

TRAFFORD BOROUGH COUNCIL

13 MARCH 2013

PRESENT

The Worshipful the Mayor (Councillor Mrs. Patricia Young), in the Chair.

D. Butt	Mrs. P. Dixon	K. Procter
D. Acton	A. Duffield	D. Quayle
S. Adshead	Mrs. L. Evans	J.R. Reilly
S. Anstee	T. Fishwick	Mrs. J. Reilly
Dr. K. Barclay	M. Freeman	B. Rigby
J. Baugh	P. Gratrix	T. Ross
J. Bennett	J. Harding	B. Sharp
Miss L. Blackburn	D. Higgins	B. Shaw
R. Bowker	J. Holden	J. Smith
C. Boyes	M. Hyman	E.W. Stennett
Mrs. A. Bruer-Morris	C. Hynes	S. Taylor
J. Brophy	D. Jarman	L. Walsh
B Brotherton	P. Lally	Mrs. V. Ward
D. Bunting	J. Lamb	A. Western
R Chilton	J. Lloyd	D. Western
M. Colledge	E.H. Malik	K. Weston
Mrs. L. Cooke	A. Mitchell	M. Whetton
M. Cordingley	P. Myers	Mrs. J. Wilkinson
M. Cornes	D. O'Sullivan	A. Williams
J. Coupe	I. Platt	M. Young

In attendance

Chief Executive	Ms. T. Grant
Corporate Director Children and Young People's Service	Mrs. D. Brownlee
Corporate Director Economic Growth & Prosperity	Mrs. H. Jones
Corporate Director Transformation and Resources	Mrs. W. Marston
Director of Human Resources	Ms. J. Hyde
Acting Director of Legal and Democratic Services	Ms. J. Le Fevre
Senior Director of Environment	Mr. P. Harvey
Head of Workforce and Core Strategy	Ms. L. Hooley
Democratic Services Manager	Mr. P. Forrester
Democratic Services Officer	Mr. I. Cockill

APOLOGIES

Apologies for absence were received from Councillors C. Candish and N. Taylor.

75. MINUTES

That the Minutes of the Meeting of the Council held on 20 February 2013, be approved as a correct record and signed by the Chairman.

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76. QUESTIONS BY MEMBERS

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

[Note: Prior to their consideration, the Mayor indicated that Members asking and responding to a question would be limited to a maximum of two minutes each, with a further maximum of one minute respectively for a supplementary question.]

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

"This week is National Apprentices Week. Could I ask the Chairman of the Employment Committee if this Council is actively supporting apprenticeships and if so to what extent?"

Responding to the question, Councillor Rigby, Chairman of Employment Committee, informed Members that the Council actively supported Trafford residents into employment, launching an apprenticeship scheme in July 2011. Since then 62 apprentices had started work and 5 had secured permanent positions, one of whom Liam Baum had been named Apprentice of the Year 2012 by Trafford College. Councillor Rigby also provided statistical information in respect of the priority groups for recruitment and advised of work being undertaken with local businesses and parents to encourage new opportunities.

- (b) Councillor Mrs. Wilkinson asked the following question for which she had given notice:

"Can the Executive Member for Transformation and Resources provide details of any improvements planned in our library service in the near future?"

In response, the Executive Member, Councillor Williams referred the Council to a recent decision of the Executive on 4 March 2013 which sought to protect front line services despite budgetary pressures and included the extended use of volunteers across all Trafford libraries. The Executive Member reported on the introduction of the new 'Spydus' library management system and advised of its benefits which included: text and email notifications for new loans and returns; book reviews and recommendations by users; and access to out of borough libraries using the same system. Councillor Williams indicated that Spydus was cheaper than the existing system and would go live on 25 March 2013.

77. HEALTH AND SOCIAL CARE ACT 2012 - CONSTITUTIONAL CHANGES

The Acting Director of Legal and Democratic Services submitted a report advising of the changes to the Council's Constitution required as a result of changes arising from the Health and Social Care Act 2012 that take effect from 1 April 2013. The report referred to changes relating to the transfer of the public health function to the Council, the formal establishment of the Health and Wellbeing Board and revisions to health scrutiny regulations.

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Further to the report's recommendations, the Leader of the Council consented to a request from the Opposition Group Leader's for further discussion concerning the political membership of the Health and Wellbeing Board.

