

# Public Document Pack



## TRAFFORD COUNCIL

Tuesday, 1 October 2019

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, 9 OCTOBER 2019**, at **7.00 P.M.** in the **COUNCIL CHAMBER, TRAFFORD TOWN HALL, TALBOT ROAD, STRETFORD**, for the transaction of the business set out below:

### **Presentation - 'iCAN' Scam Warning Scheme (6.15 pm-6.45 p.m.)**

To provide details of the 'iCAN' scam warning scheme and encourage Members to join the scheme.

	<b>Pages</b>
<b>1. Minutes</b>	
To approve as a correct record the Minutes of the following Council Meetings for signature by the Mayor as Chair of the Council:	
(a) Extraordinary Meeting of the Council - 10 July 2019	1 - 4
(b) Meeting of the Council - 17 July 2019	5 - 30
(c) Extraordinary Meeting of the Council - 23 July 2019	31 - 32
(d) Reconvened Meeting of the Council - 23 July 2019	33 - 38
<b>2. Announcements</b>	
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. Membership of Committees 2019/20**

To note that the Chief Executive, under delegated authority, agreed, to appoint Councillor Newgrosh as a replacement for Councillor Brophy on Scrutiny Committee, with effect from 29 July 2019.

**5. Council Tax Support Scheme for 2020/21**

To consider a report of the Executive Member for Finance and Investment, following a referral from the Executive Meeting on 30 September 2019. 39 - 42

**6. Constitutional Review: Recruitment and Employment Procedures**

To consider a report of the Corporate Director for Governance and Community Strategy, following a referral from the Executive Meeting on 30 September 2019, following consideration by Employment Committee on 9 September 2019 and Standards Committee on 25 September 2019. 43 - 56

**7. Motions and Amendments Protocol for Council**

To consider a report of the Corporate Director of Governance and Community Strategy and Monitoring Officer. 57 - 60

**8. Treasury Management Annual Performance 2018/19 Report**

To note a joint report of the Executive Member for Finance and Investment and the Corporate Director of Finance and Systems, referred from the Accounts and Audit Committee on 19 June 2019 and Executive Meeting held on 15 July 2019. 61 - 82

**9. Outcome of Standards Committee Review of the Position Relating to Changes to Labour Members' Allowances**

To consider a joint report of the Monitoring Officer and the Chair of Standards Committee. 83 - 92

**10. Motions**

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

**(a) Motion Submitted by the Labour Group - No Deal Brexit and the UK's Membership of the European Union**

This Council notes:

- The increasing possibility of a No Deal Brexit, which forecasts show would place jobs and the local economy in Trafford at risk
- Significant concerns about the impact of a No Deal Brexit nationally, including access to medicines and food supplies as well as the threat to environmental protections, health and safety standards and crucial worker's rights
- That no Brexit deal put forward thus far has been supportable, and that any Brexit deal that may emerge would almost certainly have a negative impact on the economy when compared to continued EU membership
- That the established position of Trafford Council agreed formally in the Council Chamber is to support a People's Vote (second referendum) on UK membership of the European Union

Council therefore condemns the reckless policies and shameful tactics of the Prime Minister which threaten the future prosperity of the people of Trafford and reaffirms that No Deal Brexit must be stopped at all costs and a second referendum should take place with Remain as an option on the ballot paper.

Council asks the Leader of the Council to write to Trafford's MPs, the Secretary of State for Exiting the European Union and the Prime Minister setting out our view that No Deal will be a disaster for the UK; any Brexit deal would leave us worse off, and calling for their support for a second referendum.

**(b) Motion Submitted by the Labour Group - Bus Franchising in Greater Manchester**

This Council notes:

- That Transport Poverty is an issue currently affecting economic growth within the city region, limiting residents access to employment opportunities and training whilst at the same time denying employers access to a fully flexible labour market.
- The remorseless deterioration in bus services in Trafford since deregulation 30 years ago is not sustainable when set against the need to reduce traffic congestion and improve air quality.
- That for Greater Manchester to compete as a world class City-Region requires an integrated public transport network organised and commissioned to serve across our towns and not just on the most profitable routes such as the Oxford Road corridor.

*Continued ...*

Council therefore welcomes the decision of the Greater Manchester Combined Authority on the 28 June 2019 to proceed towards bus franchising and to publicly consult on this and encourages residents and businesses to engage positively with consultation with a view to creating a bus network fit for the 21st Century.

**(c) Motion Submitted by the Labour Group - Abolition of Section 21 Evictions**

This Council notes that:

- no fault evictions, introduced under Section 21 of the 1988 Housing Act, allow landlords to evict tenants, without having to give a reason, once the term of the tenancy has expired;
- most of England's 11 million renters are on tenancies with fixed terms of six months or a year; after this period has ended, landlords can evict their tenants under Section 21;
- research published by The Observer campaign group Generation Rent indicates that Section 21 evictions are now the single biggest cause of homelessness in England; and that
- in 2017, the Scottish Government made tenancies indefinite and banned no-fault evictions under the terms of the Private Housing (Tenancies) (Scotland) Act 2016.

This Council believes Abolishing Section 21 no-fault evictions:

- would help to make renting more secure, improve standards and increase tenant confidence;
- would further help to tackle homelessness, which should be a priority for government at all levels; and,
- should happen as soon as practicably possible.

This Council therefore:

- welcomes the UK Government announcement in April on plans to consult on new legislation to abolish Section 21 evictions in England, with which we will engage constructively; and
- resolves to work with the Unfair Evictions Campaign led by Generation Rent, the New Economics Foundation, ACORN and the London Renters Union, to bring about the swift Abolition of Section 21 no fault evictions.

**(d) Motion Submitted by the Conservative Group - Labour Against Private Schools #AbolishEton**

This Council notes that:

- Trafford has many excellent schools producing some of the best education outcomes for children in the country;
- Trafford has nine schools in the private sector with another two private special schools. In addition, Trafford children attend other private schools in Manchester, Stockport and Cheshire;
- The Labour Party at its 2019 Conference supported abolishing private schools through abolishing their charitable status and seizing their land, property and other assets; and
- Many of our residents are rightly disturbed by these proposals and seek support from their elected members and Trafford Council and are seeking firm commitments to protect their rights to choose.

This Council believes:

- The Labour Party policy would be a disaster for Trafford residents and it would likely be a serious breach of human rights as the UDHR Article 26 (3) states that “parents have a prior right to choose the kind of education that shall be given to their children”;
- The policy is contradictory as it would impose a tax on a sector that it wishes to abolish;
- Putting all schools under state control would result in the state picking up the tab for educating the seven per cent of pupils who are currently educated in the private system nationally;
- The policy sets a precedent for state seizure of private assets. Trafford residents should rightly be concerned that a future Labour government would seize their homes and cars; and
- Trafford should retain its current education mix.

This Council resolves:

- That Council supports all Trafford’s parents, guardians and children to have free choice in their education provision and will stand alongside our residents and all of Trafford’s schools supporting the excellence that they represent.

**(e) Motion Submitted by the Green Party Group - Investing in Green Solutions Instead of Fossil Fuels**

This Council notes:

1. That at least 5% of funds of the Greater Manchester Pension Fund (GMPF) are invested in Shell, BP and other fossil fuel companies. (See paragraph 3 of Appendix A of GMPF document in responding to Trafford's climate emergency motion <https://democratic.trafford.gov.uk/documents/s32216/Fossil%20Fuel%20Investments%20Jan%202019.pdf> )
2. That fossil fuel assets and investments are likely to become 'stranded assets' with 80% having to be kept in the ground to prevent runaway climate change. Mark Carney, Governor of the Bank of England, has said that the vast majority of fossil fuel reserves are 'unburnable'.
3. That Trafford Council, along with the majority of other Greater Manchester Councils, as well as the Greater Manchester Combined Authority and Greater Manchester Health and Social Care Partnership have all declared climate emergencies.
4. That Trafford has assets within the GMPF valued at £732 million at 31/3/19.
5. And so at least, approximately £36 million of Trafford's funds are invested in the fossil fuel industry.
6. That these facts pose a financial threat to Trafford Council.
7. That several UK local government pension funds, other public sector organisations, universities, faith groups and whole cities and countries including New York and Ireland have committed to divesting.
8. That UNISON and the Trades Union Congress campaign for divestment in line with obligations to pension-holders.

This Council therefore resolves to:

1. Ask the Leader to write to the Greater Manchester Pension Fund to request a position statement within 3 months on the potential impact that divesting from fossil fuel assets will have on the GM Pension Fund. This statement should assess the impact that a gradual programme of divestment and diversification over a 2-5 year period will have on the future liability profile of the fund.
2. Mandate our representative on the Fund to call for and work towards divestment.

*Continued ...*

3. Work with trade union representatives and the workforce to involve them in divestment and diversification plans, providing them with a comprehensive assessment of the impacts and benefits of these changes.
4. To focus re-investment in areas that minimise climate change and reduce the Fund's carbon footprint; while ensuring the Fund continues to generate a sufficient level of return to ensure the current and future sustainability of the fund.

Yours sincerely,



**SARA TODD**  
Chief Executive

Membership of the Council

Councillors R. Chilton (Mayor), L. Walsh (Deputy Mayor), D. Acton, S. Adshead, A. Akinola, S.B. Anstee, Dr. K. Barclay, J. Baugh, J. Bennett, Miss L. Blackburn, R. Bowker, C. Boyes, J. E. Brophy, B. Brotherton, D. Bunting, D. Butt, T. Carey, Dr. S. Carr, K.G. Carter, Mrs. C.H. Churchill, G. Coggins, M. Cordingley, J. Dillon, A. Duffield, N. Evans, M. Freeman, Mrs. D.L. Haddad, J. Harding, B. Hartley, J. Holden, C. Hynes, D. Jarman, D. Jerrome, P. Lally, J. Lamb, J. Lloyd, S. Longden, M. Minnis, A. Mitchell, D. Morgan, P. Myers, A. New, J.D. Newgrosh, E. Patel, K. Procter, S.B. Procter, B. Rigby, T. Ross, B. Shaw, J. Slater, E.W. Stennett, S. Taylor, S. Thomas, R. Thompson, M.J. Welton, A. Western, D. Western, G. Whitham, A.M. Whyte, A.J. Williams, B.G. Winstanley, J.A. Wright 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](mailto:ian.cockill@trafford.gov.uk)

This Summons was issued on **Tuesday, 1 October 2019** by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH

## WEBCASTING

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Members of the public may also film or record this meeting. 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 other queries.



## TRAFFORD BOROUGH COUNCIL

### EXTRAORDINARY MEETING OF THE COUNCIL

10 JULY 2019

#### PRESENT

The Worshipful the Mayor (Councillor Rob Chilton), in the Chair.

L. Walsh (Deputy Mayor)	M. Cordingley	J.D. Newgrosh
D. Acton	J. Dillon	E. Patel
S. Adshead	A. Duffield	K. Procter
A. Akinola	N. Evans	S.B. Procter
S.B. Anstee	M. Freeman	B. Rigby
Dr. K. Barclay	Mrs. D.L. Haddad	T. Ross
J. Baugh	J. Harding	B. Shaw
J. Bennett	B. Hartley	J. Slater
Miss L. Blackburn	J. Holden	E.W. Stennett
R. Bowker	C. Hynes	S. Taylor
C. Boyes	D. Jarman	S. Thomas
J. E. Brophy	D. Jerrome	R. Thompson
B. Brotherton	J. Lamb	M.J. Welton
D. Bunting	J. Lloyd	A. Western
D. Butt	S. Longden	D. Western
T. Carey	M. Minnis	A.M. Whyte
Dr. S. Carr	A. Mitchell	A.J. Williams
K.G. Carter	D. Morgan	B.G. Winstanley
Mrs. C.H. Churchill	P. Myers	J.A. Wright
G. Coggins	A. New	Mrs. P. Young

#### In attendance

Chief Executive	S. Todd
Corporate Director of Governance and Community Strategy	J. Le Fevre
Democratic and Scrutiny Officer	F. Fuschi
Senior Democratic and Scrutiny Officer	I. Cockill

#### **APOLOGIES**

Apologies for absence were received from Councillors P. Lally and G. Whitham.

#### **17. CONGRATULATIONS**

The Council joined with the Mayor in congratulating Councillor Graham Whitham and his wife Christina on the birth of their daughter Lydia.

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**18. CHILDREN'S SOCIAL CARE**

(Note: In respect of the item of business on the agenda, the Mayor announced that speeches made by Members moving and seconding the Motion or any amendment would be untimed and that all other all speeches would be limited to a maximum of five minutes per speaker.)

It was moved and seconded that:

“This Council notes the very worrying judgement by Ofsted of ‘Inadequate’ following a Children’s Services inspection in March 2019.

This marked change in performance, especially in relation to leadership and governance, follows a previous focused Ofsted visit in July 2018 which noted:

*“Internal expertise has been utilised well to provide stability, consistency and a continued focus to improve service delivery for children and their families. Leaders understand the strengths and weakness of their services and use this knowledge well to identify areas for development.”*

Council therefore considers it irrefutable that a deterioration in leadership and governance to ‘inadequate’ has occurred in less than twelve months.

In light of this and regrettably, Council considers that it is untenable for the former Executive Member for Children’s Services to continue to serve in another important role on the Executive of the Council.

The Council welcomes the appointment of the Deputy Leader of the Council to the portfolio and requests she outlines within six weeks to the Children and Young People’s Scrutiny Committee detailed remediation plans. The Council commits itself to work across party to support the required turnaround.

The Council calls for the immediate reinstatement of the Lead Member for Safeguarding, to ensure a cross directorate focus remains on this vital subject.

Finally, the Council places on record its continued support and admiration for the tremendous hard work of all the staff in Children’s Social Services under difficult circumstances.”

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It was moved and seconded as an amendment that:

“This Council notes the very worrying judgement by Ofsted of ‘Inadequate’ following a Children’s Services inspection in March 2019.

This is a significant change from the Council’s previous performance, judged as good with some outstanding elements in the last full inspection in 2015.

Council therefore considers it irrefutable that a deterioration in leadership and governance to ‘inadequate’ has occurred since the last full inspection. Council noted that an Ofsted Focused Visit in July 2018 was concerned with Permanence only.

In light of this Council considers that it is entirely legitimate for there to be questions asked of those who have had political responsibility for the decisions of the Council in this period. In particular Council notes the role of the previous Leader of the Council and the cuts made to a range of children’s services during his tenure.

Regrettably, therefore, Council feels it appropriate to condemn the appointment of the former Leader of the Council as Shadow Executive Member for Children’s Social Care. Council asks the Leader of the Opposition to consider the appropriateness of this appointment and reflect on whether it is acceptable to have such an important role filled by a person with a record of cutting a number of frontline children’s services in Trafford and ignoring concerns raised formally about the state of the service under his leadership. Furthermore, Council agrees to remove the Shadow Executive Member for Children’s Services from the Council’s Ofsted Improvement Board, to be replaced by the Leader of the Opposition.

The Council welcomes the appointment of the Deputy Leader of the Council to the Children’s Social Care Portfolio and requests she arranges, in line with already agreed reporting mechanisms, for detailed remediation plans to be presented to the Children and Young People’s Scrutiny Committee at the earliest opportunity. The Council commits itself to work across party to support the required turnaround.

Finally, the Council places on record its continued support and admiration for the tremendous hard work of all the staff in Children’s Social Services under difficult circumstances.”

(Note: The time being 8.43 p.m., the Mayor indicated that all speeches would now be limited to a maximum of two minutes per speaker.)

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

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RESOLVED: That this Council notes the very worrying judgement by Ofsted of 'Inadequate' following a Children's Services inspection in March 2019.

This is a significant change from the Council's previous performance, judged as good with some outstanding elements in the last full inspection in 2015.

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The Council welcomes the appointment of the Deputy Leader of the Council to the Children's Social Care Portfolio and requests she arranges, in line with already agreed reporting mechanisms, for detailed remediation plans to be presented to the Children and Young People's Scrutiny Committee at the earliest opportunity. The Council commits itself to work across party to support the required turnaround.

Finally, the Council places on record its continued support and admiration for the tremendous hard work of all the staff in Children's Social Services under difficult circumstances.

The meeting commenced at 7.00 p.m. and finished at 9.20 p.m.

## TRAFFORD BOROUGH COUNCIL

17 JULY 2019

### PRESENT

The Worshipful the Mayor (Councillor Rob Chilton), in the Chair.

L. Walsh (Deputy Mayor)	J. Dillon	J.D. Newgrosh
D. Acton	A. Duffield	E. Patel
S. Adshead	N. Evans	K. Procter
A. Akinola	M. Freeman	S.B. Procter
S.B. Anstee	Mrs. D.L. Haddad	T. Ross
Dr. K. Barclay	J. Harding	B. Shaw
J. Bennett	B. Hartley	J. Slater
Miss L. Blackburn	J. Holden	S. Taylor
R. Bowker	C. Hynes	R. Thompson
C. Boyes	D. Jarman	M.J. Welton
J. E. Brophy	D. Jerrome	A. Western
D. Bunting	P. Lally	D. Western
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Dr. S. Carr	S. Longden	A.M. Whyte
K.G. Carter	M. Minnis	A.J. Williams
C.H. Churchill	D. Morgan	B.G. Winstanley
G. Coggins	P. Myers	J.A. Wright
M. Cordingley	A. New	Mrs. P. Young

### In attendance

Chief Executive	S. Todd
Corporate Director of Governance and Community Strategy	J. Le Fevre
Democratic and Scrutiny Officer	F. Fuschi
Senior Democratic and Scrutiny Officer	I. Cockill

### APOLOGIES

Apologies for absence were received from Councillors J. Baugh, B. Brotherton, T. Carey, J. Lamb, A. Mitchell, B. Rigby, E.W. Stennett and S. Thomas.

### 19. MINUTES

That the Minutes of the Annual Meeting of the Council held on 22 May 2019, be approved as a correct record and signed by the Chair.

### 20. ANNOUNCEMENTS

#### (a) 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:

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Mr. David Gill of Bowdon awarded the citation of Commander of the Most Excellent Order of the British Empire (CBE) for services to football;

Mr. Stuart Marks of Altrincham awarded the CBE for voluntary political service;

Mr. Richard Wayne Vince of Bowdon awarded the CBE for services to Her Majesty's Prison and Probation Service in Greater Manchester;

Mr. Darryl Mark Lee of Altrincham awarded the citation of Member of the Most Excellent Order of the British Empire (MBE) for services to charity and the Jewish community in Manchester;

Mr. Christie Darren Spurling of Sale awarded the MBE for services to young people in Greater Manchester; and

Mr. Anthony Frederick Charles Collier of Timperley awarded the British Empire Medal for services to Charity, Fundraising and the community in Cheshire.

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

(b) Congratulations

The Council joined with the Mayor in congratulating Councillor Morgan on his recent marriage to husband Chris.

## 21. QUESTIONS BY MEMBERS

The Mayor reported that 7 questions had been received under Procedure Rule 10.2.

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

*"I have recently had concerns raised by a Trafford resident that the care package for her adult son was delayed due to lack of action by Trafford. The resident complained about "a lack of clear communication and some very mixed messages given, which has left both me and my son upset and confused." Given the recent Ofsted Report into children's social care, will the Labour Administration state what it is doing to ensure adult social care does suffer the same fate?"*

For reasons of confidentiality, Councillor Harding, the Executive Member for Adult Services, indicated that as the Member would be aware, it was not appropriate to discuss individual cases in a public forum and sought to address the wider point stating that a very skilled and dedicated team were set key priorities to deliver improved outcomes for Trafford residents. The Executive Member thanked all the staff that work across Adult Social Care (ASC) in Trafford for rising to the challenge of ensuring the care the Council offered was safe, of high quality and accessible.

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In her first year as Executive Member, improving quality was set as a priority as there was a significant issue with some of the homes that cared for the most vulnerable people. As a result of intense and focussed work, quality of care homes had improved by 18% in the past 12 months but there was still much more to be done.

Councillor Harding and the previous shadow portfolio holder both recognised that ASC was a cross party area of work and had worked closely together in this area, particularly on the Council's response to the Green paper. ASC was the Council's biggest spend area and potential risk and having made herself available to Health Scrutiny Committee, Councillor Harding would also welcome questions about the work she was taking forward in this area.

Welcoming Councillor Bunting's interest and suggesting that he may want to support her as she lobbied central Government to ensure that the Council received what was necessary to care for Trafford residents, at a time in their lives when they might need support, the Executive Member indicated that she was happy to share any planned areas of work with the Shadow Member for ASC.

Councillor Bunting asked as a supplementary question whether the Executive Member could write to all Councillors detailing the actions to ensure ASC remains robust. In response and further to the offer to share information with the Shadow Executive Member, Councillor Harding was happy to share this with all Members.

