	
		+ 2 INDEPENDENT PERSONS (of the Hearing Panel)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Dr. Serena Carr Ben Hartley David Jarman Kevin Procter CH Laurence Walsh Denise Western	Miss Linda Blackburn Claire Churchill Mrs. V-CH Patrick Myers	Meena Minnis	Geraldine Coggins
TOTAL	6	3	1

NON-VOTING CO-OPTÉES (5)

2 Parish Representatives: **Mr. A. Rudden** and **1 vacancy**

3 Independent Members: **Mr. D. Goodman**, **Mr. C. Griffiths** and **Mr. R. Brown**

INDEPENDENT PERSONS OF THE HEARING PANEL (2)

(under Section 28 of the Localism Act 2011): **Ms. N. Jackson** and **Mr. M. Whiting**

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

Notes on Membership:

(1) The Scrutiny Committee shall have a membership of 11, or, where this does not achieve the political balance required under the Local Government and Housing Act 1989, whatever figure is necessary to reflect the proportional representation of political groups.

(2) The Scrutiny Committee shall be chaired by a Councillor who is a member of the largest political group on the Council. The person appointed as Vice-Chair shall not be a member of the same political group as the person appointed as Chair.

(3) The Chairs of both the Health Scrutiny Committee and the Children and Young People's Scrutiny Committee shall be appointed as ex-officio Members of the Scrutiny Committee.

COMMITTEE		NO. OF MEMBERS		
SCRUTINY COMMITTEE		9		
(plus the Chair of Health Scrutiny Committee and the Chair of Children and Young People's Scrutiny Committee as ex-officio Non-Voting Members)				
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP	
Councillors:	Councillors:	Councillors:	Councillors:	
David Acton CH Rose Thompson Amy Whyte Aidan Williams Barry Winstanley	John Holden John Lamb V-CH Brian Shaw	Jane Brophy	-	
TOTAL	5	3	1	0

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

Notes on Membership:

(1) The Health Scrutiny Committee shall have a membership of 11, or, where this does not achieve the political balance required under the Local Government and Housing Act 1989, whatever figure is necessary to reflect the proportional representation of political groups.

(2) The Health Scrutiny Committee shall be chaired by a Councillor who is not a member of the largest political group on the Council, unless there is no such person serving on the Committee. The person appointed as Vice-Chair shall be a member of the largest political group on the Council.

(3) The Chairs of both the Scrutiny Committee and the Children and Young People's Scrutiny Committee shall be appointed as ex-officio Members of the Health Scrutiny Committee.

COMMITTEE		NO. OF MEMBERS	
HEALTH SCRUTINY COMMITTEE		9	
		(plus the Chair of Scrutiny Committee and the Chair of Children and Young People's Scrutiny Committee as ex-officio Non-Voting Members)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Akilah Akinola Dr. Serena Carr Ben Hartley Judith Lloyd Sophie Taylor V-CH Simon Thomas	Dr. Karen Barclay CH Mrs. Denise Haddad <i>1 Vacancy</i>	-	-
TOTAL	6	3	0
		0	0

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

Notes on Membership:

(1) The Children and Young Peoples Scrutiny Committee shall have a membership of 11, or, where this does not achieve the political balance required under the Local Government and Housing Act 1989, whatever figure is necessary to reflect the proportional representation of political groups.

(2) The Scrutiny Committee shall be chaired by a Councillor who is a member of the largest political group on the Council. The person appointed as Vice-Chair shall not be a member of the same political group as the person appointed as Chair.

(3) The Children and Young Peoples Scrutiny Committee shall appoint co-opted Members when that committee considers education matters.

(4) The Chairs of both the Scrutiny Committee and the Health Scrutiny Committee shall be appointed as ex-officio Members of the Children and Young People's Scrutiny Committee.

COMMITTEE		NO. OF MEMBERS	
CHILDREN AND YOUNG PEOPLE'S SCRUTINY COMMITTEE		9	
		(plus the Chair of Scrutiny Committee and the Chair of Health Scrutiny Committee as ex-officio Non-Voting Members)	
		+ 5 CO-OPTED MEMBERS + 3 NON-VOTING MEMBERS (when considering Education matters)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Joanne Bennett Jayne Dillon Steven Longden Adele New Shirley Procter Denise Western CH	Miss Linda Blackburn Thomas Carey V-CH John Holden	-	-
TOTAL	6	3	0
		0	0

CHILDREN AND YOUNG PEOPLES SCRUNTINY COMMITTEE CO-OPTED MEMBERS FOR EDUCATION MATTERS

Church of England (VOTING MEMBER): ***Vacancy***

Roman Catholic (VOTING MEMBER): **Sister P. Goodstadt**

Parent-Governor Representatives

Primary (VOTING MEMBER): **Ms Saadia Shearaz Khan**

Secondary (VOTING MEMBER): ***Vacancy***

Special (VOTING MEMBER): ***Vacancy***

Teacher Representatives

(NON-VOTING MEMBER): Vacancy

(NON-VOTING MEMBER): Vacancy

(NON-VOTING MEMBER): Vacancy

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

Note on Membership: Membership of the Sub-Committee should not include ward Members for the wards where the relevant stadia are situated, currently Gorse Hill, Hale Central and Longford, to minimise potential conflicts of interest.

COMMITTEE		NO. OF MEMBERS	
SAFETY AT SPORTS GROUNDS SUB-COMMITTEE (to be appointed by Licensing Committee)		3	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Kevin Procter V-CH Amy Whyte CH	John Holden	-	-
TOTAL	2	1	0
		0	0

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

Notes on Membership:

(1) The Council Membership is nominated by the Leader of the Council.

(2) The Chair for the Health and Wellbeing Board will rotate on an annual basis between Trafford Council and NHS Trafford Clinical Commissioning Group.

(3) * Denotes that this position must be represented on the HWB as per the Health and Social Care Act 2012 (Note: at least one Councillor, one member of each relevant CCG, a representative of the local Healthwatch organisation plus any other members considered appropriate by the Council, must be appointed.)

COMMITTEE		NO. OF MEMBERS	
HEALTH AND WELLBEING BOARD		5	
		(plus *Corporate Director of Children Services, Corporate Director of Adult Services, *Director of Public Health and 16 External Partners)	
LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Executive Member for Health, Wellbeing and Equalities	Shadow Executive Member for Health, Wellbeing and Equalities	Jane Brophy	-
Executive Member for Adult Social Care			
Executive Member for Children's Social Care			
TOTAL	3	1	0

Membership of the Health and Wellbeing Board shall also comprise of:

- NHS Trafford Clinical Commissioning Group (3 representatives: Chair, Chief Operating Officer and Clinical Director/Representative)
- Chair of Health Watch
- Third Sector (2 representatives)
- Independent Chair Children's Local Safeguarding Board
- Independent Chair Adult Safeguarding Board
- Chair of the Safer Trafford Partnership - GMP
- Chair of the Trafford Sports and Physical Activity Partnership
- Chief Executive Officers of health care providers (4): (Central Manchester University Hospital NHS Foundation Trust; University Hospital South Manchester NHS Foundation Trust; Pennine Care NHS Foundation Trust; Greater Manchester West Mental Health NHS Foundation Trust)
- Greater Manchester Fire and Rescue Service Representative
- Greater Manchester Health and Social Care Partner Representative

TRAFFORD COUNCIL

MEMBERSHIP OF COMMITTEES 2019/20

COMMITTEE	NO. OF MEMBERS
JOINT HEALTH SCRUTINY COMMITTEE	5
	(plus 2 Substitutes)

LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:

**THE COMMITTEE IS TO BE FORMALLY REINSTATED BY COUNCIL
AND APPOINTED DURING THE YEAR IF REQUIRED**

TOTAL	3	2	0	0
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**Substitute
Members:**

(1)	(1)	(0)	(0)
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TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 22 May 2019
Report for: Decision
Report of: Chief Executive

Report Title

APPOINTMENTS TO OUTSIDE AND INDEPENDENT BODIES

Summary

To agree the appointment of representatives to outside and independent bodies relating to the service areas and functions of the Council.

Additionally, there is a more extensive list of outside and independent bodies whose activities relate to Executive functions. The appointments for these bodies will be made by the Leader of the Council/Executive, independently of the Council.

Recommendation(s)

1. That approval be given to the appointment of representatives to those outside and independent bodies set out in Appendix 1 to this report.
2. That the Chief Executive, in consultation with the relevant Group Leader(s), be delegated authority to appoint members to any outside body vacancy that remains or arises after this Annual Meeting and to any other bodies to which the Council is required to make appointments (and to report back to Council on any changes or new appointments so made).
3. That the Council approves the persons named in Appendix 2 to sit on the Statutory School Appeals Committee for the 2019/20 Municipal Year and that the Corporate Director of Governance and Community Strategy be delegated authority to make changes to this list and to set up School Appeals Committees, including the appointment of Chairs.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers: None.

Item 9: Appendix 1

TRAFFORD BOROUGH COUNCIL
REPRESENTATIVES ON OUTSIDE BODIES AND ORGANISATIONS
PERSONS NOMINATED – 2019/20
APPOINTMENTS MADE BY THE COUNCIL

Organisation	Number of Representatives Required	LAB:CON:LD:GRN	2019/20 Nominations Councillor(s)
1. Greater Manchester Combined Authority (GMCA) / Association of Greater Manchester Authorities (AGMA)			
(a) AGMA Executive Board	1	1:0:0:0	Andrew Western Substitutes: Mike Freeman Catherine Hynes
	(Leader of the Council plus 2 named substitutes from the Executive)		
(b) GMCA	1	1:0:0:0	Andrew Western Substitute: Catherine Hynes
	(Leader plus substitute)		
(c) GMCA Audit Committee	1	1:0:0:0	GMCA Executive to determine (Chris Boyes)
	(Cannot be the Leader)		
	(Appointed by GMCA not a Council nomination)		
(d) <u>GMCA Scrutiny Committees</u>	6	4:2:0:0	
	(having regard to equality and diversity and the conurbation's population)		
(i) Corporate Issues and Reform			Anne Duffield (1 st preference)
(ii) Economy, Business Growth and Skills			Barry Brotherton (1 st preference)
(iii) Housing, Planning and Environment			Kevin Procter (1 st preference)

Organisation	Number of Representatives Required		2019/20 Nominations Councillor(s)
	LAB:CON:LD:GRN		
(iv) 2 nd Preference Pool (3 Members)			Amy Whyte (No preference) Sean Anstee (Corporate Issues and Reform) David Morgan (Economy, Business Growth and Skills)
(e) Greater Manchester Culture and Social Impact Fund Committee	1 (plus substitute) Membership to replicate AGMA Statutory Functions (o) below	1:0:0:0	Jane Baugh Deputy: Mike Freeman
(f) Greater Manchester Health Scrutiny Committee	1 Non-Executive Member (plus Non-Executive substitute)	1:0:0:0	Sophie Taylor Substitute: Anne Duffield
(g) Greater Manchester Pensions Fund Management Panel	1	1:0:0:0	AGMA Executive to determine (Alan Mitchell)
(h) Greater Manchester Police and Crime Panel	1 (Cannot be the Leader)	1:0:0:0	Mike Freeman
(i) Greater Manchester Police and Crime Steering Group	1 (Cannot be the Leader)	1:0:0:0	Mike Freeman
(j) Greater Manchester Transport Committee	1 (plus substitute) (plus 1 nominee to be appointed by the GM Mayor, ensuring that political balance across GM is represented)	1:1:0:0	Stephen Adshead Substitute: James Wright Nominee: Nathan Evans
(k) Greater Manchester Waste and Recycling Committee	2	1:1:0:0	Judith Lloyd Paul Lally
(l) Health and Social Care Partnership Board	1 (plus substitute)	1:0:0:0	Andrew Western Substitute: Jane Slater

Organisation	Number of Representatives Required		2019/20 Nominations Councillor(s)
	LAB:CON:LD:GRN		
(m) Health and Social Care Joint Commissioning Board	1 (plus substitute)	1:0:0:0	Serena Carr Substitute: Akilah Akinola
(n) Planning and Housing Commission	1	1:0:0:0	AGMA Executive to agree final membership James Wright
(o) Statutory Functions Committee	1 Membership to replicate GM Culture & Sound Impact Fund Committee (e) above	1:0:0:0	Jane Baugh Substitute: Mike Freeman
(p) <u>Nominations invited to be made, should the Council wish to do so:</u>			
(i) Christie Hospital NHS Foundation Trust: Council of Governors	1	1:0:0:0	AGMA Executive to determine
(ii) Halle	1	1:0:0:0	AGMA Executive to determine
(iii) North West Regional Flood and Coastal Committee	3 Members invited from across GM (plus deputies)	2:1:0:0	GMCA Executive to determine
(iv) Peoples History Museum: Charity Trustee role	1	1:0:0:0	AGMA Executive to determine
(v) Transport for the North – Scrutiny Committee	1 (plus substitute)	1:0:0:0	GMCA Executive to determine
3. Local Government Association - General Assembly	4	3:1:0:0	Joanne Harding Catherine Hynes Andrew Western Nathan Evans
4. Manchester Port Health Authority	1 (plus deputy)	1:0:0:0	Graham Whitham Deputy: Jayne Dillon
5. North West Employers	1 (plus deputy)	1:0:0:0	Joanne Bennett Deputy: Amy Whyte
6. Statutory School Admissions Appeals Committee	(See appendix 2 attached – not Council members)		

