

**GREATER MANCHESTER COMBINED AUTHORITY
RESOURCES COMMITTEE**

DATE: Friday, 29th September, 2023

TIME: 10.00 am

VENUE: Boardroom, Leigh Sports Village, Leigh Stadiumsale
Way, Leigh, WN7 4JY

AGENDA

- 1. Apologies**
- 2. Chairs Announcements and Urgent Business**
- 3. Declarations of Interest** 1 - 4

To receive declarations of interest in any item for discussion at the meeting. A blank form for declaring interests has been circulated with the agenda; please ensure that this is returned to the Governance & Scrutiny Officer 48 hours before the start of the meeting.

- 4. Minutes of the meeting of the GMCA Resources Committee held on 28 July 2023** 5 - 8

To approve the minutes of the GMCA Resources Committee held on 28 July 2023

BOLTON	MANCHESTER	ROCHDALE	STOCKPORT	TRAFFORD
BURY	OLDHAM	SALFORD	TAMESIDE	WIGAN

5. Recruitment of GMCA Deputy Monitoring Officer

9 - 16

Report of Gillian Duckworth, GMCA Solicitor and Monitoring Officer.

6. Transport Commissioner Contract Extension

17 - 22

Report of Andy Burnham, Mayor of Greater Manchester.

Name	Organisation	Political Party
GM Mayor Andy Burnham	GMCA	Labour
Councillor Bev Craig	Manchester CC	Labour
City Mayor Paul Dennett	Salford City Council	Labour
Councillor Mark Hunter	Stockport	Liberal Democrats
Councillor David Molyneux	Wigan Council	Labour
Councillor Eamonn O'Brien	Bury Council	Labour
Councillor Tom Ross	Trafford	Labour

For copies of papers and further information on this meeting please refer to the website www.greatermanchester-ca.gov.uk. Alternatively, contact the following Governance & Scrutiny Officer: sylvia.welsh@greatermanchester-ca.gov.uk



This agenda was issued on 21 September 2023 on behalf of Julie Connor, Secretary to the Greater Manchester Combined Authority, Broadhurst House, 56 Oxford Street, Manchester M1 6EU

Declaration of Councillors' Interests in Items Appearing on the Agenda

Name and Date of Committee.....>

Agenda Item Number	Type of Interest - PERSONAL AND NON PREJUDICIAL Reason for declaration of interest	NON PREJUDICIAL Reason for declaration of interest Type of Interest – PREJUDICIAL Reason for declaration of interest	Type of Interest – DISCLOSABLE PECUNIARY INTEREST Reason for declaration of interest

Please see overleaf for a quick guide to declaring interests at GMCA meetings.

Quick Guide to Declaring Interests at GMCA Meetings

Please Note: should you have a personal interest that is prejudicial in an item on the agenda, you should leave the meeting for the duration of the discussion and the voting thereon.

This is a summary of the rules around declaring interests at meetings. It does not replace the Member's Code of Conduct, the full description can be found in the GMCA's constitution Part 7A.

Your personal interests must be registered on the GMCA's Annual Register within 28 days of your appointment onto a GMCA committee and any changes to these interests must notified within 28 days. Personal interests that should be on the register include:

1. Bodies to which you have been appointed by the GMCA
2. Your membership of bodies exercising functions of a public nature, including charities, societies, political parties or trade unions.

You are also legally bound to disclose the following information called Disclosable Personal Interests which includes:

1. You, and your partner's business interests (eg employment, trade, profession, contracts, or any company with which you are associated).
2. You and your partner's wider financial interests (eg trust funds, investments, and assets including land and property).
3. Any sponsorship you receive.

Failure to disclose this information is a criminal offence

Step One: Establish whether you have an interest in the business of the agenda

1. If the answer to that question is 'No' then that is the end of the matter.
2. If the answer is 'Yes' or Very Likely' then you must go on to consider if that personal interest can be construed as being a prejudicial interest.

Step Two: Determining if your interest is prejudicial

A personal interest becomes a prejudicial interest:

1. where the wellbeing, or financial position of you, your partner, members of your family, or people with whom you have a close association (people who are more than just an acquaintance) are likely to be affected by the business of the meeting more than it would affect most people in the area.
2. the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

For a non-prejudicial interest, you must:

1. Notify the governance officer for the meeting as soon as you realise you have an interest.
2. Inform the meeting that you have a personal interest and the nature of the interest.
3. Fill in the declarations of interest form.

