

# Public Document Pack



**TRAFFORD  
COUNCIL**

## **AGENDA PAPERS FOR EXECUTIVE MEETING**

**Date: Monday, 28 February 2022**

**Time: 6.30 p.m.**

**Place: Council Chamber, Trafford Town Hall, Talbot Road, Stretford M32 0TH**

**PLEASE NOTE: Owing to COVID-19 precautions, attendance for those who are not Elected Members is by prior registration only. A link to the meeting broadcast can be found at:**

<https://www.youtube.com/user/traffordcouncil/videos>

<b>A G E N D A</b>	<b>P A R T I</b>	<b>Pages</b>
<b>1. ATTENDANCES</b>		
To note attendances, including officers, and any apologies for absence.		
<b>2. QUESTIONS FROM MEMBERS OF THE PUBLIC</b>		
A maximum of 15 minutes will be allocated to public questions submitted in writing to Democratic Services ( <a href="mailto:democratic.services@trafford.gov.uk">democratic.services@trafford.gov.uk</a> ) 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.		
<b>3. DECLARATIONS OF INTEREST</b>		
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.		
<b>4. MINUTES</b>		<b>1 - 8</b>
To receive and, if so determined, to approve as a correct record the Minutes of the meeting held on 24 <sup>th</sup> January 2022.		

**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. HS2 PHASE 2B ENVIRONMENTAL STATEMENT - FORMAL RESPONSE 9 - 30**

To consider a report of the Executive Member for Housing and Regeneration.

**7. GREATER MANCHESTER HOUSE PROJECT COLLABORATIVE 31 - 42**

To consider a report of the Executive Member for Children's Services.

**8. COUNCILLOR CODE OF CONDUCT 43 - 64**

To consider a report of the Monitoring Officer.  
(Note: for recommendation to Council.)

**9. 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.

**10. EXCLUSION RESOLUTION (IF REQUIRED)**

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.

**SARA TODD**  
Chief Executive

**COUNCILLOR ANDREW WESTERN**  
Leader of the Council

## Executive - Monday, 28 February 2022

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### Membership of the Committee

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

### Further Information

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

Jo Maloney, Governance Officer

Email: [joseph.maloney@trafford.gov.uk](mailto:joseph.maloney@trafford.gov.uk)

This agenda was issued on Friday 18<sup>th</sup> February 2022 by the Legal and Democratic Services Section, Trafford Council, Trafford Town Hall, Talbot Road, Stretford, M32 0TH.

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## EXECUTIVE

24 JANUARY 2022

## 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 Services (Councillor C. Hynes),  
Executive Member for Communities and Partnerships (Councillor G. Whitham),  
Executive Member for Covid-19 Recovery and Reform (Councillor M. Freeman),  
Executive Member for Culture and Leisure (Councillor L. Patel),  
Executive Member for Finance and Governance (Councillor T. Ross),  
Executive Member for Health, Wellbeing and Equalities (Councillor J. Slater),  
Executive Member for Housing and Regeneration (Councillor J. Wright).

Also present: Councillors Acton, Blackburn, Boyes, Butt, K. Carter, Cordingley, Evans, Holden, Jerrome, Mirza, Morgan, Myers, Newgrosh and Welton (part only).

### Officers in attendance:

Deputy Chief Executive and Corporate Director, Strategy and Resources (Ms. S. Saleh),  
Corporate Director, Adult Services (Ms. D. Eaton),  
Director of Finance and Systems (Mr. G. Bentley),  
Interim Director of Strategy and Policy (Ms. D. Geary),  
Director of Development (Ms. C. Huber),  
Head of Governance and Deputy Monitoring Officer (Ms. D. Sykes),  
Governance Officer (Mr. J.M.J. Maloney).

## APOLOGIES

Apologies for absence were received from Councillor S. Adshead; and from the Chief Executive.

## 74. QUESTIONS FROM MEMBERS OF THE PUBLIC

It was noted that no questions had been received for consideration at the current meeting.

## 75. DECLARATIONS OF INTEREST

No declarations were made by Members of the Executive.

## 76. MINUTES

RESOLVED – That the Minutes of the meeting held on 13<sup>th</sup> December 2021 be approved as a correct record.

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

It was noted that the principal item for consideration was the Scrutiny report on the Executive's draft proposals for the 2022-23 Budget, as considered in greater detail in the following Minute.

**78. OVERVIEW AND SCRUTINY REVIEW OF THE EXECUTIVE'S DRAFT BUDGET PROPOSALS FOR 2022-2023**

The Chair of the Scrutiny Committee introduced report which reflected the outcomes and recommendations arising from two Budget Scrutiny Working Group sessions which had been held on 30<sup>th</sup> November and 2<sup>nd</sup> December 2021, with the relevant Executive Members and Senior Officers in attendance to address Members' questions.

Councillor Acton emphasised that, in considering the proposals, Scrutiny Members had been mindful of the particular and significant challenges to budget setting, arising notably from a lengthy period of financial constraints and the COVID-19 pandemic. Members had highlighted a number of ongoing risks, which Scrutiny would continue to monitor. In concluding, he wished to record his thanks to all who had been involved in supporting Trafford's communities in the face of the recent challenges; and to all officers and Members for their support and co-operation in producing the current report.

In response, the Executive Member for Finance and Governance thanked Scrutiny Members for their work in producing the report, and its valuable suggestions. He noted that the Executive would respond formally in bringing forward its finalised budget proposals; and would be content to work with Scrutiny in developing a work programme which would allow an ongoing focus on the areas of concern now highlighted.

RESOLVED -

- (1) That content of the report, and the recommendations made, be noted.
- (2) That a formal response be made in the context of the Executive's referral of budget proposals to Council in February 2022.

*Executive (24.1.22)*

**79. PROPOSED RESIDENTIAL REDEVELOPMENT OF CLAREMONT/CHAPEL ROAD SITE, SALE AND ASSOCIATED RE-LOCATION OF TRAFFORD MUSIC SERVICE AND STRETFORD LIBRARY**

The Executive Member for Housing and Regeneration submitted a report setting out early proposals regarding residential redevelopment of the Claremont / Chapel Road site, Sale and the reinvestment of part of the development return to fund the re-location of Stretford Library to the Stretford Mall, and Trafford Music Service to the vacated and improved Stretford Library building. It sought approval to commit the necessary resources for further development of the proposed scheme design to inform the next phase of the proposed development and provide a greater level of cost confidence. This would provide the Council with more detailed information on which to formulate the business case for the proposed development and associated relocation of services.

In discussion, issues were raised relating to the proposed location for the Music Service and library, transport and accessibility issues and various financial aspects of the proposals, which were discussed further in Part II of the meeting. It was emphasised that that the project was at an early stage; that a breakdown would be provided of Music Service users, and further clarification of site details referred to in the report; and that a comprehensive Equalities Impact Assessment would accompany any future report.

**RESOLVED -**

- (1) That the due diligence currently undertaken, as set out in the report, be noted.
- (2) That additional feasibility studies be approved in order to procure professional services to facilitate further project design development (RIBA Stage 2) and further progression of the business case.
- (3) That authority be delegated to the Corporate Director of Place to make appointments as necessary in relation to the design development and formulation of the business case to support the proposal.
- (4) That authority be delegated to the Corporate Director of Governance and Community Strategy to finalise and enter into any documents required to give effect to these resolutions.
- (5) That it be noted that a report will be presented to the Executive following the outcome of the proposed work detailing the proposed next steps.

**80. UPDATE ON THE GRAFTON CENTRE, ALTRINCHAM**

The Executive Member for Housing and Regeneration submitted a report providing an update on the Grafton Centre Altrincham and setting out reviewed proposals for the way forward. In discussion, Members raised issues relating to financial aspects of the proposals, including capital estimates and rental income. These were discussed in greater detail in Part II of the meeting.

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RESOLVED -

- (1) That the update since the development was acquired be noted.
- (2) That the proposed Centre / interim Asset Management Strategy be approved.
- (3) That £400k capital investment, funded from borrowing, be approved, for necessary repairs to the site to prevent further deterioration in the income stream.
- (4) That authority be delegated to the Corporate Director of Place to procure and agree the relevant contracts to implement the Centre / Asset Management Strategy and commission the Project team to develop future site options.
- (5) That authority be delegated to the Corporate Director of Governance and Community Strategy to finalise and enter into any documents in order to give effect to the content of the report.

#### **81. COUNCIL TAX SUPPORT (CTS) SCHEME FOR 2022/23 AND COUNCIL TAX HARSHIP FUND**

The Executive Member for Finance and Governance submitted a report which set out details of the legal requirement formally to approve the Council's local CTS scheme before the start of each financial year. It was proposed that the scheme remain as is, only changing to reflect the national changes to income related benefits as already agreed in 2016. It set out that the Council Tax Hardship Fund was a separate scheme, funded separately with separate decision making. This temporary scheme would come to an end on 31 March 2022 in line with the government funding, unless further funding were received. All affected claimants would receive correspondence relating to this as part of the annual notification process and would be signposted to relevant information, advice and debt agencies.

RESOLVED - That the Council Tax Support Scheme 2022-23 and Council Tax Hardship Fund proposals detailed in the report be agreed and that the approval and adoption of such be recommended to Council as part of the budget setting process.



*Executive (24.1.22)***82. BUSINESS RATES RELIEF 2022-2023 (AUTUMN BUDGET MEASURES)**

The Executive Member for Finance and Governance submitted a report which reminded Members that the Chancellor had announced at the Autumn Budget on 27 October 2021 that the Government would provide a package of business rates measures to support eligible retail, hospitality and leisure businesses in England occupying a qualifying property and an extension of the current Transitional Relief and Supporting Small Business schemes. As the measures were temporary there would be no change in legislation and therefore local authorities would be expected to use their discretionary relief powers to deliver the scheme. The cost of the scheme would be fully funded through a Section 31 grant.

RESOLVED -

- (1) That the use of proposed relief schemes be approved as detailed in the report in line with the government guidance.
- (2) That the proposed eligibility criteria as detailed in the report be approved.

**83. BUSINESS RATES COVID-19 ADDITIONAL RELIEF FUND (CARF)**

The Executive Member for Finance and Governance submitted a report which advised that the Government had announced on 25 March 2021 a new COVID-19 Additional Relief Fund (CARF) of £1.5 billion to support those businesses affected by the pandemic but that were ineligible for existing support linked to business rates. The relief was available to reduce chargeable amounts in respect of 2021/22 and must be directed towards ratepayers who had been adversely affected by the pandemic and had been unable to adequately adapt to that impact. As the measures were temporary there would be no change in legislation and therefore local authorities would be expected to use their discretionary relief powers to deliver the scheme. Trafford's allocation was £6.4m. It was noted that grant payments would be processed as soon as practicable.

RESOLVED -

- (1) That the proposed use of the proposed COVID-19 Additional Relief Fund (CARF) scheme be approved as detailed in the report in line with the government guidance and available funding.
- (2) That the final allocation of the funding support to businesses be delegated to the Director of Finance and Systems, in consultation with the Executive Member for Finance and Governance.

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#### **84. FAIR PRICE FOR CARE: HOMECARE AND RESIDENTIAL AND NURSING CARE HOMES**

The Executive Member for Adult Social Care submitted a report which set out details of the Council's annual process to set a Fair Price for Care which determined the bed rate for residential and nursing care and the hourly rate for homecare for the following financial year. In October 2021 the Executive had noted the consultation proposals which were consulted upon between 13th October and 9<sup>th</sup> November 2021. The current report summarised the consultation responses and recommended inflationary uplifts for 2022/2023. In discussing the report, Members expressed a wish to pay tribute to all social care staff for their work in managing a complex and challenging situation.