RESOLVED -

- (1) That the Council notes the transfer of the Public Health function pursuant to the Health and Social Care Act 2012, along with related staff to the Local Authority with effect from 1 April 2013.
- (2) That the Council establish a Health and Wellbeing Board with the membership and terms of reference as set out in the report with effect from 1 April 2013.
- (3) That the Council membership of the Health and Wellbeing Board, as nominated by the Leader of the Council, be agreed.
- (4) That a meeting of the Political Group Leaders be held to discuss, in more detail, the composition of the Health and Wellbeing Board and if necessary, determine future political entitlements for recommendation to the Council.
- (5) That the Council confirms that, with effect from 1 April 2013, responsibility for the scrutiny of health services continue to be discharged by the Health Scrutiny Committee and that the arrangements agreed by the Council at its meetings held on 23 May and 19 September 2012 (Minute numbers 11 and 40 refer), be retained.
- (6) That Council authorises the Acting Director of Legal and Democratic Services to make the necessary changes to the constitution in relation to:
 - (a) the transfer of the Public Health function;
 - (b) the establishment of the Health and Wellbeing Board; and
 - (c) health scrutiny arrangements.

78. ADOPTION OF NEW BYELAWS TO REGULATE THE PRACTICE OF ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN-COLOURING, COSMETIC PIERCING AND ELECTROLYSIS.

The Executive Member for Highways and Environment submitted a report proposing the adoption of new byelaws relating to the practice of acupuncture and the business of tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis. The proposed byelaws specified standards of cleanliness of premises, fittings and operators, together with the appropriate cleaning arrangements for instruments, materials and equipment, so as to protect customers from the risk of disease and would update and extend byelaws previously made by the Council in 1987.

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- (1) That Sections 14 – 17 of the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Local Government Act 2003 to include the regulation of cosmetic piercing and semi-permanent skin-colouring businesses, shall apply to the Borough from 13 May 2013.
- (2) That the Council:
 - (a) adopts the new byelaws covering acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis;
 - (b) authorises the affixing of the common seal to the new byelaws and;
 - (c) authorises the Chief Executive to carry out the necessary procedures in affixing the seal, publicising the Council's intention to apply for confirmation of the byelaws by the Secretary of State for Health, and subsequently applying for confirmation of the new byelaws.
- (3) That, subject to the Secretary of State for Health confirming the new byelaws, the Council will revoke the existing byelaws relating to acupuncture, tattooing, ear piercing and electrolysis which are dated 27 July 1987 and which were confirmed by the Secretary of State for Social Services on 13 January 1988.
- (4) That the fees to be charged for registration under the new byelaws be set in line with the fees currently charged under the existing byelaws.

79. GREATER MANCHESTER JOINT MINERALS DEVELOPMENT PLAN DOCUMENT (JMDPD): INSPECTOR'S REPORT AND ADOPTION

The Executive Member for Economic Growth and Prosperity submitted a report seeking the adoption of the joint Development Plan Document covering planning for minerals, following a series of public consultations and submission to the Secretary of State in November 2011 for Examination. The Examination hearing sessions took place over two days during February 2012 and an additional session in November 2012 and the Inspector had now confirmed the soundness of the Submission Plan, subject to a modest number of changes.

RESOLVED –

- (1) That the Council notes the publication of the Inspector's Report on the Greater Manchester Joint Minerals Development Plan Document.
- (2) That the Greater Manchester Joint Minerals Development Plan Document, together with consequential changes to the Trafford Local Plan Policies Map, be adopted and brought into force on 26 April 2013.

80. MOTIONS

The Mayor informed Members that 7 Motions had been submitted in accordance with Procedure Rule 11.

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[Note: In view of the amount of business to be transacted and having consulted with the Group Leaders, the Mayor indicated that each Motion would be allocated an equal amount of time with the speaking rights being: a maximum of three minutes each for moving, seconding, the right of reply and 2 opposing Members; and a maximum of two minutes each for all other speakers.]

(a) Motion submitted by the Labour Group – Locality Boards

It was moved and seconded that:

“This Council is mindful of increasing disquiet from Trafford's community groups and panels regarding the format, membership and responsibilities to be delegated to new Locality Boards being introduced by the Trafford Strategic Partnership from April 2013.

