

Public Document Pack



TRAFFORD COUNCIL

Tuesday, 18 September 2018

Trafford Town Hall
Talbot Road
Stretford
M32 0TH

Dear Councillor,

Your attendance is requested at a meeting of the Council of the Borough of Trafford on **WEDNESDAY, 26 SEPTEMBER 2018**, at **7.00 P.M.** in the **COUNCIL CHAMBER, TRAFFORD TOWN HALL, TALBOT ROAD, STRETFORD**, for the transaction of the business set out below:

- | | Pages |
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| 1. Minutes | |
| To approve as a correct record the Minutes of the Meeting of the Council held on 25 July 2018 for signature by the Mayor as Chairman. | 1 - 18 |
| 2. Announcements | |
| To receive any announcements from the Mayor, Leader of the Council, Members of the Executive, Chairs of Scrutiny Committees and the Head of Paid Service. | |
| 3. Questions By Members | |
| This is an opportunity for Members of Council to ask the Mayor, Members of the Executive or the Chairs of any Committee or Sub-Committee a question on notice under Procedure Rule 10.2. | |
| 4. Transport for Greater Manchester (TfGM) Governance Arrangements | |
| To consider a report of the Corporate Director of Governance and Community Strategy. | 19 - 22 |
| 5. Recruitment of Head of Paid Service / Chief Executive | |
| To consider a report of the Corporate Director of People, further to the recommendations of Employment Committee on 10 September 2018. | To Follow |

6. Motions

To consider the following motions submitted in accordance with Procedure Rule 11:

(a) Motion Submitted by the Labour Group - Women Against State Pension Inequality Campaign

Council calls upon the Government to reconsider transitional arrangements for women born on or after 6 April 1951, so that women do not live in hardship due to pension changes they were not told about until it was too late to make alternative arrangements.

The Council calls upon the Government to make fair transitional state pension arrangements for all women born on or after 6 April 1951, who have unfairly borne the burden of the increase to the State Pension Age with lack of appropriate notification. Hundreds of thousands of women had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little/no/personal notification of the changes. Some women had only two years notice of a six-year increase to their state pension age.

Many women born in the 1950's are living in hardship. Retirement plans have been shattered with devastating consequences. Many of these women are already out of the labour market, caring for elderly relatives, providing childcare for grandchildren, or suffer discrimination in the workplace so struggle to find employment. Women born in this decade are suffering financially. These women have worked hard, raised families and paid their tax and national insurance with the expectation that they would be financially secure when reaching 60. It is not the pension age itself that is in dispute - it is widely accepted that women and men should retire at the same time. The issue is that the rise in the women's state pension age has been too rapid and has happened without sufficient notice being given to the women affected, leaving women with no time to make alternative arrangements.

(b) Motion Submitted by the Labour Group - Government Cuts to Police Budgets

This Council:

- notes the increasing pressures facing Greater Manchester Police (GMP)
- supports the warnings of a multitude of agencies, that nationally police forces are reaching a breaking point as a result of the wide ranging cuts initiated by the Conservative Government. This has left forces across the country and here in Trafford depleted to critical levels. This is against a background of a continued rise in

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reported crime across the city region. Recent statistics show a 27 per cent increase in total recorded crime in Greater Manchester, with a rise across the majority of crime types, including sexual offences and robbery.

- welcomes the announcement by GM Deputy Mayor with responsibility for Police, Bev Hughes for 100 additional officers; but recognises that this will not fill the gap that has been created following eight years of real term cuts imposed on Greater Manchester Police.
- believes that the Government should rethink their strategy for policing and adopt Labour's 2017 manifesto commitment, pledging to put 10,000 additional police on to the streets of England and Wales.
- welcomes GMP's commitment to neighbourhood policing, with its key emphasis on tackling crime and antisocial behaviour, as well as a focus on problem solving and crime prevention through enhancing local intelligence gathering. It is noted that police officers work collaboratively with partner agencies in Greater Manchester and particularly in Trafford to provide a bespoke service that best meets the needs of each community, with an increased focus on utilising early partnership based intervention. This progressive approach is however being severely hampered by the Government cuts to the police service which weakens community cohesion and puts the safety of our residents at increasing risk.

Council therefore calls upon the Leader of the Council to write to the Home Secretary condemning the scale of government cuts to the police since 2010 and calling for a properly funded police force.

(c) Motion Submitted by the Labour Group - Education Results

This year, yet again, an excellent set of results from Trafford pupils in the face of a toughening and changing examination landscape and will see Trafford amongst the very highest performing authorities and its pupils amongst the highest achievers in the country.

This Council puts on record our congratulations to all our children and young people who have achieved so highly in the key stage 2 attainment outcomes and also the GCSE results and A level results all of which were way above the national average.

It is important that we recognise also the dedication and commitment of our Local Education Authority staff, head teachers and teaching staff plus support given by parents, guardians and school governors and our early years staff as education starts before birth.

However we must never be complacent and this Council believes that a local authority be judged not only on its academic but also on the achievements of its most vulnerable children, and the education outcomes of our special needs children.

We are determined that all our children across the borough will receive the very best education and opportunities in life.

(d) Motion Submitted by the Green Party Group with the support of a Liberal Democrat Member - Passivhaus Standards

This Council notes:

- The government cancelling the introduction of Zero Carbon Home Standards in 2016;
- The negative impact this will have on householders at risk of fuel poverty in new housing;
- The missed opportunity to reduce carbon emissions in new developments;
- The loss of income to the local economy as a result of these lower energy efficiency standards, as householders' income is spent paying energy bills rather than in local shops and on local services.

This Council believes:

- That under the principle of 'localism' councils can determine their own standards on land that they own if those standards comply with UK Building Regulations;
- That the internationally recognised 'Passivhaus Standard' offers an alternative to the UK's diminished energy efficiency ambitions for new-build housing;
- That the Passivhaus standard complies with UK Building Regulations and can deliver heating bills of less than £100/year for the average three bedroom terrace.