(b) Councillor Boyes asked the following question, the first of three questions for which he had given notice:

*"The 2018 Labour Group Manifesto suggested that there was to be a Borough wide Road Safety Survey. Please could the Executive Member for Environment, Air Quality and Climate Change indicate whether this survey is now complete and if not when it will be and that when complete its full results will be fed back to residents and members?"*

Councillor Adshead, the Executive Member for Environment, Air Quality and Climate Change advised that the surveying, monitoring and reporting of road accidents and statistics was undertaken by Transport for Greater Manchester (TfGM). The most recent survey results were published on their website on 2 July 2019 and Councillor Adshead indicated that he would provide Councillor Boyes with the relevant link so that he may access the information. The statistics would be reviewed over the next few of months and a summary report produced to inform the budget setting process and the proposed local road safety schemes which may be required in Trafford as a result.

Referring to the introduction of 20 mph zones outside all primary schools, Councillor Boyes asked as a supplementary question, when could those schools without expect them to be introduced. Councillor Adshead advised that further to the proposal reported to the Executive in March 2019, a report considering all the issues, including public safety and public health was expected to be submitted to the Executive in Autumn 2019.

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- (c) Councillor Boyes asked the following question, the second of three questions for which he had given notice:

*“There is often very negative publicity about the amount of rejected waste placed into Trafford recycling bins, particularly black bins. Knowing that a 1% increase in recycling across Greater Manchester would result in savings of £1 million please could the Executive Member for Environment, Air Quality and Climate Change advise, separately for each colour of bin, what percentage of waste in each of the black and green bins is currently rejected within Trafford?”*

Responding to the question, Councillor Adshead, the Executive Member for Environment, Air Quality and Climate Change reported that in 2018/19 Trafford refuse collection vehicles had the following material rejected by the treatment facility:

- Black bins, co-mingled dry recyclables 2.6 tonnes which equated to 0.02%
- Green bins, food and garden waste 18.74 tonnes which equated to 0.07%
- Blue Bins, paper and cardboard 2.36 tonnes which equated to 0.02%

Waste from Trafford’s black bins which should contain plastic bottles, glass bottles and jars and metal cans was transferred to the Materials Recycling Facility at Longley Lane, Sharston where it was mixed with recyclable waste from across Greater Manchester. The contamination rate for all of the mixed recycling collected from across Greater Manchester currently stood at 18.8%.

As a supplementary question, Councillor Boyes queried what publicity there was about what can and cannot be recycled in black bins. The Executive Member confirmed that the information was widely available on the Council’s website, distributed with the recycling calendar, presented in libraries and could be obtained from the Council and its contractor Amey who could be contacted for advice.

- (d) Councillor Boyes asked the following question, the third of three questions for which he had given notice:

“The Trafford Highway Inspection Policy, available to residents on the Council’s website, gives details of the criteria for repair of highways, including potholes, on each of an immediate, medium and long term basis and is dated as approved on 29 October 2012. Given that this was before the instigation of the Amey contract, it is clearly right to carry out a review and to make the resulting revised policy widely known to all residents. I am pleased to learn from the Executive meeting Agenda for 15 July that a revision has taken place but am disappointed to note that the revisions seem only to concern the frequency of inspections of roads, albeit by ward in reverse alphabetical order, whilst there is no current revision to the parameters to be met to instigate repair.



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Might I request that the existence of this document be widely advertised to all residents which thereby, in respect of noting its parameters for repairs, will explain to many of them why, when they report potholes nothing is done, yet the entry via Access Trafford is marked completed because the particular pothole fails to meet the designated criteria for immediate or even medium term repair?"

Councillor Adshead, the Executive Member for Environment, Air Quality and Climate Change reported that the revised and updated Highway Inspection Policy would be published on the Council's website with communications on social media to ensure residents and members were made aware of its contents. There would also be improved information included on the website to make residents aware of the repair criteria that was used when identifying potholes and other defects on the highway for repair. Councillor Adshead assured the Council that the repair criteria was reviewed and was in line with national guidance used by all local authorities across the country and adopted across the Greater Manchester districts, with the repair criteria for footways in Trafford exceeding the national standard. Acknowledging a limitation regarding the standard responses given via the on-line reporting system, a review was being undertaken to improve the level of feedback, which it was hoped would be in place in the next couple of months.

As a supplementary question, Councillor Boyes asked for a specific review of the criteria for repair, focused on reducing the number of potholes and poor road surfaces which were becoming a serious health and safety risk to cyclists. The Executive Member advised that the precise investigatory levels and criteria for carriageways and cycle lanes were detailed in the report to the Executive on 15 July 2019 and if Councillor Boyes was aware of any concerns, invited him to bring them to his or officers attention.

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

*"A petition of 619 signatures was brought to Council in March 2019 by Eleanor Horner a Year 8 pupil at Altrincham Grammar School for Girls and requested improvements to the crossing outside St. Margaret's Church on Dunham Road in Altrincham. The Council Leader assured us that a traffic survey, avoiding the Easter period, would be undertaken. Can I ask what progress has been made?"*

Councillor Andrew Western, the Leader of the Council reported that a pedestrian and traffic survey was undertaken by Transport for Greater Manchester on 1 May 2019, outside of the Easter period, to determine if the location warranted further detailed investigation. The results of the survey were just below the threshold to automatically recommend a full assessment, however, due to the specific circumstances it was considered that the location justified further investigation to identify a solution. Work was currently ongoing to produce a feasibility design and costings for a controlled crossing for potential inclusion within a future capital investment programme.

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In response to Councillor Jerrome's supplementary question regarding the anticipated timescale, the Leader of the Council advised that it was reliant upon the outcome of the feasibility study and should it become apparent it was an absolute necessity the Council would seek to implement.

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

“Please can I ask the Executive Member what is Trafford Council doing to support and resource schools, prevention groups and relevant organisations (such as the police) to prevent crime, particular the carrying of knives and knife crime that is currently impacting our children and young people?”

Firstly in response, Councillor Slater, the Executive Member for Health, Wellbeing and Equalities referred to an incident that afternoon in the Stretford Ward and placed on record the Council's thoughts for the family and the victim who required hospital treatment.

Councillor Slater advised that the Home Office, Personal, Social, Health, and Economic (PSHE) Association and teachers had been working together to create a new and improved school curriculum around knife crime. A total of 20,000 PSHE teachers were provided with new lesson plans on 5 June 2019 which aim to further equip teachers to challenge myths and communicate to their pupils the realities of carrying a knife. Trafford Council's Community Safety Team and Greater Manchester Police (GMP) neighbourhood teams would assist schools in these lessons and projects.

The Council was re-launching the Junior Neighbourhood watch scheme in all schools in Trafford to deliver a wide range of lessons on all subjects including knife crime and drug related issues and would be talking to head teachers to plan events in schools for a 12 month period.

In 2018/19, the Trafford Community Safety Team engaged over 5500 young people in schools on knife crime over 94 school sessions and there was an ongoing programme of events, tailored to the individual schools and relevant age groups.

The Council was successful in its bid from the Early Intervention Youth Fund and through this had commissioned Gorse Hill Studios to run a campaign to be delivered in 7 schools, highlighting to over 2500 school children the issue of knife crime, criminal exploitation and criminal sexual exploitation. The contract would also deliver to parents and teachers of the schools, showing how to look for signs and how to report any issues to the appropriate authorities.

In addition, GMP had recently received additional funding to put more officers on to the streets in an effort to prevent the carrying of knives and improve residents confidence. GMP and Trafford Council were listening to residents, for example, through the Community Cohesion forum which recently brought together 30 local people to discuss knife crime, and are working to keep Trafford the safest borough in Manchester. The Council, GMP and Safer Trafford partners were working

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together to develop a Knife Crime Action Plan to coordinate and track delivery of these projects, which was anticipated to be finalised by September 2019.

Responding to Councillor Brophy's supplementary question about the investment in Trafford Youth Services to engage with young people and prevent knife crime, Councillor Slater indicated that she would be happy to meet with her to discuss the issues together with the Executive Member for Public Safety, Governance and Reform.

- (g) Councillor Coggins asked the following question for which she had given notice:

“With the news that Manchester has made only a 2.5% reduction in greenhouse gas emissions in the last year, compared to its minimum target of 13%, can Trafford confirm the total reduction in emissions we have had since our climate emergency declaration in November 2018?”

In response, Councillor Adshead, the Executive Member for Environment, Air Quality and Climate Change reported that Trafford established a climate change task and finish group following the Council's declaration of a climate change emergency in November 2018 and that a number of actions and recommendations from the group would be fed back to the Executive later in the year. The report would detail how Trafford was managing its emissions relative to targets that had been set.

As a supplementary question, Councillor Coggins asked whether the Executive Member would agree that the Council's response was not acceptable given that 8 months had passed since the climate change emergency declaration. The Executive Member stated that the fact nothing had been reported did not mean work was not proceeding and assured Councillor Coggins that Members would suitably be notified of the results.

## **22. MEMBERSHIP OF COMMITTEES AND OUTSIDE BODIES**

RESOLVED: That the Council notes the following changes to the list of appointments, as agreed by the Chief Executive under delegated authority:

- (a) Licensing Committee

With effect from 14 June 2019, Councillor Mrs. Churchill was appointed as a replacement for Councillor Mrs. Haddad and Councillor Myers was appointed to the vacant position on the Committee.

- (b) Health and Social Care Joint Commissioning Board

With effect from 17 June 2019, Councillor Jane Slater was appointed as a replacement for Councillor Dr. Serena Carr and Councillor Andrew Western was appointed as the substitute member, as a replacement for Councillor Akilah Akinola.

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**23. REVISED CORPORATE LEADERSHIP STRUCTURE AND RE-ALIGNMENT OF PORTFOLIOS**

Further to a referral from the Employment Committee on 1 July 2019, the Chief Executive submitted a report setting out proposals for a revised Corporate Leadership structure to further secure the safe and effective leadership of the Council following the permanent appointment to the Chief Executive post in February 2019.

The Council's Constitution required appointments to Corporate Director posts to be made by an Appointments Panel, which was drawn from members across the Council and that salary and benefits packages totalling in excess of £100,000 to be approved by the Council.

The report outlined the rationale for the proposed changes, including remuneration levels, summarised them accordingly and sought Council approval and/or noting of the changes, as appropriate.

It was moved and seconded that the recommendations set out in the report be approved.

Following a debate on the matter the Motion was put to the vote and declared carried.

RESOLVED:

- (1) That the Council notes:
  - (a) that the joint post of Corporate Director Commissioning has been disestablished following the conclusion of the fixed term arrangement;
  - (b) the proposed establishment of a redesigned joint post of Director of Integrated Health and Social Care Strategy for a three year period with a remuneration level equivalent to NHS Very Senior Manager terms £62,316 (0.6 FTE pro-rata) funded jointly by NHS Trafford Clinical Commissioning Group and Trafford Council;
  - (c) the internal ring-fence appointment of the postholder of the former Corporate Director Commissioning role, to the redesigned Director of Integrated Health and Social Care Strategy post on the terms outlined to secure the continuation of the transformation and reform responsibilities in the health and social care field;
  - (d) the current temporary arrangements in place for the Corporate Director of Children's Services pending the external recruitment process;

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- (e) the proposed Member led internal recruitment process for the statutory role of Corporate Director of Adults and Wellbeing to be ring-fenced to the current interim postholder, and the proposed external advertisement and Member led recruitment process for the Corporate Director of Children and Families;
  - (f) the revised salary level for the Director of Public Health proposed at £95,000 and the external Member led recruitment process with Public Health England that includes consideration of the current interim postholder; and
  - (g) the reporting re-alignment of the Director of Public Health and function to the Corporate Director Adult Services and Wellbeing.
- (2) That the salary for the Interim Corporate Director of Children's Services (£1104 day rate) for a six month period, which is likely to exceed £100,000, be approved.
  - (3) That the proposed revised salary levels for Corporate Director Adults and Wellbeing post (£116,745) and Corporate Director Children and Families post (£125,000), consistent with revised portfolios and market value, be approved.
  - (4) That the establishment of a new Corporate Leadership Team Structure, as set out in Appendix 2 to the report, be approved.

**24. ASSOCIATION OF GREATER MANCHESTER AUTHORITIES CONSTITUTION**

The Corporate Director of Governance and Community Strategy submitted a report advising the Council that the Association of Greater Manchester Authorities (AGMA) Executive Board had agreed a number of amendments to the AGMA constitution following a review by the Greater Manchester Combined Authority (GMCA) Monitoring Officer.

**RESOLVED:**

- (1) That the Council notes that the AGMA Executive Board and GMCA have agreed the amendments to the AGMA Constitution.
- (2) That the revised AGMA Constitution be approved by the Council.
- (3) That the Council's GMCA substitute member, Councillor Hynes, be appointed as the substitute member for the AGMA Executive Board.

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**25. ACCOUNTS AND AUDIT COMMITTEE ANNUAL REPORT TO COUNCIL  
2018/19**

The Chair and Vice-Chair of the Accounts and Audit Committee for 2018/19 submitted to the Council a report setting out the Committee's Annual Report for 2018/19. The Annual Report which had been presented to the Accounts and Audit Committee on 19 June 2019 summarised the work undertaken by the Committee during the year and its impact and also provided assurance to the Council on the fulfilment of the Committee's responsibilities.

RESOLVED: That the report be noted.

**26. ANNUAL SCRUTINY REPORT 2018/19**

Further to a referral by Scrutiny Committee on 3 July 2019, the Chairs of the Council's three Scrutiny Committees, Scrutiny, Health Scrutiny and Children and Young People's Scrutiny, submitted a joint report presenting the annual report to the Council on the previous year's work and each Committee's work programme for the year ahead.

RESOLVED: That the report be noted.

**27. YEAR END CORPORATE REPORT ON HEALTH AND SAFETY - 1 APRIL 2018  
TO 31 MARCH 2019**

Further to a referral by Employment Committee on 1 July 2019, the Executive Member for Finance and Investment 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 2018 to 31 March 2019.

RESOLVED: That the report be noted.

**28. MOTION SUBMITTED BY THE LABOUR GROUP - PUBLIC HEALTH**

It was moved and seconded that:

"The Public Health Grant funds vital services and functions that prevent ill health and contribute to the future sustainability of the NHS. Local authorities are responsible for delivering most of these services, but their ability to do so is compromised by public health baseline funding reductions and the broader funding climate.

In 2018/19 and again in 2019/20 every local authority has had less to spend on public health than the year before. Taking funds away from prevention is a false economy. Without proper investment in public health people suffer, demand on local health services increases and the economy suffers. Poor public health costs local businesses heavily through sick days and lost productivity. Unless we restore public health funding, our health and care

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system will remain locked in a 'treatment' approach, which is neither economically viable nor protects the health of residents.

The Government is looking to phase out the Public Health Grant nationally by 2020/21, as is already the case across Greater Manchester. Thereafter, they plan to fund public health via business rates retention. Whatever the model, it is vital that local authorities have enough funding to deliver the functions and services they need to provide. Deprived areas often suffer the worst health outcomes, so it is also vital that areas with the greatest need receive sufficient funding to meet their local challenges.

This Council notes that around four in ten cancers are preventable, largely through avoidable risk factors, such as stopping smoking, keeping a healthy weight and cutting back on alcohol. Smoking accounts for 80,000 early deaths every year and remains the largest preventable cause of cancer in the world. Smoking-related ill health costs local authorities £760 million every year in social care costs. Additionally, obesity and alcohol account for 30,000 and 7,000 early deaths each year respectively. All three increase the risk of: cancer, diabetes, lung and heart conditions, poor mental health and create a subsequent burden on health and social care.

This Council believes that the impact of reduction to baseline funding to public health on our communities is becoming difficult to ignore. This case becomes more pressing given the Government's consideration of a 10-year plan for the NHS. For this reason, we support Cancer Research UK's call for increased and sustainable public health funding. This Council calls on the Government to deliver increased investment in public health and to support a sustainable health and social care system by taking a 'prevention first' approach. Trafford Council recognises and values the role of Public Health and will lobby Central Government to support and properly fund public health initiatives - to prevent ill-health, reduce inequalities and support a health and social care system that is fit for the future."

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

**RESOLVED:** That the Public Health Grant funds vital services and functions that prevent ill health and contribute to the future sustainability of the NHS. Local authorities are responsible for delivering most of these services, but their ability to do so is compromised by public health baseline funding reductions and the broader funding climate.

In 2018/19 and again in 2019/20 every local authority has had less to spend on public health than the year before. Taking funds away from prevention is a false economy. Without proper investment in public health people suffer, demand on local health services increases and the economy suffers. Poor public health costs local businesses heavily through sick days and lost productivity. Unless we restore public health funding, our health and care system will remain locked in a 'treatment' approach, which is neither economically viable nor protects the health of residents.

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The Government is looking to phase out the Public Health Grant nationally by 2020/21, as is already the case across Greater Manchester. Thereafter, they plan to fund public health via business rates retention. Whatever the model, it is vital that local authorities have enough funding to deliver the functions and services they need to provide. Deprived areas often suffer the worst health outcomes, so it is also vital that areas with the greatest need receive sufficient funding to meet their local challenges.

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This Council believes that the impact of reduction to baseline funding to public health on our communities is becoming difficult to ignore. This case becomes more pressing given the Government's consideration of a 10-year plan for the NHS. For this reason, we support Cancer Research UK's call for increased and sustainable public health funding. This Council calls on the Government to deliver increased investment in public health and to support a sustainable health and social care system by taking a 'prevention first' approach. Trafford Council recognises and values the role of Public Health and will lobby Central Government to support and properly fund public health initiatives - to prevent ill-health, reduce inequalities and support a health and social care system that is fit for the future.

**29. MOTION SUBMITTED BY THE LABOUR GROUP - UNITE CONSTRUCTION CHARTER**

(Note: The time being 8.25 p.m., the Mayor indicated that speeches made by Members moving and seconding a Motion or any amendment would be limited to a maximum of two minutes per speaker and that all other all speeches would be limited to a maximum of one minute per speaker.)

(Note: By virtue of their membership of Unite the Union, the following Councillors declared a personal interest in this matter and remained in the meeting, namely, Councillors Acton, Akinola, Bennett, Carter, Cordingley, Jarman, Longden, Minnis, Thompson, Andrew Western and Williams.)

It was moved and seconded that:

“This Council supports the Unite Construction Charter as set out below and authorises the Leader of the Council to sign this Charter on behalf of Trafford Metropolitan Borough Council.



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As a Local Authority we are responsible for the procurement of a multitude of construction projects. It is therefore appropriate that we as a responsible client enter into this agreement and commit to working with the appropriate trade unions, in order to achieve the highest standards in respect of; direct employment status, health & safety, standard of work, apprenticeship training and the implementation of appropriate nationally agreed terms and conditions of employment. The following shall be a requirement for all contractors and their supply chain engaged by this Authority: -

1. All parties recognise that the highest level of compliance with current HMRC regulations must be achieved where public funds are utilised. It is therefore a contractual requirement that all operatives are directly employed on a PAYE basis under a contract of employment. Furthermore the use of intermediary pay roll company will be prohibited on all contracts.
2. Health and Safety of workers on all of our construction projects is paramount. It is therefore a requirement that all contractors rigorously implement and adhere to our minimum standards for health and safety, as set out in our procurement documents. In addition we require all contractors to provide quality welfare facilities fit for purpose in accordance with the Construction Design and Management Regulation of 2015.
3. It is a recognised fact that the presence of trade union safety representatives significantly improves safety in the workplace. Contractors and their supply chain are required to work collaboratively with the appropriate trade unions to identify and implement reasonable real-world initiatives.
4. The Authority requires all projects to be completed to the highest standard, so as to meet the aspirations of the residents of this Authority. In order to achieve this it is recognised that it is necessary that all workers are competent and have the appropriate level of skill to carry out the work they are employed to do. To assist in the achievement of this goal the Authority's contractors and their supply chain will ensure they retain documented evidence that all workers are competent to carry out the work they have been employed to do. They will ensure that such evidence is retained in a way as to allow the Authority or its nominee's to audit the documentation. Possession of the recognised industry skills / grade card such as JIB (Joint Industry Board) or CSCS (Construction Skills Certification Scheme) will be considered acceptable evidence
5. The Authority is mindful of the industry skills shortage and the need to address this through appropriate apprenticeships, including adult training in up skilling. The Authority's contractors and supply chain will in consultation with the Authority and other interested parties develop and implement a programme that addresses the skills shortage and provides training opportunities to local residents.

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6. The Authority recognises the right of all construction workers to be employed under and to be protected by the appropriate national industry collective agreement. The Authority requires full compliance with all appropriate national agreements applicable to the construction industry.
7. All contractors and their supply chain will accept the right of any trade union that is a signatory to an appropriate national agreement, to appoint shop stewards, workplace health & safety representatives and Union Learning Reps. All trade union accredited representatives will be granted appropriate time and facilities to carry out their responsibilities.
8. The Authority, its contractors and their supply chain are committed to a fair and transparent recruitment policy. All contractors and their supply chain will actively ensure that the engagement of labour is based on the individual's ability to meet the needs of the project and the specific tasks for which they are recruited to undertake.
9. The Authority its contractors and their supply chain agree it's not acceptable for anyone to use or make reference to any form of blacklist.
10. The Authority recognises the benefit trade unions bring to the workplace and the rights of workers to hear from trade union representative. The Authority's contractors and their supply chain are required to allow access to nominated trade union officer from trade unions that are signatories to the appropriate national agreements. Access shall mean access to welfare facilities during working times so as to allow them to consult with their members and potential members.
11. The Authority supports the Get Britain Building campaign, which is aimed at supporting and sustaining the British construction industry. Consequently, all relevant construction contracts will be required to comply with our Authority's Sustainable Buying Standard for Highways and Construction Materials, which requires structural steel and other relevant materials to be covered by BES 6001 Responsible Sourcing of Construction Product certification, or equivalent."

