

# Public Document Pack



## TRAFFORD COUNCIL

Tuesday, 14 May 2013

Trafford Town Hall,  
Talbot Road  
Stretford,  
M32 0TH

Dear Councillor,

Your attendance is requested at the **ANNUAL MEETING** of the Council of the Borough of Trafford on **WEDNESDAY, 22 MAY 2013**, at **6.00 PM** in the **COUNCIL CHAMBER, TRAFFORD TOWN HALL, TALBOT ROAD, STRETFORD**, for the transaction of the business set out below:

- |   | <b>Pages</b> |
|---|--------------|
| <b>1. Election of Mayor and Chairman of Council</b>   |              |
| To elect the Mayor who will be Chairman of Council for the ensuing year and receive notification of the appointment of the Mayoress.  |              |
| <b>2. Appointment of Deputy Mayor and Vice-Chairman of Council</b>  |              |
| To appoint the Deputy Mayor who will be Vice-Chairman of Council for the ensuing year and receive notification of the appointment of the Deputy Mayoress.   |              |
| <b>3. Vote of Thanks</b>  |              |
| A vote of thanks to the retiring Mayor and Consort.   |              |
| <b>4. Minutes</b>   |              |
| To approve as a correct record the Minutes of the Meeting of the Council held on 13 March 2013 and the Extraordinary Meeting of the Council held on 30 April 2013 for signature by the Mayor as Chairman. |              |
|   | 1 - 14       |

**5. Membership of the Executive**

To note the membership of the Executive Cabinet, including the Deputy Leader, as appointed by the Leader of the Council. 15 - 18

**6. Shadow Executive**

To note the membership of the Shadow Executive. To Follow

**7. Council Committees**

To receive a report on the Committees of the Council, their composition, membership and terms of reference for the 2013/14 Municipal Year. 19 - 52

**8. Appointments to Outside and Independent Bodies**

To receive a report on Council appointments to outside and independent bodies. 53 - 56

**9. Timetable of Council and Committee Meetings**

To approve a timetable of meetings for 2013/14. 57 - 58

**10. Delegated Decisions and Urgent Action**

To approve the following arrangements for dealing with delegated decisions and urgent action:

(a) Delegated Decisions

That where, under the approved scheme of delegation, decisions may be taken by Officers in consultation with non-Executive Members then in the absence of any specific arrangements having been made, the Officer shall consult the appropriate Chairman, Vice-Chairman and Opposition Spokesperson.

(b) Urgent Action

That, in situations which require emergency action the Chief Executive or the appropriate Officer, in consultation with the Chairman and Vice-Chairman of the Committee concerned and the Opposition Spokesperson where appropriate (or their respective nominees), be authorised to deal from this date until the Annual Meeting of the Council in 2014, with any matters of urgency or any other matter that cannot conveniently be deferred to the next ordinary meeting of the Committee, subject to later report for information, to the Committee in question.

11. **Delegation of Functions and Amendments to the Constitution**

To receive a report of the Acting Director of Legal and Democratic Services and Monitoring Officer.

59 - 64

*(Note: A number of extensive appendices - Amended versions of Parts 1-5 of the Constitution – are not being circulated in hard copy, however, these are available to view on the Council's Website [www.trafford.gov.uk](http://www.trafford.gov.uk) > Home > Council and democracy > Councillors and Committees > Meetings, agenda, minutes > Meetings)*

Yours sincerely,



pp

**THERESA GRANT**

Chief Executive

Membership of the Council

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

Further Information

For help, advice and information about this meeting please contact:

Ian Cockill, Democratic Services Officer

Tel: 0161 912 1387

Email: [ian.cockill@trafford.gov.uk](mailto:ian.cockill@trafford.gov.uk)

This Summons was issued on **Tuesday, 14 May 2013** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH

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# Agenda Item 4

## TRAFFORD BOROUGH COUNCIL

13 MARCH 2013

### PRESENT

The Worshipful the Mayor (Councillor Mrs. Patricia Young), in the Chair.

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

### In attendance

Chief Executive	Ms. T. Grant
Corporate Director Children and Young People's Service	Mrs. D. Brownlee
Corporate Director Economic Growth & Prosperity	Mrs. H. Jones
Corporate Director Transformation and Resources	Mrs. W. Marston
Director of Human Resources	Ms. J. Hyde
Acting Director of Legal and Democratic Services	Ms. J. Le Fevre
Senior Director of Environment	Mr. P. Harvey
Head of Workforce and Core Strategy	Ms. L. Hooley
Democratic Services Manager	Mr. P. Forrester
Democratic Services Officer	Mr. I. Cockill

### APOLOGIES

Apologies for absence were received from Councillors C. Candish and N. Taylor.

### 75. MINUTES

That the Minutes of the Meeting of the Council held on 20 February 2013, be approved as a correct record and signed by the Chairman.

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**76. QUESTIONS BY MEMBERS**

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

[Note: Prior to their consideration, the Mayor indicated that Members asking and responding to a question would be limited to a maximum of two minutes each, with a further maximum of one minute respectively for a supplementary question.]

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

*"This week is National Apprentices Week. Could I ask the Chairman of the Employment Committee if this Council is actively supporting apprenticeships and if so to what extent?"*

Responding to the question, Councillor Rigby, Chairman of Employment Committee, informed Members that the Council actively supported Trafford residents into employment, launching an apprenticeship scheme in July 2011. Since then 62 apprentices had started work and 5 had secured permanent positions, one of whom Liam Baum had been named Apprentice of the Year 2012 by Trafford College. Councillor Rigby also provided statistical information in respect of the priority groups for recruitment and advised of work being undertaken with local businesses and parents to encourage new opportunities.

- (b) Councillor Mrs. Wilkinson asked the following question for which she had given notice:

*"Can the Executive Member for Transformation and Resources provide details of any improvements planned in our library service in the near future?"*

In response, the Executive Member, Councillor Williams referred the Council to a recent decision of the Executive on 4 March 2013 which sought to protect front line services despite budgetary pressures and included the extended use of volunteers across all Trafford libraries. The Executive Member reported on the introduction of the new 'Spydus' library management system and advised of its benefits which included: text and email notifications for new loans and returns; book reviews and recommendations by users; and access to out of borough libraries using the same system. Councillor Williams indicated that Spydus was cheaper than the existing system and would go live on 25 March 2013.

**77. HEALTH AND SOCIAL CARE ACT 2012 - CONSTITUTIONAL CHANGES**

The Acting Director of Legal and Democratic Services submitted a report advising of the changes to the Council's Constitution required as a result of changes arising from the Health and Social Care Act 2012 that take effect from 1 April 2013. The report referred to changes relating to the transfer of the public health function to the Council, the formal establishment of the Health and Wellbeing Board and revisions to health scrutiny regulations.

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Further to the report's recommendations, the Leader of the Council consented to a request from the Opposition Group Leader's for further discussion concerning the political membership of the Health and Wellbeing Board.

RESOLVED -

- (1) That the Council notes the transfer of the Public Health function pursuant to the Health and Social Care Act 2012, along with related staff to the Local Authority with effect from 1 April 2013.
- (2) That the Council establish a Health and Wellbeing Board with the membership and terms of reference as set out in the report with effect from 1 April 2013.
- (3) That the Council membership of the Health and Wellbeing Board, as nominated by the Leader of the Council, be agreed.
- (4) That a meeting of the Political Group Leaders be held to discuss, in more detail, the composition of the Health and Wellbeing Board and if necessary, determine future political entitlements for recommendation to the Council.
- (5) That the Council confirms that, with effect from 1 April 2013, responsibility for the scrutiny of health services continue to be discharged by the Health Scrutiny Committee and that the arrangements agreed by the Council at its meetings held on 23 May and 19 September 2012 (Minute numbers 11 and 40 refer), be retained.
- (6) That Council authorises the Acting Director of Legal and Democratic Services to make the necessary changes to the constitution in relation to:
  - (a) the transfer of the Public Health function;
  - (b) the establishment of the Health and Wellbeing Board; and
  - (c) health scrutiny arrangements.

**78. ADOPTION OF NEW BYELAWS TO REGULATE THE PRACTICE OF ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN-COLOURING, COSMETIC PIERCING AND ELECTROLYSIS.**

The Executive Member for Highways and Environment submitted a report proposing the adoption of new byelaws relating to the practice of acupuncture and the business of tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis. The proposed byelaws specified standards of cleanliness of premises, fittings and operators, together with the appropriate cleaning arrangements for instruments, materials and equipment, so as to protect customers from the risk of disease and would update and extend byelaws previously made by the Council in 1987.

RESOLVED –

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- (1) That Sections 14 – 17 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Local Government Act 2003 to include the regulation of cosmetic piercing and semi-permanent skin-colouring businesses, shall apply to the Borough from 13 May 2013.
- (2) That the Council:
  - (a) adopts the new byelaws covering acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis;
  - (b) authorises the affixing of the common seal to the new byelaws and;
  - (c) authorises the Chief Executive to carry out the necessary procedures in affixing the seal, publicising the Council's intention to apply for confirmation of the byelaws by the Secretary of State for Health, and subsequently applying for confirmation of the new byelaws.
- (3) That, subject to the Secretary of State for Health confirming the new byelaws, the Council will revoke the existing byelaws relating to acupuncture, tattooing, ear piercing and electrolysis which are dated 27 July 1987 and which were confirmed by the Secretary of State for Social Services on 13 January 1988.
- (4) That the fees to be charged for registration under the new byelaws be set in line with the fees currently charged under the existing byelaws.

**79. GREATER MANCHESTER JOINT MINERALS DEVELOPMENT PLAN DOCUMENT (JMDPD): INSPECTOR'S REPORT AND ADOPTION**

The Executive Member for Economic Growth and Prosperity submitted a report seeking the adoption of the joint Development Plan Document covering planning for minerals, following a series of public consultations and submission to the Secretary of State in November 2011 for Examination. The Examination hearing sessions took place over two days during February 2012 and an additional session in November 2012 and the Inspector had now confirmed the soundness of the Submission Plan, subject to a modest number of changes.

RESOLVED –

- (1) That the Council notes the publication of the Inspector's Report on the Greater Manchester Joint Minerals Development Plan Document.
- (2) That the Greater Manchester Joint Minerals Development Plan Document, together with consequential changes to the Trafford Local Plan Policies Map, be adopted and brought into force on 26 April 2013.