RESOLVED -

- (1) That, following consideration of the outcome of and response to the consultation, the following fee rates be approved from April 2022:
  - Homecare: 4.51% inflationary uplift - this equates to £18.08 p/hr for framework homecare providers.
  - Residential and Nursing Care : 5.4% inflationary uplift
  - Residential Bed Rate: £602.64
  - Nursing Bed Rate: £673.66
- (2) That it be confirmed that in approving the above, the Executive has taken into consideration the Council's Public Sector Equality duty.

#### **85. BUDGET MONITORING 2021/22 - PERIOD 8 (APRIL TO NOVEMBER 2021)**

The Executive Member for Finance and Governance and the Director of Finance and Systems submitted a report which informed Members of the current 2021/22 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. It was noted that the report presented a favourable movement since the previous report.

RESOLVED – That the updated positions on the revenue budget, collection fund and capital programme be noted.

#### **86. PROGRESS REPORT FOR THE CORPORATE EQUALITY STRATEGY 2021-25**

The Executive Member for Health, Wellbeing & Equalities submitted a report which provided a progress update on achievements since the Equality Strategy was launched in January 2021 as well as an update on the work of the Council's Equality Review being carried out by APSE (Association for Public Service Excellence). The favourable outcomes of the APSE review were noted; and a further update would be provided for Members in June 2022. An opportunity was provided for Members to raise questions, during the course of which further details were given of the Council's plans for future office working arrangements.

*Executive (24.1.22)*

RESOLVED –

- (1) That the content of the report be noted.
- (2) That the proposal be noted to present a further progress report containing updates on the success measures within the Corporate Equality Strategy in June 2022.

## **87. PUBLICATION OF MEMBERS' ADDRESSES**

The Monitoring Officer submitted a report in the light of a number concerns raised by Members in relation to the requirements relating to the publication of Members' addresses on the Declaration of Interests Register. The report considered the current position and set out a proposal to consult with Members on a number of options relating to how such matters could be dealt with in future.

In discussion, a number of differing views were put forward on the approach which should be adopted; and it was agreed that these should be submitted to the formal consultation process for which the report's recommendations provided.

RESOLVED –

- (1) That the content of the report be noted.
- (2) That the proposal be noted to consult with Members on the options detailed in the report.

## **88. EXCLUSION RESOLUTION**

RESOLVED - 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.

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**89. PROPOSED RESIDENTIAL REDEVELOPMENT OF CLAREMONT/CHAPEL ROAD SITE, SALE AND ASSOCIATED RE-LOCATION OF TRAFFORD MUSIC SERVICE AND STRETFORD LIBRARY**

The Executive Member for Housing and Regeneration submitted a supplementary report to that considered in Part I of the meeting, setting out financial details in relation to early proposals regarding residential redevelopment of the Claremont / Chapel Road site, Sale and the reinvestment of part of the development return to fund the re-location of Stretford Library to the Stretford Mall, and Trafford Music Service to the vacated and improved Stretford Library building. Members further discussed details of costs and valuation associated with the proposals, and it was agreed that a written response would be submitted outside the meeting. Details of the formal resolutions associated with this item are set out in the relevant Minute above.

**90. UPDATE ON THE GRAFTON CENTRE, ALTRINCHAM**

The Executive Member for Housing and Regeneration submitted a supplementary report to that considered in Part I of the meeting, setting out financial advice and details in relation to the Council's approach to the Grafton Centre. Members further discussed details of costs and liabilities associated with the proposals. It was agreed that a written response would be submitted outside the meeting; and that the Executive Member would meet with Councillor Evans outside the meeting to discuss further the issues which he had raised. Details of the formal resolutions associated with this item are set out in the relevant Minute above.

The meeting commenced at 6.30 p.m. and finished at 7.44 p.m.

## TRAFFORD COUNCIL

**Report to:** Executive  
**Date:** 28<sup>th</sup> February 2022  
**Report for:** Decision  
**Report of:** Executive Member Housing and Regeneration

### Report Title

**HS2 Phase 2b Environmental Statement – Formal Response**

### Summary

The HS2 Phase 2b Hybrid Bill was laid before Parliament on 24<sup>th</sup> January 2022. On 25<sup>th</sup> January 2022 the consultation on the accompanying Environmental Statement began, with responses required by 23:45 hrs on 31<sup>st</sup> March 2022.

Responding to the Environmental Statement is the first principal mechanism whereby Trafford can request that HS2 either a) avoid, b) mitigate and/or c) compensate for the impacts that its construction and operation will bring. The response to the Environmental Statement will then lay the foundations of any future petition(s) against the Bill.

This report provides a high level overview of the Environmental Statement, and sets out the likely anticipated issues/areas of focus that will form the basis of the response.

Due to the deadlines set by the government, delegated approval is sought to submit the formal response on the Environmental Statement and for Trafford to become a Qualifying Authority to ensure it has a more enhanced role in certain matters such as approving design and construction.

### Recommendation(s)

**It is recommended that that the Executive:**

- (i) Approve the framework and general direction of the Councils' response to the Environmental Statement outlined in this report;**
- (ii) Delegate authority to the Corporate Director for Place, in consultation with the Executive Member for Housing and Regeneration to finalise and submit the formal response to the HS2 Phase 2b Environmental Statement.**
- (iii) Note that the submitted response on the HS Phase 2b Environmental Statement will form the foundation upon which any future petition must be based.**
- (iv) Approves Trafford becoming a Qualifying Authority in relation to the**

- High Speed Rail Phase 2b (Crewe - Manchester) hybrid Bill;**
- (v) Delegate authority to the Corporate Director of Governance and Community Strategy in consultation with the Corporate Director of Place and Executive Member for Housing and Regeneration, to undertake all necessary steps required to become a Qualifying Authority, including the signing of the Planning Memorandum and Service Level Agreement.**
  - (vi) Considers the subject of this report urgent and there that the report is not subject to call-in.**

Contact person for access to background papers and further information:

Caroline Wright (Strategic Planning and Growth Manager)  
 Stephen James (Head of Growth, Communities and Housing)

Appendix 1 – Structure of the High Speed Rail (Crewe – Manchester) Environmental Statement

Appendix 2 - HS2 Project Plan

Background Papers: None.

Implications:

<p>Relationship to Policy Framework/Corporate Priorities</p>	<p>HS2 will assist in ‘Supporting people out of poverty’ due to the provision of significant job opportunities, both during the construction and operational phases. Further long-term employment opportunities will be brought about through the regeneration and development of the areas surrounding each station, where HS2 and NPR can act as a major catalyst for growth. This growth will provide a major opportunity to the local business community.</p> <p>HS2 will also facilitate the Council in ‘Addressing our climate crisis’ by removing lorries and vehicles from the road, reducing traffic, carbon emissions and improving air quality.</p>
<p>Relationship to GM Policy or Strategy Framework</p>	<p>HS2 will support many of the policy objectives identified in the Greater Manchester Strategy (GMS), as well as Places for Everyone (PfE) and the draft Trafford Local Plan. It will improve transport connectivity to Greater Manchester and deliver major travel hubs at Piccadilly and Manchester Airport – both strategically important locations. The Greater Manchester HS2 and NPR Growth Strategy also identifies opportunities for economic growth and development associated with HS2.</p>
<p>Financial</p>	<p>Specialist consultants have been appointed to</p>

	<p>support and inform the Councils response totalling circa £31,000. Additional costs have been incurred to publicise the consultation period to residents and businesses of Trafford totalling circa £3,000.</p> <p>Other committed costs relating to HS2 will be incurred from specialist legal advice from Queens Counsel and experienced Parliamentary Agents. This is estimated to cost approximately £30,000 in 21/22, however additional costs are likely.</p> <p>The above costs can be funded from previously earmarked reserves.</p> <p>Wherever possible, requests will be made to HS2 Ltd and its undertakers/ sub-contractors to contribute towards and/or cover directly related incurred costs.</p>
<p>Legal Implications:</p>	<p>Support from the Council's legal will be required in preparing and submitting the response to the ES, particularly in advising on any future petitioning steps.</p> <p>Advice and support will also be required in undertaking all necessary steps required to become a Qualifying Authority, including the signing of the Planning Memorandum and Service Level Agreement.</p>
<p>Equality/Diversity Implications</p>	<p>HS2 and NPR, and the development of the areas surrounding the stations, are anticipated to provide additional job opportunities available to local residents (both during construction and operation) and improved transport connections to those opportunities.</p> <p>An Equalities Impact Assessment has been deposited by HS2 Ltd as part of the hybrid Bill deposition.</p>
<p>Sustainability Implications</p>	<p>The proposed HS2 station at Manchester Airport will be integrated with Metrolink and Northern Powerhouse Rail (NPR); this will provide significant accessibility improvements to Manchester city centre and surrounding town centres, as well as enhancing links to other cities across the north.</p> <p>HS2 will be vital in relieving pressure across Greater Manchester, which has seen a 26% increase in rail traffic since 2010-11. HS2 will also play a crucial role delivering Northern Powerhouse Rail – the backbone for an integrated northern rail</p>

	<p>network. The capacity released by HS2 could more than double evening peak seats from Manchester Piccadilly on the Crewe and Stoke-On-Trent corridors.</p> <p>Once the full network is operational it is expected that HS2 trains will carry over 300,000 passengers a day, creating space for more, new, local and regional train journeys.</p> <p>HS2 is future proofed too, by making sure the network can grow with increased demand.</p>
Carbon Reduction	<p>HS2 together with the wider Northern Rail Powerhouse (NPR) plans, has the potential to significantly reduce carbon emissions from both passenger travel and rail freight, by removing vehicles from the highway network.</p> <p>With more space for freight trains, hundreds of thousands of lorries will be taken off the road every year, with an extra freight train removing up to 76 lorries from our roads – which will reduce traffic, carbon emissions and improve air quality.</p> <p>HS2’s Environmental Sustainability Vision January 2022 includes targets for overall operations to be net zero from 2035. This covers all construction, the running of high-speed services and the maintenance needed to make sure travel is comfortable, reliable and safe. Passengers will enjoy zero carbon journeys on HS2 from day one of service because the electricity powering the trains will come from zero emission sources</p>
Resource Implications e.g. Staffing / ICT / Assets	<p>Significant resource implications for the Council across most services and teams.</p> <p>It should be noted that, while the response to the ES will require substantial officer time, we are working with and coordinating our response with other GM authorities and TfGM as well as statutory bodies where possible and necessary. Furthermore, laying the foundations to secure avoidance, mitigation and/or compensation now, will save the Council and its partners significant resource and financial burdens in the long-term.</p>
Risk Management Implications	<p>The Council will work closely with Government, Transport for the North, TfGM, Manchester City Council and other partners to minimise risks arising from the design and delivery of HS2.</p>
Health & Wellbeing Implications	None.
Health and Safety Implications	None.