**STATUTORY SCHOOL ADMISSION APPEALS COMMITTEE –
PANEL MEMBERS FOR 2019/20**

Lay People:

Mrs. Bracegirdle
Mrs Broadstock
Mrs. Finn (Chair)
Ms. Hall (Chair)
Mrs. A. Jones
Mr. P. Lea

Mr. Munday (Chair)
Mr. Padden
Mrs. Smith (Chair)
Mr. Turner
Mr. Whitehead (Chair)

People with an Interest in Education:

Mrs. Book
Mrs. Coulburn
Ms. Dawson-Smith
Mrs. Dee
Mr. C. Flannery
Mrs. Foan (Chair)
Mrs. Groves
Mr. Hall (Chair)
Mrs. Hassan

Mrs. Javaid
Mrs. D. Jones
Mrs. Keavney
Mrs. Kelly
Mrs. Peters
Ms. Pressman
Mrs. Quest
Mrs. Sher (Chair)

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CALENDAR OF MEETINGS 2019/2020

	2019							2020					
	June	July	August	September	October	November	December	January	February	March	April	May	
Saturday	1								1				Saturday
Sunday	2			1			1		2	1			Sunday
Monday	3	1 JCP/Employ		2			2		3	2 JCP/Employ			Monday
Tuesday	4	2		3	1		3 Budget Scrutiny (Session 1)		4	3			Tuesday
Wednesday	5	3 Scrutiny		4	2 Scrutiny		4	1 New Year's Day	5 A&A	4 Standards (IR)	1		Wednesday
Thursday	6 PP Sub	4 JCB	1	5	3		5 Budget Scrutiny (Session 2)	2	6	5 Health	2		Thursday
Friday	7	5	2	6	4	1	6	3	7	6	3	1	Friday
Saturday	8	6	3	7	5	2	7	4	8	7	4	2	Saturday
Sunday	9	7	4	8	6	3	8	5	9	8	5	3	Sunday
Monday	10	8	5	9 JCP/Employ	7	4	9 JCP/Employ	6	10	9	6	4 Bank Holiday	Monday
Tuesday	11	9 CYPS	6	10	8 CYPS	5	10	7	11	10	7	5	Tuesday
Wednesday	12	10	7	11 Standards (IR)	9 Council	6	11	8	12	11 Scrutiny	8	6	Wednesday
Thursday	13 Planning	11 Planning	8 Planning	12 Planning	10 Planning	7	12 Planning	9	13 Planning JCB	12 Planning	9 Planning	7 Elections	Thursday
Friday	14	12	9	13	11	8	13	10	14	13	10 Bank Holiday	8	Friday
Saturday	15	13	10	14	12	9	14	11	15	14	11	9	Saturday
Sunday	16	14	11	15	13	10	15	12	16	15	12	10	Sunday
Monday	17	15 Executive	12	16	14 Spec.Exec (Budget Proposals)	11	16 Executive	13	17	16 Executive	13 Bank Holiday	11	Monday
Tuesday	18	16	13	17	15	12	17 STAR (Rochdale)	14 CYPS	18	17 CYPS	14	12	Tuesday
Wednesday	19 STAR (Tameside) A&A	17 Council	14	18 STAR (Stockport)	16	13	18	15 Scrutiny	19 Budget Exec / Council	18 Council	15	13	Wednesday
Thursday	20 PP Sub	18 PP Sub	15 PP Sub	19 PP Sub	17 PP Sub	14 Planning	19 PP Sub JCB	16 Planning	20 PP Sub	19 PP Sub	16 PP Sub	14 Planning	Thursday
Friday	21	19	16	20	18 Partnership (inc HWB)	15	20	17	21	20	17	15	Friday
Saturday	22	20	17	21	19	16	21	18	22	21	18	16	Saturday
Sunday	23	21	18	22	20	17	22	19	23	22	19	17	Sunday
Monday	24 Executive	22	19	23	21	18	23	20	24 Executive	23	20	18	Monday
Tuesday	25	23	20	24	22	19	24	21	25	24 A&A	21	19	Tuesday
Wednesday	26	24	21	25	23	20 Health	25 Christmas Day	22 Standards (IR)	26	25 STAR (Trafford)	22	20	Wednesday
Thursday	27 Health	25	22	26 Health	24 JCB	21 PP Sub	26 Boxing Day	23 PP Sub	27	26	23	21	Thursday
Friday	28	26	23	27	25	22	27	24	28	27	24	22	Friday
Saturday	29	27	24	28	26	23	28	25	29	28	25	23	Saturday
Sunday	30	28	25	29	27	24	29	26		29	26	24	Sunday
Monday		29 A&A	26 Bank Holiday	30 Executive	28 Executive	25 Executive	30	27 Executive		30	27	25 Bank Holiday	Monday
Tuesday		30	27		29	26	31	28		31	28	26	Tuesday
Wednesday		31	28		30 A&A	27 Council		29 Council			29	27 Annual Meeting (6 pm) Licensing	Wednesday
Thursday			29 JCB		31	28		30 Health			30	28	Thursday
Friday			30			29		31				29	Friday
Saturday			31			30						30	Saturday
Sunday												31	Sunday

Key:	Full Name & Additional Information	
A&A	= Accounts and Audit Committee (6.30 p.m.)	<u>Approximate monthly cycle – Executive, Planning Committee, Public Protection Sub-Committee, Trafford Partnership</u>
CYPS	= Children and Young Peoples Scrutiny Committee (6.30 p.m.)	<u>Approximate two / three monthly cycle - Accounts and Audit Committee, Council, Health and Wellbeing Board, Scrutiny Committees.</u>
Council	= Council (7.00 p.m.)	
Executive	= Executive (6.30 p.m.)	<u>Four times per year – Joint Consultative Panel/Employment Committee, Locality Partnership, STAR</u>
Health	= Health Scrutiny Committee (6.30 p.m.)	
JCB	= Joint Commissioning Board, Trafford Council / Trafford Clinical Commissioning Group (CCG) (4.00 p.m. -5.30 p.m.)	
JCP/Employ	= Joint Consultative Panel / Employment Committee (following on from JCP at 4.30 p.m.)	<u>Two times per year – Standards Committee</u>
Licensing	= Licensing Committee (at the rising of Annual Council)	
Partnership (inc. HWB)	= Trafford Partnership Day (HWB/Strong Communities Board/Inclusive Growth Board) - 2020 dates to be confirmed	
	Health & Wellbeing Board (9.30 a.m. - 12.00 p.m.)	
	Trafford Partnership Board (1.30 p.m. - 3.30 p.m.)	
Planning	= Planning Committee (6.30 p.m.)	
PP Sub	= Public Protection Sub-Committee (6.30 p.m.)	
Scrutiny	= Scrutiny Committee (6.30 p.m.)	
Standards	= Standards Committee (6.30 p.m.)	
STAR	= Stockport, Trafford & Rochdale Joint Committee (2.00 p.m.)	
OT&S LP	= Old Trafford & Stretford Locality Partnership (6.00 p.m. - 8.00 p.m.) - dates to be confirmed	
U&P LP	= Urmston & Partington Locality Partnership (6.00 p.m. - 8.00 p.m.) - dates to be confirmed	
S LP	= Sale Locality Partnership (4.30 p.m. - 6.30 p.m.) - dates to be confirmed	
ST LP	= South Trafford Locality Partnership (6.00 p.m. - 8.00 p.m.) - dates to be confirmed	

TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 22 May 2019
Report for: Decision
Report of: Corporate Director of Governance and Community Strategy and Monitoring Officer

Report Title

DELEGATION OF FUNCTIONS

Summary

To confirm arrangements for the delegation of Council (non-Executive) and Executive functions and to obtain Council's agreement to amend the Constitution of the Council to incorporate these arrangements.

Recommendation(s)

- 1) That Council notes that Executive functions not covered by the Officers' Scheme of Delegation are delegated by the Leader of the Council as follows:
 - (a) functions are delegated to all individual Executive Members in accordance with the Executive Members' Scheme of Delegation;
 - (b) all other functions are delegated to the Executive.
- 2) That the current Scheme of Delegation to Officers contained within the Constitution be re-confirmed and the Corporate Director of Governance and Community Strategy be requested to review and align the Office Scheme in accordance with the Leader of the Council's revisions to the Executive Scheme of Delegation.
- 3) That the Corporate Director of Governance and Community Strategy be authorised to amend the Constitution of the Council in accordance with and as a consequence of this report and other decisions made by Council at this Annual Meeting.
- 4) That Council notes that further changes may be made to delegations and that the Corporate Director of Governance and Community Strategy be authorised to amend the Constitution following consultation with the Leader and Chief Executive.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers:

Constitution of the Council

1. Background

- 1.1 It is the duty of the Council's Monitoring Officer to review the Constitution from time to time and to propose amendments to the Council. Generally amendments are proposed at the Council's Annual Meeting to reflect any changes which are proposed to the schemes of delegation for both Members and Officers, together with any further amendments which may be considered to be necessary for the efficient and effective management of the Council and Council services.

2. Executive Scheme of Delegation

- 2.1 The Leader of the Council determines how, and by whom, executive functions are carried out. The Leader has agreed a scheme of delegation of executive functions to the individual members of the Executive. The Executive Scheme of Delegation is set out in the Responsibility for Functions document at appendix 1. This document forms part 3 of the Council's Constitution. Changes have been made to reflect changes to portfolios as reported to Council under item 7 Membership of the Executive.

3. Officer Scheme of Delegation

- 3.1 The Officers Scheme of Delegation is set out in part 3 of the Council's Constitution. As a consequence of revisions proposed to the Executive Scheme of Delegation the Corporate Director of Governance and Community Strategy is requested to review and align the Officer Scheme and also to ensure that the Constitution is in line with changed statutory regulations and current Council policy.
- 3.2 There may need to be other changes throughout the year and it is recommended that these be dealt with by the Corporate Director of Governance and Community Strategy following consultation with the Leader and Chief Executive.

EXECUTIVE TERMS OF OFFICE

Portfolio - Leader of the Council

GENERAL

To act as Leader of the Council and be the Executive Portfolio holder responsible for all matters relating to the Council's affairs in respect of the Leader's portfolio. As such, the Leader is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally;
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder;
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive as required.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections within the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

To have overall responsibility for:

- Strategic overview of the Council
- Overall performance of the Council
- Overall performance of the Executive
- Overall governance of the Council
- Chief Executive's functions
- Co-ordination within the Executive
- Developing and implementing the Council's Corporate Plan and Trafford's Community Strategy
- Determination of how and by whom Executive functions are exercised
- Appointments to outside bodies not within the remit of the Council
- All matters not within the remit of any other portfolio

Key Roles and Responsibilities within the Leader's Portfolio

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council's Constitution, the Leader is responsible for all matters within the Areas of Responsibility set out above to the extent that they comprise Executive functions, including in particular:-

1. To provide leadership in the development and maintenance of an active and participatory local democracy.
2. To chair meetings of the Executive and ensure that the Executive acts as a corporate team working together to achieve common aims.
3. In consultation with the Chief Executive, to draw up a 4 month programme of work by the Executive and to keep it under continuous review.
4. To ensure that the Council's decision-making process functions effectively and that decisions made by the Executive take into account all relevant factors and reflect the Council's commitment to open government and equality of opportunity.
5. To discharge or arrange the discharge of the Executive functions of the Council.
6. To ensure delivery of the Council's priorities in accordance with the Corporate Plan and Trafford's Community Strategy
7. To implement, working with the Chief Executive, strategy and policies approved by the Council and reflecting the views of the community as set out in the Community Strategy based around the Corporate priorities set out in the Corporate Plan (delegating work to other Executive Members where necessary).

8. To review and monitor, with the Chief Executive, the management arrangements of the Council.
9. To exercise a monitoring role regarding performance and budgets, to ensure progress towards meeting the Council's key objectives.
10. To ensure that Executive Members and services work together effectively.
11. Representing the Council externally and furthering the Council's interests within Greater Manchester Combined Authority, AGMA, the North West region and nationally.
12. To ensure that the Council and its priorities are appropriately represented in the context of Greater Manchester Police and Crime Panel matters.
13. To be the principal political spokesperson for the Council at internal and external meetings.
14. To ensure liaison with the Council's external auditors and inspectors.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference

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EXECUTIVE TERMS OF OFFICE

Deputy Leader of the Council

GENERAL

In the event that the Leader of the Council is unable to act, or the post of Leader is vacant, the Deputy Leader shall:

1. undertake all statutory functions of the Leader of the Council; and
2. undertake the portfolio responsibilities of the Leader's portfolio.

In the absence of the Leader of the Council, the Deputy Leader shall:

1. chair meetings of the Executive; and
2. ensure that the Executive acts as a corporate team working together to achieve common aims.

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EXECUTIVE TERMS OF OFFICE

Portfolio – Adult Social Care

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of Adult Social Services including acting as the Lead Member for Adult Services in accordance with best practice guidance.

