

TRAFFORD BOROUGH COUNCIL (VIRTUAL MEETING)

25 NOVEMBER 2020

PRESENT

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

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

In attendance

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

APOLOGIES

Apologies for absence were received from Councillors J. Dillon, C. Hynes, P. Myers and E.W. Stennett.

13. FORMER COUNCILLORS JOHN DAVENPORT AND DAVID HOMER

With regret, the Mayor announced that two former Members of the Council, Mr. John Davenport and Mr. David Homer had recently passed away. Former Councillor Davenport served the Timperley Ward from 1974-78 and again from 1984-88. Former Councillor Homer represented the Longford Ward from 1974-82 and was a former Mayor of Stretford.

The Council paused for a few moments silent reflection as a tribute to its former colleagues.

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14. ELECTION OF MAYOR AND CHAIR OF COUNCIL

It was proposed, seconded, supported and

RESOLVED: That Councillor Laurence Walsh be and is hereby elected Mayor of the Borough of Trafford for the remainder of the Municipal Year and also for the 2021/22 Municipal Year.

**THE WORSHIPFUL THE MAYOR
(COUNCILLOR LAURENCE WALSH) IN THE CHAIR**

The Mayor returned thanks to the Council for his election via a pre-recorded video message and announced that his wife, Mrs. Rachel Walsh, would act as his Mayoress during his Mayoral term.

The Mayor also informed the Council that Father Gerald Murphy of St. Anthony of Padua, Stretford would be his Chaplain during his mayoral term of office.

15. APPOINTMENT OF DEPUTY MAYOR AND VICE-CHAIR OF COUNCIL

It was proposed, seconded, supported and

RESOLVED: That Councillor Chris Boyes be and is hereby appointed Deputy Mayor of the Borough of Trafford for the remainder of the Municipal Year and also for the 2021/22 Municipal Year.

The Deputy Mayor informed the Council that his wife, Mrs. Pamela Boyes, would act as his Deputy Mayoress during his term of office year.

16. VOTE OF THANKS

It was proposed, seconded, supported and

RESOLVED: That the Council hereby place on record, their appreciation for the manner in which Councillor Rob Chilton has carried out his duties as Mayor of the Borough of Trafford during his period of office, and tender to him their best thanks in that connection. They also express their gratitude to Mrs. Zoe Marshall for the manner in which she has acted as his Mayoress and to Mrs. Tilly Rothwell and his other friends and family, for the manner in which they have supported him and acted as his consort from time to time.

The retiring Mayor then responded to the vote of thanks and also thanked Reverend Barbara Sharp of St. Paul's Church, Sale for acting as his Chaplain.

17. MINUTES

That the Minutes of the Meeting of the Council held on 30 September 2020, be approved as a correct record and signed by the Chair.

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18. COUNCILLOR ANNE DUFFIELD

The Leader of the Council notified the Council that, due to work commitments, Councillor Anne Duffield would be standing down as a Member of Council on 30 November 2020 and took the opportunity to wish Anne, a former Mayoress of the Borough 2018/19, Chair of Licensing, member of numerous Committees and a past Shadow Executive Member, a fond farewell and all the best for the future. The Council joined with the Leader in placing on record it's thanks to Councillor Duffield for her services to the people of Trafford since her election in May 2011 and wished her well for the future.

19. LEADER OF THE COUNCIL AND MEMBERSHIP OF THE EXECUTIVE

The Chief Executive submitted a report concerning the Leader of the Council's term of office and advising on the appointment of the Executive and a Deputy Leader.

RESOLVED –

- (1) That the Council notes that Councillor Andrew Western continues as the Leader of the Council for a fixed term of office to the first Annual Meeting of the Council after his normal day of retirement as a councillor in 2023.
- (2) That the Council notes that the Leader of Council determines that the Executive shall comprise himself plus 9 Councillors.
- (3) That the Council notes that the Leader of the Council appoints the membership of the Executive and a Deputy Leader for the remainder of the 2020/21 municipal year, as follows:

Councillor

PORTFOLIO

Andrew Western

Leader of the Council (with portfolio responsibility for Sustainability and Climate Change)

Catherine Hynes (Deputy Leader)

Children's Services (with all statutory children's responsibilities)

Joanne Harding

Adult Social Care

Graham Whitham

Communities and Partnerships (with responsibility for Poverty Strategy)

Mike Freeman

Covid-19 Recovery and Reform

Liz Patel

Culture and Leisure

Stephen Adshead

Environmental and Regulatory Services

Tom Ross

Finance and Governance

Jane Slater

Health, Wellbeing and Equalities

James Wright

Housing and Regeneration

Non-Executive Portfolio

Karina Carter

Lead Member for Education

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- (4) That the Corporate Director of Governance and Community Strategy be authorised to make the necessary amendments to the Constitution arising as a result of these arrangements.