This Council agrees to specify Passivhaus Standards on all buildings on Council-owned land or as a condition of sale on any council land within 3 years.

Timescale:

- To produce exemplar projects in the first year and produce a feasibility study with the Passivhaus Trust;
- In the 2nd year move to a 20% commitment to provide Passivhaus developments;
- Move to 100% commitment to Passivhaus Standards on all council land and a condition of land sold-on.

(e) Joint Motion Submitted by the Liberal Democrat Group and Green Party Group - Campaign for a People's Vote

Council notes that two years have passed since the European Union (EU) Referendum and little concrete progress has been made in negotiating the terms of the United Kingdom's withdrawal from the EU.

Trafford Council:

- a) recognises the significant support it has received through EU funding over many years;
- b) recognises nearly six in every ten Trafford residents (58%) voted to remain in the EU;
- c) notes the stark warnings from companies such as Airbus, Vauxhall Motors, Jaguar Land Rover and BMW about the impact of Brexit on British manufacturing;
- d) recognises the mounting popular concern at the prospect of leaving the EU with either a bad deal or no deal at all;
- e) notes the reports from 1st August highlighting the serious concerns local authorities have over delivery of public services post-Brexit including potential civil unrest;
- f) notes the participation of over 100,000 people in the march for a People's Vote in London on 23 June;
- g) understands that the EU Withdrawal Bill threatens the rights of citizens as well as environmental protections;
- h) shares the anxiety of EU citizens living in the Trafford who feel unwelcome in the place they have made home, and uncertain about their future.

Many councils have adopted a motion supporting the calls for a People's Vote on the final Brexit Deal.

The People's Vote campaign has worked hard to develop cross-party support at the highest level, with signatories including the following MPs:

- Justine Greening and Anna Soubry from the Conservatives
- Caroline Lucas from the Green Party
- Chuka Umunna, David Lammy, Stella Creasy and Ben Bradshaw from the Labour Party
- Plus Vince Cable and all Liberal Democrat MPs

Many parts of Greater Manchester have already produced Brexit Impact studies, including:

- Oldham Council
- Manchester City Council
- The Local Enterprise Partnership Board of the Combined Authority

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Accordingly, Trafford Council resolves to:

- 1) Conduct and publish without delay a Brexit Impact study for Trafford.
- 2) Support a People's Vote on the final Brexit deal with an option to remain in the EU.
- 3) Urge Trafford's MPs to join the campaign for a People's Vote in the interests of the residents and businesses in Trafford.

(f) **Motion Submitted by the Conservative Group - Royal Bank of Scotland**

This Council notes with deep concern the recent announcement by the Royal Bank of Scotland (RBS) to close a further 54 branches across the country. The Council further notes that 3 of these closures are to be in Trafford - Partington, Altrincham and Urmston.

The Council believes that these proposed closures will massively inconvenience local residents and small businesses who continue to prefer to conduct their banking arrangements through a high street branch and rejects the increasing assumption that internet banking is the right choice for everyone. Experience shows that certain groups, including older people, will be especially inconvenienced by the proposed branch closures.

The Council condemns the proposal to close the RBS branch in Partington, which will mean the loss of the last remaining banking facility in this community, and also notes that NatWest branches in Stretford, Hale and Timperley have been closed in recent years.

The Council resolves to write to the Chief Executive of RBS to express its deep concern at these proposals and call for a pause to be placed on the proposals until such time that effective dialogue has been undertaken with the local authority on ensuring our communities continue to have access to the banking facilities that will help businesses and communities to thrive.

(g) **Motion Submitted by the Conservative Group - Barton Renewable Energy Plant**


This Council welcomes recent reports that the sustained campaign against the construction of the Barton Renewal Energy Plant appears to be drawing to a favourable outcome after Peel Energy indicated construction will not be forthcoming.

In particular, Council would like to pay tribute to campaigners in the Davyhulme, Urmston and Flixton communities, alongside the well organised Breathe Clean Air Group whose efforts have been nothing short of outstanding.

Council notes the decision of the previous administration, with cross party support, to commit significant sums of taxpayers' money to fight this biomass plant which demonstrates the materially positive impact decisions in this town hall hold for our communities.

The Council commits to continue to pursue a cleaner, greener environment for all of its communities.

Yours sincerely,



JIM TAYLOR

Interim Chief Executive

Membership of the Council

Councillors T. Ross (Mayor), R. Chilton (Deputy Mayor), D. Acton, S. Adshead, S.B. Anstee, S.K. Anstee, Dr. K. Barclay, J. Baugh, J. Bennett, Miss L. Blackburn, R. Bowker, C. Boyes, Mrs. A. Bruer-Morris, Mrs. J.E. Brophy, B. Brotherton, D. Bunting, D. Butt, T. Carey, M. Cawdrey, G. Coggins, M. Cordingley, J. Coupe, J. Dillon, A. Duffield, Mrs. L. Evans, N. Evans, M. Freeman, Mrs. D.L. Haddad, J. Harding, J. Holden, D. Hopps, M. Hyman, C. Hynes, D. Jarman, D. Jerrome, P. Lally, J. Lamb, J. Lloyd, S. Longden, E. Malik, A. Mitchell, P. Myers, A. New, E. Patel, K. Procter, J.R. Reilly, B. Rigby, B. Sharp, B. Shaw, J. Slater, E.W. Stennett, S. Taylor, S. Thomas, L. Walsh, A. Western, D. Western, M. Whetton, G. Whitham, A.M. Whyte, A.J. Williams, J.A. Wright, M. Young and Mrs. P. 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

This Summons was issued on **Tuesday, 18 September 2018** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH

Any person wishing to photograph, film or audio-record a public meeting is requested to inform Democratic Services in order that necessary arrangements can be made for the meeting.

Please contact the Democratic Services Officer 48 hours in advance of the meeting if you intend to do this or have any queries.