As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council's views on matters of corporate or strategic policy and on any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

To have overall responsibility for Adult Social Services including:

- Joint Commissioning of Services
- Services to Older People
- Mental Health
 - Learning Disabilities
 - Health & Disability Services
 - Sensory Services
 - Other Adult services
- Liaison with NHS service providers

- Carers' services

- Housing issues including:
 - Supporting People
 - Major and minor adaptations services and the Disabled Facilities Grant

- Advice and information services

Key Roles and Responsibilities of the Adult Social Care Portfolio:

In accordance with section 15(4) of the Local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Adult Social Care is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular:-

1. The powers and duties of the Council as an Adult Social Services Authority.
2. The duty to make provision for services to people in need as defined by the National Assistance Act 1948, the Chronically Sick and Disabled Persons Act and the NHS and Community Care Act 1989 and Care Act 2014.
3. The duty to protect vulnerable adults.
4. Developing working partnerships with NHS bodies, exploiting the flexibility afforded by Health Acts when likely to deliver improved services for Trafford residents. This will involve integrated commissioning and provider arrangements.
5. Ensuring Services are in place that meet the needs of carers in Trafford.
6. Liaison with the NHS and related bodies on matters affecting the social care and the general social welfare of people in Trafford.

7. Development of a positive relationship with voluntary sector organisations who represent service users or carers ensuring they are appropriately involved in determining service priorities, service planning and review.
8. Acting as Older People's Champion.
9. Administration of the Supporting People Programme.
10. Development of the All Age Integrated Health and Social Care Service
11. Ensuring services are in place for the prevention and treatment of substance misuse.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

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EXECUTIVE TERMS OF OFFICE

Portfolio – Children’s Services

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council’s affairs in respect of the Children’s Services portfolio, including acting as Lead Member for Children’s Services in accordance with the Children Act 2004 and associated statutory guidance. As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive’s lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council’s views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder’s terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive’s key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility:

- Statutory Lead Member for Children's Services in accordance with the Children Act 2004 and associated statutory guidance
- Development of the All Age Integrated Health and Social Care Service
- the functions of the Council with regard to its responsibilities for the safeguarding of children and young people, including:
 - receiving and responding to referrals where there is concern about the welfare and safety of individual children and young people;
 - investigating referrals for child protection and children-in-need and taking appropriate action to safeguard children and young people's safety and welfare;
 - maintaining an up-to-date Child Protection Register.

Key Roles and Responsibilities of the Children's Services portfolio:

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers, the responsibilities of the Lead Member for Children's Services and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Children's Services is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular

1. Political accountability for the effectiveness, availability and value for money of all children's services;
2. Leadership to engage and encourage local communities in order to improve services and outcomes for children and young people both within the local authority and externally with partner organisations;
3. Safeguarding and promoting welfare of children across all agencies;
4. In consultation with the director of Public Health, the commissioning of public health services for children and young people as mandated in the Health and Social Care Act 2012;
5. The functions, powers and duties of the Council as a Children's Services Authority, including specific areas such as:
 - Child protection
 - Children and families – social care
 - Looked after children
 - Foster care and adoption services
 - Provision of preventative services such as outreach services, family support services
 - Supporting vulnerable and at-risk children and young people, their families, schools and partner agencies;

6. The functions, powers and duties of the Council's social care services for children including:

- Child protection
- Provision of a social work service to children, young people, families and carers in the community
- Provision of specialist fieldwork social services to children with disabilities, their families and carers, and arranging respite facilities;
- Looked after children
- Foster care and adoption services
- Provision of a range of preventative services through family aides, family support workers, outreach services etc.
- Provision of a field social work service to children looked after on a medium and long-term basis and placed for adoption;
- a range of preventative services field social work service to children looked after on a medium and long-term basis and placed for adoption;
- Supporting care leavers
- Supporting vulnerable and at-risk children and young people, their families, schools and partner agencies;
 - To receive OFSTED reports and subsequent Action Plans
 - To ensure an effective response to the OFSTED inspection of Children's Social Services

6. The provision and commissioning of interventions and services for young people aged 11-19/25 (25 for young people with additional needs) including 'one-stop-shops'; street-based work; school-based work and partnerships with the voluntary sector;

7. The functions, powers and duties of the Council with regard to the Youth Offending Service including:

- working with and reporting to the Crime and Disorder Reduction Partnership;
- preventing children and young people being involved in offending or anti-social behaviour, and re-offending;
- supporting those young people who have offended through assessment; court reports; and non-custodial sentences such as final warnings, restorative justice, involvement of victims and referral orders; and education; and
- supporting young people serving custodial sentences and on release from custody;

8Oversight and monitoring of all statutory functions related to the delivery and commissioning of services for children and young people, including the continued integration of children and adults social care and health services as embodied in the current section 75 agreement, as detailed in The Children Act 2004, Working

Together to Safeguard Children 2013, The Children and Families Act 2014 and other relevant and appropriate policy, guidance and legislation.

9. To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference, including recommendations in relation to matters relating to Education across the borough, unless otherwise authorised by the Leader of the Council.

Lead Member with special responsibility for Education Terms of Reference

GENERAL

The Member with Special Responsibility for Education is responsible for supporting the Executive Portfolio Holder for Children's Services in all matters relating to the Council's affairs in respect of Education. In particular this will involve:-

1. Liaising with members of the Executive, particularly where education matters could impact upon other aspects of Council business or the Borough generally.
2. Advising the Executive Portfolio Holder for Children's Services in the development and implementation of key safeguarding policy.
3. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny in all matters relating to the Council's affairs in respect of Education.
6. Representing and acting as an ambassador for the Council.
9. Working with other Members of the Executive on matters, as directed by the Leader or the Executive Portfolio Holder for Children's Services.
10. Ensuring effective partnership working in respect of matters within these terms of reference.
11. Overseeing the timely progress of reviews or inspections within the remit of these terms of reference.
12. Exercising a monitoring role regarding performance and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the terms of reference.

Working with the Executive Member for Children's Services

In accordance with the statutory guidance on the role and responsibilities of Lead Members for Children's Services the Executive Member for Children's Services, who acts as the authority's statutory Lead Member for Children's Services, is supported by the Member with Special Responsibility for Education "to assist in the exercise of his/her (the Executive Member for Children's Services) functions and duties". The Executive Member for Children's Services, however, will need to maintain "effective overview and overall political accountability for the full range of local authority children's services".

This will be achieved by the Member with Special Responsibility for Education:

- having delegated responsibilities for aspects of the Lead Member for Children's Services role; and
- reporting on a regular basis to the Executive Member for Children's Services on how these delegated responsibilities are being exercised.

The Member with Special Responsibility for Education is responsible for championing all aspects of education across the council. They will provide advice and support to the Portfolio Holder for Children's Services in fulfilling their responsibilities in relation to Education and undertake certain activities on their behalf.

Specific roles and responsibilities will be:-

1.

9. The functions, powers and duties of the Council as a local education authority, including specific areas within the Councils core duties such as:
 - Special educational needs provision
 - Education welfare service
 - Educational Psychology Service
 - Early years sufficiency
 - School admissions
 - School attendance and provision for pupils not in school
 - Asset management planning
 - Funding of schools
 - Sufficiency of school places
 - To receive schools OFSTED reports and subsequent Action Plans
 - To ensure an effective response to the OFSTED inspection of the LEA on SEND
10. The functions, powers and duties of the Council with regard to the availability of advice and information for 13 to 19 year olds.

EXECUTIVE TERMS OF OFFICE

Portfolio – Communities and Partnerships

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of the Communities and Partnerships portfolio. As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

- Community Strategy and the Local Strategic Partnership
- Partnership and neighbourhood working
- Locality Services
- Community Partnerships
- Community Cohesion
- Youth services
- Voluntary Sector Grants

Key Roles and Responsibilities of the Communities and Partnerships portfolio:

In accordance with section 15(4) of the Local Government Act 2000, but subject to legislation, the Scheme of Delegation to Officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Communities and Partnerships is responsible for all matters within their Areas of Responsibility set out above to the extent that they comprise Executive functions, including in particular:-

1. Leading and overseeing the promotion of a neighbourhood and area focus across the Council and the Borough.
2. Development of Safer and Stronger Communities (including tackling Domestic Violence, Race and Hate crime).
3. Ensuring the delivery of the aims and objectives of the Local Strategic Partnership through the agreed delivery arrangements.
4. Matters concerning Youth Services
5. All aspects of the Council's corporate communications including:
 - Publicity
 - Consultation and engagement
 - Resident engagement

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

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EXECUTIVE TERMS OF OFFICE

Portfolio –Environment, Air Quality and Climate Change

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of Environment, Air Quality and Climate Change

As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

To have overall responsibility for:

- Sustainability and Climate Change
- The Clean Air Plan (and Air Quality Commission)
- Engineering and construction services
- Highways, Traffic and transportation
- Passenger transport
- Road safety
- Bridges and structures
- Environmental enforcement
- Environmental services
- Environmental partnerships
- Waste Management
- Pollution

Key Roles and Responsibilities of the Environment, Air Quality and Climate Change Portfolio

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Environment, Air Quality and Climate Change is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular:-

1. The functions, powers and duties of the Council as highway authority including:
 - a) detailed highways and transportation schemes and proposals
 - b) traffic calming, street lighting, road safety, new bus routes and priorities, station improvements, traffic regulation and network management
 - c) management of decriminalised parking enforcement and car parking facilities
2. Highways inspections and maintenance.
3. Highways and engineering planning and development.
4. Transport for Greater Manchester matters.
5. Integration of public/private transport.
6. Sewers and drainage including flood and water management

7. The protection of public health through strategic environmental measures to protect and promote the health of Trafford residents.
8. Waste collection, management, disposal and recycling.
9. Health and Safety (excluding Council employee health and safety)
10. Clean neighbourhoods including street cleansing and collection of litter.
11. Tackling environmental crime including appropriate consultations, interventions and enforcement.
12. Local environment policy and action via the environmental sustainability agenda.
13. Ecological protection and environmental improvements.
14. Local environment policy and action.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Finance and Investment

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of the Finance and Investment portfolio. As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Approving in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections within the remit of the Portfolio holder.
12. Exercise a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

To have overall responsibility for:

- Corporate Finance
- Accountancy
- The Investment Strategy
- Benefits and Local Taxation
- Procurement (STAR)
- Delivery of value for money services
- Strategic Human Resources
- Pension Fund
- Occupational Health and Safety
- Operational Services for Education
- Traded Services

Key Roles and Responsibilities of the Finance portfolio

In accordance with section 15(4) of the Local Government Act 2000, but subject to legislation, the Scheme of Delegation to Officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Finance is responsible for all matters within their Areas of Responsibility set out above to the extent that they comprise Executive functions, including in particular:-

1. The Council's budget planning framework, including the medium term financial plan and strategy.
2. The effective and efficient use of the Council's financial resources.
3. Financial (including investment and insurance) management.
4. Powers and duties of the Council in relation to national non domestic rates, local taxes and the administration of the benefits' schemes.
5. The functions of the Council as accountable body in respect of any schemes supported by EU and SRB funding.
6. Effective corporate procurement arrangements.
7. Ensuring the delivery of effective and efficient Strategic HR Service
8. Ensuring the delivery of the aims and objectives of the Local Strategic Partnership through the agreed delivery arrangements.
9. Operational services for Education (TSE) including
 - a) Support services

- b) School catering services
- c) Cleaning and caretaking Services
- d) School crossing patrols

10. Bereavement Services

11. Traded Services including outdoor media advertising

To submit to the Executive:

1. Recommendations concerning the formulation of the Council's Budget Framework
2. Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

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EXECUTIVE TERMS OF OFFICE

Portfolio – Health and Wellbeing and Equalities

GENERAL

The Executive Portfolio holder is responsible for all matters relating to Health and Wellbeing and Equalities, including acting as the Lead Member for Community Health and Wellbeing Services in accordance with best practice guidance.

As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council's views on matters of corporate or strategic policy and on any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

1. Community Health and Wellbeing Services including:
 - The Health and Wellbeing Board
 - Public health functions
 - Delivery of the Health and Wellbeing Strategy
 - Liaison with NHS commissioning bodies and NHS strategic partners
 - Liaison with voluntary and community sector organisations in relation to health and wellbeing
 - Championing health and wellbeing issues on behalf of the Council and Trafford Partnership
2. Mental Health Services – to act as the Council’s champion for all matters relating to mental health.
3. Equality and Diversity – to act as the Council’s champion for all matters relating to Equality and Diversity

Key Roles and Responsibilities of the Health and Wellbeing and Equalities Portfolio:

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council’s Constitution, the Executive Member for Health and Wellbeing and Equalities is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular:-

1. The powers and duties of the Council with regard to public health functions.
2. Meeting the Council’s responsibilities in relation to prevention, health improvement and the reduction of health inequalities.
3. Liaison with the Clinical Commissioning Group to ensure that they are provided with appropriate support to deliver public health objectives and priorities in Trafford.
4. To ensure that a Joint Strategic Needs Assessment is in place and that it informs commissioning strategies.
5. To act as the Council’s Mental Health Champion.
6. Promotion of equality and diversity and ensuring compliance with the Council’s equalities duties.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Housing and Regeneration

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of Housing and Regeneration.