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

RESOLVED: That this Council supports the Unite Construction Charter as set out below and authorises the Leader of the Council to sign this Charter on behalf of Trafford Metropolitan Borough Council.

As a Local Authority we are responsible for the procurement of a multitude of construction projects. It is therefore appropriate that we as a responsible client enter into this agreement and commit to working with the appropriate trade unions, in order to achieve the highest standards in respect of; direct employment status, health & safety, standard of work, apprenticeship training

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and the implementation of appropriate nationally agreed terms and conditions of employment. The following shall be a requirement for all contractors and their supply chain engaged by this Authority: -

1. All parties recognise that the highest level of compliance with current HMRC regulations must be achieved where public funds are utilised. It is therefore a contractual requirement that all operatives are directly employed on a PAYE basis under a contract of employment. Furthermore the use of intermediary pay roll company will be prohibited on all contracts.
2. Health and Safety of workers on all of our construction projects is paramount. It is therefore a requirement that all contractors rigorously implement and adhere to our minimum standards for health and safety, as set out in our procurement documents. In addition we require all contractors to provide quality welfare facilities fit for purpose in accordance with the Construction Design and Management Regulation of 2015.
3. It is a recognised fact that the presence of trade union safety representatives significantly improves safety in the workplace. Contractors and their supply chain are required to work collaboratively with the appropriate trade unions to identify and implement reasonable real-world initiatives.
4. The Authority requires all projects to be completed to the highest standard, so as to meet the aspirations of the residents of this Authority. In order to achieve this it is recognised that it is necessary that all workers are competent and have the appropriate level of skill to carry out the work they are employed to do. To assist in the achievement of this goal the Authority's contractors and their supply chain will ensure they retain documented evidence that all workers are competent to carry out the work they have been employed to do. They will ensure that such evidence is retained in a way as to allow the Authority or its nominee's to audit the documentation. Possession of the recognised industry skills / grade card such as JIB (Joint Industry Board) or CSCS (Construction Skills Certification Scheme) will be considered acceptable evidence
5. The Authority is mindful of the industry skills shortage and the need to address this through appropriate apprenticeships, including adult training in up skilling. The Authority's contractors and supply chain will in consultation with the Authority and other interested parties develop and implement a programme that addresses the skills shortage and provides training opportunities to local residents.
6. The Authority recognises the right of all construction workers to be employed under and to be protected by the appropriate national industry collective agreement. The Authority requires full compliance

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with all appropriate national agreements applicable to the construction industry.

7. All contractors and their supply chain will accept the right of any trade union that is a signatory to an appropriate national agreement, to appoint shop stewards, workplace health & safety representatives and Union Learning Reps. All trade union accredited representatives will be granted appropriate time and facilities to carry out their responsibilities.
8. The Authority, its contractors and their supply chain are committed to a fair and transparent recruitment policy. All contractors and their supply chain will actively ensure that the engagement of labour is based on the individual's ability to meet the needs of the project and the specific tasks for which they are recruited to undertake.
9. The Authority its contractors and their supply chain agree it's not acceptable for anyone to use or make reference to any form of blacklist.
10. The Authority recognises the benefit trade unions bring to the workplace and the rights of workers to hear from trade union representative. The Authority's contractors and their supply chain are required to allow access to nominated trade union officer from trade unions that are signatories to the appropriate national agreements. Access shall mean access to welfare facilities during working times so as to allow them to consult with their members and potential members.
11. The Authority supports the Get Britain Building campaign, which is aimed at supporting and sustaining the British construction industry. Consequently, all relevant construction contracts will be required to comply with our Authority's Sustainable Buying Standard for Highways and Construction Materials, which requires structural steel and other relevant materials to be covered by BES 6001 Responsible Sourcing of Construction Product certification, or equivalent.

**30. MOTION SUBMITTED BY THE LIBERAL DEMOCRATS GROUP - AIR QUALITY MONITORING**

It was moved and seconded that:

“This Council notes:

- The rising risk posed to all Trafford Residents caused by Air Pollution in and around the borough
- The additional risk posed to Children and the Elderly
- The growing amount of research - including retrospective cohort study carried out by researchers from Kings College, the University of London, Imperial College London and others - which strongly links rising air pollution to an increase in cases and severity of Dementia and Alzheimer's

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This Council resolves to undertake a full review of air quality monitoring in Trafford, which will include:

- Drafting proposals for additional monitoring sites as well as the inclusion of PM 2.5 monitors
- Exploring supplementary monitoring measures such as increased use of diffusion tubes and the use of mobile air monitors
- A report on quality control and data analysis

This Council also resolves to:

- Open up the council's air quality data to the public at every opportunity, including the provision of new 'land use regression maps' so that new pollutants can be identified and monitoring provisions can be reviewed over time
- Work with all stake holders to encourage the use of electric vehicles and increase the number of electric charging points across the borough
- Introduce signage around level crossings and schools advising motorists to switch off their engines where appropriate
- Ensure that future planning developments incorporate pollutant absorbent vegetation such as new trees and 'Green Walls' to help reduce resident exposure
- Install feeder pillars, or other forms of connectivity, to the electricity grid as an alternative source of power to enable rides and traders using diesel generators in areas of our town centres with high pedestrian footfall to use alternative cleaner sources of power
- Instruct the license committee to consider clean sources of power when granting licensing

This Council asks the Leader of the Council to write to the Mayor of Greater Manchester as well as the leaders of neighbouring local authorities encouraging them to adopt the above measures and encouraging cooperation across the region."

It was moved and seconded as an amendment that:

"The Motion be accepted subject to the following insertions:

(1) after "and severity of Dementia and Alzheimer's" insert:

- The importance of maintaining our green open spaces

(2) after "This Council also resolves to:" insert:

- Maintain and protect the full current Trafford Green belt and oppose the current Greater Manchester Spatial Framework (GMSF) proposals"

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In accordance with Procedure Rule 15.1 'Motion to rescind a previous decision made at a Council meeting within the past six months' the amendment was challenged on a point of order that notice of the proposed motion had not been signed by at least 16 Members. It was considered that approval would thereby constitute a Motion that would be contrary to the Council decision of 20 March 2019 relating to the Greater Manchester Spatial Framework (Minute No. 81 refers) and accordingly the amendment was ruled as invalid.

The Motion was then debated before being put to the vote and declared lost.

**31. MOTION SUBMITTED BY THE LABOUR GROUP - GREEN NEW DEAL**

(Note: The time being 9.02 p.m., the Mayor indicated that all speeches would now be limited to a maximum of one minute per speaker.)

It was moved and seconded that:

"The Council notes:

- Its declaration of a 'climate emergency' and commitment to adopt radical measures to combat climate change supported by the provision of Carbon Neutrality training to council members and staff.
- To prevent the worst effects of climate change, we must keep global temperature rises below 1.5°C. Over 1°C of warming has taken place since the start of the industrial revolution causing huge environmental damage, with populations in the Global South suffering the most. Tackling climate change is thus indivisible from social, racial and economic justice.
- The Conservative Government is supporting the fracking industry and has cut support for renewable, environmentally clean technologies.
- In light of this it is important Government, as well as Local Government and GM Combined Authority plays its full part in achieving carbon neutrality as soon as possible and no later than the GM target of 2038.

The Council therefore calls on the Government, as a matter of urgency, to adopt the following Green New Deal: a state-led programme of investment and regulation for the decarbonisation and transformation of our economy that reduces inequality and pursues efforts to keep global average temperature rises below 1.5°C.

This should include:

- Commitment to zero carbon emissions by 2038, as the 2050 target recently agreed in Parliament is too late to prevent the 1.5°C in global temperature.
- Rapidly phasing out all fossil fuels.
- Large-scale investment in renewables.
- A just transition to well-paid, unionised, green jobs available for all.
- A green industrial revolution expanding public, democratic ownership as far as necessary for the transformation.

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- Green public integrated transport that connects Britain.
- Supporting developing countries' climate transitions by increasing transfers of finance, technology and capacity.
- Assuring everyone's basic rights through the provision of universal services.
- Welcoming climate refugees while taking measures against the displacement of peoples from their country of origin due to climate change.
- Supporting existing and emerging companies specialising in neutralising existing levels of carbon."

It was moved and seconded as an amendment that:

"The Council notes:

- Its declaration of a 'climate emergency' and commitment to adopt radical measures to combat climate change supported by the provision of Carbon Literacy training to council members and staff.
- To prevent the worst effects of climate change, we must keep global temperature rises below 1.5°C. Over 1°C of warming has taken place since the start of the industrial revolution causing huge environmental damage, with populations in the Global South suffering the most. Tackling climate change is thus indivisible from social, racial and economic justice.
- The Conservative Government is supporting the fracking industry, committed to airport expansion, and has cut support for renewable, environmentally clean technologies.
- In light of this it is important Government, as well as Local Government and GM Combined Authority plays its full part in achieving carbon neutrality as soon as possible, preferably significantly before the GM target of 2038.

The Council therefore calls on the Government, as a matter of urgency, to adopt the following Green New Deal: a state-led programme of investment and regulation for the decarbonisation and transformation of our economy that reduces inequality and ensures we do our fair share to maintain global average temperature rises below 1.5°C.

This should include:

- Commitment to zero carbon emissions no later than 2038, as the 2050 target recently agreed in Parliament is too late to prevent the 1.5°C in global temperature.
- Acknowledging that regardless of target dates, it is our overall emissions which matter most. This means that we cannot wait to act. Large-scale rapid reductions in emissions need to commence immediately, at a rate of at least 10% per year.
- Rapidly phasing out all fossil fuels.
- Large-scale investment in renewables insulation, improved efficiency and demand-management.

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- A just transition to well-paid, unionised, green jobs available for all.
- A green industrial revolution expanding public, democratic ownership as far as necessary for the transformation.
- Green public integrated transport that connects Britain.
- Supporting developing countries' climate transitions by increasing transfers of finance, technology and capacity.
- Assuring everyone's basic rights through the provision of universal services.
- Welcoming climate refugees while taking measures against the displacement of peoples from their country of origin due to climate change.
- Supporting existing and emerging companies specialising in neutralising existing levels of carbon."

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 the Council notes:

- Its declaration of a 'climate emergency' and commitment to adopt radical measures to combat climate change supported by the provision of Carbon Neutrality training to council members and staff.
- To prevent the worst effects of climate change, we must keep global temperature rises below 1.5°C. Over 1°C of warming has taken place since the start of the industrial revolution causing huge environmental damage, with populations in the Global South suffering the most. Tackling climate change is thus indivisible from social, racial and economic justice.
- The Conservative Government is supporting the fracking industry and has cut support for renewable, environmentally clean technologies.
- In light of this it is important Government, as well as Local Government and GM Combined Authority plays its full part in achieving carbon neutrality as soon as possible and no later than the GM target of 2038.

The Council therefore calls on the Government, as a matter of urgency, to adopt the following Green New Deal: a state-led programme of investment and regulation for the decarbonisation and transformation of our economy that reduces inequality and pursues efforts to keep global average temperature rises below 1.5°C.

This should include:

- Commitment to zero carbon emissions by 2038, as the 2050 target recently agreed in Parliament is too late to prevent the 1.5°C in global temperature.
- Rapidly phasing out all fossil fuels.
- Large-scale investment in renewables.
- A just transition to well-paid, unionised, green jobs available for all.



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- A green industrial revolution expanding public, democratic ownership as far as necessary for the transformation.
- Green public integrated transport that connects Britain.
- Supporting developing countries' climate transitions by increasing transfers of finance, technology and capacity.
- Assuring everyone's basic rights through the provision of universal services.
- Welcoming climate refugees while taking measures against the displacement of peoples from their country of origin due to climate change.
- Supporting existing and emerging companies specialising in neutralising existing levels of carbon.

**32. MOTION SUBMITTED BY THE GREEN PARTY GROUP - INCREASING URBAN STREET TREES**

It was moved and seconded that:

“This Council believes:

That the City of Trees i-Tree survey of 2018 declared that Greater Manchester's 11.3 million trees provide an annual environmental and economic benefit of £33 million which benefits Trafford. Trafford's streets currently number 18,000 trees but a net increase of 20% - approx. 3,600 - will increase biodiversity, bring environmental benefits and wellbeing to residents.

This Council notes:

- Trees are still the cheapest way to absorb and sequester carbon from the atmosphere which contributes to limiting the harmful effects of climate change.
- Trees remove pollutants from the air which improves air quality. There's up to a 60% reduction in street level particulates they reduce ozone, nitrogen oxides, sulphur dioxides, carbon monoxide and carbon dioxide.
- Trees create ecosystems that provide increased biodiversity for many animals.
- Trees help control intense rain run-off and help to improve water quality and reduce flooding.
- Trees have many benefits for residents: they provide a proven sense of wellbeing.

Trafford Council resolves to:

- Undertake a year-long audit to identify suitable locations in urban areas to increase tree coverage and undertake resident consultation and report to Executive by July 2020.
- Set ambitious targets to increase our urban street trees and TMBC to consider the Government's Urban Tree Challenge Fund to assist this [1].

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- Ensure that tree coverage is consistent across the borough and consider nearby green spaces where a lack of suitable streets exist.
- Seek out partnerships with the Woodland Trust, City of Trees and the Forestry Commission to fully move to UK-sourced trees that are disease-free and fully traceable.
- Increase native varieties of small, medium and large sized trees and match these to local conditions.
- Further promote the Adopt-a-Tree scheme to residents, community groups and schools.
- Become a member of the Champion Trees Register [2] to celebrate our outstanding trees.”

It was moved and seconded as an amendment that:

“The Motion be accepted, subject to the deletion of:

- Seek out partnerships with the Woodland Trust, City of Trees and the Forestry Commission to fully move to UK-sourced trees that are disease-free and fully traceable.”

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

RESOLVED: That this Council believes:

That the City of Trees i-Tree survey of 2018 declared that Greater Manchester’s 11.3 million trees provide an annual environmental and economic benefit of £33 million which benefits Trafford. Trafford’s streets currently number 18,000 trees but a net increase of 20% - approx. 3,600 - will increase biodiversity, bring environmental benefits and wellbeing to residents.

This Council notes:

- Trees are still the cheapest way to absorb and sequester carbon from the atmosphere which contributes to limiting the harmful effects of climate change.
- Trees remove pollutants from the air which improves air quality. There’s up to a 60% reduction in street level particulates they reduce ozone, nitrogen oxides, sulphur dioxides, carbon monoxide and carbon dioxide.
- Trees create ecosystems that provide increased biodiversity for many animals.
- Trees help control intense rain run-off and help to improve water quality and reduce flooding.
- Trees have many benefits for residents: they provide a proven sense of wellbeing.

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Trafford Council resolves to:

- Undertake a year-long audit to identify suitable locations in urban areas to increase tree coverage and undertake resident consultation and report to Executive by July 2020.
- Set ambitious targets to increase our urban street trees and TMBC to consider the Government's Urban Tree Challenge Fund to assist this [1].
- Ensure that tree coverage is consistent across the borough and consider nearby green spaces where a lack of suitable streets exist.
- Increase native varieties of small, medium and large sized trees and match these to local conditions.
- Further promote the Adopt-a-Tree scheme to residents, community groups and schools.
- Become a member of the Champion Trees Register [2] to celebrate our outstanding trees."

1. <https://www.gov.uk/guidance/urban-tree-challenge-fund>
2. <https://www.treeregister.org/aboutus.shtml>

**33. MOTION SUBMITTED BY THE GREEN PARTY GROUP - REDUCE GRASS CUTTING TO INCREASE BIODIVERSITY IN PARKS AND ROADSIDES**

It was moved and seconded that:

"This Council notes:

Scientists have reported that our planet faces a biodiversity crisis that is threatening the planets eco-system and we need to reverse that decline [1]. This Council can be proactive by reducing grass verge maintenance which will encourage habitat for insects and wildlife. By reducing maintenance on verges, parkland and other areas this Council can also reduce costs: Dorset Council has saved £93,000, Burnley estimates £50,000 [2] and Rochdale Council plans £40,000 worth of savings. Over 80 per cent (81%) of the public back calls for councils to help Britain's under-threat bees by cutting areas of grass less often states a YouGov poll for Friends of the Earth and Buglife [3].

This Council believes:

- That planting more wildflowers and other bee friendly plants in their local parks and community spaces will increase biodiversity.
- Allowing some areas to remain uncut can help Trafford provide corridors for wildlife to thrive which in turn creates increased wellbeing for residents [4].
- Allowing grassland and strips to remain unmown longer can save costs [5].

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This Council resolves to:

- To undertake a year-long audit of roadside verges with the aim to reduce grass-cutting and develop a management policy to improve biodiversity, grassland and save on maintenance costs – highway safety must remain paramount.
- Develop a wildflower planting scheme like Rotherham’s ‘River of Flowers’ and over the next year identify suitable areas such as roundabouts and central reservations [6]
- Report to Executive by July 2020 with a report based on the roadside audit and a borough-wide consultation with residents.
- Aim to increase grassland areas within parks across the borough by reducing mowing regimes with consultation with Friend Groups and local residents [5]
- Write to the Mayor of Greater Manchester to highlight this green initiative.”

It was moved and seconded as an amendment that:

“The Motion be accepted subject to the slight revision of the proposed resolutions as follows:

This Council resolves to:

- To undertake a year-long audit of roadside verges with the aim to reduce grass-cutting and develop a management policy to improve biodiversity, grassland and save on maintenance costs – highway safety must remain paramount.
- Note the Labour administrations plan to develop a wildflower planting scheme like Rotherham’s ‘River of Flowers’ and over the next year identify suitable areas such as roundabouts and central reservations [6]
- Report to Executive by July 2020 with a report based on the roadside audit and a borough-wide consultation with residents.
- Note the Labour administrations plans to aim to increase grassland areas within parks across the borough by reducing mowing regimes with consultation with Friend Groups and local residents [5]
- Ask the Leader, in line with his Green City Region responsibilities, to look at ways of promoting such innovation across the conurbation”

(Note: The time being 9.25 p.m., the Mayor announced that he would allow one speaker from each of the political groups to speak to this item.)

Following speeches on the matter, the amendment was put to the vote and declared carried. The Substantive Motion was then put to the vote and declared carried.

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RESOLVED: That this Council notes:

Scientists have reported that our planet faces a biodiversity crisis that is threatening the planet's eco-system and we need to reverse that decline [1]. This Council can be proactive by reducing grass verge maintenance which will encourage habitat for insects and wildlife. By reducing maintenance on verges, parkland and other areas this Council can also reduce costs: Dorset Council has saved £93,000, Burnley estimates £50,000 [2] and Rochdale Council plans £40,000 worth of savings. Over 80 per cent (81%) of the public back calls for councils to help Britain's under-threat bees by cutting areas of grass less often states a YouGov poll for Friends of the Earth and Buglife [3].

This Council believes:

- That planting more wildflowers and other bee friendly plants in their local parks and community spaces will increase biodiversity.
- Allowing some areas to remain uncut can help Trafford provide corridors for wildlife to thrive which in turn creates increased wellbeing for residents [4].
- Allowing grassland and strips to remain unmown longer can save costs [5].

This Council resolves to:

- To undertake a year-long audit of roadside verges with the aim to reduce grass-cutting and develop a management policy to improve biodiversity, grassland and save on maintenance costs – highway safety must remain paramount.
- Note the Labour administrations plan to develop a wildflower planting scheme like Rotherham's 'River of Flowers' and over the next year identify suitable areas such as roundabouts and central reservations [6]
- Report to Executive by July 2020 with a report based on the roadside audit and a borough-wide consultation with residents.
- Note the Labour administrations plans to aim to increase grassland areas within parks across the borough by reducing mowing regimes with consultation with Friend Groups and local residents [5]
- Ask the Leader, in line with his Green City Region responsibilities, to look at ways of promoting such innovation across the conurbation

1. <https://www.theguardian.com/environment/2019/feb/10/plummeting-insect-numbers-threaten-collapse-of-nature>
2. [https://friendsoftheearth.uk/bees/ask-your-council-introduce-pollinator-action-plan?fbclid=IwAR1MfUXLOUdF7\\_R3ld\\_NeW0GPO0Lr65qYmu4Bca9mPl7vzIN4k5aQHqwxqw](https://friendsoftheearth.uk/bees/ask-your-council-introduce-pollinator-action-plan?fbclid=IwAR1MfUXLOUdF7_R3ld_NeW0GPO0Lr65qYmu4Bca9mPl7vzIN4k5aQHqwxqw)
3. <https://friendsoftheearth.uk/bees/huge-public-backing-councils-reduce-grasscutting-help-save-our-bees>
4. <https://www.rewildingbritain.org.uk/assets/uploads/Rewilding%20and%20Climate%20Breakdown%20-%20a%20report%20by%20Rewilding%20Britain.pdf>
5. <http://www.sussex.ac.uk/broadcast/read/26417>

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6.[https://www.rotherham.gov.uk/info/200083/roads\\_highways\\_and\\_pavements/793/grass\\_and\\_verges\\_maintenance\\_schedule/2](https://www.rotherham.gov.uk/info/200083/roads_highways_and_pavements/793/grass_and_verges_maintenance_schedule/2)

**34. MOTION SUBMITTED BY THE LIBERAL DEMOCRATS GROUP - EMPTY HOMES PREMIUM SCHEME**

RESOLVED: That since the time was approaching 9.30 p.m. and the meeting was to be adjourned, the Council agrees to reconvene at the rising of the Extraordinary Meeting of the Council being held at 7.00 p.m. on 23 July 2019 to consider both this and the other remaining item of business, namely Item 10(h) "Motion Submitted by the Conservative Group – Members' Allowances Increases for Labour Councillors".

