

TRAFFORD BOROUGH COUNCIL

STATEMENT OF EXECUTIVE DECISION

<u>DATE OF DECISION</u>	Monday, 27 November 2017	<u>DECISION MAKER</u>
<u>DECISION REFERENCE</u>	E/27.11.17/5	Executive (Councillors Stephen Anstee, L. Evans, Hopps, Myers, John Reilly, Whetton and Alex Williams)

RECORD OF THE DECISION

HIGHWAYS INFRASTRUCTURE ASSET MANAGEMENT PLAN (HIAMP) & INDICATIVE HIGHWAYS MAINTENANCE CAPITAL PROGRAMME 2018/19 TO 2022/23

1. That the HIAMP 2017 be approved as the guiding plan for highway infrastructure asset management for which Trafford Council is responsible.
2. That the indicative five year highway maintenance programme be published for consultation.

REASONS FOR THE DECISION

In order that Trafford Council can benefit from the improved efficiency that the implementation of good asset management practice offers, and which must be evidenced to the DfT via the Incentive Funding self-assessment each year. This will help the Council to avoid penalty reductions in the DfT's Incentive Fund allocations of up to £1,014,000 (worst case scenario) over the next three years.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS

Not to adopt the HIAMP 2017, and continue to follow the TAMP 2007 policy. If that was the case, then opportunities would be lost for improved efficiencies and more effective use of council maintenance funding. In addition, the Council would be likely to suffer financial penalty through the loss of the Incentive Element of the Local Highway Maintenance Capital Funding, by not achieving Band 3 status, as identified in 13 of the report.

CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION

None.

Scrutiny Call in Deadline

Tuesday, 5 December 2017

Implementation will be on the following working day

PUBLICATION DATE

28/11/17

RECORDED BY:

Director of Legal & Democratic Services

TRAFFORD BOROUGH COUNCIL

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RECORD OF THE DECISION

ALTRINCHAM TOWN CENTRE NEIGHBOURHOOD BUSINESS PLAN - REGULATIONS 19 AND 20 - DECISION ON THE PLAN PROPOSAL AND PUBLICISING THE PLAN

1. That agreement be given to bring into force (i.e. "Make") the ATCNBP (as set out at Appendix 2 to the report).
2. That the ATCNBP be submitted to Council for it to be adopted as part of the Development Plan for Trafford pursuant to the provisions of section 38 (A) (4) of the 2004 Act.
3. That this decision be deemed urgent, in order to allow timely referral to Council on 29/11/17, and thus not subject to call-in.

REASONS FOR THE DECISION

The Executive is responsible for making the decision in respect of the referendum results. (Council is the responsible decision making body for adopting Development Plan documents.) The Executive is being requested to recommend to the Council that it adopt the ATCNBP as part of the Trafford Development Plan. The ATCNBP has been subject to two referendums and this resulted in a 'yes' vote from more than half of those voting in both the business and residential referendums. The Council is therefore obliged to 'make' the plan under section 38 (A) (4) of the Planning and Compulsory Purchase Act 2004. To make the decision not to 'make' and/or adopt the plan would be contrary to the Neighbourhood Planning (General) (Amendment) Regulations 2015. The Council could be subject to legal challenge in the form of a Judicial Review should it decide not to 'make' the Plan as over half of those voting in the referendum voted 'yes'.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS

Once a neighbourhood plan has been supported by the majority of those voting in the referendum the Council is obliged to proceed to 'make' the plan under section 38 (A)(4) of the Planning and Compulsory Purchase Act, 2004. The Council is not subject to this duty if the making of the plan would breach, or otherwise be incompatible with, any EU obligation or any of the convention rights. It is not considered that the ATCNBP breaches or would otherwise be incompatible with these conventions or obligations. Therefore to take any other option, than to 'make' the ATCNBP so that it will form part of the Development Plan for Trafford, would be contrary to Regulations.

CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION

None.

Scrutiny Call in Deadline

Not applicable: Resolution 1 needs to be implementable in order to allow Council to reach a decision at its meeting on 29/11/17. Resolution 2 is a recommendation made to Council, as the substantive decision maker, at its meeting on 29/11/17.

PUBLICATION DATE

28/11/17

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Director of Legal & Democratic Services

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<u>DECISION REFERENCE</u>	E/27.11.17/7	Executive (Councillors Stephen Anstee, L. Evans, Hopps, Myers, John Reilly, Whetton and Alex Williams)

RECORD OF THE DECISION

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

That the Executive recommend to Council the proposed changes to the Council Tax Support scheme for 18/19.

REASONS FOR THE DECISION

The Council must adopt a local CTS scheme no later than 31 January before the start of the financial year to which the scheme applies in accordance with the Local Government Finance Act 2012. The proposed changes are to modify the existing scheme by adopting changes that keep at large the existing scheme but adopt changes that ensure the local scheme is fair and consistent whilst still retaining a more favourable approach within the scheme to those who are out of work when compared to the schemes within GM (subject to a Band D cap and less any non-dependant deductions). The recommendations also ensure Care Leavers receive full help towards their Council Tax liability in line with the June Executive decision made.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS

The Council could decide not to change the scheme for 18/19. However, this would mean the continuation of a local scheme that is no longer fit for purpose in relation to Care Leavers and those in receipt of Universal Credit as well as being inconsistent for the self- employed.

CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION

None.

Scrutiny Call in Deadline

Not applicable: The resolution is a recommendation made to Council, as the substantive decision maker, at its meeting on 29/11/17.

PUBLICATION DATE

28/11/17

RECORDED BY:

Director of Legal & Democratic Services