**80. MOTIONS**

The Mayor informed Members that 7 Motions had been submitted in accordance with Procedure Rule 11.



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[Note: In view of the amount of business to be transacted and having consulted with the Group Leaders, the Mayor indicated that each Motion would be allocated an equal amount of time with the speaking rights being: a maximum of three minutes each for moving, seconding, the right of reply and 2 opposing Members; and a maximum of two minutes each for all other speakers.]

(a) Motion submitted by the Labour Group – Locality Boards

It was moved and seconded that:

“This Council is mindful of increasing disquiet from Trafford's community groups and panels regarding the format, membership and responsibilities to be delegated to new Locality Boards being introduced by the Trafford Strategic Partnership from April 2013.

This Council is also concerned that existing representative bodies such as Town or Parish Councils and many Elected Members are being excluded in this new model. It is also concerning that there doesn't appear to be a commitment for all the Locality Partnerships to be held in open public session. There are real concerns also that there are no defined funding streams which will enable the Partnership Boards to operate effectively.

This Council therefore calls for a temporary halt on the introduction of the Locality Partnership Boards until such time that the community concerns and Parish Council concerns and technical / democratic / financial issues are fully address to the satisfaction of all Members of this Council, and that a report be brought back to Council at the next full Council which addresses all of these concerns.”

[Note: During the debate on the Motion, the time being 7.39 p.m., the Mayor indicated that, with the exception of the Member with the right of reply, all remaining speakers on this item would now be restricted to a maximum of one minute each.]

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

(b) Motion submitted by the Labour Group – Fire Service

[Note: As Chairman of the Greater Manchester Fire and Rescue Service, Councillor Acton declared a personal interest in this item and remained in the meeting during consideration of the matter.]

It was moved and seconded that:

“This Council has deep concern with regard to the letter sent out by Brandon Lewis, Communities and Local Government Parliamentary Under Secretary (Minister for Fire and Rescue Service) where he promotes a proposal to enable Fire and Rescue Authorities to contract out the full range of their services to a suitable provider, including a public service mutual.

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Clearly if this became law it would open the doors for the privatisation of the Fire and Rescue Service. We should not be introducing the profit motive into our emergency services. We pay tribute to the bravery and sacrifice of those on the front line, shareholder dividends have no place in that covenant.

In light of the above this Council calls on the Government to abandon any plans to privatise our Fire and Rescue Services now and in the future.”

In putting the Motion to the vote after the debate, a recorded vote was called for, in accordance with Procedure Rule 16.5. This resulted as follows:

Those in favour of the Motion: Councillors Acton, Adshead, Baugh, Bennett, Brotherton, Cordingley, Duffield, Freeman, Gratrix, Harding, Hynes, Jarman, Lloyd, Malik, O’Sullivan, Platt, Procter, Quayle, Ross, Smith, Stennett, S. Taylor, Walsh, A. Western and D. Western.

Those against the Motion: Councillors Anstee, Dr. Barclay, Miss Blackburn, Boyes, Mrs. Bruer-Morris, Bunting, Butt, Chilton, Colledge, Mrs. Cooke, Cornes, Coupe, Mrs. Dixon, Mrs. Evans, Higgins, Holden, Hyman, Lally, Lamb, Mitchell, Myers, J.R. Reilly, Mrs. Reilly, Rigby, Sharp, Shaw, Mrs. Ward, Weston, Whetton, Mrs. Wikinson, Williams and M. Young.

Those abstaining from voting: Councillors Bowker, Mrs. Brophy and Fishwick.

With the result of the vote being 25 in favour and 32 against, with 3 abstentions, the Motion was declared lost.

(c) Motion submitted by the Labour Group – Mersey Valley

[Note: Councillors Freeman and Gratrix declared personal interests in this item being members of the Mersey Valley Joint Committee and remained in the meeting during consideration of the matter. In addition, Councillor A. Western, an employee of the engineering consultancy undertaking work for the Metrolink system, also declared a personal interest in this item and remained in the meeting during its consideration.]

It was moved and seconded that:

“On 5 December 2011 the following resolution was made by this Council:

‘That in light of public concern with regard to the deterioration of Sale Water Park and its environment, we call on the Council to continue a wide ranging review of its existing maintenance and management of the Water Park, with a view to implementing a significant maintenance improvement for Sale Water Park’.

There continues to be very considerable public concern at the continued deterioration of the Water Park and lack of investment designed to improve the facilities and environment currently exacerbated by the works being

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carried out to extend the Metrolink system and this Council's announcement at the budget council meeting of their intention to cease contribution to the Mersey Valley Partnership from 2014 to save £117,000 and Groundforce cuts of £1.2 million over the next two years which includes the loss of 10 members of the Groundforce staff .

It is quite clear the resolution agreed by this body on 5 December 2011 has not led to significant visual maintenance improvements and that unless urgent action is taken to remedy this, longer term the Council will face substantial costs to address maintenance issues impacting upon public health and safety.

We therefore call on the Council, in the interests of all Sale Water Park users and visitors, to put right the broken promises of December 2011 and publish plans detailing the action that will be taken to ensure Sale Water Park and the surrounding Mersey Valley is protected for the benefit of Trafford residents and visitors from outside the area."

It was moved and seconded as an amendment that:

"On 5 December 2011 the following resolution was made by this Council:

'That in light of public concern with regard to the deterioration of Sale Water Park and its environment, we call on the Council to continue a wide ranging review of its existing maintenance and management of the Water Park, with a view to implementing a significant maintenance improvement for Sale Water Park'.

There is continuing public concern at the possibility of continued deterioration of the Water Park and lack of investment designed to improve the facilities and environment (currently exacerbated by the works being carried out to extend the Metrolink system) and this Council's announcement at the budget council meeting of their intention to cease contribution to the Mersey Valley Partnership from 2014 to save £117,000 following the huge reduction in services provided by the wardens after the slash and burn tactics of Labour controlled Manchester when they disposed of 3 of the 4 individuals who had worked on the Trafford side of the river as part of the partnership deal.

It is quite clear the resolution agreed by this body on 5 December 2011 has not yet led to significant visible maintenance improvements. However, after protracted negotiations with Manchester City Council failed to find a sustainable solution to the areas problems, Trafford Council is now actively pursuing a new working model working with third parties similar to that developed within the Parks.

We therefore call on the Council, in the interests of all Sale Water Park users and visitors, to continue to work towards fulfilling the promises of December 2011 and where possible publish plans detailing the action that will be taken to ensure Sale Water Park and the surrounding Mersey Valley is protected for the benefit of Trafford residents and visitors from outside the area."

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Following a debate on the matter, the amendment was put to the vote and declared carried. Accordingly, the substantive Motion was then declared carried.

RESOLVED: That on 5 December 2011 the following resolution was made by this Council:

‘That in light of public concern with regard to the deterioration of Sale Water Park and its environment, we call on the Council to continue a wide ranging review of its existing maintenance and management of the Water Park, with a view to implementing a significant maintenance improvement for Sale Water Park’.

There is continuing public concern at the possibility of continued deterioration of the Water Park and lack of investment designed to improve the facilities and environment (currently exacerbated by the works being carried out to extend the Metrolink system) and this Council’s announcement at the budget council meeting of their intention to cease contribution to the Mersey Valley Partnership from 2014 to save £117,000 following the huge reduction in services provided by the wardens after the slash and burn tactics of Labour controlled Manchester when they disposed of 3 of the 4 individuals who had worked on the Trafford side of the river as part of the partnership deal.

It is quite clear the resolution agreed by this body on 5 December 2011 has not yet led to significant visible maintenance improvements. However, after protracted negotiations with Manchester City Council failed to find a sustainable solution to the areas problems, Trafford Council is now actively pursuing a new working model working with third parties similar to that developed within the Parks.

We therefore call on the Council, in the interests of all Sale Water Park users and visitors, to continue to work towards fulfilling the promises of December 2011 and where possible publish plans detailing the action that will be taken to ensure Sale Water Park and the surrounding Mersey Valley is protected for the benefit of Trafford residents and visitors from outside the area.

- (d) Motion submitted by the Conservative Group – Grammar and High School System

It was moved and seconded that:

“This Council recognises the considerable dedication and achievement of the teachers and pupils in Trafford’s schools culminating in a Grammar and High School system which is ranked one of the best in the country for academic achievement. As such Trafford’s primary school pupils are fortunate in being able to choose from excellent high and grammar schools.

This Council believes that all children should be given an equal footing, regardless of which primary school they come from, to enter the school of

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their choice. Furthermore the ability to obtain a place at a grammar school should not be determined by parents' ability to pay for specialist coaching.

Therefore this Council agrees to support primary schools that wish to provide the option (outside of the normal curriculum) of familiarisation with local grammar school entrance exams, for those children who seek a grammar school place. This Council agrees to offer advice and guidance to those schools that may wish to offer familiarisation to their pupils on this basis.”

Following a debate on the matter, the Motion was agreed with the unanimous consent of the Council.

RESOLVED: That this Council recognises the considerable dedication and achievement of the teachers and pupils in Trafford's schools culminating in a Grammar and High School system which is ranked one of the best in the country for academic achievement. As such Trafford's primary school pupils are fortunate in being able to choose from excellent high and grammar schools.

This Council believes that all children should be given an equal footing, regardless of which primary school they come from, to enter the school of their choice. Furthermore the ability to obtain a place at a grammar school should not be determined by parents' ability to pay for specialist coaching.

Therefore this Council agrees to support primary schools that wish to provide the option (outside of the normal curriculum) of familiarisation with local grammar school entrance exams, for those children who seek a grammar school place. This Council agrees to offer advice and guidance to those schools that may wish to offer familiarisation to their pupils on this basis.

(e) Motion submitted by the Conservative Group – New Health Deal for Trafford

[Note: Councillor Myers declared a personal interest in this item given that his business was contracted to provide services in the NHS and remained in the meeting during consideration of the matter. In addition, as her company was a consultancy in the NHS, Councillor Mrs. Cooke also declared a personal interest in this item and remained in the meeting during its consideration.]