This Council is also concerned that existing representative bodies such as Town or Parish Councils and many Elected Members are being excluded in this new model. It is also concerning that there doesn't appear to be a commitment for all the Locality Partnerships to be held in open public session. There are real concerns also that there are no defined funding streams which will enable the Partnership Boards to operate effectively.

This Council therefore calls for a temporary halt on the introduction of the Locality Partnership Boards until such time that the community concerns and Parish Council concerns and technical / democratic / financial issues are fully address to the satisfaction of all Members of this Council, and that a report be brought back to Council at the next full Council which addresses all of these concerns.”

[Note: During the debate on the Motion, the time being 7.39 p.m., the Mayor indicated that, with the exception of the Member with the right of reply, all remaining speakers on this item would now be restricted to a maximum of one minute each.]

Following the debate, the Motion was put to the vote and declared lost.

(b) Motion submitted by the Labour Group – Fire Service

[Note: As Chairman of the Greater Manchester Fire and Rescue Service, Councillor Acton declared a personal interest in this item and remained in the meeting during consideration of the matter.]

It was moved and seconded that:

“This Council has deep concern with regard to the letter sent out by Brandon Lewis, Communities and Local Government Parliamentary Under Secretary (Minister for Fire and Rescue Service) where he promotes a proposal to enable Fire and Rescue Authorities to contract out the full range of their services to a suitable provider, including a public service mutual.

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Clearly if this became law it would open the doors for the privatisation of the Fire and Rescue Service. We should not be introducing the profit motive into our emergency services. We pay tribute to the bravery and sacrifice of those on the front line, shareholder dividends have no place in that covenant.

In light of the above this Council calls on the Government to abandon any plans to privatise our Fire and Rescue Services now and in the future.”

In putting the Motion to the vote after the debate, a recorded vote was called for, in accordance with Procedure Rule 16.5. This resulted as follows:

Those in favour of the Motion: Councillors Acton, Adshead, Baugh, Bennett, Brotherton, Cordingley, Duffield, Freeman, Gratrix, Harding, Hynes, Jarman, Lloyd, Malik, O’Sullivan, Platt, Procter, Quayle, Ross, Smith, Stennett, S. Taylor, Walsh, A. Western and D. Western.

Those against the Motion: Councillors Anstee, Dr. Barclay, Miss Blackburn, Boyes, Mrs. Bruer-Morris, Bunting, Butt, Chilton, Colledge, Mrs. Cooke, Cornes, Coupe, Mrs. Dixon, Mrs. Evans, Higgins, Holden, Hyman, Lally, Lamb, Mitchell, Myers, J.R. Reilly, Mrs. Reilly, Rigby, Sharp, Shaw, Mrs. Ward, Weston, Whetton, Mrs. Wikinson, Williams and M. Young.

Those abstaining from voting: Councillors Bowker, Mrs. Brophy and Fishwick.

With the result of the vote being 25 in favour and 32 against, with 3 abstentions, the Motion was declared lost.

(c) Motion submitted by the Labour Group – Mersey Valley

[Note: Councillors Freeman and Gratrix declared personal interests in this item being members of the Mersey Valley Joint Committee and remained in the meeting during consideration of the matter. In addition, Councillor A. Western, an employee of the engineering consultancy undertaking work for the Metrolink system, also declared a personal interest in this item and remained in the meeting during its consideration.]

It was moved and seconded that:

“On 5 December 2011 the following resolution was made by this Council:

‘That in light of public concern with regard to the deterioration of Sale Water Park and its environment, we call on the Council to continue a wide ranging review of its existing maintenance and management of the Water Park, with a view to implementing a significant maintenance improvement for Sale Water Park’.

There continues to be very considerable public concern at the continued deterioration of the Water Park and lack of investment designed to improve the facilities and environment currently exacerbated by the works being

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carried out to extend the Metrolink system and this Council's announcement at the budget council meeting of their intention to cease contribution to the Mersey Valley Partnership from 2014 to save £117,000 and Groundforce cuts of £1.2 million over the next two years which includes the loss of 10 members of the Groundforce staff .

It is quite clear the resolution agreed by this body on 5 December 2011 has not led to significant visual maintenance improvements and that unless urgent action is taken to remedy this, longer term the Council will face substantial costs to address maintenance issues impacting upon public health and safety.

We therefore call on the Council, in the interests of all Sale Water Park users and visitors, to put right the broken promises of December 2011 and publish plans detailing the action that will be taken to ensure Sale Water Park and the surrounding Mersey Valley is protected for the benefit of Trafford residents and visitors from outside the area."