To note:

1. You may remain in the room and speak and vote on the matter

2. If your interest relates to a body to which the GMCA has appointed you to, you only have to inform the meeting of that interest if you speak on the matter.

For prejudicial interests, you must:

1. Notify the governance officer for the meeting as soon as you realise you have a prejudicial interest (before or during the meeting).
2. Inform the meeting that you have a prejudicial interest and the nature of the interest.
3. Fill in the declarations of interest form.
4. Leave the meeting while that item of business is discussed.
5. Make sure the interest is recorded on your annual register of interests form if it relates to you or your partner's business or financial affairs. If it is not on the Register update it within 28 days of the interest becoming apparent.

You must not:

Participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business,
participate in any vote or further vote taken on the matter at the meeting.

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MINUTES OF THE MEETING OF THE GMCA RESOURCES COMMITTEE HELD ON FRIDAY 28 JULY 2023

PRESENT:

Andy Burnham	Mayor of Greater Manchester
Councillor Eamonn O'Brien	Bury
Councillor Mark Hunter	Stockport
Councillor David Molyneux	Wigan

ALSO PRESENT:

Eamonn Boylan	Chief Executive Officer, GMCA & TfGM
Andrew Lightfoot	Deputy Chief Executive, GMCA
Gill Duckworth	Solicitor & Monitoring Officer, GMCA
Steve Wilson	Treasurer, GMCA
Kevin Lee	Mayor or Greater Manchester's Office

RC/01/23/4 APOLOGIES

Apologies were received and noted from Councillors Bev Craig (Manchester) and Tom Ross (Trafford), and Salford City Mayor, Paul Dennett.

RC/02/23/4 APPOINTMENT OF CHAIR 2023/24

RESOLVED/-

That Andy Burnham, GM Mayor be appointed as Chair of the Resources Committee for 2023/24.

RC/03/23/4 MEMBERSHIP

RESOLVED/-

That the membership of the GMCA Resources Committee, as agreed at the GMCA Annual Meeting held on 26 May 2023, be noted as follows:

- Mayor of Greater Manchester, Andy Burnham (Lab)
- Eamonn O'Brien (Bury) (Lab)
- Bev Craig (Manchester) (Lab)
- Tom Ross (Trafford) (Lab)
- Paul Dennett (Salford) (Lab)
- Mark Hunter (Stockport) (Lib Dem)
- David Molyneux (Wigan) (Lab)

RC/04/23/4 TERMS OF REFERENCE

RESOLVED/-

That the terms of reference, as contained within the GMCA Constitution agreed on 30 June 2023, be noted.

RC/05/23/4 DECLARATIONS OF INTEREST

RESOLVED/-

There were no declarations of interest.

RC/06/23/4 MINUTES OF THE RESOURCES COMMITTEE HELD ON 26 MAY 2023

RESOLVED/-

That the minutes of the meeting of the Resources Committee held on 26 May 2023 be approved as a correct record.

RC/07/23/4 REMUNERATION OF MAYORAL ADVISOR – YOUNG PEOPLE

Andy Burnham, Mayor of Greater Manchester, introduced a report seeking agreement for the payment of invoices for the first phase of the Young People Advisor's consultancy work in this role, from June 2020 to the end of May 2021.

Andrew Lightfoot informed the Committee that the Committee in March, 2022 delegated authority to the Chief Executive Officer, GMCA & TfGM, to approve payment for the consultancy work undertaken by Diane Modahl from June 2021, with the request today seeking approval to authorise the payment of invoices for the first phase of the Advisor's consultancy work in this role, from June 2020 to the end of May 2021.

By way of background, Andy Burnham advised the Committee that in mid 2020 there were concerns relating to young people and additional support required during Covid and subsequently Diane Modahl MBE was appointed as chair of the Young Persons Guarantee (YPG) Task Force in June 2020, which was adopted by the GMCA in December 2020. Over the last 12 months Diane has focussed on Civic Leadership work.

The resolution tabled at the Resources Committee in March 2022 included incorrect dates, with today's request as a correction to that resolution.

Councillor Mark Hunter added that as the Portfolio Lead for Young People, he had not met nor been offered an opportunity to meet with Diane Modhal regarding the work during her time in post.

RESOLVED/-

That the payment of outstanding invoices relating to Diane Modahl's work as the Young Person's Advisor for the period June 2020 to May 2021, as detailed in paragraph 3.5 of the report, be approved.