As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility relating to Housing

To have overall responsibility for:

- Strategic Housing
- Homelessness and housing advice
- Housing Register
- Empty Properties
- Housing Standards
- Asylum Seekers and Refugee Readiness

Areas of Responsibility for Regeneration and Strategic Planning

To have overall responsibility for:

- Property acquisition
- Resource procurement
- Strategic asset management
- Planning policy and strategic and / or sub-regional planning
- Land use and development in the Borough
- Sustainable Development
- Heritage assets
- Building Control
- Planning Enforcement
- Economic growth, development and regeneration
- Transport strategy
- Town centres
- Parking services
- Economic strategy including tackling worklessness and skills
- Adult Education and Life Long Learning
- Resource Procurement
- Conservation and building preservation
- Property disposal
- Community Buildings
- Architectural services
- Corporate Landlord

Key Roles and Responsibilities of the Housing and Regeneration Portfolio

In accordance with section 15(4) of the Local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Housing and Regeneration is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular:-

1. The strategic management of the Council's property assets including:

- The acquisition, management and development of land and property acquired for the general purposes of the Council until required for the specific functions of another service or until disposal of the land or property
 - The acquisition, management and development of land and property for the purposes of economic development, regeneration or in accordance with the Council's Investment Strategy
 - The control and management or disposal of land and property surplus to service requirements by receiving (if necessary) a transfer or an appropriation of such land or property
 - The management and control of the municipal estates, the municipal buildings forming the Waterside Centre, Sale and buildings used as offices by the Council
2. The furtherance of trade, commerce and general industrial and physical development within the Borough, including assisting with the relocation and development of industry, commerce and business, the making of grants in respect of business security, environmental improvement, commercial improvement and related matters.
 3. To promote economic growth within the Borough through effective working with Greater Manchester Combined Authority, AGMA and other North West regional partners and agencies.
 4. Identification of and support for employment initiatives.
 5. Development of economic strategies.
 6. The initiation, development and monitoring of industrial and commercial development projects and the encouragement of development of land in furtherance of the Council's policies and objectives.
 7. Development and implementation of the Transport Strategy.
 8. Obtaining external funding through e.g. AGMA funding streams including regional, national, European and lottery funding.
 9. Monitoring regeneration programme performance.
 10. Liaison with the Chair of the Planning and Development Management Committee on the relationship between strategic planning issues and emerging policies and development management.
 11. The development and management of the town centres.
 12. Planning Enforcement.

13. The encouragement and support of community economic development initiatives.
14. The management of the Council's market functions.
15. The repair and maintenance of buildings in accordance with the Council's Corporate Landlord approach.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Leisure and Culture

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of Leisure and Culture.

As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Agreeing, in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections with the remit of the Portfolio holder.
12. Exercising a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Responsibilities:

To have overall responsibility for:

- Arts – Theatres – Waterside Arts Centre
- Festivals
- Libraries
- Social Studies, local history and heritage
- Leisure Centres
- Sports Development
- Parks and Green Spaces
- “Friends” Groups (parks)
- Allotments
- Trafford Arts Association
- Culture and tourism and events
- The Music Service

Key Roles and Responsibilities of the Leisure and Culture Portfolio

In accordance with section 15(4) of the local Government Act 2000, but subject to legislation, the Scheme of Delegation to officers and other provisions set out in Part 3 of the Council’s Constitution, the Executive Member for Leisure and Culture is responsible for all matters within their Areas of Responsibility as set out above, to the extent that they comprise Executive functions, including in particular:-

1. Matters concerning the provision, development, monitoring and promotion of leisure, recreation, tourism, events, arts and culture and entertainment in the Borough.
2. The strategic management and development of sports and leisure facilities and sports development.
3. Liaison with Trafford Leisure CIC and other sporting and leisure organisations.
4. All matters concerning the provision and management of public libraries.
5. Matters relating to the strategic management of parks and green spaces and liaison with Friends of Parks Groups;
6. The promotion of the Borough’s heritage and history through support for social and local studies and its heritage assets

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

EXECUTIVE TERMS OF OFFICE

Portfolio – Public Safety Governance and Reform

GENERAL

The Executive Portfolio holder is responsible for all matters relating to the Council's affairs in respect of the Public Safety Governance and Reform portfolio. As such, the Executive Portfolio holder is responsible for:

1. Liaising with other members of the Executive, particularly where matters within the portfolio affect other aspects of Council business or the Borough generally.
2. Providing the Executive's lead in the development and implementation of key policy within the remit of the portfolio.
3. Approving in conjunction with the relevant Corporate Director or Director, Annual Service Improvement Plans for the services within the remit of the Portfolio holder.
4. Participating as necessary in the work of the Overview and Scrutiny Committees and promoting the value of Scrutiny within their service area.
5. Ensuring that spending is in line with the approved budget for the Services within the portfolio.
6. Representing and acting as an ambassador for the Council.
7. Promoting a neighbourhood and area focus across the Council and the Borough.
8. Representing the Council's views on matters of corporate or strategic policy and any other matters which are within the Portfolio holder's terms of office.
9. Working with other Members of the Executive on matters, as directed by the Leader.
10. Ensuring effective partnership working in respect of matters within these terms of office.
11. Overseeing the timely progress of reviews or inspections within the remit of the Portfolio holder.
12. Exercise a monitoring role regarding performance and budgets and ensuring progress toward meeting the Executive's key objectives in these areas.
13. Ensuring appropriate consultation with partners and the community on matters within the portfolio.

Areas of Responsibility

To have overall responsibility for:

- Customer Services/Relations
- Digital and Website engagement
- Policy and Performance Improvement
- Corporate Governance and Constitution
- Legal and Democratic Services – including Registration Services and liaison with the Coroner's Service
- Information Governance
- Community Safety

- Civil Contingencies and Business Continuity
- Environmental Health
- Trading standards
- Executive Licensing functions
- Greater Manchester Police and Crime Panel

Key Roles and Responsibilities of the Public Safety Governance and Reform portfolio

In accordance with section 15(4) of the Local Government Act 2000, but subject to legislation, the Scheme of Delegation to Officers and other provisions set out in Part 3 of the Council's Constitution, the Executive Member for Public Safety Governance and Reform is responsible for all matters within their Areas of Responsibility set out above to the extent that they comprise Executive functions, including in particular:-

1. Ensuring the delivery of effective and efficient corporate and support services including:
 - Legal Services
 - Democratic Services
 - ICT
 - Performance
2. Ensuring the delivery of performance improvements and efficiencies to support the delivery of the Council's priorities
3. Ensuring that the highest standards of customer care are delivered
4. All aspects of the Council's customer relations including:
 - Performance and development of Access Trafford

- Development and implementation of Customer Standards and the Customer Pledge
- Corporate Compliments and Complaints

5. Development and implementation of the Council's Digital Strategy.

6. Ensuring that the Council has effective corporate governance, including:

- Internal audit assurance
- Risk management
- Information governance
- Systems and processes for business planning and performance improvement

7. Community safety including:

- (a) Development of policy guidelines for the management of Council policies regarding crime and community safety and monitoring the implementation of such guidelines.
- (b) Links to Police Service, Probation Service etc. through membership of the Safer Trafford Partnership Board.
- (c) Crime reduction initiatives (both social and physical) across the Executive portfolios.
- (d) Prevention of offending and re-offending in partnership with key Criminal Justice services.
- (e) Tackling Anti-social behaviour and environmental crime including appropriate consultations, interventions and enforcement.
- (f) 24hour Control Room and CCTV network.

8. The functions of the Council under the Civil Contingencies Act 2004 and responsibility for ensuring appropriate business continuity planning across the Council.

9. Environmental health, protection and standards including:

- a) food safety and control
- b) control and monitoring of pollution and statutory nuisances
- c) animal health and welfare
- d) pest control
- e) private sector housing standards (in liaison with the Communities and Housing portfolio holder)

10. Trading Standards including:

- a) consumer advice
- b) weights and measures
- c) fair trading
- d) consumer credit and safety

e) consumer complaints

11, Any functions under any licensing legislation including safety at sports grounds which are Executive functions and which do not fall within the remit of any other Executive Member.

To submit to the Executive:

Recommendations in respect of key decisions concerning matters covered by these terms of reference unless otherwise authorised by the Leader of the Council.

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TRAFFORD COUNCIL

Report to: Annual Meeting of the Council
Date: 22 May 2019
Report for: Decision
Report of: Corporate Director of Governance and Community Strategy and Monitoring Officer

Report Title

GM TRANSPORT COMMITTEE – ROLE AND RESPONSIBILITIES

Summary

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

Recommendation(s)

1. To approve the establishment of the new GM Transport Committee as a joint committee of the 10 districts, GMCA and Mayor.
2. To approve the Terms of Reference and Operating Agreement for the Committee as set out in Schedule 1 of the report.
3. To delegate the functions as set out in the Terms of Reference to the Transport Committee.
4. To appoint a Member from the Controlling Group to the Transport Committee for 2019/20 and nominate a Member from the main opposition to be appointed by the Greater Manchester Mayor, ensuring that political balance across Greater Manchester is represented.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers: None

GMCA CONTACT OFFICERS:

Liz Treacy – GMCA Monitoring Officer
Rod Fawcett – TFGM

GMCA BACKGROUND PAPERS:

GMCA Transport Order
GMCA Constitution
TfGMC Terms of Reference and Operating Agreement

Strategic Policy Context

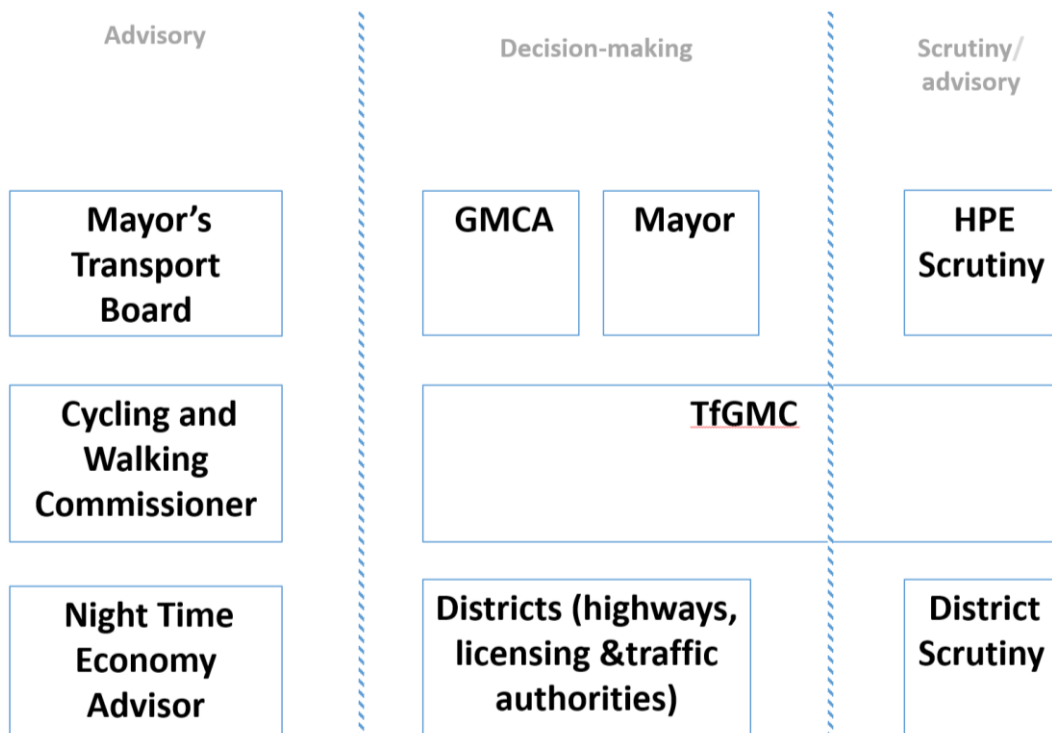
- 1.1 Greater Manchester (GM) has approached its growth and reform agenda from the principle of place-based integration of policy development and service delivery. This is echoed by GM's 2040 Transport Strategy, which promotes the development of one integrated transport system for the city-region that will maximise the impact of our transport assets in support of GM's economic, social and environmental ambitions.
- 1.2 GM's ambition for integrated transport in support of place and people will be most efficiently achieved if managed by an accountable, efficient and well-informed governance system. Furthermore, transport infrastructure and services need to be managed and co-ordinated in a manner that directly supports GM's wider public policy agendas, such as spatial planning, health and housing, as set out in the Greater Manchester Strategy.
- 1.3 Given the long development periods required for transformative infrastructure and new regulatory structures to be delivered, any new system will need to provide stable governance to foster a long-term consensus over transport investment and policy.
- 1.4 To this extent then, it will be vital that the exercise of transport powers across all modes is undertaken collectively as far as is possible by the Mayor, GMCA and Districts acting in concert, bringing together their respective transport functions and budgets so they can be co-ordinated in a coherent manner.
- 1.5 The Transport Committee, as a joint committee comprising members from all of these bodies, has an important role to play as part of this, particularly in relation to operational oversight and performance monitoring of all transport modes (including highways) and scheme delivery
- 1.6 A joint committee of the GMCA, Mayor and District Councils enables the appropriate functions to be delegated from all of these bodies, equipping one body with broad and balanced elected member representation from across Greater Manchester to assess all modes of transport as a whole.
- 1.7 Accordingly, what is proposed as the basic structure for GM transport governance is as follows.
 - **Mayor and GMCA:** to continue to undertake all strategic decision-making in relation to policy, strategy (LTP), funding and scheme decision-making.