It was moved and seconded as an amendment that:

"On 5 December 2011 the following resolution was made by this Council:

'That in light of public concern with regard to the deterioration of Sale Water Park and its environment, we call on the Council to continue a wide ranging review of its existing maintenance and management of the Water Park, with a view to implementing a significant maintenance improvement for Sale Water Park'.

There is continuing public concern at the possibility of continued deterioration of the Water Park and lack of investment designed to improve the facilities and environment (currently exacerbated by the works being carried out to extend the Metrolink system) and this Council's announcement at the budget council meeting of their intention to cease contribution to the Mersey Valley Partnership from 2014 to save £117,000 following the huge reduction in services provided by the wardens after the slash and burn tactics of Labour controlled Manchester when they disposed of 3 of the 4 individuals who had worked on the Trafford side of the river as part of the partnership deal.

It is quite clear the resolution agreed by this body on 5 December 2011 has not yet led to significant visible maintenance improvements. However, after protracted negotiations with Manchester City Council failed to find a sustainable solution to the areas problems, Trafford Council is now actively pursuing a new working model working with third parties similar to that developed within the Parks.

We therefore call on the Council, in the interests of all Sale Water Park users and visitors, to continue to work towards fulfilling the promises of December 2011 and where possible publish plans detailing the action that will be taken to ensure Sale Water Park and the surrounding Mersey Valley is protected for the benefit of Trafford residents and visitors from outside the area."

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

RESOLVED: That on 5 December 2011 the following resolution was made by this Council:

‘That in light of public concern with regard to the deterioration of Sale Water Park and its environment, we call on the Council to continue a wide ranging review of its existing maintenance and management of the Water Park, with a view to implementing a significant maintenance improvement for Sale Water Park’.

There is continuing public concern at the possibility of continued deterioration of the Water Park and lack of investment designed to improve the facilities and environment (currently exacerbated by the works being carried out to extend the Metrolink system) and this Council’s announcement at the budget council meeting of their intention to cease contribution to the Mersey Valley Partnership from 2014 to save £117,000 following the huge reduction in services provided by the wardens after the slash and burn tactics of Labour controlled Manchester when they disposed of 3 of the 4 individuals who had worked on the Trafford side of the river as part of the partnership deal.

It is quite clear the resolution agreed by this body on 5 December 2011 has not yet led to significant visible maintenance improvements. However, after protracted negotiations with Manchester City Council failed to find a sustainable solution to the areas problems, Trafford Council is now actively pursuing a new working model working with third parties similar to that developed within the Parks.

We therefore call on the Council, in the interests of all Sale Water Park users and visitors, to continue to work towards fulfilling the promises of December 2011 and where possible publish plans detailing the action that will be taken to ensure Sale Water Park and the surrounding Mersey Valley is protected for the benefit of Trafford residents and visitors from outside the area.

- (d) Motion submitted by the Conservative Group – Grammar and High School System

It was moved and seconded that:

“This Council recognises the considerable dedication and achievement of the teachers and pupils in Trafford’s schools culminating in a Grammar and High School system which is ranked one of the best in the country for academic achievement. As such Trafford’s primary school pupils are fortunate in being able to choose from excellent high and grammar schools.

This Council believes that all children should be given an equal footing, regardless of which primary school they come from, to enter the school of

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their choice. Furthermore the ability to obtain a place at a grammar school should not be determined by parents' ability to pay for specialist coaching.

Therefore this Council agrees to support primary schools that wish to provide the option (outside of the normal curriculum) of familiarisation with local grammar school entrance exams, for those children who seek a grammar school place. This Council agrees to offer advice and guidance to those schools that may wish to offer familiarisation to their pupils on this basis.”

Following a debate on the matter, the Motion was agreed with the unanimous consent of the Council.

RESOLVED: That this Council recognises the considerable dedication and achievement of the teachers and pupils in Trafford's schools culminating in a Grammar and High School system which is ranked one of the best in the country for academic achievement. As such Trafford's primary school pupils are fortunate in being able to choose from excellent high and grammar schools.

This Council believes that all children should be given an equal footing, regardless of which primary school they come from, to enter the school of their choice. Furthermore the ability to obtain a place at a grammar school should not be determined by parents' ability to pay for specialist coaching.

