

# TRAFFORD BOROUGH COUNCIL

26 MARCH 2014

## PRESENT

The Worshipful the Mayor (Councillor Dylan Butt), in the Chair.

E.H. Malik	Mrs. P. Dixon	J.R. Reilly
D. Acton	A. Duffield	B. Rigby
S. Adshead	Mrs. L. Evans	T. Ross
S. Anstee	T. Fishwick	B. Sharp
Dr. K. Barclay	M. Freeman	B. Shaw
J. Baugh	P. Gratrix	J. Smith
J. Bennett	J. Harding	E.W. Stennett
Miss L. Blackburn	D. Higgins	N. Taylor
R. Bowker	J. Holden	S. Taylor
C. Boyes	M. Hyman	L. Walsh
H. Boyle	C. Hynes	Mrs. V. Ward
Mrs. A. Bruer-Morris	D. Jarman	A. Western
B Brotherton	P. Lally	D. Western
D. Bunting	J. Lamb	M. Whetton
C. Candish	J. Lloyd	Mrs. J. Wilkinson
R Chilton	A. Mitchell	A. Williams
M. Colledge	P. Myers	M. Young
M. Cordingley	D. O'Sullivan	Mrs. P. Young
M. Cornes	I. Platt	
J. Coupe	K. Procter	

## In attendance

Chief Executive	Ms. T. Grant
Corporate Director Children and Young People's Service	Mrs. D. Brownlee
Corporate Director Economic Growth and Prosperity	Mrs. Helen Jones
Corporate Director Transformation and Resources	Mrs. W. Marston
Director of Finance	Mr. I. Duncan
Director of Human Resources	Ms. J. Hyde
Director of Legal and Democratic Services	Ms. J. Le Fevre
Democratic Services Manager	Mr. P. Forrester
Democratic Services Officer	Mr. I. Cockill

## APOLOGIES

Apologies for absence were received from Councillors J. Brophy, Mrs. L. Cooke, D. Quayle and Mrs. J. Reilly.

## 87. MINUTES

That the Minutes of the Meeting of the Council held on 22 January 2014 and the Special Meeting of the Council held on 13 March 2014, be approved as a correct record and be signed by the Chairman.

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**88. ANNOUNCEMENTS**

(a) Director of Finance

The Council joined the Leader of the Council in congratulating Ian Duncan, Director of Finance who had recently been elected President of the Society of Municipal Treasurers.

(b) Joint Health Scrutiny

Councillor Lloyd, Chairman of Health Scrutiny Committee advised the Council that the Joint Health Scrutiny Committee with Manchester City Council was meeting on 7 April 2014 and would receive an update on the New Health Deal for Trafford.

**89. GREATER MANCHESTER POLICE PERFORMANCE**

The Council received a presentation from Superintendent Jim Liggett of Greater Manchester Police outlining the crime rates for Trafford and comparing the figures across Greater Manchester. The presentation also referred to public confidence in the police, the organisational challenges facing the force, areas of focus and the approach to policing, including partnership working.

Responding to Member's questions, Superintendent Liggett indicated that as a result of partnership working, there was Home Office funding for a dedicated Health Worker focussing on isolated individuals. Acknowledging that budgetary pressures had seen a reduction in police officers, the force was striving to release officers back onto the streets to maintain Trafford as a safe place to live.

On behalf of the Council, the Mayor thanked Superintendent Liggett for attending and conveyed it's gratitude for the force's efforts on behalf of Trafford.

**90. QUESTIONS BY MEMBERS**

The Mayor reported that 3 questions had been received under Procedure Rule 10.2.

(a) Councillor Lally asked the following question for which he had given notice:

*"In light of the Government Budget statement delivered to the House of Commons on 19 March.*

*Details were released to directly assist Local Councils with an extra £200 million to combat Pot Holes, of which an estimated £30 million will help improve road surfaces in the North West.*

*I am aware Trafford has a detailed programme of road improvement and investment.*

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*However extra cash earmarked to fund such projects should be always welcomed.*

*Please can I ask the Executive Member for Highways, what provision has been made to access this money?"*

Councillor Mitchell, Executive Member for Highways and Environment reported that it had been announced that Trafford's share of the funding would be £234,953 and that the Council would publish on its website details of how and where the money would be spent. In addition, the Executive Member referred to the announcement in the Budget statement of further assistance in 2014/15. Councillor Mitchell indicated that funding would be allocated by way of a bidding procedure and at that time, the details of the process were awaited.