It was moved and seconded that:

“This Council notes that the Secretary of State for Health, Jeremy Hunt MP, has recently asked the Independent Reconfiguration Panel (IRP) to conduct an initial review of the referral by the Joint Health Scrutiny Committee of the New Health Deal for Trafford proposals.

This Council considers that, to ensure that local residents' and Health Scrutiny's views are fully considered, a full review of the proposals is required. This Council also believes, in view of the sensitivities around the proposal, that there should be no delay in setting up and determining the review.”

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[Note: During the debate on the Motion, the time being 8.51 p.m., the Mayor indicated that all remaining speakers on this item would now be restricted to a maximum of two minutes each.]

On completion of the debate on the matter, the Motion was agreed with the unanimous consent of the Council.

The Motion was put to the vote and declared carried.

RESOLVED: That this Council notes that the Secretary of State for Health, Jeremy Hunt MP, has recently asked the Independent Reconfiguration Panel (IRP) to conduct an initial review of the referral by the Joint Health Scrutiny Committee of the New Health Deal for Trafford proposals.

This Council considers that, to ensure that local residents' and Health Scrutiny's views are fully considered, a full review of the proposals is required. This Council also believes, in view of the sensitivities around the proposal, that there should be no delay in setting up and determining the review.

(f) Motion submitted by the Labour Group – The Welfare Reform Act

It was moved and seconded that:

“This Council is concerned that:

The Welfare Reform Act will have devastating consequences on Trafford residents, increasing poverty, uprooting families, disrupting communities and taking millions of pounds out of the local economy.

We further note that:

The Housing Benefit rules on under occupancy and the introduction of Universal Credit will have a massive impact on social housing providers, cutting the amount of money they have to invest in homes and services to tenants.

Council commends the work that has been done so far by registered social housing providers, the Revenue and Benefits Service, voluntary, resident and community organisations to identify potential problems and raise awareness in those tenants who will be affected.

Council calls for this work to continue.

The Council:

- Calls on the Coalition Government to withdraw these punitive and short-sighted plans.

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- Calls on Trafford Tories to stand up for Trafford people and join us in the call to withdraw these reforms.
- Asks the Chief Executive through the executive and scrutiny process to report back to Council regularly on the anticipated impact of these changes and what further action is being taken to alleviate the pressure on affected households.”

[Note: During the debate on the Motion, the time being 9.05 p.m., the Mayor indicated that all remaining speakers on this item would now be permitted a maximum of three minutes each.]

At the conclusion of the debate, the Motion was put to the vote and declared lost.

(g) Motion submitted by the Labour Group – Nursing Staff Numbers

[Note: Councillor Mrs. Bruer-Morris declared a personal interest in this item as a nurse working in the NHS and remained in the meeting during consideration of the matter.]

It was moved and seconded that:

“This Council is extremely concerned about the falling number of nursing staff and nursing training places. As more and more nurses are lost it is becoming increasingly urgent that the Government take immediate action to address this growing crisis. This trend must be reversed if the Government is to respond to the recommendations of the Francis inquiry. Should this trend continue we are set to lose 12,000 nurses over the course of this parliament, the biggest impact being felt in A&E departments and with the care of the frail and elderly. This will continue to impact adversely on Trafford residents and across the Country if the Government do not change course.

This Council calls for immediate intervention from Government to halt this worrying downward trend in nurse numbers to ensure patient care and safety is at the heart of our NHS.”

[Note: During the debate on the Motion, the time being 9.20 p.m., the Mayor indicated that all remaining speakers on this item would now be restricted to a maximum of two minutes each.]

At the conclusion of the debate, the Motion was put to the vote and declared lost.

The meeting commenced at 7.04 p.m. and finished at 9.20 p.m.

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## TRAFFORD BOROUGH COUNCIL

### EXTRAORDINARY MEETING OF THE COUNCIL

30 APRIL 2013

#### PRESENT

The Worshipful the Mayor (Councillor Mrs. Patricia Young), in the Chair.

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

#### In attendance

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

#### APOLOGIES

Apologies for absence were received from Councillors D. Butt, J. Baugh, R. Bowker, J. Holden, E.H. Malik, B. Shaw, J. Smith and N. Taylor.

#### 81. ANNOUNCEMENTS

The Mayor congratulated Councillors Procter and Williams for successfully completing the Greater Manchester Marathon held in Trafford on 28 April 2013.

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**82. TRAFFORD COUNCIL'S PAY POLICY STATEMENT FOR 2013/14**

The Director of Human Resources submitted a report providing the Council with information relating to Trafford's Pay Policy for 2013 in line with the requirements of the Localism Act 2011. The report had been recommended to Council by Employment Committee at its meeting held on 29 April 2013.

The Pay Policy Statement had been revised to take into account the Council's approach to approvals by full Council, following consideration by the Employment Committee, for severance payments in excess of £100,000 in line with guidance received from the Department for Communities and Local Government.

RESOLVED: That the 2013/14 Pay Policy Statement, as recommended by Employment Committee and set out in Appendix 1 to the report, be approved.

**83. LOCAL AUTHORITY MORTGAGE SCHEME**

The Executive Member for Economic Growth and Prosperity submitted a report summarising the impact of the Local Authority Mortgage Scheme launched by the Council in May 2012 and proposing a second scheme to support first time buyers to purchase a property in Trafford.

The establishment of a second scheme had been approved by the Executive on 29 April 2013 and further to that meeting, updated prudential indicators were presented to the Council.

RESOLVED –

- (1) That the Council approves the addition of £1 Million, in respect of the cash backed indemnities, to the 2013/14 Capital Programme.
- (2) That additional borrowing be approved in the sum stated in the report.
- (3) That the changes to the prudential indicators, as detailed in the updated Appendix B presented to this meeting, be approved.

**84. STREET LIGHTING PROPOSALS**

RESOLVED: That this matter be deferred.

The meeting commenced at 7.04 p.m. and finished at 7.24 p.m.

## TRAFFORD COUNCIL

**Report to:** Annual Meeting of the Council  
**Date:** 22 May 2013  
**Report for:** Decision  
**Report of:** Chief Executive

### Report Title

**MEMBERSHIP OF THE EXECUTIVE**

### Summary

The Leader of the Council was elected for a 4 year term at the Annual Meeting of Council in May 2011. Each year the Leader will appoint the Deputy Leader, decide the composition of the Executive Cabinet and appoint the Membership of the Cabinet.

### Recommendation(s)

The Council is requested to note:

1. that the Leader of the Council has determined that the Executive shall comprise himself plus 9 councillors;
2. the appointment of the Deputy Leader and Membership of the Executive for 2013/14, as agreed by the Leader of the Council and set out in the Appendix to the report.

### Contact person for access to background papers and further information:

**Name:** Ian Cockill  
**Extension:** 1387

**Background Papers:** Local Government and Health Act 2007  
Constitution of the Council

## **1.0 Background**

- 1.1 At its meeting on 2 December 2009, the Council approved a new style 'strong' Leader and Cabinet model of executive leadership, in accordance with the Local Government and Health Act 2007. The Act required changes to the leadership of Councils giving only two options, both of which place all executive powers in the hands of one individual, who, in the normal course of events, will serve an uninterrupted 4 year term. The Council's new Executive Arrangements came into operation on 6 May 2010.

## **2.0 New Style Leader and Cabinet**

- 2.1 Under this model the Council appoints the Leader for a fixed term of office of 4 years. The Leader then appoints a Cabinet but also determines the size of the Cabinet (within the statutory minimum and maximum of 3 and 10). Under these executive arrangements provision must be made for the appointment of a Deputy Leader with power to act in the Leader's absence. Again the Deputy Leader is appointed (and may also be removed) by the Leader.
- 2.2 The term of office of the Leader is from the date of election as Leader to the first annual meeting after their normal day of retirement as a councillor i.e. up to 4 years. Thus, a Leader needing to seek re-election as a councillor before the end of the maximum 4 year term will be elected for a shorter term.
- 2.3 The Council includes provisions in its Constitution whereby the Council may remove the Leader from office at any time (if the Council did not include such provision for the mid term removal of the Leader, the Leader would remain in office for their full term). The Council's Constitution states that the Leader shall hold office until:
- (a) he/she resigns from the office; or
  - (b) (s)he is disqualified from being a councillor.
  - (c) they are no longer councillors; or
  - (d) the first Annual Meeting after their normal day of retirement as a councillor save that the Council may by resolution remove him/her from office at an earlier date.
- 2.4 The Leader will be vested with all the authority's executive functions, initially holding all the Council's executive functions under their personal control. It is then for him/her to choose whether to exercise some or all of these functions personally or to make arrangements for their discharge by the executive, a committee of the executive, by an individual member of the executive, or by officers and these will be notified at the Annual Meeting of the Council.

**MEMBERSHIP OF THE EXECUTIVE 2013/14**

<u>Councillor</u>	<u>PORTFOLIO</u>
Matthew Colledge (Leader)	
Sean Anstee (Deputy Leader)	Finance
Michael Young	Adult Social Services
Dr. Karen Barclay	Community Health and Wellbeing
Michael Hyman	Economic Growth and Prosperity
Michael Cornes	Education
Alan Mitchell	Highways and Environment
Jonathan Coupe	Safe and Strong Communities
Miss Linda Blackburn	Supporting Children and Families
Alex Williams	Transformation and Resources

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## TRAFFORD COUNCIL

**Report to:** Annual Meeting of the Council  
**Date:** 22 May 2013  
**Report for:** Decision  
**Report of:** Chief Executive

### Report Title

**COUNCIL COMMITTEES**

### Summary

To agree the Committees of the Council, their size, political composition, membership and terms of reference for the 2013/14 municipal year.

### Recommendation(s)

- 1) That the Standing Committees and their composition, as set out in Appendix 1 to the report, be approved.
- 2) That the Terms of Reference for each Committee, as set out in Appendix 2 to the report, be approved.
- 3) That the membership of Committees for the 2013/14 municipal year, as set out in Appendix 3 to the report, be approved.
- 4) That the appointment of Chairmen and Vice-Chairmen of the Committees, as set out in Appendix 3, be approved and the nomination of Opposition Spokespersons (where appropriate), be noted.
- 5) That the Licensing Committee be recommended to appoint the membership of the Safety at Sports Grounds Sub-Committee and as set out in Appendix 3.
- 6) That the appointment of Scrutiny Topic Group Chairmen, as set out in Appendix 4, be approved.
- 7) That the Appointments and Appeals Panel be formally appointed, the membership for which will be drawn from all members of the Council.