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TRAFFORD BOROUGH COUNCIL

25 JULY 2018

PRESENT

The Worshipful the Mayor (Councillor Tom Ross), in the Chair.

R. Chilton (Deputy Mayor)	A. Duffield	K. Procter
D. Acton	Mrs. L. Evans	J.R. Reilly
S. Adshead	N. Evans	B. Rigby
S.B. Anstee	M. Freeman	B. Sharp
S.K. Anstee	Mrs. D.L. Haddad	B. Shaw
Dr. K. Barclay	J. Harding	J. Slater
J. Baugh	J. Holden	E.W. Stennett
J. Bennett	D. Hopps	S. Taylor
Miss L. Blackburn	M. Hyman	S. Thomas
R. Bowker	C. Hynes	L. Walsh
C. Boyes	D. Jarman	A. Western
Mrs. J.E. Brophy	P. Lally	D. Western
B. Brotherton	J. Lamb	M. Whetton
D. Bunting	J. Lloyd	G. Whitham
D. Butt	S. Longden	A.M. Whyte
M. Cawdrey	A. Mitchell	A.J. Williams
G. Coggins	P. Myers	J.A. Wright
M. Cordingley	A. New	M. Young
J. Dillon	E. Patel	Mrs. P. Young

In attendance

Chief Finance Officer	Ms. N. Bishop
Principal Solicitor and Deputy Monitoring Officer	Ms. D. Sykes
Head of Communications	Ms. A. Schorah
Head of Governance	Mr. P. Forrester
Executive Assistant	Ms. D. Geary
Senior Democratic and Scrutiny Officer	Mr. I. Cockill

APOLOGIES

Apologies for absence were received from Councillors Mrs. A. Bruer-Morris, T. Carey, J. Coupe, D. Jerrome and E. Malik.

18. MINUTES

That the Minutes of the Annual Meeting of the Council held on 23 May 2018, be approved as a correct record and signed by the Chairman.

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19. ANNOUNCEMENTS

(a) Remembering Srebrenica

Referring Members to the Council resolution of 26 July 2017 (Minute No. 31 refers) the Mayor advised that this year Srebrenica Memorial week was held 8-15 July. As it was the closest Council Meeting to the week of remembrance, the Council stood in silence to reflect upon the 23rd anniversary of the atrocities.

(b) Her Majesty the Queen's Birthday Honours

The Mayor took the opportunity to recognise those citizens and persons connected with Trafford who had recently been named in Her Majesty the Queen's Birthday Honours List, namely:

Professor Jaswinder Bamrah of Sale received the citation of Commander of the Most Excellent Order of the British Empire (CBE) for services to Mental Health, Diversity and the NHS;

Jonathan Rouse of Hale awarded the CBE for services to Health and Social Care;

Christopher Brindley of Stretford awarded the citation of Member of the Most Excellent Order of the British Empire (MBE) for services to Sport in Greater Manchester;

Lawrence Cleary of Bowdon awarded the MBE for services to deaf people;

Mohammed Iqbal of Old Trafford awarded the MBE for services to charity and community relations in Manchester;

Olive Strachan of Flixton awarded the MBE for services to exports in professional business services;

Leslie Kay of Hale awarded the British Empire Medal for services to Older People in the Jewish community in Manchester;

Sandra Matlow of Bowdon awarded the British Empire Medal for services to the community in South Manchester;

Maureen Reilly of Stretford awarded the British Empire Medal for services to the community in Lostock; and

Ralph Rudden of Sale awarded the British Empire Medal for voluntary services to the community in Sale West.

On behalf of the Council, the Mayor had written to convey congratulations for all their achievements and such richly deserved recognition.

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(c) Scrutiny Committee Update

Councillor Acton reported that, in response to residents' overwhelming concerns, one of his first acts in his new role as Chair of Scrutiny Committee was to set up a task and finish group to scrutinise the Council's contract with Amey. He wished to make it clear that he attached no blame to the frontline workforce and that it was clear the contract needed an in depth review to determine what improvements could be made, in order to deliver services in a manner that everyone would expect.

(d) Health Scrutiny Committee Update

Councillor Chilton, Chair of Health Scrutiny Committee reported that the Committee's main emphasis would be monitoring the integration of the Clinical Commissioning Group and formation of the Single Hospital Service. Members had put forward suggestions for topic work or agenda items focusing on Dentistry, Period Poverty and Phlebotomy which would be taken up as either on-going agenda items or full topic group work and he looked forward to everyone's input.

(e) Children and Young People's Scrutiny Committee

Councillor Denise Western, Chair of Children and Young People's Scrutiny Committee reported that the Committee had decided its first task would be to look at Special Educational Needs provision and this was anticipated to be a large piece of work for the task and finish group the Committee had established.

20. QUESTIONS BY MEMBERS

The Mayor reported that 6 questions had been received under Procedure Rule 10.2.

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

"Please can the Executive Member advise who would be liable if damage results, such as a tree falling, from a piece of common land (namely the green areas on the Newgate Road estate in Sale), where the ownership is disputed between the Council and the original developer?"

Councillor Adshead, the Executive Member for Environment, Air Quality and Climate Change advised that the land in question was not common land and that the Council was not aware of a dispute over ownership of the land, owned and developed in the 1970s by George Wimpey and Company, now Carrillion Construction Limited, which was in liquidation. Any transfer of land to the Council would have been registered and since it had not been recorded, the Council could only assume the land and responsibility for the trees still lay with Carrillion. It was possible that a Section 52 (now 106) Agreement could have been made but neither party had any record of this. The Council had statutory powers to deal with dangerous trees but this did not translate to a general liability for trees on land it does not own.

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In light of the response, Councillor Chilton asked as a supplementary question, whether the Council could either compel the owner to make sure the land was properly maintained or do everything in its own power, including regular inspections, to ensure that the trees did not become a danger given how close they were to residential properties. Mindful of the statutory powers should a tree become dangerous, Councillor Adshead advised that he would consult with officers and provide a response on possible action.