## 1.0 Background

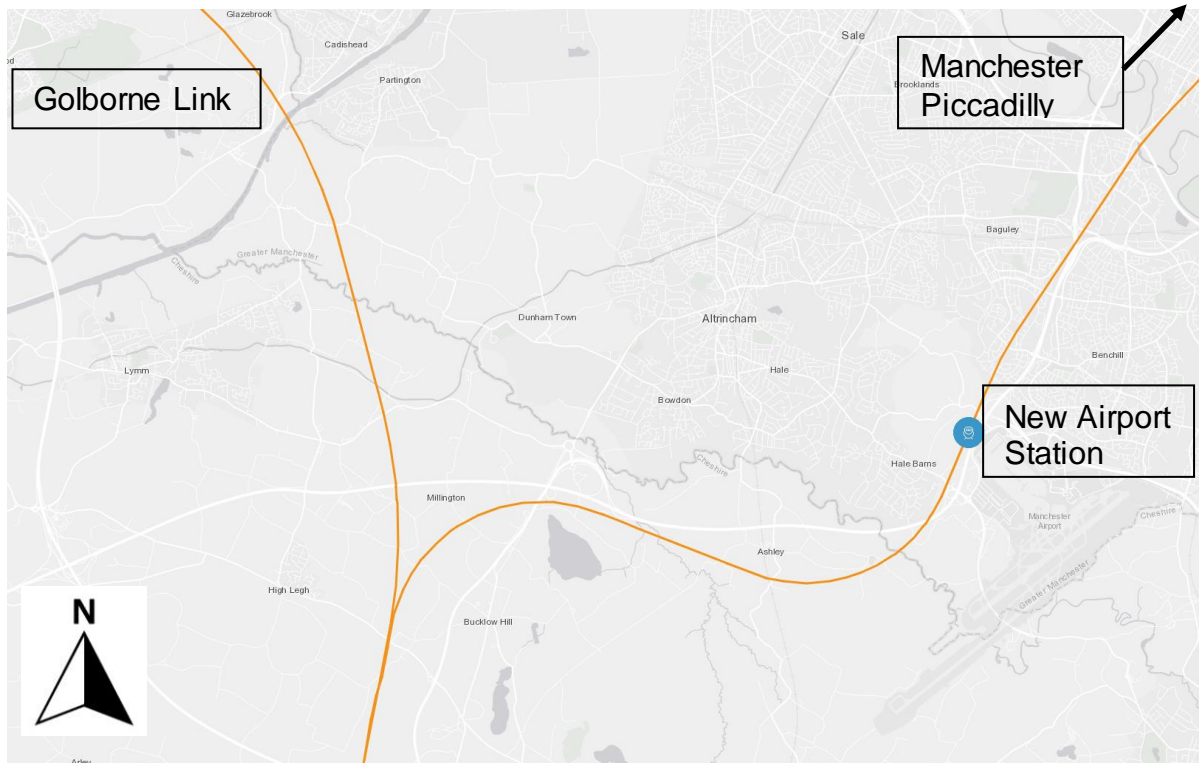
- 1.1 High Speed Two (HS2) will be a new high speed rail route linking London, Birmingham, the East Midlands and Manchester. The construction of the route has been split into the following phases:
  - Phase 1 – London to Birmingham
  - Phase 2a – Birmingham to Crewe
  - Phase 2b – Crewe to Greater Manchester
- 1.2 Phase 1 and Phase 2a have both received Royal Assent and are now under construction. Phase 2b covers the route from Crewe to Greater Manchester and includes two proposed high speed stations, one at Manchester Piccadilly and one at Manchester Airport, which is in Trafford borough.
- 1.3 A second high-speed line is also proposed through the borough, providing a connection to Wigan and the West-Coast Mainline. This is known as the Golborne Link.
- 1.4 The HS2 Phase 2b Hybrid Bill was laid before Parliament on 24th January 2022. On 25th January 2022 the consultation on the accompanying Environmental Statement began, with responses required by 23:45 hrs on 31st March 2022.
- 1.5 The Environmental Statement (ES) is an assessment of the likely significant environmental effects of the proposed HS2 railway and identifies the effects of construction and operation.
- 1.6 HS2 Phase 2b from Crewe to Manchester is being delivered via a hybrid Bill, which will culminate in an Act of Parliament passing into law, upon receipt of Royal Assent. It is currently anticipated that Royal Assent will be achieved in 2024/2025. Once granted and written into law, HS2 Phase 2b will benefit from a form of outline planning permission and Trafford's ability to influence or negotiate betterments is significantly reduced.
- 1.7 Therefore formally responding to the Environmental Statement (ES) on HS2 Phase 2b is vital to try and influence the proposals to benefit the borough and mitigate against adverse effects before the designs, remit and impacts of construction and operation are set in law.
- 1.8 The Council's response to the ES will then lay the foundations of any future petition against the Bill.
- 1.9 The petition is the formal list of specific asks and/or solutions that the Council will submit to the Government seeking improvements to the HS2 scheme to avoid, mitigate and compensate for the impacts that its construction and operation will bring. Unfortunately it is neither possible nor acceptable to include asks/solutions to issues that were not raised in the submitted ES response. Hence, there is a need to ensure that a robust response to the ES is submitted.
- 1.10 Following these stages of the Bill, a set of 'Environmental Minimum Requirements' (EMRs) will be produced which establish the minimum requirements that HS2 Phase 2b must be built to. The EMRs represent a legally binding contract to which all undertakers and contractors are contractually bound by law to comply with. It is therefore enforceable in law. The EMRs are directly influenced by the Environmental Statement (ES), as such the Council's response to the ES is critical to making its case that HS2 Ltd should either:
  - Avoid – certain areas or elements of design, construction and/or management

- Mitigate – against impacts where avoidance is not possible
- Compensate – for the loss and/or impact where neither avoidance nor mitigation is possible

## 2.0 HS2 Phase 2b route in Trafford and HS2 Manchester Airport Station

2.1 Figure 1 below illustrates the indicative route of the proposed HS2 lines that will affect Trafford.

**Figure 1: Indicative HS2 Phase 2b Routes in Trafford**



- 2.2 The proposed Manchester Airport station is located in Trafford, directly to the west of the M56, between Junctions 5 and 6. A new Metrolink Stop is proposed at the station which will be part of the Metrolink Western Leg. This Metrolink route branches off the existing Manchester Airport line at Roundthorne and connects to Davenport Green, the HS2 Airport Station and then across the M56 to Manchester Airport.
- 2.3 The HS2 Phase 2b route will enter Trafford in a cutting under the M56 and will pass under Hale Road before reaching the Airport Station. The Airport Station platforms will be below ground level and the station entrance / ticket purchase area will be located above this. The Metrolink stop will be located on a bridge above the Airport Station, providing integrated sustainable transport access.
- 2.4 In addition, forecourts will be located to the east and west of the station providing bus connectivity and drop-off points. A significant amount of car parking is also proposed at the Airport Station. The Manchester Airport Station will therefore be a significant structure in the landscape.
- 2.5 To the north of the HS2 Airport Station the route enters a tunnel which runs under South Manchester to Ardwick in the City Centre. The tunnel entrance will be located on the Manchester / Trafford boundary.
- 2.6 In addition to the Airport / Piccadilly line, a further HS2 route is also proposed to run through the borough connecting to the West Coast Mainline at Wigan, known as the

Golborne Link. The route branches off the main HS2 line to the south of Trafford, it then travels over the River Bollin, through Warburton Parish and over the Manchester Ship Canal, south west of Partington.

- 2.7 The current proposal contained in the hybrid Bill is for the bridge over the Manchester Ship Canal (River Mersey) to span circa 90 metres, with a headway (height to base) of 24.60m<sup>1</sup> (67.5 feet). To enable trains to safely travel at high speed (top speed of 250 mph), will require the line to be raised up to 24.60m (67.5 feet) over a substantial distance either side of the ship canal.

### **3.0 Benefits of HS2 Phase 2b to GM and Trafford**

- 3.1 The construction of HS2 is already supporting over 20,000 jobs across the UK. 17,500 roles are forecast to deliver the Crewe to Manchester section, with apprenticeships and skilled employment opportunities for local people to benefit from. Moreover, HS2 has the potential to double the economic output of Greater Manchester to £132bn by 2050, delivering 96,000 jobs and 16,800 homes.
- 3.2 The Greater Manchester HS2 and Northern Powerhouse Rail Growth Strategy (GMGS) was prepared in 2017 and sets out the importance of HS2 and Northern Powerhouse Rail (NPR) to the city region, highlighting the significant growth and jobs benefits that it can bring. It notes that the city region is well-placed to capitalise on the opportunities that will arise, due to the long-term strategic plans that have been developed, including the Greater Manchester Strategy (GMS), Places for Everyone (PfE) and the 2040 Transport Strategy. The GMGS identified four 'pillars' which provide a framework for understanding how the economic growth potential of HS2 and NPR can be captured. The pillars are:
- Regeneration around the stations
  - Station design and infrastructure requirements
  - Wider connectivity to ensure that the benefits are shared beyond the immediate station areas
  - People, skills and employability
- 3.3 Both HS2 and NPR will deliver significantly improved connectivity across the north of England and will be a key part of the strategy for the North of England to play a greater role in delivering a more balanced national economy as part of the 'Levelling Up' agenda.
- 3.4 High speed rail will provide significant job opportunities, both during the construction and operational phases. Further long-term employment opportunities will be brought about through the regeneration and development of the areas surrounding each station, where HS2 and NPR can act as a major catalyst for growth. This growth will provide a major opportunity to the local business community. Greater Manchester is well placed to take advantage of these benefits, as a result of the city region's existing strengths in the key high value growth sectors, and those related to the construction and operation of major transport infrastructure.
- 3.5 There is significant development potential around the proposed Manchester Airport high speed station. The station is located adjacent to the proposed Places for Everyone (PfE) Timperley Wedge allocation which is proposed for approx. 2,500

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<sup>1</sup> See Drawing No. 2DE01-MWJ-HY-PLN-M000-000090 Rev HB01

residential units and 60,000 sqm employment office space overall. Around the station and as part of the Timperley Wedge allocation a new suburban centre is envisaged that will create a strong sense of place, together with a new residential-led mixed use neighbourhood.

- 3.6 In addition, as part of the Growth Strategy, a GM Skills Strategy is being developed that identifies key areas of intervention to help align the skills of local residents to the jobs created. This work is being led by the GMCA and is already underway.
- 3.7 HS2 Phase 2b will therefore bring real benefits to the borough and GM as a whole. The investment and delivery of HS2 Phase 2b confirm Trafford and Greater Manchester as the most connected city region in the UK and will support existing businesses, inward investment and job creation in and around the borough.

#### **4.0 Overview of the Hybrid Bill Environmental Statement**

- 4.1 The Environmental Statement (ES) is an assessment of the likely significant environmental effects of the proposed HS2 railway and it identifies the effects of construction and operation.
- 4.2 The ES, deposited on 24<sup>th</sup> January 2022 comprises approximately 34,000 pages and encompasses five volumes of technical and non-technical designs, data and information; broken down into eight 'community areas'<sup>2</sup> and various topic specific chapters. The community areas which are of most relevance to Trafford are MA04: Broomedge to Glazebrook and MA06: Hulseheath to Manchester Airport. The ES is also accompanied by a separate Equalities Impact Assessment (EQIA) and an Environmental Impact Assessment (EIA). The structure of the ES is illustrated in Appendix 1 and includes the following:
  - Volume 1 – Introduction and Methodology
  - Volume 2 – Community Area Reports and Map Books
  - Volume 3 – Route Wide Effects
  - Volume 4 – Off-Route Effects
  - Volume 5 – Appendices and Map Books – comprising details on
    - Agriculture, Forestry and Soils
    - Air Quality
    - Climate Change
    - Community
    - Ecology and Biodiversity
    - Electromagnetic Interference
    - Health
    - Historic Environment
    - Land Quality

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<sup>2</sup> MA01: Hough to Walley's Green | MA02: Wimboldsley to Lostock Gralam | MA03: Pickmere to Agden and Hulseheath | MA04: Broomedge to Glazebrook | MA05: Risley to Bamfurlong | MA06: Hulseheath to Manchester Airport | MA07: Davenport Green to Ardwick | MA08: Manchester Piccadilly Station

- Landscape and Visual
- Major Accidents and Natural Disasters
- Socio-Economics
- Sound, Noise and Vibration
- Traffic and Transport
- Waste and Material Resources
- Water Resources and Flood Risk
- Scope and Methodology
- Draft Code of Construction Practice
- Alternatives Report
- Planning Data
- Wider Effects Report
- Working Draft Environmental Statement consultation summary report
- Borrow Pit Report
  - Other background data and map books

4.3 In order to secure the best outcome for the borough, and lay the necessary foundations for any future petition, each of the above volumes and topics must be reviewed and responded to.