Responding to Councillor Lally's supplementary question regarding the financial foundations of the Government's budget, Councillor Mitchell was in accord and believed it to have been prepared on a real accounting basis.

(b) Councillor Smith asked the following question for which he had given notice:

*"Does the Executive Member for Communities believe that as presently constituted, and with particular regard to disbursing grants, locality partnerships are best serving Trafford residents?"*

Councillor Coupe, Executive Member for Safe and Strong Communities confirmed that he did believe locality partnerships provided a vital framework which reduced duplication of funding, delivered greater value for money and offered a link to the decision making process. The feedback he had received indicated that local people wished to get involved in making decisions and with attendances up at recent events compared to previous years, locality partnerships were well placed to serve Trafford residents as they seek to involve residents in final decisions.

As a supplementary question, Councillor Smith asked the Executive Member whether he believed the current process was accountable and safe from exploitation. Councillor Coupe reassured the Council that every application was considered fairly and that partnerships were involved in decisions so that they were not taken behind closed doors. Hoping that Members would embrace locality partnerships, Councillor Coupe indicated his willingness to speak to Councillor Smith and receive any valid comments.

(c) Councillor Denise Western asked the following question for which she had given notice:

*"What steps are Trafford Council taking to incorporate the Equality and Human Rights Commission's 'Buying Better Outcomes' guidance in assessing the background and practices of organisations seeking to tender for the provision of goods and services in Trafford?"*

Councillor Williams, Executive Member for Transformation and Resources advised that the guidance was recognised in the commissioning and procurement activities

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of the Council. Equality Impact Assessments were undertaken and were a record of the Council's duty. The Council also asked organisations for statements of practice which are taken into account when deciding on contracts. Councillor Williams indicated that there was considerable information and that he was happy to facilitate any further queries.

**91. MEMBERSHIP OF COMMITTEES**

RESOLVED: That the Council notes that the Chief Executive, in consultation with the Leader of the Council, appointed Councillor Boyes as a member of Standards Committee, with effect from 27 November 2013, as a replacement for former Councillor Weston.

**92. OUTSIDE BODY APPOINTMENTS**

To note that the Chief Executive, in consultation with the Leader of the Council, has agreed to amend the Council's representation on outside bodies and, where appropriate, make nominations to the determining body, as follows:

- |   |   |
|---|---|
| a) Association of Greater Manchester Authorities (AGMA) Executive Board | - Councillor Anstee<br>Councillor Michael Young (Substitute)<br>Councillor Hyman (Substitute) |
| b) GM Combined Authority  | - Councillor Anstee<br>Councillor Michael Young (Substitute)                                  |
| c) GMCA Leaders Portfolio: Lead Leader for Transport                    | - Councillor Anstee (AGMA Leaders to determine)   |
| d) AGMA/GMCA Standards Committee  | - Councillor Michael Young (Combined Authority to determine)                                  |
| e) AGMA/GMCA Regional Leaders Board                                     | - Councillor Anstee (Combined Authority to determine)   |
| f) GM Police and Crime Panel  | - Councillor Anstee   |
| g) Transport for Greater Manchester Committee                           | - Councillor Anstee (with effect from 1 April 2014)<br>Councillor Mrs. Reilly                 |
| h) GM Local Transport Body  | - Councillor Anstee (AGMA Leaders to determine)   |
| i) Local Enterprise Partnership   | - Councillor Anstee   |
| j) GM European Programmes Local Management Committee                    | - Councillor Anstee   |
| k) Local Government Assoc. General Assembly                             | - Councillor Anstee<br>Councillor Michael Young<br>Councillor Mrs. Evans<br>Councillor Acton  |

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**93. GREATER MANCHESTER POLICE REPRESENTATION ON TRAFFORD HEALTH AND WELLBEING BOARD**

The Corporate Director Children, Families and Wellbeing submitted a report outlining a proposal to increase membership of the Trafford Health and Wellbeing Board by inviting a representative of the Trafford Division of Greater Manchester Police.