[When sitting, the Panel shall comprise a smaller number of members selected for specific purposes and shall be politically balanced. When acting as an Appeals Panel, the membership shall be restricted to a pool of Members who have undertaken the necessary Members Appeals Training. Please refer to the Terms of Reference (Appendix 2) for details on the role of this Panel.]

- 8) That, until such time locality partnership arrangements are in place, the appointment of Neighbourhood Forum Chairmen, as set out in Appendix 5, be approved and the Council nomination for Chairman of Old Trafford Neighbourhood Forum be noted.
- 9) That the Council delegate to the Chief Executive, in accordance with the written request of the relevant Group Leader, the power and authority to change the membership of committees and sub-committees as may be needed from time to time.

Contact person for access to background papers and further information:

Name: Ian Cockill  
Extension: 1387

Background Papers: None.



## 1. COMPOSITION OF COUNCIL COMMITTEES

1.1 In accordance with the provisions of the Local Government and Housing Act 1989, the Acting Chief Executive has been informed of the following political groups on the Council:-

- Conservative Group - 34 members
- Labour Group - 25 members
- Liberal Democrat Group - 4 members.

1.2 The regulations provide for the composition of committees being in accordance with the political balance of the 63 members of the Council. The proposed Committee structure is set out in Appendix 1

1.3 The Membership of each Ordinary Committee should, subject to the need to allocate each political group a total allocation of seats in proportion to its strength on the Council, be made up of the following proportions: -

- Conservative (34/63) - 53.97%
- Labour (25/63) - 39.68%
- Liberal Democrat (4/63) - 6.35%

**PROPOSED COMMITTEE ENTITLEMENTS FOR THE MUNICIPAL YEAR 2013/14**

Committee	No. of Members	Ex-officio Members	Co-opted Members	Proposed Places		
				CON	LAB	L/D
<u>Ordinary Committees</u>						
Accounts and Audit	7	-	-	4	3	0
Employment	7	-	-	4	3	0
Planning Development Control	13	-	-	7	5	1
Licensing *	15	-	-	8	6	1
Standards	11		5^^	6	4	1
Scrutiny	11	1#	5^	6	4	1
Health Scrutiny	11	1#	-	6	4	1
<b>POLITICALLY BALANCED PLACINGS</b> (excluding other Committees)	<b>75</b>			<b>41</b>	<b>29</b>	<b>5</b>
<u>Other Committee(s)</u>						
Health and Wellbeing Board**	4		7^^^	3	1	0
<b>OVERALL PLACINGS</b>	<b>79</b>			<b>44</b>	<b>30</b>	<b>5</b>

\* Committees for which political balance rules may be disappplied

\*\* Committee for which political balance rules do not apply

# The Chairmen of both the Scrutiny Committee and the Health Scrutiny Committee shall be appointed as ex-officio non-voting members of the opposite scrutiny committee.

^ 2 Church and 3 Parent-Governor representatives

^^ 2 Parish representatives and 3 Independent members

^^^ Corporate Director of Children, Families and Wellbeing plus 6 External Partners

## **ACCOUNTS AND AUDIT COMMITTEE**

### **Statement of Purpose**

The purpose of the committee is to provide independent assurance of the adequacy of the risk management framework and the associated control environment, independent scrutiny of the Authority's financial and non financial performance to the extent that it affects the Authority's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

### **Composition**

Membership of the Audit and Accounts Committee shall comprise 7 Members, be politically balanced and shall not include any Members of the Executive. A non voting member, with appropriate skills and experience, may be co-opted on to the Committee with the approval of the Council.

### **Terms of Reference**

#### **Internal and External Audit**

- a) Review and approve (but not direct) the terms of reference for Internal Audit, an Internal Audit strategy and internal audit resourcing.
- b) Review and approve (but not direct) the annual Internal Audit work programme. Consider the proposed and actual Internal Audit coverage and whether this provides adequate assurance on organisations main business risks, review the performance of Internal Audit.
- c) Receive summary internal audit reports and seek assurance on the adequacy of management response to internal audit advice, recommendations and action plans.
- d) Review arrangements made for cooperation between Internal Audit, External Audit and other review bodies and ensure that there are effective relationships which actively promote the value of the audit process.
- e) Receive the Annual Internal Audit report and opinion.
- f) Review and consider proposed and actual External Audit coverage and its adequacy and consider the reports of external audit and inspection agencies.
- g) Receive updates from External Audit on External Audit findings, opinions and seek assurance on the adequacy of management response to External Audit advice, recommendations and action plans.

## **Risk Management**

- a) Review the adequacy of arrangements for identifying and managing the organisations business risks – including the Council’s risk management policy and strategy and their implementation.
- b) Review the robustness of the strategic risk register and the adequacy of associated risk management arrangements.
- c) Receive and consider regular reports on the risk environment and associated management action.

## **Internal Control Arrangements, Corporate Governance and the Annual Governance Statement**

- a) Review the effectiveness of corporate governance arrangements and internal control across the organisation and the adequacy of action taken to address any weaknesses or control failures.
- b) Conduct a critical review of the proposed Annual Governance Statement (AGS), the procedures followed in its completion and supporting documentation in order to consider:
  - o how meaningful the AGS is;
  - o the robustness of the evidence and assurances on which the AGS is based; and
  - o whether the AGS discloses adequately the organisations actions for addressing any significant internal control weaknesses disclosed within the statement.
- c) Make recommendations for amendment of the AGS and the associated procedures.

## **Anti - Fraud and Corruption Arrangements**

- a) Review and ensure the adequacy of the organisation’s Anti – Fraud & Corruption policy and strategy and the effectiveness of their application throughout the Authority.
- b) Review and ensure that adequate arrangements are established and operating to deal with situations of suspected or actual fraud and corruption.

## **Accounts**

- a) Approve the annual Statement of Accounts, including subsequent amendments.
- b) Consider the External Auditor’s report on the audit of the annual financial statements.
- c) Be responsible for any matters arising from the audit of the Council’s accounts, including the auditor’s opinion on the accounts, identification of any misstatements, comments on the accounting and internal control systems and qualitative aspects of accounting practices and financial reporting.

### **Access and Reporting**

- a) To have the right of access to senior officers and all committees of the Council.
- b) To report directly to the Executive or Council, as appropriate, on matters within these terms of reference.

### **Delegation**

In exercising the power and duties assigned to the Committee in its terms of reference, the Audit and Accounts Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

## **EMPLOYMENT COMMITTEE**

### **Terms of Reference**

1. To determine collective and corporate terms and conditions of employment.
2. To consider any matter referred to the Committee by the Head of Paid Service or Corporate Director Customer and Corporate Services.
3. To consider, approve and adopt any new or significant revision to existing corporate human resources strategies and policies in so far as they relate to the appointment, terms and conditions of employment and dismissal of staff.
4. To determine any other matters relating to the appointment, terms and conditions of employment and dismissal of staff which are neither covered by policies of the Council nor delegated to Officers under the Scheme of Delegation.

### **Delegation**

The Executive Member with responsibility for Strategic HR and the Corporate Director Transformation and Resources will notify/keep the Committee informed of all other relevant HR related issues, as required.

In exercising the above powers and responsibilities, the Committee shall have delegated power (subject to Council Procedure Rule 9 - Call-in of Decisions taken under Delegated Powers) to make decisions on behalf of the Council, except for any matter where:

- the Head of the Paid Service determines the matter should be considered by full Council, or
- the Council has resolved to determine the matter

[Note: The Committee may itself determine not to exercise its delegated powers and instead make recommendations to Council]

## **LICENSING COMMITTEE**

### **Terms of Reference**

1. To exercise the Council's licensing functions under the Licensing Act 2003 with the exception of any function conferred on the Council under Section 5 of the Act (statement of licensing policy).
2. In respect of each 5 year period, in consultation with the Executive, to formulate or prepare for approval by the Council its policy with respect to the exercise of its licensing functions under the Licensing Act 2003.
3. To keep the policy with respect to the exercise of its licensing functions under the Licensing Act 2003 under review and recommend any revisions to the policy to the Council.
4. To exercise the Council's licensing functions under the Gambling Act 2005 with the exception of any function conferred on the Council under Section 349 of the Act (statement of licensing policy).
5. To exercise powers in relation to the following functions as specified in Schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000:
  - (i) all licensing and registration functions except those relating to town and country planning and the regulation of the use of the highway;
  - (ii) functions under any 'relevant statutory provision' within the meaning of Part I of the Health and Safety at Work Act 1974, to the extent that those functions are discharged otherwise than in the Council's capacity as employer; and
  - (iii) associated functions under any local Act.
6. To establish one or more Sub-Committees under Section 10(1) of the Licensing Act 2003 and Section 154 of the Gambling Act 2005 consisting of three members of the Licensing Committee for the discharge of functions exercisable by the Committee under the Licensing Act 2003 and the Gambling Act 2005. The functions to be exercised by the Sub-Committees include the functions set out at Appendix 1 and Appendix 2. Licensing Act and Gambling Act Sub-Committees shall be chaired in accordance with the protocol set out at Appendix 3.
7. To establish a Safety at Sports' Grounds Sub-Committee consisting of three Members of Council to oversee the exercise of the Council's functions in relation to safety at sports' grounds.
8. To establish a Public Protection Sub-Committee for the discharge of all other licensing, registration and regulatory functions within the terms of reference of the Licensing Committee. That in establishing a Public Protection Sub-Committee this is to be a Sub-Committee of 9 Members (5:3:1) with up to 5 substitute Members for the Sub-Committee Members being allowed (3:2:0). The substitute Members for the Sub-Committee can only be nominated from the membership of the Licensing Committee.

## Delegation

In exercising the power and duties assigned to them in their terms of reference, the Licensing Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.



