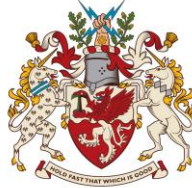


# Public Document Pack



## TRAFFORD COUNCIL

Tuesday, 13 March 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, 21 MARCH 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:

NOTE: PRESENTATION FOR MEMBERS OF COUNCIL  
- 6.15 P.M.-6.45 P.M.

### CORPORATE PARENTING

Prior to Council, all Members of Council are invited to attend at 6.15 p.m. in the Council Chamber to receive a presentation on the Corporate Parenting function.

- |  | <b>Pages</b> |
|--|--------------|
| <b>1. Minutes</b>  |              |
| To approve as a correct record the Minutes of the Meeting of the Council held on 21 February 2018 for signature by the Mayor as Chairman.  | 1 - 10       |
| <b>2. Announcements</b>  |              |
| To receive any announcements from the Mayor, Leader of the Council, Members of the Executive, Chairmen of Scrutiny Committees and the Head of Paid Service.                                |              |
| <b>3. Questions By Members</b>   |              |
| This is an opportunity for Members of Council to ask the Mayor, Members of the Executive or the Chairman of any Committee or Sub-Committee a question on notice under Procedure Rule 10.2. |              |
| <b>4. Declaration of Vacancy - Altrincham Ward</b>   |              |
| To consider a report of the Chief Executive.   | 11 - 12      |

**5. Trafford Council's Pay Policy Statement for 2018/19**

To consider a report of the Director of Human Resources on a recommendation from Employment Committee on 7 March 2018.

13 - 20

**6. Highways Capital Programme 2018/19**

It is anticipated that the Council will consider a report of the Executive Member for Highways, Parks and Environmental Services, referred from the Executive meeting held on 19 March 2018.

To Follow

**7. Motions**

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

**(a) Motion Submitted by the Labour Group - Social Care Funding**

To consider the following Motion deferred from the meeting held on 31 January 2018:

This Council welcomes the addition of Social Care to the role of the Secretary of State for Health. Council has long been aware of not only the national crisis across social care but the one we face here in Trafford.

The lack of social care continues to have a major impact on the winter crisis across the NHS. There are stories of many people left in hospital beds and not able to get home due to the lack of provision of adequate social care packages. Delayed Transfers of Care many of which are due to social care have meant an increase in delayed beds days of 109,000 since 2010.

This Council recognises that in October 2017 there was a 10% reduction in delayed transfers (59,943) on the year before (65,888) but they are still 13% higher than at the same time in 2015 (52,791). The number of people spending the Christmas period in hospital due to Delayed Transfers of Care almost doubled between 2010 and 2016 (from 1,995 people on December 30<sup>th</sup> 2010 to 3,929 on 29 December 2016).

This Council recognises that the care sector remains deeply unstable - according to the Association for the Directors of Adult Social Services (ADASS) Autumn survey 50 councils had experienced handbacks of care contracts. 92% (46 Councils) had experienced handbacks in home care, 24% (12) in residential care and 52% (3 Councils) in nursing care.

Continued ...

Here in Trafford as recently as last month there have been issues with care homes rated as inadequate and home care providers unable to meet the demand for social care. Indeed the St. Marks Centre in Sale has been found to be in such difficulty that they have been prevented from admitting new residents.

Nationally, budget funding cuts are having a detrimental impact upon the quality of care. Almost a quarter of all adult social care services had the poorest ratings for safety from the Care Quality Commission – 22% of care facilities require improvement and 2% are inadequate. Trafford's figures are higher than this national average.

The funding situation remains precarious with no extra money identified for social care as per the Local Government Finance settlement. The Social care gap is projected to rise to £2.5 billion by 2020 according to the Kings Fund.

With these stark statistics in mind this Council calls on the Government to:

- Provide an immediate injection of cash to properly fund social care (The Local Government Association state that an immediate cash injection of £1.3 billion is required to stabilise social care).
- Assist local government with a national 10 year workforce strategy – investing in staff alongside increased financing is critical to ensure the sustainability of adult social care.
- To develop and implement a fair funding scheme as part of the Green Paper to be initiated in the summer.
- To provide councils with adequate funding for a Fair Price for Care – here in Trafford local providers state that they cannot continue to provide a service with the latest offer from this Council.
- Develop more robust regulation frameworks in order to monitor the financial health of larger providers.
- To deal with the issue of back pay which is due to care staff for sleep-ins. The sector estimates the costs of this back pay to be £400 million which places services for learning disability and children's' social care providers under serious threat.

In addition, this Council resolves to:

- Review the 2018/19 draft budget proposals to ensure that the revenue funding allocated to adult social care services in the budget is sufficient, and increase the level of proposed spending if required in light of this ongoing crisis.

**(b) Motion Submitted by the Conservative Group - Discretionary Business Rates**

Trafford's businesses are at the heart of a thriving economy across the borough, creating jobs and helping our communities to prosper and succeed. This administration has taken a number of decisions in recent years to invest in town centres, support employers to grow and help residents in to employment.

