

THE EXECUTIVE
MEETING, 1ST SEPTEMBER, 2008

Councillor Morris	Leader of the Council – Strategy and External Relationships
Councillor Mrs. Thomas	Corporate Resources
Councillor Adia	Children's Services
Councillor Peel	Environmental Services
Councillor Murray	Health and Adult Social Care
Councillor Sherrington	Cleaner, Greener, Safer
Councillor Kay	Human Resources and Diversity
Councillor J. Byrne	Development
Councillor Ibrahim	Culture, Young People and Sport
Councillor Zaman	Housing and Regeneration

Non-Voting Members

Councillor A.N. Spencer	
Councillor Hornby	
Councillor J. Walsh	
Councillor R. Allen	
Councillor Shaw	
Councillor Rushton	Deputy for Councillor Morgan
Councillor Mrs Brierley	
Councillor Hayes	
Councillor Mrs Ronson	
Councillor D. A Wilkinson	

Officers

Mr. S. Harriss	Chief Executive
Mr. A. Eastwood	

	Director of Legal and Democratic Services
Mr. D. Winstanley	Assistant Chief Executive
Mr. K. Davies	Director of Development and Regeneration
Mr. A. Gardner	Chief Accountant
Mr. A. Jennings	Democratic Services Manager

Councillor Morris in the Chair

An apology for absence was submitted on behalf of Councillor Morgan.

25. MINUTES

The minutes of the proceedings of the meeting of the Executive held on 27th August, 2008 were submitted and signed as a correct record.

26. PAY AND GRADING ISSUES

The Director of Legal and Democratic Services submitted a report that set out the reasons for the pay review; identified the associated key issues; provided an update on progress to date together with the proposed implementation timeframe.

The report explained that the Council, in common with every other authority in the UK, was undertaking a fundamental pay and grading review, in order to respond to the following:

- the National Agreement, 2004; and
- the Council's obligations under equal pay legislation.

With respect to the above the following had been achieved to date ;

- every post covered by NJC terms and conditions within the Authority had been evaluated;

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- the proposed future pay structure had been designed in line with the principles of the agreed corporate pay policy; and
- extensive discussions had been held with the Trades Unions in relation to the proposed future pay and grading framework .

The detailed proposals for the future pay structure would be presented to a special meeting of the Executive on 24th September, 2008 for approval as a basis for consultation

The intention was to implement the new pay structure in April 2009 and, in order to achieve this timescale, a comprehensive programme of communication and consultation was proposed for the following weeks.

The key milestones identified were as follows:

- The proposals would be presented to a special Single Status Task Group on 15th September, 2008 and a special SLJCC on the 19th September, 2008;
- Detailed proposals would be presented to the Executive for formal approval as a basis for consultation at a special meeting on 24th September, 2008;
- All key stakeholder groups would be briefed on the final proposals and implementation strategy on 29th September, 2008;
- Proposals would be published to staff via a personal letter from 30th September, 2008;
- During October consultation would be undertaken with staff and the Trades Unions about the proposals. It was considered that the Trades Unions were likely to ballot their members on whether to accept the proposals or not. In parallel, the HR teams would use this time to brief staff in detail, answer their questions and receive particular feedback;

- During October, managers and staff would have access to a comprehensive package of support including “drop in” briefing sessions and access to advice via telephone and email; and
- It was intended to finalise the proposals in November once consultations had been concluded with the Trades Unions and staff. It would then be necessary to write again to staff with the final proposals and to explain the next stage of the process.

It was explained that, given the complexity of the legislation, legal advice would be sought on all aspects of the proposals for submission to the Executive’s meeting on 24th September, 2008.

All the proposals were affordable based on existing and planned budgetary provision.

Resolved – (i) That the progress to date be noted and that the proposed implementation activities and timeframe be approved.

(ii) That the special meeting of the Executive on 24th September, 2008 consider the formal approval of the Council’s proposed pay structure.

27. TIF REFERENDUM – URGENT ITEM

In accordance with the Local Authority's Executive Arrangements and Access to Information Regulations 2000, the Chairman of the Corporate Issues Scrutiny Committee had agreed that the following item was urgent and could not reasonably await consideration until the next meeting of the Executive.

The Director of Legal and Democratic Services submitted a report that considered the details of a report of the AGMA Executive regarding the principles and key operational issues relating to the conduct of a Transport Innovation Fund ‘referendum’ in accordance with the AGMA Resolution dated

25th July, 2008 .

The AGMA Executive, at its meeting on 29th August, 2008 had considered the report and agreed the following :-

- the appointment of Sir Neil McIntosh as 'Returning Officer' for the referendum on the terms set out in the report;
- the appointment of Manchester as lead district through the City Solicitor to provide the facilities, professional and administrative support to the Returning Officer and to procure the necessary goods and services for the conduct of the 'referendum' on behalf of the ten districts;
- the 11th December, 2008 as the most expedient date for a referendum;
- that the basis of the 'referendum' should be local government electors;
- that the approach set out in the report should be the basis for the referendum register across all of the 10 districts for a referendum late in 2008;
- that the referendum be conducted on an all postal basis by reason of cost, administrative efficiency and turnout and that:
 - (a) drop off points across Greater Manchester were established for the final day or days of polling;
 - (b) the ballot paper should be accompanied by declaration of identity; and
 - (c) the traditional system of A and B envelopes should be used.
- that the detailed arrangements for the count be made by the Returning Officer following

consultation with the AGMA sub-group.

