

EXECUTIVE

21 MARCH 2022

PRESENT

Leader of the Council (Councillor A. Western) (in the Chair),
Executive Member for Children's Services (Councillor C. Hynes),
Executive Member for Adult Social Care (Councillor J. Harding),
Executive Member for Culture and Leisure (Councillor L. Patel),
Executive Member for Environmental and Regulatory Services (Councillor S. Adshead),
Executive Member for Finance and Governance (Councillor T. Ross).

Also present: Councillors Blackburn, Boyes, Butt, K. Carter, Evans, Holden, Jerrome, Morgan and Myers.

Officers in attendance:

Chief Executive (Ms. S. Todd),
Corporate Director, Strategy and Resources (Ms. S. Saleh),
Corporate Director, Governance and Community Strategy (Ms. J. Le Fevre),
Corporate Director, Adult Services (Ms. D. Eaton),
Director of Finance and Systems (Mr. G. Bentley),
Deputy Director of Development (Mr. S. Tranter),
Head of Leisure (Mr. J. Lees),
Governance Officer (Mr. J.M.J. Maloney).

APOLOGIES

Apologies for absence were received from Councillors M. Freeman, J. Slater, G. Whitham and J.A. Wright; and from Councillor D. Acton.

107. QUESTIONS FROM MEMBERS OF THE PUBLIC

It was noted that no questions had been received for referral to the current meeting.

108. DECLARATIONS OF INTEREST

The Leader of the Council declared a personal interest in the item regarding Stamford Quarter and Stretford Mall Lease Reviews (Minute 114 below) in relation to his position as Chair of the Trafford:Bruntwood JV Partnership.

109. MINUTES

RESOLVED – That the Minutes of the Budget Meeting and Meeting held on 16th and 28th February 2022 respectively be approved as correct records.

110. MATTERS FROM COUNCIL OR OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)

The single item for consideration related to the Scrutiny Review Outcomes Report, as set out in the following Minute.

111. SCRUTINY REVIEW OUTCOMES REPORT

In the absence of the Chair of Scrutiny, the Executive Member briefly introduced a report setting out the conclusions and recommendations of report setting out a summary of the work undertaken by the Scrutiny Review Panel, which also reflected the review undertaken by the Centre for Governance and Scrutiny. The report's conclusion was that that Scrutiny function at Trafford was effective, with proposed changes relating to process and procedure, rather than fundamental issues. It was noted that the proposals were to be referred to Council for consideration.

RESOLVED -

- (1) That the work of the Scrutiny Review Panel, and the recommendation to the Executive and to Council made by the Scrutiny Committee, be noted.
- (2) That the proposals as detailed in the report be agreed.
- (3) That approval of the proposals be recommended to Council.

112. LEISURE STRATEGY REVIEW - PART I

The Executive Member for Culture and Leisure submitted a report which provided an update on the leisure investment strategy and associated refurbishment options for Altrincham, Sale and Stretford Leisure Centres. It sought approval to proceed to the next stage in the refurbishment process, RIBA stage 3 for Sale Leisure Centre. This would provide a greater level of cost confidence before seeking Executive approval to progress to planning for Sale Leisure Centre.

Members were advised of feedback from consultations undertaken to date, and that further reports would be made to the Executive in coming months. An opportunity was provided for Members to raise questions, and it was noted that details of refurbishment costs and related issues would be considered further in Part II of the agenda.

RESOLVED -

- (1) That, following the successful completion of RIBA stage 2 for Sale Leisure Centre, and an independent review of the income and expenditure, approval be given to the continuation with the proposed capital investment into the design of the refurbishment up to the end of RIBA Stage 3 at a cost of up to £300k.

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- (2) That it be noted that the outcomes of the RIBA Stage 3 report for Altrincham Leisure Centre will be presented to the Executive in July 2022.
- (3) That it be noted that, in parallel a full business case review will be undertaken for Stretford Leisure Centre and will be presented to the July 2022 Executive for approval to proceed to RIBA Stage 3.