## Appendix 1 to the Licensing Committee's Terms of Reference

### Delegated Functions

#### Licensing Act

TABLE OF DELEGATED FUNCTIONS

<b>Matter to be dealt with</b>	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection is made	If no objection is made
Application for personal licence with unspent convictions		All Cases	
Application for premises licence/club premises certificate		If a relevant representation is made	If no relevant representation is made
Application for provisional statement		If a relevant representation is made	If no relevant representation is made
Application to vary premises licence/club premises certificate		If a relevant representation is made	If no relevant representation is made
Application to vary designated premises supervisor		If a police objection is made	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection is made	All other cases
Application for interim authorities		If a police objection is made	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision to Serve Counter Notice to Temporary Event Notice		All cases	

## Appendix 2 to the Licensing Committee's Terms of Reference

### Delegated Functions

#### Gambling Act

#### TABLE OF DELEGATED FUNCTIONS

<b>Matter to be dealt with</b>	<b>Full Council</b>	<b>Sub-Committee of Licensing Committee</b>	<b>Officers</b>
Final approval of three year licensing policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)			X
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn
Review of a premises licence		X	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		X	
Application for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

## Appendix 3 to the Licensing Committee's Terms of Reference

### List of proposed Chairmen

Name	Order of Priority
Chairman of Licensing Committee	1
Vice-Chairman of Licensing Committee	2
Opposition Spokesperson for Licensing Committee	3
Member of Licensing Committee	4
Member of Licensing Committee	5

Note: the order of priority is applicable when more than one chairman is a member of the same Sub-Committee.

## **PLANNING DEVELOPMENT CONTROL COMMITTEE**

### **Terms of Reference**

1. To exercise powers in relation to planning and development control over development proposals in the Borough in the context of Government and Council policies and guidance in order to maintain and improve the quality of life and the natural and built environment of the Borough.
2. To exercise powers in relation to the following functions as specified in schedule 1 to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000:
  - (i) town and country planning and development control;
  - (ii) the registration of common land or town and village greens and to register the variation of rights of common; and
  - (iii) the exercise of powers relating to the regulation of the use of highways.

### **Delegation**

In exercising the power and duties assigned to them in their terms of reference, the Planning Development Control Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

## **STANDARDS COMMITTEE**

### Terms of Reference

1. To promote and maintain high standards of conduct.
2. To make recommendations to Council on the council's code of conduct and its register of interests.
3. To determine by way of its Hearing Panel whether a breach of the code has occurred; if so, whether to take any action and, if so, what action to take.
4. To determine appeals from the Monitoring Officer's decision on dispensations.

### Delegation

In exercising the power and duties assigned to the Committee in its terms of reference, the Standards Committee shall have delegated power to resolve and to act on behalf of and in the name of the Council.

## HEALTH AND WELLBEING BOARD

### Terms of Reference

1. To provide strong leadership and direction of the health and wellbeing agenda by agreeing priority outcomes for health and wellbeing.
2. To develop a shared understanding of the needs of the local population and lead the statutory Joint Strategic Needs Assessment (JSNA).
3. To seek to meet those needs by producing a Joint Health and Wellbeing Strategy for Trafford and ensure that it drives commissioning of relevant services.
4. To drive a genuine collaborative approach to commissioning of improved health and care services which improve the health and wellbeing of local people and reduces health inequalities.
5. To promote joined-up commissioning plans across the NHS, social care and public health.
6. To have oversight of local Clinical Commissioning Group (CCG) and local authority commissioning plans.
7. To operate as a thematic partnership within the context of the Sustainable Community Strategy Trafford 2021 and align its work to the Trafford Partnership in that capacity.
8. To improve local democratic accountability and engage with the Health and Wellbeing Forum which includes Trafford residents, service providers and other key stakeholders to understand health and wellbeing needs in Trafford.
9. To monitor and review the delivery of health and wellbeing improvements and outcomes through robust performance monitoring.

## **SCRUTINY COMMITTEE**

### **Terms of Reference**

1. To act as the Council's Overview and Scrutiny Committee and Crime and Disorder Committee for the purposes of all relevant legislation including, but not limited to, the Local Government Act 2000 (as amended), and Police and Justice Act 2006.
2. The Committee will also be responsible for the review and scrutiny of decisions made or actions taken in connection with the provision, planning and management of education in the borough of Trafford and, in particular, all of the functions of the Council as an education authority under the Education Acts, School Standards and Framework Act 1998 and all other relevant legislation in force from time to time. Co-opted Members will be appointed to discuss education matters and will attend the Scrutiny Committee when they consider education matters.

### **General Role**

3. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities.
4. In relation to the above functions:
  - a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate
  - b) to consider any matter affecting the area or its inhabitants
5. In relation to any function within the remit of this Committee:-
  - a) as set out in (b) below to exercise the power to call in, for reconsideration, executive decisions made but not yet implemented set out in Section 21(3) of the Local Government Act 2000.
  - b) The call-in of an executive decision is to be exercised as follows:-
    - i) the decision must not have been designated as urgent by the decision taker
    - ii) the request to call in a decision must be made within 5 working days of the decision being published
    - iii) any 3 members of an overview and scrutiny committee or select committee can ask the Chairman of this Committee or, in his/her absence, the Vice-Chairman to call in an executive decision
    - iv) in deciding whether or not to approve the request to call in a decision, the Chairman or Vice-chairman may consult the Vice-Chairman and the chairmen of the Select Committees as appropriate
    - v) if the Chairman, or Vice-Chairman as appropriate, approve the call in of a decision the request to call in the decision must be made to the Chief Executive within the timescale set out in (ii) above

- vi) the Chairman may decide, after consulting as appropriate, to call in a decision whether or not a request under (iii) has been received.
- 6. To put in place and maintain a system to ensure that referrals from overview and scrutiny to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
- 7. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
- 8. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

### **Specific functions**

- 9. Maintain a strategic overview of progress towards the achievement of the ambitions and priorities within Trafford's Sustainable Community Strategy.
- 10. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.
- 11. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.
- 12. Receive, consider and action as appropriate requests:
  - a) from the Executive in relation to particular issues; and
  - b) on any matters properly referred to the Committee
- 13. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
- 14. In relation to the terms of reference of the Committee it may:
  - a) assist the Council and the Executive in the development of its budget and policy framework by in-depth analysis of policy issues;
  - b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
  - c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
  - d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;



- e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
- f) question and gather evidence from any other person with their consent.
- g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
- i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
- j) undertake any other activity that assists the Committee in carrying out its functions.

### **Delegation**

15. The Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

## **HEALTH SCRUTINY COMMITTEE**

### **Terms of Reference**

1. To act as the Council's Overview and Scrutiny Committee for the purposes of all relevant legislation including, but not limited to the Health and Social Care Act 2001 and the National Health Service Act 2006.
2. All health scrutiny powers provided under the Health and Social Care Act 2001 are delegated to the Health Scrutiny Committee.
3. The Health Scrutiny Committee will have the power to refer a proposed substantial variation in service delivery to the Secretary of State. If the Committee wish to exercise this power, then this must also be agreed by the Chairman of the Scrutiny Committee who will be an ex-officio member of the Health Committee and will hold the power of veto in respect of any proposed referral of a substantial variation to the Secretary of State.

### **General Role**

4. Subject to statutory provision, to review and scrutinise decisions made or actions taken in connection with the discharge by the Council of its functions and by relevant partner authorities in relation to health and well-being issues.
5. In relation to the above functions:
  - a) to make reports and/or recommendations to the full Council, Executive of the Council, any joint committee or any relevant partner authority as appropriate
  - b) to consider any matter affecting the area or its inhabitants
6. To put in place and maintain a system to ensure that referrals from the Health Scrutiny Committee to the Executive, either by way of report or for reconsideration, are managed efficiently and do not exceed the limits set out in the Constitution.
7. At the request of the Executive, to make decisions about the priority of referrals made in the event of reports to the Executive exceeding limits in the Constitution, or if the volume of such reports creates difficulty for the management of executive business or jeopardises the efficient running of Council business.
8. To report annually to full Council on its workings, set out their plans for future work programmes and amended working methods if appropriate.

### **Specific functions**

9. Maintain a strategic overview of progress towards the achievement of the ambitions and priorities within Trafford's Sustainable Community Strategy in relation to health and well-being matters.
10. Identify the Committee's strategic priorities and determine the Overview and Scrutiny work programme to facilitate constructive evidence based critical-friend challenge to policy makers and service providers within the resources available.

11. Assist and advise the Council in the continued development of the Overview and Scrutiny function within Trafford.
12. Receive, consider and action as appropriate requests:
  - a) from the Executive in relation to particular issues; and
  - b) on any matters properly referred to the Committee
13. Identify areas requiring in-depth review and allocate these to an appropriate Topic Group. The Committee in consultation with the leader of the relevant Topic Group will set the terms of reference, scope and time frame for the review by the Topic Group.
14. In relation to the terms of reference of the Committee it may:
  - a) assist the Council, Executive and shadow Health and Well-being Board in the development of its budget and policy framework by in-depth analysis of policy issues;
  - b) review and scrutinise the decisions made by and performance of the Executive and/or committees and Council officers both in relation to individual decisions and over time;
  - c) review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
  - d) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance;
  - e) conduct research, community and other consultation as it deems appropriate in the analysis of policy issues and possible options;
  - f) question and gather evidence from any other person with their consent.
  - g) consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
  - h) question members of the Executive and/or committees, senior officers of the Council and representatives of relevant partner authorities on relevant issues and proposals affecting the area and about decisions and performance;
  - i) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working; and
  - j) undertake any other activity that assists the Committee in carrying out its functions.

### **Delegation**

15. The Health Scrutiny Committee shall have all delegated power to exercise the power and duties assigned to them in their terms of reference.

## **APPOINTMENTS AND APPEALS PANEL**

To act as the Council's appeals body regarding appeals other than those for which specific arrangements have been established.

To be responsible for staff appointment and related matters regarding:

- short-listing applicants and appointments of Corporate Directors and Directors
- appeals in accordance with the disciplinary and grievance procedures
  - appeals by employees against grading

**TRAFFORD COUNCIL**

**MEMBERSHIP OF COMMITTEES 2013/14**

**Note on Membership:** In accordance with Chartered Institute of Public Finance and Accountancy (CIPFA) recommended practice the Chairman and Vice-Chairman of the Accounts and Audit Committee should not also be a Chairman or Vice-Chairman of an Overview and Scrutiny Committee / Select Committee.

