

TRAFFORD BOROUGH COUNCIL

29 NOVEMBER 2017

PRESENT

The Worshipful the Mayor (Councillor Jonathan Coupe), in the Chair.

T. Ross (Deputy Mayor)	M. Cornes	D. O'Sullivan
D. Acton	Mrs. L. Evans	K. Procter
S. Adshead	N. Evans	Mrs. J. Reilly
S.B. Anstee	T. Fishwick	B. Rigby
S.K. Anstee	M. Freeman	B. Sharp
Dr. K. Barclay	P. Gratrix	B. Shaw
J. Baugh	Mrs. D.L. Haddad	E.W. Stennett
Miss L. Blackburn	J. Harding	S. Taylor
R. Bowker	J. Holden	L. Walsh
C. Boyes	D. Hopps	Mrs. V. Ward
Mrs. A. Bruer-Morris	M. Hyman	A. Western
Mrs. J.E. Brophy	C. Hynes	D. Western
B. Brotherton	D. Jarman	M. Whetton
D. Bunting	P. Lally	A.M. Whyte
D. Butt	J. Lamb	A.J. Williams
K. Carter	J. Lloyd	A.P. Williams
M. Cawdrey	A. Mitchell	J.A. Wright
R. Chilton	P. Myers	M. Young

In attendance

Chief Executive	Ms. T. Grant
Corporate Director Children, Families and Wellbeing	Ms. J. Colbert
Corporate Director Economic Growth, Environment and Infrastructure	Ms. S. Pearson
Director of Legal and Democratic Services	Ms. J. Kealey
Chief Finance Officer	Ms. N. Bishop
Head of Governance	Mr. P. Forrester
Senior Democratic and Scrutiny Officer	Mr. I. Cockill

APOLOGIES

Apologies for absence were received from Councillors J. Bennett, M. Cordingley, Mrs. P. Dixon, A. Duffield, E. Malik, J.R. Reilly, M. Sephton and Mrs. P. Young.

43. MINUTES

That the Minutes of the Meeting of the Council held on 11 October 2017, be approved as a correct record and signed by the Chairman.

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44. ANNOUNCEMENTS

(a) Royal Engagement

The Mayor conveyed the Council's congratulations to Prince Harry and Meghan Markle on their recent engagement and indicated that he would write to formally communicate the Council's good wishes.

(b) Employer Supported Policing Award

The Leader of the Council informed the Council that Trafford had been awarded the Lord Ferrers award for Employer Supported Policing for aiding Council employees to volunteer as Special Constables and in recognition of the continued support of Council Tax exemptions for volunteers that live and work in the Borough. The Leader was pleased that the efforts of the Council were recognised at a ceremony held on 28 November 2017, presided over by the Home Secretary and attended by Councillor Mrs. Evans, Executive Member for Communities and Partnerships.

(c) Scrutiny Committee Update

Councillor Michael Young, Chairman of Scrutiny Committee provided the Council with an update on the Committees work.

Members were reminded that the upcoming Budget Scrutiny working group session would commence at 6.00 p.m. on 5 December 2017.

Trafford had hosted the Strategic Scrutiny Network meeting on 23 November 2017 which was attended by approximately 20 delegates from across the region.

Scrutiny Committee had considered the Call In of the decision regarding a Pilot for Enhanced Littering and Alleyway Dumping Enforcement in Old Trafford and the Wider Stretford Locality. Although it did not feel the need to refer the decision back to the Executive, the Committee believed it would have been advantageous to have included the additional information in the original report, which may possibly have prevented the call in and in addition, it would have been courteous to inform Ward Members before the decision was taken.

(d) Health Scrutiny Committee Update

Councillor Harding, Chairman of Health Scrutiny Committee updated the Council on activity since the last Council meeting.

The Committee continued to receive updates on the Single Hospital Service and Councillor Harding looked forward to a sustained and thriving health economy in Trafford's acute sector.