- **New joint Transport Committee:** refocused role as transport user champion – performance monitoring / management of all modes and highway network, holding operators to account, oversight on delivery (eg capital and other schemes) and ensuring the integration of transport policy within the parameters set by the Local Transport Plan (ie Transport Strategy 2040) and existing policy. A well briefed and informed Committee will be in a strong position to make recommendations to the Mayor, GMCA and Districts, as appropriate
- **Greater Manchester Scrutiny:** Scrutiny of Mayoral, GMCA and Transport Committee decisions as above, including wider integration with spatial issues, housing, environment, is currently undertaken by the Housing, Planning & Environment Overview and Scrutiny Committee. Transport budget issues are scrutinised by the Corporate Issues & Reform Overview and Scrutiny Committee.

- 1.8 The Transport Committee will continue to undertake decisions in relation to supported bus services, within agreed policy and budgets. This will require the bus functions that Order 3 transfers from the GMCA to the Mayor to be delegated to the new Transport Committee.
- 1.9 The proposed approach to transport governance outlined above will also provide greater clarity for the GM Scrutiny Committees, and in particular the Housing, Planning and Environment Scrutiny Committee, which includes transport in its remit, in undertaking their scrutiny, functions.
- 1.10 This will enable elected members, be they decision-makers or those with a scrutiny role, to be clear about their role and that of the bodies they are appointed to, as well as understanding the roles of related bodies. This is increasingly important when elected members may have multiple and overlapping roles, for example serving on a Licensing Panel and the Transport Committee.
- 1.11 The clearer the distinction between where major transport decisions are taken (GMCA and Mayor), and where transport performance and operational delivery and integration is monitored and operators are held to account (Transport Committee), will help ensure that Scrutiny processes and oversight at the city-region level can be exercised in an efficient manner that avoids duplication.

2 Current Transport Governance Arrangements

2.1 The diagram below shows the primary transport decision-making bodies in GM, alongside the various advisory and scrutiny bodies.



2.2 The above structures exist within a much broader set of GM governance arrangements, all of which are underpinned by GM-wide officer networks to support work programmes. TfGM's board structure also provides for Non-Executive Directors, who act in an advisory capacity. All TfGM Board appointments are made by GMCA.

2.3 The number and membership of the current Transport for Greater Manchester Committee was modelled on the GM Integrated Transport Authority, which was disestablished in 2011 when its functions, powers and responsibilities passed to the GMCA.

2.4 The existing terms of reference of the TfGMC Committee do make reference to it making recommendations to GMCA, for example in relation to formulating general policies, considering proposals to promote or oppose Bills, eTransport Committee. It is proposed to retain this broad scope of activities.

3 New Joint Transport committee – Revised Membership

- 3.1 There has been significant change to GM governance since 2011, when the existing Transport for Greater Manchester Committee was established. In that time period, the mayoral combined authority has been established, major reforms of scrutiny arrangements and the former waste, fire and police authorities undertaken, and more recently the confirmation of GM Order 3 (which was agreed by all of the Districts) has specific implications for transport governance.
- 3.2 GM Order 3 represents a further step on the journey to equip GM with more robust governance arrangements better able to utilise existing and new powers and functions devolved to GM, and achieve the economic, social and environmental objectives in the GM Strategy.
- 3.3 As set out above these arrangements provide for the joining-up of the GM public policy agenda, within which transport is an essential supporting component, for example in relation to spatial planning, housing, skills and health.
- 3.4 The Order makes a series of changes, including conferring all operational bus powers on the Mayor, enables the Mayor to enter into joint arrangements with the GMCA and Districts in relation to transport functions and makes provision for a new joint Transport Committee.
- 3.5 All GM local authorities consented to the new Order in January 2019. In terms of membership arrangements, the Order states :
1. ‘—(1) Where a joint transport committee is established in accordance with article 6 the members of the joint transport committee must be appointed in accordance with paragraphs (2) to (5).
- (2) The members appointed by the GMCA must be members or substitute members of that authority or members of the constituent councils.
- (3) The members appointed by the constituent councils must be members of those councils.
- (4) The members appointed by the Mayor must be members of the GMCA or of the constituent councils.
- (5) In appointing members to the joint transport committee—
- (a) the Mayor, the GMCA and the constituent councils must ensure that—
- (i) the number of members of the committee does not exceed twenty three;
- (ii) members are appointed to act as members of the joint transport committee in the absence of the members appointed under paragraph (1) (“substitute committee members”); and
- (b) the GMCA and the constituent councils must ensure that the members of the committee appointed from among the members of the GMCA

and the constituent councils, and any substitute committee members acting in place of those members, taken as a whole reflect so far as reasonably practicable the balance of political parties for the time being prevailing among members of the constituent councils.

3.6 In terms of constituting the new Joint Transport Committee, ensuring political, and geographical balance, the following is recommended:-

- Districts appoint to 11 places on the Joint Committee,
- The CA to appoint to one place on the Joint Committee,
- The Mayor to be a member of the Joint Committee and
- The remaining 10 members are appointed by the Mayor and will be made to ensure political balance across GM is represented.
- That the committee shall select and recommend to the Mayor its own Chair

3.7 The Operating Agreement has been amended to reflect the Order and sets out how those appointments will be made. Clause 3.10 of the Agreement states that the appointments made by the Mayor to the 10 remaining places will reflect the wishes of the relevant political group as to the members to be appointed to the Committee allocated to that political group. This would mean that, if the political balance across GM remains the same as it is prior to the May 2019 local elections the 10 places would be made up of 4 Labour members, 4 Conservative members and 2 Liberal Democrats. The three political parties will inform the Mayor of their preferences and they will be appointed by the Mayor.

4 Revised Terms of Reference for the Transport Committee

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

4.2 The three key areas of work for the new joint transport committee, which will comprise representatives from each District, the GMCA and the Mayor, will be to ensure:

- **Accountability:** active and regular monitoring of the performance of the transport network, including the highway network (including the operation of the GM Road Activities Permit Scheme, road safety activities, eTransport Committee) as well as all public transport modes. This role will include holding service operators, TfGM, highway authorities and infrastructure providers to public account, and
- **Implementation:** oversee the delivery of agreed Local Transport Plan commitments. This includes the active oversight of the transport capital programme, and as noted above, decisions over subsidised bus services network to be made within the context of policy and budgets set by the Mayor and the GMCA as appropriate, and
- **Policy Development:** undertake policy development on specific issues, as may be directed by the Mayor and / or the GMCA.

4.3 With regard to decisions about subsidised bus services, it is proposed that the new Transport Committee undertakes this function, given the local nature of such decision-making, within the policy context and funding as determined by the Mayor.

4.4 Specific policy development work that the Committee was asked to explore by the GMCA, the Mayor or the Districts could be undertaken by task and finish groups, comprising an appropriate selection of Transport Committee members. These groups would undertake the policy development process outside of formal Committee meetings, supported by TfGM as appropriate, and provide recommendations for consideration by the whole Committee before subsequent presentation to the GMCA or the Mayor.

5. Operating Agreement

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

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

6. Transport Committee training for members and work programme

6.1 If the proposals for the new committee are approved it is recommended that officers are asked to organise and provide training for new members prior to its first meeting. This can include member involvement in developing and agreeing the Committee's overall work programme.

- 6.2 The following section elaborates, through examples, how a revised Transport Committee might work in practice, to better support the transport agenda being pursued by the Mayor, GMCA and GM local authorities to help cement an effective and long term consensus.

Example One: The Transport Committee is informed of large scale bus de-registrations from the commercial network.

- 6.3 The standard report on changes to the bus network is received by the **Transport Committee**, and members' comments and the operator's response noted. **Transport Committee** informs the **Mayor's Transport Board**, such that the **Mayor** can seek explanations or action at a more senior level. The issue may also be raised at **GMCA**, to the extent that any service withdrawals requiring replacement will impact significantly on the Subsidised Bus budget. The **Transport Committee** may also wish to inform the **Housing, Planning & Environment Scrutiny Committee**, either formally or otherwise, to provide them with reassurance that the issue is being addressed.

Example Two: Tracking performance and patronage of public transport network.

- 6.4 Regular, comparable and clear performance monitoring reports to **Transport Committee**. Operators attend, and are held to account for service delivery by members. Consistently inadequate performance that is beyond the remit or capacity of TfGMC to secure improvements to be referred to **Mayor's Transport Board** and **TfN** (if relating to rail).

Example Three: Policy Reviews

- 6.5 Transport policy and strategy decisions are primarily for the **Mayor**, subject to the **GMCA's** agreement. For a formal revision of the LTP, a draft would be submitted by the mayor and would require approval by seven GMCA members in order to go forward to public consultation, then at least eight would be required to approve the post-consultation final version.
- 6.6 With regard to less significant transport strategy or policy measures, there may be a role for **Transport Committee** to consider and recommend any changes, if requested by the Mayor/GMCA, and then present its recommendations to GMCA. Examples might include revisions to School Bus policy, Metrolink bylaws, use of bus lanes.

Recommendations

The recommendations appear on the front page of the report.

OPERATING AGREEMENT

This Agreement is made on[] 2019

between:

(1) Greater Manchester Combined Authority (“the GMCA”)

and

(2) The Mayor for the area of the Greater Manchester Combined Authority (“the Mayor”)

and

(3) The Borough Council of Bolton, Bury Metropolitan Borough Council, The Council of the City of Manchester, Oldham Borough Council, Rochdale Metropolitan Borough Council, Salford City Council, The Metropolitan Borough Council of Stockport, Tameside Metropolitan Borough Council, Trafford Borough Council, Wigan Borough Council (“the Constituent Councils”)

WHEREAS:

- (A) On 1st April 2011 the GMCA was established as a Combined Authority for the combined area and the Greater Manchester Integrated Transport Area was dissolved and the ITA abolished.
- (B) The functions of the GMCA are those functions conferred or imposed on it, or delegated to it, by the Greater Manchester (Combined Authority) Order 2011 (S.I. , (“the **GMCA Order**”) or by any other enactment, including all the transport functions of the former Greater Manchester Integrated Transport Authority (the “**GMITA**”) which transferred to the GMCA on the abolition of the GMITA.
- (C) The Constituent Councils were established as local authorities by the Local Government Act 1972 with all the functions of a metropolitan district council, and in particular the Constituent Councils are the local highway authority and local traffic authority for their area.
- (D) The functions of the GMCA conferred on it by the GMCA Order include those transport functions of the Constituent Councils delegated to the GMCA by article 8 of the 2011 Order.

- (E) Pursuant to the Greater Manchester Combined Authority (Election of Mayor with Police and Crime Commissioner Functions Order 2016 (SI 2016/448) provision was made for the election of a Mayor for the GMCA Area (and the GMCA became a “mayoral combined authority”). Pursuant to section 107D (Functions of mayors: general) of the Local Democracy, Economic Development and Construction Act 2009 (the “**LDEDCA**”) the Secretary of State may by order make provision for any function of mayoral combined authority to be a function exercisable only by the Mayor (“**Mayoral Functions**”).
- (F) On 4 April 2019 The Greater Manchester Combined Authority (Functions and Amendment) Order 2019 (SI 2019/793) (the “**GMCA Transport Order**”) came into force. Pursuant to article 4 of the GMCA Transport Order, the transport functions of the GMCA specified in Schedule 1 of the GMCA Transport Order are general functions exercisable only by the Mayor (“**Mayoral Transport Functions**”).
- (G) Pursuant to Part 3, articles 6 to 9 (inclusive) of the GMCA Transport Order provision was made for the Mayor to enter into arrangements jointly with the GMCA and with the Constituent Councils in accordance with section 101(5) of the Local Government Act 1972 for the discharge of the Mayoral Transport Functions which are listed at Schedule 2 GMCA Transport Order (the “**Joint Transport Committee**”, hereinafter referred to as “**GM Transport Committee**”).
- (H) Part 3, articles 6 to 9 (inclusive) of the GMCA Transport Order sets out the statutory requirements in relation to membership of the GM Transport Committee and voting arrangements for any questions to be decided by the GM Transport Committee.
- (I) The Parties wish to co-operate with each other in the exercise of their functions and in particular their transport functions and have entered into this Agreement in order to facilitate this co-operation and the operation of the GM Transport Committee.

THIS AGREEMENT witnesses as follows:

1. Definitions

In this Agreement –

- 1.1 **Constituent Councils**” mean the metropolitan district councils for the local government areas of Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Stockport, Tameside, Trafford, and Wigan.
- 1.2 **“GMCA Order”** means the Greater Manchester Combined Authority Order 2011.
- 1.3 **“the GM Transport Committee”** means the Greater Manchester Transport Committee being a joint committee established by the Parties pursuant to the GMCA Transport Order.
- 1.4 **“the GMCA Transport Order”** means The Greater Manchester Combined Authority (Functions and Amendment) Order 2019.
- 1.5 **“the LDEDCA 2009”** means the Local Democracy, Economic Development and Construction Act 2009.
- 1.6 **“the LGA 1972”** means the Local Government Act 1972.
- 1.7 **“the LGA 2000”** means the Local Government Act 2000.
- 1.8 **“the LGHA 1989”** means the Local Government and Housing Act 1989.
- 1.9 **“the Mayor”** means the person elected as the Mayor of the GMCA pursuant to the Greater Manchester Combined Authority (Election of Mayor with Police and Crime Commissioner Functions Order 2016 (SI 2016/448)
- 1.10 **“the 2012 Regulations”** means the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.
- 1.11 **“the Parties”** mean the GMCA, the Mayor and the Constituent Councils.
- 1.12 **“the Relevant Date”** in relation to a payment for a financial year means 30th June in the financial year which commenced two years previously.