## 5.0 Trafford Council Response

- 5.1 The Council's full response to the ES must be submitted to the Government by 31<sup>st</sup> March 2022.
- 5.2 Given the length and complexity of the ES as outlined in section 4 above, together with the 10 week (65 day) consultation period and available resources, it is not possible to provide the Executive with a developed or detailed draft of the Council's response to the ES.
- 5.3 Hence, due to the volume of material deposited and the timescales involved, this report aims to provide an overview of the key topics and areas of the ES where officers consider that avoidance, mitigation and/or compensation is:
- a) Critical to Trafford; and
  - b) Likely to be successfully secured
- 5.4 Taking into account these two key factors and available resources and expertise, Table 1 below illustrates what officers consider any response the ES should address as a minimum.

**Table 1: Minimum and Highly Focused Response to the ES**

Community Area/ Topic	Sub-Topics
MA04 - Broomedge to Glazebrook (Golborne Link)	<ul style="list-style-type: none"> <li>• Air Quality</li> <li>• Climate Change</li> <li>• Community</li> <li>• Health</li> <li>• Historic Environment</li> </ul>

	<ul style="list-style-type: none"> <li>• Land Quality</li> <li>• Landscape and Visual</li> <li>• Socio-Economics</li> <li>• Sound, Noise and Vibration</li> <li>• Traffic and Transport</li> <li>• Water Resources and Flood Risk</li> </ul>
MA06 Hulseheath to Manchester Airport	<ul style="list-style-type: none"> <li>• Air Quality</li> <li>• Climate Change</li> <li>• Community</li> <li>• Health</li> <li>• Historic Environment</li> <li>• Land Quality</li> <li>• Landscape and Visual</li> <li>• Socio-Economics</li> <li>• Sound, Noise and Vibration</li> <li>• Traffic and Transport</li> <li>• Water Resources and Flood Risk</li> </ul>
Traffic and Transport	<ul style="list-style-type: none"> <li>• Highways design operation</li> <li>• Traffic effects</li> </ul>
Landscape and Visual*	<ul style="list-style-type: none"> <li>• Airport Station</li> <li>• Golborne Link</li> </ul>
Sound, Noise and Vibration*	<ul style="list-style-type: none"> <li>• Protecting the amenity of residents and businesses</li> </ul>
Construction Planning	<ul style="list-style-type: none"> <li>• Minimising the impacts of the construction phase to residents, businesses and the environment</li> </ul>
Equalities Impact Assessment	
Environmental Impact Assessment	

- 5.5 Subject to time constraints and available resources, officers from across the Council will (in addition to the above) also review, identify and address concerns in all topic areas in the ES, leading to an even more comprehensive response.
- 5.6 Should an issue or concern be raised that is considered to also be critical to Trafford and likely to be successfully secured, then all reasonable efforts will be made to tailor the response accordingly.
- 5.7 Regular reviews and prioritisations of issues/ concerns (as outlined below) will assist in focusing the response and maximising the effectiveness of the resources and time available.
- 5.8 In order that Trafford's formal response to the ES is focused and effective, an agile project management approach has been adopted (see Appendix 2). This allows for an iterative and collaborative response to be developed at pace. In brief this includes the following phases:
- i. Review all topic areas across the ES.
  - ii. Identification and prioritisation of concerns by impact and likelihood of success in each topic area.

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\* Specialist consultant appointed to assist with response

- iii. Collaboration with GM partners to cross-reference concerns and highlight GM-wide issues.
  - iv. Development of detailed responses starting with high priority concerns, then medium and low (time and resources permitting).
  - v. Collaboration with GM partners to confirm cross-referenced concerns and highlight GM-wide issues.
- 5.9 At the completion of each phase of the project (i-v above), there will be an internal collaborative review, to maintain focus, develop and refine the response. This will include reviews by the Leader and Executive Member for Housing and Regeneration.
- 5.10 Affected Ward Members and Parish Councils will be updated periodically throughout the 10 week consultation process on key matters and progress.

## **6.0 Greater Manchester Context and Partner Working: Critical Issues and impacts**

- 6.1 As with previous responses to HS2 consultations, Trafford is continuing to work closely with GM Partners in preparing a response to the ES. The GMCA / TfGM will be responding at a GM level and Manchester City Council and Wigan Council are also directly affected by the route. There is therefore significant scope to work with GM Partners, particularly on the topic areas where all partners share the same concerns. This partnership working is critical, considering the scale of the consultation and the volume of information which has been published. To aid in the preparation of the response, the GMCA / TfGM have appointed consultants to help support and coordinate the response across GM as a whole.
- 6.2 As part of the GM and partners work with HS2, a series of Critical Issues have been identified and these have been regularly reviewed with HS2 and the Department for Transport (DfT). The Critical Issues relate to areas of concern for the GM Partners and are issues which are considered to be of critical importance to the success of HS2 Phase 2b in GM. Table 1 sets out the Critical Issues which are of most relevance to Trafford and these will form part of the formal response to the ES.

**Table 2: Critical Issues of specific relevance to Trafford**

### HS2 Manchester Airport Station

<b>Critical Issue</b>	<b>Description of Concern</b>
Airport Station funding	The funding model for the Airport Station requires discussion and agreement with HS2 / DfT / GM Partners with regards to a local funding contribution and /or commercial investment. Any funding decisions must consider the national interest in a manner that is fair and consistent with other UK infrastructure funding decisions. GM Partners request full disclosure of costs, and their apportionment, delivery models, commercial models, and revenue streams. Work is ongoing with HS2 / DfT.
Highways Design and Operation	Concern that the approach adopted to develop access to the High Speed Station is likely to result in sub-optimal highways arrangements. A 'build it once' approach should be adopted which takes account of HS2 / NPR demand and also accounts for overall development and network

<b>Critical Issue</b>	<b>Description of Concern</b>
	growth, including key development sites in the area such as Timperley Wedge.
Airport Station – landscape and visual impact	<p>Concern about the landscape and visual impact of the HS2 Airport Station building, as well as the Metrolink route to the station which will require supporting structures to elevate the route to the Airport Metrolink Stop located above the Station.</p> <p>Work is underway with GM Partners to bring the Metrolink route to ground level as quickly as possible, whilst meeting the operational requirements of the Metrolink infrastructure.</p>
Urban integration	<p>The HS2 Airport Station is located adjacent to the proposed PfE Timperley Wedge allocation for approximately 2,500 homes and 60,000 sqm office floorspace in total. Critical to the future success of this area will be the integration of the HS2 Station with the development at Timperley Wedge, which will be a new ‘place’ in South Manchester with excellent sustainable transport connections and a new local centre.</p> <p>There are a number of integration challenges in the Airport Station area, including changing ground levels and ensuring transport infrastructure is designed in a way that complements the ‘place’, rather than creating movement barriers.</p>
Construction Planning	<p>Concern about the impacts of construction traffic on strategic routes (M56, Junctions 5 &amp; 6) and local highways.</p> <p>To date GM partners believe that insufficient emphasis has been put on the use of alternative options for removing spoil from the cutting and tunnel construction.</p>

#### HS2 – Route wide issues

<b>Critical Issue</b>	<b>Description</b>
Golborne Link – landscape and visual impacts	<p>Concern regarding the landscape and visual impact of the Golborne Link which will be very visible in the landscape. The route is elevated for much of this section and the proposed viaduct over the Manchester Ship Canal would be a significant structure and very visible in the surrounding area.</p> <p>GM Partners want to work with HS2 to develop alternative solutions and to mitigate the impact of the Golborne Link on local communities in Trafford.</p>
Environmental Engagement	<p>Concern regarding the level of engagement and detailed information shared by HS2 in relation to the schemes environmental effects.</p> <p>Engagement to date has lacked comprehensive</p>



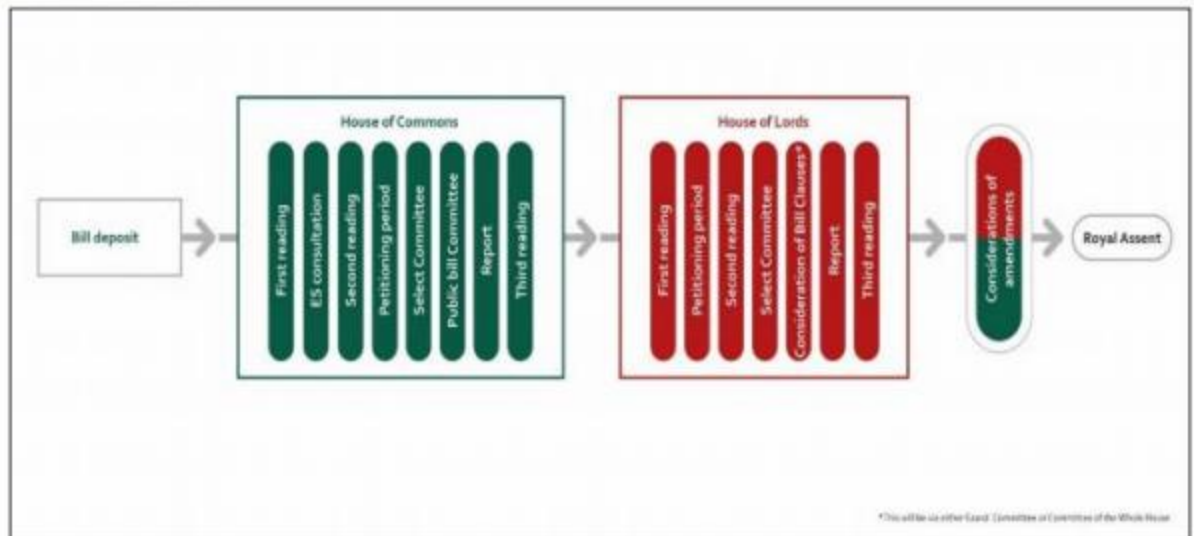
Critical Issue	Description
	information on environmental baseline assessments, likely significant effects, residual effects and required mitigation measures.
Traffic effects on GM	<p>Concern regarding the proposed highways delivery approach relating to construction of route wide infrastructure, the stations and increased traffic demand as a result of HS2 &amp; NPR. In particular: cumulative HGV numbers, congestion, road closures, temporary diversion routes and worker travel plans.</p> <p>Traffic concerns for Trafford relate principally to the amount of potential additional vehicles on the roads in both the MA04 (Golborne Link) and MA06 (Manchester Airport) community areas. In this regard, the ES estimates the following typical vehicle trips generated to/from the various construction site compounds in each of the community areas:</p> <ul style="list-style-type: none"> <li>• MA04 (Golborne Link)<sup>3</sup> <ul style="list-style-type: none"> <li>○ Between 600 and 900 daily two-way car/LGV trips</li> <li>○ Between 400 and 500 daily two-way HGV trips</li> </ul> </li> <li>• MA06 (Manchester Airport Station)<sup>4</sup> <ul style="list-style-type: none"> <li>○ Between 1,300 and 1,800 daily two-way car/LGV trips</li> <li>○ Between 1,100 and 1,300 daily two-way HGV trips</li> </ul> </li> </ul> <p>The construction period of HS2 in each of the community areas above is anticipated to be between 3 years and 9 years. Consequently, the impact of the prolonged cumulative is a key concern for the Council and one that will require a significant response, to ensure that the interests of Trafford's residents, businesses and environment are identified and protected and/or mitigated wherever possible.</p> <p>HS2's highways proposals should also be in line with the 2040 Transport Strategy, Right Mix Vision and Clean Air Plan.</p> <p>Alternative options need to be developed with GM Partners to help mitigate the impact.</p>

