

**TRAFFORD BOROUGH COUNCIL**

**STATEMENT OF EXECUTIVE DECISION**

<b><u>DATE OF DECISION</u></b>	Monday, 23 January 2023	<b><u>DECISION MAKER</u></b>
<b><u>DECISION REFERENCE</u></b>	E/23.01.23.6	<b>Executive</b> (Councillors Participating Ross, Adshead, K. Carter, Harding, Hynes, Patel, Slater, and Williams)
<b><u>RECORD OF THE DECISION</u></b>		
PARKING ENFORCEMENT CONTRACT AWARD - PART I		
<ol style="list-style-type: none"><li>1) That the Content of the report be noted.</li><li>2) That the proposal to award the contract for the provision of parking enforcement and ancillary services to the winning bidder be approved.</li><li>3) That the delegation of authority to the Corporate Director for Place, in consultation with the Director of Legal and Governance and the Director of Finance and Systems, to agree final terms of the contract with the winning bidder be approved.</li><li>4) That the delegation of authority to the Director of Legal and Governance to enter into contracts as required to implement these recommendations be approved.</li></ol>		
<b><u>REASONS FOR THE DECISION</u></b>		
The recommendation is made on the basis that a fully compliant OJEU procurement process has been followed and a winning bidder has been identified. The procurement process has also delivered a new contract that will provide a quality service for the future capable of meeting the current financial budgets available to the Council.		
<b><u>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS</u></b>		
If the contract award is not made, then the Council would have to extend the current parking enforcement contract in order to either retender for the service or to develop an in-house service. This would be likely to incur substantial additional costs to the Council.		
<b><u>CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION</u></b>		
None		

**Scrutiny Call in Deadline**

**Thursday, 2<sup>nd</sup> February 2023**

(Decision can be implemented on the next working day, unless called in).

**PUBLICATION DATE**

26<sup>th</sup> January 2023

**RECORDED BY:**

Director of Legal and Governance

**TRAFFORD BOROUGH COUNCIL**

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**RECORD OF THE DECISION**

**CIVIC QUARTER ACTION PLAN**

1. That the final content of the Civic Quarter Area Action Plan (CQAAP), based on the CQAAP as submitted to the Secretary of State on 26<sup>th</sup> November 2021 (see Appendix A) be approved, subject to the inclusion of:
  - a. The final schedule of Main Modifications as recommended by the Inspector as necessary to make the CQAAP sound (see Appendix Cb);
  - b. The changes to the policies map and parameter plans (see Appendix Bb); and
  - c. The updated schedule of minor modifications (see Appendix Cc);
2. That the submission of the CQAAP, as described in recommendation 1 above, to Full Council on 25<sup>th</sup> January 2023 for formal adoption be approved; and
3. That, based upon the urgency provisions detailed within the report, the decision shall not be subject to the call-in process.

**REASONS FOR THE DECISION**

The Executive is asked to agree the final contents of the CQAAP in accordance with the Inspector's Report, and to enable the CQAAP to continue to the meeting of Full Council on 25<sup>th</sup> January 2023 for adoption.

This recommendation is in acknowledgement of the Council's long-held ambitions for securing the successful regeneration of this area, and with the CQAAP identified as a major tool for achieving this aim in setting a framework for positive change through to 2037 and beyond. Furthermore, investment and development in the CQAAP area could act as a stimulus for more widespread growth across north Trafford. The CQAAP also reflects the Council's three priorities as set out in the Corporate Plan (Our Trafford, Our Future 2021-2024): reducing health inequalities; supporting people out of poverty; and addressing the climate crisis.

The Inspector's Report has found that the CQAAP is sound and is worthy of adoption subject to the agreed Main Modifications (plus four adjustments). This represents a very significant and positive milestone in the evolution of the CQAAP. The document will be the statutory starting point in the determination of planning applications. Following its adoption - pending the conclusion of the legal challenge period - the CQAAP will be afforded full weight as an up-to-date development plan and, at that stage, its potential to support growth and investment in the Civic Quarter will be realised.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS**

The Council cannot adopt the CQAAP other than in full accordance with the recommendations of the Inspector's Report. A decision could be made not to agree the final content of the CQAAP as advised by the Inspector. However, this could not then lead on to the adoption of the CQAAP. The process of preparing the CQAAP would have to be wound-back and the implications of doing this would be very considerable.

