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**TRAFFORD
COUNCIL**

AGENDA PAPERS FOR EXECUTIVE MEETING

Date: Monday, 28 October 2019

Time: 6.30 p.m.

**Place: Committee Rooms 2 and 3, Trafford Town Hall, Talbot Road, Stretford
M32 0TH**

A G E N D A	PART I	Pages
1. ATTENDANCES		
To note attendances, including officers, and any apologies for absence.		
2. QUESTIONS FROM MEMBERS OF THE PUBLIC		
A maximum of 15 minutes will be allocated to public questions submitted in writing to Democratic Services (democratic.services@trafford.gov.uk) by 4 p.m. on the working day prior to the meeting. Questions must be relevant to items appearing on the agenda and will be submitted in the order in which they were received.		
3. DECLARATIONS OF INTEREST		
Members to give notice of any interest and the nature of that interest relating to any item on the agenda in accordance with the adopted Code of Conduct.		
4. MINUTES		
To receive and, if so determined, to approve as a correct record the Minutes of the following meetings:		
(a)	Executive 30th September 2019	1 - 6
(b)	Special Executive (Budget Proposals) 14th October, 2019	7 - 8

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

To consider any matters referred by the Council or by the Overview and Scrutiny Committees.

6. HIGHWAYS, TRANSPORTATION, ENVIRONMENT AND CONSULTANCY SERVICES (HTEC20) PROPOSED CHANGES TO SERVICE DELIVERY 9 - 12

To consider a report of the Executive Member for Environment, Air Quality and Climate Change.

NOTE: A related report is considered in Part II of this agenda.

7. URGENT BUSINESS (IF ANY)

Any other item or items which by reason of:-

- (a) Regulation 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Chairman of the meeting, with the agreement of the relevant Overview and Scrutiny Committee Chairman, is of the opinion should be considered at this meeting as a matter of urgency as it relates to a key decision; or
- (b) special circumstances (to be specified) the Chairman of the meeting is of the opinion should be considered at this meeting as a matter of urgency.

8. EXCLUSION RESOLUTION

Motion (Which may be amended as Members think fit):

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

PART II

9. HIGHWAYS, TRANSPORTATION, ENVIRONMENT AND CONSULTANCY SERVICES (HTEC20) PROPOSED CHANGES TO SERVICE DELIVERY 13 - 38

To consider a report of the Executive Member for Environment, Air Quality and Climate Change.

NOTE: A related report is considered in Part I of this agenda.

SARA TODD
Chief Executive

COUNCILLOR ANDREW WESTERN
Leader of the Council

Membership of the Committee

Councillors A. Western (Chair), C. Hynes (Deputy Leader), S. Adshead, J. Baugh, M. Freeman, J. Harding, T. Ross, J. Slater, G. Whitham and J.A. Wright.

Further Information

For help, advice and information about this meeting please contact:

Jo Maloney, 0161 912 4298
Email: joseph.maloney@trafford.gov.uk

This agenda was issued on Thursday 17th October, 2019 by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford M32 0TH.

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EXECUTIVE

30 SEPTEMBER 2019

PRESENT

Leader of the Council (Councillor A. Western)(in the Chair),
Executive Member for Adult Social Care (Councillor J. Harding),
Executive Member for Children's Social Care (Councillor C. Hynes),
Executive Member for Communities and Partnerships (Councillor G. Whitham),
Executive Member for Environment, Air Quality and Climate Change (Councillor S. Adshead),
Executive Member for Finance and Investment (Councillor T. Ross),
Executive Member for Health, Wellbeing and Equalities (Councillor J. Slater),
Executive Member for Public Safety, Governance and Reform (Councillor M. Freeman).

Also present: Councillors Acton, Blackburn, Butt, Carter, Coggins, Dillon, Myers, New, Welton and D. Western.

In attendance:

Chief Executive (Ms. S. Todd),
Corporate Director, Place (Mr. R Roe),
Corporate Director, Finance and Systems (Ms. N. Bishop),
Corporate Director, Governance and Community Strategy (Ms. J. Le Fevre),
Corporate Director, People (Ms. S. Saleh),
Acting Corporate Director, Adult Services (Ms. D. Eaton),
Interim Corporate Director of Children's Services (Mr. G. Rowney),
Democratic and Scrutiny Officer (Mr. J.M.J. Maloney).