<sup>3</sup> Data from the [Traffic and transport MA04: Broomedge to Glazebrook - Transport Assessment Part 3](#)

<sup>4</sup> Data from the [Traffic and Transport MA06: Hulseheath to Manchester Airport – Transport Assessment Part 3 – Report 1 of 4](#)

## 7.0 The hybrid Bill Process and Petitioning

7.1 The hybrid Bill process is illustrated in Figure 1 below:



- 7.2 The HS2 Phase 2b hybrid Bill is currently at the First Reading and ES consultation stages.
- 7.3 A summary of the issues raised during the consultation will be published ahead of the Second Reading debate on the Bill.
- 7.4 At Second Reading, the principle of the Bill is debated, including the need for the Proposed Scheme and a Select Committee is appointed to hear petitions against the hybrid Bill. If the Bill passes Second Reading the principle of the Bill cannot be challenged.
- 7.5 Second Reading is followed by a petitioning period during which those whose property or interests that are specially and directly affected by the hybrid Bill can petition
- 7.6 The petitioning period will be determined at Second Reading. As such it is currently not known when it will start or how long it will last.
- 7.7 The petition is the formal list of objections to particular aspects of the hybrid Bill and will contain specific amendments and requests that the Council would like to see.
- 7.8 Largely this will be in the form of suggested improvements to the HS2 scheme to avoid, mitigate and compensate for the impacts that its construction and operation will bring.
- 7.9 As a directly affected party, a report will go to full Council to approve a petition to the hybrid Bill. This will be based upon the Council's submitted ES response. Unfortunately it is neither possible nor acceptable to object to something that was not raised in the Council's response to the ES. Hence, it is necessary to ensure that a robust response to the ES is submitted.
- 7.10 Consequently, the ES response and petition are inextricably linked and dependent upon one another. Firstly to raise concerns/ issues and secondly to propose solutions, request mitigation and/or compensation.
- 7.11 Therefore immediately following the 31<sup>st</sup> March 2022, detailed work on a proposed Council petition will begin in earnest. As with the ES response, this will be in collaboration with GM partners, and culminate in a GM-wide petition fronted by

GMCA/ TfGM as well as a standalone petition solely for Trafford Council in its own right.

## **8.0 Qualifying Authority Status**

- 8.1 The High Speed 2, Phase 2b, hybrid Bill will grant planning permission for the construction of a high speed railway between Crewe and Manchester. However, this permission will be the subject of a number of conditions requiring the nominated undertaker (the party/parties to construct the railway) to obtain consent or approval for detailed submissions. Local Authorities along the route will be responsible for approving matters of detail with regards to the scheduled works in the Bill.
- 8.2 In terms of carrying out the function of approving the detailed HS2 submissions the Bill gives each Authority a choice between having a wide or narrow range of controls over the approval of construction details. Those Authorities opting for a wider range of controls are referred to as “Qualifying Authorities”.
- 8.3 In becoming a Qualifying Authority the Council will be expected to sign up to a service level agreement (SLA) with HS2 to ensure that the authority can deliver its' commitments made by signing the Planning Memorandum (Appendix 1). In addition, this agreement will set out the terms by which the Council can recover costs associated with the extra burdens as determined on behalf of the Secretary of State of Transport.
- 8.4 As a Qualifying Authority Trafford Council will be responsible for issuing consents and approvals in relation to all planning matters set out in The Planning Conditions (Schedule 17) of the Bill including:
- 8.5 Schedule 17 to the Bill also sets out the grounds on which the qualifying authority may impose conditions on approvals, or refuse to approve the requests for approval. However it should be noted that these are limited and must be discussed/ agreed with HS2.
- 8.6 At the time of writing all affected local authorities in GM are expected to sign the Planning Memorandum thus seeking to attain qualifying authority status.
- 8.7 By signing the Planning Memorandum qualifying authorities are committing to put in place the required delegation processes to deal with HS2 matters in accordance with the HS2 Hybrid Bill and the associated planning regime.
- 8.8 Under the Bill, delays in determination and non-determination are treated as refusal - potentially leading to the Secretary of State removing the Qualifying Authority status from the Local Authority.
- 8.9 To become a qualifying authority The Planning Memorandum must be signed before the end of the House of Lords Select Committee – date TBD.

## **9.0 Immediate Next Steps**

- 9.1 The immediate priority is for the formal response to the ES to be prepared and submitted by 31<sup>st</sup> March 2022.
- 9.2 Following the submission of the formal response and closure of the consultation, work on the developing the Council’s petition will begin. The exact dates of the formal petitioning period are currently unknown, however when the period does start, the Council will have 25 days to submit its petition (objection) to the Bill.

## 10.0 Next steps on the wider HS2 programme

10.1 Table 3 sets out the anticipated high level timetable based on the latest information available.

**Table 3: HS2 Phase 2b Hybrid Bill programme (estimated dates)**

<b>Key Activities</b>	<b>Timelines</b>
hybrid Bill deposit (including Environmental Statement)	24 <sup>th</sup> January 2022
Environmental Statement Consultation	25 <sup>th</sup> January – 31 <sup>st</sup> March 2022
Second Reading/ Petitioning Period (inc. preparation time)	1 <sup>st</sup> April – Summer 2022
Negotiations with HS2 Ltd	Summer - Autumn 2022
Select Committee Hearings	Autumn - Winter 2022
Overall hybrid Bill parliamentary process	2022 – 2024/25
Royal Assent	Late 2024 / Early 2025
Construction	2025 – 2035
Testing and Commissioning	2035 – 2040
Operation	2040

10.2 Trafford Council, with GM Partners, will continue to work with HS2 and DfT on the HS2 Phase 2b hybrid Bill to ensure that it delivers the maximum benefit to Trafford and GM.

### **Other Options**

There are no reasonable alternative options. Responding to the ES is critical to ensuring that HS2 Ltd either a) avoid, b) mitigate and/or c) compensate for the impacts that the construction and operation of HS2 will bring.

Not responding will result in the Council having to manage and accommodate its construction and operation without any enhanced mitigation and/or compensation measures.

Not responding will also significantly inhibit the Councils ability to effectively petition(s) against the Bill.

### **Consultation**

Legally, it is the responsibility of HS2 Ltd to carry out appropriate consultation with communities and directly affected persons.

However, it is fully recognised that affected communities in the borough must be informed of the information contained on HS2 Ltd's website and the process for them to make representations to HS2 Ltd. Therefore relevant information on HS2 Phase 2b will be publicised via a dedicated webpage on the Council's website, and through social media posts, press releases and newspaper adverts as appropriate.

### **Reasons for Recommendation**

To ensure that Trafford's response to the Environmental Statement for HS2 Phase 2b hybrid Bill can meet the deadlines set by government so that the interests of Trafford's residents, businesses and environment can be identified and protected and/or mitigated wherever possible.

### **Urgency of Decision**

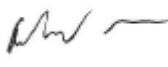
This report should be considered as 'urgent business' and the decision exempted from the 'call-in' process for the following reason(s):

There is an absolute deadline of 31<sup>st</sup> March for the submission of the response to the environmental Statement. Calling in this decision puts the Council at risk of missing this deadline.

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

Finance Officer Clearance TR  
Legal Officer Clearance PC

[CORPORATE] DIRECTOR'S SIGNATURE

(electronic) 

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

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# Appendix 1: Structure of the High Speed Rail (Crewe – Manchester) Environmental Statement

**Non-technical summary**  
 Provides a summary in non-technical language of the Proposed Scheme and its likely significant effects on the environment. This presents a summary of information included within the Environmental Statement.

**Glossary, abbreviations and references**  
 Contains terms, abbreviations and references.

**Volume 1: Introduction and methodology**  
 Provides an overview of the Proposed Scheme and the Environmental Impact Assessment (EIA) process.

**Volume 3: Route-wide effects**  
 Describes the effects that are likely to occur at a geographical scale greater than the community areas described in the Volume 2: Community Area reports.

**Volume 4: Off-route effects**  
 Sets out the likely significant effects at locations beyond the Phase 2b Western Leg corridor and its local environment.  
**Map Book**

**Volume 2: Community Area (CA) reports**  
 Consists of eight reports and their associated map books. These reports set out the design and environmental assessment for the Proposed Scheme at a community area level, as shown below.

<b>MA01 Report</b> Hough to Walley's Green <b>MA01 Map Book</b>	<b>MA02 Report</b> Wimboldsley to Lostock Gralam <b>MA02 Map Book</b>	<b>MA03 Report</b> Pickmere to Agden and Hulseheath <b>MA03 Map Book</b>	<b>MA04 Report</b> Broomeedge to Glazebrook <b>MA04 Map Book</b>	<b>MA05 Report</b> Risley to Bamfurlong <b>MA05 Map Book</b>	<b>MA06 Report</b> Hulseheath to Manchester Airport <b>MA06 Map Book</b>	<b>MA07 Report</b> Davenport Green to Ardwick <b>MA07 Map Book</b>	<b>MA08 Report</b> Manchester Piccadilly Station <b>MA08 Map Book</b>
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**Volume 5: Appendices and map books**  
 The majority of appendices in Volume 5 examine certain topics in detail, either within a community area or more widely. Appendices assessing a particular topic are identified by the reference codes below. Volume 5 also contains supporting documents, such as the draft Code of Construction Practice. The topics which also have map books are noted below.

<b>Map Book</b> Agriculture, forestry and soils <b>AG Appendices</b>	<b>Map Book</b> Air quality <b>AQ Appendices</b>	Climate change <b>CL Appendices</b>	<b>Map Book</b> Community <b>CM Appendices</b>	<b>Map Book</b> Ecology and biodiversity <b>EC Appendices</b>	Electromagnetic interference <b>EM Appendices</b>	Health <b>HA Appendices</b>	<b>Map Book</b> Historic environment <b>HE Appendices</b>	<b>Map Book</b> Land quality <b>LQ Appendices</b>	<b>Map Book</b> Landscape and visual <b>LV Appendices</b>	Major accidents and natural disasters <b>MA Appendices</b>	<b>Map Book</b> Socio-economics	<b>Map Book</b> Sound, noise and vibration <b>SV Appendices</b>	<b>Map Book</b> Traffic and transport <b>TR Appendices</b>	Waste and material resources <b>WM Appendices</b>	<b>Map Book</b> Water resources and flood risk <b>WR Appendices</b>
Scope and Methodology Report		Draft Code of Construction Practice		Alternatives report		Planning data		Wider effects report		Working Draft Environmental Statement consultation summary report		Borrow pit report			

Published outside the ES

**Background information and Data (BID) and associated BID map books**

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## TRAFFORD COUNCIL

**Report to:** Executive  
**Date:** 28<sup>th</sup> February 2022  
**Report for:** Decision  
**Report of:** Executive Member for Children's Services

### Report Title

**Greater Manchester House Project Collaborative**

### Summary

The House Project is an opportunity working with other Greater Manchester Authorities to access funding together with the National House Project (NHP) to give a number of care leavers in the area an opportunity to access tenancies and support in becoming independent.