Examples include the Town Centre Loan Scheme, the Trafford Pledge, increasing broadband connectivity, cheaper car parking charges and the continued identification of Trafford Park as a home of industry, manufacturing and digital innovation.

Council notes the additional steps proposed by this Conservative administration to automatically apply discretionary business rates relief to qualifying businesses across the borough, which is expected to see at least 180 businesses receive a reduction worth a total of £300k.

The Council recognises the pro-growth and business strategies pursued by the administration and welcomes this latest step to support businesses in Trafford to succeed.

Yours sincerely,



**THERESA GRANT**  
Chief Executive

Membership of the Council

Councillors J. Coupe (Mayor), T. Ross (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, K. Carter, M. Cawdrey, R. Chilton, M. Cordingley, M. Cornes, Mrs. P. Dixon, A. Duffield, Mrs. L. Evans, N. Evans, T. Fishwick, M. Freeman, P. Gratrix, Mrs. D.L. Haddad, J. Harding, J. Holden, D. Hopps, M. Hyman, C. Hynes, D. Jarman, P. Lally, J. Lamb, J. Lloyd, E. Malik, A. Mitchell, P. Myers, D. O'Sullivan, K. Procter, J.R. Reilly, Mrs. J. Reilly, B. Rigby, B. Sharp, B. Shaw, E.W. Stennett, S. Taylor, L. Walsh, Mrs. V. Ward, A. Western, D. Western, M. Whetton, A.M. Whyte, A.J. Williams, A.P. Williams, J.A. Wright, M. Young and Mrs. P. Young.

## Council - Wednesday, 21 March 2018

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### 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, 13 March 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

21 FEBRUARY 2018

### PRESENT

The Worshipful the Mayor (Councillor Jonathan Coupe), in the Chair.

T. Ross (Deputy Mayor)	M. Cordingley	D. O'Sullivan
D. Acton	Mrs. P. Dixon	K. Procter
S. Adshead	A. Duffield	J.R. Reilly
S.B. Anstee	Mrs. L. Evans	Mrs. J. Reilly
S.K. Anstee	N. Evans	B. Rigby
Dr. K. Barclay	T. Fishwick	M. Sephton
J. Baugh	M. Freeman	B. Shaw
J. Bennett	Mrs. D.L. Haddad	E.W. Stennett
Miss L. Blackburn	J. Harding	S. Taylor
R. Bowker	J. Holden	L. Walsh
C. Boyes	D. Hopps	Mrs. V. Ward
Mrs. A. Bruer-Morris	M. Hyman	A. Western
Mrs. J.E. Brophy	C. Hynes	D. Western
B. Brotherton	D. Jarman	M. Whetton
D. Bunting	P. Lally	A.J. Williams
D. Butt	J. Lamb	A.P. Williams
K. Carter	J. Lloyd	J.A. Wright
M. Cawdrey	A. Mitchell	Mrs. P. Young
R. Chilton	P. Myers	

### In attendance

Chief Executive	Ms. T. Grant
Corporate Director Children, Families and Wellbeing	Ms. J. Colbert
Corporate Director Transformation and Resources	Ms. J. Hyde
Director of Legal and Democratic Services	Ms. J. Le Fevre
Chief Finance Officer	Ms. N. Bishop
Head of Financial Management	Mr. G. Bentley
Head of Governance	Mr. P. Forrester
Senior Democratic and Scrutiny Officer	Mr. I. Cockill

### APOLOGIES

Apologies for absence were received from Councillors M. Cornes, P. Gratrix, E. Malik, B. Sharp, A.M. Whyte and M. Young.

### 69. MINUTES

That the Minutes of the Meeting of the Council held on 31 January 2018, be approved as a correct record and signed by the Chairman.

**Meeting of the Council  
21 February 2018**

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**70. QUESTIONS BY MEMBERS**

The Mayor reported that no questions had been received under Procedure Rule 10.2.

**71. MOTIONS**

RESOLVED: That Council notes that the Motion on Social Care Funding deferred from the previous meeting held on 31 January 2018, will be considered at the next Council meeting on 21 March 2018.

**72. BUDGET 2018/19**

(Note: PROCEDURAL ARRANGEMENTS - In respect of the main item of business on the agenda, the Mayor announced that the Leader of the Council (or his nominee) would have a maximum of 15 minutes to make the initial speech and a further maximum of 15 minutes to summarise the debate. The Leaders of the Labour and Liberal Democrat Groups (or their respective nominees) would each have a maximum of 15 minutes to make their initial speeches and a further maximum of 5 minutes to summarise on behalf of their respective Groups. The Mayor also outlined the approach for dealing with amendments. Members were instructed that, should an amendment be made to the main motion, the mover of that amendment would have a maximum of 3 minutes to make their speech. The Mayor further confirmed that, the time for all other speeches would be restricted to a maximum of 3 minutes.)