**35. MOTION SUBMITTED BY THE CONSERVATIVE GROUP - MEMBERS' ALLOWANCES INCREASES FOR LABOUR COUNCILLORS**

RESOLVED: That since the time was approaching 9.30 p.m. and the meeting was to be adjourned, the Council agrees to reconvene at the rising of the Extraordinary Meeting of the Council being held at 7.00 p.m. on 23 July 2019 to consider both this and the other remaining item of business, namely Item 10(g) "Motion Submitted by the Liberal Democrats Group – Empty Homes Premium Scheme".

The meeting commenced at 7.05 p.m. and finished at 9.30 p.m.

## TRAFFORD BOROUGH COUNCIL

### EXTRAORDINARY MEETING OF THE COUNCIL

23 JULY 2019

#### PRESENT

The Worshipful the Mayor (Councillor Rob Chilton), in the Chair.

L. Walsh (Deputy Mayor)	Mrs. D.L. Haddad	T. Ross
D. Acton	J. Holden	B. Shaw
S. Adshead	C. Hynes	J. Slater
A. Akinola	D. Jerrome	E.W. Stennett
Dr. K. Barclay	J. Lloyd	R. Thompson
J. Baugh	M. Minnis	M.J. Welton
Miss L. Blackburn	A. Mitchell	A. Western
R. Bowker	D. Morgan	D. Western
D. Bunting	P. Myers	G. Whitham
K.G. Carter	A. New	A.M. Whyte
Mrs. C.H. Churchill	J.D. Newgrosh	A.J. Williams
G. Coggins	E. Patel	B.G. Winstanley
M. Cordingley	K. Procter	J.A. Wright
J. Dillon	S.B. Procter	Mrs. P. Young
N. Evans	B. Rigby	

#### In attendance

Chief Executive	S. Todd
Corporate Director of Governance and Community Strategy	J. Le Fevre
Corporate Director, Place	R. Roe
Head of Financial Management	G. Bentley
Democratic and Scrutiny Officer	F. Fuschi
Senior Democratic and Scrutiny Officer	I. Cockill

#### **APOLOGIES**

Apologies for absence were received from Councillors S.B. Anstee, J. Bennett, C. Boyes, J. E. Brophy, B. Brotherton, D. Butt, T. Carey, Dr. S. Carr, A. Duffield, M. Freeman, J. Harding, B. Hartley, D. Jarman, P. Lally, J. Lamb, S. Longden, S. Taylor and S. Thomas.

#### **36. TREASURY MANAGEMENT STRATEGY**

The Executive Member for Finance and Investment and the Corporate Director of Finance and Systems submitted a joint report providing an update on the treasury investment strategy to extend the use in pooled investment vehicles to permit funds to be placed in pooled vehicles that have a strong focus on social impact ethical investments and to allow funds to be placed in a new class of non-specified investments which support and complement the Council's Asset Investment Strategy.

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The report advised that all investments would be undertaken in accordance with the primary power to invest, as stipulated in Section 12 of the Local Government Act 2003, with due regard also being placed on the statutory guidance on local authority investments issued by the Ministry of Housing Communities and Local Government in 2018, which included that priority consideration should be given to security and liquidity.

RESOLVED: That the changes to the Treasury Management Investment Strategy, as detailed in the report, be approved.

The meeting commenced at 7.04 p.m. and finished at 7.13 p.m.



## TRAFFORD BOROUGH COUNCIL

### RECONVENED MEETING OF THE COUNCIL MEETING ADJOURNED ON 17 JULY 2019

23 JULY 2019

#### PRESENT

The Worshipful the Mayor (Councillor Rob Chilton), in the Chair.

L. Walsh (Deputy Mayor	Mrs. D.L. Haddad	T. Ross
D. Acton	J. Holden	B. Shaw
S. Adshead	C. Hynes	J. Slater
A. Akinola	D. Jerrome	E.W. Stennett
Dr. K. Barclay	J. Lloyd	R. Thompson
J. Baugh	M. Minnis	M.J. Welton
Miss L. Blackburn	A. Mitchell	A. Western
R. Bowker	D. Morgan	D. Western
D. Bunting	P. Myers	G. Whitham
K.G. Carter	A. New	A.M. Whyte
C.H. Churchill	J.D. Newgrosh	A.J. Williams
G. Coggins	E. Patel	B.G. Winstanley
M. Cordingley	K. Procter	J.A. Wright
J. Dillon	S.B. Procter	Mrs. P. Young
N. Evans	B. Rigby	

#### In attendance

Chief Executive	S. Todd
Corporate Director of Governance and Community Strategy	J. Le Fevre
Corporate Director, Place	R. Roe
Head of Financial Management	G. Bentley
Democratic and Scrutiny Officer	F. Fuschi
Senior Democratic and Scrutiny Officer	I. Cockill

#### APOLOGIES

Apologies for absence were received from Councillors S.B. Anstee, J. Bennett, C. Boyes, J. E. Brophy, B. Brotherton, D. Butt, T. Carey, Dr. S. Carr, A. Duffield, M. Freeman, J. Harding, B. Hartley, D. Jarman, P. Lally, J. Lamb, S. Longden, S. Taylor and S. Thomas.

#### 37. MOTION SUBMITTED BY THE LIBERAL DEMOCRATS GROUP - EMPTY HOMES PREMIUM SCHEME

(Note: In respect of the business on the agenda, the Mayor announced that speeches made by Members moving and seconding a Motion or any amendment would be limited to a maximum of 5 minutes per speaker and that all other all speeches would be limited to a maximum of 2 minutes per speaker.)

**Reconvened Meeting of the Council Meeting Adjourned on 17 July 2019  
23 July 2019**

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It was moved and seconded that:

“This Council notes that:

- Britain faces a shortage of affordable and sustainable housing
- Current Greater Manchester Spatial Framework proposals to meet demand by building on ‘greenbelt’ land are highly unpopular with residents in Trafford
- There are currently more than 2,000 unoccupied and substantially unfurnished empty homes in Trafford, many of which have been empty for over two years, some considerably longer. A rise of 16% since 2017.
- There are currently more than 19,000 unoccupied and substantially unfurnished empty homes across greater Manchester
- A significant number of these properties – both in Trafford and across the city region – are considered ‘unfit for human habitation’

This Council acknowledges the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 enabling the use of the ‘Empty Homes Premium’ model - as seen in Cheshire East - as an additional means for local authorities to encourage empty homes to be brought back in to use and welcomes the inclusion of a 50% ‘Empty Homes Premium’ in the February 2019 budget.

This Council Requires the Executive to raise the ‘Empty Homes Premium’ from 50% to 100% as part of its budget (February 2020) in line with the following timescale:

- As of April 1st 2020 the ‘relevant maximum’ for properties empty over 2 years will be 100%

This Council also Requires the Executive to give notice of the following incremental time scale:

1. As of 1st April 2021 the ‘relevant maximum’ for properties empty over 5 years will be 200%
2. As of April 1st 2022 the ‘relevant maximum’ for properties over ten years empty will be 300%

This Council requires the Executive to investigate the feasibility of ‘Capped Public Works Loans’ as seen in Cheshire East, to assist with major works and help bring more properties back into use without punishing property owners.

This Council Notes the following exemptions:

- Properties requiring major works should receive an extension of up to 12 months before the ‘relevant maximum’ is raised
- Properties currently in ‘Trust’ or ‘Probate’ should receive an extension of up to 12 months before the ‘relevant maximum’ is raised

**Reconvened Meeting of the Council Meeting Adjourned on 17 July 2019  
23 July 2019**

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- Properties left empty by a person who lives in accommodation provided by the Ministry of Defence (for example: service personnel posted away from home)
- Properties which are part of another property (for example: an annexe)

This Council Recognises that simply seeking to bring empty housing back into use is not enough to solve Britain's housing crisis, but is determined to pursue every available option, especially when it is possible to avoid development on 'Green Belt' land.

This Council requires the Leader of the Council to:

- Write to the Mayor of Greater Manchester and the leaders of all Greater Manchester local authorities urging them to work with Trafford Council to address the housing shortage in our region by supporting the resolutions of this motion
- Write to the Secretary of State for Housing, Communities and Local Government urging the Government highlighting the need for local authorities to be able to protect 'Greenbelt' land whilst addressing the housing shortage"

It was moved and seconded as an amendment that:

"This Council notes that:

- Britain faces a shortage of affordable and sustainable housing
- Current Greater Manchester Spatial Framework proposals to meet demand by building on 'greenbelt' land are necessary to meet the housing crisis in Trafford.
- There are currently more than 2,000 unoccupied and substantially unfurnished empty homes in Trafford, many of which have been empty for over two years, some considerably longer. A rise of 16% since 2017.
- There are currently more than 19,000 unoccupied and substantially unfurnished empty homes across greater Manchester
- A significant number of these properties – both in Trafford and across the city region – are considered 'unfit for human habitation'

This Council acknowledges the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 enabling the use of the 'Empty Homes Premium' model - as seen in Cheshire East - as an additional means for local authorities to encourage empty homes to be brought back in to use and welcomes the inclusion of a 50% 'Empty Homes Premium' in the February 2019 budget.

This Council acknowledges that the Executive is currently developing a new Empty Homes Strategy (2019-2024). We are already planning to raise the 'Empty Homes Premium' from 50% to 100% as part of this process and as of April 1st 2020 subject to consultation, increasing the 'relevant maximum' premium for all empty properties in the shortest time practicable.

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In consulting on raising the Empty Homes Premium the Council will consider the use of appropriate exemptions, for example annex homes, MOD properties, where properties are in probate or under-going major works.

Council acknowledges that this authority already offers a loan up to a maximum of £10,000 to assist with major works, with the condition that the property is made available to HOST for the period that the loan is paid back for the provision of temporary accommodation.

This Council Recognises that simply seeking to bring empty housing back into use is not enough to solve Britain's housing crisis, but is determined to pursue every available option, especially when it is possible to avoid development on 'Green Belt' land.

This Council requires the Leader of the Council to:

- Write to the Mayor of Greater Manchester and the leaders of all Greater Manchester local authorities to further emphasise to them to work with Trafford Council to address the housing shortage in our region by supporting the resolutions of this motion
- Write to the Secretary of State for Housing, Communities and Local Government urging the Government to reform planning legislation and housing policy in order for local authorities to be able to protect 'Greenbelt' land whilst addressing the housing shortage."

Following a debate on the matter, the amendment was put to the vote and declared carried. Speeches on the substantive Motion were made before it was put to the vote and declared carried.

RESOLVED: That this Council notes that:

- Britain faces a shortage of affordable and sustainable housing
- Current Greater Manchester Spatial Framework proposals to meet demand by building on 'greenbelt' land are necessary to meet the housing crisis in Trafford.
- There are currently more than 2,000 unoccupied and substantially unfurnished empty homes in Trafford, many of which have been empty for over two years, some considerably longer. A rise of 16% since 2017.
- There are currently more than 19,000 unoccupied and substantially unfurnished empty homes across greater Manchester
- A significant number of these properties – both in Trafford and across the city region – are considered 'unfit for human habitation'

This Council acknowledges the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 enabling the use of the 'Empty Homes Premium' model - as seen in Cheshire East - as an additional means for local authorities to encourage empty homes to be brought back in to use and welcomes the inclusion of a 50% 'Empty Homes Premium' in the February 2019 budget.

**Reconvened Meeting of the Council Meeting Adjourned on 17 July 2019  
23 July 2019**

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This Council acknowledges that the Executive is currently developing a new Empty Homes Strategy (2019-2024). We are already planning to raise the 'Empty Homes Premium' from 50% to 100% as part of this process and as of April 1st 2020 subject to consultation, increasing the 'relevant maximum' premium for all empty properties in the shortest time practicable.

In consulting on raising the Empty Homes Premium the Council will consider the use of appropriate exemptions, for example annex homes, MOD properties, where properties are in probate or under-going major works.

Council acknowledges that this authority already offers a loan up to a maximum of £10,000 to assist with major works, with the condition that the property is made available to HOST for the period that the loan is paid back for the provision of temporary accommodation.

This Council Recognises that simply seeking to bring empty housing back into use is not enough to solve Britain's housing crisis, but is determined to pursue every available option, especially when it is possible to avoid development on 'Green Belt' land.

This Council requires the Leader of the Council to:

- Write to the Mayor of Greater Manchester and the leaders of all Greater Manchester local authorities to further emphasise to them to work with Trafford Council to address the housing shortage in our region by supporting the resolutions of this motion
- Write to the Secretary of State for Housing, Communities and Local Government urging the Government to reform planning legislation and housing policy in order for local authorities to be able to protect 'Greenbelt' land whilst addressing the housing shortage.

### **38. MOTION WITHOUT NOTICE**

In accordance with Procedure Rule 12 (d) it was moved and seconded that:

“the next item of business listed on the Summons 'Motion Submitted by the Conservative Group - Members' Allowances Increases for Labour Councillors' be referred to the Standards Committee for consideration.”

In accordance with Procedure Rule 13.8 (d) 'Motions which may be moved during debate' it was moved and seconded that the question be now put.

With the consent of the Council, the Motion to refer the matter of Members' Allowances Increases to Standards Committee was put to the vote and declared carried.

RESOLVED: That the matter of the Motion Submitted by the Conservative Group - Members' Allowances Increases for Labour Councillors, be referred to the Standards Committee for consideration.

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## TRAFFORD COUNCIL

**Report to:** Council  
**Date:** 9 October 2019  
**Report for:** Decision  
**Report of:** Executive Member for Finance and Investment

### Report Title

**Council Tax Support (CTS) Scheme for 2020/21**

### Summary

There is a legal requirement to formally approve the Council's local CTS scheme before the start of each financial year. It is proposed that the scheme remains largely as is but with minor amendments proposed to reflect the national changes to income related benefits and clarity relating to how the Council can recover backdated changes in entitlement (reversals) following the publication from the Local Government Ombudsman (LGO) of a good practice guide to CTS schemes

### Recommendation(s)

That Council approves the Executive's recommendation to adopt the CTS scheme currently in operation with the inclusion of the amendments detailed below for 2020/2021:

- 1) Applicable amounts, Non Dependent Deductions and other calculation elements for CTS are updated in line with the national income related benefit rates.
- 2) The Council provides clarity within its CTS scheme relating to the recovery of backdated changes in entitlement (reversals).

Contact person for access to background papers and further information:

Name: Louise Shaw  
Extension: 3120  
Background Papers: None

Relationship to Policy Framework/Corporate Priorities	Health and Wellbeing and Targeted Support
Financial	The existing Council Tax Support scheme is already funded by the Council and the changes proposed are not expected increase the budgeted funding.
Legal Implications:	The Council has to formally set its local CTS scheme before the start of the following financial year in order for the scheme to be formally adopted for 2019/20. This is in accordance with the Local Government Act 2012.
Equality/Diversity Implications	The minor amendments proposed are not considered to have any significant effect on any groups.
Sustainability Implications	None
Resource Implications e.g. Staffing / ICT / Assets	None
Risk Management Implications	None
Health & Wellbeing Implications	None
Health and Safety Implications	None

## 1.0 Background

- 1.1 In April 2013, following the abolition of Council Tax Benefit (CTB) which was a national scheme funded by a central government grant, the Council implemented its local Council Tax Support (CTS) Scheme for working age claimants. This scheme has been updated annually since this date as required by the legislation.
- 1.2 There are 12.8k Trafford residents in receipt of CTS and spend is £11.3m per annum. 44% of CTS claimants are pensioners and therefore receive Council Tax Support under previous (CTB) legislation and are not affected by the local scheme.
- 1.3 Each year, the Council has to formally approve its CTS scheme for the following financial year before the 31 March.

## 2.0 Introduction

- 2.1 For each financial year, each billing authority must consider whether to revise its local CTS scheme or to replace it with another scheme. It is proposed that the existing scheme remains largely as is with minor amendments recommended below.
- 2.2 The revisions to the scheme will take effect from 1 April 2020.

## 3.0 Recommended Minor Changes to the Scheme for 2020/21



**3.1 Recommendation 1**

- 3.1.1 Applicable amounts, Non Dependent Deductions and other calculation elements for CTS are updated in line with the national income related benefit rates
- 3.1.2 The updating of applicable amounts will be matched with a corresponding uprating in benefit income and will have a negligible impact on a claimants CTS award where their circumstances remain the same.
- 3.1.3 The cost of implementing this change is therefore negligible and can be absorbed within the budgeted forecasted CTS expenditure.

**3.2 Recommendation 2**

- 3.2.1 Following the publication of the LGO’s Council Tax Reduction – Guidance for Practitioners, the Council clarifies the wording of its own CTS scheme relating to the recovery of backdated changes (reversals) in entitlement to provide clarity to Trafford residents, information and advice services and the Valuation Tribunal. The proposed wording and link to the guidance can be found in Appendix A.

**Other Options**

The Council could decide not to change the scheme for 20/21. However, this would mean the continuation of elements within the local scheme that would be out of line with other welfare benefits and that the recovery of backdated entitlement changes (reversals) would remain silent and therefore not always clear to residents, those advising them, and the independent tribunal.

**Reasons for Recommendations**

The recommendations are set out at the start of this report.

**Key Decision:** No  
**If Key Decision, has 28-day notice been given?** No

**Finance Officer Clearance** NB  
**Legal Officer Clearance** DS

**[CORPORATE] DIRECTOR’S SIGNATURE**

(electronic).....

To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.

## Appendix A – Proposed Wording Changes in the CTS Scheme

### Present

#### **Shortfall in reduction**

**118.** Where, on the revision of a decision allowing a reduction under this scheme to a person, it is determined that the amount allowed was less than the amount to which that person was entitled, the authority must either—

(a) make good any shortfall in reduction which is due to that person, by reducing so far as possible the next and any subsequent payments he is liable to make in respect of the council tax of the authority as it has effect for the financial year until that shortfall is made good; or

(b) where this is not possible or the person concerned so requests, pay the amount of any shortfall in reduction due to that person within 14 days of the revision of the decision being made or if that is not reasonable practicable, as soon as possible afterwards

### Proposed

#### **Amendments to reduction, including recovery/reversal of previously awarded reduction, Council error and shortfall in reduction**

**118. (a)** *Where, on the revision of a decision allowing a reduction under this scheme to a person, it is determined that the amount previously allowed was more than the amount to which that person was entitled, the authority shall amend the award of the reduction from the date of the change and recover/reverse the amount incorrectly paid from the Council Tax account, increasing the amount of Council Tax to pay equivalent to the amount of the reduction incorrectly paid.*

*(b) Where a reduction has been incorrectly calculated due to Council Error the Authority must consider if it would be reasonable for the person to whom the reduction was paid to know that the reduction was incorrect. If the Authority decides that it would not be reasonable for the person to whom the reduction was paid to have known that the reduction was incorrect then the Authority shall not recover/reverse any amount incorrectly paid for any period prior to the date of the revision but future reductions will be recovered/reversed.*

*(c) As the previous decision on the amount of the reduction awarded will have included future entitlement to the end of the relevant financial year, any future reduction will be recovered/reversed, even where a Council Error has occurred. The start of the 'future date' will be the first date the Council were notified of the error or identified the error, whichever is the earliest date.*

(d) Where, on the revision of a decision allowing a reduction under this scheme to a person, it is determined that the amount allowed was less than the amount to which that person was entitled, the authority must either—

(i) make good any shortfall in reduction which is due to that person, by reducing so far as possible the next and any subsequent payments he is liable to make in respect of the council tax of the authority as it has effect for the financial year until that shortfall is made good; or

(ii) where this is not possible or the person concerned so requests, pay the amount of any shortfall in reduction due to that person within 14 days of the revision of the decision being made or if that is not reasonable practicable, as soon as possible afterwards

<https://www.lgo.org.uk/information-centre/news/2019/aug/new-guidance-launched-for-council-tax-practitioners>

## TRAFFORD COUNCIL

**Report to:** Council  
**Date:** 9<sup>th</sup> October 2019  
**Report for:** Decision  
**Report of:** Monitoring Officer

### Report Title

**Constitutional Review: Recruitment and Employment Procedures**

### Summary

**A review of the Council's constitution in respect of HR procedures has been undertaken. This report provides members with details of the outcome of that review.**

### Recommendation(s)

It is recommended that Council:

- Notes the Employment Committee's and the Executive's approval of the constitutional amendments as set out in the report; and
- Approves the constitutional amendments as set out in the report.