113. GMCA BROWNFIELD GRANT - SALE MAGISTRATES COURT

The Executive Member for Housing and Regeneration submitted a report which noted that the Council had been allocated grant funding by the Greater Manchester Combined Authority (GMCA) from the Brownfield Housing Fund to support the delivery of Sale Magistrates Court development site. The report sought approval to enter into a grant agreement with the GMCA to secure grant funds of £1,260,000 to support delivery of 84 new homes in accordance with the Scheme. The Leader of the Council noted that an urgent decision was required to allow the funding to be accessed.

RESOLVED -

- (1) That it be approved that the Council enter into a grant agreement with the Greater Manchester Combined Authority in order to access grant funding from the Brownfield Housing Fund to support the delivery of the Scheme.
- (2) That authority be delegated to the Corporate Director for Place, in consultation with the Corporate Director of Governance and Community Strategy and Director of Finance and Systems, to agree the terms and conditions of the grant agreement.
- (3) That authority be delegated to the Corporate Director of Governance and Community Strategy to enter into the grant agreement required to finalise the transaction.
- (4) That, for the reasons set out in the report, this decision be deemed urgent and not subject to the call in process.

114. STAMFORD QUARTER AND STRETFORD MALL LEASE REVIEWS

[NOTE: The Leader of the Council declared a personal interest in this item in relation to his position as Chair of the Trafford:Bruntwood JV Partnership.]

The Executive Member for Housing and Regeneration submitted a report which sought approval for a change in the current lease arrangements to provide an improved scheme to the Council and to facilitate investment in the assets. Questions were raised, and answered, regarding the detailed nature of the transaction; and it was noted that further financial details would be discussed in Part II of the agenda.

RESOLVED -

- (1) That the outline terms in relation to the changes to the lease arrangements be approved, as set out in the report considered in Part 2 of the agenda.
- (2) That authority be delegated to the Corporate Director of Place, in consultation with the Director of Finance and Systems and the Corporate Director of Governance and Community Strategy to agree final terms for the leases.
- (3) That authority be delegated to the Corporate Director for Governance and Community Strategy to enter into legal agreements as required to implement these recommendations.

115. WGIS LIFTING BRIDGE LEGAL AGREEMENT

The Executive Member for Housing and Regeneration submitted a report which, following negotiations between Trafford Borough Council, Salford City Council and Peel L&P, sought approval to an agreement to the principles agreed between the three parties in relation to joint cost sharing the maintenance of WGIS lifting bridge. Questions were raised on issues relating to security and enforcement in relation to the agreement; it was noted that the current agreement was in principle, and that there would be opportunities to provide for such concerns in any subsequent formal agreement.

RESOLVED -

- (1) That the principles outlined in paragraph 3.2 of the report be approved with regard to the joint sharing of costs of maintenance of the WGIS lifting bridge.
- (2) That authority be delegated to the Corporate Director of Place, in consultation with the Director for Finance and Systems and the Corporate Director for Governance and Community Strategy to agree final terms for the funding agreement.
- (3) That authority be delegated to the Corporate Director for Governance and Community Strategy to enter into legal agreements as required to implement these recommendations.

*Executive (21.3.22)***116. FUTURE GOVERNANCE ARRANGEMENTS FOR HEALTH AND SOCIAL CARE**

The Leader of the Council introduced a report of the Executive Member for Health, Wellbeing and Equalities which set out details of governance arrangements for the Trafford system including: Locality Board (One System Board), Trafford Provider Collaborative Board, Trafford Clinical and Practitioner Senate and other relevant groups, forums and boards. The report also provided details of current contractual arrangements in respect of health and social care and noted that a further report on this agenda set out proposals to secure a mechanism which would enable the Council to manage joint working with health, and other partners, following the development of the Greater Manchester Integrated Care System (ICS) and disestablishment of Trafford Clinical Commissioning Group (CCG) on 30 June 2022.

RESOLVED – That the current progress and planned actions to establish future local governance arrangements for the Trafford health and social care system be noted.