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

“Over the past three years Trafford Clinical Commissioning Group (CCG) has gone through a number of changes in its management culminating in an amalgamation with Trafford Council in April this year with our Chief Executive being the Accountable Officer.

We are now told that Trafford CCG will be managed by an interim, part time Accountable Officer from Salford together with Trafford’s Corporate Director of Commissioning.

Can you assure us that Trafford’s CCG will maintain its duties primarily to the citizens of Trafford during this changeover period?”

Councillor Lloyd, the Executive Member for Health and Wellbeing outlined the interim management arrangements and personnel and confirmed that the Governing Body and an overarching governing structure were in place. Councillor Lloyd assured Members that with the arrangements in place, the CCG’s duties to Trafford residents would be performed during the period.

With the understanding that an Accountable Officer would be working on a part-time basis, Councillor Mrs. Young asked as a supplementary question for an assurance that Trafford Council and Trafford CCG would work solely for the benefit of Trafford and its residents and not at the expense of another authority. Councillor Lloyd was assured that when working for Trafford the sole interest would be for Trafford and that all the Council wanted the best for the citizens of Trafford.

- (c) Councillor Holden asked the following question for which he had given notice:

“As the Executive Member for Constitutional Reform and Resident Engagement appears to have sole control over recruitment and employment policy in this Council, and is responsible for transparency, could he confirm whether any severance payments were made following the resignation of the Chief Executive and Corporate Director for Resources, and if so will he confirm the amounts so that the taxpayers of Trafford know where their council tax is being spent?”

Since Human Resources fell within her portfolio, Councillor Hynes, the Deputy Leader and Executive Member for Equalities and Partnerships responded to the

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question and rejecting the premise that her Executive colleague had control over recruitment and employment policy for the Council, stated that all recruitment and employment decisions were taken entirely in line with the Council's Constitution. For legal reasons Councillor Hynes was unable to comment in response to the specifics of Councillor Holden's question but wished to advise the Council and assure Trafford residents that the decisions taken were in accordance with the Constitution, including adherence to the constitutional requirement that decisions regarding any settlement payments proposed in excess of £100,000 would have had to have been brought to Council.

As a supplementary question, Councillor Holden asked the Leader to share with Council the steps that had been taken to fill the void created by the departure of two senior officers at such short notice. Councillor Hynes declared that Members would be aware of a related report on the agenda and referred Councillor Holden to Item 11 "Appointment of Interim Chief Executive and Appointments to Corporate Leadership Structure".

(d) Councillor Michael Young asked the following question for which he had given notice:

"Please will Councillor Western confirm he has adopted the policy he announced when the GMCA allowance for the Leader of the Council was introduced in refusing to take this additional allowance?"

In response, the Leader of the Council, Councillor Andrew Western assumed that Councillor Michael Young was referring to the pledge in his Group's 2015 Manifesto regarding the GMCA allowance at a time he was not the Leader of the Labour Group and when the previous Leader of the Council oversaw that pay rise, so it was unlikely he would have made that pledge himself. Councillor Andrew Western confirmed he had not refused the allowance, the reason being that his party were not elected in May 2015 but elected on the programme put to the electorate in May 2018. Concerning the remuneration of Council Members, Councillor Andrew Western wished to assure Councillor Michael Young that unlike his predecessor he would not be awarded a pay rise on his ascension to the Council Leadership.

Referring to an article in the Messenger newspaper on the matter, Councillor Michael Young asked as a supplementary question whether Councillor Western had deliberately misled voters in pursuit of power and it was now a case of one rule for one and one for others. Councillor Andrew Western referred again to the part of his previous answer where he chose to separate the award of one's own pay rise from that of taking on a role where you are fully aware of the remuneration and accepting of that. The Leader reiterated that it was a pledge from 2015 not made in 2018 and referred to the perception of breaking those manifesto pledges not carried forward in relation to Councillor Michael Young's own party. Councillor Andrew Western hoped he had illustrated that there was a distinction between making a manifesto pledge and being elected on that programme and acting accordingly and manifestos being replaced in successive election years.

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- (e) Councillor Whetton asked the following question for which he had given notice:

“Would the Executive Member for Children’s Services please outline the Trafford Labour Group’s policy on Trafford’s Grammar Schools and High Schools and confirm that it has consulted all of the relevant schools?”

Councillor Baugh, Executive Member for Children’s Services declared that the policy was clear in supporting all Trafford children whatever school they attended and that from 1995-2004 her party had a proven record of investing in all the borough’s schools. The Executive Member indicated that Councillor Whetton would be aware that the Council had a duty to promote high standards of education and fair access to education for all its children and believed that the local authority should be judged, not only on its academic achievements of its most able pupils but also the achievements of its most vulnerable. Councillor Baugh stated that the Council must ensure that every child in the borough was provided with the very best opportunities that could be given to them in life and, as a Council, Trafford believed every child mattered.

Councillor Whetton asked as a supplementary question, whether Councillor Baugh would agree with him that the high standards of Trafford Secondary Schools in delivering chart-topping results for the borough’s young people was an integral part of the success of Trafford as an attractive and great place to live; causing it to stand out in Greater Manchester, the North West and nationally; delivering well educated and prepared future workers that brought high calibre employers paying good rates of pay and paying business rates; and to make any dismantling changes to the basis of the system of education would affect damaging shockwaves through an important element at the heart of Trafford. In response, Councillor Baugh considered that she had already answered the question in full and believed that all Members should work together for the future of the borough’s children and should support what is most important, the education, health and well-being of children, by working towards that together.

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

“Given the rise of antisemitism incidents which are of concern in areas like Trafford with a large Jewish Community, can the Executive Member for Equalities and Partnerships advise whether Trafford’s ruling Group are prepared to sign themselves and the Council up to the official definition of antisemitism drawn up by the International Holocaust Remembrance Alliance (IHRA)?”