The AGMA Executive had also agreed proposals with respect to communications and publicity including public information about the referendum, awareness about the poll and encouraging participation.

Members were reminded that the AGMA Executive had previously agreed the following with respect to the referendum :-

1. That the poll be organised and disaggregated by borough and the result be declared by borough. A majority result would be deemed to be one with over 50% of valid votes cast.
2. That the same approved question be used for each section 116 poll of the ten AGMA authorities.
3. That unless support was given by at least seven out of the ten Greater Manchester authorities for the transport innovation package, AGMA would not proceed with the bid any further.

It was explained that the ten districts would need to formally enter into joint arrangements to enable AGMA to make arrangements for the referendum across each of the ten districts. Attached at Appendix 1 was a set of draft resolutions which each of the ten districts would need their Executive to approve.

The report explained that external independent validation of the 'referendum' process was required and, following consultation with the Electoral Commission and Chief Executives from the ten district councils, it had been agreed that a returning Officer should be appointed to assume overall accountability for the conduct of the referendum. Sir Neil McIntosh CBE, a former Electoral Commissioner and local authority Chief Executive, had agreed to provide an independent overview of the process and act as Returning Officer. The question of a Deputy Returning Officer was currently under discussion with the

Returning.

A detailed role specification for the Returning Officer for the Referendum was attached at Appendix 2 .

Owing to the detailed developmental work already undertaken by officers at Manchester on behalf of AGMA, it had been agreed that Manchester City Council be appointed as 'lead' district.

It had also been agreed to hold an all-postal 'referendum' on the basis of cost, turnout, administrative simplicity and equality of access which had been used in conducting other similar referenda. It was explained that the whole process could be outsourced to specialists independent of the authorities and, aside from providing the necessary data, the Greater Manchester authorities did not need to be involved. The ten authorities would provide their data to the supplier, who would print and post out a ballot paper pack to all those to be polled.

The Director of Legal and Democratic Services explained that the full electoral register could lawfully be used for the purpose of conducting a poll under Section 116 of the Local Government Act 2003. Normally the register published on the 1st December each year was the most accurate as it followed the annual canvas. However, in order to fit in with the agreed timescale it would not be possible to use this register.

Consequently, advice considered by the AGMA Sub Group concluded that the register, ordinarily published on 1st December, would now be published earlier in November as there was no legal barrier to the canvas being completed earlier. It was stressed that the register would be accurate and up to date as it would incorporate significant additions owing to the canvas. A comprehensive communications exercise would be undertaken to encourage return of the canvas forms in order to take part in the referendum. Further advice was being sought with respect to publicity etc.

Members were also informed that, having taken appropriate independent advice, the Returning Officer would recommend to

AGMA the form of the referendum question, the ballot paper and accompanying material.

Once all qualifying ballot papers had been counted, the supplier would firstly determine the result of the 'referendum', which would be disaggregated by district. The supplier would then communicate those results to the 'Returning Officer' who would declare and publish them. The final count and declaration of the result would take place the day following the close of poll.

The detailed arrangements for the count would be made by the Returning Officer following consultation with the AGMA sub-group.

In order to ensure that the ten district's met their statutory requirements in relation to procurement it had been agreed that Manchester should invite tenders for the running of the referendum on behalf of AGMA authorities and that this exercise should be conducted as quickly as possible as the timescales were very tight.

In relation to all costs associated with the conduct of the referendum, including the costs of the contractor conducting the referendum, appropriate communications costs and the Office of the 'Returning Officer' for the TIF referendum, each of the local authorities would bear a proportion of those costs. Determination of the allocation would be based on a cost to each authority which was proportionate to the number of local government electors in their district.

Resolved - That pursuant to Section 20 of the Local Government Act 2000, Regulations 4, 11 and 12 of the Local Authorities (Arrangements for Discharge of Functions) (England) Regulations 2000, Section 101(5) of the Local Government Act 1972, and paragraph 29(v) of Schedule 1 to the Operating Agreement and the Constitution of AGMA;

The Council –

- (i) agrees to enter into joint arrangements with the other Greater Manchester District Councils to discharge those of its functions as set out below through the AGMA Executive Board -**

 - (a) the making of arrangements for the conduct of local polls (“the referendum”) under Section 116 of the Local Government Act 2003, (Section 170 of the Transport Act 2000 and Section 111 of the Local Government Act 1972) to be held in each of the ten districts in relation to the TIF proposals, including the determination of a common question to be asked in the referendum;**
 - (b) the consideration of the outcome of the current consultation on the TIF proposals and the finalisation of the proposals which will be the subject of the referendum;**
 - (c) the determination, following the referendum, as to whether the TIF proposals are pursued further;**
 - (d) in the event of a decision to proceed, the taking (in consultation with the GMPTA, where necessary) of all further actions necessary to progress the bid;**
- (ii) notes that in accordance with the AGMA Constitution decisions in relation to the above functions will be made on the basis that any decision requires the support of seven out of ten councils.**

(The meeting started at 3.00 p.m. and finished at 3.45 p.m.)