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

Name: Dominique Sykes  
Extension: 3120

Background Papers: None

### *Implications:*

Relationship to Policy Framework/Corporate Priorities	N/A
Relationship to GM Policy or Strategy Framework	N/A
Financial	None Arising from the report
Legal Implications:	<p>An independent review of the constitution was undertaken by Eversheds Sutherlands. The proposed amendments incorporate relevant legislative updates.</p> <p>The proposed amendments also reflect standards adopted by the Joint Negotiation Committee's (the national negotiating body for the pay and conditions of service of chief executives in England and Wales) Conditions of Service</p>

Equality/Diversity Implications	None Arising from the report
Sustainability Implications	None Arising from the report
Resource Implications e.g. Staffing / ICT / Assets	None Arising from the report
Risk Management Implications	None Arising from the report
Health & Wellbeing Implications	None Arising from the report
Health and Safety Implications	None Arising from the report

## **1.0 Background**

- 1.1 On 25 July 2018 Council considered a report relating to the Appointment of an Interim Chief Executive and Appointments to the Corporate Leadership Structure. In the course of debate on the report and subsequent to the meeting a number of questions were raised in relation to the procedures for the appointment of senior officers.
- 1.2 It was acknowledged that the Council's constitution, in respect of Human Resources procedures, such as recruitment, appointment, disciplinary and dismissal requirements, together with relevant associated documents, could be clarified further and that the constitution and associated documents would benefit from a general update in respect of current working procedures within Human Resources and relevant legislative changes.
- 1.3 As a result of the queries raised and in order to provide assurance to members generally on this point, external solicitors at Eversheds Sutherlands ("ES") were appointed to review and reconcile the requirements in respect of the appointment of senior officers to ensure they are consistent throughout the Constitution and associated documents and in accordance with legal obligations.
- 1.4 On the 10 September 2019, the Employment Committee considered and approved the constitutional amendments as set out in the report, with a recommendation to Council.
- 1.5 On the 25 September 2019, the Executive considered and approved the constitutional amendments as set out in the report, with a recommendation to Council.

## **2.0 Review Scope and Summary.**

2.1 ES have undertaken a review of the following:-

2.1.1 Extracts from Part 4 of the Constitution, which includes:-

- 2.2.1.1 the terms of reference for the Employment Committee;
- 2.2.1.2 the terms of reference for the Appointments Committee;
- 2.2.1.3 officer delegations;

- 2.2.1.4 Full Council functions;
- 2.2.1.5 the Officer Employment Rules and Procedures.

#### 2.2.2 The Council's 2019 Pay Policy Statement Report.

- 2.2 Upon conclusion of the review, ES have advised that the wording in the Constitution and the Officer Procedure Rules correctly reflected both relevant legal legislation and set out sound HR recruitment and appointment procedures.
- 2.3 They did however identify a number of areas where the procedures could be clarified or streamlined, or where it did not accurately reflect practice and procedure. A number of amendments were suggested by ES and the full details of these, together with further changes identified following their review are attached at Schedule 1 and 2 to this report. A summary of the amendments is contained in the report below.
- 2.4 The proposed amendments are largely intended to:
  - 2.3.1 improve clarity and consistency of terminology and referencing;
  - 2.3.2 ensure that those who apply the HR recruitment and appointment procedures are alerted to other relevant documents;
  - 2.3.3 improve clarity around roles and responsibilities; and
  - 2.3.4 assist in the application of complex requirements and procedures for the appointment and rare dismissal of Chief Officers.

### **3. Summary of Recommended Amendments**

#### **3.1 Constitution, Part 4: Officer Employment Procedure Rules**

- 3.1.1 It is proposed that these are updated to clarify that there is no requirement to draw up a statement of duties/qualifications or advertise externally where internal candidates only are being considered for promotion to a Chief Officer Post, in accordance with the Council's Succession Planning Policy, which was approved in 2016, or in other exceptional circumstances (e.g. urgent interim roles, restructuring, cost savings).
- 3.1.2 It is proposed that legislative references are updated to reflect the changes introduced since 2015 in respect of the procedures for disciplinary and dismissal procedures for Chief Officers.
- 3.1.3 In the Officer Employment Procedure Rules, (Appendix 1) it is proposed that the role of the Leader is removed in making decisions about whether matters of concern should be investigated. This proposed amendment reflects the principle that decisions about HR matters should not be an Executive function and it also ensures that the procedures as set out in the Joint Negotiation Committee's (the national negotiating body for the pay and conditions of service of chief executives in England and Wales) Conditions of Service

Handbook (“JNC Conditions of Service”), which expect the independent investigatory committee to have a role in determining whether or not a matter should be investigated, are reflected. The views of the Leader would however be one of the factors to be considered by the Investigatory Committee in reaching that decision. It is proposed that an initial view about possible alternatives or conciliation would be led by officers prior to serious issues being referred to the independent committee.

### **3.2 Constitution, Part 2 Article 4: Full Council.**

3.2.1 It proposed that the Pay Policy is added to the list of those policies which require full Council approval. This proposed amendment reflects current legislative requirements. The Pay Policy has as a matter of course always been referred to Council in accordance with the statutory requirements. This amendment will simply reference the Pay Policy in the list of policies requiring Council approval.

3.2.2 It is also proposed that wording is added to require full Council approval of any termination payments in excess of 100k, with a referral to the Employment Committee in the first instance. This proposed amendment reflects current legislative requirements.

3.2.3 The relevant legislation which sets out the requirements above is Section 40, Localism Act 2011 as supported by the Code of Practice for Local Authorities on Data Transparency and further guidance, Openness and Accountability in Local Pay; Guidance under Section 40 Localism Act 2011.

### **3.3. Constitution, Part 3: Officer Delegations**

3.3.1 Additional wording is proposed to the responsibilities of the Corporate Director of People to provide a role for dealing with internal promotions to Chief Officer posts in accordance with the Council’s Succession Planning Strategy or at times of urgency. The Appointments and Appeal Panel will continue to lead on this in ordinary circumstances but, it is proposed that the Corporate Director of People should be provided with clear delegated authority to take preparatory steps for preparing job descriptions and advertisement and also to finalise appointments where there is insufficient time to set up an Appointments and Appeals Panel in exceptional cases.

3.3.2 It is also proposed that the Chair of the Employment Committee and the Chief Executive (or other Proper Officer – *see proposed amendments*) are given an explicit role in the determination of what constitutes “exceptional circumstances”.

### **3.4 Constitution, Part 3: Employment Committee**

3.4.1 It is proposed that the Employment Committee's terms of reference are amended to provide the Committee with:

- a role in approving salary and benefits for Chief Officers; and
- an overarching role in ensuring compliance with the Council's duties in respect of transparency about public sector pay and termination costs.

These proposed changes provide a role for the Employment Committee:

- in considering the annual pay policy;
- in circumstances where termination payments will exceed 100k (subject to Full Council approval); and
- in decisions about senior officers returning to work for the Council after receiving a termination payment.

3.4.2 The above proposed amendments will enable decisions to be made as a consequence of the current Public Sector Exit Payments (Limitation) Bill 2017-19 which is a piece of legislation which is likely to be enacted in the next few months. It will also ensure there is a place for consistent decision making about this in accordance with the current Pay Policy and Pension Regulations.

3.4.3 It is proposed that the Employment Committee should have a membership of at least 7 and that there should be meetings on a quarterly basis in addition to ad hoc meetings.

### **3.5 Constitution, Part 3: Appointment and Appeals Panel ("Panel")**

3.5.1 There are a number of proposed amendments which seek to improve clarity: around terminology; and of the relevant links to the Officer Employment Procedure Rules.

3.5.2 It is proposed that amendments are made to make it clear the Panel has a role in appointing Chief officers or dealing with disciplinary matters.

3.5.3 It is proposed that the correct constitution of a Panel is clearly determined.

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## SCHEDULE ONE

### SUGGESTED AMENDMENTS TO THE CONSTITUTION.

#### AMENDMENTS TO PART 2 OF THE CONSTITUTION – FULL COUNCIL RESPONSIBILITIES.

Amend Article 4, Part 2 of the Constitution to refer to the Council's Pay Policy in 4.01 and add to Article 4.02 "approval of payments of salary and benefit packages or termination payments in excess of 100,000."

#### AMENDMENTS TO PORTFOLIOS: Scheme of Delegation

##### **Structure (Officers – Article 12, Part 2)**

- Head of Paid Service will determine, publicise and amend the officer structure of the Council in accordance with Council and Joint Negotiating Committee ( JNC) Conditions of Service and Council and national policies and procedures.
- Head of Paid Service will provide a regular report (at least annually) to Employment Committee and/or to Council on the manner in which the discharge of the Council's functions is coordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

##### **Leader's Portfolio (Part 3)**

- To review, with Chief Executive or in the absence of the Chief Executive the Proper Officer, management arrangements of the Council
- Subject to policies and legislation, overall direction of all HR matters
- To have responsibility for CE's Functions – determination of how and by whom Executive Functions are exercised

##### **Proper Officer and Deputies – The Local Authorities (Standing Orders) (England) Regulations 2001**

- Constitution Part 3, Appointment of Officers - Proper Officer in accordance with The Local Authorities (Standing Orders) (England) Regulations 2001 is the Chief Executive: Officer for receiving notification of proposed appointment of certain officers, notifying executive members of that proposed appointment and for receiving and notifying of objections to the proposed appointment. The Chief Executive is officer is the Proper Officer unless otherwise determined in the Officer Employment Procedure Rules set out in Part 4 of the Constitution.
- Constitution Part 3, Appointment of Officers (14): In event of a Proper Officer being for any reason unable to act, carry out functions or the post being vacant the Chief Executive or in the Chief Executive's absence , the Monitoring Officer, or in absence of both the Chief Executive and the Monitoring Officer, the Chief Finance Officer to act in proper officer's stead.
- Constitution Part 4, Officer Employment procedure Rules (9): For the purposes of these Officer Employment Procedure Rules the Proper Officer shall be the Head of Paid Service except:

- where the dismissal relates to the Head of Paid Service when the Proper Officer shall be the Monitoring Officer, or in the Monitoring Officer's absence, the Chief Finance Officer to act in the Proper Officer's stead.

### **Chief executive – Scheme of Delegation (Part 3).**

- Undertake all matters associated with the professional management of the Council
- Is responsible for the overall direction of all human resource matters.
- Is responsible for the administration and implementation of the Council's organisational, employee development and human resource plans.

Before referring any matters deemed by the Chief Executive to be of strategic significance to Employment Committee for consideration and/or determination the Chief Executive shall consult with, and obtain views of the Executive. **Corporate Directors - Scheme of Delegation (Part 3).**

- In relation to any matters delegated to them, to take any action which is calculated to facilitate or is conducive or incidental to the discharge of the Council's functions within their service area.

### **Corporate Director People (HR) – Scheme of Delegation (Part 3)**

- Directorate wide service reviews and development of corporate proposals – including decisions relating to the creation/re-grading and deletion of posts above Band 12.
- In exceptional circumstances, decisions on proposals affecting Statutory and non Statutory Chief Officer or Deputy Chief Officer level posts – (exceptional circumstances to be determined by the Proper Officer in consultation with the Chair of the Employment Committee); Other than in exceptional circumstances, decisions on proposals affecting Statutory and non Statutory Chief Officer or Deputy Chief Officer level posts are subject to the prior approval of the Proper Officer and the Employment Committee.
- In exceptional circumstances decisions in respect of the preparation of the statement of duties and qualifications, advertisement and appointment of internal and external candidates to the role of statutory and non-statutory Chief Officers or Deputy Chief Officers in accordance with Joint Negotiating Committee (JNC) Conditions of Service and Council and government policies and procedures (exceptional circumstances to be determined by the Proper Officer in consultation with the Chair of the Employment Committee) :
  - Appointments of internal candidates may be on an interim or a permanent basis;
  - Appointments of external candidates shall be on an interim basis only.
  - All decisions shall be reported to the Employment Committee prior to reporting to Full Council.
- Decisions relating to salary packages for new posts above £100k, such decisions shall then be subject to full Council approval. In addition, decisions relating to any severance arrangements agreed in line with the relevant policies that exceed £100k, such decisions shall then be subject to full Council approval'.

**Corporate Director T&R: It is proposed that this section should now form part of the Corporate Director of People's portfolio.**

- Authority, after consultation where appropriate with the Portfolio Holder, chairman of the Employment Committee, Trade Unions and staff representatives, to approve revisions and amendments which are not significant to corporate human resources strategies and policies in so far as they relate to the appointment, terms and conditions of employment and dismissal of staff.
- Excluding those policies which must be approved by Full Council, the authority to approve all other corporate human resources strategies, policies and procedures.

In the absence of a Corporate Director for People, the Proper Officer would assume the responsibilities.

#### **CONSTITUTION PART 4: Officer Employment Procedure Rules**

##### **3. Definition of Head of Chief Officer**

Throughout these Officer Employment Procedure Rules the term “Chief Officer” shall include all officers employed on Joint Negotiating Committee (JNC) National Salary Framework and Conditions of Service Handbook for Chief Officers.

<b>Constitution Part 4: Officer Employment Procedure Rules</b>	
<b>Recruitment of Head of Paid Service, Chief Officers and Directors</b>	<p>(1) Where the Council proposes to appoint a Head of Paid Service, Chief Officer or Director <b><i>and it is not proposed that the appointment be made exclusively from among their existing officers,</i></b> the Council will:</p> <p>(a) draw up a statement specifying:</p> <p>(i) the duties of the officer concerned; and</p> <p>(ii) any qualifications or qualities to be sought in the person to be appointed;</p> <p>(b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and</p> <p>(c) make arrangements for a copy of the statement mentioned in paragraph 1(a) to be sent to any person on request.</p> <p>(2) Where a post has been advertised as provided in (1) (b), the Council’s Appointments and Appeals Panel shall –</p> <p>(a) interview all qualified applicants for the post, or</p> <p>(b) select a shortlist of such qualified applicants and interview those included on the shortlist.</p> <p>(3) Where no qualified person has applied, the Council shall make further arrangements for advertisement in accordance with (1)(b).</p>
<b>Appointment of Head of Paid Service</b>	<p>1) The Executive Notice and Objection Process must be followed before the appointment is referred to full Council for approval.</p>

	<p>(2) The full Council must approve the appointment of the Head of Paid Service before an offer of appointment is made following the recommendation of such an appointment by an Appointments and Appeals Panel.</p>
<p><b>Executive Notice and Objection Process: The Local Authorities (Standing Orders) (England) Regulations 2001</b></p>	<p>The Executive Notice and Objections process shall be as follows:</p> <p>a) the Proper Officer shall be notified of the name of the person to whom the Appeal and Appointments Committee Panel wishes to make the offer of an appointment and any other particulars which the Appeal and Appointments Committee Panel considers are relevant to the appointment;</p> <p>(b) the Proper Officer has notified every member of the Executive of</p> <p>(i) the name of the person to whom the offer of an appointment is to be made and any other relevant particulars notified to the Proper Officer; and</p> <p>(ii) the period within which any objection to the making of the offer is to be made by the Executive Leader on behalf of the Executive to the Proper Officer; and</p> <p>(c) either –</p> <p>(i) the Executive Leader has, within the period specified under (2)(b(ii)), notified the Proper Officer that neither (s)he nor any other member of the Executive has any objection to the making of the offer;</p> <p>(ii) the Proper Officer has notified the Appeal and Appointments Committee Panel that no objection was received by him/her within that period from the Executive Leader; or</p> <p>(iii) the Proper Officer is satisfied that any objection received from the Executive Leader within that period is not material or is not well-founded.</p>
<p><b>Appointment of Corporate Directors and Directors</b></p>	<p>Other than in exceptional circumstances (exceptional circumstances to be determined by the Proper Officer in consultation with the Chair of the Employment Committee) :</p> <p>(1) An Appeal and Appointments Committee Panel will appoint Statutory and Non-Statutory Chief Officers and Deputy Chief Officers, as defined in the Local Government and Housing Act 1989, (definitions set out below) in accordance with Joint Negotiating Committee (JNC)</p>

	<p>Conditions of Service and Council and government policies and procedures.</p> <p><i>Definitions:</i></p> <p><i>Statutory Chief Officer – director of children’s services, director of adult social services and officer with responsibility for the administration of the Council’s financial affairs</i></p> <p><i>Non-Statutory Chief Officer – a person for whom the Head of Paid Service is directly responsible; a person who, as respects all or most of their duties (excluding secretarial/clerical duties), is required to report directly to or is directly accountable to the Head of Paid Service or the Authority itself</i></p> <p><i>Deputy Chief Officer – a person who, as respects all or most of their duties (excluding secretarial/clerical duties), is required to report directly to or is directly accountable to the one or more of the chief officers</i></p> <p>(2) An offer of appointment must not be made by or on behalf of the Appeal and Appointments Committee Panel <u>until the Executive Notice and Objection Process has been followed.</u></p> <p>(3) All decisions shall be reported to the Employment Committee prior to reporting to Full Council.</p>
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**Constitution Part 3: Functions**

**TERMS OF REFERENCE**

<b>EMPLOYMENT COMMITTEE</b>
<p>The Employment Committee shall consist of at least 7 members and be established in accordance with the political balance of the Council and shall have a quorum of 3 members.</p> <p><b>The Employment Committee shall meet at least quarterly and also when convened by the Monitoring Officer.</b></p> <p>Terms of Reference</p> <ol style="list-style-type: none"> <li>1. To determine and keep under review collective and corporate terms and conditions of employment.</li> <li>2. To approve the Council’s draft Pay Policy Statement prior to recommendation to Full Council for approval and adoption.</li> <li>3. To keep under review the consistent and lawful application of the Councils Pay Policy and publication requirements in respect of transparency of pay, termination payments and audit responsibilities.</li> <li>4. Except in exceptional circumstances, to approve the job description, salary and benefits for Chief Officers prior to appointment. <ul style="list-style-type: none"> <li>• (exceptional circumstances to be determined by the Proper Officer in</li> </ul> </li> </ol>

consultation with the Chair of the Employment Committee) :

5. To approve any decisions for the re engagement or reemployment of former Chief Officers.
6. To consider and determine decisions about the recovery of exit payments or overpayment of pension for Chief Officers.
7. To consider any matter referred to the Committee by the Head of Paid Service or Corporate Director of People.
8. To consider, approve and adopt any new or significant revision to existing corporate human resources strategies and policies in so far as they relate to the appointment, terms and conditions of employment and dismissal of staff.
9. To determine any other matters relating to the appointment, terms and conditions of employment, severance and dismissal of staff which are neither covered by policies of the Council, required to be decisions of Full Council nor delegated to Officers under the Scheme of Delegation.
10. To review proposals for severance payments in excess of £100,000 prior to consideration of the proposals by Full Council.

#### Delegation

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

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

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

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

### Constitution Part 3: Responsibility for Council Functions

#### Appointment and Appeals Panel ( Employment Matters)(the “Panel”)

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

All elected members of the authority shall be eligible to be appointed as a Panel member. Smaller numbers of members will constitute individual panels.

The Appointment and Appeals Panel shall be constituted by the Monitoring Officer, unless a matter relates to the appointment, terms and conditions of employment, severance or dismissal of the Monitoring Officer in which case it shall be constituted by the Proper Officer, in accordance with relevant conditions of service and employment procedures, including Joint Negotiating Conditions ( JNC) of Service in respect of Chief Officers.

Unless otherwise determined by the Monitoring Officer, all Panels constituted for the purposes of

staff appointments and related matters shall be constituted in accordance with the political balance of the Council and will have a membership of at least 3, except when constituted for Investigating and Disciplinary functions when the minimum shall be 5.

The Panel shall:

- act as the Council's appeals body regarding appeals other than those for which specific arrangements have been established; be (except in exceptional circumstances) responsible for staff appointments and related matters regarding short-listing and interview of external and internal applicants and appointments of Corporate Directors and Directors ( Statutory and Non Statutory Chief Officers and Deputy Chief Officers as defined in the Officer Employment Procedure Rules) in accordance with the Officer Employment Procedure Rules
- short-listing applicants and appointments of Joint Council / Trafford Clinical Commissioning Group Director level posts. Appointment panels to consist of one member from each political party and 2 from the Governing Body;
- except in exceptional circumstances, approve the interim appointment of Chief Officers.
- act as an investigatory and disciplinary Panel in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001, as amended in 2015 and JNC Conditions of Service and the Appendix to the Officer Employment Procedure Rules .
- Be responsible for appeals in accordance with the disciplinary and grievance procedures
- Be responsible for appeals by employees against grading

For meetings of Appointment and Appeal Committees the quorum shall be as follows:

(i) for a committee comprising 3 members the quorum shall be 2

(ii) for a committee comprising 5 members the quorum shall be 3

(iii) in all other cases the quorum shall be 4

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## TRAFFORD COUNCIL

**Report to:** Council  
**Date:** 9 October 2019  
**Report for:** Noting  
**Report of:** Corporate Director of Governance and Community Strategy and Monitoring Officer

### Report Title

**Motions and Amendments Protocol for Council**

### Summary

The Council's Constitution Working Group has considered the practicalities of handling motions at Council meetings, particularly when a large number of Motions are submitted for one meeting. Without wishing to make changes to the Constitution, the Working Group recommended a protocol be devised to aid the debate at meetings. Following consultation with the Political Group Leaders, the protocol appended to the report is to be introduced.