Councillor Hynes, Executive Member for Equalities and Partnerships referred Councillor Mrs. Evans to the Motion “International Holocaust Remembrance Alliance Definition of Antisemitism” considered by the Council at its meeting on 11 October 2017 whereby it was unanimously agreed to adopt the definition. In addition, the Council pledged to combat this pernicious form of racism, condemned all forms of racism, islamophobia, homophobia and sexism and provided a commitment to fight against them (Minute No. 39 refers). Councillor

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Hynes thanked Councillor Mrs. Evans for raising the issue and was appalled at the rise of antisemitism, expressing shock and sadness at the recent attack in a Jewish cemetery in her own Urmston ward. It was a timely reminder that the Council was fully committed to fighting antisemitism and that all Members were signed up to the definition.

Mentioning that residents were concerned by the national Labour Party National Executive Committee's decision the previous week not to adopt the definition, Councillor Mrs. Evans asked as a supplementary question whether the Leader of the Council could write to Jeremy Corbyn to highlight the position in Trafford and demand that the Labour Party adopt the definition, hoping that such a letter could be supported by the Liberal Democrat and Green Party Groups on the Council. Councillor Hynes indicated that in her role for the Council she did not have any influence over the definition adopted by the National Labour Party but wished to reiterate that the Trafford Labour Group and Trafford Council were signed up to the definition.

21. MOTION WITHOUT NOTICE - PROCEDURE RULE 12 (C)

It was moved and seconded that, "in accordance with Procedure Rule 12 (c), this Council requires a change to the order of business in the agenda summons in relation to the 'Appointment of Interim Chief Executive and Appointments to Corporate Leadership Structure' (Item 11) which will require the Council to hear this item in public and immediately."

The Motion was put to the vote and in accordance with Procedure Rule 16.5 a recorded vote was called for. This resulted as follows:

Those in favour of the Motion: Councillors S.A. Anstee, S.K. Anstee, Dr. Barclay, Miss Blackburn, Boyes, Bunting, Butt, Cawdrey, Chilton, Mrs. Evans, N. Evans, Mrs. Haddad, Holden, Hopps, Hyman, Lally, Lamb, Mitchell, Myers, Reilly, Rigby, Sharp, Shaw, Whetton, M. Young and Mrs. P. Young.

Those against the Motion: Councillors Acton, Adshead, Baugh, Bennett, Bowker, Mrs. Brophy, Brotherton, Coggins, Cordingley, Dillon, Duffield, Freeman, Harding, Hynes, Jarman, Lloyd, Longden, New, Patel, Procter, Ross, Slater, Stennett, Thomas, Walsh, A. Western, D. Western, Whitham, Whyte, Williams and Wright.

With the result of the vote being 26 in favour and 31 against, with 0 abstentions, the Motion was declared lost.

22. MOTION WITHOUT NOTICE - PROCEDURE RULE 12 (D)

It was moved and seconded that, "in accordance with Procedure Rule 12 (d), this Council, in advance of the debate on the 'Appointment of Interim Chief Executive and Appointments to Corporate Leadership Structure' (Item 11 in the agenda summons), requires the immediate referral of the entire circumstances of these proposed appointments to the Council's auditor for review. There are sufficient and justified concerns surrounding the integrity of the process that was utilised

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and its compromise and the recommendations, if approved, are potentially unconstitutional and unlawful”.

The Motion was put to the vote and in accordance with Procedure Rule 16.5 a recorded vote was called for. This resulted as follows:

Those in favour of the Motion: Councillors S.A. Anstee, S.K. Anstee, Dr. Barclay, Miss Blackburn, Boyes, Bunting, Butt, Cawdrey, Chilton, Mrs. Evans, N. Evans, Mrs. Haddad, Holden, Hopps, Hyman, Lally, Lamb, Mitchell, Myers, Reilly, Rigby, Sharp, Shaw, Whetton, M. Young and Mrs. P. Young.

Those against the Motion: Councillors Acton, Adshead, Baugh, Bennett, Bowker, Mrs. Brophy, Brotherton, Coggins, Cordingley, Dillon, Duffield, Freeman, Harding, Hynes, Jarman, Lloyd, Longden, New, Patel, Procter, Ross, Slater, Stennett, Taylor, Thomas, Walsh, A. Western, D. Western, Whitham, Whyte, Williams and Wright.

With the result of the vote being 26 in favour and 32 against, with 0 abstentions, the Motion was declared lost.

23. STOCKPORT, TRAFFORD AND ROCHDALE (STAR) PROCUREMENT COLLABORATION AND EXECUTIVE JOINT COMMITTEE

The Executive Member for Finance submitted a report on the strategic proposal to expand the current STaR Shared Procurement Service from three partner councils to four partner councils and potentially to further expand the collaboration to five partner councils.

The report outlined the rationale for STaR’s growth strategy and provided details of proposed commercial arrangements, governance arrangements and implementation strategies. In addition, the identities of the potential partners were included in an associated “exempt information” report on the agenda and as such that report was not subject to publication. The proposal had also been considered by the Executive at its meeting on 23 July 2018.

RESOLVED: That, to the extent that the activities of the new STAR Joint Committee are not executive functions, the Council delegates to the Joint Committee the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of the procurement functions delegated to it, in particular the power to make staffing appointments and the power to make standing orders as to contracts.

24. ACCOUNTS AND AUDIT COMMITTEE ANNUAL REPORT 2017/18

The Chairman and Vice-Chairman of the Accounts and Audit Committee for 2017/19 submitted a report summarising the work undertaken by the Committee during the year and its impact. The report also provided assurance to the Council on the fulfilment of the Committee’s responsibilities.

RESOLVED: That the report be noted.