APOLOGIES

Apologies for absence were received from Councillors J. Baugh and J.A. Wright.

36. QUESTIONS FROM MEMBERS OF THE PUBLIC

It was reported that no questions had been submitted for formal consideration at this meeting.

37. DECLARATIONS OF INTEREST

No declarations were made by Members of the Executive.

38. MINUTES

RESOLVED – That the Minutes of the Meeting held on 15th July, and of the Extraordinary Meeting held on 19th August, 2019, be approved as correct records.

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

The Executive received and gave initial consideration to Scrutiny reports, as set out in the following Minutes.

40. CHILDREN AND YOUNG PEOPLE'S SCRUTINY COMMITTEE TASK & FINISH GROUP REVIEW INTO THE EDUCATION, HEALTH & CARE PLAN (EHCP) PROCESS IN TRAFFORD

Councillor D. Western was in attendance to present the key findings and recommendations of Children and Young People's Scrutiny Committee Task & Finish Group Review into the Education, Health & Care Plan (EHCP) Process in Trafford. Thanks were accorded to the stakeholders and officers who had contributed to the report; and it was noted that further work was to be undertaken on other aspects of Special Educational Needs and Disability. On behalf of the Executive, the Deputy Leader welcomed the report, and undertook that, following further consideration, a formal response would be made to the Children and Young People's Scrutiny Committee.

RESOLVED - That the report be received, and that following further consideration a formal response be made to the Children and Young People's Scrutiny Committee.

41. SCRUTINY REPORT - CLIMATE EMERGENCY

Councillor Acton was in attendance to present to the Executive the key recommendations of the Scrutiny Committee's Task & Finish Group report on the Climate Emergency. Councillor Acton expressed his thanks to the Members of the Group who had worked on the report, noting that it was intended to be referred both to the Executive and Council. On behalf of the Executive, the Executive Member for Environment, Air Quality and Climate Change welcomed the report, and undertook that, following further consideration, a formal response would be made to Council.

RESOLVED - That the report be received, and that following further consideration a formal response be made and referred, alongside the Scrutiny report, to Council.

42. FUTURE DELIVERY PARTNER FOR COMMUNITY HEALTH AND ADULT SOCIAL CARE SERVICES IN TRAFFORD

The Corporate Director for Adult Services submitted a report which report outlined and sought approval for a proposal to enter into a s75 Strategic Partnership Agreement, for the integrated delivery of community health and adult social care services in Trafford, between the Council and Manchester Foundation Trust. The Agreement term would commence on 1st October 2019 and would provide assurance and a legal framework for the proposed partnership to operate within, as further detailed in the report. An opportunity was provided for Members to raise questions on the report's content.

Executive (30.9.19)

RESOLVED -

- (1) That the proposal be approved for the Council to enter into a s75 Strategic Partnership Agreement for the integrated delivery of Health and Social Care services with Manchester University Foundation Trust as detailed in the report.
- (2) That this decision be deemed urgent and not subject to call-in, for the reasons set out in the report.

43. LAND AT REGENT ROAD, ALTRINCHAM - PROPOSED APPROPRIATION FOR PLANNING PURPOSES

The Executive Member for Housing and Regeneration submitted a report seeks approval from the Executive for the Council to appropriate land at Regent Road, Altrincham for planning purposes. A summary was provided of the rationale for taking the decision, and an opportunity was provided for Members to raise questions on the content of the report, which centred on the discretionary consultation exercise already undertaken.

RESOLVED -

- (1) That the responses to the Council's consultation on the proposal attached at Appendix C to the report be considered and noted.
- (2) That it be confirmed that the Executive is satisfied that the land is no longer required for the purposes for which it is currently held by the Council.
- (3) That it be noted that third party rights over the land would be overridden by a decision to appropriate, further to section 203 Housing and Planning Act 2016.
- (4) That approval be given to the appropriation to planning purpose all of the land at Regent Road, Altrincham shown edged red on the plan attached at Appendix A to the report, subject to the Council agreeing an appropriate indemnity agreement with the Developer.
- (5) That the Corporate Director of Governance and Community Strategy be authorised to take such steps as are necessary to implement the appropriation.