### Recommendation(s)

It is recommended that Executive:

- Note the intention for Trafford Council to participate in the House Project;
- Approve the making of any necessary agreements with other local authorities for the placing of staff at the disposal of those other authorities in relation to the House Project; and
- Delegate the ability to the Corporate Director for Children's Services to agree terms and conditions for the placement of Staff at the disposal of other Local Authorities in consultation with the Corporate Director for Governance and Community Strategy for the purposes of the House Project.

Contact person for access to background papers and further information:

Name: Helen Mason  
Extension: [helen.mason@trafford.gov.uk](mailto:helen.mason@trafford.gov.uk)

Background Papers: None

## Implications:

<p>Relationship to Policy Framework/Corporate Priorities</p>	<p>The outcomes of approval support a number of the Council's strategic outcomes within the corporate plan, in particular:</p> <ul style="list-style-type: none"> <li>• Corporate Parenting Strategy; the four cornerstones of a stable home, participation and engagement, education and being healthy.</li> <li>• Placement Sufficiency Statement which is a statutory requirement and identifies a lack of local move on options for care experienced young people</li> <li>• Links to the Corporate Plan supporting; <ul style="list-style-type: none"> <li>- access to quality learning, training and jobs;</li> <li>- communities to be happy, healthy and safe;</li> <li>- Supporting people out of poverty; preventing our care experienced young people from falling into poverty.</li> </ul> </li> </ul>
<p>Relationship to GM Policy or Strategy Framework</p>	<p>Placement sufficiency is core element of the GM Children and Young People's Plan</p>
<p>Financial</p>	<p>This is an invest to save scheme in which the costs of the scheme over three years totalling £206k will be met from a reduction in the current placement costs of young people who join the project.</p>
<p>Legal Implications:</p>	<p>Under Part 3, Section 1 Point 17 of the Trafford Council Constitution it is required that the decision for the making of agreements with other local authorities for the placing of staff at the disposal of those other authorities has to be taken by the Executive.</p> <p>Legal advice will be provided in respect of any terms and conditions linked to the House Project.</p>
<p>Equality/Diversity Implications</p>	<p>An EIA will be completed as the first stage of the project plan The project will enable vulnerable young people with a higher level of support needs to remain in Trafford and be supported to live independently in a planned way.</p>
<p>Sustainability Implications</p>	<p>The number of children in care continues to rise and we expect to see an increase in the number of care experienced young people over the next three years so the project supports our sufficiency strategy actions for a wider range of local, affordable supported living services. As a three year project, if benefits are realised this model will be considered as a standing offer.</p>

Carbon Reduction	See guidance note Carbon reduction will relate to the housing providers supplying properties, potential partners supplying goods to the project and will be considered by the GM project collectively. With 6 young people per year the project will not have a significant impact on carbon reduction targets in the borough.
Resource Implications e.g. Staffing / ICT / Assets	Resources will be provided from within the core establishment. There will be expertise required from the following departments: <ul style="list-style-type: none"> <li>• Delegated officers of the corporate team identified</li> <li>• Commissioning</li> <li>• Legal</li> <li>• STAR Procurement</li> <li>• Finance</li> <li>• Place</li> </ul>
Risk Management Implications	Entering into the GM House Project Agreement considers risks associated with the following: <ul style="list-style-type: none"> <li>• Operational risk of seconding a member of staff to be the local facilitator which creates need to recruit to the seconded post on a temporary basis. The fixed term of 3 years makes this an attractive opportunity for recruitment.</li> <li>• Strategic risk of housing providers; ensuring there are tenancies available for young people. Risk reduced via the GM Strategic Housing Partnership supporting the GM collaboration.</li> <li>• The GM Collaborative agreement details the process and risk associated with the exit of any partner authority to the project. The terms and conditions have received approval from legal officers.</li> </ul>
Health & Wellbeing Implications	The House Project is designed to improve health and well-being outcomes for young people. The collaborative model also ensures staff are able to access appropriate health and well-being services through the lead LA council (MCC). This is further supported by the access gained to psychological support from the NHP team to our local facilitator, providing added value to the support to our young people.
Health and Safety Implications	No direct implications.

## **1.0 Background**

- 1.1 Trafford Council is committed to working together to be the very best parents to our children in care. We want every care experienced young person to reach their full potential, to be healthy, happy safe and secure, and to feel loved, valued and respected. Within our Corporate Parenting Strategy the Council makes a commitment to providing our children with a stable and supportive home with caring, consistent relationships. We listen to our young people's wishes and feelings and know how important it is to them to feel supported in their journey to independence and the importance of helping them to live locally enabling them to maintain education and employment commitments and family and social networks.
- 1.2 Our Children's Sufficiency Strategy 2021 – 2023 highlighted the challenge we face in finding suitable support and accommodation of our care experienced young people (care leavers) and that too many of our young people remain in current purchased placements simply because there are little to no move-on options.
- 1.3 Whilst in recent years the Council has commissioned contracts for the support and accommodation of care experienced young people. In January 2022 there were 9 young people aged 16-17 in externally commissioned, supported accommodation placements with an average cost of £1,562 a week and 22 young people aged 18 or over in externally commissioned, supported accommodation placements at an average weekly cost of £874. Note these are not residential placements, which are more cost but semi-independent, supported living services. The GM House Project Collaborative ("House Project") proposal outlined in this report is one way to address our local placement sufficiency through a different kind of offer.
- 1.5 The Strategy highlights that in 2019/20 there was an increase in Trafford from 48 up to 56 care leavers whose 17th or 18th birthdays fell within the reporting year. In addition there were 122 care leavers whose 19th, 20th or 21st birthdays fell within the reporting year this is (up from 116 the previous year). This is a total of 178 care leavers, a yearly increase of 8.5%. We know this is going to be an upward trend due to the age and profile of our looked after children.
- 1.6 Care Experienced young people include those young people who have been looked after previously but no longer receive a service from the local authority. When we look at the type of suitable accommodation for care leavers, the largest single category of type is independent living at 25% although this is lower than all comparators which range from 35% nationally and 42% for statistical neighbours. 15% of our young people leaving care are supported through semi-independent accommodation which is higher than all comparators.
- 1.7 This data tells us we have more people in supported accommodation than in other areas and less ready to live independently. The House Project presents an opportunity to change this and support more of our young people to live independently and to maintain good oversight and influence over the way in which we support our young people to reach independence, with less reliance on external placement providers.

## **2.0 The House Project**

- 2.1 The National House Project (NHP) charity has received funding from the Department for Education Innovation Programme and provides an opportunity to increase and

further enhance our range and choice of accommodation for young people who are care experienced.

- 2.2 The aim of the House Project is to better prepare care leavers for independence, take ownership and responsibility for their accommodation and support them to improve their outcomes. The evidence from other House Project sites indicates the service is effectively improving outcomes for care leavers and has reduced demand on supported accommodation from young people that are willing and able to live independently with support.
- 2.3 There are 13 existing House Projects in England and Scotland, supporting 270 young people; 170 of those living in their own properties with no evictions or tenancy breakdowns to date.
- 2.4 The NHP has secured funding to trial how the House Project could be delivered as part of a sub-regional collaboration. The funding of £50,000 for the GM collaborative off sets some of year one costs for membership to trial this approach across Greater Manchester.

### **3.0 The Model**

- 3.1 The NHP provides an Outcomes and Learning framework, named ORCHIDS and this is the framework for supporting young people to develop their independent living skills. All HP staff will be trained on the framework, as a model of support for young people participating in the House Project.
- 3.2 ORCHIDS was developed in partnership with the Care Leavers National Movement and is an accredited programme. It allows local projects to track the progress of young people in the House Project and to assess their readiness for a tenancy.
- 3.3 The model of support is AQA accredited which means young people in the House Project are classed as being in education.
- 3.4 Local House Projects are then able to input data into the online system, a web based platform. Data is anonymised and provides valuable aggregated data on the outcomes of the project.
- 3.5 The support element takes place over 6-9 months and bonds the group as a peer support network. The group will be supported by one full time Trafford facilitator and a local community base will be identified to accommodate the group to work alongside each other as they move through the ORCHIDS framework.
- 3.6 As part of the GM collaboration the Trafford House Project will partner with another LA (Stockport is the identified partner for Trafford and this will be confirmed following executive approval for Stockport to join the GM Collaboration). This means we receive support from their full time facilitator and the peer group will consist of 8-12 young people working together, creating more opportunity for young people to form a support network. The feedback from young people is that one of the main successes of the project is moving through their journey to independence with a group of peers who are experiencing the same pathway.
- 3.7 At the end of the accredited support programme commissioners will have worked in partnership with housing providers to secure a tenancy for the young person to move

in at 17 years old where they continue to be supported by the House Project team and network of peers.

- 3.8 Whilst support may taper as young people become more confident and develop their independence continues, the young people remain part of the house project for as long as is needed. Young people say this ongoing support is crucial to sustaining their tenancies, they feel safe and supported as part of the peer group and project.
- 3.9 Greater Manchester Strategic Housing Partnership is committed to the project and early discussions with a number of Trafford housing providers indicates tenancies will be made available on an annual basis for this small group of young people when they are tenancy ready.
- 3.10 An integral part of the project is the engagement of local agencies and business which support the young people with employment and training opportunities, trade support to make tenancies ready, working wardrobe initiatives to help with clothing for employment, white goods providers etc. Of the 13 House Project established nationally there are some exemplary models of partnership working which we intend to replicate in Trafford to make the House Project a success.

#### **4.0 Greater Manchester Collaborative Agreement**

- 4.1 Manchester City Council are the designated lead with responsibility for overall project management of the collaborative comprising of 5 other LA areas: Bury; Oldham; Rochdale; Stockport; Tameside. Including Trafford there are 7 LAs working together to implement a local House Project. The agreement highlights the benefits of a local house project;
  - Provides a pathway for young people to get their own secure, safe housing
  - Young People have good homes and support that's helping them have the best start in their adult lives. That they have more stability and less moves.
  - Increasing capacity of good quality and affordable homes for care leavers in GM
  - Strong and ongoing support to build networks and resilience for our care experienced young people
  - Working together at scale, creativity, flexibility and fluidity
  - Constantly evolving, growing and led by young people
  - To enable and empower GM young people to work together, gain skills and access the right support to live independently in good quality housing which ends on their terms
  - One stop service shared with other LA's
  - Scheme designed by young people
  - Develop increased flexible offer and quality accommodation across GM
  - Financial savings based on reduced cost of externally commissioned placements.
- 4.2 In line with a decision made by the Corporate Director for Children's Services to proceed with the House Project pursuant to delegated authority, legal documentation has been circulated amongst Trafford legal, information governance and HR colleagues to obtain relevant advice. A version of the agreement has now been agreed in principle. There is a separate contract with the NHP to access approximately £6k for psychological support which has also been shared with the relevant officers.



4.3 The intention is once all parties have signed the agreements, recruitment will begin with the aim of implementing the House Project from April 2022. This time line will see our young people potentially move into their first tenancies in September to December 2022.

## **5.0 Project Resource**

5.1 The success of House Projects nationally are heavily influenced by the appointment of skilled and experienced staff who have the right value base, excellent communication skills and are driven by the principle that with support young people can own the solutions to the challenges they face.

5.2 The NHP have Job Descriptions and Person Specifications for the roles of Project Lead and Facilitators and the NHP will form part of the recruitment process for staff appointments.

5.3 Within the GM Agreement, Manchester City Council will lead on the recruitment of facilitators for all local projects. All staff working under the GM Collaborative Agreement will be employed by Manchester Council.

5.4 Recruitment of the following posts will take place in one round once all local authorities have signed up to the GM Collaborative Agreement.