117. FUTURE COMMISSIONING AND FINANCIAL ARRANGEMENTS FOR HEALTH AND SOCIAL CARE

The Executive Member for Health, Wellbeing and Equalities submitted a report which provided details of current contractual arrangements in respect of health and social care and proposals to secure a mechanism which will enable the Council to manage joint working with health, and other partners following the development of the Greater Manchester Integrated Care System (ICS) and disestablishment of Trafford Clinical Commissioning Group (CCG) on 30 June 2022. It was noted that the proposal provided an opportunity for the Council to review a range of existing agreements, and to provide for changes to procurement legislation.

RESOLVED -

- (1) That the proposal be approved to enter into a single section 75 agreement for two years to secure joint commissioning arrangements for locality-based services between Trafford Council and the NHS GM Integrated Care Board (“GM ICB”) underpinned by an aligned budget.
- (2) That the proposal be approved to continue the current contractual arrangements to deliver Community Health Services through the GM ICB as detailed in the report.
- (3) That authority be delegated to the Corporate Director of Adult Services, in consultation with the Corporate Director of Governance and Community Strategy and the Director of Finance, to agree the final financial amounts and services in scope and to agree the terms and conditions of and to enter into any relevant legal documentation as required pursuant to these recommendations.

118. CARE ACT 2014 URGENT MEASURES DECISION FRAMEWORK

The Executive Member for Adult Social Care submitted a report proposing the temporary extension of a contingency framework enabling the Council to reach speedy decisions in relation to the implementation of agreed urgent measures if the consequences of the COVID-19 pandemic reached a critical point. The measures enabled the Council to streamline assessment arrangements and prioritise care so that the most urgent and acute needs were met, and would put into place responsive plans to manage current and future demands. It was hoped that circumstances would not arise which might require implementation of the framework, but that it was prudent to have such a contingency in place, in case the need did arise.

RESOLVED -

- (1) That the review summary as detailed in the report be noted.
- (2) That the decision making framework and associated criteria, as set out in the report and in Appendix B, be approved to be used to determine future decisions on the implementation of urgent measures.
- (3) That the potential urgent measures as detailed in the report be approved in principle.
- (4) That authority be delegated to the Corporate Director of Adult Social Care, in consultation with the Corporate Director for Governance and Community Strategy and the Executive Member for Adult Social Care, to determine, in accordance with the said decision making framework and criteria, those cases where there is a strategic or an operational need to implement any or all of the urgent measures.
- (5) That it be noted that the Executive Member for Adult Social Care will make a report to the Executive and to the Scrutiny Committee detailing any decisions made to implement the urgent measures.
- (6) That it be noted that the approvals in points 2, 3 and 4 of this decision will apply for a period of three months from the date of the decision and may be extended beyond that period if formally approved following a review based on an assessment of need.

119. CONTRACT PROCEDURE RULES (CPRS)

The Executive Member for Finance & Governance submitted a report which provided details of a review of the current Contract procedure Rules (CPRs) and proposed the adoption of a new set of CPRs by each of the STAR Authorities. The review had been undertaken in response to operational developments and legislative changes. In line with the usual procedure for changes to be made to the Council's Constitution, the report had been considered by Scrutiny and Standards Committees, and was now presented for a formal recommendation to be made to Council.

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RESOLVED -

- (1) That the content of the report be noted.
- (2) That it be noted that, that in accordance with the approval process for constitutional amendments as set out in the Council's constitution:
 - At the meeting of the Standards Committee to be held on the 14 March 2022 and at a meeting of the Scrutiny Committee to be held on 16th March 2022, a report recommending the amended CPRs will be presented and
 - In line with the Council's constitution, the Standards Committee and Scrutiny Committee will consider the amended CPRs and if approved, will recommend them for adoption by the Council.
- (3) That, subject to approval from Standards Committee and Scrutiny Committee, adoption of the proposed CPRs be recommended to Council.