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The response from the Care Quality Commission Inspection of Adult Social Care, which focused particularly on Delayed Transfers of Care within Trafford, was expected the next week and the findings would eventually be presented to the Committee.

Task and Finish Group work was continuing on the Loneliness issue and the integration of Trafford Health and Social Care was a large piece of work for April 2018 which Health Scrutiny Committee would continue to monitor.

45. QUESTIONS BY MEMBERS

The Mayor reported that 5 questions had been received under Procedure Rule 10.2.

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

“Governing Bodies of Trafford Community Schools are being asked to adopt the Trafford Educational Services Policies on Staff Pay and Conditions and the Staff Code of Conduct. Can the Executive Member please explain why Governing Bodies of Community Schools that do not subscribe to the Service Level Agreement for Trafford Human Resources Services are being denied access to these Policies?”

Councillor Whetton, the Executive Member for Children and Families advised that the autonomy now provided to school governing bodies and school principals meant that schools had the option to buy Human Resources (HR) consultancy services from the Council or alternatively to procure from an external service provider. Those schools that decided not to purchase the Council service would not be provided access to the recommended model policies and procedures contained in the HR toolkit, whilst schools that had recently taken the decision to change their HR provider away from the Council, would not have access to any revisions or new policies that had been developed by the HR consultancy service and would need to seek advice from their new provider.

Councillor Freeman enquired through a supplementary question whether the Executive Member agreed that, since HR policies were consulted upon with the trade unions and as Community Schools also paid into the community levy, it was discriminatory to deny staff access to the policies. Councillor Whetton did not accept that there was discrimination if the school moved away from the Council to go with another provider and confirmed that the Council would welcome back any school with concerns with an appropriate service level agreement.

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

“Please would the relevant Executive Member of Trafford Council confirm how many unemployed people there are in Trafford and what areas of the Borough they are distributed in?”

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Councillor Hopps, the Executive Member for Housing and Strategic Planning advised that the most up to date Office of National Statistics and unemployment data showed that there were 4300 unemployed people in Trafford in July 2017 which equated to an overall unemployment rate of 3.5% and compared to a Greater Manchester average of 7.5% and a United Kingdom average of 4.4%. Unfortunately, a full breakdown by ward was not available, however, a ward by ward analysis was available for those claiming Job Seekers Allowance and Universal Credit which was a total of 2435. The rates ranged from 3.4% of the adult working population in the Bucklow St. Martins and Clifford Wards to 0.5% of the adult working population in Timperley and the Executive Member was happy to share a full analysis by email.

Referring to the Annual Delivery Plan and the objective for full employment across all Trafford, Councillor Mrs. Brophy asked as a supplementary question why a higher target was being set for the next year compared to the last, given this had not been achieved. In response, Councillor Hopps asked whether Councillor Mrs. Brophy could provide him with the details in writing to enable him to investigate and provide a full response.

- (c) Councillor Adshead asked the following question, the first of two questions for which he had given notice:

“Given continuing problems with services provided by Amey, the latest being the leaf clearance programme in which virtually the whole of Stretford ward was missed off, and most likely other areas of the Borough. Many of the problems appeared to be attributed to the use of, and reliance upon the continuing use of agency staff, could the Executive Member therefore comment on the numbers of agency staff employed as against staff employed by Amey direct and indeed the quality of these agencies involved i.e. would these agencies be ones that Trafford Council would recommend?”

In the absence of Councillor John Reilly, Executive Member for Highways, Parks and Environmental Services who became unwell before the meeting his Deputy, Councillor Shaw assured Councillor Adshead that a written response would be provided to him at the earliest convenience.

- (d) Councillor Adshead asked the following question, the second of two questions, for which he had given notice:

“Again this year we have had problems with the weed spraying programme both in the early part of the summer and indeed the late summer part of the programme, indeed we have photos of weeds growing almost as big as myself, and our town centres as well as residential areas were covered in weeds like I have never seen before therefore please could the Executive Member inform Council when the second part of the programme was actually carried out?”