- Local facilitators (one per LA) x 6
- Project GM Lead x 2
- Project GM Co-ordinator x 1

5.5 As part of the recruitment for the posts being created all recruitment options will be explored, including any potential secondment opportunities from Trafford Council which provides a benefit of this being knowledge of our young people and place. Under Part 3 of the Council's Constitution it is required that the decision for the making of agreements with other local authorities for the placing of staff at the disposal of those other authorities has to be taken by the Executive. This approval is now sought from the Executive in order to enable exploration of any potential secondment option in relation to Trafford employees.

5.6 Local facilitators are supported by the GM lead and co-ordinators and will attend regular communities of practice.

## **6.0 Financial Position**

6.1 The House Project is an invest to save project as costs of the scheme will be offset by reductions in placement costs currently being incurred.

6.2 There are four elements to the costs of the House Project:

- A) The contribution to the GM Lead and Co-ordinator roles
- B) The associated management fee to MCC for their lead role in the GM collaboration.
- C) The payment to NHP for the supply of psychological support to House Project staff to ensure there is a trauma informed response to supporting young people.
- D) A local facilitator

6.3 The cost of the above are set out below:-

## Annual Cost Breakdown

Year 1	Year 2	Year 3
£61,936	£74,436	£69,436

- 6.6 Young people will be selected for the project, which will be driven by a willingness to engage and the benefit of the project to the young person. It is envisaged that there will be a reduction in costs as these young people move from their current placement to house project tenancies.
- 6.7 These savings will be carefully tracked once young people begin to move into their HP tenancies. They will be based on the trajectory of where a young person was placed at the time of joining the project vs the lower cost of House Project rent and utilities (estimated at approximately £168 per week).
- 6.8 The average weekly costs for placements as at September 2021 is as follows:-
- residential - £4,034
  - Supported accommodation - £1,285.

Therefore weekly savings would be as follows:-

- Residential - £3,866
  - Supported accommodation - £1,117
- 6.9 At this stage the young people who would be supported through the House Project have not yet been identified and the saving will depend on the age at which the young person starts the House project, at which point they are ready for a tenancy and the current cost of their placement. All young people will be in the project for approximately 6-9 months before taking on their first tenancy.

Therefore to cover the costs of the project in the first year this would require 1 young person currently residing in an external residential placement or 4 young people in supported accommodation to take up a HP tenancy. This is based on a young person moving at 17 years 8 months.

## 7.0 Recruitment of young people.

- 7.1 The selection of young people to be supported through the House Project will be led by the Trafford steering group made up of children's social care and education and commissioning leads. To date frontline staff have been briefed on the model and a selection criteria will be drafted; the model requests young people who are aged 16 ½ years and the tenancy will be offered before their 18th birthday. From outcomes and financial perspective we are keen to support those who currently reside in external placements, although we are not limited to this.
- 7.2 Ultimately the decision to join the project is the young person's personal choice. We will also give consideration to how we manage the wider messages to care experienced young people, noting only 4-6 young people can be accepted onto each annual cohort.
- 7.3 There will be careful consideration about how much support a young person would need to participate and their ability to work within a peer network. An information

pack for young people considering the project will be available to download and will include referral information and application process.

- 7.4 Trafford young people have attended two GM meetings so far to share their views of the project and their experience in developing their independence. To date the Trafford young people involved have been very supportive of the model, and have said it would provide the support young people need.

## **8.0 Governance**

- 8.1 The House Project is a joint initiative across commissioning, children's services and housing partners. The project is co-led by representatives from commissioning and children's services.
- 8.2 A Trafford steering group will meet fortnightly to progress implementation via project plan and will have delivery oversight. The group consists of social care, education and commissioning colleagues and in time will extend to include health, housing and wider business partners.
- 8.3 The leads will be involved in the regular GM Collaborative meetings and also meet with NHP leads.
- 8.4 A GM Project Board will be established to provide structure, monitoring, development, and planning. The Board will include strategic leads from each Participating Authority, membership of the partner housing providers, NHP and officers. The Terms of Reference will be agreed within one Calendar month of the first meeting held in March 2022. The Project Board shall provide quarterly reports to the GM Care Leavers Board and the GM AD Group and each Participating Authority.
- 8.5 The GM Project Board will provide summary annual reports to the GM DCS group which will provide overview of project performance; it will appoint a chair and vice chair from the Lead Authority and housing providers and be responsible for the overall strategic direction of the GM Collaborative.
- 8.6 MCC will establish and support a Young Persons Board with representatives of the Participating Authorities and will consider agenda items for the main Board.
- 8.7 Locally, the Trafford Steering Group will report into both the Stable Home Group (sub group of the corporate parenting board) and Children's Directorate Management Team and Corporate Leadership Team, as required.

## **Other Options**

The alternative option is to continue commissioning external placements to support young people develop their independent living skills and for young people to continue the current pathway to applying to independent tenancy agreements. This would not necessarily support the gaining formally recognized skills accreditation and training it would further not ensure consistent access to the ongoing practical and emotional, trauma informed support the House Project can offer and so the alternative does not offer best value for money. Trafford's Sufficiency Strategy has identified current practice as a challenge and the House Project is an option to address the sufficiency challenge.

## **Consultation**

Trafford young people have attended two NHP meetings and on both occasions shared their support for a local House Project. Staff have been briefed on the proposed plans and are aware there will be secondment opportunities. If approved by the Executive the relevant officers will support a fair process to promoting any employment opportunities presented by the project.

### **Reasons for Recommendation**

The House Project approach originated from a conversation between young people and staff in a Local Authority (LA). It has been subsequently developed phases as part of the DfE Innovation Programme and the Charity was established to not only support Local House Projects but to gather the learning, codify the fidelity and drive improvements as a learning organisation. The framework for the House Project has supporting evaluations from both Cambridge and York University. The Manchester project has been established and the model of GM collaboration enables Trafford to trial this approach on a smaller scale, sharing risk and reduces initial investment to test the effectiveness.

Care leaver provision within the LA falls in to the regulatory inspection frameworks conducted by Ofsted and whilst not an evaluation partner their feedback of local House Projects that they have inspected are positive.

"The House Project is an innovative and highly valued service that is making a significant difference for care leavers. The service helps young people to build confidence and to make friends for life, through preparation for independence & the provision of secure and affordable accommodation. Young people said to inspectors that being involved in the project makes them feel like they have a family" - Islington Ofsted report 2020

"Those care leavers who have additional needs benefit from involvement with the 'House project', which offers properties and intensive ongoing support to help them successfully maintain their tenancies" - Stoke-On-Trent Ofsted Monitoring visit - 2021

"When necessary, intensive support is provided, and some care leavers access a comprehensive pre- and post-tenancy training programme via the National House Project. The House project successfully supports young people to maintain their tenancies and live independently, which is valued by young people" - Warwickshire Ofsted report 2021

*Engaging in the GM House Project provides the opportunity to improve the outcomes of Trafford care experienced young people, address one aspect of our sufficiency challenges and create longer term savings as an alternative to externally commissioned placements and future tenancy breakdowns in adulthood*

It is recommended that Executive:

- Note the intention for Trafford Council to participate in the House Project;
- Approve the making of any necessary agreements with other local authorities for the placing of staff at the disposal of those other authorities in relation to the House Project;
- Delegate the ability to the Corporate Director for Children's Services to agree terms and conditions for the placement of Staff at the disposal of other Local Authorities in consultation with the Corporate Director for Governance and Community Strategy for the purposes of the House Project.

**Key Decision** (as defined in the Constitution): No

**If Key Decision, has 28-day notice been given?** N/A)

**Finance Officer Clearance** *(type in initials)*.....HZ.....

**Legal Officer Clearance** *(type in initials)*.....DS.....

A handwritten signature in purple ink, appearing to read "Jill McQueen", with a horizontal line underneath.

**CORPORATE DIRECTOR'S SIGNATURE**

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



## TRAFFORD COUNCIL

**Report to:** Executive  
**Date:** 28<sup>th</sup> February 2022  
**Report for:** For Decision  
**Report of:** Monitoring Officer

### Report Title

#### **Councillor Code of Conduct**

### Summary

This report provides members with details on the development of a new Councillor Code of Conduct for Trafford.

This report recommends a Councillor Code of Conduct for Trafford.

In accordance with the approval process set out in the Council's constitution:

- At the meeting of the Standards Committee held on the 15th December 2021 and at a meeting of the of the Scrutiny Committee on 7 February 2022, a report recommending a new Councillor Code of Conduct for Trafford was presented. Members considered and subsequently endorsed the proposed Trafford Councillor Code of Conduct for adoption by the Council; and
- In line with the Council's constitution, the Standard Committee and Scrutiny Committee considered the proposed Councillor Code of Conduct and subsequently agreed to recommend the Trafford Councillor Code of Conduct for adoption by the Council.

### Recommendation(s)

It is RECOMMENDED that Executive:

- a) Note the content of the report;
- b) Approves the Councillor Code of Conduct for Trafford; and
- c) Recommends the adoption of the Councillor Code of Conduct to the Council.

Contact person for access to background papers and further information:

Name: Dominique Sykes

## Implications:

Relationship to Policy Framework/Corporate Priorities	None
Relationship to GM Policy or Strategy Framework	None
Financial	None
Legal Implications:	<i>The legal implications are set out in the report</i>
Equality/Diversity Implications	None
Sustainability Implications	None
Carbon Reduction	None
Resource Implications e.g. Staffing / ICT / Assets	None
Risk Management Implications	None
Health & Wellbeing Implications	None
Health and Safety Implications	None

### 1.0 Executive Summary

- 1.1 All councils are required to have a local Councillor Code of Conduct. The Standards Committee is responsible for monitoring the Councillor Code of Conduct and for making recommendations to Full Council on any changes to the code
- 1.2 On 22 September 2021, the Standards Committee received a report which provided information regarding the LGA the Model Code of Conduct (“Model Code”) and associated guidance document and the report contained proposals to consult with interested parties in order to progress the development of a new code of conduct for Trafford, based on the Model Code.
- 1.3 In line with LGA guidance and the proposals set out in a further report to Standards Committee dated 25 March 2021, the Council undertook steps to consult with interested parties on the proposed adoption of the Model Code.
- 1.4 This report provides Members with an update following conclusion of the consultation exercise, details how the Model Code has been amended to include feedback received and proposes a Councillor Code of Conduct for Trafford (Appendix 1).
- 1.5 In accordance with the approval process set out in the Council’s constitution:
  - At the meeting of the Standards Committee held on the 15th December 2021 and at a meeting of the of the Scrutiny Committee on 7 February 2022, a report recommending a new Councillor Code of Conduct for Trafford was presented. Members considered and subsequently endorsed the proposed Trafford Councillor Code of Conduct for adoption by the Council; and



- In line with the Council's constitution, the Standard Committee and Scrutiny Committee considered the proposed Councillor Code of Conduct and subsequently agreed to recommend the Trafford Councillor Code of Conduct for adoption by the Council.

## **2.0 Trafford Council's current code of conduct**

- 2.1 Trafford Council's current Code of Conduct for Members was adopted by the Council on 19th September 2012 (and amended 25 November 2020). The code of conduct sets out the conduct expected of Members of the Council, both elected and co-opted.
- 2.2 At the time the Council's current Code of Conduct was developed Trafford took the lead for all GM authorities in drawing up the baseline Code of Conduct which was subsequently adopted across GM with some minor local variations.
- 2.3 The Council's current Code of Conduct was largely based on the Model Code of Conduct which was proposed by the LGA following the passing of the Localism Act in 2011.
- 2.4 The publication of the new Model Code and subsequent guidance by the LGA this year provided an excellent opportunity carry out an in-depth review of Trafford's current code of conduct.
- 2.5 A review of the Council's current code of conduct was necessary to ensure that the Council's code of conduct is fit for purpose, provides clarity on expected behaviours and manages and reflects public expectations. It was also important to ensure that the code of conduct reflects advances in technology, social media, case law and changes in legislation. In accordance with the Localism Act 2011, the Council has now reviewed its current code of conduct.