The Executive Member for Corporate Resources presented a number of reports setting out the proposed budget for the forthcoming year, together with the recommendations from the Executive meeting held earlier that evening.

It was moved and seconded that the Executive's recommendations for the budget, circulated to Members at the meeting, be approved.

Councillor Cordingley responded to the Motion on behalf of the Labour Group and gave notice of an amendment. Councillor Bowker then responded to the Motion on behalf of the Liberal Democrat Group.

Dealing with the amendment signified, it was moved and seconded as an amendment that:

“Trafford Labour Group notes with disappointment the ongoing policy of successive Conservative-led governments since 2010 to target local government cuts. This policy choice leads us to the position we find ourselves in this evening whereby we face a budget gap of some £22.95 million for the forthcoming financial year 2018/19. This latest budget round takes the total amount stripped from the Trafford budget since 2010 to more than £128 million – a process that over the past 8 years has seen this Council close libraries, children's centres, day centres and centres supporting those with learning disabilities.



**Meeting of the Council  
21 February 2018**

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The Labour Group believes that this policy position is increasingly untenable and notes with concern the financial crisis engulfing Conservative-led councils such as Northamptonshire. In Trafford the budget process continues to be an enormous financial challenge and as an authority we recognise the significant issues faced by some of our most vulnerable people as austerity continues to pile pressure on those services the Council remains able to deliver. In particular we note with concern ongoing issues in adult social care, the lack of any effective youth provision in the borough and the impact this is having on young people and our communities, and the problems facing Trafford residents as a result of welfare reform and the failed policies of the national Tory Government.

With this in mind the following alternative budget proposals are put forward by the Labour Group in the interests of protecting our most vulnerable residents:

Alternative Budget proposals –

Saving:

Special Projects Fund (currently allocated £100,000 as ongoing revenue spend) – reduce from £100,000 to £20,000 generating an ongoing revenue saving of £80,000.

This £80,000 to be redirected as follows:

- £30,000 to provide all Looked After Children with free use of all Trafford Leisure Trust facilities;
- £50,000 to contingency within the Looked After Children Budget to mitigate against any volatility in the service area.

Reserves:

The budget proposals for 2018/19 require £1.6 million of support from the Budget Support Reserve, leaving £2.2 in this reserve. Proposal is to use £1.2 million of this (leaving £1m in the Support Reserve) as follows:

- £1 million to be added to the contingency budget within Adult Social Care;
- £100,000 to provide 12 month Youth Outreach project to target the rise in youth crime and anti-social behaviour throughout the borough and those at risk of emulating;
- £100,000 to support revenue spend in advice services to mitigate the impact of welfare reform linked to Universal Credit by ensuring swift access to high quality services.

As a result of this amendment the net revenue budget would be set at £165.45 million for 2018/19.”

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

It was moved and seconded as a second amendment that the substantive Motion be agreed with the following modification:

“Reduction of the Special Projects Fund from £100,000 to £70,000 and the creation of a £30,000 Fund to provide all Looked After Children with free use of all Trafford Leisure Trust facilities.”

The second amendment was agreed with the general consent of the Council

A further speech was made in respect of the substantive Motion and then, in accordance with procedures agreed at the outset of the debate, the Political Group Leaders summarised the essential views of their respective group and responded to some of the issues that had arisen from the debate.

The substantive Motion was then put to a recorded vote, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014. The result was as follows:

Those in favour of the substantive Motion: Councillors S.A. Anstee, S.K. Anstee, Dr. Barclay, Miss Blackburn, Boyes, Mrs. Bruer-Morris, Bunting, Butt, Cawdrey, Chilton, Coupe, Mrs. Dixon, Mrs. Evans, N. Evans, Mrs. Haddad, Holden, Hopps, Hyman, Lally, Lamb, Mitchell, Myers, J.R. Reilly, Mrs. Reilly, Rigby, Shaw, Mrs. Ward, Whetton, A.P. Williams and Mrs. Young.

Those against the substantive Motion: Councillors Acton, Adshead, Baugh, Bennett, Bowker, Mrs. Brophy, Brotherton, Carter, Cordingley, Duffield, Fishwick, Freeman, Harding, Hynes, Jarman, Lloyd, O’Sullivan, Procter, Ross, Stennett, Taylor, Walsh, A. Western, D. Western, A.J. Williams and Wright.

With the result of the vote being 30 in favour and 26 against, with no abstentions, the Motion was declared carried.

RESOLVED –

- (A) That the Council approves:
- (1) The net Revenue Budget for 2018/19 at £164.25 million, subject to a reduction of the Special Projects Fund from £100,000 to £70,000 and the creation of a £30,000 Fund to provide all Looked After Children with free use of all Trafford Leisure Trust facilities.
  - (2) The 2019/20 to 2020/21 Medium Term Financial Strategy (MTFS) including the income and savings proposals.
  - (3) The calculation of the Council Tax Requirement as summarised in Section 9.1 of the budget report and the update circulated at the meeting due to subsequent Greater Manchester Combined Authority budget changes.