20. SHADOW EXECUTIVE

RESOLVED: That the membership of the Shadow Executive, as set out below, for the remainder of the 2020/21 Municipal Year be noted:

<u>Councillor</u>	<u>PORTFOLIO</u>
Nathan Evans	Leader of the Opposition (with portfolio responsibility for Sustainability and Climate Change)
Patrick Myers (Deputy Leader)	Finance and Governance
John Holden	Adult Social Care
Sean Anstee	Children's Services (with all statutory children's responsibilities)
Dr. Karen Barclay	Communities and Partnerships (with responsibility for Poverty Strategy)
Chris Boyes	Covid-19 Recovery and Reform
John Lamb	Culture and Leisure
Dylan Butt	Environmental and Regulatory Services
Miss Linda Blackburn	Health, Wellbeing and Equalities
Dave Morgan	Housing and Regeneration
	<u>Non-Executive Portfolio</u>
Thomas Carey	Lead Member for Education

21. COUNCIL COMMITTEES

The Corporate Director of Governance and Community Strategy submitted a report inviting the Council to agree the Committees of the Council, their size, political composition, membership and terms of reference for the remainder of the 2020/21 Municipal Year.

In accordance with the provisions of the Local Government and Housing Act 1989, the Chief Executive had been notified of the following political groups on the Council:

Labour Group	- 35 Members
Conservative Group	- 19 Members
Liberal Democrats Group	- 3 Members
Green Party Group	- 3 Members

In addition, 1 member was not attached to any of the political groups.

The regulations provided for the composition of Committees to be in accordance with the political balance of the 63 Members of the Council.

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RESOLVED –

- (1) That the composition of the various standing Committees, as set out in Appendix 1 to the report, be approved.
- (2) That the Terms of Reference for each Committee, as set out in Appendix 2 to the report, be approved.
- (3) That Council approves the membership of Committees for the remainder of the 2020/21 Municipal Year, as set out below, including the appointment of each Committee Chair (CH) and Vice-Chair (V-CH) and notes the nominated Opposition Spokesperson (OS), where appropriate:

ACCOUNTS AND AUDIT COMMITTEE

LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Barry Brotherton CH	Chris Boyes OS	-	Geraldine Coggins
Jayne Dillon Judith Lloyd V-CH Rose Thompson Barry Winstanley	Nathan Evans Alan Mitchell		

NON-VOTING CO-OPTEE (1) – Mrs. Jeannie Platt

EMPLOYMENT COMMITTEE

LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
David Acton Akilah Akinola Joanne Bennett CH Mike Cordingley Rose Thompson Amy Whyte V-CH	Chris Boyes John Holden Brian Rigby OS	-	-

Substitute Members of Employment Committee:

1 vacancy	Sean Anstee	-	-
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LICENSING COMMITTEE

LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Barry Brotherton David Jarman CH Steven Longden Adele New Whit Stennett Sophie Taylor Simon Thomas V-CH Denise Western	Dan Bunting Dylan Butt OS Mrs. Claire Churchill John Holden Patrick Myers	Julian Newgrosh	Michael Welton

PLANNING DEVELOPMENT CONTROL COMMITTEE

LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Mike Cordingley Ben Hartley V-CH Kevin Procter Whit Stennett Simon Thomas Aidan Williams CH Barry Winstanley	Dr. Karen Barclay Thomas Carey Dave Morgan Brian Rigby OS	Meena Minnis	Daniel Jerrome

Substitute Members of the Planning Development Control Committee:

David Acton Akilah Akinola <i>vacancy</i>	Nathan Evans John Holden	Julian Newgrosh	Michael Welton
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STANDARDS COMMITTEE

LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Dr. Serena Carr Karina Carter Ben Hartley David Jarman Kevin Procter CH Denise Western	Miss Linda Blackburn V-CH Dylan Butt Patrick Myers	Julian Newgrosh	Geraldine Coggins

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Non-Voting Co-optees (5)

2 Parish Representatives: Mr. A. Rudden and 1 *vacancy*

3 Independent Members: Mr. D. Goodman, Mr. C. Griffiths and
Mr. R. Brown

Independent Persons of the Hearing Panel (2)

(under Section 28 of the Localism Act 2011): Ms. N. Jackson and
Mr. M. Whiting

TRAFFORD PANDEMIC SCRUTINY COMMITTEE

LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
David Acton ¹ CH Barry Brotherton Dr. Serena Carr Judith Lloyd Steven Longden Rose Thompson Denise Western ⁴ Amy Whyte Barry Winstanley	Sean Anstee Dr. Karen Barclay ³ Miss Linda Blackburn John Holden John Lamb ² V-CH Brian Shaw	Julian Newgrosh	Geraldine Coggins