- 1.13 “the Secretary” means such person as shall be appointed by the GMCA to discharge the role of Secretary on behalf of the GM Transport Committee..
- 1.14 “the TfGMC” means the Transport for Greater Manchester Committee being a joint committee established by the Parties.
- 1.15 “the **TfGM**” means Transport for Greater Manchester being the executive body of GMCA for the purposes of Part 5 of the Local Transport Act 2008 and Part 6 of the LDEDCA 2009.

2. Interpretation

- 2.1 Clause, Schedule and paragraph headings shall not affect the interpretation of this Agreement;
- 2.2 The Schedules form part of this Agreement and shall have effect as if set out in full in the body of this Agreement. Any reference to this Agreement includes the Schedules.
- 2.3 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.
- 2.4 A reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- 2.5 A reference to a statute or statutory provision shall include all subordinate legislation made from time to time.
- 2.6 A reference to “this Agreement” or to any other agreement or document referred to in this Agreement is a reference to this Agreement or such other document or agreement as varied from time to time.
- 2.7 References to clauses and Schedules are to the Clauses and Schedules of this Agreement and references to paragraphs are to paragraphs of the relevant Schedule.
- 2.8 No person other than a party to this Agreement shall have any rights to enforce any term of this Agreement.
- 2.9 This Agreement and any dispute or claim arising out of or in connection with it or its subject matter or formation shall be governed by and construed in accordance with the law of England and Wales.

- 2.10 If any court or competent authority finds that any provision of this Agreement (or part of any provision) is invalid, illegal or unenforceable, that provision or part-provision shall, to the extent required, be deemed to be deleted, and the validity and enforceability of the other provisions of this Agreement shall not be affected.

3. Establishment of GM Transport Committee

- 3.1 Pursuant to Section 101(5) of the LGA 1972, Section 20 of the LGA 2000, Regulations 3,4, 11 and 12 of the 2000 Regulations and articles 6, 7, 8 and 9 of the GMCA Transport Order,, the Parties agree to enter into arrangements to discharge certain of their functions relating to transport jointly and for this purpose to establish a joint committee to be called the Greater Manchester Transport Committee (the “**GM Transport Committee**”). The Mayoral Transport Functions which the Mayor may decide to arrange to be discharged by the GM Transport Committee are those listed in Schedule 2 of the GM Transport Order.
- 3.2 Pursuant to article 5(a)(i) of the GM Transport Order, the number of members of the GM Transport Committee shall not exceed 23.
- 3.3 Each Constituent Council (apart from Manchester City Council) shall appoint one of their elected members to be members of GM Transport Committee. Manchester City Council shall appoint two of their elected members to be members of the GM Transport Committee.
- 3.4 Each of the Constituent Councils are expected to appoint their district’s executive member with responsibility for transport to be a member of the GM Transport Committee.
- 3.5 Pursuant to article 5(a)(ii) of the GM Transport Order, each Constituent Council (apart from Manchester City Council) shall appoint one of their elected members to act as substitute member of the GM Transport Committee in the absence of the member appointed in accordance with clause 3.3 above. Manchester City Council is expected to appoint two of their elected members to act as substitute members of the GM Transport Committee in the absence of the members appointed in accordance with clause 3.3 above.
- 3.6 The GMCA will appoint one member of the GMCA to be a member of the GM Transport Committee.
- 3.7 Pursuant to article 5(a)(ii) of the GM Transport Order, the GMCA will appoint one member of the GMCA to act as substitute member of the GM Transport Committee in the absence of the member appointed in accordance with clause 3.6 above.

- 3.8 The Mayor will be a member of the GM Transport Committee.
- 3.9 Pursuant to article 5(a)(ii) of the GM Transport Order, the Mayor will appoint one member of the GMCA to act as substitute member of the GM Transport Committee in the Mayor's absence.
- 3.10 The Mayor will appoint ten additional members of the GM Transport Committee, comprising one elected member of each of the Constituent Councils. The appointments to the GM Transport Committee made by the Mayor under this clause 3.10 will be made so as to ensure that the members of the GM Transport Committee, taken as a whole, reflect as far as reasonably practicable the balance of political parties for the time being prevailing among the Constituent Councils when taken together as required by article 5(b) of the GM Transport Order. The appointments to the GM Transport Committee made by the Mayor under this clause 3.10 will reflect the wishes of the relevant political group as to the members to be appointed to any seat on the GM Transport Committee allocated to that political group.
- 3.11 Pursuant to article 5(a)(ii) of the GM Transport Order, the GMCA will appoint elected members of the Constituent Councils to act as substitute members of the GM Transport Committee in the absence of the members appointed in accordance with clause 3.10 above.
- 3.12. Pursuant to article 7(6) of the GM Transport Order, questions relating to the apportionment of membership under clause 3.10 require a unanimous vote in favour by all members, or substitute committee members acting in place of those members, of the GMCA to be carried.

4. Terms of Reference of the GM Transport Committee

TRANSPORT COMMITTEE

Terms of Reference

1. Overview

The Transport Committee, as a joint committee of the ten Greater Manchester district councils ('the Constituent Councils'), the GMCA and the Mayor, brings together the principal local transport decision-making bodies.

The primary role of the Transport Committee is not to replicate strategic decision-making functions, but to ensure that through its work, those bodies are able to make informed and co-ordinated decisions by being fully informed about the operation and performance of the transport system, its individual modes and the infrastructure it relies on, including the Key Route Network.

It also has an important role in helping shape the development of transport strategy and policies, and in advising the GMCA and the Mayor on specific transport issues, as directed by them. In relation to bus services, the Transport Committee will undertake the function of making decisions in relation to the supported bus network, which has been delegated by the Mayor.

In summary the three key areas of work for the Transport Committee will be to ensure:

- **Accountability:** active and regular monitoring of the performance of the transport network, including the Key Route Network, the operation of the GM Road Activities Permit Scheme, road safety activities, etc as well as all public transport modes. This role will include holding service operators, TfGM, highway authorities and transport infrastructure providers to public account, and to recommend appropriate action as appropriate;
- **Implementation:** oversee the delivery of agreed Local Transport Plan commitments. This includes the active oversight of the transport capital programme, and decisions over supported bus services network to be made within the context of policy and budgets set by the Mayor and the GMCA as appropriate; and
- **Policy Development:** undertake policy development on specific issues, as may be directed by the Mayor and / or the GMCA.

2. Transport functions of the Greater Manchester Combined Authority ('GMCA') referred to the Transport Committee

2.1 The following transport functions of the GMCA are not delegated but are referred by the GMCA or, as the case may be, the Mayor to the Transport Committee in order for the Transport Committee to make recommendations (where appropriate) to the GMCA or, as the case may be, the Mayor in respect of:

- (a) Considering proposals by TfGM to promote or oppose any Bill in Parliament pursuant to Section 10(1)(xxix) of the Transport Act 1968; and
- (b) Policy reviews and development on specific issues, undertaken by the Transport Committee on the direction of the Mayor and/or the GMCA.

3. Transport functions of the GMCA delegated to the Transport Committee

- 3.1 The following transport functions of the GMCA are delegated by the GMCA or, as the case may be, the Mayor to the Transport Committee, subject to the Transport Committee exercising these functions in accordance with any transport policies of the GMCA and the Mayor, the Local Transport Plan and the agreed transport budget and borrowing limits (and without prejudice to the GMCA's or, as the case may be, the Mayor's right to discharge such functions directly):
- (a) Monitoring and overseeing the activities and performance of TfGM (and where appropriate recommending that the GMCA exercise the power pursuant to Section 15(6) of the Transport Act 1968 to give to TfGM such directions as appear to the Transport Committee to be appropriate to secure the observance of the rights of the GMCA);
 - (b) Ensuring that the TfGM secures the provision of appropriate public passenger transport services pursuant to Section 9A(3) of the Transport Act 1968;
 - (c) Considering what local bus information should be made available, and the way in which it should be made available pursuant to Sections 139 to 143 of the Transport Act 2000;
 - (d) Ensuring that the TfGM implements those actions delegated to it for promoting the economic, social and environmental well-being of Greater Manchester and its residents pursuant to Section 99 of the Local Transport Act 2008;
 - (e) Monitoring performance against the Local Transport Plan and other transport policies of the Mayor and the GMCA;
 - (f) Formulating, developing and monitoring procedures for public consultation on the GMCA's and the Mayor's transport policies;
 - (g) Active promotion of Greater Manchester's transport and travel interests as set by the GMCA and the Mayor;

- (h) Determining the operation, performance, contract management and development of tendered bus services, bus stations/stops, and passenger transport services;
- (i) Determining the operation, performance and development of the GMCA's accessible transport provision pursuant to Sections 106(1) and 106(2) of the Transport Act 1985; and
- (j) Monitoring the operation and performance of Metrolink, bus and local rail services and initiating appropriate action, including making recommendations to the GMCA and/or the Mayor.

3.2. The following transport functions of the GMCA, which are delegated by the Constituent Councils to the GMCA, are sub-delegated by the GMCA to the Transport Committee, subject to the Transport Committee exercising these functions in accordance with any transport policies of the GMCA or the Mayor, the Local Transport Plan and the GMCA's agreed transport budget and borrowing limits:

(a) In respect of those functions:

- (i) under section 23 of the Road Traffic Regulation Act 1984 (pedestrian crossings) so far as it relates to Pelican and Puffin crossings as defined by regulation 3(1) of the Zebra, Pelican and Puffin Crossings Regulations 1997; and
- (ii) under section 65 (placing of traffic signs) of the Road Traffic Regulation Act 1984 so far as it relates to traffic signs that are traffic light signals where "traffic light signals" means a traffic sign of the size, colour and type prescribed by any of the following regulations of the Traffic Signs Regulations 2002:
 - Regulation 33 – Light signals for the control of vehicular traffic – standard form
 - Regulation 34 – Green arrow light signals for the control of vehicular traffic
 - Regulation 37 – Light signals for control of vehicular traffic entering or proceeding on motorways and all purpose dual carriageway
 - Regulation 39 – Light signals to control traffic at level crossings etc.
 - Regulation 41 – Light signals for the control of tramcars

- Regulation 44 – Light signals for lane control of Vehicular traffic
- Regulation 45 – Warning light signal for motorways and all-purpose dual carriageway roads
- Regulation 46 – Matrix signs for motorways and all purpose dual carriageway roads
- Regulation 47 – Light signals at signal controlled pedestrian facilities
- Regulation 48 – Light signals at equestrian crossings
- Regulation 49 – Light signals at toucan crossings
- Regulation 52 – Light signals for pedestrian traffic at level crossings

the GMCA delegates to the Transport Committee responsibility for:

(i) Making recommendations to the GMCA in respect of:

- the development of policies relating to the installation, maintenance, and management of Traffic Light Signals that take both strategic and local strategies and frameworks into account; and
- the GMCA’s budget for Traffic Light Signals.

(ii) Making arrangements for the discharge of the functions to be carried out in relation to Traffic Light Signals by TfGM.

(iii) Monitoring and overseeing the activities and performance of TfGM in relation to the Traffic Light Signal function.

(b) In respect of those functions under section 2 of the Road Traffic Reduction Act 1997 (“the Transport Studies Function”) the GMCA delegates to the Transport Committee responsibility for:

(i) Making recommendations to the GMCA in respect of:

- producing and updating policies in respect of the Transport Studies Function which are consistent with the Greater Manchester Strategy, the GM Local Transport Plan objectives and GMCA’s and the Constituent Council’s budgets;
- settling budgets in respect of the Transport Studies Function

(ii) Making arrangements for the discharge of the functions to be carried out in relation to the Transport Studies Function by TfGM.

- (iii) Monitoring and overseeing the activities and performance of TfGM in relation to the Transport Studies Function.

3.3 In respect of functions under section 39 (2) and (3) of the Road Traffic Act 1988 ('the road safety function'), which may be exercised concurrently with Constituent Councils, the GMCA delegates to the Transport Committee responsibility for:

- (a) Producing and developing policies in relation to the road safety function.
- (b) Drawing up budgets in relation to the road safety function insofar as it is exercised by the TfGM. Determining the tasks to be carried out in relation to the road safety function by TfGM.
- (c) Making recommendations to the GMCA and the Mayor in respect of the development of policies for the promotion and encouragement of safe transport to, from and within its area under s108 Transport Act 2000.
- (d) Monitoring and overseeing the activities and performance of TfGM.

4. Transport functions of the Constituent Councils delegated directly to the Transport Committee

4.1 The following transport related functions of the Constituent Councils will be delegated directly to the Transport Committee subject to the Transport Committee exercising these functions in accordance with any policies of the GMCA (as local transport authority), the Local Transport Plan and the terms of the delegation from the Constituent Councils:

- (a) Carrying out actions to facilitate the performance by local traffic authorities of their duty to manage their road traffic on their on their own roads and facilitating the same on other local authorities' roads pursuant to Sections 16 and 17 (except for sub-sections 17 (2) and (3)) of the Traffic Management Act 2004, including in particular –
 - (i) establishing processes for identifying things (including future occurrences) which are causing or have the potential to cause road congestion or other disruption to the movement of traffic on the road network;
 - (ii) determining specific policies and objectives in relation to strategic roads;

(iii) monitoring the effectiveness of traffic authorities in managing their road network.