**Meeting of the Council  
21 February 2018**

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- (4) The formal Council Tax Resolution, as required under statute and set out in (D) below.
- (5) To increase Council Tax by 4.99%:
- 2.99% general increase in the 'relevant basic amount' in 2018/19 and 1.99% in 2019/20 and 2020/21, and
  - 2.0% for the 'Adult Social Care' precept in 2018/19 and 1.0% in 2019/20.
- (6) The policy changes as detailed in the budget report (Section 4.3.1).
- (7) The Fees and Charges for 2018/19, as set out in the Fees and Charges booklet available on the Council's web site.
- (8) The delegation of authority to each Corporate Director, in consultation with the Chief Finance Officer, to amend fees and charges during 2018/19 in the event of any change in VAT rate, as appropriate.
- (9) That the minimum level of General Reserve for 2018/19 be retained at £6.0 million, the same as in 2017/18, Section 7.2 of the budget report.
- (10) The overall Capital Strategy and Programme level of £144.65 million (as detailed in the Capital Strategy and Prudential Indicators report) of which £59.42 million relates to 2018/19.
- (11) The Prudential Borrowing Indicators, as set out in in Appendix 3 and Appendix 4, to both the Treasury Management Strategy and Capital Strategy and Prudential Indicators reports respectively.
- (12) The distribution of Dedicated Schools Grant as recommended by the Executive as summarised in Section 8 and detailed in Annex I of the budget report.
- (B) That, in approving the above, it is noted that the Council has taken into consideration
- (1) The objective assessment by the Chief Finance Officer of the robustness of budget estimates and adequacy of the financial reserves (Section 7.3 and Annex H of the budget report).
  - (2) The Executive's response to the Scrutiny Committee's recommendations to the budget proposals as included in a separate report on the agenda.
  - (3) The Council's Public Sector Equality duty.
  - (4) The results of the consultation with staff on the extension of the mandatory leave scheme.

**Meeting of the Council  
21 February 2018**

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- (C) That in addition, the Council notes the following:
- (1) The approval on 9 January 2018 under delegated powers by the Chief Finance Officer of the Council Tax Base for 2018/19 at 76,045 Band D equivalents.
  - (2) Along with the calculation of the estimated Council Tax surplus, sufficient to release £(0.5) million to support the Council's 2018/19 revenue budget and a distribution of £(69)k and £(25)k representing the respective shares of the Mayoral Police and Crime Commissioner Precept and Mayoral General Precept (including Fire Services).
  - (3) The base budget assumptions as set out in the Medium Term Financial Strategy (MTFS) as detailed in Annex A of the budget report.
  - (4) The budget gap for the two years 2019/20, £6.25 million and 2020/21, £8.85 million.
  - (5) That the Capital Investment Programme for 2018/19, 2019/20 and 2020/21 is to be set at an indicative £59.42 million, £61.76 million and £23.47 million respectively (indicative at this stage as a number of capital grants not yet known).
  - (6) That the Council Tax figures included in the report for the Mayoral Police and Crime Commissioner Precept and Mayoral General Precept (including Fire Services) are the approved amounts.
  - (7) The Treasury Management Strategy 2018-21.
- (D) That, as referred to in A4 above, the Council calculates the formal Council Tax Resolution as follows:
1. It be noted that on 9 January 2018 the Council calculated
    - (a) the Council Tax Base 2018/19 for the whole Council area as 76,045 [Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the "Act")] and;
    - (b) 1,550 for dwellings in the Parish of **Partington**;

to which Parish Precepts relate.
  2. That the Council approve the Council Tax Requirement for the Council's own purposes for 2018/19 (excluding Parish precepts) as £94,496,559.

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21 February 2018**

3. That the Council agrees the calculation of the Aggregate Amounts for the year 2018/19 in accordance with Sections 31 to 36 of the Act:
- (a) £464,756,547 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
  - (b) £370,194,113 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £94,562,434 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31A(4) of the Act).
  - (d) £1,243.51 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B(1) of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
  - (e) £65,875 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act, as detailed below:

**PARISH COUNCIL PRECEPTS**

Parish/Town Council	2017/18			2018/19			C Tax Increase
	Tax Base	Precept £	Council Band D (£)	Tax Base	Precepts £	Council Band D (£)	
Partington	1,517	64,473	42.50	1,550	65,875	42.50	0.0%
Dunham Massey	228	11,400	50.00	224	0	0.00	(100.0)%
Warburton	162	8,100	50.00	163	0	0.00	(100.0)%
<b>TOTAL</b>	<b>1,907</b>	<b>83,973</b>		<b>1,937</b>	<b>65,875</b>		

- (f) £1,242.64 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
- (g) £1,285.14 **Parish of Partington**  
being the amounts given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned at 3(e) above divided by the amount

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21 February 2018**

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at 1(b) above, calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its area to which one or more special items relate.