RC/08/23/4 HEAD OF DIGITAL TRANSFORMATION

Andrew Lightfoot introduced a report seeking approval for the establishment of and appointment to the post of a Head of Digital Transformation within the GMCA structure.

RESOLVED/-

That authority be delegation to the Chief Executive Officer, GMCA & TfGM to progress the establishment of a Head of Digital Transformation (Senior pay-scale SM6) post and that the current postholder be assimilated into this role on a permanent basis, backdated to January 2023.

GMCA RESOURCES COMMITTEE

Date: 29 September 2023
Subject: GMCA Deputy Monitoring Officer
Report of: Gillian Duckworth, GMCA Solicitor and Monitoring Officer

PURPOSE OF REPORT:

To seek approval for the establishment of a second post of GMCA Deputy Monitoring Officer within its structure.

SUMMARY:

The key changes are:

- Establishment of an additional post of Deputy Monitoring Officer as a permanent role within the Greater Manchester Combined Authority at a salary of SM5 (£76-£84K).

FINANCIAL IMPLICATIONS:

Revenue cost implications will be met within the existing legal budget

RECOMMENDATIONS:

To approve establishment of a second permanent role of Deputy Monitoring Officer within the GMCA organisational structure.

CONTACT OFFICERS:

Name: Gillian Duckworth
Position: GMCA Solicitor and Monitoring Officer
Email: gillian.duckworth@greatermanchester-ca.gov.uk

Name: Andrew Lightfoot
Position: Deputy Chief Executive
Email: andrew.lightfoot@greatermanchester-ca.gov.uk

Name: Mallicka Mandal
Position: HR Transition Lead
Email: mallicka.mandal@greatermanchester-ca.gov.uk

1. BACKGROUND

- 1.1. Members will recall that at the Combined Authority meeting in July 2017 they were asked to approve the establishment of the role of Deputy Monitoring Officer to provide resilience and support to the GMCA Monitoring Officer and in particular to provide expertise in Police, Fire and Crime matters.
- 1.2. The legal work was to be provided by MCC Shared Legal Service rather than employing a legal team at the CA and this arrangement continues.

2. DEPUTY MONITORING OFFICER

- 2.1. This report seeks permission to create an additional post of Deputy Monitoring Officer as a full-time permanent post within the GMCA on the salary of SM5 £76-£84K on NJC terms and conditions in order to provide further resilience and to focus more particularly in supporting GMCA officers to negotiate and deliver GM projects. A role profile for this post is attached for information at Appendix 1.
- 2.2. The bulk of the legal work will continue to be delivered by MCC Legal Shared Service but an additional DMO post will provide a senior lead GMCA legal officer available to provide early advice and collaboration for contracts, grants and projects as required.
- 2.3. The role of Deputy Monitoring Officer with a focus on Police Fire and Crime will continue to exist.
- 2.4. The Deputy Monitoring Officer role is an integral part of the GMCA legal structure. The role is responsible for providing a comprehensive legal advisory service to the GMCA, its committees and officers over the whole range of its current functions. As the range of functions increase the demand for strategic lead advice increases and becomes more diverse, therefore adding a second role reduces risk and increases resilience for the service.

- 2.5. The Deputy Monitoring Officer role will continue to take the lead on managing the legal service level agreement with Manchester City Council. Additionally, the role will continue to take the lead on Fire, Policing and Crime and Scrutiny matters and will attend the Police, Fire and Crime Panel and Scrutiny meetings. Whilst the Monitoring Officer will have ultimate responsibility for the GMCA Legal Services, the Deputy Monitoring Officer roles will deputise as needed.

3. **CONCLUSION**

- 3.1. Leaders are requested to consider and agree the recommendations in the front of this report.

APPENDIX 1

Job Title:	Deputy Monitoring Officer	Date:	September 2023
Reporting Line:	Gillian Duckworth, GMCA Solicitor and Monitoring Officer	Salary:	SM5
Team:	Legal Services	Business Area:	GMCA

JOB PURPOSE

To deputise for the GMCA Solicitor and Monitoring Officer and provide legal advice and support to the various functions and activities of the Greater Manchester Combined Authority.

Key Accountabilities:

- Deputy Monitoring Officer, GMCA (a combined authority of the 10 GM districts)
- Primary legal adviser on a specific area of law relevant to the GMCA which may include the Fire and Policing and Crime functions of the Mayor
- Accountable to the Chief Executive, Monitoring Officer and elected members of GMCA.