Chair and Vice-Chairs of the temporally suspended Scrutiny Committees

- 1 Scrutiny Committee Chair
- 2 Scrutiny Committee Vice-Chair
- 3 Health Scrutiny Committee Chair
Health Scrutiny Committee Vice-Chair – Councillor Sophie Taylor
- 4 Children and Young People’s Scrutiny Committee Chair
Children and Young People’s Scrutiny Committee Vice-Chair – Councillor
Thomas Carey

CO-OPTED MEMBERS FOR EDUCATION MATTERS:

Church Representatives (Voting Members) (2)

Church of England: Vacancy
Roman Catholic: Sister P. Goodstadt

Parent-Governor Representatives (Voting Members) (3)

Primary: Vacancy
Secondary: Vacancy
Special: Vacancy

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Teacher Representatives (Non-Voting Members) (3)

Primary: Vacancy
Secondary: Vacancy
Special: Vacancy

- (4) That, whilst Committee and Sub-meetings shall continue to be held virtually, as from 1 January 2021, all meetings will commence as set out in the Constitution.
- (5) That the Council approves the terms of reference of the Licensing Sub-Committees and appoints their membership, as follows:

PUBLIC PROTECTION SUB-COMMITTEE

LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Barry Brotherton David Jarman CH Sophie Taylor Simon Thomas V-CH <i>1 appointment to be confirmed</i>	Dan Bunting Dylan Butt OS Mrs. Claire Churchill	-	Michael Welton

[5 Substitutes: Councillors John Holden, Steven Longden, Patrick Myers, Adele New, and Whit Stennett.]

LICENSING SUB-COMMITTEE

Membership to be drawn from all members of the Licensing Committee.

Order of priority for Chairing a meeting applies when more than one of the appointed chairs is a member of the same Sub-Committee.

CHAIRS

ORDER OF PRIORITY

Councillors:

David Jarman	1	Chair of Licensing
Simon Thomas	2	Vice-Chair of Licensing
Dylan Butt	3	Opposition Spokesperson
Barry Brotherton	4	Member of Licensing
<i>to be confirmed</i>	5	Member of Licensing

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SAFETY AT SPORTS GROUNDS SUB-COMMITTEE

LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Kevin Procter V-CH Amy Whyte CH	John Holden	-	-

- (6) That the Appointments and Appeals Panel be formally appointed and its membership be drawn from all Members of the Council.
- (7) That the Council appoints to the Health and Wellbeing Board, as set out below and the Board be recommended to endorse the Council's Membership:

HEALTH AND WELLBEING BOARD

LABOUR GROUP	CONSERVATIVE GROUP	LIBERAL DEMOCRAT GROUP	GREEN PARTY GROUP
Councillors:	Councillors:	Councillors:	Councillors:
Executive Member for Health, Wellbeing and Equalities	Shadow Executive Member for Health, Wellbeing and Equalities	Jane Brophy	-
Executive Member for Adult Social Care			
Executive Member for Children's Services			

Officer(s) and External Partners:

- NHS Trafford Clinical Commissioning Group (3 representatives: Chair, Chief Operating Officer and Clinical Director/Representative)
- Chair of Health Watch
- Third Sector (2 representatives)
- Independent Chair Local Safeguarding Board
- Chair of the Safer Trafford Partnership - GMP
- Chair of the Trafford Sports and Physical Activity Partnership
- Chief Executive Officers of health care providers (2): (Manchester University NHS Foundation Trust and Greater Manchester West Mental Health NHS Foundation Trust)
- Greater Manchester Fire and Rescue Service Representative
- Greater Manchester Health and Social Care Partner Representative

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- (8) That the Council delegate to the Chief Executive, in accordance with the written request of the relevant Group Leader, the power and authority to change the membership of committees and sub-committees as may be needed from time to time.

22. APPOINTMENTS TO OUTSIDE AND INDEPENDENT BODIES

The Chief Executive submitted a report proposing the appointment of representatives to outside and independent bodies relating to the service areas and functions of the Council for the remainder of the 2020/21 Municipal Year.

The report also requested the Council to note the representatives on those outside and independent bodies whose activities relate to Executive functions which had been confirmed by the Leader of the Council.