(b) Preparing and carrying out a programme of measures designed to promote road safety, including carrying out road safety studies, studies into accidents, accident prevention campaigns, the dissemination of information and advice relating to the use of roads and arranging for the giving of practical training to road users pursuant to Sections 39(2) and 39(3)(a) and (b) of the Road Traffic Act 1988.

5. GM Transport Committee – Other Provisions

5.1 The GM Transport Committee may establish sub-committees.

5.2 When establishing a sub-committee, the GM Transport Committee will determine -

- (i) the terms of reference of the sub-committee
- (ii) the size and membership of the sub-committee
- (iii) the Chair (and Vice-Chair, if any) of the sub-committee
- (iv) any delegated powers of the sub-committee
- (v) the period (where appropriate) for which the sub-committee will remain constituted.

5.3 Appointments to sub-committees will be made in accordance with the principles of political balance set out in Section 15(5) of the LGHA 1989.

5.4 The GM Transport Committee and any sub-committee of the GM Transport Committee may, in respect of a function delegated to the GM Transport Committee by the GMCA under the GM Transport Committee Terms of Reference arrange for its discharge by an officer of one of the Constituent Councils or by TfGM.

5.5 The GM Transport Committee and any sub-committee of the GM Transport Committee may, in respect of a Mayoral Transport Function listed in Schedule 2 of the GMCA Transport Order which the Mayor has delegated to the GM Transport Committee under the GM Transport Committee Terms of Reference arrange for its discharge by an officer of one of the Constituent Councils or by TfGM.

5.6 The GM Transport Committee and any sub-committee of the GM Transport Committee may, in respect of a function delegated to them by the Constituent

Councils under the GM Transport Committee Terms of Reference, arrange for its discharge by an officer of one of the Constituent Councils and may enter into agreements with TfGM for the provision of services by TfGM.

5.7 The GM Transport Committee will establish a scheme of delegation to sub-committees and officers and will review the scheme annually.

5.8 The GM Transport Committee will conduct its business in accordance with this Agreement, including the Rules of Procedure set out in Schedule 1.

6. Transport Protocols

6.1 The Parties will draw up and agree detailed Protocols in relation to the operation and discharge of those functions –

- delegated from the Constituent Councils to GMCA pursuant to Article 8 of the GMCA Order, and
- delegated by the Constituent Councils to the GM Transport Committee by virtue of the GM Transport Committee Terms of Reference.

6.2 The Parties will keep the Protocols under regular review and may revise them from time to time, such revisions to be agreed by the Chief Executives of the Constituent Councils, the Head of Paid Service of the GMCA and the Chief Executive of TfGM.

6.3 Protocols drawn up, agreed or revised under this Clause will not override anything provided for or required by this Agreement and will not in themselves constitute arrangements for the discharge of functions made in accordance with Section 101 of the LGA 1972 and the 2012 Regulations.

7. Funding of Constituent Council Transport Functions delegated by the GMCA Order

7.1 For the financial year beginning on 1st April 2011, the Constituent Councils will meet the costs of the GMCA reasonably attributable to the exercise of those transport functions of the Constituent Councils delegated to the GMCA by virtue of Article 8 of the GMCA Order.

7.2 The amount payable by each of the Constituent Councils is to be determined by apportioning the costs of the GMCA referred to in Clause 7.1 between the Constituent Councils in such proportions as they may agree or, in default of

agreement, in proportion to the total resident population on 30th June 2009 of the area of each council concerned as estimated by the Register General.

- 7.3 In the financial year beginning on 1st April 2012 and in subsequent financial years the costs of the GMCA referred to in Clause 7.1 shall be recovered from the Constituent Councils as part of the levy issued to those councils pursuant to the Transport Levying Bodies Regulations 1992, as amended, except where and to the extent that all the Constituent Councils agree that costs should be defrayed by the Constituent Councils and not the GMCA pursuant to Article 8(4) of the GMCA Order.
- 7.4 Without prejudice to the generality of Article 8(4) of the GMCA Order, it is agreed that each Constituent Council will be responsible for defraying the costs of the initial installation of traffic signs that are traffic light signals or pelican or puffin crossings in their area, except insofar as such costs are met by the third parties pursuant to agreements under Section 278 of the Highways Act 1980 or otherwise.

8. Amendments to this Agreement

- 8.1 This Agreement may be amended following a resolution approved by all the Parties.
- 8.2 The operation of this Agreement will be subject to an annual review.

9. Dispute Resolution

- 9.1 Any dispute between the Parties arising out of this Agreement which cannot be settled shall be referred to the Head of Paid Service of the Parties to the dispute who will negotiate to resolve the matter in good faith.

10. Notices

- 10.1 Any notice, demand or other communication required to be served on the GMCA under this Agreement shall be sufficiently served if delivered personally to or sent by pre-paid first class recorded delivery post to the GMCA's Monitoring Officer at First Floor, Churchgate House, 56 Oxford Street Manchester M1 6EU 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 GMCA's Monitoring Officer at the time of personal delivery or on the second working date after the date or posting as the case may be.
- 10.2 Any notice, demand or other communication required to be served on the Mayor 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 Office of the GM Mayor at First Floor, Churchgate House, 56 Oxford Street Manchester M1 6EU the Town Hall, Manchester M60 2LA. 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 Mayor at the time of personal delivery or on the second working date after the date of posting or transmission as the case may be.

- 10.3 Any notice, demand or other communication required to be served on one or more of the Constituent Councils under this Agreement shall be sufficiently served if delivered personally to or sent by pre-paid first class recorded delivery post to the monitoring officer(s) of the Constituent Council(s) concerned at the principal office of the Constituent Council or such other address as has been notified to the Parties. 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 Constituent Council(s) concerned at the time of personal delivery or on the second working date after the date of posting as the case may be.

IN WITNESS whereof the Parties have caused this Agreement to be executed the day, month and year first before mentioned.

Signed by **GMCA**

Authorised Signatory

Dated

Signed by the **GMCA Mayor**

Dated

Signed by **The Borough Council of Bolton**

Authorised Signatory

Dated

Signed by **Bury Metropolitan Borough Council**

Authorised Signatory

Dated

Signed by **The Council of the City of Manchester**

Authorised Signatory

Dated

Signed by **Oldham Borough Council**

Authorised Signatory

Dated

Signed by **Rochdale Metropolitan Borough Council**

Authorised Signatory

Dated

Signed by **Salford City Council**

Authorised Signatory

Dated

Signed by **The Metropolitan Borough Council of Stockport**

Authorised Signatory

Dated

Signed by **Tameside Metropolitan Borough Council**

Authorised Signatory

Dated

Signed by **Trafford Metropolitan Borough Council**

Authorised Signatory

Dated

Signed by **Wigan Borough Council**

Authorised Signatory

Dated

GM Transport Committee

Rules of Procedure

1. Interpretation, Suspension and Variation/Revocation of Rules of Procedure

- 1.1 The ruling of the Chair on the interpretation of these Rules in relation to all questions of order and matters arising in debate shall be final.
- 1.2 References in these Rules to the “Chair” means the member of the GM Transport Committee for the time being presiding at the meeting of the GM Transport Committee , and a meeting of the GM Transport Committee. References in these Rules to the “Secretary” means the officer of the GMCA who is appointed to discharge the role of the Secretary to the GM Transport Committee.
- 1.3 These Rules shall apply to the GM Transport Committee and any Sub Committee of the GM Transport Committee , and any reference to the GM Transport Committee shall accordingly include reference to a Sub Committee of the GM Transport Committee.
- 1.4* Except for those provisions which accord with the provisions of the Local Government Acts (and which are indicated with an asterisk *) any Rule may be suspended at a meeting of the GM Transport Committee with the consent of the majority of the whole number of members of the GM Transport Committee but not otherwise.
- 1.5* These Rules (except for those Rules marked with asterisk*) may be varied or revoked by a decision of a two-thirds majority of the GM Transport Committee and any motion to vary or revoke any of these Rules shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the GM Transport Committee which shall determine the matter having considered a report of the secretary to the GM Transport Committee on the proposed variation or revocation.

2. Chair and Vice-Chairs

- 2.1* The Chair of the GM Transport Committee will be appointed annually by the Mayor from among its members and shall, unless they resign, cease to be members of the

GM Transport Committee or become disqualified, act until their successor becomes entitled to act as Chair.

2.2* The appointment of the Chair, for recommendation to the Mayor shall be the first business transacted at the Annual Meeting of the GM Transport Committee.

2.3* On a vacancy arising in the office of Chair for whatever reason, the GM Transport Committee shall recommend an appointment to fill the vacancy at the next ordinary meeting of the GM Transport Committee held after the date on which the vacancy occurs, or, if that meeting is held within 14 days after that date, then not later than the next following meeting. The member appointed shall hold such office for the remainder of the year in which such vacancy occurred.

3. Meetings

3.1* The Annual Meeting of the GM Transport Committee shall be held in June or the month after local elections on a date and at a time determined by the GM Transport Committee.

3.2* Ordinary meetings of the GM Transport Committee TfGMC for the transaction of general business shall be held on such dates and at such times as the GM Transport Committee shall determine.

3.3* An Extraordinary Meeting of the GM Transport Committee may be called at any time by the Chair .

4. Notice of Meetings

- 4.1 At least five clear days before a meeting of the GM Transport Committee or one of its Sub Committees:
- (a) notice of the time and place of the intended meeting shall be published by the Secretary and posted at Churchgate House, Oxford Street, Manchester, M1 6EU; and
 - (b) a summons to attend the meeting, specifying an agenda for the meeting, shall be sent by electronic email to the usual email address of each member of the GM Transport Committee, or any other email address notified to notified to the Secretary by a member of the GM Transport Committee.
- 4.2* Lack of service on a member of the GM Transport Committee of the summons shall not affect the validity of a meeting of the GM Transport Committee.
- 4.3* A member of the GM Transport Committee may require a particular item of business, including any motion, which is relevant to the powers of the GM Transport Committee, to be discussed at an ordinary meeting of the GM Transport Committee subject to at least eight clear days notice of such intention being given to the Secretary in writing, signed by the member concerned and specifying the business to be discussed. The Secretary shall set out in the agenda for each meeting of the GM Transport Committee the items of business requested by members (if any) in the order in which they have been received, unless the member concerned has given prior written notice to the Secretary prior to the issue of the agenda for the meeting, for it to be withdrawn. If the member concerned is not present at the meeting when an item of which they have given notice comes up for discussion, this item shall, unless the GM Transport Committee decides otherwise, be treated as withdrawn. A member shall not have more than one item of business, or motion, standing in their name to be discussed at any meeting of the GM Transport Committee.
- 4.4 No motion by way of notice to rescind any resolution which has been passed within the preceding six months, nor any motion by way of notice to the same effect as any motion which has been negatived within the preceding six months, shall be in order, unless the notice thereof shall have been given in time for inclusion on the agenda for the meeting, in accordance with paragraph 4.3 above, and the notice shall have been signed by four other members in addition to the member who is to propose the motion.

- 4.5* Except in the case of business required by these Rules to be transacted at a meeting of the GM Transport Committee, and other business brought before the meeting as a matter of urgency, and of which the Secretary shall have prior notice and which the Chair considers should be discussed at the meeting, no business shall be transacted at a meeting of the GM Transport Committee other than that specified in the agenda for the meeting.

5. Chair of Meeting

- 5.1* At each meeting of the GM Transport Committee the Chair, if present, shall preside.
- 5.2* If the Chair is absent from a meeting of the TfGMC, the Secretary shall invite the members present to elect a member to preside for the duration of the meeting or until such time as the Chair joins the meeting.
- 5.3 Any power or function of the Chair in relation to the conduct of a meeting shall be exercised by the person presiding at the meeting.

6. Quorum

- 6.1* No business shall be transacted at any meeting of the full GM Transport Committee unless at least 8 of the members are present).
- 6.2* The quorum for any meeting of a Sub Committee of the GM Transport Committee shall be one third of the membership of that body.
- 6.3 If at the time for which a meeting is called, and for 15 minutes thereafter, a quorum is not present, then no meeting shall take place.
- 6.4 If during any meeting of the GM Transport Committee the Chair, after counting the number of members present, declares that there is not a quorum present, the meeting shall stand adjourned to a time fixed by the Chair. If there is no quorum and the Chair does not fix a time for the reconvened meeting, the meeting shall stand adjourned to the next ordinary meeting of the GM Transport Committee.

7. Order of Business

- 7.1 At every meeting of the GM Transport Committee the order of business shall be to select a person to preside if the Chair is absent and thereafter shall be in

accordance with the order specified in the agenda for the meeting, except that such order may be varied -

- (a) by the Chair at his/her discretion, or
- (b) on a request agreed to by the GM Transport Committee

7.2 The Chair may bring before the GM Transport Committee at their discretion any matter that they consider appropriate to bring before the GM Transport Committee as a matter of urgency.

8. Submission of Sub Committee Proceedings

8.1 Except where a Sub Committee appointed by the GM Transport Committee is acting under delegated authority, the Minutes of the proceedings of each of the GM Transport Committee's Sub Committees shall be submitted to the GM Transport Committee for confirmation. Confirmation by the GM Transport Committee of those Minutes shall constitute approval of the proceedings of those Sub Committees.

8.2 The Chair of a Sub Committee, or other member of the Sub Committee acting in their place, shall deal with matters arising during any debate on the proceedings of the Sub Committee.