RESOLVED: That the membership of the Health and Well Being Board be amended to include a representative of Greater Manchester Police Trafford Division.

**94. OFFICER SCHEME OF DELEGATION**

The Council considered a report of the Director of Legal and Democratic Services recommending that the Corporate Director of Economic Growth and Prosperity continue to be given delegated authority for those Council functions previously exercised by the Corporate Director for Environment, Transport and Operations pending a decision on the longer term arrangements for those functions.

RESOLVED: That the Corporate Director of Economic Growth and Prosperity continue to be given delegated authority for those Council functions previously exercised by the Corporate Director for Environment, Transport and Operations pending a decision on the longer term arrangements for those functions.

**95. TRAFFORD COMMUNITY INFRASTRUCTURE LEVY: ADOPTION**

The Executive Member for Economic Growth and Prosperity submitted a report seeking approval of the Trafford Community Infrastructure Levy Charging Schedule. The Executive had considered the report on 24 March 2014 and had agreed to adopt the Revised Supplementary Planning Document 1: Planning Obligations 2014 together with supporting documentation for implementation on 7 July 2014.

RESOLVED: That the Trafford Community Infrastructure Levy Charging Schedule (as detailed in Appendix A to the report, which includes the modifications proposed by the Examiner as summarised at paragraph 2.1), the supporting regulation 123 list (as set out in Appendix B) and the Instalments Policy (as set out in Appendix C), be adopted for implementation on 7 July 2014.

**96. 6 MONTH CORPORATE REPORT ON HEALTH AND SAFETY - 1 APRIL - 30 SEPTEMBER 2013**

The Executive Member for Transformation and Resources submitted a report providing information on council-wide health and safety performance and trends in workplace accidents. The report which had been referred from the Executive meeting on 24 February 2014 also provided a summary of other key developments in health and safety for the previous six months.

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Councillor Baugh enquired about the 2 accidents involving verbal assault, both in libraries. Due to issues of confidentiality, the Executive Member indicated that he would willingly respond to Councillor Baugh outside of the meeting.

RESOLVED: That the report be noted.

**97. MOTION SUBMITTED BY THE CONSERVATIVE GROUP - BIOMASS PLANT, DAVYHULME**

(Procedural Arrangements – Since the Motions set out at Items 11 (a) and 11 (c) on the Council Summons concerned the same issues, the Mayor, with the consent of the Council, suspended Procedure Rules to enable both these Motions to be moved and seconded, then debated together, before being determined.)

It was moved and seconded as a 1<sup>st</sup> Motion that:

“Trafford Council and the residents of Trafford continue to be extremely concerned about the health hazards posed by the proposed biomass incinerator in Davyhulme and surrounding areas, where the levels of nitrogen oxides are very high and will worsen with the completion of the incinerator.

The Council notes the failure of Peel Energy to take into account the clearly expressed opposition of Trafford residents and their elected representatives over the building of this plant, due to their valid concerns over air quality and requests that Peel Energy reconsiders its decision to proceed with the biomass plant and take no steps to commence construction.

The Council will continue to support our local community to the best of its ability.”

It was moved and seconded as a 2<sup>nd</sup> Motion that:

“This Council is extremely disappointed that it’s Appeal against the Barton Renewable Energy Plant (Davyhulme Incinerator) was rejected last month. For the Government to allow such a development against unanimous public, Council and Planning Committee opposition flies in the face of democracy and the Localism Act.

This has taken place against the background of a recent European Commission decision to prosecute the UK for infringements of air quality standards which includes areas such as Greater Manchester.

Council recognises that the Environment Agency is not able to protect the air we breathe, because they are unable to refuse Environmental Permits to incinerators, do not undertake unannounced monitoring visits to polluting processes, and allow companies with polluting process to carry out their own air pollution measurements.

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We believe that in Trafford air pollution is getting worse, particularly in Davyhulme, and we have to take steps to prevent the consequential health risks to the local population, especially the children.

