

Constitutional and Nomination Committee

Minutes of the meeting held on 6th October 2009

Present:

Councillor Curley – In the Chair

Councillors Ashley, J. Battle, Burns, Commons, Eakins, Hassan, Leese, Shannon, Watson and Whitmore.

CN/09/21 Minutes

Decision

To approve as a correct record the Minutes of the meeting held on 7th July 2009.

CN/09/22 Executive Arrangements

A report of the City Solicitor was submitted advising the Committee of the results of the public consultation on changes to the Council's executive arrangements. The report outlined draft proposals for changing the executive arrangements following consultation with the Leader of the Council and the Leader of the Opposition based on the results of the public consultation exercise and other statutory considerations (the Draft Proposals). The report also set out the next steps that the Council must take if it resolves to approve the Draft Proposals in order to implement the changes to the Council's executive arrangements.

The report detailed the outcome of the consultation process and there were a total of 3049 responses, of which 67% expressed a preference for the new style Leader and cabinet Executive Model (Option A). In addition a clear majority of stakeholders also expressed support for this option. It was noted that whilst the response rate was low, it was significantly higher than response rates to consultation on the same issue which had been undertaken in other local authorities. Moreover, as the outcome of the consultation process expressed a clear preference for the new style Leader and Cabinet Executive model, Members considered that there was no evidence of support amongst Manchester residents for a referendum on this issue.

A member suggested that the Party Leaders may wish to explore the possibility of writing to David Cameron MP regarding the outcome of this consultation.

Decision

1. To note the outcome of the public consultation into whether the Council should adopt the Elected Mayor and Cabinet form of executive or the "new-style" Leader and Cabinet form of executive as set out in Appendix 2 of the report.
2. To agree, having regard to the public consultation and the extent to which the proposals, if implemented, would be likely to assist in securing

continuous improvement in the way the Council's functions are exercised, to approve the City Solicitor's Draft Proposals set out at Appendix 3 of the report, including in particular-

- (a) that the Council's executive form should be the "new-style" Leader and Cabinet executive (England)
 - (b) that the Council should have the power to remove the leader by way of resolution by a simple majority, in accordance with the current provisions for the removal of the leader in Article 7.4(e) of Part 2 of the Council's Constitution
 - (c) that the "local choice" functions should be discharged as set out in Section A of Part 3 of the Council's Constitution
 - (d) that the change in governance arrangements should not be the subject of a referendum
- 3. To agree the proposed timetable attached as Annex 2 of the Draft Proposals set out at Appendix 3 to the report.
 - 4. To delegate to the City Solicitor the publication of the Draft Proposals in accordance with Section 33E(8) of the Local Government Act 2000.
 - 5. To refer the above recommendations to the Council for approval.

CN/09/23 Community Governance Review

A report of the City Solicitor and Deputy Chief Executive (Performance) was submitted in relation to final recommendations concerning the community governance review of the whole of the local authority.

The Committee was reminded of the outcome of the consultation as set out in the report to and minutes of their meeting on 7th July 2009 and in the report to the Wythenshawe Area Committee.

The Committee was also reminded of their decisions on 7th July, namely –

- 1. That taking into account the results of the consultation and the arrangements (other than parish arrangements) for community representation or engagement that have been made or could be made, the Committee resolved that their recommendations would be as follows:-
 - i) that outside Northenden and Ringway no new parish council be created:
 - ii) that the existing Parish arrangements be retained in respect of Ringway, subject to:
 - a) the number of Parish Councillors for Ringway being reduced from eight to five, and

- b) the criteria in paragraph 49 in the report being met by Ringway Parish Council, failing which the continuance of the Parish arrangements will be reviewed by the City Council after two years.
 - iii) that the Committee is not minded to recommend the constitution of a new Parish in any part of Northenden at this stage but wishes to consider alternative community governance arrangements which could meet the concerns raised in the consultation about the adequacy of existing community governance arrangements.
- 2. That the City Solicitor and the Deputy Chief Executive (Performance) be instructed to report further to this Committee, within the next three months following consultation with the Wythenshawe Area Committee, on such alternative community governance arrangements for Northenden within the next three months, in order that the community governance review can be finalised within the statutory timescales for the review.

Members noted that the Wythenshawe Area Committee met on 24th September to consider the possible alternative community governance arrangements reported (as options A to D) to them by the City Solicitor and Deputy Chief Executive (Performance) and to consider whether any of those arrangements, or some other new arrangements, should be put in place in Northenden.

The Committee was advised that the Wythenshawe Area Committee had determined to recommend that an enhanced version of Option C be adopted incorporating work within the existing ward coordination model to (a) actively increase the level of community engagement and representation, including the involvement of a research officer and (b) to ensure that the separate identities of different parts of the Northenden Ward are reflected in the community engagement activity feeding into ward co-ordination and with a specific focus on -

- Capacity building work to continue to support community groups with a view to developing their ability to participate effectively through the ward coordination structure.
- Review of the membership of the community meeting to ensure that representatives from all resident, tenant and community groups in the area who wish to be engaged are invited to attend, including work to engage hard to reach groups. This would require a mapping exercise of groups within the ward and writing to the chair or leader of each group to ascertain if they want to be involved.
- Setting dates in advance for community meetings and ensuring that all invitees are aware of these well in advance.
- Making greater use of the ward coordination web pages to keep residents informed of the ward coordination process.
- Ensuring that there is a clear structure available to people residing in Northenden on how they can engage with and influence the ward coordination process.
- Making minutes of both community meeting and WSCG meetings available to people residing in Northenden (e.g. on the website).