8.3 A Chair of a Sub Committee, or other member of the Sub Committee acting in their place, may, with the consent of the GM Transport Committee, withdraw any item on the Minutes of that Sub Committee, or correct any factual inaccuracy, which might otherwise result in the GM Transport Committee being misinformed on any item in the Sub Committee's Minutes.

8.4 When considering the Minutes of the proceedings, no motion or amendment shall be made or proposed, or any discussion allowed upon any matter which, although within the province of the Sub Committee, does not appear in the Minutes of the proceedings.

9. Rules of Debate

Motions

9.1 A Motion (or amendment) shall not be discussed unless it has been proposed and seconded. It shall, if required by the Chair, be put in writing and handed to the Chair, who shall determine whether it is in order before it is further discussed or put to the meeting.

- 9.2 A member when seconding a Motion or amendment may, if they then declare their intention to do so, reserve their speech until a later period of the debate. No member may, except at the discretion of the Chair, address the GM Transport Committee more than once on any Motion. The mover of the original Motion may reply but shall confine such reply to answering previous speakers and shall not introduce any new matter into the debate. After the reply the question shall be put forthwith.
- 9.3 A member when speaking shall address the Chair. If two or more members signify their desire to speak, the Chair shall call on one to speak: the other or others shall then remain silent. While a member is speaking no other member shall intervene unless to raise a point of order or by way of personal explanation.
- 9.4 A member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order. No speech shall exceed five minutes except by consent of the Chair.

Amendments to Motions

- 9.5 An amendment shall be relevant to the Motion and shall be either:-
- (a) to refer a subject of debate to a Sub Committee for consideration or reconsideration: or
 - (b)
 - (i) to leave out words from the Motion
 - (ii) to leave out words from, and insert or add others to, the Motion:
 - (iii) to insert words in, or add words to, the Motion:
- but such omission, insertion or addition of words shall not have the effect of negating the Motion before the GM Transport Committee.
- 9.6 Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of. The mover of an amendment shall read the same before speaking to it.
- 9.7 If an amendment is negated, 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 substantive Motion upon which any further amendment may be moved, except any amendment which would be inconsistent with that already carried. The right of reply under paragraph 9.2 above shall not extend to the mover of an amendment which, having been carried,

has become the substantive Motion. No member shall move more than one amendment on any Motion.

9.8 A member may, with the consent of the GM Transport Committee, signified without discussion:-

- (a) alter a Motion of which they have given notice
- (b) with the consent of their seconder alter a Motion which they have moved:

if in either case the alteration is one which could be made as an amendment thereto.

9.9 A Motion or amendment may be withdrawn by the mover with the consent of the GM Transport Committee (which shall be signified without discussion) and no member may speak upon it after the mover has asked permission for its withdrawal, unless such permission has been refused.

9.10 When a Motion is under debate no other Motion shall be moved except the following:-

- (a) That the Motion be amended
- (b) That the GM Transport Committee proceed to the next business
- (c) That the question be put
- (d) That the debate be adjourned
- (e) That the meeting be adjourned
- (f) That the member named be warned
- (g) (By the Chair under paragraph 11.2 below) That the member named leave the meeting, or
- (h) That the press and public be excluded (in accordance with Section 100A of the Local Government Act, 1972)

9.11 A member who has not already spoken on the item under consideration may move without comment at the conclusion of a speech of another member "That the GM Transport Committee proceed to the next business", "That the question be put", "That the debate be adjourned" or "That this meeting of the GM Transport Committee be adjourned" and on the seconding of that Motion the Chair shall proceed as follows:

- (a) on a Motion to proceed to the next business, unless in their opinion the original Motion or amendment has been insufficiently discussed, they shall first give the mover of the original Motion a right of reply, and then put to

the vote the Motion to proceed to the next business; if this latter Motion is carried, the original Motion or amendment under discussion shall be deemed to be withdrawn

- (b) on a Motion that the question be put, unless in their opinion the Motion or amendment before the meeting has not been sufficiently discussed, they shall first put to the vote the Motion that the question be put and, if it is carried, they shall then give the mover of the original Motion their right of reply under paragraph 9.2 above, before putting the Motion or any amendment then under discussion to the vote
- (c) on a Motion to adjourn the debate, if, in the Chair's opinion, the Motion or amendment before the meeting has not been sufficiently discussed, and cannot reasonably be sufficiently discussed on that occasion, they shall put to the vote a Motion to adjourn the debate to the next meeting of the GM Transport Committee, or to a time stated, without giving the mover of the original Motion their right of reply on that occasion; if the adjournment Motion is carried, then, on the resumption of the debate, the Chair shall reintroduce the Motion or amendment before the meeting at the time the debate was adjourned, and the member who moved the adjournment of the debate shall be entitled to speak first
- (d) on a Motion to adjourn a meeting of the GM Transport Committee until a specified date and time, the Chair shall forthwith put such a Motion to the vote without giving any right of reply to the mover of any Motion under discussion and, if the Motion is carried, the remaining business of the day shall stand adjourned until the date and time stated in the Motion. On the resumption of the meeting of the GM Transport Committee the procedure in paragraph 9.11(c) above shall apply

9.12 No member may move any of the Motions in paragraph 9.11 above on more than one occasion at each meeting and, when such a Motion is not carried, a second Motion of the like nature shall not be made within half an hour unless, in the opinion of the Chair, the circumstances of the question are materially altered.

Points of Order

9.13 A member may, with the permission of the Chair, raise 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 the Rules of Procedure or statutory provision and the member shall specify which part of the Rules of Procedure or statutory provision and the way in which they consider it has been broken. A

personal explanation shall be confined to some material part of a former speech by the member which they consider to have been misunderstood in the present debate.

- 9.14 The ruling of the Chair on a point of order, or the admissibility of a personal explanation, shall not be open to discussion.
- 9.15 Whenever the Chair intervenes during a debate a member then speaking or offering to speak shall give way.

Motion to exclude the Press and Public

- 9.16 A Motion to exclude the press and public in accordance with Section 100A of the Local Government Act, 1972 may be moved, without notice, at any meeting of the GM Transport Committee during an item of business whenever it is likely that if members of the public were present during that item there would be disclosure to them of confidential or exempt information as defined in Section 100A of the 1972 Act.

10. Voting

- 10.1 Whenever a vote is taken at meetings of the GM Transport Committee it shall be by a show of hands. On the requisition of any member of the GM Transport Committee, supported by four other members who signify their support by rising in their places, and before the vote is taken, the voting on any question shall be recorded so as to show whether each member present gave their vote for or against that question or abstained from voting.
- 10.2* In the case of an equality of votes, the Chair shall have a second, or casting, vote.
- 10.3* A member may demand that his/her vote be recorded in the Minutes of the meeting.

11. Conduct of Members at meetings

- 11.1 If at a meeting any member of the GM Transport Committee, misconducts 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 GM Transport Committee, the Chair or any other member may move "That the member named be warned" and the Motion if seconded shall be put and determined without discussion.

11.2 If the member named continues such misconduct after a Motion under the foregoing paragraph has been carried, the Chair shall either:-

- (a) move “That the member named leave the meeting” (in which case the Motion shall be put and determined without seconding or discussion)
- (b) adjourn the meeting of the GM Transport Committee for such period as they consider expedient

11.3 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 vested in him or her may, without question put, adjourn the meeting of the GM Transport Committee for such period as he or she considers expedient.

12. Disturbance by Members of the Public

12.1 If a member of the public interrupts the proceedings at any meeting the Chair shall warn him or her. If they continue the interruption the Chair shall order his or her removal from the room. In the case of general disturbance in any part of the room open to the public the Chair shall order that part to be cleared.

13. Interests of Members

13.1* A member must have regard to the Code of Conduct for Members of the local authority for which they are an elected member and their obligations in relation to the disclosures of, and possible withdrawal from a meeting, for reason of personal and prejudicial interests.

14. Appointment of Sub Committees

14.1 The GM Transport Committee shall at the Annual Meeting appoint such Sub Committees as it has at that, or any earlier meeting, resolved to establish; may, at any time, appoint such other Sub Committees as are necessary to carry out the work of the GM Transport Committee; and may, at any time, dissolve a Sub Committee or alter its membership.

14.2 The terms of reference of Sub Committees shall be approved by the GM Transport Committee and shall be subject to review at each Annual Meeting.

14.3 The GM Transport Committee shall at each Annual Meeting, or whenever there is a vacancy in such office, appoint the Chair of each Sub Committee.

14.4 The GM Transport Committee may at any time remove a member from the office of a Sub Committee and appoint another member to fill the resultant vacancy.

- 14.5 A member may resign from the office of Chair of a Sub Committee by notice in writing delivered to the Secretary, the resignation to take effect from the time of receipt of such notice.
- 14.6 Wherever possible, a programme of dates and times of Sub Committee meetings for the ensuing year shall be approved at the Annual Meeting of the GM Transport Committee, or, on the first appointment of a Sub Committee, at any other meeting of the GM Transport Committee. Such a programme shall, however, be capable of variation by the GM Transport Committee, and, in case of urgency, by the Chair of the Sub Committee.
- 14.7 GM Transport Committee members may attend a meeting of any Sub Committee of which they are not a member, but shall not, without the consent of the Chair, take part in any proceedings. They shall not, in any event, move any Motion or amendment, or vote at such a meeting. Such members may attend a Sub Committee meeting during consideration of any business indicated on the agenda as likely to be considered when the public have been excluded, provided advance written notice has been given to the Secretary of the member's intention to attend for the discussion of such business, and his or her reasons for so doing.
- 14.8 A member of the GM Transport Committee who has moved a Motion that has been referred to any Sub Committee shall have notice of the meeting of the Sub Committee at which it is proposed to consider the Motion. They shall have the right to attend the meeting and if the member attends, they shall be afforded an opportunity of explaining the Motion.

15. Publication of Reports

- 15.1* Reports or other documents for the consideration of the GM Transport Committee or a Sub Committee shall be marked "Private & Confidential Not for Publication" only if the Secretary, as Proper Officer under Section 100B(2) of the Local Government Act 1972 determines that this should be done on one or more of the grounds specified in the Act.
- 15.2 A Member of the GM Transport Committee or a member of the public may request that an item of business containing exempt information should be taken in private and such a request should be dealt with by the meeting at which the item is to be considered in private as the first item on the agenda. The procedure for dealing with such requests is set out in Rules 16 and 17 below.
- 15.3* Copies of the agenda of meetings of the GM Transport Committee or its Sub Committees, including prints of reports or other documents to be submitted to the

GM Transport Committee or Sub Committees (other than reports or other documents marked "Not for Publication") shall be furnished prior to the meeting to representatives of the press, radio and television and shall also be furnished at the meeting to members of the public attending such meetings. Such documents shall also be made available for public inspection, at least five clear days before any meeting, at Churchgate House, Oxford Street, the Town Hall, Manchester, M1 6EU.

- 15.4* Where an item or report has been added to an agenda, any revised agenda or additional report shall be available for public inspection as soon as the item or report has been added to the agenda, provided copies are also, at that time, available to members of the .

16. Access to Information Procedure Rules

- 16.1 Except as otherwise indicated, these rules apply to all meetings of the GM Transport Committee and its Sub Committees.
- 16.2 The Rules in Section 16 do not affect any more specific rights to information contained elsewhere in these Rules of Procedure or the law.
- 16.3 The GM Transport Committee will supply copies of:
- (a) any agenda and reports that are open to public inspection
 - (b) any further statements or particulars, if any, as are necessary to indicate the nature of the items in the agenda
 - (c) if the Secretary thinks fit, copies of any other documents supplied to members in connection with an item
 - (d) to any person on payment of a charge for postage and any other costs.
- 16.4 The GM Transport Committee will make available copies of the following for six years after a meeting:
- (a) the minutes of the meeting, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information
 - (b) 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;
 - (c) the agenda for the meeting
 - (d) reports relating to items when the meeting was open to the public

- 16.5 The relevant Chief Officer will set out in every report a list of those documents (called background papers) relating to the subject matter of the report that in his/her opinion:
- (a) disclose any facts or matters on which the report or an important part of the report is based
 - (b) which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information

17. Exclusion of access by the public to meetings

(a) Confidential information – requirement to exclude public

- 17.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.
- 17.2 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons stated in Article 6.

(b) Meaning of confidential information

- 17.3 Confidential information means information given to the GM Transport Committee by a Government department on terms that forbid its public disclosure or information that cannot be publicly disclosed by reason of a Court Order or any enactment.

(c) Meaning of exempt information

- 17.4 Exempt information means information falling within the following categories (subject to any qualifications):
- (i) information relating to any individual
 - (ii) information which is likely to reveal the identity of any individual

- (iii) information relating to the financial or business affairs of any particular person (including the authority holding that information)
- (iv) information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the GM Transport Committee or a Minister of the Crown and employees of, or office holders under, the GM Transport Committee
- (v) information in respect of which a claim to legal professional privilege could be maintained in legal proceedings
- (vi) information which reveals that the GM Transport Committee proposes a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or b) to make an order or direction under any enactment
- (vii) information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

(e) Exclusion of Access by the public to reports

- 17.5 If the Secretary thinks fit, the GM Transport Committee may exclude access by the public to reports which in his/her opinion relate to items during which the meeting is likely not to be open to the public. Such reports will be marked "Not for Publication" together with the category of information likely to be disclosed.