The continued absence of an up-to-date statutory planning policy framework for the Civic Quarter would not provide the Council with the strategic context within which to make decisions for future development in support of its priorities for economic growth and investment within this part of the borough. The CQAAP has been found sound, subject to the final list of Main Modifications being incorporated. The final steps in enabling the CQAAP to be used as the statutory starting point for decision-taking involve its final contents being approved and its subsequent adoption.

**CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION**

None

**Scrutiny Call in Deadline**

This decision has been classified as an Urgent Decision and is therefore exempt from call in and is effective immediately.

**PUBLICATION DATE**

26<sup>th</sup> January 2023

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<b><u>DECISION REFERENCE</u></b>	E/23.01.23.8	<b>Executive</b> (Councillors Participating Ross, Adshead, K. Carter, Harding, Hynes, Patel, Slater, and Williams)

**RECORD OF THE DECISION**

**MOVING TRAFFIC OFFENCES**

1. That the submission of an application to the Secretary of State for Transport to allow the Council to utilise powers under Part 6 of Traffic Management Act legislation relative to Moving Traffic Offences be approved.
2. That the use of powers that allows postal penalties to be used together with future use of approved devices for Civil Enforcement of parking as detailed in section 9 and 10 of the report be approved.
3. That the delegation of authority to the Corporate Director of Place and Director of Legal & Governance and Monitoring Officer, in consultation with the Executive Member for Environment Services, in relation to any amendments that maybe required as part of the submission for the application for powers be approved.
4. That the delegation of authority to the Corporate Director of Place, in consultation with the Executive Member for Environmental Services, to propose and implement any new

locations for enforcement in the future in accordance with the consultation requirements of the Act and as set out in Section 8 be approved.

### **REASONS FOR THE DECISION**

By applying for the Powers Trafford will realise a number of benefits associated with the enforcement of moving traffic offences that include:

- Improved road safety including pedestrian and cyclist safety, supporting modal shift to sustainable transport options
- Reduced highway congestion
- Improved journey times for public transport and emergency service vehicles
- Improved air quality, reduction in transport related emissions contributing to carbon net zero targets
- Reallocation and saving of police time

The enforcement of moving traffic offences will reduce road congestion, improve journey times for public transport and emergency service vehicles and improve air quality, through a reduction in transport related emissions contributing to carbon net zero targets.

Approving the use of camera and postal enforcement for parking will bring the service in line with other GM authorities and will make the service more efficient.

### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS**

The alternative option is to not to apply for the powers and not approve the use of issuing PCN's using modern camera technology and use postal services. By not applying for the powers Trafford could be judged as not tackling its congestion and clean air problems.

By not adopting camera and postal processes this will hamper the overall efficiency of enforcement of parking infringements.

### **CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION**

None

#### **Scrutiny Call in Deadline**

**Thursday, 2<sup>nd</sup> February 2023**  
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<b><u>RECORD OF THE DECISION</u></b>		
UPDATE ON RESPONSE TO SCRUTINY GYPSY, ROMA, AND TRAVELLER TASK AND FINISH GROUP REPORT		
<ol style="list-style-type: none"><li>1) That the feasibility considerations relevant to the creation of a Temporary Stopping Place be noted.</li><li>2) That plans for a Temporary Stopping Place at Boyer Street be subject to local consultation.</li><li>3) That delegation of authority to the Corporate Director of Place, in consultation with the Executive Members for Housing and Neighbourhoods and Environmental Services, to make the decision on whether to proceed following consultation and, if appropriate, all subsequent steps in developing a Temporary Stopping Place be approved.</li><li>4) That a review of the site's operation, if it is progressed, following the first summer season be approved.</li></ol>		
<b><u>REASONS FOR THE DECISION</u></b>		
To ensure that the Council responds appropriately to Gypsy, Traveller and Roma People visiting the Borough.		
<b><u>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS</u></b>		
The Council could opt not to pursue a policy of providing temporary stopping places.		
<b><u>CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION</u></b>		
None		

**Scrutiny Call in Deadline**

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<b><u>RECORD OF THE DECISION</u></b>		
<b><u>BUSINESS RATES RELIEF (AUTUMN BUDGET MEASURES) AND COUNCIL TAX</u></b>		
1) That the use of proposed relief and support schemes as detailed in the report in line with the government guidance be approved; 2) That the proposed eligibility criteria as detailed in the report be approved; 3) That the minor wording changes to the Council Tax Support Scheme be approved.		
<b><u>REASONS FOR THE DECISION</u></b>		
Approval to access and administer funds via the schemes detailed in the report is necessary in order for the Council to provide financial relief to eligible local businesses and Council Tax Payers.		
<b><u>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS</u></b>		
The Council could in effect not access the government funding available on behalf of eligible businesses and residents. This would mean that the Council would not award the reliefs/support and subsequently local businesses would pay more business rates and local residents would pay more Council Tax.		
<b><u>CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION</u></b>		
None		

