

SCRUTINY COMMITTEE

11 APRIL 2017

PRESENT

Councillor M. Young (in the Chair).

Councillors S. Adshead, R. Bowker, C. Boyes, K. Carter, M. Cordingley (Vice-Chairman), N. Evans, J. Holden, D. Hopps, D. Western and J. Harding (ex-Officio).

Also Present

Cllr Mrs L. Evans - Executive Members for Transformation & Resources

In Attendance

Jane Le Fevre - Director of Legal and Democratic Services

Richard Roe - Director of Growth and Regulatory Services

Matthew Gardiner - Chief Executive of Trafford Housing Trust

Dominique Adcock - Interim Senior Solicitor

Chris Gaffey - Democratic and Scrutiny Officer

APOLOGIES

Apologies for absence were received from Councillor Mrs. P. Dixon

46. DECLARATIONS OF INTEREST

The following Committee Members declared an interest at the start of the meeting:

Cllr S. Adshead – Former Member of the Stretford Community Panel

Cllr R. Bowker – Former Trafford Housing Trust Board Member and Altrincham Community Panel Member for the last 10 years

Cllr M. Cordingley – Member of THT's Limelight Project Board, plus a long association with various THT bodies in the past including Community Panels

Cllr D. Western – Member of the Altrincham Community Panel

47. CALL IN OF EXECUTIVE DECISION: E/27.3.17/9A - CHANGES TO THE PARTNERSHIP AGREEMENT WITH TRAFFORD HOUSING TRUST

The Committee had been called to consider a call in of Executive decision number E/27.3.17/9A in respect of the Changes to the Partnership Agreement with Trafford Housing Trust, considered at a meeting on 27 March 2017.

The call-in had been submitted by Councillors Adshead, Carter, Cordingley, Harding and D. Western, and was based on the grounds that: inadequate consultation had been carried out; alternative options were not given sufficient consideration; and insufficient information was available to make the decision. The Chairman had permitted consideration of the request to explore the issues raised on the grounds that insufficient information was available to make the decision.

The Committee had received the initial report and supporting documentation to the Executive, the decision notice, the call-in proforma, and a supplementary report of the Executive Member for Economic Growth, Environment and Infrastructure. The report set out a detailed response to the points set out in the call-in request. The

Scrutiny Committee
11 April 2017

Executive Member for Transformation and Resources, the Director of Legal and Democratic Services, the Director of Growth and Regulatory Services, and the Chief Executive of Trafford Housing Trust were in attendance to respond to the Committee's enquiries.

Members raised several concerns in relation to the decision and how it was taken. The lack of detail in the report was a concern, and although some Members acknowledged that the relationship between the Council and Trafford Housing Trust (THT) was maturing, it was still unclear how the partnership would develop going forward. Members were concerned about the potential loss of Trafford Council membership on the THT Board, and that community panels might fold under the new arrangements, subsequently losing the specialism they provide in organising residents. The Committee sought clarity on community investment and whether this would continue to be allocated to 5 separate neighbourhoods or become a Trafford wide approach, and questions were raised around how the consultation was conducted and why this information had not been included in the initial report. Finally, Members requested an explanation as to why the decision had been taken so urgently with no prior warning. The initial report was only made available hours before the Executive meeting in question. Members had serious concerns about this and felt they had not been given the opportunity to review details of the proposed new agreements before the decision was taken.

The Officers present addressed the concerns raised by the Committee. Members were reminded that the investment pledges made for the first 5 years following the transfer in 2005 had been successfully met. The original Offer Document included provisions that THT would change as time progressed, and the partnership had moved on from the environmental promises made in 2005. Consideration now needed to be given to how the partnership would work going forward. THT had not merged with another housing trust and had remained both local and independent. Nevertheless, the Trust would need to increase its land holdings to ensure they continued to be able to develop, which the new arrangements would help to facilitate. The new agreement would protect Trafford in ensuring that investment comes back into the borough.

Addressing Members' concerns in relation to the perceived loss of Trafford Council representation on the THT Board, it was noted that the change would only remove the Council's right to have representation on the Board. The change was agreed in order to move on from the narrow, legal agreement made during the original transfer, and would give the THT Board the opportunity to appoint members with the skillsets required to make complex decisions and drive the Trust forward. It was also noted that members of the THT Board were appointed to represent the interest of the Trust, not the Council, and Trafford Council members often found themselves unable to participate in some decisions due to conflicts of interest. THT remained open to having Trafford Council representation on the Board, so long as they had the required skillset.

Discussions would need to take place on how community panels and investments would operate going forward, and Officers would welcome Scrutiny's input when these discussions took place. Officers emphasised the importance of ensuring that the processes and governance for any new arrangements were clear and

Scrutiny Committee
11 April 2017

transparent from the outset. It was noted that most of the connections currently in place between the Council and THT were voluntary, not contractual, and the proposed changes would not restrict these connections and partnerships from continuing. It would be encouraged to keep these links active, and THT had strongly committed to continue to engage with community groups and panels.

Members wanted to know whether they could be assured that the consultation process had been conducted in a thorough and robust manner. At THT's request, the consultation was undertaken by an independent company who took a sample of residents designed to provide a 95 per cent statistical confidence. The sample of approximately 700 residents were called by telephone and asked the relevant questions from a detailed script, and all THT tenants received the required correspondence from the Trust in relation to the consultation. Officers felt that the consultation had been conducted in an effective and robust way, and were confident of the results presented in the supplementary report.

Addressing Members' concerns in relation to the decision being taken as a matter of urgency and the lack of elected Member engagement prior to this, Officers advised that a wider discussion on the proposals could not have been undertaken until an agreement between the Council and THT was in place. Unfortunately, discussions went further into March than had been originally anticipated, hence the delayed report and the item being considered as an item of urgent business at the Executive meeting. On the question of transparency; Members were reminded that this was not a key decision and could have been delegated to an Executive Member, however, to ensure transparency, it was agreed that the decision would be taken at a meeting of the Executive to give Members the opportunity to discuss the proposals.

The Chairman thanked the Officers for the supplementary report and for providing clarity on the questions raised by Scrutiny Members, and the Director of Legal and Democratic Services set out the options available to the Committee. The Committee could request that the Executive give further consideration to its decision, but could not overturn the decision. Members of the Scrutiny Committee were requested to decide on whether, in the light of the information set out in the reports and the discussion at the meeting, the decision should be referred back to the Executive for further consideration.

On a whole, Members felt that their concerns in relation to the decision had been addressed. The Committee agreed that the decision should not be referred back to the Executive for reconsideration; however concerns still remained in relation to the decision making process on this occasion. Members felt they should have been involved in the process at a much earlier stage. The initial report produced to support this decision was below the expected standard, and the Committee felt that the Executive should ensure that reports are produced to a high standard in future to ensure all decisions are taken based on sound information. Scrutiny would be preparing a formal response to the Executive highlighting these issues. The Committee looked forward to being part of the discussion on how community panels and investments would operate going forward.

Scrutiny Committee
11 April 2017

RESOLVED: That the Committee feel that the concerns raised in the call-in request have been adequately dealt with and that no further action be taken.

The meeting commenced at 6.30 pm and finished at 7.25 pm