- Ensuring that the neighbourhood partnership meeting feeds into WSCG meetings.

It was suggested that this form of enhanced ward coordination maybe appropriate in other parts of the city and that an 18-month pilot scheme be adopted in Northenden to be rolled out as appropriate in the rest of the City in the light of experience gained. Some members felt it should not be compulsory for other wards within the city to be forced to adopt the proposals for the Northenden area.

An amendment was made that the proposals of the Wythenshawe Area Committee should be adopted as a pilot scheme in Northenden for a period of 18 months.

The amendment being put, the Committee divided as follows:

For the amendment: Councillors Curley, Burns, J. Battle, Hassan, Leese and Watson.

Against the amendment: Councillors Ashley, Commons, Eakins, Whitmore and Shannon.

The Chair declared the amendment to be carried.

A further amendment was made that parish arrangements and a parish council should be established in the Northenden petition area.

The further amendment being put, the Committee divided as follows:

For the amendment: Councillors Ashley, Commons, Eakins, Shannon and Whitmore.

Against the amendment: Councillors Curley, Burns, J. Battle, Hassan, Leese and Watson.

The Chair declared the further amendment to have been lost.

In relation to Ringway Parish Council, members agreed that the recommendations reached at the meeting of the Committee on 7 July 2009 were the best way forward and confirmed their decision, with the additional recommendation that the year of ordinary elections of parish councillors in Ringway should be moved from 2011 and every fourth year thereafter to 2010 and every fourth year thereafter.

In relation to the rest of the City (outside Ringway and Northenden) members reaffirmed their view that no new parishes should be constituted.

Decision (acting under delegated powers)

That having regard to the need to secure that community governance within the areas under review reflects the identities and interests of the community in those areas and is effective and convenient, and taking into account the consultation and representations received in connection with the review and the arrangements (other

than parish arrangements) that have been made and could be made, the final recommendations of the community governance review should be as follows:

1. In relation to Ringway Parish -
 - The parish of Ringway should not be abolished and its area should not be altered.
 - The name of the parish of Ringway should not be changed.
 - The parish of Ringway should continue to have a council (Ringway Parish Council).
 - The parish of Ringway shall not be divided into wards.
 - The number of councillors to be elected to Ringway Parish Council should be 5 (reduced from the current number of 8).
 - That the year of ordinary elections of parish councillors should be changed from 2011 and every fourth year thereafter to 2010 and fourth year thereafter.
 - That should the criteria set out in paragraph 49 in the report of the City Solicitor and the Deputy Chief Executive (Performance) to the Committee dated 7 July 2009 not be met by Ringway Parish Council, the continuance of the parish arrangements will be reviewed by the City Council within two years of these recommendations being implemented.
2. That in relation to Northenden no new parish or parishes should be constituted in Northenden Ward, but that the proposals of the Wythenshawe Area Committee should be adopted and piloted within Northenden Ward for a period of 18 months as detailed above.
3. That no new parish or parishes should be constituted in the rest of the City outside the parish of Ringway.
4. To instruct the City Solicitor to publish the final recommendations and to take such steps as she considers sufficient to secure that persons who may be interested in the review are informed of the recommendations.

CN/09/24 Polling districts in North Manchester

The Committee considered a report of the Chief Executive requesting approval to minor changes to polling districts in Moston and Higher Blackley Wards of the city.

Decision

1. To recommend the changes to polling districts in the Moston ward and Higher Blackley ward shown in Appendix 1 and 2 of the report, including the creation of

the MOH polling district in the Moston Ward and HBJ in the Higher Blackley ward and the revisions to MOA and MOG and HBE polling districts.

2. To note the proposals for new polling stations within the new polling districts MOH and HBJ
3. To note any future changes to polling stations will be made if necessary following consultation with the Chair of Constitutional and Nomination Committee and other relevant locally elected representatives, including the ward councillors for the relevant ward(s)
4. To note that the authority is required to conduct a further full review of polling districts and places in 2011, and in the meantime officers will continuously monitor the effectiveness of polling districts and polling stations for voters and will bring forward further reports as and when necessary.
5. To refer the above recommendations to Council for approval.

CN/09/25 Membership of Committees

Decision

1. To note the election of Rebecca Kenworthy and Tayauba Sheikh to serve as co-opted members on the Children and Young People Overview and Scrutiny Committee in the capacity of parent governors.
2. To request the Council to agree to suspend Procedural Rule 25.1 in relation to the following decisions (marked *) which involve reconsideration of a decision taken by the Council within the previous six months.
3. To recommend the Council to make the following changes in appointments to Committees of the Council : -

Committee	Member appointed	Member removed
Economy, Employment and Skills OSC	Councillor Smitheman	-
Citizenship and Inclusion OSC	-	Councillor Smitheman *
Children and Young People OSC	Councillor Sandiford	Councillor Lianne Williams*
Health and Well-being OSC	Councillor Isherwood	Councillor O'Connor*
Licensing and Appeals Committee	Councillor Bethell	Councillor Chowdhury*
Licensing Committee	Councillor Bethell	Councillor Chowdhury*