**Scrutiny Call in Deadline**

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<b><u>RECORD OF THE DECISION</u></b>		
<b><u>REAL LIVING WAGE ACCREDITATION</u></b>		
<ol style="list-style-type: none"><li>1) That the necessary work as detailed in the report undertaken to prepare Trafford Council to make a Real Living Wage (RLW) Accreditation application be noted;</li><li>2) That the associated expenditure of circa. £25,000 in 2022/2023 which will be split 50/50 between the Council and schools be noted;</li><li>3) That the annual accreditation fee detailed in the report be noted; and</li><li>4) That the proposal to submit a RLW Accreditation application in January 2023 as detailed in the report be approved.</li></ol>		
<b><u>REASONS FOR THE DECISION</u></b>		
<p>The May 2022 Labour manifesto committed that:</p> <p>“We will seek Real Living Wage accreditation to ensure that we have a plan to deliver the Real Living Wage not just for all council staff but all those employed in the Council’s supply chain”</p> <p>The work detailed within the report and the accreditation application are required to move towards achievement of that commitment.</p>		
<b><u>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS</u></b>		
<p>The Council could not apply to receive the Real Living Wage Accreditation.</p>		
<b><u>CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION</u></b>		
<p>None</p>		

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**RECORD OF THE DECISION**

**PARKS TENNIS IMPROVEMENT PROJECT**

1. That the implementation of a sustainable operating model as set out in this report, including the introduction of a charging policy be approved.
2. That the delegation of authority to the Corporate Director of Place to procure an operator and to agree the terms of the LTA funding and finalise the terms of any funding agreement be approved.
3. That the delegation of authority to the Director of Legal and Governance to enter into any documents required to implement the above decisions.

**REASONS FOR THE DECISION**

To secure the provision of good quality tennis facilities in parks in the borough.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS**

**Do Nothing**

The network of courts remains as they are, and the investment isn't sought or made. Given the status of the courts based on the condition survey in point 2.2 it would be safe to assume that overtime, without intervention that more courts would become unplayable and that even those rated as 'good' at this point in time, would also deteriorate.

If the Council chose this option there is a risk that as courts deteriorate more, opportunities to be physical activity are taken away. The assets also do not become drivers to encourage more residents into parks and those that currently do book and use the courts, will migrate to courts in other boroughs. Also, as these spaces deteriorate, they become more inviting for nuisance and anti-social behaviour which generates other issues.

**Maintain and improve the current network**

The Council would need to cover the costs of repairs (£125k) indicated through the LTA technical survey. Whilst this may address the immediate issue of court condition it would not cover the sinking costs and life-cycle costs needed, estimated at £42k per annum. Based on current guidance from the LTA, 5-year post investment is when major or minor repairs are needed. In theory this could generate a total liability of £210,000 from around year 6. The Council currently has no budget to cover either the capital or revenue works/sinking fund required, other than minor maintenance undertaken under Amey contract (sweeping, making safe etc.).

**CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION**

None

**Scrutiny Call in Deadline**

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**RECORD OF THE DECISION**

**FAIR PRICE FOR CARE**

- 1) That the outcome of the consultation be noted
- 2) Considers the response to the consultation
- 3) That the following fee rates be approved for implementation from April 2023:
  - Homecare : 8.74% inflationary uplift - this equates to £19.66 p/hr for framework homecare providers.
  - Residential and Nursing Care Homes : 9.17% inflationary uplift
  - Residential Bed Rate: £657.90
  - Nursing Bed Rate: £735.43
- 4) The Executive confirm that in approving the above, it has taken into consideration the Council's Public Sector Equality duty.

**REASONS FOR THE DECISION**

The recommendations will enable our homecare providers to maintain their commitment to paying the RLW. This will be reinforced contractually by the Council.

The recommendations will enable our nursing and residential care home providers to maintain their commitment to paying the RLW and for the minority of providers who do not pay the RLW to move closer to doing so. This will be reinforced through the FPS.