Councillor Shaw, Deputy Executive Member for Highways, Parks and Environmental Services confirmed that the initial weed spraying programme was undertaken June to September but unfortunately poor weather conditions

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impacted and delayed the second treatment which started in October and continued until the early frosts in November. Wards that received the second treatment were those that were treated in June and included Brooklands, Clifford, Gorse Hill, Longford, St. Mary's, Stretford and Urmston.

Appreciating that weather was a factor, Councillor Adshead asked as a supplementary question how monitoring could be improved to ensure that the programme is a success. In response, Councillor Shaw provided an assurance that next year's programme would be monitored.

(e) Councillor O'Sullivan asked the following question for which she had given notice:

"Lighting a wood stove in your home is like starting up your own toxic incinerator and people should have as much protection from wood smoke as they do from cigarette smoke,

There are several reasons to ban wood stove burners such as, burning 10 lbs of wood for one hour release as much PAH's (Polycyclic Aromatic Hydrocarbons) as 6,000 cigarettes, wood smoke is the third largest source of Dioxins, one of the most toxic components known to Science, Wood smoke penetrates homes of neighbours creating concentrations as up to 88% as high as outdoor air, and the very small particles omitted make them 7 time more likely to be inhaled than other particulate pollution.

As there is so much evidence available now regarding the toxicity of wood stove burners and the effect on human health how are the Council monitoring and are there any plans to ban them?"

In the absence of Councillor John Reilly, Executive Member for Highways, Parks and Environmental Services, Councillor Hopps, the Executive Member for Housing and Strategic Planning explained that as Councillor O'Sullivan may have been aware, Trafford was a designated Smoke Control Area, however, certain fuels and appliances, including domestic wood burning appliances, had been approved by the government for use within such areas. The Council's Pollution team dealt with complaints concerning smoke emissions and would take appropriate enforcement action should the appliance or fuel be found to be non-compliant. For the installation of new solid fuel burners, buildings regulation approval was required unless the appliance was installed by a certified engineer. With national legislation in the place to control emissions from solid fuel burners, the Council currently had no plans to prohibit their use. The legislation in force also ensured that the impact of non-compliant fuel burners was kept to a minimum.

Councillor O'Sullivan asked as a supplementary question, given the perceived dangers of emissions from wood stove burners, whether Trafford could pioneer an approach and introduce a complete ban. Councillor Hopps was not averse to exploring the issue with officers in Regulatory Services but reiterated that the Council did operate within the national legislation to control emissions.

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46. MEMBERSHIP OF COMMITTEES

RESOLVED: That the Council notes the following change to the Membership of Committees, as agreed by the Chief Executive under delegated authority:

Councillor Cornes appointed, with effect from 18 October 2017, as a replacement for former Councillor Smith on the Planning and Development Management Committee.

47. REGISTRATION OF COUNCILLORS AS DATA CONTROLLERS

The Corporate Director of Transformation and Resources submitted a report on the registration of Councillors as data controllers and the respective recommendation from the Standards Committee meeting held on 26 October 2017.

RESOLVED: That the Council recommends to all its Members that they should register as Data Controllers and that each fee for individual registration should be met from Council funds.

48. CONSULTATION – DISQUALIFICATION CRITERIA FOR COUNCILLORS AND MAYORS

The Corporate Director of Transformation and Resources submitted a report on the Department of Communities and Local Government's consultation on proposed new rules for the disqualification of certain individuals from standing for or holding office as a member of a council or as a mayor. Standards Committee had considered the consultation document and recommended that its response, as set out in the report, was accepted as the response from the Council as a whole.

RESOLVED: That the response recommended by Standards Committee on 26 October 2017 is adopted by the Council and be submitted to the DCLG by the Monitoring Officer.

49. INTERIM AMENDMENT OF THE COUNCIL'S CONTRACT PROCEDURE RULES TO PERMIT IMPLEMENTATION OF A RISK-BASED SOURCING TRIAL

The Chief Finance Officer and Director of Stockport, Trafford and Rochdale (STaR) Procurement Service submitted a report advising on the risk-based sourcing approach and setting out the interim amendments required to the Council's Contract Procedure Rules (CPRs). The report also detailed the longer term plan for permanent changes to the CPRs.