44. TOWN CENTRES FRAMEWORK

The Executive Member for Housing and Regeneration submitted a report which presented for approval the Town Centres Framework which had been produced to act as a strategic 'umbrella' to coordinate future development and activity in each of the centres, and to set the individual strategies for each of the centres in context. An updated Framework document had been circulated since the meeting's agenda had initially been circulated.

RESOLVED - That the Town Centres Framework, as amended, be approved.

45. COUNCIL TAX LONG TERM EMPTY PROPERTY PREMIUM

The Executive Member for Finance and Investment submitted a report which sought approval for a proposal to amend the Council's existing policy to implement changes to the Council Tax Long Term Empty Property Premium, as detailed in the report, from 1 April 2020. Section 11B of LGFA 1992 amended by Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 now provided that local authorities may increase the charge for empty dwellings dependent on the period of time that the property has been empty. The report also detailed the outcome of consultation between 26 July 2019 and 23 August 2019.

RESOLVED - That the proposal be approved to amend the Council's existing policy to implement changes to the Council Tax Long Term Empty Property Premium, as detailed in the report, from 1 April 2020.

46. COUNCIL TAX SUPPORT (CTS) SCHEME FOR 20-21

The Executive Member for Finance and Investment submitted a report in the context of the legal requirement to approve the Council's local CTS scheme before the start of each financial year. The report proposed that it be recommended to Council that the scheme remain largely as is, but with minor amendments to reflect the national changes to income related benefits and to ensure clarity relating to how the Council can recover backdated changes in entitlement (reversals) following the publication from the Local Government and Social Care Ombudsman (LGSCO) of a good practice guide to CTS schemes.

RESOLVED - That it be recommended that Council adopt the Council Tax Support (CTS) scheme currently in operation with the inclusion of the amendments detailed below for 2019/2020:

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).

47. CONSTITUTIONAL REVIEW: RECRUITMENT AND EMPLOYMENT PROCEDURES

The Corporate Director for Governance and Community Strategy introduced a report which advised that a review has been undertaken of the Council's constitution in respect of HR procedures, set out details of the outcome of that review, and sought to provide for its implementation by Council. Members were advised that, whilst the Constitution had previously reflected sound practice, the proposed clarifications would represent additional beneficial guidance in the event of any future need.

Executive (30.9.19)

RESOLVED -

- (1) That the Employment Committee's approval of the constitutional amendments as set out in the report be noted.
- (2) That the constitutional amendments as set out in the report be approved.
- (3) That the amendments, as set out in the report, be recommended to Council for approval and adoption.

48. BUDGET MONITORING 2019/20 - PERIOD 4 (APRIL TO JULY 2019)

The Executive Member for Finance and Investment and the Corporate Director of Finance and Systems submitted a report which informed Members of the current 2019/20 forecast outturn figures relating to both Revenue and Capital budgets. It also summarised the latest forecast position for Council Tax and Business Rates within the Collection Fund and sought approval for the provision be agreed of a short term loan facility to Trafford Leisure Community Interest Company. An opportunity was provided for Members to raise issues in relation to the report's content; these concentrated on the volatility of the Business rates budget, the envisaged use of the Government's "Brexit" grant and support for the proposed loan facility to the Trafford Leisure Community Interest Company.

RESOLVED -

- (1) That the report and the changes to the Capital Programme as detailed in paragraph 30 be noted.
- (2) That the provision be agreed of a short term loan facility to Trafford Leisure Community Interest Company as detailed in the report.

49. CORPORATE PLAN 2019/20 QUARTER 1 REPORT

The Executive Member for Public Safety, Governance and Reform submitted a report which report provided a summary of performance against the Council's Corporate Plan, 2019/20, covering the period 1st April to 30th June 2019. The Executive Member and Leader of the Council tendered their thanks to the officers for developing an accessible summary of key information relating to the Council's performance targets.

RESOLVED – That the contents of the Corporate Plan First Quarter Report be noted.

The meeting commenced at 6.30 p.m. and finished at 7.10 p.m.

