

TRAFFORD BOROUGH COUNCIL

STATEMENT OF EXECUTIVE DECISION

<u>DATE OF DECISION</u>	Monday, 18 September 2023	<u>DECISION MAKER</u>
<u>DECISION REFERENCE</u>	E.18/09/23.6	Executive (Councillors Participating: Ross, Adshead, K. Carter, Harding, Hynes, Patel, Slater, Thompson, Williams, and Wright)

RECORD OF THE DECISION

ONE TRAFFORD PARTNERSHIP 7 YEAR CONTRACT REVIEW OUTCOMES

1. That the position in relation to the negotiations conducted with Amey in accordance with the Executive's decision in October 2019 and subsequent updates in November 2020 and December 2021 be noted.
2. That the delegation of authority to the Corporate Director of Place in consultation with Executive Member for Highways, Environmental and Traded Services, Director of Finance and Director of Legal and Governance and Monitoring Officer to agree final terms on any final negotiation outcomes relative to the outstanding issues resulting from the 7 Year Review as set out in the Part 2 report be approved.
3. That the delegation to Director of Legal & Governance and Monitoring Officer to enter into legal agreements required as part of the final negotiated outcomes be approved.
4. That the changes, outcomes, and next steps associated with the continued management and delivery of the Amey contract as a result of the 7-year review to conclude the 7-year review process be approved.

REASONS FOR THE DECISION

To enable the Council to make contractual changes to the existing partnership agreement that will result in overall improvement of contract performance against the criteria set out in the agreed and updated partnership agreement and Contract.

To conclude the 7-year review process and continue to govern and manage the OTP contract based on the outcomes of the review and new partnership agreement.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS

The options associated with alternative delivery models for services associated with the OTP contract have been explored previously including bringing the services back in house and re-procuring a new contract and were deemed not viable following analysis, feedback and agreement with Scrutiny Committee and the Executive.

These other options have been considered by the Executive in July 2019 following a scrutiny task and finish exercise undertaken during 2019 that examined the potential options for the future delivery of services.

In October 2019, the Executive approved that the 7-year review option was the best way forward

for the delivery of services going forward.

There is the option to not support the agreed changes however, there could then be a risk of abortive investment costs incurred to date being a revenue budget pressure on the Council. In addition, if changes are not agreed the contract would not be delivering optimal Value for Money and there is a missed opportunity to refresh the contract and modernise to drive up service standards for the remaining 6 years of the contract.

Hence the proposed 7-year review process that has been undertaken since that time was already agreed to be the most effective process to follow in order to achieve improvements for the next period of the contract.

CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION

None

Scrutiny Call in Deadline

Tuesday, 26 September 2023

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

PUBLICATION DATE

21 September 2023

RECORDED BY:

Director of Legal and Governance

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<u>DECISION REFERENCE</u>	E.18/09/23.7	Executive (Councillors Participating: Ross, Adshead, K. Carter, Harding, Hynes, Patel, Slater, Thompson, Williams, and Wright)

RECORD OF THE DECISION

PERSONAL DELIVERY DEVICES

- 1) Approve an extension of the current trial period for the use of 'Personal Delivery Devices' or 'PDDs' in areas of Broadhead, West Timperley, Sale West and Ashton upon Mersey for a further 6 months.
- 2) Approve the proposal to deploy PDDs in additional areas as detailed in the report for a trial period of 6months to run concurrently with the current trial period.
- 3) Delegate authority to the Corporate Director of Place in agreement with the Executive Member for Highways, Environmental & Traded Services to agree and finalise the operating agreement and agree continuation of current trials and additional trial areas if successful.

4) Authorise the Director of Legal and Governance to finalise and enter into all legal agreements required to implement the above decisions.

REASONS FOR THE DECISION

Due to the success of the initial trial, as detailed in the report, approval is sought to extend both the term of trial and the areas within which the trial is operated to continue to add benefit to vulnerable customers who value this service.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS

The alternative option is to not support the expansion of the current trial term, which will terminate after the initial period or to support the expansion of the trial areas.

CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION

None

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RECORD OF THE DECISION

APPROVAL OF TREE MANAGEMENT POLICY

That the proposed updated policy for the management and maintenance of trees in Trafford be approved.