RESOLVED: That the interim changes to the Council's CPRs, as set out in Section 2.3 of the report, be approved.

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50. COUNCIL TAX SUPPORT SCHEME FOR 2018/19 - PROPOSED CHANGES FOR CARE LEAVERS, THOSE IN RECEIPT OF UNIVERSAL CREDIT (UC) AND COMPANY DIRECTORS

The Executive Member for Corporate Resources submitted a report which summarised the current Council Tax Support Scheme and the proposed changes which would ensure that:

- Care Leavers, where a Council acts as the corporate parent, do not have to pay Council Tax up to their 25th birthday;
- UC claimants' start dates were aligned with Council Tax Support start dates; and
- Company Directors would be treated in the same way as self-employed claimants to ensure a fair and consistent approach.

The report also summarised the feedback from the consultation which had been undertaken on the changes and the Executive had recommended the proposed changes to Council for approval.

RESOLVED - That the proposed changes to the Council Tax Support scheme for 2018/19, as recommended by the Executive on 27 November 2017, be approved.

51. ALTRINCHAM NEIGHBOURHOOD BUSINESS PLAN

The Executive Member for Housing and Strategic Planning submitted a report which provided a summary of the outcome of the residential and business referendums which were held on 19 October 2017, in relation to the Altrincham Town Centre Neighbourhood Business Plan (ATCNBP). The report also set out the steps the Council needed to take in relation to the ATCNBP and the status that the ATCNBP would have following its adoption.

RESOLVED -

- (1) That the Council adopts the ATCNBP as part of the Development Plan for Trafford, pursuant to the provisions of section 38 (A) (4) of the Planning and Compulsory Purchase Act 2004.
- (2) That, in line with the Neighbourhood Planning Regulations, the decision statement set out at Appendix 3 to the report and the ATCNBP, be published on the Council's website and brought to the attention of people who live, work or carry out business in the neighbourhood area.
- (3) That, in line with the Neighbourhood Planning Regulations, the decision statement and details of how to view the ATCNBP be sent to the qualifying body (the Altrincham Town Centre Neighbourhood Business Forum) and any person who asked to be notified of the decision.

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52. MOTION SUBMITTED BY THE CONSERVATIVE GROUP - BROADHEATH COMMUNITY HUB

It was moved and seconded that:

“Council notes it was recently confirmed that contracts had exchanged on a new community centre, restaurant and nursery in Broadheath.

The Council is therefore pleased to see that building work on this exciting and welcome community hub has started and places on record its thanks to all parties involved for their determination and tenacity in making this project a reality.

Council wishes to place on record its appreciation and recognise the dedication shown by Broadheath Community Association, the National Trust, developers, Councillors and residents alike, working together to ensure this exciting project has begun.

Council further supports the notion that development activity across the borough is positively contributing to improved public realm, new community facilities, green spaces and town centre regeneration as Section 106 and Community Infrastructure Levy (CIL) contributions are received and shows a demonstrable link between good development and an improved community offering.”

Following speeches in support, the Motion was agreed unanimously by the Council.

RESOLVED: That Council notes it was recently confirmed that contracts had exchanged on a new community centre, restaurant and nursery in Broadheath.

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53. MOTION SUBMITTED BY THE LABOUR GROUP - GREEN BELT LAND AT FLIXTON

(Note: With the consent of the Council, Councillor Andrew Western altered the Motion for which notice had been given, with additional text after the word 'Flixton' in the first sentence.)

It was moved and seconded that:

“This Council notes changes put forward by the ruling Conservative Group to their proposals for the building of homes on green belt land in Flixton, reducing the potential number of properties from 750 to “under 400”. Council recognises this space as a vital community asset and makes clear its opposition to any building taking place on the site. To this end Council calls upon the Conservative Group to review their proposals again and to withdraw their support for any and all building on Flixton’s green belt.”