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SPECIAL EXECUTIVE MEETING – BUDGET PROPOSALS

14 OCTOBER 2019

PRESENT

Leader of the Council (Councillor A. Western)(in the Chair),
Executive Member for Children’s Social Care (Councillor C. Hynes),
Executive Member for Communities and Partnerships (Councillor G. Whitham),
Executive Member for Environment, Air Quality and Climate Change (Councillor S. Adshead),
Executive Member for Finance and Investment (Councillor T. Ross),
Executive Member for Health, Wellbeing and Equalities (Councillor J. Slater),
Executive Member for Public Safety, Governance and Reform (Councillor M. Freeman).

Also present: Councillors Acton, Blackburn, Butt, Carter, Coggins, Myers and Welton.

In attendance:

Chief Executive (Ms. S. Todd),
Corporate Director, Place (Mr. R Roe),
Corporate Director, Finance and Systems (Ms. N. Bishop),
Corporate Director, Governance and Community Strategy (Ms. J. Le Fevre),
Corporate Director, People (Ms. S. Saleh),
Acting Corporate Director, Adult Services (Ms. D. Eaton),
Interim Corporate Director of Children’s Services (Mr. G. Rowney),
Democratic and Scrutiny Officer (Mr. J.M.J. Maloney).

APOLOGIES

Apologies for absence were received from Councillors J. Baugh, J. Harding and J.A. Wright.

50. QUESTIONS FROM MEMBERS OF THE PUBLIC

It was reported that no public questions had been received in respect of items on the current meeting’s agenda.

51. DECLARATIONS OF INTEREST

No declarations were made by Executive Members.

52. EXECUTIVE’S DRAFT REVENUE BUDGET PROPOSALS 2020/21 AND MTFS 2021-23

The Executive Member for Finance and Investment and the Corporate Director of Finance and Systems submitted a report which set out, for the purposes of consultation and scrutiny, the Executive’s updated 3 year budget strategy proposals and draft revenue budget proposals for 2020/21 and Medium Term Financial Strategy (MTFS) for the period 2021-23.

The Executive Member for Finance and Investment drew Members' attention to key issues and drivers underpinning the current proposals, including an additional increase in the envisaged budget gap arising from a recent and unexpected variation by Government of the PWLB interest rate.

The Executive's thanks were accorded to Finance officers for their efforts in collating the proposals which responded to corporate priorities whilst minimising, as far as was currently possible, the extent of the budget gap. An opportunity was provided for Members to raise questions and issues on the report's content. A number of factual responses and clarifications were provided. In cases where queries related to the merits of the inclusion or non-inclusion of certain proposals, Members were advised that there would be an opportunity to explore these issues in detail as part of the envisaged Budget Scrutiny process, which the current report was intended to inform.

In this context, since the report was explicitly intended for Scrutiny referral, and to allow the consultation process to be undertaken with as much notice as possible, the Executive agreed that it would be appropriate for the current proposals to be exempted from the call-in procedure

RESOLVED -

- (1) That the 2020/21 to 2022/23 proposed budget strategy, draft revenue budget and MTFS including the income and savings proposals be approved for the purposes of consultation only (where necessary) and that these proposals will also be referred to the Scrutiny Committee for their consideration.
- (2) That the proposal be noted to increase Council Tax by 3.99% in 2020/21 (comprising 2% adult social care precept and 1.99% general increase) and by similar levels for 2021/22 and 2022/23.
- (3) That the remaining budget gap for the years 2020/21 to 2022/23 be noted.
- (4) That it be noted that that the draft proposals are subject to various consultation exercises, analysis and impact assessments, movements in core funding, specific grants, costing and robustness assessments.
- (5) That the Reserves Policy included at Section 5 of the report and the Service Reserves Programme at Annex G to the report be approved and adopted.
- (6) That, in order to allow prompt consultation and referral to Scrutiny, this decision be deemed urgent, and not subject to call-in.

The meeting commenced at 6.00 p.m. and finished at 6.15 p.m.