The recommendations will also support the care sector in meeting the additional costs incurred by the rising cost of living.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS**

**Offer an inflationary uplift based on the RLW and the CPI predicted rate only.**

This would mean that the care sector would not receive any contribution to the cost-of-living increases and could lead to the financial collapse of some of our services.

**Offer an inflationary uplift which matches the overall rate of inflation for 2022/3 (i.e. 10.1%).**

This uplift would not take into account the inflationary uplift that was offered last year and would be in excess of the CPI for 2023/4. In addition, this would exceed the funds that the Council has available for social care.

**CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION**

None

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**RECORD OF THE DECISION**

**GREATER MANCHESTER MINIMUM LICENSING STANDARDS FOR TAXI AND PRIVATE HIRE STAGE 2 VEHICLES**

- 1) That the report be noted.
- 2) That the Executive recommends Council approves the following;

- That the implementation dates for age limits for existing licensed vehicles are amended as per Standard 2 in Table B, within section 6 of the report;
- That the implementation dates for emission standards for existing licensed vehicles are amended as per Standard 3 in Table B, within section 6 of the report;
- That the decision to further amend the implementation dates for age limits and emission standards for existing licensed vehicles, as per Standard 2 and Standard 3 in Table C, within section 6 of the report, are delegated to the Corporate Director, Place in consultation with the Executive Member for Housing and Neighbourhoods, where there are further delays to the introduction of the Clean Air Plan and the taxi funding support package, and it would not be appropriate to introduce the implementation dates in Table B of the report.

### **REASONS FOR THE DECISION**

The primary driver for this work was to ensure public safety and protection, and to improve vehicle emission standards in the context of the Clean Air and the decarbonisation agendas. In addition, by establishing standards around common vehicle specifications, MLS is an important mechanism that permits the systematic improvements to taxi and private hire service across Greater Manchester and their visibility.

The emissions and age compliance date as initially proposed was 1 April 2024 for all existing fleets across GM. This date was proposed on the basis that the Clean Taxi Fund was due to open early 2022, and that the clean air legal directive at the time was for compliance by 2024.

As the opening of the Clean Taxi Fund has been paused, this means that the trade have not yet had access to the funding which would assist with the upgrade to compliant vehicles. The Government have also issued a new clean air directive which required compliance by no later than 2026.

Without a change to the compliance date for these standards in Trafford, a significant proportion of the fleet will be unable to renew their vehicles licences from April 2023. This will detrimentally affect the livelihood of many drivers, as well as the availability of licensed vehicles for the public in Trafford.

The extension to the compliance date will give the trade a longer time period in which to upgrade to compliant vehicles, and the ability to take advantage of the funding support package once it is available.

### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS**

The Council could decide not to amend the implementation date for the vehicle Standards 2 and 3 in respect of the existing licensed fleet. This would mean that the hackney carriage and private hire trade will be required to provide compliant vehicles as they renew their licences from 1<sup>st</sup> April 2023. As the funding support package has not yet been agreed and is not likely to be available until Summer 2023 at the earliest, this will adversely affect many vehicle licence holders with non-compliant vehicles who will be unable to replace their vehicles before their licence is due for renewal.

If the date for compliance for emissions is extended to 2026, older, more polluting vehicles will be on the fleet for longer. However, those with older vehicles will presumably seek to take advantage of the funding support package once it becomes available to help transition to compliant vehicles. The risk therefore should reduce as more vehicles transition to compliant vehicles between 2023 and 2025 – that is if policies are in place requiring the change by a determined date and older vehicles are prevented from continuing to join the fleet.

**CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION**

None

**Scrutiny Call in Deadline**

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**RECORD OF THE DECISION**

**PARKING ENFORCEMENT CONTRACT AWARD - PART II**

That the recommendations set out within the report be approved.

**REASONS FOR THE DECISION**

The reasons for the decision were set out in the report.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS**

The alternative options considered were set out in the report.

**CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION**

None

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**RECORD OF THE DECISION**

ALTRINCHAM TOWN CENTRE

That the recommendations set out within the report be approved.

**REASONS FOR THE DECISION**

The reasons for the decision were set out in the report.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS**

The alternative options considered were set out in the report.

**CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION**

None

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**RECORD OF THE DECISION**

**CHANGES TO ENVIRONMENTAL SERVICES**

That the recommendations set out within the report be approved.

**REASONS FOR THE DECISION**

The reasons for the decision were set out in the report.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS**

The alternative options considered were set out in the report.

**CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION**

None

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