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25. YEAR END CORPORATE REPORT ON HEALTH AND SAFETY - 1 APRIL 2017 TO 31 MARCH 2018

The Executive Member for Equalities and Partnerships submitted a report providing information on council wide health and safety performance and trends in workplace accidents. The report also provided a summary of other key developments in health and safety for the period 1 April 2017 to 31 March 2018.

RESOLVED: That the report be noted.

26. REPORT OF THE INDEPENDENT REMUNERATION PANEL

The Director of Legal and Democratic Services submitted a report presenting the recommendations of the Independent Remuneration Panel convened in June 2018 to consider amendments to the Scheme of Members' Allowances. The Council had previously deferred a report in relation to the Scheme on 29 March 2017.

The Leaders of the Labour and Conservative Political Groups accepted the reports contents, however, indicated that their Members would not take up the resultant 2% increase in allowances.

RESOLVED: That the recommendations of the Panel, as set out in Appendix 1 to the report, be approved and that the Director of Legal and Democratic Services be authorised to revise Part 6 of the Constitution (Members' Allowances Scheme) in accordance with this decision.

27. MOTION SUBMITTED BY THE GREEN PARTY GROUP WITH THE SUPPORT OF A LIBERAL DEMOCRAT MEMBER - REDUCING SINGLE USE PLASTIC IN TRAFFORD

(Note: With the consent of the meeting, Councillor Coggins altered the Motion of which she had given notice with the deletion of ", in the UK," from the first sentence.

It was moved and seconded that:

"Council notes that one million plastic bottles are bought around the world every minute. Across the country, only 40% of plastic waste is recycled domestically while eight million tons of plastic waste ends up in the world's oceans each year. Here it endangers marine life and can enter the food chain where it is known to pose risks to human health.

Council believes that the reduction of single-use plastic would benefit health in Trafford and reduce waste.

Council therefore requests the Executive Member for the Environment, Air Quality and Climate Change to:

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1. Develop a robust strategy to ensure Trafford Council phases out single-use plastics (SUP) in its activities within the next two years.
2. Work with partners and other large institutions to encourage them in developing similar strategies to reduce SUP.
3. Inform the public of Trafford of the reasons for phasing out SUP and encourage them to switch to alternatives.

Council also agrees to:

1. Incorporate the phasing out of SUP into Trafford Council's Sustainability Strategy.
2. Refer all of the recommendations in this motion to Scrutiny Committee in order to advise the Executive on effective delivery.
3. Ask the Executive Member for the Environment, Air Quality and Climate Change to write to the Environment Secretary, requesting that the reduction of SUP form part of any future national Waste Management Strategy.”

It was moved and seconded as an amendment that:

“Council notes that one million plastic bottles are bought around the world every minute. Across the country, only 40% of plastic waste is recycled domestically while eight million tons of plastic waste ends up in the world’s oceans each year. Here it endangers marine life and can enter the food chain where it is known to pose risks to human health.

Council believes that the reduction of single-use plastic would benefit health in Trafford and reduce waste.

Council therefore requests the Executive Member for the Environment, Air Quality and Climate Change to:

1. Develop a robust strategy to ensure Trafford Council phases out single-use plastics (SUP) in its activities within the next two years.
2. Work with partners and other large institutions to encourage them in developing similar strategies to reduce SUP.
3. Inform the public of Trafford of the reasons for phasing out SUP and encourage them to switch to alternatives.

Council also agrees to:

1. Incorporate the phasing out of SUP into Trafford Council's Sustainability Strategy.
2. Refer all of the recommendations in this motion to Scrutiny Committee in order to advise the Executive on effective delivery.
3. Ask the Executive Member for the Environment, Air Quality and Climate Change to write to the Environment Secretary, requesting that the reduction of SUP form part of any future national Waste Management Strategy.

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In line with proposals set out in this motion, Council will be pleased to note that the Executive Member for the Environment, Air Quality and Climate Change has already asked that single use plastic cups are no longer to be used for meetings in Trafford as a first step towards the complete elimination of single use plastics and that this measure is now in place. Furthermore, Council welcomes the work that the Leader of the Council has done with the Mayor in visiting a local school and agreeing to eliminate a number of single use plastics in council buildings at the request of some of our youngest residents.”

The Council signified its unanimous consent to the amendment before it was moved and seconded as a second amendment that a further Council commitment, set out as follows, be incorporated:

- “4. Commit the Council to explore the implementation of reusable cups to officers and members to show leadership on this important issue.”

Following speeches in support of the matter, the second amendment was agreed with the unanimous consent of the Council and the substantive Motion was then subsequently declared carried.

RESOLVED: That Council notes that one million plastic bottles are bought around the world every minute. Across the country, only 40% of plastic waste is recycled domestically while eight million tons of plastic waste ends up in the world’s oceans each year. Here it endangers marine life and can enter the food chain where it is known to pose risks to human health.

Council believes that the reduction of single-use plastic would benefit health in Trafford and reduce waste.

Council therefore requests the Executive Member for the Environment, Air Quality and Climate Change to:

1. Develop a robust strategy to ensure Trafford Council phases out single-use plastics (SUP) in its activities within the next two years.
2. Work with partners and other large institutions to encourage them in developing similar strategies to reduce SUP.
3. Inform the public of Trafford of the reasons for phasing out SUP and encourage them to switch to alternatives.

Council also agrees to:

1. Incorporate the phasing out of SUP into Trafford Council's Sustainability Strategy.
2. Refer all of the recommendations in this motion to Scrutiny Committee in order to advise the Executive on effective delivery.
3. Ask the Executive Member for the Environment, Air Quality and Climate Change to write to the Environment Secretary, requesting that the reduction of SUP form part of any future national Waste Management Strategy.

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4. Commit the Council to explore the implementation of reusable cups to officers and members to show leadership on this important issue.