REASONS FOR THE DECISION

Approval of a new policy is sought as the existing tree policy is out of date and requires updating

to reflect current issues surrounding the management and maintenance of trees.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS

It is an option not to approve the proposed policy. This option would result in the continued use of the current policy. However, this is not considered to be a viable option as the existing policy does not address the current issues facing the longer-term management and maintenance of trees within a changing climate and represents a potential risk to the Council.

CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION

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RECORD OF THE DECISION

LOCAL AUTHORITY HOUSING FUND

- 1) That the project for providing homes for Ukrainian and Afghan refugees as set out within the report be approved.
- 2) That the delegation of authority to the Corporate Director of Place to procure a contractor to carry out the conversions and repairs and improvements as appropriate be approved.
- 3) That the delegation of authority to the Corporate Director of Place to negotiate, finalise, and agree the terms for the purchase of properties for the purposes set out in this report be approved.
- 4) That the delegation of authority to the Director of Legal and Governance to enter into any contracts, agreements or deeds required to implement the above recommendations be approved.

REASONS FOR THE DECISION

The reason for the recommendation is that it puts the Council in control of the delivery of homes for this cohort of people, provides control over quality of accommodation and gives the Council's HOST team more long-term certainty over the provision of temporary accommodation.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS

The main alternative option is for the Council not to provide additional accommodation and source existing accommodation to house both cohorts. However, in light of the serious lack of existing supply in the borough which cannot meet current demand let alone additional demand, this is not a viable option.

CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION

None

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RECORD OF THE DECISION**STREET TRADING - DESIGNATED STREETS, POLICY, AND FEES**

- 1) That the content of the report be noted.
- 2) That the Street Trading Policy, Designation of streets, and the new fees and charges listed with Appendix A of the report be recommended to Council for approval.

REASONS FOR THE DECISION

Whilst the Council has a list of prohibited streets, guidance notes, conditions and agreed fees to assist applicants; it currently does not have an overarching policy which brings all these together

in one cohesive document.

Therefore, officers decided to review the procedure and decision-making process; to review the fees; and to also look at bringing into scope those traders who are trading on private land who are currently not required to hold a consent or a licence.

A consultation exercise was undertaken on the proposals between the 6th July and the 4th August 2023. The Draft Street Trading Policy is attached as Appendix A. A summary of the comments received and the Council's response to those comments is attached as Appendix B.

If approved the Policy, designated streets and fees will come into effect on 1st December 2023. The Policy will remain in force for a period not exceeding five years; and will be subject to review and further consultation before 1st December 2028. The fees will be reviewed annually. The Council will keep the Policy under review, making any amendments as it considers appropriate.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS

The Council has three options:

- it could decide to accept the proposed Street Trading Policy, designated streets and fees in whole or in part;
- it could decide to accept the proposals with further amendments; or
- it could decide not to accept the proposals.

If the Council decides not to accept the proposed Policy etc. this would not prevent it from continuing to carry out its statutory licensing functions; however, it could open up the possibility of challenges to the Council's processes and procedures on the basis that they are not clear or consistent.

It is the view that to adopt the policy as a whole would be the best approach for Trafford given that the proposals focus on best practice and is consistent with the approach taken by other GM Authorities.

CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION

None

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<u>RECORD OF THE DECISION</u>		
ONE TRAFFORD PARTNERSHIP 7 YEAR CONTRACT REVIEW OUTCOMES - PART II		
That the recommendations of the report be approved.		
<u>REASONS FOR THE DECISION</u>		
The reasons for the recommendations are outlined within the report.		
<u>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS</u>		
The alternative options considered are outlined within the report.		
<u>CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION</u>		
None		

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<u>RECORD OF THE DECISION</u>		
LOCAL AUTHORITY HOUSING FUND - PART II		
That the recommendations within the report be approved.		
<u>REASONS FOR THE DECISION</u>		

The reasons for the recommendations are detailed within the report.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS

The other options considered are detailed within the report.

CONFLICTS OF INTEREST DECLARED AND ANY ASSOCIATED DISPENSATION

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