### Recommendation(s)

That the introduction of a Protocol for handling Motions at Council Meetings, effective from 9 October 2019, be noted.

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

Name: Ian Cockill  
Extension: 1387

Background Papers: None

Relationship to Policy Framework/Corporate Priorities	None
Financial	None
Legal Implications:	None
Equality/Diversity Implications	None
Sustainability Implications	None
Resource Implications e.g. Staffing / ICT / Assets	None
Risk Management Implications	None
Health & Wellbeing Implications	None
Health and Safety Implications	None

## **1. Background**

- 1.1 The Constitution Working Group has reviewed the process for considering motions at Council meetings as a result of concerns about the number of motions being submitted and time constraints impacting upon the debate.
- 1.2 The Working Group was not minded to make any Constitutional changes regarding the submission of Motions for Council, however, advocated inter-party co-operation prior to meetings to determine the order of proceedings and aid the Mayor's management of the business to be conducted.
- 1.3 In respect of Amendments and again, without amending the Constitution, the Working Group did feel that the practice could be structured so that Members have time to absorb the changes and the impact of any proposed decisions.
- 1.4 This protocol, therefore, suggests that an informal process be initiated in advance of the meeting, to enhance the transaction of business and strengthen the Council's decision-making process.
- 1.5 The Group Leaders have provided their endorsement to the principles appended to the report and this approach will now be tested to determine whether they will facilitate more efficient debate at Council meetings.

## Motions and Amendments Protocol for Council (2019)

### 1. Motions – Order of Business

- 1.1 Although the Constitution states that Motions will be considered in the order that they were received, the Mayor, as Chair of the Council meeting has the ability to vary the Order of Business. Once the Council Summons has been published, it may become apparent that some Motions are less contentious than others listed.

**The Mayor may liaise with the Group Leaders to agree an order of priority for the Motions and consequently vary the order of business at the meeting where all Group Leaders agree to the proposed order of priority.**

- 1.2 On certain occasions it can be predicted that the Council will be fully supportive of a Motion and others where there will be contention. It is reasonable to expect that controversial matters are afforded more time for debate and to draw to a conclusion those where there is a consensus. It may sometimes be possible to signify that a matter has the full support of Council without the need for debate which will allow more time to debate other items on the agenda.

**The Mayor may liaise with the Group Leaders and where all Group Leaders are in agreement, agree an expected timeframe for the level of debate for each of the Motions due to be debated.**

### 2.0 Amendments to motions

- 2.1 The Constitution states that an amendment to a motion must be relevant to the motion and will either be:

- (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
- (ii) to leave out words;
- (iii) to leave out words and insert or add others; or
- (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion.

- 2.2 Sometimes amendments are lengthy and it is not always obvious what changes have been made. The submission of amendments in advance would provide Members with sufficient time to read and comprehend the changes. Amendments received in advance could also be published on the website allowing the public to gain an understanding.

- (a) Amendments should be submitted by 4.00 p.m. one clear day before Council, unless the situation has changed within that time-frame and so this is not possible.**
- (b) Amendments from the floor should only be minor textual changes.**
- (c) Amendments to be circulated at the start of the meeting with all deletions and/or additions shown, for example displayed in 'tracked changes' format.**
- (d) Amendments from the floor should only be minor textual changes and similarly detail what is being changed.**

2.3 It is acknowledged that there are times when a situation is fast-changing and a motion needs to be amended at short notice. Amendments, themselves may also be amended, however, at all times amendments must be fully understood and examined before being voted upon.

**The Mayor will have discretion to allow an amendment at shorter notice than prescribed above and allow further amendments.**

## TRAFFORD COUNCIL

**Report to:** Accounts & Audit Committee 19<sup>th</sup> June 2019  
Executive 15<sup>th</sup> July 2019  
Council Meeting

**Report for:** Information

**Report of:** The Executive Member for Finance and Investment  
and the Corporate Director of Finance and Systems

### Treasury Management Annual Performance 2018/19 Report

#### Summary

This report outlines the treasury management activities undertaken during 2018/19 and the key issues are as follows:

- All legislative and regulatory requirements, including all treasury management prudential indicators have been complied with;
- The average level of external debt and interest rate payable for 2018/19 was £175.4m and 3.97% compared to 2017/18 when the respective figures were £118.4m & 5.11%;
- The average level of all investments for 2018/19 was £86.7m with a rate of return of 1.06%, for 2017/18 this was £77.6m and 0.82% respectively;
- Budget savings of £(0.6)m in net treasury management costs were achieved in the main from a loan restructuring exercise and delays in the uptake of new borrowing.

#### Recommendations

That the Accounts & Audit Committee and Executive advise the Council to note:

- That no prudential and treasury indicators were breached during 2018/19;
- The Treasury Management activities undertaken in 2018/19;

Background papers: None

Relationship to Policy Framework/Corporate Priorities	Value for Money
Relationship to GM Policy or Strategy Framework	Not applicable
Financial	The treasury management net outturn was £2.6m which was £(0.6)m below the original budget set of £3.2m. The main reason for this saving was due to reduced interest payable from a loan restructuring exercise together with delay in the uptake of new borrowing.
Legal Implications:	All actions undertaken during the year were in accordance with legislation, MHCLG Guidance, CIPFA Prudential Code and CIPFA Treasury Management Code of Practice.
Equality/Diversity Implications	Not applicable
Sustainability Implications	Not applicable
Staffing/E-Government/Asset Management Implications	Not applicable
Risk Management Implications	The monitoring and control of risk underpins all treasury management activities. The Council's in-house treasury management team continually monitor to ensure that the main risks associated with this function of adverse or unforeseen fluctuations in interest rates are avoided and security of capital sums are maintained at all times.
Health and Safety Implications	Not applicable

## **Executive Summary**

This report has been prepared in accordance with current legislation and Codes of Practice and highlights the treasury management activities undertaken during 2018/19.

### **Economic position (Section 2)**

- The UK economic growth in 2018 was the 3<sup>rd</sup> fastest of the G7 countries.
- MPC raised the Bank Rate from 0.50% to 0.75% in August 2018, the first rise since November 2017.
- The 29 March 2019 deadline for the UK to leave the EU passed without an agreement and deadline for this is extended to 31 October 2019.

### **Debt (Section 4)**

- Total loan debt rose from £164.4m 31.03.2018 to £220.7m at 31.03.2019 an increase of £56.3m comprising of:
  - New loans totalling £60.4m taken from the PWLB to fund the capital programme - details of these can be found at paragraph 4.14,
  - Natural loan repayments totalling £4.1m.
- The £20m RBS loan was restructured generating annual savings in loan interest of £0.48m – details for this can be found at paragraph 4.11 – 4.13.
- Loan interest totalling £6.6m was paid of which £1.1m was wholly funded from rental income received from the Council's Commercial asset programme.
- Average rate of interest payable was 3.97% in 2018/19 and compared to 5.11% in 2017/18 a fall of 1.14%.
- Level of under-borrowing is £30.9m at 31.03.2019 which represents a minor increase of £0.2m from the 31.03.18 closing position of £30.7m – details on this can be found at paragraph 4.10.

### **Investments (See Section 5)**

- Total level of investments rose from £73.2m 31.03.2018 to £77.9m at 31.03.2019 a movement of £4.7m due to monies being received ahead of spend.
- The Rate of Return for all investments in 2018/19 was 1.06% which was 0.55% or £0.48m above the recognised performance indicator of 7-day LIBID and 0.07% or £81k above budget.
- Weighted average life of investments at 31.03.19 was 3.75months.
- All investments were repaid on time without issue and undertaken in accordance with the approved strategy.

### **Prudential Indicators and limits (Section 7 and Appendix E)**

No breaches to any of these limits occurred.

## **1. BACKGROUND**

- 1.1 In accordance with regulations issued under the Local Government Act 2003, the Council is required to produce an annual report outlining the previous year's actual treasury management activities undertaken and prudential and treasury indicators.
- 1.2 This report has been produced in order to comply with all legislation together with the requirements of both the CIPFA Code of Practice on Treasury Management, (the Code), and the CIPFA Prudential Code for Capital Finance in Local Authorities, (the Prudential Code).
- 1.3 During 2018/19, the Accounts & Audit Committee together with the Executive and Council received the following three reports:
  - annual treasury management strategy for the year ahead (issued February 2018);
  - mid-year update report (issued November 2018);
  - annual outturn report describing the activity undertaken (June 2019 i.e. this report).
- 1.4 Details of the outturn position for treasury activities and highlights of the Council's compliance with the policies previously approved are detailed within this report enabling Members to fulfil their regulatory responsibility for the review and scrutiny of treasury management policies and activities.
- 1.5 I can confirm that prior scrutiny of all the above treasury management reports has been undertaken by the Accounts & Audit Committee before they were reported to Council.
- 1.6 Figures in this report are based on the actual amounts borrowed and invested and as such will differ from those stated in the final accounts which are shown in compliance with International Financial Reporting Standards.
- 1.7 For reference a list of abbreviations used within the report has been provided and can be found in Appendix F.
- 1.8 This report comprises of the following sections:
  - Major Economic Headlines 2018/19 (Section 2);
  - Treasury Position (Section 3);
  - Borrowing Position (Section 4);
  - Investment Position (Section 5);
  - Related Treasury Issues (Section 6);
  - Prudential and Performance indicators (Section 7);
  - 2018/19 Summary Outturn position (Section 8)
  - Appendices.

## **2. MAJOR ECONOMIC HEADLINES 2018/19**

- 2.1 A brief summary of the main events which occurred during 2018/19 are highlighted below for reference;

### **UK**

- Despite weak economic growth in the first and last quarters of 2018, a pick-up in quarters 2 and 3 ensured annual growth of 1.4% was generated making the UK the third fastest growing country in the G7.
- In August the MPC at its monthly meeting raised Bank Rate by 0.25% from 0.50% to 0.75%, the first increase since November 2017 with any further movements currently put on hold until the uncertainties over Brexit become clear.



- CPI continued to fall reaching a new low of 1.8% in January 2019 before rising marginally to 1.9% in February where it remained in March. The February 2019 Bank of England inflation report continues to predict that CPI will, over the next couple of years continue to be marginally above its target rate of 2%.
- The unemployment rate continues to fall and in February 2019 was 3.9%, down 0.3% from its opening position of 4.2% in April 2018, the lowest level since 1975.
- The UK had been due to leave the EU on 29 March 2019, however as a result of Members of Parliament rejecting on three separate occasions the proposed withdrawal agreement reached between the EU and UK, a further six-month extension until 31 October 2019 has now been implemented.

#### **USA**

- In response to President Trump's substantial easing of fiscal policy in 2018 the overall economic growth for the year was 2.9% which was marginally below the target of 3.0%.
- The FOMC in December 2018 increased for the 4<sup>th</sup> time in 2018 the Central Rate by 0.25% to 2.25% – 2.50% a level deemed by the financial markets to be the peak.
- Unemployment fell marginally from an opening position of 3.9% in April 2018 to 3.8% in March 2019.
- CPI fell from its opening position of 2.5% in April 2018 to a 2.5 year low of 1.5% in February 2019 before finishing at 1.9% in March.

#### **EU**

- Economic growth in the EU for 2018 was 1.8% down from the 2017 figure of 2.3% and this trend is expected to continue with the 2019 growth forecasted to be 0.9%.
- The ECB left both the refinancing rate at 0.0% and its deposit rate at -0.4% a level of where both rates have been since March 2016 and are expected to remain throughout 2019.
- During 2018 the CPI increased marginally from an opening position of 1.2% in April to 1.4% in March 2019 with the unemployment rate falling from 8.4% to 7.8%.

#### **Japan**

- Consistent and significant GDP growth continues to be a problem with the annual growth figure for 2018 being 1.0% compared to 1.7% in 2017.
- CPI despite huge monetary and fiscal stimulus remains below the government's target of 2% falling by 0.1% to 0.5% in March 2019 from an opening position in April 2018 of 0.6%.

#### **China**

- The economy grew by 6.6% in 2018 compared to 6.9% in 2017 and was the lowest growth rate since 1990 despite repeated rounds of central bank stimulus.

#### **World outlook**

- World markets are currently apprehensive over the major economies weakening levels of growth for 2019 although it is generally thought that a recession will be avoided.

2.2 Within the 2018/19 treasury management strategy a forecast for interest rates was provided and from this it was expected that a minor increase in rates would occur. As highlighted in the table below this movement did take place and a more detailed analysis detailing how investment rates moved during the course of 2018/19 is provided for reference at Appendix A;

	2018/19	1 April 2018	31 March 2019	2018/19
	Forecast Average	Actual	Actual	Actual Average
	%	%	%	%
Bank Rate	0.58	0.50	0.75	0.67
Investment Rates				
3 month	0.50	0.59	0.72	0.68
1 Year	0.90	0.88	0.94	0.94
Loan Rates				
5 Year	1.50	1.89	1.57	1.84
25 Year	3.00	2.57	2.40	2.65

### 3. TREASURY POSITION

3.1 The Council's investment, debt and cash flow positions are managed by the in-house Treasury Management team who ensure that:

- All investments placed have been done so in accordance with the criteria stipulated within the current Investment strategy,
- All borrowing has been carried out in accordance with the Council's current Debt strategy and Prudential Indicators (Authorised Limits and Operational boundary),
- At all times adequate liquidity of funds are maintained to ensure all payments can be made on time thereby preserving the Council's reputation and
- All of the above transactions are carried out in accordance with the current Scheme of Delegation.

3.2 In order to achieve these objectives, well established procedures and controls both through Member reporting and officer activity are in place and this was further confirmed when the Council's Audit & Assurance Service issued its annual report following their 2018/19 audit which stipulated that for the 12<sup>th</sup> year in succession, the treasury management service offered a High Level of Assurance, the highest level obtainable.

3.3 The table below shows the loan and investment positions at the beginning and end of 2018/19 for reference:

	31 March 2019			31 March 2018		
	Principal (£m)	Total (£m)	Interest Rate %	Principal (£m)	Total (£m)	Interest Rate %
<b>DEBT</b>						
<b>Fixed rate:</b>						
-PWLB	181.0			103.3		
-Market	24.7	205.7	3.26	21.1	124.4	3.69
<b>Variable rate:</b>						
-PWLB	0.0			0.0		
-Market	15.0	15.0	4.24	40.0	40.0	5.73
<b>Total debt</b>		<b>220.7</b>	<b>3.33</b>		<b>164.4</b>	<b>4.19</b>
<b>CFR (to finance past capital expenditure)</b>		<b>251.6</b>			<b>195.1</b>	
<b>Over/ (under) borrowing</b>		<b>(30.9)</b>			<b>(30.7)</b>	
<b>INVESTMENTS</b>						
- Fixed rate	45.3		1.07	30.8		0.78
- Variable rate	32.6		1.44	42.4		1.03
<b>Total investments</b>		<b>77.9</b>	<b>1.22</b>		<b>73.2</b>	<b>0.92</b>

Note – Details regarding the movement in debt are provided at paragraph 4.14 for reference.

- 3.4 Whilst the above table details the position as at the beginning and end of 2018/19, the average position for 2018/19 & 2017/18 were as follows:

	2018/19		2017/18	
	Principal	Interest Rate	Principal	Interest Rate
<b>Average Debt</b>	£175.4m	3.97%	£118.4m	5.11%
<b>Average Investment</b>	£86.7m	1.06%	£77.6m	0.82%

#### 4. BORROWING POSITION

- 4.1 As highlighted in paragraph 3.1 above, part of the Council's treasury management activities is to address any potential borrowing required to be taken in order to fund the capital expenditure programme.
- 4.2 The in-house treasury management team organises the Council's cash position to ensure that sufficient cash is available to meet its spending plans together with its cash flow requirements. A part of this process may involve the take up of new loans from external bodies, such as the Government through the PWLB or the money markets. Before any new borrowing is taken out however consideration to utilising any temporary cash resources which may be available within the Council is undertaken and if this is deemed to be the best option, will be applied.
- 4.3 The Council's underlying need to borrow for capital expenditure is the CFR and this indicates the level of the Council's indebtedness. The CFR represents capital spend not yet paid for by revenue or other resources of the Council incurred from current and prior years' activities.

- 4.4 To safeguard the Council's finances, the level of CFR is not allowed to rise indefinitely and statutory controls are in place to ensure that any borrowing on capital assets is charged to revenue over their useful life. This annual revenue charge is the MRP and this reduces the CFR and effectively is a repayment of borrowing.
- 4.5 The total CFR can also be reduced by:
- the application of additional capital financing resources, (such as unapplied capital receipts) or
  - charging more than the statutory revenue charge MRP each year through a VRP.
- 4.6 The Council's 2018/19 MRP Policy, (as required by CLG Guidance), was approved by Members as part of the Treasury Management Strategy report for 2018/19 on 21 February 2018.
- 4.7 During 2018/19 the Council borrowed £60.4m from the PWLB to fund new capital expenditure which mainly related to the Council's commercial investment programme. All borrowing was undertaken in conjunction with the information obtained from the Council's advisors LAS, with all loan servicing costs being met from the existing revenue provision within the Medium Term Financial Plan or from a proportion of the investment returns generated from the Council's commercial investment programme.
- 4.8 All loans were taken at competitive rates of interest thereby ensuring value for money to the local taxpayers was achieved with details of the loans taken being shown at paragraph 4.14 below for reference.
- 4.9 Whilst £60.4m of new external loans were taken from the PWLB to fund a proportion of the Council's capital borrowing requirement, the policy adopted in previous years of temporarily using cash supporting the Council's reserves, balances and cash flow was also applied in 2018/19. This action was undertaken in conjunction with advice obtained from the Council's external advisers LAS and offers a prudent approach due to the low level of investment returns available when compared to borrowing rates.
- 4.10 The policy of not taking up the Council's full borrowing requirement by running down cash balances, has served well over the last few years and as a guide if the under-borrowed position of £30.9m as at 31 March 2019 as highlighted at paragraph 3.3 had been taken for 25 years, an additional net £484k per year in loan interest would be payable ( $£30.9m \times 2.385\% = £737k$  interest payable less  $£30.9m \times 0.82\% = £253k$  loss of investment interest).
- 4.11 During 2018/19 whilst no rescheduling of the Council's existing PWLB debt portfolio was undertaken due to the high breakage costs (premium) payable, an approach was received in Autumn 2018 from the RBS offering the Council an opportunity to repay the £20m LOBO loan on discounted terms.
- 4.12 In addition to the principal of £20m and outstanding loan interest of £0.3m, an early termination penalty totalling £11.7m was required in order to extinguish this debt. This was a much discounted level of premium which made the opportunity attractive. Had the original conditions of the loan agreement been applied then the termination penalty should have been in the region of £33m, a saving of £21.3m.
- 4.13 In order to take advantage of this situation and in conjunction with advice obtained from the Council's advisors LAS, discussions with the Executive Member for Finance and Corporate Director of Finance and Systems took place and from which the decision was taken to repay the original RBS loan at a rate of interest of 7.26% and replace it with a loan from the PWLB at a rate of 2.66%.

4.14 From the table at paragraph 3.3 it can be seen that the level of external debt increased during 2018/19 from the opening position of £164.4m to close at £220.7m and this was as a result of the following transactions;

<b>Lender</b>	<b>Principal – (Repayment) / New</b>	<b>Average Interest rate</b>	<b>Notes</b>
PWLB	£(2.7)m	5.502%	Natural maturity.
SALIX Finance	£(1.4)m	0.000%	Loan used to part fund the LED Street Lighting Programme.
RBS	£(20.0)m	7.26%	Repaid and replaced with PWLB loan
PWLB (taken November 18)	£20.0m	2.660%	Loan taken to replace the RBS LOBO loan
PWLB (taken December 18)	£13.9m	2.800%	Loan taken to fund commercial investment.
PWLB (taken December 18)	£12.0m	2.45%	Loans taken to reduce the under borrow position.
PWLB (taken December 18)	£9.0m	2.460%	Loans taken to fund capital programme schemes.
PWLB (taken March 19)	£25.5m	2.430%	Loans taken to fund commercial investments.
<b>Total</b>	<b>£56.3m</b>		

4.15 From the total debt outstanding of £220.7m, £0.7m is administered on behalf of Greater Manchester Probation Service which leaves £220.0m in respect of the Council's own long term requirement and a maturity profile of the Council's debt can be found at Appendix B & C for reference.

