

## 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.

## SCHEDULE 1

### 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 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; or

- (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); and
- (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 public 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; and
- (c) if the Secretary thinks fit, copies of any other documents supplied to members in connection with an item

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; and
- (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.