DIMENSIONS

- Maintaining a working knowledge of the functions and powers of the GMCA in order to provide strategic co-ordination and advice on cross organisational or inter-organisational working and relationships across GM.
- Maintaining working relationships with internal and external customer groups and strategic partners including:
 - Officers within GMCA and Senior Managers from across GM's public sector and stakeholders/partners including Chief Executives, chief officers and chief legal officers.
 - Elected Members within GMCA including the Mayor and Deputy Mayor.
 - Senior officials in government departments and representatives of the Welsh and Scottish governments.
 - Senior private sector lawyers

KEY RESPONSIBILITIES

1. To lead on business planning and business continuity for the legal team i.e. The sufficiency and appropriateness of the legal team made available to the CA by MCC Shared Service and the appointments of external lawyers to supplement the provision at any given time
2. To advise and maintain an oversight of the governance of CA partnerships both formal and informal in areas such as Transport, the Economy and Growth
3. To provide a comprehensive legal advice service to the GMCA, its committees and officers over the whole range of its current functions, including Fire, Police and Democratic Services.
4. To play a major role in governance involving a range of organisations, including the Government.
5. To identify new powers to enable the Mayor and GMCA achieve its ambition of devolution and continue to be a trailblazer for England and Wales and take a leading role in the negotiations with government.
6. To ensure the legality of all decisions made by the Greater Manchester Combined Authority (GMCA) and to provide legal advice, expertise and representation to the Authority and its Senior Managers.
7. To take a lead role in advising the Mayor and GMCA on high profile matters and complex legal issues
8. To act as the Deputy Monitoring Officer and, in conjunction with the Monitoring Officer to exercise overall responsibility for the execution of democratic processes.
9. To lead on the management of the legal services service level agreement with Manchester City Council.
10. To proactively advise and respond to all requests for legal advice on all areas of law including employment law, procurement law, public and administrative law, Data Protection and Information Law, Health and Safety Law, Civil Litigation and Criminal law in its application to the GMCA.
11. To arrange representation for the GMCA in respect of hearings and charges brought in the Magistrates Court.
12. To represent GMCA at strategic partnership boards
13. To determine the approach to developing new initiatives including designing partnership

arrangements and setting up companies as required

14. To defend claims in the civil courts and tribunals against the GMCA for breach of statutory duty, contract, negligence (including applications for judicial review); and unfair dismissal and preparation of appropriate pleadings; witness statements and bundles of documents where appropriate and to arrange for counsel to be instructed to appear on behalf of the Authority.
15. To draft and review contracts, agreements and other official documentation, for and on behalf of the GMCA, ensuring the Authority is legally compliant and responds effectively to changes in legislation.
16. To monitor and manage expenditure within relevant cost centres.
17. To undertake such other duties as may be reasonably assigned from time to time as are compatible with the above roles.
18. To deputise for the Monitoring Officer as needed.

KNOWLEDGE, SKILLS AND EXPERIENCE

- A sophisticated understanding of complex governance arrangements across a number of statutory bodies, including the means of legal delegation between different legal entities.
- Detailed knowledge and understanding of Local Government and Fire and Police legislation and its application within the GMCA.
- In depth knowledge of democratic governance and decision-making including the constitution of the GMCA including the financial regulations, officer delegations, conduct of Members and officers and lawful decision-making.
- Excellent relationship building with internal and external stakeholders including Senior Government officials, Chief Executive's and Leaders.
- A qualified lawyer of several years standing and experience of all areas of local government law and public sector law.
- Legal knowledge which is both wide and specialist.
- Experience of managing the provision of legal services.

- Detailed knowledge of local government and other public sector structures.
- Understanding of the national and local policy context for local government.
- Ability to represent GMCA effectively in a variety of forums.
- Political understanding and sensitivity.
- Ability to think strategically and laterally.
- Analytical skills.
- Creative ability to solve legal problems and find innovative solutions.
- Ability to stand firm with strong resistance when legal advice might not be appreciated, whilst always seeking to find an alternative solution to the issue.
- Intellectual rigour with attention to detail.
- Communication skills both in writing and orally with a range of audiences.
- Commercial understanding.
- Ability to work collaboratively.
- Ability to draft complex legal documents.

Resources Committee

Date: 29 September 2023
Subject: Transport Commissioner Contract Extension
Report of: Mayor Andy Burnham

Purpose of Report

This report seeks approval for the extension of the contract of the Greater Manchester Transport Commissioner until 30 April 2024.