TRAFFORD COUNCIL

Report to: Executive
Date: 28 October 2019
Report for: Decision
Report of: Executive Member for Environment, Air Quality and Climate Change

Report Title

**Highways, Transportation, Environment and Consultancy Services (HTEC20)
Proposed Changes to Service Delivery**

Summary

This Part 1 report describes the approach taken to implementing the Executive's recommendations from July 2019 relating to service delivery options for services currently provided under a contract between the Council and Amey LG (the One Trafford Partnership for Highways, Transportation, Environment and Consulting services).

Recommendations

The Executive are recommended to:

- 1. Note the approach taken set out in Part 1 of this report;**
- 2. Approve the recommended next steps as set out in the Part 2 report;**
- 3. Delegate authority to the Corporate Director for Place, in consultation with the Corporate Director for Finance and Systems and the Corporate Director for Governance and Community Strategy to take the necessary steps to implement the recommended next steps;**
- 4. Request that a further report be brought back to the Executive in due course.**

Contact person for access to background papers and further information:

Name: Richard Roe

Extension: 4265

Background Papers: None.

Relationship to Policy Framework/Corporate Priorities	Successful and Thriving Places Pride in our Area Green and Connected
Relationship to GM Policy or Strategy Framework	No
Financial	Financial risks and affordability are a key element in this case for change. Summary tables are provided within the main body of the Part 2 report..
Legal Implications:	The information contained in the associated Part 2 report is subject to legal professional privilege and therefore should not be divulged to any third party without the express prior written approval of the Council's Monitoring officer. Disclosure could seriously compromise the Council's position in relation to this matter.
Equality/Diversity Implications	All implications will be considered at the point if future service delivery models are agreed and rolled out.
Sustainability Implications	Services take account of sustainability requirements in their day to day delivery and in policy and strategy, it is also considered
Resource Implications e.g. Staffing / ICT / Assets	There are substantial financial and other resource implications for the Council in determining alternative future service delivery models which are detailed in Part 2 of this report.
Risk Management Implications	Identification of risk has been a key priority for the Council in developing this case for change. It operates a strategic risk register for the overall change programme and individual work streams have their own detailed risk log and mitigation for each enabling service or service delivery block
Health & Wellbeing Implications	None
Health and Safety Implications	Services take account of health and safety requirements in their day to day delivery. The Council also has its own enabling work stream to ensure that compliance is met

1.0 Background

- 1 In February 2019, a report produced by the Council's Overview and Scrutiny Committee Task and Finish Group (O&SC Report) was considered by the Executive. The OSC report requested that the Executive conduct an assessment of the viability of the following three options;

- (1) *"Consider alternative models of service delivery, including the development of an In-House Service model, with a view to ending the contract with Amey.*
 - (2) *Review the contract with Amey with a clear intent that there should be a wholesale reshaping of the contract and partnership between Amey and the Council.*
 - (3) *Continue the Amey Contract and seek significant improvements to the delivery of existing services".*
- 2 The Council then engaged Addleshaw Goddard LLP (who advised on the drafting and negotiation of the original 2015 Contract) to conduct an appraisal of these options, in conjunction with Council officers (**Options Appraisal**).
 - 3 Subsequently, at the Council's Executive in July, the Executive approved five recommendations in relation to next steps, involving additional due diligence and consideration of possible options.
 - 4 Part 2 of this report contains details of the steps taken and progress made by the Council in relation to these five recommendations.

Other Options

The Council is examining the viability of the three options for future service delivery and at this stage no other options are being considered. The option to do nothing is not under consideration for the reasons set out in Part 2 of the July Options Appraisal report.

Consultation

Formal consultation is not required at this stage.

Reasons for Recommendation

The recommendations set out on page 1 of this report reflect the progress made to date on the case for change as directed by the Executive in July 2019 following recommendations of the Council's Overview and Scrutiny Committee.

Key Decision (as defined in the Constitution):	Yes
If Key Decision, has 28-day notice been given?	Yes

Exempt Information

By virtue of Paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended by The Local Government (Access to Information) (Variation) Order, the following information has been excluded from Part 1 of this report and included in Part 2 of the report:

1. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Finance Officer Clearance **NB**
Legal Officer Clearance **JLF**

CORPORATE DIRECTOR'S SIGNATURE 

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

By virtue of paragraph(s) 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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