4. The council tax set by Trafford Council includes a 2.0% increase to be spent exclusively on supporting the delivery of adult social care services.
5. That it be noted that for the year 2018/19 the Mayoral Police and Crime Commissioner and the Mayoral General (including Fire Services) have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below.
6. That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate shown in the tables below as the amounts of Council Tax for 2018/19 for each part of its area and for each of the categories of dwellings.

**Valuation Bands**

<b>Council Tax Schedule 2018/19</b>	<b>Band A £</b>	<b>Band B £</b>	<b>Band C £</b>	<b>Band D £</b>	<b>Band E £</b>	<b>Band F £</b>	<b>Band G £</b>	<b>Band H £</b>
<b>Trafford Council (including Adult Social Care Precept)</b>	828.43	966.50	1,104.57	1,242.64	1,518.78	1,794.92	2,071.07	2,485.28
<b>Mayoral Police and Crime Commissioner Precept</b>	116.20	135.57	154.93	174.30	213.03	251.77	290.50	348.60
<b>Mayoral General Precept (including Fire Services)</b>	45.29	52.84	60.39	67.95	83.05	98.15	113.24	135.90
<b>Sub total</b>	<b>989.92</b>	<b>1,154.91</b>	<b>1,319.89</b>	<b>1,484.89</b>	<b>1,814.86</b>	<b>2,144.84</b>	<b>2,474.81</b>	<b>2,969.78</b>

<b>Partington</b>	<b>Band A £</b>	<b>Band B £</b>	<b>Band C £</b>	<b>Band D £</b>	<b>Band E £</b>	<b>Band F £</b>	<b>Band G £</b>	<b>Band H £</b>
Parish only	28.33	33.06	37.78	42.50	51.94	61.39	70.83	85.00
Parish & District only	856.76	999.56	1,142.35	1,285.14	1,570.72	1,856.31	2,141.90	2,570.28
<b>Aggregate of Council Tax requirements (incl. – Mayoral Precepts)</b>	<b>1,018.25</b>	<b>1,187.97</b>	<b>1,357.67</b>	<b>1,527.39</b>	<b>1,866.80</b>	<b>2,206.23</b>	<b>2,545.64</b>	<b>3,054.78</b>

The meeting commenced at 7.00 p.m. and finished at 9.09 p.m.

**Meeting of the Council  
21 February 2018**

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**73. INFORMAL MEETING OF THE COUNCIL**

(Note: At the conclusion of the formal meeting of the Council, an informal meeting was held to extend an invitation to:

Councillor Tom Ross to be the Mayor of the Borough of Trafford for 2018/19;

and

Councillor Rob Chilton to be the Deputy Mayor of the Borough of Trafford for 2018/19.

The informal meeting concluded at 9.14 p.m.)

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## TRAFFORD COUNCIL

**Report to:** Council  
**Date:** 21 March 2018  
**Report for:** Decision  
**Report of:** Chief Executive

### Report Title

**Declaration of vacancy – Altrincham Ward**

### Summary

To note that Matthew Sephton has become disqualified for being a member of the authority by virtue of his conviction and imprisonment and to formally declare a vacancy in the Altrincham ward.

### Recommendation(s)

That Council:

1. notes that Matthew Sephton has become disqualified for being a member of this authority;
2. declares as vacant the office held by Matthew Sephton as a councillor for the Altrincham ward; and
3. notes that the election for the ward will be held on 3 May.

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

Name: Peter Forrester  
Extension: 1815

Relationship to Corporate Priorities	None
Financial	None
Legal Implications	The Council is required to declare the seat vacant following the disqualification of Matthew Sephton.
Equality/Diversity Implications	None
Sustainability Implications	None
Staffing/E-Government/Asset Management Implications	None
Risk Management Implications	None
Health and Safety Implications	None

## **1.0 Background**

1. Under section 80(1)(d) of the Local Government Act 1972 a councillor is disqualified from holding office if they are convicted of an offence and have passed on them a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine.
2. Section 86 of the Local Government Act 1972 requires an authority to declare a vacancy in such circumstances.
3. Mr Sephton has been convicted of an offence and received a prison sentence of two years and nine months. The period for making an appeal or application with respect to the conviction and sentence has expired. He is therefore disqualified from holding office as a councillor.
4. Section 86(1)(b) of the Local Government Act 1972 provides that where a councillor becomes disqualified for being a member of the authority, the authority shall, except in any cases in which a declaration has been made by the High Court, forthwith declare the office to be vacant. This is a statutory duty on the Council. Officers recommend that Council declares the vacancy.
5. Under section 87(1) (f) of the Local Government Act 1972 the vacancy is deemed to be the date on which Council declares the vacancy.
6. Matthew Sephton would have served his four year term of office in May this year and therefore is affected by the 6 month rule. A notice of vacancy must be published even where no election can be held as a result of the rule. The notice will not include an invitation to electors to request a by-election but will include the date of the next scheduled election at which the seat is to be filled which is the 3 May 2018.