Therefore this Council resolves to:

- Extensively measure and monitor air quality throughout the borough to establish how big the problem is. This requires investment beyond the Government's guidelines, so that we can monitor nitrogen dioxide, sulphur dioxide, PM10 particulates, PM2.5 particulates, PM1 particulates, dioxins, 12 heavy metals including arsenic, 1,3 butadiene, etc.
- Ensure that Trafford Council's planning policy protects the people of Trafford from further air pollution and does not favour companies that will pollute Trafford's air.
- seek out companies/processes that already pollute Trafford's air and take the necessary steps to clean up or close down those processes.
- put forward a proposal to the Secretary of State under the 2007 Sustainable Communities Act, to give Trafford Council the authority to prevent the construction and operation of a power plant, incinerator or Part A process, that reduces the air quality in areas subject to regular air quality monitoring. This would include schemes such as the Barton Renewable Energy Plant in Davyhulme.
- Engage with Peel Energy and its parent company in a strong stance to deliver an unambiguous message that the residents of Trafford remain of the steadfast view that the plant should not be built now, or at any time in the future, and it is a message that Peel should heed."

It was moved and seconded as an amendment to the 2<sup>nd</sup> Motion that:

"This Council is extremely disappointed that it's Appeal against the Barton Renewable Energy Plant (Davyhulme Incinerator) was rejected last month. For the Government to allow such a development against unanimous public, Council and Planning Committee opposition flies in the face of democracy and the Localism Act.

This has taken place against the background of a recent European Commission decision to prosecute the UK for infringements of air quality standards which includes areas such as Greater Manchester.

We believe that in Trafford air pollution is at risk of getting worse, particularly in Davyhulme, and we have to take steps to prevent the consequential health risks to the local population.

Therefore this Council resolves to:

- Measure and monitor air quality in the Air Quality Corridor to establish how big the problem is.

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- Ensure that Trafford Council's planning policy protects the people of Trafford as far as possible from further air pollution. It is considered that the Council's Local Plan provides an up-to-date and robust framework against which new development proposals are assessed.
- Seek out companies/processes that already pollute Trafford's air and take the necessary steps to clean up or close down those processes.
- Engage with Peel Energy and its parent company in a strong stance to deliver an unambiguous message that the residents of Trafford remain of the steadfast view that the plant should not be built now, or at any time in the future, and it is a message that Peel should heed."

(Note: During the debate on all matters, the time being 8.22 p.m., the Mayor indicated that the length of speeches would be restricted to 1 minute per speaker).

As part of the debate, the mover of the 2<sup>nd</sup> Motion signified acceptance of the amendment, subject to the retention of a slightly revised wording of the first bullet point from the original motion set out on the Summons. The mover and seconder of the amendment also signified their consent to the revised amendment as follows:

"This Council is extremely disappointed that it's Appeal against the Barton Renewable Energy Plant (Davyhulme Incinerator) was rejected last month. For the Government to allow such a development against unanimous public, Council and Planning Committee opposition flies in the face of democracy and the Localism Act.

This has taken place against the background of a recent European Commission decision to prosecute the UK for infringements of air quality standards which includes areas such as Greater Manchester.

We believe that in Trafford air pollution is at risk of getting worse, particularly in Davyhulme, and we have to take steps to prevent the consequential health risks to the local population.

Therefore this Council resolves to:

- Provide targeted monitoring of air quality throughout the borough to establish the extent of the problem, acknowledging this requires investment beyond the Government's guidelines, so that we can monitor nitrogen dioxide, sulphur dioxide, PM10 particulates, PM2.5 particulates, PM1 particulates, dioxins, 12 heavy metals including arsenic, 1.3 butadiene, etc.
- Measure and monitor air quality in the Air Quality Corridor to establish how big the problem is.
- Ensure that Trafford Council's planning policy protects the people of Trafford as far as possible from further air pollution. It is considered that



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the Council's Local Plan provides an up-to-date and robust framework against which new development proposals are assessed.

- Seek out companies/processes that already pollute Trafford's air and take the necessary steps to clean up or close down those processes.
- Engage with Peel Energy and its parent company in a strong stance to deliver an unambiguous message that the residents of Trafford remain of the steadfast view that the plant should not be built now, or at any time in the future, and it is a message that Peel should heed."

Following a debate on all matters, the 1<sup>st</sup> Motion was put to the vote and declared carried.

The revised amendment to the 2<sup>nd</sup> Motion was then agreed with the full consent of the Council and consequently, the substantive Motion was declared carried.