Recommendations:

The Resources Committee is requested to:

Agree the contract extension of Vernon Everitt as Transport Commissioner on the terms outlined in paragraph 2.6.

Contact Officers

Lucy Prince, Transport Strategy Principal. Lucy.prince@greatermanchester-ca.gov.uk

1. Protocol for the appointment of Mayoral Advisors

1.1 All Mayoral Advisor positions (remunerated or not) are subject to the approval of Resources Committee.

1.2 This report seeks approval for the contract extension of the Transport Commissioner.

2. Transport Commissioner

2.1 It is proposed that Vernon Everitt's Contract for Services with GMCA as Transport Commissioner is extended until 30th April 2024. Vernon's contract commenced on 25th April 2022 and currently runs until 25th October 2023. Prior to his appointment as Transport Commissioner, Vernon was Transport for London's Managing Director for Customers, Communication & Technology. He is a renowned transport professional who sits as a Non-Executive Director on the Board of Transport for Wales.

2.2 The role of the Transport Commissioner is to advise the Mayor on the delivery of the Bee Network - an integrated, co-ordinated and easier to use transport system in GM with common branding and livery.

2.3 The Commissioner works collaboratively with TfGM, the 10 districts and delivery partners such as Network Rail and supports the Mayor's engagement with HM Government to make the case for the necessary powers and resources to deliver the Bee Network.

2.4 Key responsibilities include providing insight and expert advice to the Mayor, GMCA, TfGM and other delivery organisations on delivery of the Bee Network; working with the GMCA and TfGM to ensure there are effective mechanisms in place to deliver the Bee Network, and monitoring progress towards the delivery of the Bee Network, providing regular updates to the Combined Authority.

2.5 A full Role Profile is attached as Appendix A to the report.

2.6 The Transport Commissioner will continue to be contracted to provide this service for 3 days a week (or equivalent hours during each weekly period) to 30th April 2024 and will report directly to the Mayor and be supported by GMCA officers. The Transport Commissioner's Contract for Services with GMCA will continue on the same terms of a day rate of £650 per day, with costs met from the Mayor's Transport budget.

3. Compliance with GMCA policies and procedures

3.1 All Mayoral Advisors will be required to comply with GMCA policies and procedures under the terms of their contracts for services.

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APPENDIX A

MAYOR'S TRANSPORT COMMISSIONER

- Advise the Mayor on the delivery of the Bee Network vision - an integrated, co-ordinated and easier to use transport system in GM with common branding and livery.
- Work collaboratively with TfGM, the 10 districts and delivery partners such as Network Rail and National Highways.
- Support the Mayor's engagement with HM Government to make the case for the necessary powers and resources to deliver the Bee Network.

Key responsibilities will include:

- i. Advising the Mayor on the work programme of the Bee Network Implementation Team and Mayor's Transport Group, including advice on setting of agendas, commissioning of papers and proposing items for discussion.
- ii. Providing insight and expert advice to the GMCA, TfGM and other delivery organisations on delivery of the Bee Network.
- iii. Working with GMCA, TfGM and GM districts to ensure there are effective mechanisms in place to deliver the Bee Network.
- iv. Monitoring progress of the delivery of the Bee Network, and ensuring the Mayor, GM Leaders, GMCA/TfGM Chief Executive and others, are kept updated as required, including through regular updates at Combined Authority meetings.
- v. Supporting the Mayor's government engagement activity to help secure such appropriate funds and powers as agreed by the Mayor and GMCA to develop and deliver the various aspects of the Bee Network, supported by TfGM and GMCA officials.
- vi. Proactively engaging with and building relationships and working partnerships at a high level with Greater Manchester's local authorities, transport providers, community organisations, Greater Manchester's NHS organisations, Greater Manchester Police and other public and private organisations.
- vii. Attending meetings of the Bee Network Implementation Team, Mayor's Transport Group and Bee Network Partnership Board as appropriate.
- viii. Attending meetings, conferences and other events and acting as a public advocate for the Bee Network in the media where appropriate.
- ix. Promoting and enabling equality of opportunities, and promoting the diverse needs and aspirations of Greater Manchester's communities.

The Transport Commissioner will be contracted to provide this service for 3 days a week (or equivalent hours during each weekly period) to 30th April 2024 and will report directly to the Mayor and be supported by GMCA officers. The Transport Commissioner will enter into a Contract for Services with GMCA.

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