<b>COMMITTEE</b>		<b>NO. OF MEMBERS</b>
ACCOUNTS AND AUDIT		7
<b>CONSERVATIVE GROUP</b>	<b>LABOUR GROUP</b>	<b>LIBERAL DEMOCRAT GROUP</b>
Councillors:-	Councillors:-	Councillors:-
Chris Boyes Mrs. Laura Evans <b>V-CH</b> Patrick Myers Michael Whetton <b>CH</b>	Jane Baugh Barry Brotherton <b>OS</b> Tom Ross	-
<b>TOTAL</b>	<b>4</b>	<b>3</b>
		<b>0</b>

**TRAFFORD COUNCIL**

**MEMBERSHIP OF COMMITTEES 2013/14**

**Note on Membership:** Members of the Employment Committee will also be appointed as representatives of the Council (Employer's Side) on the Joint Consultative Panel.

<b>COMMITTEE</b>	<b>NO. OF MEMBERS</b>
EMPLOYMENT	7

<b>CONSERVATIVE GROUP</b>	<b>LABOUR GROUP</b>	<b>LIBERAL DEMOCRAT GROUP</b>	
Councillors:-  Mrs. Lisa Cooke Mrs. Pamela Dixon <b>V-CH</b> John Lamb Brian Rigby <b>CH</b>	Councillors:-  Joanne Bennett Catherine Hynes Andrew Western <b>OS</b>	Councillors:-  -	
<b>TOTAL</b>	<b>4</b>	<b>3</b>	<b>0</b>

**TRAFFORD COUNCIL**

**MEMBERSHIP OF COMMITTEES 2013/14**

**Notes on Membership:**

(1) It is advisable that the number of members serving on both the Licensing and Planning Development Control Committees in each political group is kept to a minimum to ensure that the potential for conflicts of interest is kept to a minimum.

(2) All Licensing Committee Members may be called upon as Members of the Licensing Sub-Committee, the meetings for which are held during the working day. Therefore, it would be preferable if Members serving on this Committee could also be available during the day time.

<b>COMMITTEE</b>		<b>NO. OF MEMBERS</b>	
LICENSING		15	
<b>CONSERVATIVE GROUP</b>	<b>LABOUR GROUP</b>	<b>LIBERAL DEMOCRAT GROUP</b>	
Councillors:-	Councillors:-	Councillors:-	
Dan Bunting Chris Candish <b>CH</b> Paul Lally Patrick Myers Mrs. June Reilly Brian Rigby Bernard Sharp <b>V-CH</b> Mrs. Jacki Wilkinson	Mike Freeman Philip Gratrix David Jarman <b>OS</b> Ejaz Malik John Smith Whit Stennett	Neil Taylor	
<b>TOTAL</b>	<b>8</b>	<b>6</b>	<b>1</b>

**TRAFFORD COUNCIL**

**MEMBERSHIP OF COMMITTEES 2013/14**

**Note on Membership:** It is advisable that the number of members serving on both the Planning Development Control and Licensing Committees in each political group is kept to a minimum to ensure that the potential for conflicts of interest is kept to a minimum.

<b>COMMITTEE</b>		<b>NO. OF MEMBERS</b>	
PLANNING DEVELOPMENT CONTROL		13  (plus 7 Substitutes)	
<b>CONSERVATIVE GROUP</b>	<b>LABOUR GROUP</b>	<b>LIBERAL DEMOCRAT GROUP</b>	
Councillors:-	Councillors:-	Councillors:-	
Daniel Bunting <b>V-CH</b> Rob Chilton Bernard Sharp Brian Shaw Mrs. Viv Ward <b>CH</b> Michael Whetton Ken Weston	Philip Gratrix Ejaz Malik Dolores O'Sullivan John Smith Laurence Walsh <b>OS</b>	Tony Fishwick	
<b>TOTAL</b>	<b>7</b>	<b>5</b>	<b>1</b>

**Substitute Members:**

Mrs. Pamela Dixon Mrs. Laura Evans Patrick Myers Brian Rigby	Whit Stennett Denise Western	Neil Taylor
(4)	(2)	(1)



## TRAFFORD COUNCIL

### MEMBERSHIP OF COMMITTEES 2013/14

**Notes on Membership:** Under the current local standards regime it is important that wherever possible the membership of the Standards Committee remains the same and that membership of the Committee should not include more than one Member from any one ward.

<b>COMMITTEE</b>		<b>NO. OF MEMBERS</b>
STANDARDS		11
		+ 2 PARISH REPRESENTATIVES + 3 INDEPENDENT MEMBERS
		+ 2 INDEPENDENT PERSONS (of the Hearing Panel)
<b>CONSERVATIVE GROUP</b>	<b>LABOUR GROUP</b>	<b>LIBERAL DEMOCRAT GROUP</b>
Councillors:-	Councillors:-	Councillors:-
Sean Anstee Mrs. Pamela Dixon Mrs. Laura Evans David Higgins John Holden <b>CH</b> Ken Weston	Mike Freeman David Jarman Ian Platt Kevin Procter <b>V-CH</b>	Ray Bowker
<b>TOTAL</b>	<b>6</b>	<b>4</b>
		<b>1</b>

#### NON-VOTING CO-OPTEEES (5)

2 Parish Representatives: **Mrs. S. Royle** and **1 Vacancy**

3 Independent Members: **Mrs. L. Atkinson**, **Mr. D. Goodman** and **Mr. C. Griffiths**

#### INDEPENDENT PERSONS OF THE HEARING PANEL (2)

(under Section 28 of the Localism Act 2011): **Ms. N. Jackson** and **Mr. M. Whiting**

**TRAFFORD COUNCIL**

**MEMBERSHIP OF COMMITTEES 2013/14**

**Notes on Membership:**

(1) The Scrutiny Committee shall have a membership of 11, or, where this does not achieve the political balance required under the Local Government and Housing Act 1989, whatever figure is necessary to reflect the proportional representation of political groups.

(2) The Scrutiny Committee shall be chaired by a Councillor who is a member of the largest political group on the Council. The person appointed as Vice-Chairman shall not be a member of the same political group as the person appointed as Chairman.

(3) The Chairmen of both the Scrutiny Committee and the Health Scrutiny Committee shall be appointed as ex-officio Members of the opposite scrutiny committee.

(4) The Scrutiny Committee shall appoint co-opted Members when that committee considers education matters.

<b>COMMITTEE</b>		<b>NO. OF MEMBERS</b>
SCRUTINY COMMITTEE		11
		(plus the Chairman of the Health Scrutiny Committee as an ex-officio Non-Voting Member)
		+ 5 CO-OPTED MEMBERS + 3 NON-VOTING MEMBERS (when considering Education matters)
<b>CONSERVATIVE GROUP</b>	<b>LABOUR GROUP</b>	<b>LIBERAL DEMOCRAT GROUP</b>
Councillors:-	Councillors:-	Councillors:-
Chris Candish Rob Chilton Mrs. Pamela Dixon David Higgins John Reilly Brian Shaw <b>CH</b>	Stephen Adshead Mike Cordingley <b>V-CH</b> Anne Duffield Denise Western	Ray Bowker
<b>TOTAL</b>	<b>6</b>	<b>4</b>
		<b>1</b>

## SCRUNTINY COMMITTEE CO-OPTED MEMBERS FOR EDUCATION MATTERS

*Church of England (VOTING MEMBER): Vacancy*

Roman Catholic (VOTING MEMBER): **Sister P. Goodstadt**

### Parent-Governor Representatives

Primary (VOTING MEMBER): Vacancy

Secondary (VOTING MEMBER): **Mrs. D. Haddad**

Special (VOTING MEMBER): **Mrs. R. Gallagher**

### Teacher Representatives

(NON-VOTING MEMBER): **Mr. D. Kitchen**

(NON-VOTING MEMBER): Vacancy

(NON-VOTING MEMBER): Vacancy

**TRAFFORD COUNCIL**

**MEMBERSHIP OF COMMITTEES 2013/14**

**Notes on Membership:**

(1) The Health Scrutiny Committee shall have a membership of 11, or, where this does not achieve the political balance required under the Local Government and Housing Act 1989, whatever figure is necessary to reflect the proportional representation of political groups.

(2) The Health Scrutiny Committee shall be chaired by a Councillor who is not a member of the largest political group on the Council, unless there is no such person serving on the Committee. The person appointed as Vice-Chairman shall be a member of the largest political group on the Council.

(3) The Chairmen of both the Scrutiny Committee and the Health Scrutiny Committee shall be appointed as ex-officio Members of the opposite scrutiny committee.

<b>COMMITTEE</b>		<b>NO. OF MEMBERS</b>	
HEALTH SCRUTINY COMMITTEE		11  (plus the Chairman of the Scrutiny Committee as an ex-officio Non-Voting Member)	
<b>CONSERVATIVE GROUP</b>	<b>LABOUR GROUP</b>	<b>LIBERAL DEMOCRAT GROUP</b>	
Councillors:-	Councillors:-	Councillors:-	
Mrs. Angela Bruer-Morris John Holden John Lamb <b>V-CH</b> Mrs. Viv Ward Mrs. Jacki Wilkinson Mrs. Patricia Young	Joanne Harding Judith Lloyd <b>CH</b> Kevin Procter Sophie Taylor	Mrs. Jane Brophy	
<b>TOTAL</b>	<b>6</b>	<b>4</b>	<b>1</b>

## TRAFFORD COUNCIL

### MEMBERSHIP OF COMMITTEES 2013/14

#### Notes on Membership:

(1) The Council Membership is nominated by the Leader of the Council.

(2) The Executive Member for Community Health and Wellbeing will Chair the board and a nominated individual will serve as Vice Chair.

(3) \* Denotes that this position must be represented on the HWB (Note at least one Councillor and one member of the CCG must be appointed. A representative from Healthwatch must also be a member.)