RESOLVED –

- (1) That Trafford Council and the residents of Trafford continue to be extremely concerned about the health hazards posed by the proposed biomass incinerator in Davyhulme and surrounding areas, where the levels of nitrogen oxides are very high and will worsen with the completion of the incinerator.

The Council notes the failure of Peel Energy to take into account the clearly expressed opposition of Trafford residents and their elected representatives over the building of this plant, due to their valid concerns over air quality and requests that Peel Energy reconsiders its decision to proceed with the biomass plant and take no steps to commence construction.

The Council will continue to support our local community to the best of its ability.

- (2) That this Council is extremely disappointed that it's Appeal against the Barton Renewable Energy Plant (Davyhulme Incinerator) was rejected last month. For the Government to allow such a development against unanimous public, Council and Planning Committee opposition flies in the face of democracy and the Localism Act.

This has taken place against the background of a recent European Commission decision to prosecute the UK for infringements of air quality standards which includes areas such as Greater Manchester.

We believe that in Trafford air pollution is at risk of getting worse, particularly in Davyhulme, and we have to take steps to prevent the consequential health risks to the local population.

Therefore this Council resolves to:

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- Provide targeted monitoring of air quality throughout the borough to establish the extent of the problem, acknowledging this requires investment beyond the Government's guidelines, so that we can monitor nitrogen dioxide, sulphur dioxide, PM10 particulates, PM2.5 particulates, PM1 particulates, dioxins, 12 heavy metals including arsenic, 1.3 butadiene, etc.
- Measure and monitor air quality in the Air Quality Corridor to establish how big the problem is.
- Ensure that Trafford Council's planning policy protects the people of Trafford as far as possible from further air pollution. It is considered that the Council's Local Plan provides an up-to-date and robust framework against which new development proposals are assessed.
- Seek out companies/processes that already pollute Trafford's air and take the necessary steps to clean up or close down those processes.
- Engage with Peel Energy and its parent company in a strong stance to deliver an unambiguous message that the residents of Trafford remain of the steadfast view that the plant should not be built now, or at any time in the future, and it is a message that Peel should heed.

**98. MOTION SUBMITTED BY THE CONSERVATIVE GROUP - RESHAPING TRAFFORD**

(Procedural Arrangements – Since the Motions set out at Items 11 (b) and 11 (f) on the Council Summons concerned the same issues, the Mayor, with the consent of the Council, suspended Procedure Rules to enable both these Motions to be moved and seconded, then debated together, before being determined.)

It was moved and seconded as a 1<sup>st</sup> Motion that:

“The Council welcomes the steps taken to explore the continued provision of services and sustainability of jobs through a potential development of partnership arrangements within waste, highways and asset management services.

By exploring all options for the protection and continued provision of key front line services, the Council recognises the pro-active approach of the Conservative administration to ensure the Borough is resilient as it can be in facing future financial challenges.

Council notes the failure of the opposition Labour party to suggest any alternatives demonstrating they have no idea, no clue and no plan for the residents of this Borough.”

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It was moved and seconded as a 2<sup>nd</sup> Motion that:

“The Council is deeply concerned by the Council Executive’s race to privatise whole sections of Council services in Trafford. Not only Waste collection, which is already privatised, they propose, Grounds Maintenance, Street Cleaning, Highways, Street Lighting, Asset Management and much more in Technical Services.

It is clear that the Conservatives have an ideological desire to privatise as much as they can. They have already sold off all the Council Elderly Persons Homes and put the care of our elderly people into the private sector.

This latest privatisation proposal will affect over 300 Trafford Staff, which puts their jobs and terms of conditions and pay at risk. We have seen time and time again when the private sector has taken over public services they fail, for example G4s, SERCO. Even when the privatisation has not failed operationally, we have seen too many instances of extra hidden costs and burdens being placed on the public purse.

We call on the Council to consider reshaping the Highway Services, Grounds Maintenance, Street Cleaning, street Furniture and those Technical Services in LOT 3, with a view to providing these services in-house.”

(Note: During the debate on both Motions, the time being 8.51 p.m., the Mayor indicated that the length of speeches would be restricted to 1 minute per speaker).

Following a debate on all matters, the 1<sup>st</sup> Motion was put to the vote and declared carried.