120. REPORT ON COMPLAINTS DETERMINED BY THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN 2020/21

The Executive Member for Finance and Governance submitted a report which responded to the Council's statutory duty to report to Members on adverse outcomes of complaints formally investigated by the Local Government & Social Care Ombudsman. The report set out the background to this duty, and provided Members with a summary of complaints determined in 2020/21. In response to a question, Members were advised of the financial process for managing the outcomes of any recommendations by the Ombudsman.

RESOLVED - That the content of the report be noted.

121. BUDGET MONITORING 2021/22 - PERIOD 10 (APRIL 2021 TO JANUARY 2022)

The Executive Member for Finance and Governance and the Director of Finance and Systems submitted a report which informed Members of the current 2021/22 forecast outturn figures relating to both Revenue and Capital budgets. It also summarised the latest forecast position for Council Tax and Business Rates within the Collection Fund. In introducing the report, the Executive Member highlighted the principal causes of the net positive variances which had occurred since the previous report. In response to a question, it was noted that the timing of the 2021-22 pay agreement had rendered it impossible to incorporate back pay prior to April 2022.

RESOLVED – That the updated positions on the revenue budget, collection fund and capital programme be noted.

122. CORPORATE PLAN 2021/22 QUARTER 2 & 3 REPORT

The Executive Member for COVID-19 Recovery and Reform submitted a report which provided a summary of performance against the Council's Corporate Plan, 2021/22, covering the period 1 July to 31 December 2021. In introducing the report, the Leader of the Council drew attention to a number of key achievements presented in the update, which had been secured against a background of a challenging year. An opportunity was provided for Members to raise questions on the report's content. These concentrated on progress to date, and future plans, in respect of the introduction of electric vehicle charging points. A summary update was provided, and it was agreed that further detailed information would be provided in writing outside the meeting.

RESOLVED – That the content of the Corporate Plan Quarter 2 & 3 Report be noted.

123. URGENT BUSINESS (IF ANY)

(a) Ms. Jane Le Fevre

[NOTE: The Chair agreed to allow consideration of this item as Urgent Business in order to permit timely information to be provided to Members.]

The Leader of the Council advised that this was to be the last meeting of the Executive attended by Ms. Jane Le Fevre in her capacity as Corporate Director of Governance and Community Strategy and Monitoring Officer. On behalf of Members of the Council, the Leader wished to record thanks to Ms. Le Fevre for her many years of dedicated service in support of the Council.

124. EXCLUSION RESOLUTION

RESOLVED - That the public be excluded from this meeting during consideration of the remaining items on the agenda, because of the likelihood of disclosure of "exempt information" which falls within one or more descriptive category or categories of the Local Government Act 1972, Schedule 12A, as amended by The Local Government (Access to Information) (Variation) Order 2006, and specified on the agenda item or report relating to each such item respectively.

*Executive (21.3.22)***125. LEISURE STRATEGY REVIEW - PART II**

In connection with the associated paper considered in Part I of the agenda, the Executive Member for Culture and Leisure submitted a report which provided confidential financial details relating to an update on the leisure investment strategy and associated refurbishment options for Sale Leisure Centre. It was noted that a further report would be presented to the Executive in due course, setting out details of the options appraisal. In response to detailed queries, it was indicated that, should the need arise, the Executive Member and officers would be content to meet separately to discuss with Members any outstanding issues on this matter. All formal resolutions pertaining to this item are set out in the relevant Minute above.

126. STAMFORD QUARTER AND STRETFORD MALL LEASE REVIEW

[NOTE: The Leader of the Council declared a personal interest in this item in relation to his position as Chair of the Trafford:Bruntwood JV Partnership.]

In connection with the associated paper considered in Part I of the agenda, the Executive Member for Housing and Regeneration submitted a report which provided confidential financial details relating to the lease reviews for Stamford Quarter and Stretford Mall. All formal resolutions pertaining to this item are set out in the relevant Minute above.

The meeting commenced at 6.30 p.m. and finished at 7.30 p.m.