

PANEL ARRANGEMENTS

This Agreement is made on 27 June 2017.

between

- (1) The Borough Council of Bolton
- (2) Bury Metropolitan Borough Council
- (3) The Council of the City of Manchester
- (4) Oldham Borough Council
- (5) Rochdale Metropolitan District
- (6) Salford City Council
- (7) The Metropolitan Borough of Stockport
- (8) Tameside Metropolitan Borough Council
- (9) Trafford Metropolitan Borough Council
- (10) Wigan Borough Council

The Parties to this Agreement are referred to as "the Constituent Councils" and this Agreement constitutes "the Panel Arrangements"

WHEREAS

(1) The Cities and Local Government Devolution Act 2016 and the Greater Manchester Combined Authority (Transfer of Police and Crime Commissioner Functions to the Mayor) Order 2017 provide for the Mayor for the area of the Greater Manchester Combined Authority to exercise functions of a police and crime commissioner in relation to that area.

(2) The Constituent Councils are required by the PR & SRA 2011 to establish and maintain a police and crime panel for the Greater Manchester police area and to make panel arrangements for the police and crime panel.

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 "financial year" means the year beginning on 1 April and ending on 31 March.
- 1.3 "GMPCP" means the Greater Manchester Police and Crime Panel.
- 1.4 "Lead Chief Executive" means the person appointed by the AGMA Executive Board under Clause 10.1 of this agreement.
- 1.5 "municipal year" means the year beginning on the date of the annual meeting of the GMPCP and ending on the day before the annual meeting the following year.
- 1.6 "PR & SRA 2011" means the Police Reform and Social Responsibility Act 2011.

2. Establishment of the GMPCP

- 2.1 The Constituent Councils shall establish and maintain the GMPCP for the Greater Manchester Police Area.
- 2.2 The GMPCP shall have the functions vested in a police and crime panel pursuant to the PR & SRA 2011 or any other enactment.
- 2.3 The GMPCP is a joint committee of the Constituent Councils

3. Membership of the GMPCP

- 3.1 The GMPCP shall consist of the following members -
 - (a) ten appointed members
 - (b) two mandatory co-opted members
- 3.2 The GMPCP may appoint local authority co-opted members in accordance with provisions of Clause 7.

4. Appointed Members

- 4.1 Each Constituent Council shall appoint one of its councillors as an appointed member of the GMPCP **provided that members of the Greater Manchester Combined Authority appointed by the constituent councils or substitute members acting in the place of those members may not be members of the GMPCP.**

4.2 Where the person nominated under Clause 4.1 declines nomination, the Constituent Council shall nominate and appoint another of its councillors to be a member of the GMPCP.

5. Supplemental Provision - Appointed Members

5.1 A person ceases to be an appointed member of the GMPCP if they cease to be a member of the Constituent Council that appointed them.

5.2 A person may resign as an appointed member of the GMPCP by written notice served on the proper officer of the Constituent Council that appointed them and the resignation shall take effect on the date specified in the notice.

5.3 A Constituent Council may at any time terminate the appointment of a member appointed by it to the GMPCP and appoint another of its councillors in that person's place.

5.4 Where a member's appointment ceases by virtue of Clause 5.1 or 5.2, the relevant Constituent Council must, as soon as practicable, give written notice of that fact to the Lead Chief Executive and appoint another of its councillors in that person's place.

5.5 Where a Constituent Council exercises its power under Clause 5.3, it must give written notice of the new appointment and the termination of the previous appointment to the Lead Chief Executive and the new appointment shall take effect and the previous appointment terminate at the end of [two] weeks from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.

6. Mandatory Co-opted Members

6.1 The GMPCP shall co-opt two persons to be the mandatory co-opted members of the GMPCP.

6.2 A mandatory co-opted member may not be -

- (a) a member of a Constituent Council
- (b) the **Mayor for Greater Manchester**
- (c) a member of the staff of the **Greater Manchester Combined Authority**
- (d) a member of the civilian staff of the police force for the police area
- (e) a member of Parliament or a member of the European Parliament

6.3 In appointing the mandatory co-opted members, the GMPCP shall secure that (as far as is reasonably practicable) the appointed and co-opted members of the panel (when taken together) have the skills, knowledge and experience necessary for the GMPCP to discharge its functions effectively.