## TRAFFORD COUNCIL

**Report to:** Council  
**Date:** 21<sup>st</sup> March 2018  
**Report for:** Approval  
**Report of:** Director of Human Resources

### Report Title

Trafford Council's Pay Policy Statement for 2018/19

### Summary

This paper provides Council with information relating to Trafford's pay policy for 2018/19 in line with the requirements for the Localism Act 2011.

### Recommendation(s)

To note and approve the 2018/19 Pay Policy statement as set out in the attached report, further to approval at Employment Committee on 7th March 2018.

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

Name: Angela Beadsworth  
Extension: 1291

### Background Papers:

The Code of Recommended Practice for Local Authorities - Department for Communities and Local Government.

Openness and accountability in local pay: Guidance under section 40 of the Localism Act 2011 - Department for Communities and Local Government.

Local Authorities (data transparency) code 2013

Relationship to Policy Framework/Corporate Priorities	The information provided within the report aligns with the Council's corporate priority of 'Low Council Tax and Value for Money'
Financial	The report information ensures that we comply with financial regulations in respect of data transparency and accounts and audit regulations.
Legal Implications:	Compliance with all relevant employment legislation is a critical and a key component of this strategy to ensure that our legal governance structure is robust and can defend employment claims should the need arise.
Equality/Diversity Implications	The pay policy will ensure that we remunerate our

	employees fairly and with due respect to all equality policies and strategies.
Sustainability Implications	Not applicable
Staffing/E-Government/Asset Management Implications	Not applicable
Risk Management Implications	Not applicable
Health & Wellbeing Implications	Not applicable
Health and Safety Implications	Not applicable

## 1. Background

The Pay Policy Statement sets out the Council's approach to pay policy in accordance with the requirements of Section 38 of the Localism Act 2011. The purpose of the Pay Policy Statement is to increase accountability in relation to payments made to senior employees in the public sector, in particular those in local authorities, by enabling public scrutiny.

The requirements of the Localism Act in respect of transparency about senior pay builds on the Accounts and Audit (England) Regulations 2011 with which the Council is also compliant; published details of the Council's remuneration of its Chief Executive and Corporate Directors can be found on the Council's public website.

The Pay Policy Statement articulates the Council's own policies towards a range of issues relating to the pay of its workforce, in particular its Chief Officers, as defined by the Local Government and Housing Act 1989 and to its lowest paid employees.

As specified in the Act, this requirement does not extend to schools and this Statement does not therefore include school based employees.

For the first time the statement also incorporates;

- the Council's Gender Pay Gap information as the Council is now required to publish this on an annual basis under the GPG reporting requirements.

In summary, the Pay Policy Statement identifies:

- ❖ The method by which salaries and severance payment are determined;
- ❖ The detail and level of remuneration of the Council's most senior managers i.e. Chief Executive, Corporate Management Team, Service Directors;
- ❖ The committee responsible for ensuring that the Pay Policy Statement is applied consistently, the Employment Committee, which has delegated powers in relation to senior manager employment;
- ❖ The detail and level of remuneration for the lowest level of post/employee;
- ❖ The ratio of pay of the top earner and that of the median earner.
- ❖ Gender Pay Gap

## 2. Recommendation

Council is recommended to note and approve the 2018/19 Pay Policy statement as set out in the attached report.

## TRAFFORD PAY POLICY STATEMENT 2018/19

### 1. Introduction

1.1 Under section 112 of the Local Government Act 1972, the Council has the “power to appoint officers on such reasonable terms and conditions as the authority thinks fit”. This Pay Policy Statement (the ‘statement’) sets out the Council’s approach to pay in accordance with the requirements of Section 38 of the Localism Act 2011. From 2012 onwards local authorities are required to publish an annual statement of their policy for the relevant financial year.

1.2 The purpose of the statement is to provide transparency with regard to the Council’s approach to setting the pay of its employees (excluding teaching staff and employees working in local authority schools), by identifying;

- The methods by which salaries of all employees are determined;
- The detail and level of remuneration of its most senior staff i.e. Head of Paid Service, ‘Chief Officers’, the Monitoring Officer, and Deputy Chief Officers as defined by the relevant legislation;
- The remuneration of its lowest paid employees;
- The relationship between the remuneration levels of the most senior employees and that of other employees;
- The Committee responsible for ensuring the provisions set out in this statement are applied consistently throughout the Council and making recommendations on any amendments to Full Council.

1.3 Once approved by Full Council, this policy statement will come into immediate effect and will be subject to review as a minimum on an annual basis.

### 2. Legislation Relevant to Pay and Remuneration

2.1. In determining the pay and remuneration of all of its employees, the Council will comply with all relevant employment legislation. This includes legislation such as the National Minimum Wage (Amendment) Regulations 2016, Equality Act 2010, Part Time Employment (Prevention of Less Favourable Treatment) Regulations 2000 and where relevant, the Transfer of Undertakings (Protection of Earnings) Regulations.