The 2<sup>nd</sup> Motion was then put to the vote and declared lost.

RESOLVED: That the Council welcomes the steps taken to explore the continued provision of services and sustainability of jobs through a potential development of partnership arrangements within waste, highways and asset management services.

By exploring all options for the protection and continued provision of key front line services, the Council recognises the pro-active approach of the Conservative administration to ensure the Borough is resilient as it can be in facing future financial challenges.

Council notes the failure of the opposition Labour party to suggest any alternatives demonstrating they have no idea, no clue and no plan for the residents of this Borough.

**99. MOTION SUBMITTED BY THE LABOUR GROUP - AIR POLLUTION**

Please refer to Minute No. 97 as this matter was considered together with the Motion set out at 11 (a) on the Summons.

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**100. MOTION SUBMITTED BY THE LABOUR GROUP - ACCIDENT AND EMERGENCY SERVICES**

It was moved and seconded that:

“This Council is deeply concerned about the A&E services for Trafford residents following the recent downgrading of vital services at Trafford General. This has resulted in significant A&E waiting times and pressure at Wythenshawe hospital, which is creating a great deal of problems for patients. It is clear that these problems are as a direct result of the decision of Government Secretary of State Jeremy Hunt to downgrade A&E and other services at Trafford General.

Therefore we call on the Council to write directly to the Secretary of State for Health outlining our concerns, and ask him to intervene and get a grip of this growing problem.”

It was moved and seconded as an amendment that:

“The Council is deeply concerned about A&E services for Trafford residents. There are currently significant waiting times and pressures at local hospitals, in particular University Hospital of South Manchester and we call upon NHS England and NHS Trafford to continue to work proactively with our local hospitals to reduce waiting times and ensure funds already provided to local hospitals to increase bed capacity are used for this purpose.”

The mover of the Motion signified acceptance of the amendment, subject to retaining a reference that the Council will write to the Secretary of State for Health. The mover and seconder of the amendment also signified their consent to the revised amendment as follows:

“The Council is deeply concerned about A&E services for Trafford residents. There are currently significant waiting times and pressures at local hospitals, in particular University Hospital of South Manchester and we call upon NHS England and NHS Trafford to continue to work proactively with our local hospitals to reduce waiting times and ensure funds already provided to local hospitals to increase bed capacity are used for this purpose.

The Council will also write directly to the Secretary of State for Health outlining our concerns, and ask him to intervene.”

Consequently, the revised amendment was agreed with the full consent of the Council and as such, the substantive Motion was declared carried.

RESOLVED: That the Council is deeply concerned about A&E services for Trafford residents. There are currently significant waiting times and pressures at local hospitals, in particular University Hospital of South Manchester and we call upon NHS England and NHS Trafford to continue to work proactively with our local hospitals to reduce waiting times and ensure

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funds already provided to local hospitals to increase bed capacity are used for this purpose.

The Council will also write directly to the Secretary of State for Health outlining our concerns, and ask him to intervene.

**101. MOTION SUBMITTED BY THE LABOUR GROUP - CLEAN STREETS**

[Note: Prior to the debate on this matter, the time being 9.22 p.m., the Mayor indicated that the mover of the motion would be permitted two minutes and that all other speeches would be limited to a maximum of one minute per speaker.]

It was moved and seconded that:

“The recent decisions by the Council Executive to remove the Environment Enforcement team, charge people for the cost of a replacement wheelie bins, and the proposal to remove most of the recycling centres across the Borough does absolutely nothing to improve the general cleanliness of our Borough, and contributes significantly to the decline.

This Council is concerned about the increase in fly-tipping and in some areas dirty streets and rubbish strewn in alleyways and the general decline in cleanliness of the Borough.

We therefore call on the Council to review the recent decisions with a view to ensuring that services across the street-scene, open spaces, alleyways and parks are improved for the well-being of our residents.”

Following a debate on the matter, the Motion was put to the vote and declared lost.

**102. MOTION SUBMITTED BY THE LABOUR GROUP - SERVICE PRIVATISATION**

Please refer to Minute No. 98 as this matter was considered together with the Motion set out at item 11 (b) on the Summons.

The meeting commenced at 7.04 p.m. and finished at 9.30 p.m.