<b>COMMITTEE</b>		<b>NO. OF MEMBERS</b>
HEALTH AND WELLBEING BOARD		4
(plus the Corporate Director of Children, Families and Wellbeing and 6 External Partners)		
<b>CONSERVATIVE GROUP</b>	<b>LABOUR GROUP</b>	<b>LIBERAL DEMOCRAT GROUP</b>
Councillors:-	Councillors:-	Councillors:-
Executive Member for Community Health and Wellbeing	Shadow Executive Member for Community Health and Wellbeing	
Executive Member for Adult Social Services		
Executive Member for Supporting Children and Families		
<b>TOTAL</b>	<b>3</b>	<b>1</b>
		<b>0</b>

Membership of the Health and Wellbeing Board shall also comprise of:

- Non-Executive Member Greater Manchester Cluster Board
- Corporate Director of Children, Families and Wellbeing \*
- Director of Public Health \*
- Chair of Clinical Commissioning Group
- Nominated Director Clinical Commissioning Group
- Clinical Commissioning Group Lay Member
- Chair Health Watch

**TRAFFORD COUNCIL**

**MEMBERSHIP OF COMMITTEES 2013/14**

**Note on Membership:** Membership of the Sub-Committee should not include ward Members for the wards where the relevant stadia are situated, currently Gorse Hill, Hale Central and Longford, to minimise potential conflicts of interest.

<b>COMMITTEE</b>		<b>NO. OF MEMBERS</b>
SAFETY AT SPORTS GROUNDS SUB-COMMITTEE (to be appointed by Licensing Committee)		3
<b>CONSERVATIVE GROUP</b>	<b>LABOUR GROUP</b>	<b>LIBERAL DEMOCRAT GROUP</b>
Councillors:-	Councillors:-	Councillors:-
David Higgins CH Paul Lally V-CH	Dave Quayle	-
<b>TOTAL</b>	<b>2</b>	<b>1</b>
		<b>0</b>

**TRAFFORD BOROUGH COUNCIL**

**CHAIRMEN OF SCRUTINY TOPIC GROUPS**

**2013/14**

**2013/14 Nominee**

Scrutiny Committee Topic Group A	-	Councillor Robert Chilton
Scrutiny Committee Topic Group B	-	Councillor John Reilly
Health Scrutiny Committee Topic Group C	-	Councillor Mrs. Patricia Young
Health Scrutiny Committee Topic Group D	-	Councillor John Holden

**TRAFFORD BOROUGH COUNCIL**

**CHAIRMEN OF NEIGHBOURHOOD FORUMS**

**2013/14**

**Neighbourhood Forum**

**2013/14 Nominee**

Altrincham North

Mrs. Jacki Wilkinson

Altrincham South

Patrick Myers

\*Old Trafford

\*Whit Stennett

Sale East

Mrs. Pamela Dixon

Sale West

Brian Rigby

Stretford

Laurence Walsh

Urmston

Mrs. Lisa Cooke

\*Chairman appointed by the Neighbourhood Forum



## TRAFFORD COUNCIL

**Report to:** Annual Meeting of the Council  
**Date:** 22 May 2013  
**Report for:** Decision  
**Report of:** Chief Executive

### Report Title

**APPOINTMENTS TO OUTSIDE AND INDEPENDENT BODIES**

### Summary

To agree the appointment of representatives to outside and independent bodies.

### Recommendation(s)

1. That approval be given to the appointment of representatives to those outside and independent bodies set out in Appendix 1 to this report.
2. That the Chief Executive, in consultation with the relevant Group Leader(s), be delegated authority to appoint members to any outside body vacancy that remains or arises after this Annual Meeting and to any other bodies to which the Council is required to make appointments (and to report back to Council on any changes or new appointments so made).
3. That the Council approves the persons named in Appendix 2 to sit on the Statutory School Appeals Committee for the 2013/14 Municipal Year and that the Acting Director of Legal and Democratic Services be delegated authority to make changes to this list and to set up School Appeals Committees, including the appointment of Chairmen.

### Contact person for access to background papers and further information:

**Name:** Ian Cockill  
**Extension:** 1387

Background Papers: None.

## Item 8: Appendix 1

### TRAFFORD BOROUGH COUNCIL

#### REPRESENTATIVES ON OUTSIDE BODIES AND ORGANISATIONS

#### PERSONS NOMINATED – 2013/14

#### APPOINTMENTS MADE BY THE COUNCIL

Organisation	Number of Representatives Required		CON:LAB:LD	2013/14 Nominations  Councillor(s)
1. Greater Manchester Combined Authority (GMCA) / Association of Greater Manchester Authorities (AGMA)				
(a) AGMA Executive Board	1		1:0:0	Matthew Colledge  Substitutes: Sean Anstee Michael Young
		(Note: Leader of the Council plus 2 named substitutes from the Executive)		
(b) GMCA	1 (plus substitute)		1:0:0	Matthew Colledge  Substitute: Sean Anstee
(c) GMCA Leaders Portfolio – Lead Leader for Transport	1		1:0:0	Matthew Colledge
(d) GMCA Audit Committee	1		1:0:0	Sean Anstee
(e) GMCA / AGMA Scrutiny Committee	3		2:1:0  (both sexes to be represented)	Mrs. Pamela Dixon Brian Shaw Barry Brotherton
(f) Interim Greater Manchester Health and Wellbeing Board	1		1:0:0	Dr. Karen Barclay
(g) Greater Manchester Health Scrutiny Panel	1 (plus substitute)		1:0:0	John Lamb  Substitute: Dr. Karen Barclay
(h) Greater Manchester Police and Crime Panel	1		1:0:0	Matthew Colledge
(i) Greater Manchester Police and Crime Steering Group	1		1:0:0	Jonathan Coupe
(j) Local Enterprise Partnership	1		1:0:0	Matthew Colledge
(k) Planning and Housing Commission	1		1:0:0	Michael Hyman
(l) Standards Committee	1		1:0:0	Matthew Colledge

Organisation		Number of Representatives		2013/14
		Required	CON:LAB:LD	Nominations
(m)	Statutory Functions Committee	1 (plus substitute)	1:0:0	<b>Councillor(s)</b> Michael Young  Substitute: Bernard Sharp
(n)	Transport for Greater Manchester Committee	3	2:1:0* (Spokesperson to be nominated)	Matthew Colledge* Mrs. June Reilly Mike Cordingley
<u>GMCA / AGMA Outside Bodies</u>				
(o)	Greater Manchester Pensions Fund Management Panel	1	1:0:0	Alan Mitchell
(p)	Halle Board	1	1:0:0	Chief Executive
(q)	Regional Leaders Board	1	1:0:0	Matthew Colledge
(r)	Skills and Employment Partnership	1	1:0:0	Michael Hyman
2.	Greater Manchester Fire and Rescue Authority	3* (Spokesperson to be nominated)	2:1:0	Brian Rigby* Michael Whetton David Acton
3.	Greater Manchester Waste Disposal Authority (GMWDA)	2* (Spokesperson to be nominated)	2:0:0	John Reilly Michael Young*
4.	Local Government Association - General Assembly	4	3:1:0	Sean Anstee Matthew Colledge Mrs. Laura Evans David Acton
5.	Manchester Metropolitan Boroughs Pest Control Council	2	2:0:0	Paul Lally Mrs. Jacki Wilkinson
6.	Manchester Port Health Authority	1 (plus Deputy)	1:0:0	Bernard Sharp  Deputy: Dr. Karen Barclay
7.	National Society for Clean Air and Environmental Protection	2	2:0:0	Mrs. Lisa Cooke John Reilly
8.	North West Employers	1 (plus Deputy)	1:0:0	Brian Rigby Deputy: Alex Williams
9.	Statutory School Admissions Appeals Committee	(See appendix 2 attached – not council members)		

**STATUTORY SCHOOL ADMISSION APPEALS COMMITTEE –  
PANEL MEMBERS FOR 2013/14**

**Lay People:**

Mrs. Bailey	Mr. Jones
Mr. Christie	Mr. Morley
Mrs. Finn (Chair)	Mr. Munday (Chair)
Mr. Gorrie	Mrs. Reed
Ms. Hall	Mrs. Siddle
Mrs. Hargreaves	Mrs. Smith (Chair)
Mr. M. Heptinstall	Mr. Turner
Mrs. A. Jones (Chair)	Mr. Wright (Chair)
Miss D. Jones	Mr. Whitehead (Chair)

**People with an Interest in Education:**

Mrs. Askari	Mrs. Groves
Mrs. Clapperton	Mr. Hassan
Mr. Cockayne (Chair)	Mrs. D. Jones
Mrs. Coulburn	Mrs. Kelly
Ms. Darby	Mrs. Malkin
Mrs. Dee	Mrs. Myerson
Mrs. Foan (Chair)	Mrs. Peters
Mrs. Gorodkin	Mrs. Quest
Mr. T. Hall	Mrs. Sher (Chair)