2.2 The Council ensures there is no pay discrimination within its pay structures and that all pay differentials can be objectively justified through the use of NJC and Hay job evaluation mechanisms, which directly establish the relative levels of posts in grades according to the requirements, demands and responsibilities of the role.

### **3. Accountability and Decision Making**

3.1 In accordance with the Constitution of the Council, the Employment Committee is responsible for decision making in relation to the recruitment, pay, terms and conditions and severance arrangements in relation to employees of the Council.

3.2 Decisions relating to salary packages for new posts above £100k are subject to full Council approval. In addition, any severance arrangements agreed in line with the relevant policies that exceed £100k are subject to full Council approval.

### **4. Pay Structure**

4.1 The Council's pay strategy must be one of balance between securing and retaining high-quality employees whilst maintaining pay equality and avoiding excessive pay rates.

4.2 The Council uses the nationally negotiated pay spine(s) (i.e. a defined list of salary points) as the basis for its local pay structure, which determines the salaries of the large majority of its (non-teaching) workforce together with the use of locally determined rates where these do not apply.

4.3 All other pay-related allowances are the subject of either nationally or locally negotiated rates, having been determined from time to time in accordance with collective bargaining machinery.

4.4 In determining its grading structure and setting remuneration levels for any posts, which fall outside its scope, the Council takes account of the need to ensure value for money in respect of the use of public expenditure, balanced against the need to recruit and retain employees who are able to meet the requirements of providing high quality services to the community, delivered effectively and efficiently and at times at which those services are required.

4.5 New appointments will normally be made at the minimum of the relevant pay scale for the grade, although from time to time it may be necessary to take account of the external pay levels in the labour market in order to attract and retain employees with particular experience, skills and capacity. Where necessary, the Council will ensure the requirement for such is objectively justified by reference to clear and transparent evidence of relevant market comparators, using data sources available from within the local government sector and outside, as appropriate.

4.6 To meet specific operational requirements, it may be necessary for an individual to temporarily take on additional duties to their identified role. The Council's arrangements for authorising any additional remuneration relating to temporary additional duties are set out in the Act-up and Additional Payments Policy.

4.7 Any temporary supplement to the salary scale for the grade is approved in accordance with the Council's Market Rates Supplement Policy.

4.8 An organisation chart covering staff in the top three levels of the organisation provides information on the senior salary pay structure for the Council.

## **5. Senior Management Pay Arrangements**

5.1 For the purposes of this statement, senior management means 'Chief Officers' as defined within the Localism Act. The posts falling within the statutory definition are set out in the data published for the Code of Recommended Practice for Local Authorities on Data Transparency and Accounts and Audit (England) Regulations.

5.2 The Chief Executive and Chief Officers receive minimal additions to salary. These include Returning Officer fees for local and other elections as they arise from time to time.

5.3 The Chief Officer car allowance scheme was deleted as part of the 2014/15 budget proposals along with the general essential car user scheme and replaced by a critical car user scheme. The Chief Executive or any Chief Officer does not qualify to access the revised arrangements.

5.4 We will continue to consider how we can introduce more transparent performance arrangements at a senior management level. Salary progression within the range is linked to attainment of pre-determined objectives and targets as set out in the Performance Development Review process.

## **6. Recruitment of Chief Officers**

6.1 The Council's policy and procedures with regard to recruitment of Chief Officers is set out within the Council constitution Part 4 Officer Employment procedure rules.

6.2 When recruiting to all posts, the Council will take full and proper account of all provisions of relevant employment law and its own Equality, Recruitment and Redeployment Policies as approved by Council.

6.3 The determination of the remuneration to be offered to any newly appointed Chief Officer will be in accordance with relevant job evaluation methodology, market factors and recruitment policies in place at the time. For new posts, with recommended salary packages in excess of £100k, approval of Full Council is required.

6.4 Where the Council is unable to recruit Chief Officer posts, or there is a need for interim support to provide cover for a substantive Chief Officer post, the Council will, where necessary, consider engaging individuals under a 'contract for service'. These will be sourced through a relevant procurement process ensuring the council is able to demonstrate the maximum value for money benefits, from competition, in securing the relevant service.

6.5 In assessing such, it should be noted that in respect of such engagements, the Council is not required to make either pension or national insurance contributions for such individuals.

## **7. Pension Contributions**

7.1 Where employees have exercised their statutory right to become members of the Local Government Pension Scheme, the Council is required to make a contribution to the scheme representing a percentage of the pensionable remuneration due under the contract of employment of that employee.