4.16 During 2018/19 the Corporate Director of Finance and Systems continued to monitor interest rate movements in the financial markets and caution was adopted with the treasury operations.

4.17 Interest payable on general debt spend totalled £5.5m which was £(0.7)m less than budget and this saving was due to;

- New debt being taken later in the year than originally forecasted thereby saving interest of (£0.22)m and
- Restructuring of the £20m RBS LOBO loan (£0.48)m.

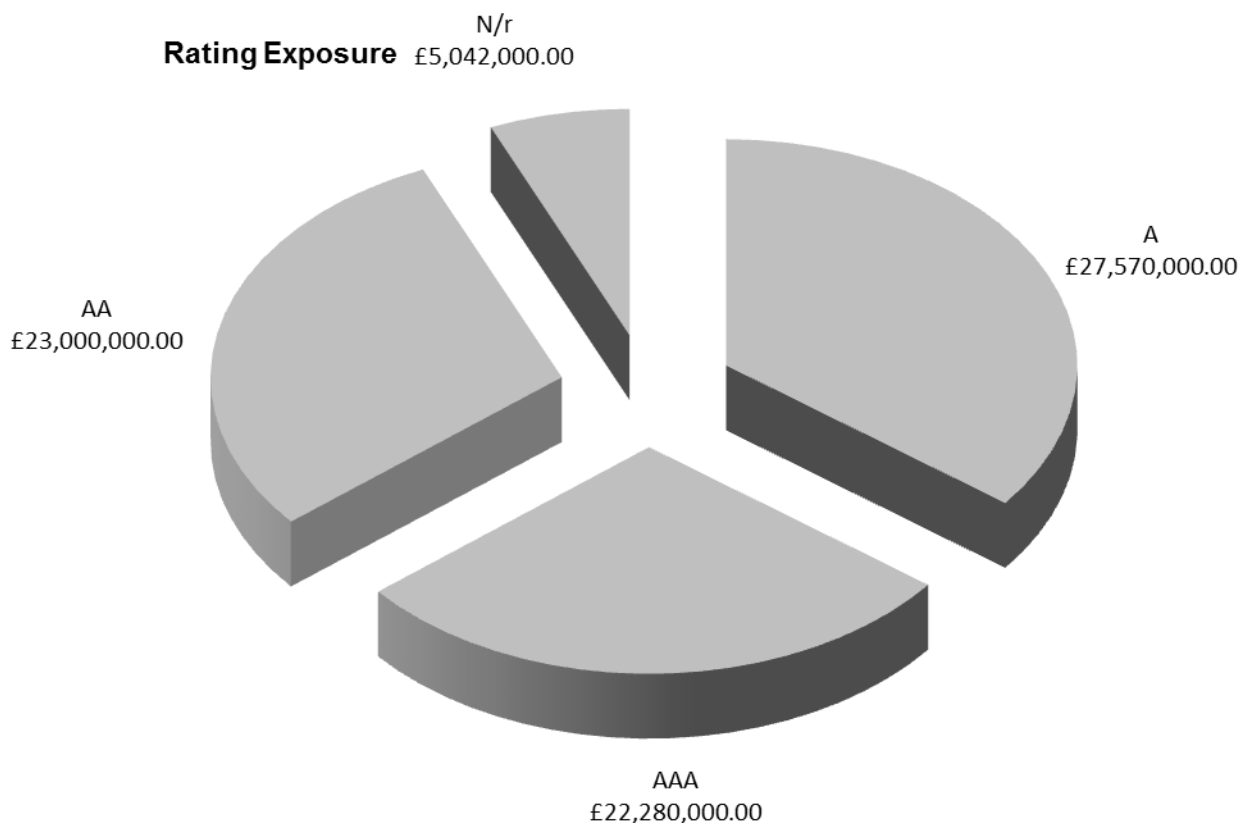
For debt taken out to fund the acquisition of the Council's commercial property portfolio, loan interest totalling £1.1m was paid and this was fully funded from the rental income received.

4.18 During the course of the year no borrowing for more than, or in advance of the Council's needs, purely in order to profit from the investment of the extra sums borrowed and no temporary borrowing was required in order to fund the Council's day to day cash flow requirements.

## **5. INVESTMENT POSITION**

- 5.1 The Council's investment policy is governed by the MHCLG guidance and this was incorporated within the annual investment strategy approved by Council on 21 February 2018. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).
- 5.2 Using this information the Council's in-house treasury management team is able to produce an approved lending list in order to ensure investments are only placed with low risk institutions. Funds are invested for a range of periods from overnight to 3 years dependant on cash flow requirements with counterparty limits also being set out in the approved investment strategy ensuring that an excessive level of funds are not placed in a single counterparty.
- 5.3 I can confirm that during the year all investment activity conformed to the approved strategy and that the approved limits within the Annual Investment Strategy were not breached.
- 5.4 The Council will, in line with previous years, aim to achieve the optimum return (yield) on its investments commensurate with proper levels of security and liquidity.
- 5.5 During the course of the year investment rates remained weak rising marginally after the MPC increased the Bank Rate in August.
- 5.6 In 2018/19 the Council maintained an average balance of £81.7m of internally managed funds earning an average rate of return of 0.82% which generated £666k in investment interest. This return was £70k above the agreed budget figure of £596k and 0.31% or £250k above the performance indicator of the average 7-day LIBID rate of 0.51%.
- 5.7 With regards to the Council's long term investments, in 2015, £5m was placed into the CCLA Property Fund for a minimum period of 5 years which after entry costs had been deducted of £0.3m, enabled 1,643,872 units to be purchased in the fund. At 31 March 2019 the value of these units, were £5.04m and this compares to the valuation at 31 March 2018 of £4.97m, an increase of £0.07m.
- 5.8 Annualised returns generated from the CCLA property fund in 2018/19 (net of fees) were 4.92% and this compares with that achieved in 2017/18 of 4.65%.
- 5.9 When the rates of return for both short and long term investments are combined, this produces an average level invested of £86.7m, generating a rate of return of 1.06% worth £916k which is 0.55% and £0.48m above the performance indicator of the average 7-day LIBID rate of 0.51%.
- 5.10 During the continuing climate of low interest rates the ability to generate a satisfactory level of return without exposing the Council's funds to high levels of risk remains challenging. Whenever new opportunities to generate additional investment income become known, these are thoroughly investigated in order to ensure that they will be suitable for the Council to pursue without committing it to any unnecessary risk.
- 5.11 The Council's main bank account with Barclays, is non-interest bearing and consequently if no investments were undertaken by the in-house team, the Council would lose the opportunity to generate £916k of income.
- 5.12 Levels of funds available to be invested on a daily temporary basis are subject to a number of factors with the main one of being due to timing issues of large payments (precepts / levies / salaries / etc.), receipt of grants and progress on the Capital Programme.

5.13 The graph below provides a breakdown of the Council's investments placed as at 31 March 2019 by long term credit rating and further information detailing the make-up of this can be found at Appendix C & D;



## 6. RELATED TREASURY ISSUES

6.1 A major change to the CIPFA Code of Practice on Local Authority Accounting for 2018/19 was the implementation of IFRS 9. As a result of this, a significant change to how the Council's shareholding in MAH Ltd and its pooled investment with CCLA are categorised in the Council's Statement of Accounts was required. As a consequence of this reclassification any changes in the values of these holdings would impact on the Council's revenue budget however the following action is to be applied:

- MAH Ltd - the Code of Practice allow for councils with shareholdings to elect at the outset, to treat this type of investment so that any movement in values do not impact on the revenue budget. The Council has elected to adopt this option.
- CCLA pooled investment - the MHCLG has agreed a temporary override for English Local Authorities for a five year period starting on 1 April 2018 and the Council will use the statutory override to account for any changes in the value on its pooled investments.

Further details on the impact of the IFRS 9 are disclosed in the Council's Statement of Accounts at Note 18.

6.2 Local Authority Mortgage Scheme - the Council participated in the national Local Authority Mortgage Scheme using the cash backed option with Lloyds bank by advancing £2m in 2012/13 and a further £1m in 2013/14 at an interest rate of 4.41% and 2.70% respectively. All funds have now been repaid.

## 7. PRUDENTIAL AND PERFORMANCE INDICATORS

- 7.1 It is a statutory duty for the Council to determine and keep under review the Council's Prudential Indicators as approved within the Treasury Management Strategy for 2018/19.
- 7.2 During the year ended 31 March 2019, the Council has operated within these indicators which are shown in Appendix E for reference.

## 8. 2018/19 SUMMARY OUTFURN POSITION

- 8.1 Activities undertaken as part of the treasury management function are subject to many factors beyond the Council's control which have an impact on actual performance e.g. worldwide economic and political events, unforeseen interest rate movements. The table below reflects the summarised outturn position compared to that originally forecasted for reference;

	<b>Budget £000</b>	<b>Outturn £000</b>
<b>DEBT</b>		
Interest & Premium	6,683	6,117
MRP	2,650	1,818
Sub-total	<b>9,333</b>	<b>7,935</b>
<b>INVESTMENTS</b>		
Investment Interest & other net interest receipts	(969)	(1,060)
MAH Ltd – (airport share dividend & loan income)	(5,281)	(7,267)
Contribution to MAH reserve	0	2,038
Sub-total	<b>(6,250)</b>	<b>(6,289)</b>
<b>RESERVES</b>		
Contribution to / (from) Interest Smoothing Reserve	158	980
Sub-total	<b>158</b>	<b>980</b>
<b>TOTAL</b>	<b>3,241</b>	<b>2,626</b>

Note: The above figures reflect;

- Interest saved as a result of the Council's £20m variable rate which during 2018/19 was 7.26% being replaced in November 2018 with a loan at an interest rate of 2.66%;
- All associated debt costs from borrowing undertaken to fund the Council's Commercial Investment Programme are self-financing i.e. paid for from the income stream generated from the investment.;
- An additional share dividend was received from the Manchester Airport Holdings Ltd as a result of stronger trading operations;



8.2 The contribution to the Smoothing Reserve is due to in-year savings in the debt charges associated with new investment. This is in part due to borrowing being taken up part way through the year. The reserve will therefore be required in future years and is also held for future cash implications arising from:-

- Potential adverse changes in investment interest rates and
- Non-treasury management activities which have an impact on cash flows.

### **Other Options**

This report has been produced in order to comply with Finance Procedure Rules and relevant legislation and provides an overview of the treasury management transactions undertaken during 2018/19.

### **Consultation**

Advice has been obtained from Link Asset Services, the Council's external advisors.

### **Reasons for Recommendation**

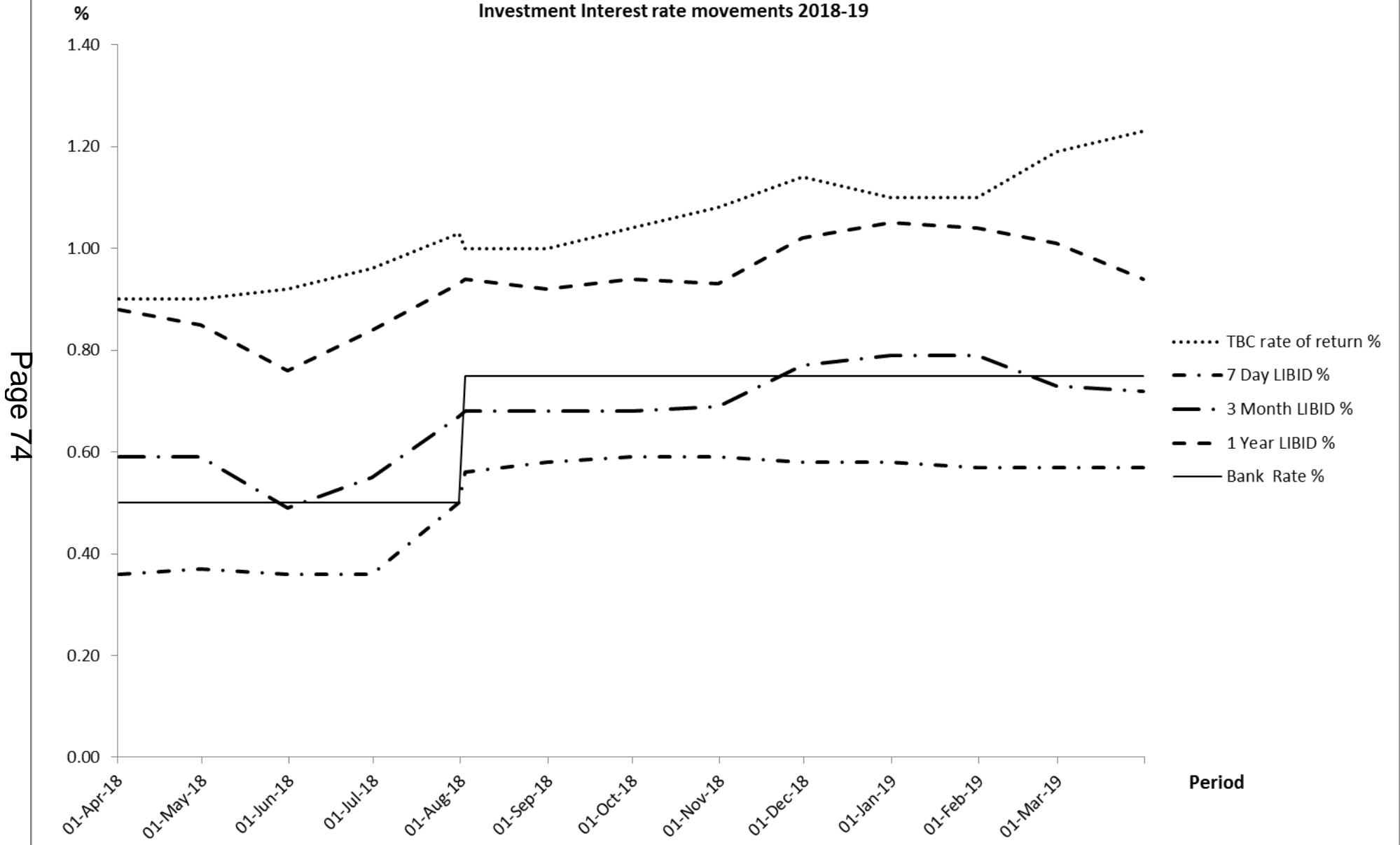
The report has been produced in order to meet the requirements of the Council's Financial Procedure Rules which incorporate the requirements of both the CIPFA Prudential Code for Capital Finance and the CIPFA Code of Practice on Treasury Management.

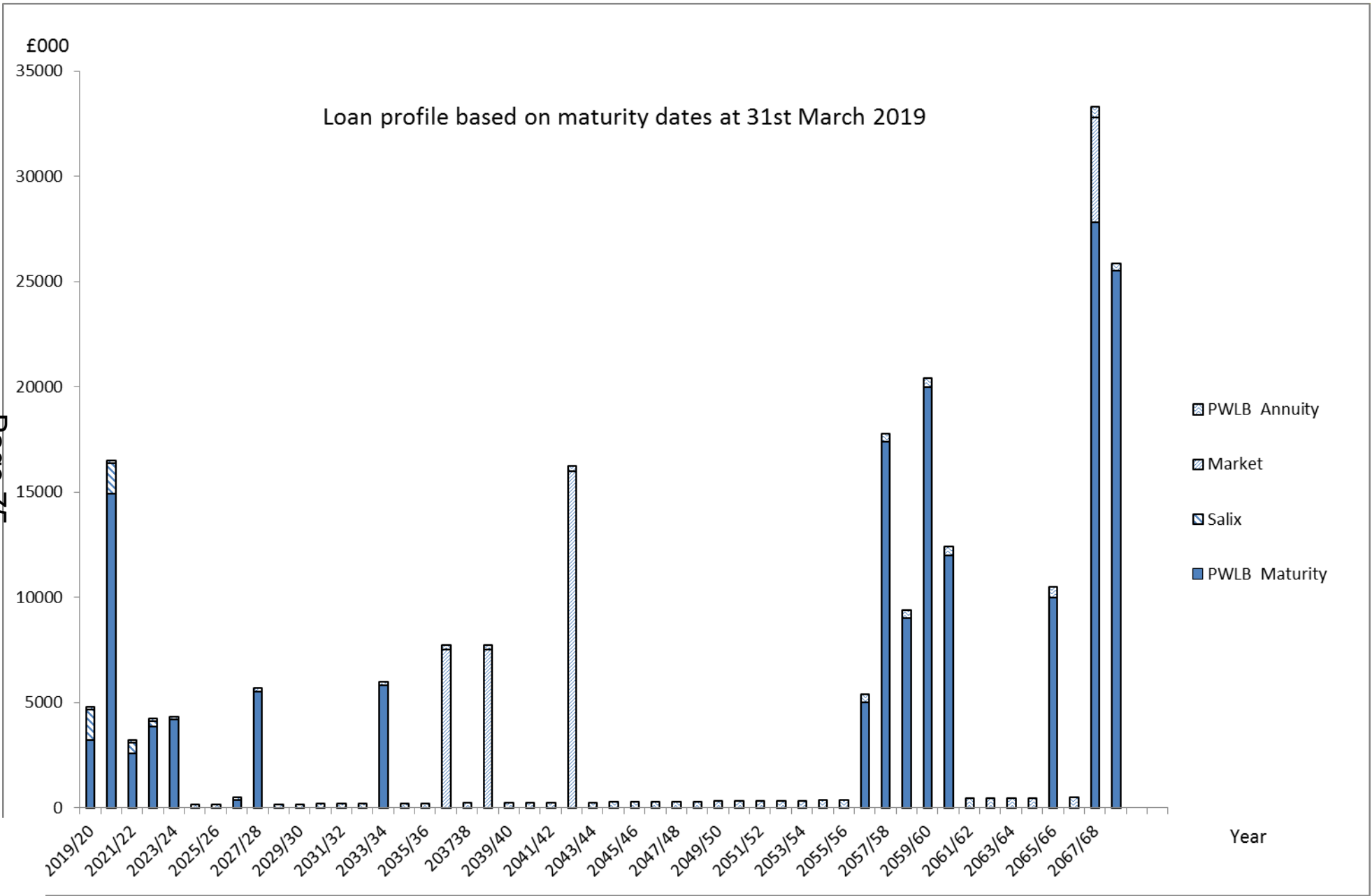
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Investment Interest rate movements 2018-19





## Maturity Profile

## Debt portfolio:

	31 March 2019 (£m)	31 March 2018 (£m)
Under 12 months	4.8	4.0
12 months and within 24 months	16.5	4.7
24 months and within 5 years	11.8	23.6
5 years and within 10 years	6.7	10.0
10 years and above	180.9	122.1
<b>Total</b>	<b>220.7</b>	<b>164.4</b>

## Investment portfolio:

	31 March 2019 (£m)	31 March 2018 (£m)
Instant Access	22.3	30.3
Up to 3 Months	19.6	13.0
3 to 6 Months	12.0	10.9
6 to 9 Months	11.5	2.0
9 to 12 months	7.5	9.5
Over 1 year	5.0	7.5
<b>Total</b>	<b>77.9</b>	<b>73.2</b>

## Breakdown of Investments

Counterparty	Amount (30 Sept 2018) £	Amount (31 March 2019) £	Long Term Credit Rating
<i>Money Market Fund</i>			
Amundi	11,500,000	410,000	AAA
Federated Investors	6,050,000	8,860,000	AAA
Legal & General	1,400,000	100,000	AAA
Invesco Aim	140,000	2,910,000	AAA
Aberdeen (formerly Standard Life)	400,000	10,000,000	AAA
<i>Sub total</i>	<i>19,490,000</i>	<i>22,280,000</i>	
<i>Notice Accounts</i>			
Barclays Bank	5,000,000	2,500,000	A
Santander UK Bank	4,800,000	2,800,000	A
<i>Sub total</i>	<i>9,800,000</i>	<i>5,300,000</i>	
<i>Term Deposit</i>			
Australia and New Zealand Bank	0	12,000,000	AA
Birmingham City Council	3,000,000	0	AA
Close Brothers Bank	7,500,000	10,000,000	A
Commonwealth Bank of Australia	2,000,000	0	A
Development Bank of Singapore	9,000,000	3,000,000	AA
Flintshire Council	0	2,000,000	AA
Goldman Sachs Bank	7,000,000	0	A
Greater Manchester Combined Authority	0	3,000,000	AA
Lincoln City Council	0	3,000,000	AA
Lloyds Bank	14,670,000	10,270,000	A
National Bank of Abu Dhabi	2,500,000	0	
Santander UK Bank		2,000,000	A
<i>Sub total</i>	<i>45,670,000</i>	<i>45,270,000</i>	
<i>Property Funds</i>			
Church Commissioners Local Authority	4,991,946	5,041,755	Not rated
<i>Sub total</i>	<i>4,991,946</i>	<i>5,041,755</i>	
<b>Total</b>	<b>79,951,946</b>	<b>77,891,755</b>	

The above table shows the level of investments placed as at 31 March 2019 and 30 September 2018, the last time Members were provided with this information.