7. Local Authority Co-opted Members

- 7.1 Subject to Clauses 7.3 to 7.6, where the political make-up of the appointed members does not represent the political make-up of the Constituent Councils (when taken together), the GMPCP shall consider the co-option of a sufficient number of councillors from the Constituent Councils in accordance with the provisions of this Clause so as to secure that (as far as is reasonably practicable) the political make-up of the local authority members of the GMPCP does represent the political make-up of the Constituent Councils.
- 7.2 Members co-opted under this Clause are to be known as "local authority co-opted members".
- 7.3 Clause 7.1 will apply, in particular, in circumstances where a political party with significant representation on the Constituent Councils (when taken together) would otherwise have no representatives on the GMPCP.
- 7.4 Before appointing any local authority co-opted members, the GMPCP must resolve that the total number of co-opted members (including the mandatory co-opted members) should be a specified number greater than two, but no such resolution may be passed unless -
- (a) the Secretary of State has agreed to the GMPCP having that number of co-opted members, and
 - (b) the total membership of the GMPCP (including that number of co-opted members) would not exceed twenty.
- 7.5 The GMPCP shall not co-opt a local authority co-opted member unless all of the members of the GMPCP agree to such co-option.
- 7.6 In appointing local authority co-opted members the GMPCP shall have regard to the skills, knowledge and experience of the proposed co-optees.
- 7.7 In this Clause -
- (a) "local authority members" means appointed members and local authority co-opted members (taken together);
 - (b) "the political make-up of the appointed members" and "the political make-up of the local authority members" means the number of members on the GMPCP representing each political party.

8. Co-opted Members - Supplemental Provision

- 8.1 Subject to Clause 8.2 mandatory co-opted members should be appointed by the GMPCP for a term of [three] years, and on the expiry of that term may be re-appointed for a further term of [three] years.
- 8.2 The first appointments of two mandatory co-opted members should be for terms of [four] years and [two] years respectively.

- 8.3 Mandatory co-opted members shall not serve more than two terms.
- 8.4 Local authority co-opted members shall be appointed at the annual meeting of the GMPCP for a term of one year and may be re-appointed for further terms.
- 8.5 A local authority co-opted member will cease to be a member of the GMPCP if they cease to be a member of a Constituent Council or of the political group on behalf of which they were appointed.
- 8.6 Any co-opted member who fails to attend three consecutive meetings of the GMPCP shall cease to be a member unless the failure was due to some reason approved by the GMPCP.
- 8.7 A person may resign as a co-opted member of the GMPCP by written notice served on the Lead Chief Executive and the resignation shall take effect on the date specified in the notice.
- 8.8 Where a mandatory co-opted member ceases to be a member for any reason, the GMPCP shall appoint a replacement for a term of [three] years.
- 8.9 Where a local co-opted member ceases to be a member for any reason, the GMPCP shall appoint a replacement for the remainder of the municipal year.

9. Funding and Budgets

- 9.1 Any costs reasonably attributable to the exercise of the functions of the GMPCP which are not met by provision made by the Secretary of State or otherwise shall be met by the Constituent Councils.
- 9.2 The amount payable by each of the Constituent Councils shall be determined by apportioning such unmet balance between the Constituent Councils in such proportions as they agree or, in default of such agreement, in proportion to their total resident populations at the relevant date as estimated by the Registrar General.
- 9.3 For the purposes of Clause 9.2 the relevant date is 30th June in the financial year which commenced two years previously.
- 9.4 The GMPCP shall prepare and agree a budget before the end of January each year to cover its estimate of costs attributable to the exercise of its functions in the next financial year.

10. Support for GMPCP

- 10.1 The Constituent Councils, acting through AGMA Executive Board, shall appoint a Lead Chief Executive in relation to the GMPCP.

10.2 The Lead Chief Executive shall be the Chief Executive of one of the Constituent Councils and, unless or until AGMA Executive Board decide otherwise, shall be **[The Chief Executive of Bury Metropolitan Council]**

10.3 The duties of the Lead Chief Executive will include -

- (a) the provision of administrative and other support to the GMPCP and its members;
- (b) promotion of the role of the GMPCP; **and**
- (c) the giving of support and guidance to members and officers of the Constituent Councils in relation to the functions of the GMPCP.

11. Members' Allowances

11.1 Members of the GMPCP shall be entitled to an allowance for travel and subsistence paid in accordance with a Scheme drawn up by [the GMPCP].

11.2 Mandatory co-opted members should receive a co-optees' allowance of [£920] per annum.

12 Rules of Procedure

12.1 The GMPCP will make rules of procedure for the operation of the GMPCP.

12.2 The rules of procedure will make provision about the appointment, resignation and removal of the Chair and any Vice-Chair(s) of the GMPCP.

12.3 The rules of procedure may make provision about -

- (a) the method of making decisions, and
- (b) the formation of sub-committees.

13. Links with Constituent Councils

13.1 Any reports or recommendations made by the GMPCP to the **Mayor** and published pursuant to Section 28 of the PR & SRA 2011 will be sent to the Constituent Councils.

13.2 The Constituent Councils will make arrangements whereby such reports and recommendations can be considered whether by their full Council, Cabinet or Crime and Disorder Scrutiny Committee or otherwise.

13.3 The Constituent Councils will make arrangements for enabling questions on the discharge of the functions of GMPCP to be put to that Council's appointed member of GMPCP.