## **3.0 Consultation**

- 3.1 Area of Best Practice 3 from the Committee of Standards in Public Life suggests that authorities in reviewing their code of conduct should, where possible, seek the views of interested parties and members.
- 3.2 In terms of a GM position, there has been a varied response to the Model Code by the Greater Manchester authorities with none of the ten authorities having adopted the model code. Three (including Trafford) are progressing towards adoption with local amendments, two are awaiting the government's response to the CSPL recommendations prior to moving forwards, and the other five authorities are either in the early stages of considering the code or are yet to consider it.
- 3.3 In November 2021, Members, Parish Councillors and Standard Committee Members were invited to consider a draft Councillor Code of Conduct and provide feedback on whether it should be adopted as drafted or provide suggestions for amendments.
- 3.4 The responses received during the consultation exercise have been incorporated in to the table below alongside the Councils response to such feedback. The table also includes a summary of the amendments suggested by the LGA in their September 2021 review of the Model Code.

<u>Relevant Section from Draft Code of Conduct</u>	<u>Suggested Amendment/Proposed Solution</u>	<u>Response</u>
7.2b - use of Council resources	I am happy with the content, but perhaps add something specific about the purdah period during elections	Code amended at 7.2 to include pre-election reference.
9.1 - Register and disclosure of interests	I think that the draft covers this well and agree with the 28 day notification period. Would be a good idea however to have an annual requirement to declare interests	An annual requirement is not necessary as there is a 28 day requirement for all new/changes to interests – which is explained in the code. The introduction of an annual requirement may be misleading. No amendments proposed.
10 - I am happy with the whole of this section 10.2 Gifts and Hospitality over £50	I think that the estimated figure of £50 or over for the declaration of gifts and hospitality is about right	The code already contains a £50 value. Drafting to remain as is - This will result in a reduction from the current limit of £100.
4. Confidentiality and access to information	Make it clear that 4 i-v apply to both section 4 A and B.	Code amended at 4.1.1 to clarify wording application.
8.2 of the Guidance (not the Draft Code)	Albeit not in the code, the guidance will be a public document. In today's society I think threatening, someone's silence or none cooperation could provide an inference of guilt in an investigation feels overbearing/wrong!	Comments noted. Given that this wording is contained in the LGA's guidance document and not in the proposed Code, there are no steps to be taken. The LGA Guidance is out of scope but the Council will feed back the comment to the LGA at the next review opportunity presented by the LGA.
8. Protecting your reputation and the reputation of Trafford Council	Feels the word 'protection' looks to deceive rather than be open and fair	This relates to the section heading prior to section 9 of the code.  Wording amended to replace the word 'Protecting' with the word 'Preserving'
N/A	Include a section on Dispensations relating to declaration of Interests in line with the current Trafford Council Code of Conduct	Text added to Appendix B Paragraph 11 to confirm dispensations will be published on the Council website
<b><u>Amendments proposed by the LGA following and initial review of Model Code</u></b>		
Appendix B 7.2	The word 'authority' was missing	Already amended in draft code
Appendix B 8.2 c	<b>Original wording</b> c. a body included in those you need to disclose under Other Registrable Interests as set out in <b>Table 2</b>	Amended to - a financial interest or wellbeing of a body included under Other Registrable Interests as set out in <b>Table 2</b>

Appendix B 9	<b>Original wording</b> Where a matter <b><i>affects your</i></b> financial interest or well-being:	Removal of the word 'your' to make it clear it is any of the interests that apply.
<b>Other Local Amendments</b>		
Introduction	Wording has been included to link the development of the code to Best Practice recommendations and detail on those recommendations which are attached at Appendix C of the code	
Appendix B.11	Wording added to confirm that dispensations will be published on the Council's website.	

#### **4.0 Proposed Councillor Code of Conduct**

- 4.1 The proposed Councillor Code of Conduct is based on the LGA's Model Code and has been developed to include the local amendments detailed in section 3 of this report.
- 4.2 The proposed Councillor Code of Conduct is attached at Appendix 1 to the report.

#### **5.0 Proposed Next Steps**

- 5.1 If the proposed Councillor Code of Conduct is endorsed by the Executive the following steps are proposed to progress the adoption and implementation of the Councillor Code of Conduct for Trafford:
- the Councillor Code of Conduct will be submitted to Council on 23 Mar 2022 for final approval and adoption;
  - Once agreed by full Council, the Council's constitution will be amended to reflect the new Councillor Code of Conduct;
  - A training programme will be developed and delivered for all Councillors with a focus upon Executive Members and Councillors on decision making Committees receiving training before their first meetings after the new Code of Conduct is agreed by Council; and
  - Member induction training to be updated to reflect the new Code of Conduct.

#### **6.0 Other Options**

- 6.1 Retain our current Code of Conduct – but commence our own review and update any associated documents. This option is not seen as the best use of resources that the LGA has again taken a lead on this, consistent with the recommendations from the Committee for Standards in Public Life and the LGA have also indicated they will annually review the Code and provide guidance on interpretation

## **7.0 Reasons for Recommendation**

7.1 To ensure that the final adopted Code of Conduct for Councillors is fit for purpose, provides clarity on expected behaviours and manages and reflects public expectations

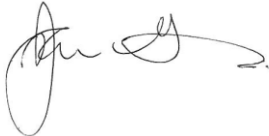
**Key Decision** (as defined in the Constitution): No  
**If Key Decision, has 28-day notice been given?** N/A

**Finance Officer Clearance** GB

**Legal Officer Clearance** DS

### **CORPORATE DIRECTOR'S SIGNATURE**

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

A handwritten signature in black ink, appearing to be 'J. Smith', written in a cursive style.

**TRAFFORD COUNCIL**  
**COUNCILLOR CODE OF CONDUCT**

**Introduction**

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role.

Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors. As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations. Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been developed in line with the Best Practice recommendations made by the Committee on Standards in Public Life in their report on the Local Government Ethical Standards (see Appendix C) and is designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

**Definitions**

For the purposes of this Code of Conduct, a "Councillor" means a member or co-opted member of Trafford Council or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority; and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "local authority" includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities,

economic prosperity boards, combined authorities and National Park authorities.

## **Purpose of the Code of Conduct**

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The Council encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

## **General principles of councillor conduct**

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#) (See Appendix A), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

## **Application of the Code of Conduct**

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would reasonably give the impression to a member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

The Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

### **Standards of councillor conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

### **General Conduct**

#### **1. Respect**

##### **As a councillor:**

**1.1 I treat other councillors and members of the public with respect.**

**1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the Protocol on Member/Officer Relations.

## **2. Bullying, harassment and**

**discrimination As a**

**councillor:**

**2.1 I do not bully any person.**

**2.2 I do not harass any person.**

**2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.



### **3. Impartiality of officers of the council**

**As a councillor:**

- 3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, Trafford Council.**

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

### **4. Confidentiality and access to information**

**As a councillor:**

**4.1 I do not disclose information:**

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature,**

**4.1.1 Where information is received in accordance with (a) or (b), it shall not be disclosed unless:**

- i. I have received the consent of a person authorised to give it;**
- ii. I am required by law to do so;**
- iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
- iv. the disclosure is:**
  - 1. reasonable and in the public interest; and**
  - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
  - 3. I have consulted the Monitoring Officer prior to its release.**

**4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.**

**4.3 I do not prevent anyone from getting information that they are entitled to by law.**

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by Trafford Council must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

**5. Disrepute**

**As a councillor:**

**5.1 I do not bring my role or Trafford Council into disrepute.**

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/the Council and may lower the public's confidence in you or the Councils ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the Council into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

**6. Use of position**

**As a councillor:**

**6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.**

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

**7. Use of local authority resources**

**and facilities As a councillor:**

**7.1 I do not misuse council resources and/or facilities.**

**7.2 I will, when using the resources and/or facilities of the local authority or authorising their use by others:**

- a. **act in accordance with Trafford Council’s requirements; and**
- b. **ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed; and**
- c. **ensure that I am aware of restrictions around the use of Council facilities and resources and act accordingly during the pre-election period.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the Council’s own policies regarding their use.

## **8. Complying with the Code of**

### **Conduct**

#### **As a Councillor:**

**8.1 I undertake Code of Conduct training provided by Trafford Council.**

**8.2 I cooperate with any Code of Conduct investigation and/or determination.**

**8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**

**8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the Council or its governance. If you do not

understand or are concerned about the Council's processes in handling a complaint you should raise this with your Monitoring Officer.

## **Upholding your reputation and the reputation of Trafford Council**

### **9. Interests**

#### **As a councillor:**

##### **9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority. You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

**Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1 of Appendix B**, is a criminal offence under the Localism Act 2011.

### **10. Gifts and**

#### **hospitality As**

#### **a councillor:**

**10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**

**10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.**

**10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

## **CODE OF CONDUCT APPENDICES**

### **Appendix A – The Seven Principles of Public Life**

The principles are:

#### **Selflessness**

Holders of public office should act solely in terms of the public interest.

#### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

#### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

#### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

#### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

#### **Honesty**

Holders of public office should be truthful.

## Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

### Appendix B Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

**"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

#### **Non participation in case of disclosable pecuniary interest**

4. Where a matter arises at a meeting which **directly relates** to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as an executive member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

### Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or well-being of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

### Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
  - a. your own financial interest or well-being;
  - b. a financial interest or well-being of a relative or close associate; or
  - c. a financial interest or well-being of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:

- a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b. a member of the public knowing all the facts would reasonably believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as an executive member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

#### Dispensations

11. In limited circumstances a dispensation may be granted to allow you to continue in discussions and vote on a matter provided the interest has been declared and where it is deemed to be in the public interest that you be allowed to do so. Where a dispensation is granted notice of such will be placed on the Council's website.

### Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain.
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.



<b>Contracts</b>	<p>Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council</p> <p>—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</p>
<b>Land and Property</b>	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
<b>Licenses</b>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<b>Corporate tenancies</b>	<p>Any tenancy where (to the councillor's knowledge)—</p> <ul style="list-style-type: none"> <li>) the landlord is the council; and</li> <li>) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</li> </ul>

<b>Securities</b>	<p>Any beneficial interest in securities* of a body where—</p> <p>) that body (to the councillor’s knowledge) has a place of business or land in the area of the council; and</p> <p>) either—</p> <p>) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class</p>
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\* *‘director’ includes a member of the committee of management of an industrial and provident society.*

\* *‘securities’ means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.*

**Table 2: Other Registrable Interests**

<p>You must register as an Other Registerable Interest :</p> <p>a) any unpaid directorships</p> <p>b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority</p> <p>c) any body</p> <p>(i) exercising functions of a public nature</p> <p>(ii) directed to charitable purposes or</p> <p>(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)</p>
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of which you are a member or in a position of general control or management

## Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

**Best practice 1:** Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

**Best practice 2:** Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

**Best practice 3:** Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

**Best practice 4:** An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

**Best practice 5:** Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

**Best practice 6:** Councils should publish a clear and straightforward public interest test against which allegations are filtered.

**Best practice 7:** Local authorities should have access to at least two Independent Persons.

**Best practice 8:** An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

**Best practice 9:** Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

**Best practice 10:** A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

**Best practice 11:** Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council, rather than the clerk in all but exceptional circumstances.

**Best practice 12:** Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

**Best practice 13:** A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

**Best practice 14:** Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

**Best practice 15:** Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.