RESOLVED –

- (1) That approval be given to the appointment of representatives to those outside and independent bodies set out in Appendix 1 to the report, subject to:
- (a) Councillor Whitham being the Council's nomination for the Greater Manchester Police and Crime Steering Group, with Cllr Freeman as the Deputy: and
 - (b) Councillor Carter being the Council's nomination for the Corporate Issues and Reform Greater Manchester Combined Authority Scrutiny Committee and also as substitute on the Greater Manchester Health Scrutiny Committee.
- (2) That the Council notes the representatives appointed by the Leader of the Council to those outside, independent and Executive bodies set out in Appendix 2 to this report, subject to Councillor Graham Whitham being a member of the Assets and Community Value Panel in place of Councillor Whyte.
- (3) That the Chief Executive, in consultation with the relevant Group Leader(s), be delegated authority to appoint members to any outside body vacancy that remains or arises after this Annual Meeting and to any other bodies to which the Council is required to make appointments (and to report back to Council on any changes or new appointments so made).
- (4) That the persons named in Appendix 3, to the report, be authorised to sit on the Statutory School Appeals Committee for the remainder of the 2020/21 Municipal Year and that the Corporate Director of Governance and Community Strategy be delegated authority to make changes to this list and to set up School Admission Appeals Committees including the appointment of Chairs.

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23. TIMETABLE OF COUNCIL AND COMMITTEE MEETINGS

RESOLVED –

- (1) That, with the addition of an Annual Meeting commencing at 6.00 p.m. on 26 May 2021, the timetable of meetings agreed by Council on 30 September 2020, be reconfirmed for the remainder of the 2020/21 Municipal Year.
- (2) That the Council notes that as from 1 January 2021, it is proposed that all meetings will commence as set out in the Constitution.

24. DELEGATED DECISIONS AND URGENT ACTION FOR COMMITTEES

RESOLVED –

- (1) That where, under the approved Scheme of Delegation, decisions may be taken by officers in consultation with non-Executive Members, then in the absence of any specific arrangements having been made, the officer shall consult the appropriate Chair, Vice-Chair and Opposition Spokesperson.
- (2) That, in situations which require emergency action, the Chief Executive or the appropriate officer, in consultation with the Chair and Vice-Chair of the Committee concerned and the Opposition Spokesperson where appropriate (or their respective nominees), be authorised to deal from this date until the Annual Meeting of the Council in 2021, with any matters of urgency or any other matter that cannot conveniently be deferred to the next ordinary meeting of the Committee, subject to later report, for information, to the Committee in question.

25. DELEGATION OF FUNCTIONS

The Corporate Director of Governance and Community Strategy and Monitoring Officer submitted a report confirming the arrangements for the delegation of Council (non-Executive) and Executive functions and seeking to amend the Constitution of the Council to incorporate these arrangements.

RESOLVED –

- (1) That Council notes that Executive functions not covered by the Officers' Scheme of Delegation are delegated by the Leader of the Council as follows:
 - (a) functions are delegated to all individual Executive Members in accordance with the Executive Members' Scheme of Delegation, as set out in the Appendix;
 - (b) all other functions are delegated to the Executive.
- (2) That the Scheme of Delegation to Officers and the changes to Part 4 of the Constitution, as set out in Appendix, be approved.

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- (3) That the Corporate Director of Governance and Community Strategy be authorised to amend the Constitution of the Council in accordance with and as a consequence of this report and other decisions made by Council at this Annual Meeting.
- (4) That Council notes that further changes may be made to delegations and that the Corporate Director of Governance and Community Strategy be authorised to amend the Constitution following consultation with the Leader and Chief Executive.

26. TRAFFORD'S CONSTITUTIONAL CHANGES IN RESPONSE TO THE LOCAL GOVERNMENT ETHICAL STANDARDS AREAS OF BEST PRACTICE PUBLISHED BY THE COMMITTEE ON STANDARDS IN PUBLIC LIFE IN JANUARY 2019

The Executive Member for Finance and Governance submitted a report further to a report published in January 2019 by the Committee on Standards in Public Life on its in-depth review of ethical Standards within local authorities in 2018 which focused upon how Local Authorities had responded to the changes made by the Localism Act 2011.

The Executive Member's report detailed five areas of best practice, the action taken by the Council to address each one, and the documents (Appendices 1-4) setting out the proposed changes.

RESOLVED –

- (1) That the amendments to the Council's Code of Conduct and Complaints procedure within the Constitution, be approved.
- (2) That the decision notice and two stage public interest test for complaints against Members of Trafford Council, be adopted by the Council.

27. REPORT ON SPECIAL URGENCY DECISIONS

In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Corporate Director of Governance and Community Strategy submitted a report detailing Executive Key Decisions which had been taken under Special Urgency provisions set out in Regulation 11, since the previous Annual Meeting.

RESOLVED: That the content of the report be noted.

The meeting commenced at 7.00 p.m. and finished at 8.13 p.m.