**CALENDAR OF MEETINGS 2013/2014**

	2013							2014						
	June	July	August	September	October	November	December	January	February	March	April	May	June	
Monday		1											Monday	
Tuesday		2			1 HWB						1 HWB		Tuesday	
Wednesday		3			2			1 Bank Holiday			2 Scrutiny(IR)		Wednesday	
Thursday		4	1		3			2			3	1	Thursday	
Friday		5	2		4	1		3			4	2	Friday	
Saturday	1	6	3		5	2		4	1	1	5	3	Saturday	
Sunday	2	7	4	1	6	3	1	5	2	2	6	4	Sunday	
Monday	3	8	5	2	7	4	2	6	3	3	7	5 Bank Holiday	2	Monday
Tuesday	4	9 Standards (IR)	6 HWB	3	8	5	3 HWB	7	4	4	8	6	3	Tuesday
Wednesday	5 Health	10 Council	7	4 Health	9	6 Standards (IR)	4 Health	8	5 Scrutiny	5 Health	9	7	4	Wednesday
Thursday	6 HWB	11 PDC	8 PDC	5	10 PDC	7	5	9 PDC	6 HWB	6	10 PDC	8 PDC	5 PDC	Thursday
Friday	7	12	9	6	11	8	6	10	7	7	11	9	6	Friday
Saturday	8	13	10	7	12	9	7	11	8	8	12	10	7	Saturday
Sunday	9	14	11	8	13	10	8	12	9	9	13	11	8	Sunday
Monday	10	15	12	9 JCP/Employ (IR)	14	11	9	13	10	10 JCP/Employ (IR)	14	12	9	Monday
Tuesday	11	16	13	10	15	12	10	14	11 A&A	11	15	13	10	Tuesday
Wednesday	12	17 Scrutiny	14	11	16	13 Council	11 Scrutiny (IR)	15	12	12	16	14	11	Wednesday
Thursday	13 PDC	18 PP Sub	15	12 PDC	17 PP Sub	14 PDC	12 PDC	16 PP Sub	13 PDC	13 PDC	17 PP Sub	15 PP Sub	12 PP Sub	Thursday
Friday	14	19	16	13	18	15	13	17	14	14	18 Bank Holiday	16	13	Friday
Saturday	15	20	17	14	19	16	14	18	15	15	19	17	14	Saturday
Sunday	16	21	18	15	20	17	15	19	16	16	20	18	15	Sunday
Monday	17 JCP/Employ (IR)	22	19	16	21	18	16 JCP/Employ (IR)	20	17	17	21 Bank Holiday	19	16	Monday
Tuesday	18	23	20	17	22	19	17	21	18	18 Standards (IR)	22	20	17	Tuesday
Wednesday	19	24	21	18 Council	23	20 A&A	18	22 Council	19 Budget Exec/Council	19	23	21	18 Annual Council	Wednesday
Thursday	20 PP Sub	25	22 PP Sub	19 PP Sub	24	21 PP Sub	19 PP Sub	23	20 PP Sub	20 PP Sub	24	22 Possible Elections	19	Thursday
Friday	21	26	23	20	25	22	20	24	21	21	25	23	20	Friday
Saturday	22	27	24	21	26	23	21	25	22	22	26	24	21	Saturday
Sunday	23	28	25	22	27	24	22	26	23	23	27	25	22	Sunday
Monday	24 Executive	29 Executive	26 Bank Holiday	23 Executive	28 Executive	25 Executive	23	27 Executive	24 Executive	24 Executive	28	26 Bank Holiday	23	Monday
Tuesday	25	30	27	24	29	26	24	28	25	25 A&A	29	27	24	Tuesday
Wednesday	26	31	28	25 A&A	30 Scrutiny	27	25 Christmas Day	29	26	26 Council	30	28	25	Wednesday
Thursday	27 A&A		29	26	31	28	26 Boxing Day	30	27	27		29	26	Thursday
Friday	28		30	27		29	27	31	28	28		30	27	Friday
Saturday	29		31	28		30	28			29		31	28	Saturday
Sunday	30			29			29			30			29	Sunday
Monday				30			30			31			30 Executive(IR)	Monday
Tuesday							31							Tuesday

<b>Key:</b>	
A&A	= Accounts and Audit Committee
Council	= Council
Executive	= Executive
Health	= Health Scrutiny Committee
HWB	= Health & Wellbeing Board
JCP/Employ (IR)	= Joint Consultative Panel / Employment Committee (following on from JCP at 10.00 a.m.)
Licensing	= Licensing Committee
Lic Sub	= Licensing Sub-Committee
PDC	= Planning Development Control Committee
PP Sub	= Public Protection Sub-Committee
Scrutiny	= Scrutiny Committee
Standards	= Standards Committee
(IR)	= Meeting if required

Approximate monthly cycle – Executive, Planning Development Control Committee, Public Protection Sub-Committee

Approximate two / three monthly cycle - Accounts and Audit Committee, Council, Health and Wellbeing Board, Scrutiny Committee.

Three / Four times per year – Joint Consultative Panel/Employment Committee, Health Committee, Standards Committee

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## TRAFFORD COUNCIL

**Report to:** Annual Council  
**Date:** 22<sup>nd</sup> May 2013  
**Report for:** Decision  
**Report of:** Acting Director of Legal and Democratic Services and  
Monitoring Officer

### Report Title

#### DELEGATION OF FUNCTIONS AND AMENDMENTS TO THE CONSTITUTION

### Summary

To confirm arrangements for the delegation of Council (non-Executive) and Executive functions and to obtain Council's agreement to amend the Constitution of the Council to incorporate these arrangements.

To obtain Council's agreement to amend the Constitution of the Council to reflect changes to the Officer Scheme of delegation and a number of changes following a review of the documents that form the Constitution.

### Recommendation(s)

The Council be recommended to approve the following:

- 1) That Council notes that Executive functions not covered by the Officers' Scheme of Delegation are delegated by the Leader of the Council as follows:
  - (a) functions are delegated to all individual Executive Members in accordance with the Scheme of Delegation set out in Part 3 of the Constitution;
  - (b) all other functions are delegated to the Executive.
- 2) That the Scheme of Delegation to Officers as set in Part 3 of the Constitution be confirmed.
- 3) That the other amendments to Parts 1, 2, 4 and 5 of the Constitution be approved.
- 4) That the Acting Director of Legal and Democratic Services be authorised to amend the Constitution of the Council in accordance with and as a consequence of this report.

Contact person for access to background papers and further information:

Name: Peter Forrester  
Extension: 1815

### Background Papers:

None

## **Background Information**

Relationship to Corporate Priorities	The report is relevant to all of the Council's corporate priorities.
Financial	There are no specific financial issues arising from this report about the constitutional changes. The financial and contractual procedure rules have been updated as part of the review.
Legal Implications	The Council is required to review and update its constitution from time to time. This report reflects the review carried out by the Acting Director of Legal and Democratic Services.
Equality/Diversity Implications	The Constitution reflects all of the requirements required by legislation.
Sustainability Implications	None
Staffing/E-Government/Asset Management Implications	None
Risk Management Implications	None
Health and Wellbeing Implications	None
Health and Safety Implications	None

## **Background**

It is the duty of the Council's Monitoring Officer to review the Constitution from time to time and to propose amendments to the Council. Generally amendments are proposed at the Council's Annual General Meeting to reflect any changes which are proposed to the schemes of delegation for both Members and Officers, together with any further amendments which may be considered to be necessary for the efficient and effective management of the Council and Council services.

The current Constitution has been in place for some time and has been updated as and when new legislation and regulations have come into force. However, it was felt necessary to carry out a full review this year to ensure that all changes have been made and to ensure that working practices are still relevant for the efficient operation of the Council.

The review covers Parts 1, 2, 3, 4 and 5 of the Constitution and any recommended changes have been included in "track changes" versions and published on the Council's website. The changes are highlighted clearly but a brief summary is set out below.

## **Summary of Changes**

### **Part 1 - Summary of Constitution for Executive Governance**

Contains minor typographical changes and update to reflect Executive Regulations issued in September 2012.

Includes general tidying up and updating of the Rights of Members of the Public section to reflect updates since publication of the constitution.



## Part 2 – Articles of the Constitution

Article	Changes
Article 2 – Members of the Council	Minor amendments to reflect changes since constitution was published
Article 3 – Rights of Members of the Public	Minor changes around access to information.
Article 4 – The Council meeting	<p>4.01</p> <p>(a) Policy Framework</p> <p>The policy framework has been updated in line with changes to legislation alongside recommended changes as follows</p> <p>Delete the following:</p> <ul style="list-style-type: none"> <li>- Annual Plan (comprising the compendium of best value performance indicators) as BVPP is no longer a statutory document.</li> <li>- Community care plan – no longer a statutory document</li> <li>- Health Improvement Programme (replaced by Health and Wellbeing Strategy)</li> <li>- Cultural Strategy (Executive Document)</li> <li>- Environmental and Sustainability Strategy (Executive Document)</li> </ul> <p>Add</p> <ul style="list-style-type: none"> <li>- Licensing Policy (requires Council approval)</li> <li>- Gambling Policy (requires Council approval)</li> </ul> <p><b>Note</b></p> <p><b><i>The Health and Wellbeing Strategy will be added to the framework when this has been agreed</i></b></p> <p>(c) Amendment to text about housing land transfer to reflect legislative changes</p> <p>4.02 Changes to reflect Leader and Executive model of governance</p>
Article 5 – Chairing the Council	Updated to reflect changes to Standards arrangements under the Localism Act 2011.
Article 6 – Overview and Scrutiny Committee	Updated to reflect current legislative framework for scrutiny.
Article 7 – The Executive	Updated to reflect changes to Standards arrangements under the Localism Act 2011 and Leader and Executive model of governance
Article 11 – Joint Arrangements	Minor typographical changes

Article 12 – Officers	Minor changes to core role of Chief Executive to indicate that they may delegate their representation on outside bodies.  Updated Monitoring Officer section to reflect new Standards arrangements
Article 13 – Decision Making	Updated 13.02 to include public sector equality duty and general equalities duties.
Article 15 – Review and Revision of the Constitution	Minor amendment regarding the need to consult the Executive, Scrutiny and Standards Committees on amendments to the constitution.  This would reduce the need for the Monitoring Officer to consult on minor typographical changes.
Article 16 – Suspension, Interpretation and Publication of the Constitution	Change to 16/03 to reflect electronic publication of the constitution.

### Part 3 – Responsibility for Functions

A number of suggested changes to the schemes of delegation are set out and are included in part 3 of the Constitution.

The Leader of the Council determines how, and by whom, executive functions are carried out. The Leader has agreed a scheme of delegation of executive functions to the individual members of the Executive.

The current Officer Scheme of Delegation as set out in the Constitution approved at the meeting of Council on the 27th June 2012 has been reviewed and suggested changes are also set out.

### Part 4 – Rules of Procedure

The Rules of Procedure contain a number of minor changes which are either typographical or update the Constitution in line with changes to practice or in line with Executive Regulations published in September 2012.

### Part 4 – Financial Procedure Rules

A number of changes are proposed for the Financial Procedure Rules and these are attached.

### Part 4 – Contract Procedures

A number of changes are proposed for the Contract Procedure Rules and these are attached.

### Part 5 – Codes of Conduct

The section includes

- Revised protocols for Scrutiny and Health Scrutiny

- New Member/Officer protocol.

### **Consultation on Proposed Changes**

Any proposed changes to the Constitution should be considered by the Executive, Scrutiny Committee and Standards Committee prior to referral to Council under Article 15. The Executive met on the 29<sup>th</sup> April 2013, Scrutiny Committee on the 8<sup>th</sup> May and the Standards Committee met on the 9<sup>th</sup> May. There were no significant issues raised and any suggestions have been taken into account in the versions published alongside this agenda.

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