Therefore this Council agrees to support primary schools that wish to provide the option (outside of the normal curriculum) of familiarisation with local grammar school entrance exams, for those children who seek a grammar school place. This Council agrees to offer advice and guidance to those schools that may wish to offer familiarisation to their pupils on this basis.

(e) Motion submitted by the Conservative Group – New Health Deal for Trafford

[Note: Councillor Myers declared a personal interest in this item given that his business was contracted to provide services in the NHS and remained in the meeting during consideration of the matter. In addition, as her company was a consultancy in the NHS, Councillor Mrs. Cooke also declared a personal interest in this item and remained in the meeting during its consideration.]

It was moved and seconded that:

“This Council notes that the Secretary of State for Health, Jeremy Hunt MP, has recently asked the Independent Reconfiguration Panel (IRP) to conduct an initial review of the referral by the Joint Health Scrutiny Committee of the New Health Deal for Trafford proposals.

This Council considers that, to ensure that local residents' and Health Scrutiny's views are fully considered, a full review of the proposals is required. This Council also believes, in view of the sensitivities around the proposal, that there should be no delay in setting up and determining the review.”

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[Note: During the debate on the Motion, the time being 8.51 p.m., the Mayor indicated that all remaining speakers on this item would now be restricted to a maximum of two minutes each.]

On completion of the debate on the matter, the Motion was agreed with the unanimous consent of the Council.

The Motion was put to the vote and declared carried.

RESOLVED: That this Council notes that the Secretary of State for Health, Jeremy Hunt MP, has recently asked the Independent Reconfiguration Panel (IRP) to conduct an initial review of the referral by the Joint Health Scrutiny Committee of the New Health Deal for Trafford proposals.

This Council considers that, to ensure that local residents' and Health Scrutiny's views are fully considered, a full review of the proposals is required. This Council also believes, in view of the sensitivities around the proposal, that there should be no delay in setting up and determining the review.

(f) Motion submitted by the Labour Group – The Welfare Reform Act

It was moved and seconded that:

“This Council is concerned that:

The Welfare Reform Act will have devastating consequences on Trafford residents, increasing poverty, uprooting families, disrupting communities and taking millions of pounds out of the local economy.

We further note that:

The Housing Benefit rules on under occupancy and the introduction of Universal Credit will have a massive impact on social housing providers, cutting the amount of money they have to invest in homes and services to tenants.

Council commends the work that has been done so far by registered social housing providers, the Revenue and Benefits Service, voluntary, resident and community organisations to identify potential problems and raise awareness in those tenants who will be affected.

Council calls for this work to continue.

The Council:

- Calls on the Coalition Government to withdraw these punitive and short-sighted plans.

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- Calls on Trafford Tories to stand up for Trafford people and join us in the call to withdraw these reforms.
- Asks the Chief Executive through the executive and scrutiny process to report back to Council regularly on the anticipated impact of these changes and what further action is being taken to alleviate the pressure on affected households.”

[Note: During the debate on the Motion, the time being 9.05 p.m., the Mayor indicated that all remaining speakers on this item would now be permitted a maximum of three minutes each.]

At the conclusion of the debate, the Motion was put to the vote and declared lost.

(g) Motion submitted by the Labour Group – Nursing Staff Numbers

[Note: Councillor Mrs. Bruer-Morris declared a personal interest in this item as a nurse working in the NHS and remained in the meeting during consideration of the matter.]

It was moved and seconded that:

“This Council is extremely concerned about the falling number of nursing staff and nursing training places. As more and more nurses are lost it is becoming increasingly urgent that the Government take immediate action to address this growing crisis. This trend must be reversed if the Government is to respond to the recommendations of the Francis inquiry. Should this trend continue we are set to lose 12,000 nurses over the course of this parliament, the biggest impact being felt in A&E departments and with the care of the frail and elderly. This will continue to impact adversely on Trafford residents and across the Country if the Government do not change course.

This Council calls for immediate intervention from Government to halt this worrying downward trend in nurse numbers to ensure patient care and safety is at the heart of our NHS.”

[Note: During the debate on the Motion, the time being 9.20 p.m., the Mayor indicated that all remaining speakers on this item would now be restricted to a maximum of two minutes each.]

At the conclusion of the debate, the Motion was put to the vote and declared lost.

The meeting commenced at 7.04 p.m. and finished at 9.20 p.m.