7.2 The rate of contribution is set by Actuaries advising the Greater Manchester Pension Fund and reviewed on a triennial basis in order to ensure the scheme is appropriately funded. The current rate is set at 20.4%

## **8. Payments on Termination**

8.1 The Council's approach to statutory and discretionary payments on termination of employment of Chief Officers, prior to reaching normal retirement age, is set out within its policy statement in accordance with Regulations 5 and 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) Regulations 2006 [and if appropriate] Regulation 12 of the Local Government Pension Scheme (Benefits, Membership and Contribution) Regulations 2000

8.2 Recent proposals in relation to capping public sector exit payments regulations and the enforcement of repayment of public sector payments in certain circumstances where an individual returns to the public sector have not yet been imposed. The cap is currently proposed at £95,000 on the total value of exit payments made and applies to all types of arrangements and forms of exit payment such as redundancy payments, compensatory payments and lump sums awarded under a settlement agreement or a COT3, for example.

8.3 The Council will fully comply with changes to legislation in relation to remuneration and exit payment requirements should legislation change.

8.4 Any current payments falling outside of these provisions or the relevant periods of notice within the contract of employment shall be subject to a formal decision made by the Employment Committee. Payments on termination in relation to the policy set out above that exceed £100k are subject to approval of Full Council.

## **9. Re-employment / Re-engagement of former Chief Officers**

9.1 The Organisational Change Framework sets out the arrangements and restrictions by which Chief Officers are re-employed or re-engaged on a contract for services following termination of employment.

9.2 The repayment of public sector exit payments as per 8.2 once confirmed will determine our revised approach to the re-engagement of Chief Officers.



## 10. Lowest Paid Employees

10.1 The lowest paid employees employed under a contract of employment with the Council are employed on full time [36.25 hours] equivalent salaries in accordance with the minimum spinal column point (scp) currently in use within the Council's grading structure.

10.2 As at 1<sup>st</sup> April 2018, the lowest entry level spinal column point is equivalent to £15,014 per annum. We track the current national and local initiatives regarding low paid staff, benchmarking with our regional counterparts to ensure pay parity.

10.3 The Council employs Apprentices who will be employed on the National Living Wage from April 2018.

Year	25 over	21 to 24	18 to 20	Under 18	Apprentice
2018	£7.83	£7.38	£5.90	£4.20	£3.70

10.4 The relationship between the rate of pay for the lowest paid and Chief Officers is determined by the processes used for determining pay and grading structures as set out earlier in this policy statement.

10.5 The current pay levels within the Council define the multiple between the median (average) full time equivalent earnings and the Chief Executive as 1:7:28 and; between the lowest paid employee and average Chief Officer as 1:5:63.

10.6 As part of its overall and ongoing monitoring of alignment with external pay markets, both within and outside the sector, the Council will use available benchmarking information as appropriate. In addition, upon the annual review of this statement, it will also monitor any changes in the relevant 'pay multiples' and benchmark against other comparable Local Authorities.

## 11. Gender Pay Gap

11.1 From 2017 Gender Pay Gap (GPG) reporting for the public sector will require public Authorities including government departments, the armed forces, local authorities and NHS bodies and most schools with 250 employees or more must publish and report specific figures about their gender pay gap.

11.2 The information which must be published is the mean gender pay gap in hourly pay, the median gender pay gap in hourly pay, the mean bonus gender pay gap, the median bonus gender pay gap: promotion of males and females receiving a bonus payment and the proportion of males and females in each pay quartile.

A point to note is that Trafford Council does not have any pay bonus schemes and so we will not report on this aspect.

11.3 Trafford Council's overall mean pay gap is 10.7% and the median is 17%, both in favour of male employees. There are a number of influencing factors which are as follows;

- Our GPG is significantly affected by the gender composition of our workforce which is 76% female and 24% male;

- We employ a lot of part time roles in Trafford which attract females and evidence show that these roles pay less than full time roles;
- We have some large in house services with lower paid bands which traditionally attract females – catering, cleaning, passenger assistants, care assistants and support workers; If we remove these groups the gap reduces to 2.86% (mean) and 10.44% (median);
- We have an ageing workforce and evidence shows that the gender pay gap widens above age 40;
- Some services such as highways and street cleaning services that predominantly attract male workers have been transferred out to a Contractor; this will have affected our GPG as associated posts tended to be on the lower pay bands;
- When we break this down into workforce quartiles, the gap significantly reduces or becomes negative. Women in the top quartile of earners and women in the bottom quartile of earners in the organisation actually have a higher average hourly rate than men in the corresponding quartiles. Women in the two middle quartiles only earn slightly less than their male counterparts on average.

11.4 This is the first time that Trafford has produced GPG information so it is not currently possible to view trends historically. We will develop a strategy to look at measures to improve our gender pay gap.

11.5 The Council will publish the figures on the national Gender Pay Gap Reporting website before the deadline of 30<sup>th</sup> March 2018.

## **12. Trade Unions**

12.1 The Council recognises two trade unions – UNISON and GMB, for collective bargaining purposes and there are currently two full time equivalent UNISON officials in employment.

## **13. Publication**

13.1 Upon approval by the Full Council, this statement will be published on the Council's Website.