In line with proposals set out in this motion, Council will be pleased to note that the Executive Member for the Environment, Air Quality and Climate Change has already asked that single use plastic cups are no longer to be used for meetings in Trafford as a first step towards the complete elimination of single use plastics and that this measure is now in place. Furthermore, Council welcomes the work that the Leader of the Council has done with the Mayor in visiting a local school and agreeing to eliminate a number of single use plastics in council buildings at the request of some of our youngest residents.

28. MOTION SUBMITTED BY THE LABOUR GROUP - CHARTER AGAINST MODERN SLAVERY

It was moved and seconded that:

“Trafford Council will:

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply’s (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency’s national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.”

Following speeches in support, the Motion was agreed with the unanimous consent of the Council.

RESOLVED: That Trafford Council will

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1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

29. MOTION SUBMITTED BY THE LABOUR GROUP - NORTHERN RAIL PERFORMANCE

It was moved and seconded that:

"This Council recognises the crucial role that railways must play in a prosperous northern economy and the extent to which so many Trafford residents require a modern, efficient, comfortable and punctual rail service to support their professional lives.

Council is alarmed at the continued and accelerated deterioration in Northern Rail services in Trafford following the introduction of a new timetable on May 20, particularly on the Flixton/Urmston and Altrincham lines, as well as more generally across the North West.

Council considers the overcrowding and delays experienced by passengers are a failure of both a flawed franchise regime, and of a Conservative Government that has contemptuously reneged on election manifesto pledges to deliver investment whilst ignoring warnings that the timetable changes would bring chaos.

Council therefore resolves to instruct the Leader to write to the Prime Minister to demand that:

- Government recommits to the Northern Powerhouse.

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- Government takes immediate action to take back the Northern Rail franchise into public owned operation.
- Secretary of State for Transport, Chris Grayling is removed from his role as it is clear he has lost the confidence of rail users in the north; and it is vital that we have a Secretary of State that values the North of England.”

It was moved and seconded as an amendment that:

“This Council recognises the crucial role that railways must play in a prosperous northern economy and the extent to which so many Trafford residents require a modern, efficient, comfortable and punctual rail service to support their professional lives.

Council is concerned about the recent deterioration in Northern Rail services in Trafford following the introduction of a new timetable on May 20, particularly on the Flixton/Urmston and Altrincham lines, as well as more generally across the North West.

Council considers that the overcrowding and delays experienced by passengers are as a result of number of factors, many outside of Northern Rail’s control.

Council welcomes the Government’s recovery plan to tackle disruption to services following the greatest timetable change for a generation, providing hundreds of new services, and as the government carries out the biggest modernisation of the rail network since Victorian times to improve rail travel for passengers across the region.

Council therefore resolves to instruct the Leader to write to the Prime Minister to:

- Ask the Government to reaffirm its commitment to the Northern Powerhouse.
- Ask the Government to prioritise the North of England for future rail infrastructure investment.
- Welcome the multi-million investment into new trains for Northern Rail and TransPennine Express.
- Welcome the introduction of hundreds of new rail services throughout the North West.
- Ask the Government to ensure improving train services across the North is the number one priority for the Department for Transport.”

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

RESOLVED: That this Council recognises the crucial role that railways must play in a prosperous northern economy and the extent to which so many Trafford

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residents require a modern, efficient, comfortable and punctual rail service to support their professional lives.

Council is alarmed at the continued and accelerated deterioration in Northern Rail services in Trafford following the introduction of a new timetable on May 20, particularly on the Flixton/Urmston and Altrincham lines, as well as more generally across the North West.

Council considers the overcrowding and delays experienced by passengers are a failure of both a flawed franchise regime, and of a Conservative Government that has contemptuously reneged on election manifesto pledges to deliver investment whilst ignoring warnings that the timetable changes would bring chaos.

Council therefore resolves to instruct the Leader to write to the Prime Minister to demand that:

- Government recommits to the Northern Powerhouse.
- Government takes immediate action to take back the Northern Rail franchise into public owned operation.
- Secretary of State for Transport, Chris Grayling is removed from his role as it is clear he has lost the confidence of rail users in the north; and it is vital that we have a Secretary of State that values the North of England.

30. EXCLUSION RESOLUTION

It was moved and seconded that the public be excluded from this meeting during consideration of the following item on the agenda, because of the likelihood of disclosure of “exempt information” which falls within Paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972, as amended.

The Motion was put to the vote and declared carried.

RESOLVED: That the public be excluded from this meeting during consideration of the following item on the agenda, because of the likelihood of disclosure of “exempt information” which falls within Paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972, as amended (i.e. the report contains information relating to an individual and information relating to the financial or business affairs of a particular person (including the authority holding that information), and the public interest in maintaining the exemption outweighs the public interest in disclosing the information).

31. APPOINTMENT OF INTERIM CHIEF EXECUTIVE AND APPOINTMENTS TO CORPORATE LEADERSHIP STRUCTURE

The Leader of the Council submitted a report detailing the proposed appointment of an Interim Chief Executive / Head of Paid Service and setting out proposals and rationale for the re-alignment of Directorate portfolios and the appointment of Corporate Directors.

It was moved and seconded that the report’s recommendations be approved.

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(Note: During the debate on the Motion, the time being 9:09 p.m., the Mayor indicated that the length of speeches would be restricted to 2 minutes per speaker.)

Following the debate on the matter, the Motion was put to the vote and in accordance with Procedure Rule 16.5 a recorded vote was called for. This resulted as follows:

Those in favour of the Motion: Councillors Acton, Adshead, Baugh, Bennett, Bowker, Mrs. Brophy, Brotherton, Coggins, Cordingley, Dillon, Duffield, Freeman, Harding, Hynes, Jarman, Lloyd, Longden, New, Patel, Procter, Ross, Slater, Stennett, Taylor, Thomas, Walsh, A. Western, D. Western, Whitham, Whyte, Williams and Wright.