## Prudential Indicators for 2018/19

Indicator	Indicator set by Council	Actual
<p><b>Authorised Borrowing Limit</b> Maximum level of external debt, including other long term liabilities (PFI &amp; leases) undertaken by the authority including any temporary borrowing - this is a statutory limit under Section 3(1) of the Local Government Act 2003.</p>	£475.5m	£220.7m
<p><b>Operational Boundary</b> Calculated on a similar basis as the authorised limit but represents the expected level of external debt &amp; other long term liabilities (PFI &amp; leases) excluding any temporary borrowing – this is not a limit.</p>	£460.5m	£220.7m
<p><b>Upper limits on fixed interest rates</b> <b>Maximum</b> limit of net fixed interest rate exposure - debt less investment</p>	£5.1m	£4.5m
<p><b>Upper limits on variable interest rates</b> <b>Maximum</b> limit of net variable interest rate exposure – debt less investment</p>	£2.2m	£0.6m
<p><b>Gross Debt and the Capital Financing Requirement</b> – this reflects that over the medium term, debt will only be taken for capital purposes. During 2018/19 the Corporate Director of Finance and Systems can confirm that this indicator was complied with.</p>		
<p><b>Maturity structure of fixed rate borrowing</b> These gross limits are set to reduce the Council's exposure to large fixed rate sums falling due for refinancing and are required for upper and lower limits.</p>		
Under 1 year (this includes the next call date for Market loans)	30%	9%
1 year to 2 years	30%	8%
2 years to 5 years	30%	5%
5 years to 10 years	30%	3%
10 years to 20 years	30%	4%
20 years to 30 years	30%	8%
30 years to 40 years	30%	16%
40 years and above	90%	47%
<p><b>Maximum principal funds invested exceeding 364 days (including Manchester Airport Holdings Ltd shares)</b> - (These limits are set to reduce the need for early sale of an investment)</p>	£90m	£57.7m

### Performance Indicators for 2018/19

Indicator	Target	Actual
<b>Security</b> – potential default rate of the Council’s investment portfolio based on default rates from the 3 main credit rating agencies – inclusion is recommended by CIPFA.	Max 0.07%	Max 0.012% (31 March 2019)
<b>Liquidity</b> – investments available within 1 week notice	£15m min.	Achieved
<b>Liquidity</b> – Weighted Average Life of investments	6 months	3.75 months (31 March 2019)
<b>Yield</b> – Investment interest return to exceed 7 day London Interbank <b>BID</b> rate (exclude CCLA)	Average 7 day LIBID 0.51%	Average rate of return for 2018/19 was 0.82%
<b>Origin of investments placed</b> - maximum investments to be directly placed with non-UK counterparties.	UK institutions 100% Non UK institutions 40%	Min 76% Max 24%

**ABBREVIATIONS USED IN THIS REPORT**

**CFR:** capital financing requirement - the council's annual underlying borrowing need to finance capital expenditure and a measure of the council's total outstanding indebtedness.

**CCLA:** Church Commissioners Local Authority - manage investments for charities, religious organisations and the public sector

**CIPFA:** Chartered Institute of Public Finance and Accountancy – the professional accounting body that oversees and sets standards in local authority finance and treasury management.

**CPI:** consumer price index – the official measure of inflation adopted as a common standard by countries in the EU. It is a measure that examines the weighted average of prices of a basket of consumer goods and services, such as transportation, food and medical care. It is calculated by taking price changes for each item in the predetermined basket of goods and averaging them.

**ECB:** European Central Bank - the central bank for the Eurozone

**EU:** European Union

**FOMC:** the Federal Open Market Committee – this is the branch of the Federal Reserve Board which determines monetary policy in the USA by setting interest rates and determining quantitative easing policy. It is composed of 12 members--the seven members of the Board of Governors and five of the 12 Reserve Bank presidents.

**GDP:** gross domestic product – a measure of the growth and total size of the economy.

**G7:** the group of seven countries that form an informal bloc of industrialised democracies--the United States, Canada, France, Germany, Italy, Japan, and the United Kingdom--that meets annually to discuss issues such as global economic governance, international security, and energy policy.

**IFRS 9:** is an International Financial Reporting Standard (**IFRS**) published by the International Accounting Standards Board (IASB). It addresses the accounting for financial instruments and contains three main topics: classification and measurement of financial instruments, impairment of financial assets and hedge accounting.

**LAS: Link Asset Services** – independent organisation which provides advice and guidance on all treasury matters including government legislation.

**LIBID:** the London Interbank Bid Rate is the rate bid by banks on deposits i.e., the rate at which a bank is willing to borrow from other banks. It is the "other end" of the LIBOR (an offered, hence "ask" rate, the rate at which a bank will lend).

**LOBO:** Lender Option Borrower Option – form of money market instrument which gives the lender the option to review interest rates on predetermined dates which in turn gives the borrower on the occasion of a movement in interest rate the option to accept the revised levels or repay the loan without penalty.

**MAH Ltd:** Manchester Airport Holdings Limited - is a holding company which is owned by the ten metropolitan borough councils of Greater Manchester and an Australian investment fund IFM Investors.

**MHCLG:** the Ministry of Housing, Communities and Local Government -the Government department that directs local authorities in England.



**MPC:** the Monetary Policy Committee is a committee of the Bank of England, which meets for one and a half days, eight times a year, to determine monetary policy by setting the official interest rate in the United Kingdom, (the Bank of England Base Rate, commonly called Bank Rate), and by making decisions on quantitative easing.

**MRP:** minimum revenue provision -a statutory annual minimum revenue charge to reduce the total outstanding CFR, (the total indebtedness of a local authority).

**PWLB:** Public Works Loan Board – this is the part of H.M. Treasury which provides loans to local authorities to finance capital expenditure.

**RBS:** -Royal Bank of Scotland.

**UK:** United Kingdom.

**USA:** United States of America.

**VRP:** a voluntary revenue provision to repay debt, in the annual budget, which is additional to the annual MRP charge, (see above definition)

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## TRAFFORD COUNCIL

**Report to:** Council  
**Date:** 9 October 2019  
**Report for:** Noting  
**Report of:** Monitoring Officer / Chair of Standards Committee

### Report Title

**Outcome of Standards Committee review of the position relating to changes to Labour Members' Allowances**

### Summary

A motion was proposed to Council on 17<sup>th</sup> July 2019, condemning the Labour Group for having reversed a voluntary reduction to their members' allowances which had been applied since 2013. Council voted pursuant to a motion without notice to refer the matter to the Standards Committee for review and to report back to Council. This report details the outcome of that review, which has been conducted by the Monitoring Officer and the Independent Person.

### Recommendation(s)

**That Council :-**

- 1. Notes the contents of this report and of the report to Standards Committee of the Monitoring Officer and Independent Person;**
- 2. Notes that there was nothing improper in the actions of the Labour and Liberal Democrat Groups in indicating that the voluntary reduction in allowances should be reversed for their members;**
- 3. Notes that there was no requirement that such a decision should be subject to public scrutiny as it was essentially a decision which fell to each individual member**
- 4. Approves the proposal to add an explanatory sentence on the annual publication of Members allowances and to identify those Members who have renounced part of their allowance on the same document.**

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

**Name:** Jane Le Fevre  
**Extension:** 4215

### Background Papers: -

The Review Documents:-

- Members' Allowances Scheme;
- Relevant e-mail correspondence;
- IRP report July 2018

### Implications

Relationship to Policy Framework/Corporate Priorities	N/A
Financial	None
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

## **1. Background.**

**1.1** On 17<sup>th</sup> July 2019 a motion in the following terms was proposed and seconded to Council:-

*(h) Motion Submitted by the Conservative Group - Members' Allowances Increases for Labour Councillors*

*This Council condemns the revelation that, on 22 August 2018, the Labour Group via the Leader of the Council wrote to the Corporate Director for Finance and Systems instructing that the voluntary reduction of 1.9% applied to Members Allowances since 2013/14 be reversed.*

*Council notes:*

- *This letter was submitted secretly with no public accountability or scrutiny of the change*
- *That the change in allowances was subsequently backdated to April 2018*
- *That the Labour group also requested this change to be applied to significant Special Responsibility Allowances, to ensure maximum personal financial benefit for Labour members*

*Council finds it abhorrent and hypocritical that this Labour administration has the audacity to talk about austerity whilst at the same time:*

- *increasing their own allowances, in secret without scrutiny*
- *trebling the cost of the Corporate Leadership Team to nearly £1million per annum in the last 10 months*
- *overseeing the deterioration of services in Trafford (see Children's Services) through poor leadership and management*

*The Council requires every Labour member to return their increased allowance to the taxpayers of Trafford and for members' allowances to be reset to the levels stipulated in 2015/16 to be consistent for all Members (i.e. 98.1% of present full allowance).*

**1.2** A Motion Without Notice proposing that the issues raised by the motion be referred to the Standards Committee for review and for the Committee to report back to Council once it had had the opportunity to review the matter was subsequently moved, seconded and agreed by Council.

**1.3** The approach taken by the Monitoring Officer to the review is set out in the report to Standards Committee annexed to this report. The review was undertaken by the Monitoring Officer together with the Independent Person

(“IP”) in order to assure members of the transparency, objectivity and independence of the review. The report to the Standards Committee was a joint report from the Monitoring Officer and the IP.

## **2. Standards Committee Review**

- 2.1** The Standards Committee Report was considered at Standards Committee on 26 September 2019 and the Recommendations set out in that report were agreed by the Committee.
- 2.2** A Point of Order was moved by the Vice Chair of the Committee referring to Rule 8.1 (of the Access to Information Procedure Rules) relating to the disclosure of Background Papers and suggesting that the report was flawed because it contained an assertion that all Group Leaders had been approached about reversing the previous voluntary reduction in allowances. The concern from the Conservative Group being that they did not agree that any such discussion had taken place. It was made clear that all existing Background Papers had been disclosed, referred to as the Review Documents in the report, including an exchange of e-mails between officers referring to the fact that such a discussion had taken place with the then Leader of the Council. It was also expressly acknowledged by the Monitoring Officer in the meeting that there was no communication either with or from the then Leader on that point. It was however noted that the point was not relevant to the issue under review which was whether there had been any impropriety on the part of the Labour Group (and therefore by implication the Liberal Democrat Group) in either the request to reverse the reduction in allowances or in the procedures followed in that regard.
- 2.3** Notwithstanding the fact that it was the view of the Monitoring officer and the IP based on the exchange of e-mails and from discussion with relevant members of staff that, on the balance of probabilities, there had been some discussion prior to the elections in May 2018 on the issue of the reversal of the reduction between the then Chief Executive and the former Leader of the council, it is acknowledged that this has never been accepted by the Conservative members. Furthermore, the issue of whether the Conservative Group were or were not aware is not relevant to the issue referred to the Standards Committee, namely the suggestion that the Labour Group had acted in secrecy, without scrutiny and by implication improperly. The recommendations to Council have therefore been amended from those which were considered by the Standards Committee to remove reference to referral to all group leaders .
- 2.4** The review carried out concluded that there had been no improper behaviour on the part of those members who had elected through their Group leaders to reverse the reduction. It was also found that there was no requirement for any process around such a reversal and Committee members noted that any member could have reversed the reduction for their personal allowances at any time and without the need for such a decision to be reported or scrutinised.
- 2.5** It was also noted by the Committee that there is a requirement for details of all individual members’ allowances to be published such that these are a matter of public record.

**2.6** The report to the Committee does however reflect that the Monitoring Officer and the IP considered that the way in which such matters are handled in future could be improved and there were recommendations to that effect which were agreed by the Standards Committee.

## TRAFFORD COUNCIL

**Report to:** Standards Committee  
**Date:** 25 September 2019  
**Report for:** Decision  
**Report of:** Monitoring Officer and Independent Person  
**Report Title**

<b>Investigation into changes to Members Allowances</b>
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**Summary**

<p>A motion was proposed to Council on 17<sup>th</sup> July 2019, condemning the Labour Group for having reversed a voluntary reduction to their members' allowances which had been applied since 2013. Council voted pursuant to a motion without notice to refer the matter to the Standards Committee for review and to report back to Council. This report details the outcome of that review, which has been conducted by the Monitoring Officer and the Independent Person.</p>
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**Recommendation(s)**

**That the Committee :-**

- 1. Notes the contents of the report;**
- 2. Notes that, prior to and shortly after the elections in 2018 each of the political groups was asked to confirm whether they wished to continue the voluntary reduction in members' allowances first applied in 2013/14;**
- 3. Notes that both the Labour Group and the Liberal Democrat Group indicated that they wanted to reverse the reduction;**
- 4. Notes that there was nothing improper in the actions of the Labour and Liberal Democrat Groups in indicating that the voluntary reduction in allowances should be reversed for their members;**
- 5. Notes that there was no requirement that such a decision should be subject to public scrutiny as it was essentially a decision which fell to each individual member**
- 6. Approves the proposal to add an explanatory sentence on the annual publication of Members allowances and to identify those Members who have renounced part of their allowance on the same document.**

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

**Name:** Jane Le Fevre  
**Extension:** 4215

**Background Papers:**

None

**Implications**

Relationship to Policy Framework/Corporate Priorities	N/A
Financial	None
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

## 1. **Background.**

1.1 On 17<sup>th</sup> July 2019 a motion in the following terms was proposed and seconded to Council:-

*(h) Motion Submitted by the Conservative Group - Members' Allowances Increases for Labour Councillors*

*This Council condemns the revelation that, on 22 August 2018, the Labour Group via the Leader of the Council wrote to the Corporate Director for Finance and Systems instructing that the voluntary reduction of 1.9% applied to Members Allowances since 2013/14 be reversed.*

*Council notes:*

- *This letter was submitted secretly with no public accountability or scrutiny of the change*
- *That the change in allowances was subsequently backdated to April 2018*
- *That the Labour group also requested this change to be applied to significant Special Responsibility Allowances, to ensure maximum personal financial benefit for Labour members*

*Council finds it abhorrent and hypocritical that this Labour administration has the audacity to talk about austerity whilst at the same time:*

- *increasing their own allowances, in secret without scrutiny*
- *trebling the cost of the Corporate Leadership Team to nearly £1million per annum in the last 10 months*
- *overseeing the deterioration of services in Trafford (see Children's Services) through poor leadership and management*

*The Council requires every Labour member to return their increased allowance to the taxpayers of Trafford and for members' allowances to be reset to the levels stipulated in 2015/16 to be consistent for all Members (i.e. 98.1% of present full allowance).*

1.2 A Motion Without Notice proposing that the issues raised by the motion be referred to the Standards Committee for review and for the Committee to report back to Council once it had had the opportunity to review the matter was subsequently moved, seconded and agreed by Council.

1.3 In order to assure members of the transparency, objectivity and independence of the subsequent review and notwithstanding the fact that this was not a formal complaint under the Standards procedures the Monitoring Officer decided to approach the Independent Persons ("IP's") and it was agreed that one of the IP's would assist in the review and that the report to the Standards Committee should be a joint report from the Monitoring Officer and the IP.



- 1.4 Given that the matter was referred to the Standards Committee pursuant to a Council motion, the Monitoring Officer and IP agreed that this was not a matter which should be considered as a formal complaint. This is a matter which the Committee has been asked to review. The Monitoring Officer and IP have approached the matter on that basis.

## **2. The Review**

- 2.1 The Monitoring Officer and the IP have reviewed the regulations governing the position in relation to Members' allowances; the Members' Allowances Scheme; previous reports to Council; and the correspondence between the group leaders and Council officers and have established the position is as set out below.
- 2.2 Members Allowances are determined by an Independent Remuneration Panel. The Council is obliged to appoint such a panel in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003. The panel will consider the position in relation to Members' allowances and make recommendations to Council in respect of the same.
- 2.3 The Council adopted a scheme in relation to Members' Allowances, which was set out in Part 6 of the Constitution. Under Clause 7 of the Scheme a member may, by notice in writing given to the Chief Executive, elect to forgo any part of his/her entitlement to an allowance under this Scheme.
- 2.4 In 2013 the position in relation to Members' allowances was linked to austerity measures which were introduced in 2013/14 council budget. At that time staff were required to take mandatory unpaid leave as part of that year's budget savings. Members subsequently volunteered that they would take a 1.9% reduction in their allowances to show solidarity with the staff.
- 2.5 This was initially done on an individual basis, with each member having to indicate whether they wished to volunteer up that portion of their allowance and it was initially the intentions that this would, for as long as the political groups wanted to maintain the reduction, be reaffirmed by each member on an annual basis in accordance with clause 7 of the Members' Allowances Scheme. However given that there was absolute solidarity between the groups on the application of the reduction, after the first year the renunciation of the benefit was accepted as a group rather than an individual member decision.
- 2.6 The original changes to staff terms and conditions in relation to mandatory leave were introduced on the basis that they would be reviewed after three years. On review the mandatory scheme was dropped after 3 years and a voluntary scheme was introduced instead. This meant that members and officers were out of step in that the reduction was still being applied to members' allowances.
- 2.7 The position in this regard was raised with the leaders of the Conservative, Labour and Liberal Democrat groups in 2018. It is understood that the conservative group, prior to the elections in May 2018, confirmed that the Conservatives would maintain the voluntary reduction. The Labour and the Liberal Democrats when asked the same question after the May election said that they did not want to continue with the reduction.

- 2.8** Technically and legally, this has always been a matter of individual choice for members, although it was reaffirmed through group decisions on an annual basis. Members were at all times during that period entitled to the full allowance and the council could not have imposed the reduction against any member who did not agree to accept it.
- 2.9** The allowances are set for the financial year which is why, when the Labour and Liberal Democrats were asked to confirm their position in August 2018, on receipt of their decision on this point, the allowance at full level was reinstated for the full year, i.e. back to April 2018.
- 2.10** The reduction which had been applied was a straight reduction to all allowances, both ordinary and special responsibility, so reversing it reversed the position in relation to both sets of allowances.
- 2.11** On a separate note, the Independent Remuneration Panel (IRP) did recommend an increase in Members' allowances linked to the JNC settlement for staff in any given year and a report was taken to Council on this in July 2018. However, whilst the principal of the linkage of the allowances to the JNC negotiated settlement for staff was agreed by Council, the minute for that meeting records the following:-

*"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".*

That is entirely separate from the 1.9% reduction which is the subject of the motion and this review

### **3. Review Findings**

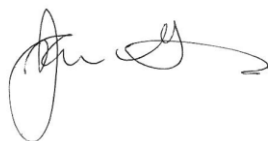
- 3.1** This matter has been considered as a review of the position in relation to members' allowances in the light of the issues raised in the Motion to Council on 17 July 2019. Notwithstanding that the matter has proceeded by way of review, there is no evidence that there has been any breach of the Members Code of Conduct.
- 3.2** In 2013 Members elected to accept a reduction from the allowances recommended by the IRP in order to show solidarity with staff who were suffering a reduction in their pay due to a mandatory change to their terms and conditions;
- 3.3** Members were asked each year to confirm whether they wished to continue with the reduction;
- 3.4** This was a matter of individual choice for each member – the council cannot impose cuts to allowances as these are set by the IRP;
- 3.5** There was no requirement for any formal decision making around the decision on whether to continue the reduction – any member could have called to reverse its application to them at any time;
- 3.6** The change to staff terms and conditions was reversed after 3 years and staff were then back to receiving 100% of their salaries;

- 3.7** There has been no increase in members' salaries, there has simply been a reversal of a voluntary reduction;
- 3.8** The only increase which could have been applied to members' allowances was that which was recommended by the IRP and approved in principle by Council in 2018;
- 3.9** Both Conservative and Labour voted in July last year not to accept the 2% increase recommended by the IRP and that remains the position for both those sets of members;
- 3.10** There is no requirement to publish the correspondence between officers and the Group Leaders on the matter of Allowances but the amounts paid to individual members by way of allowances is required to be and is duly published each year to allow transparency;
- 3.11** The Independent Person comments that: *"from an external perspective there is a lack of transparency of the arrangement that each Group agrees the renunciation of allowances (with the agreement of each of its individual members). The publication of Members Allowances demonstrates that members of differing political groups are paid 3 different basic allowances for carrying out the same role. Without any explanation, council tax payers are entitled to assume that that is based upon a decision made by the Council which appears to distinguish between the 'value' of different political groups. This is not correct, would be unlawful and is potentially damaging. There therefore needs to be a reference on the document publishing Members allowances that identifies that specific Members have agreed to renounce part of their allowance. This will make it transparent that the difference in payment is not due to a Council decision but is an individual Member's decision."*
- To further improve transparency, officers will ensure that appropriate explanatory wording is added to the annual publication of Members allowances and that those Members who have renounced part of the allowances are identified on the same document.
- 3.12** In order to avoid tensions around members' allowances in the future, Officers will liaise with all group Leaders at the same time to establish their respective positions and will ensure that those respective positions are shared between all Leaders for information.

### **Review Documents**

- Members' Allowances Scheme;
- Relevant e-mail correspondence;
- IRP report July 2018

**CORPORATE DIRECTOR'S SIGNATURE :**



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