It was moved and seconded as an amendment that:

“This Council notes that as part of a commitment to openness and transparency in relation to overcoming the housing crisis in Trafford, the Executive has shared its latest thinking with regard to the potential building of new homes on land at Flixton Station and the surrounding area, which includes a greater portion of land including Flixton fields, Flixton House and park being retained in the green belt.

Council recognises this space as a vital community asset, which was previously only accessible to a small number of users and understands that the Greater Manchester Spatial Framework (GMSF) is an iterative process, to which final proposals will not be published until June 2018.

Council recognises that the unaffordability of housing in Trafford is a crisis that cannot continue to be ignored and will require decisive action to resolve. The Council is concerned that the Labour party has not set out how it would meet the housing challenge, which puts at risk all land across the borough to future uncontrolled development.

Council is aware that all nine Labour-controlled authorities in Greater Manchester are proposing to release pockets of green belt land and that a sensible and open minded approach will be required where residents can expect a non-partisan, long term solution to the issues raised.

To this end Council calls upon the administration to develop further thinking in the same open manner before determining whether to support or oppose final proposals, once published.

The Council also acknowledges that any representations made as part of the GMSF consultation process shall not fetter the future discharge of its statutory planning and regulatory responsibilities.”

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Note: Councillor Andrew Western raised a point of order regarding the validity of the amendment under Council Procedure Rule 13.4 (a) and the meeting was adjourned at 8.08 p.m. The meeting reconvened at 8.22 p.m. without the presence of Councillors Acton, Adshead, Baugh, Brotherton, Carter, Freeman, Gratrix, Harding, Hynes, Jarman, Lloyd, O'Sullivan, Procter, Ross, Stennett, Taylor, Walsh, A. Western, D. Western, Whyte, A.J. Williams and Wright and the Mayor ruled that the amendment was not in breach of the Council Rules of Procedure.

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

RESOLVED: That this Council notes that as part of a commitment to openness and transparency in relation to overcoming the housing crisis in Trafford, the Executive has shared its latest thinking with regard to the potential building of new homes on land at Flixton Station and the surrounding area, which includes a greater portion of land including Flixton fields, Flixton House and park being retained in the green belt.

Council recognises this space as a vital community asset, which was previously only accessible to a small number of users and understands that the Greater Manchester Spatial Framework (GMSF) is an iterative process, to which final proposals will not be published until June 2018.

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Council is aware that all nine Labour-controlled authorities in Greater Manchester are proposing to release pockets of green belt land and that a sensible and open minded approach will be required where residents can expect a non-partisan, long term solution to the issues raised.

To this end Council calls upon the administration to develop further thinking in the same open manner before determining whether to support or oppose final proposals, once published.

The Council also acknowledges that any representations made as part of the GMSF consultation process shall not fetter the future discharge of its statutory planning and regulatory responsibilities.

54. MOTION SUBMITTED BY THE LABOUR GROUP - DIGNITY IN SOCIAL CARE: IMPROVING SOCIAL CARE SERVICES AND JOBS

As the Motion failed to be moved and seconded, the Motion fell.

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55. MOTION SUBMITTED BY THE LABOUR GROUP - PUBLIC SECTOR PAY CAP

As the Motion failed to be moved and seconded, the Motion fell.

56. MOTION SUBMITTED BY THE LABOUR GROUP - UNIVERSAL CREDIT

As the Motion failed to be moved and seconded, the Motion fell.

57. MOTION SUBMITTED BY THE LABOUR GROUP - TRAFFORD CLINICAL COMMISSIONING GROUP (CCG) MINIMUM WAITING TIMES FOR NON-URGENT SURGERY

As the Motion failed to be moved and seconded, the Motion fell.

58. SEASON'S GREETINGS

The Mayor wished everyone a very Merry Christmas and a Happy and Prosperous New Year and the Council reciprocated his good wishes.

The meeting commenced at 7.06 p.m. and finished at 8.37 p.m.