Those against the Motion: Councillors S.A. Anstee, S.K. Anstee, Dr. Barclay, Miss Blackburn, Boyes, Bunting, Butt, Cawdrey, Chilton, Mrs. Evans, N. Evans, Mrs. Haddad, Holden, Hopps, Hyman, Lally, Lamb, Mitchell, Myers, Reilly, Rigby, Sharp, Shaw, Whetton, M. Young and Mrs. P. Young.

With the result of the vote being 32 in favour and 26 against, with 0 abstentions, the Motion was declared carried.

RESOLVED: That the Council

- (1) Approves the appointment of an Interim Chief Executive / Head of Paid Service as set out in the report.
- (2) Approves the disestablishment of the Corporate Director of Transformation and Resources post.
- (3) Approves the establishment of a new Corporate Leadership Team Structure as set out in the report.
- (4) Notes its prior approval of the appointment of a Joint Chief Finance Officer and Statutory S151 Officer and approves the renaming of the role to Corporate Director of Finance and Systems.
- (5) Approves the appointment of the Director of Legal and Democratic Services and Monitoring Officer to the role of Corporate Director of Governance and Community Strategy and notes that the Council's Monitoring Officer sits with this post.
- (6) Approves the appointment of the Acting Corporate Director of Economic Growth, Environment and Infrastructure as the newly re-designated Corporate Director of Place.
- (7) Approves the appointment of the Director of Human Resources to the new role of Corporate Director of People.

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- (8) Approves the appointment of the Director of Safeguarding and Professional Development to the role of Acting Corporate Director of Children and Families and notes that the Acting Corporate Director of Children and Families will be the Statutory Director of Children's Services.
- (9) Approves the appointment of the Director of Integrated Services to the role of Acting Corporate Director of Adult Services and notes that the Acting Corporate Director of Adult Services will be the Statutory Director of Social Services (Adults).
- (10) Delegates authority to the Corporate Director of Governance and Community Strategy to make any consequential amendments to the scheme of delegation.

The meeting commenced at 7.05 p.m. and finished at 9.25 p.m.

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TRAFFORD COUNCIL

Report to: Council
Date: 26 September 2018
Report for: Decision
Report of: Corporate Director of Governance and Community Strategy

Report Title

Transport for Greater Manchester (TfGM) Committee Governance Arrangements

Summary

To advise the Council of revised governance arrangements for the TfGM Committee and seek agreement of the new Operating Agreement and confirm Council representation on the Committee.

Recommendation(s)

That the Council:

1. Agree the size of TfGM Committee as 23 members.
2. Appoint Councillor Adshead to TfGM Committee and nominate Councillor Hopps to be appointed by Greater Manchester Combined Authority (GMCA) to ensure political balance.
3. Note that the remaining 2 appointments are 1 member appointed by GMCA and 1 member appointed by the Mayor.
4. Agree to amend the Operating Agreement to reflect these changes.
5. Note that the Terms of Reference will be reviewed to ensure that they reflect the Mayor's current transport powers with a further review in 2019/20 to reflect proposed powers.

Implications

Relationship to Policy Framework/Corporate Priorities	N/A
Financial	The Members' Allowances Scheme includes provision for the appointment to this body. The number of Trafford representatives has decreased from 3 to 2.
Legal Implications:	None
Equality/Diversity Implications	None
Sustainability Implications	None

Staffing/E-Government/Asset Management Implications	None
Risk Management Implications	None
Health and Safety Implications	None

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers:

Governance and Constitution report approved by the GMCA on 29 June 2018.

1. Background

- 1.1 The GMCA approved a Constitution Report on 29 June 2018 in which, decisions were taken with regard to the Transport for Greater Manchester Committee. It was proposed that TfGM Committee would remain as a joint committee but reduce in size to 23 members.
- 1.2 As TfGM Committee is a joint committee of the districts, the Combined Authority (CA) and in future the Mayor, the proposal was that the 23 members are made up of one each from the districts with 2 from Manchester based on population (and therefore financial contribution to the levy), one from the CA, one appointed by the Mayor, with a further ten members nominated by the districts and appointed by the CA to reflect political balance across Greater Manchester.
- 1.3 Districts are requested to appoint their Transport and Highways Portfolio Leads to TfGM Committee as the committee is carrying out delegated functions of all parties.
- 1.4 A further review of the Operating Agreement and Terms of Reference of the Committee will be take place for 2019/20 when the final Mayoral transport powers are agreed by Order.
- 1.5 The GMCA decided:
 1. That the size of TfGM Committee be confirmed as 23 members.
 2. That the Operating Agreement of TfGM Committee be amended to reflect these changes.
 3. That it be noted that the Terms of Reference of TfGM Committee will be reviewed to ensure that they reflect the Mayor's current transport powers with a further review to be undertaken in 2019/20 to reflect proposed powers.

- 1.6 Furthermore, each Greater Manchester Local Authority was requested to:
1. Agree the size of TfGM Committee as 23 members.
 2. Appoint 1 member to TfGM Committee, save for Manchester City Council to appoint 2 members, and nominate 1 member to be appointed by GMCA to ensure political balance.
 3. Note that the remaining 2 appointments are 1 member appointed by GMCA and 1 member appointed by the Mayor.
 4. Agree to amend the Operating Agreement to reflect these changes.
 5. Note that the Terms of Reference will be reviewed to ensure that they reflect the Mayor's current transport powers with a further review in 2019/20 to reflect proposed powers.

2. APPOINTMENTS

- 2.1 At the start of the 2018/19 Municipal Year all Councils were requested to make appointments to TfGM Committee based on the previous structure until the new governance arrangements were in place. Consequently at the Annual meeting the Council appointed:

Councillor Adshead (Labour - the Transport Portfolio holder)
Councillor Cordingley (Labour)
Councillor Hopps (Conservative)

- 2.2 In accordance with the revised structure and noting that the required number of representatives has reduced, the Council is requested to confirm the appointment of Councillor Adshead as the portfolio lead and nominate Councillor Hopps to be appointed by GMCA to ensure political balance.

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