

Council

Minutes of the meeting held on 26 March 2014

Present: The Right Worshipful, The Lord Mayor Councillor Hassan – in the Chair

Adams, Ahmed, Akbar, A. Ali, N. Ali, Shaukat Ali, Amesbury, Andrews, Austin, Barrett, R. Battle, Boyes, Chamberlain, Chappell, Chohan, Clayton, Cooley, Cooper, Cox, Craig, Curley, Davies, Di Mauro, Ellison, Evans, Fairweather, Fender, Fisher, Flanagan, Fletcher-Hackwood, Gillard, Grimshaw, Hackett, Hassan, Hennigan, Hewitson, Hitchen, Hughes, Hyde, Judge, Kamal, Karney, Keegan, Keller, Khan, Kirkpatrick, Lanchbury, Leese, Lewis, Longsdon, Loughman, Lone, Ludford, Lyons, Manco, Midgley, M. Murphy, N. Murphy, P. Murphy, S. Murphy, E. Newman, S. Newman, Ollerhead, Barbara O'Neil, Brian O'Neil, Paul, Peel, Priest, Pritchard, Rahman, Raikes, Rawlins, Razaq, Reeves, Reid, Richards, Royle, Siddiqi, Simcock, Smith, Smitheman, Stogia, Stone, Strong, Tavernor, Taylor, Trotman, Walters, Watson and Wheale

CC/14/20 Filming of the Proceedings

In accordance with Procedural Rule 28, the Council agreed to the proceedings being filmed and photographs being taken during the meeting.

CC/14/21 Urgent Business

The Lord Mayor informed the Council that he had consented to the minutes of the Constitutional and Nomination Committee on 26 March 2014 being submitted for consideration as urgent business.

CC/14/022 Regional Centre Infrastructure Co-ordination

The Council received a presentation from Mr Kim Dorrington, Regional Centre Portfolio Manager and Ms Pat Bartoli, Head of City Centre Growth and Regeneration for Manchester City Council which described key city centre projects that contribute to the regional economy.

CC/14/023 Youth Employment

The Council received a presentation from Mr James Farr, Director of Skills and Employment for Manchester New Economy and Mr John Edwards, Director of Education and Skills for Manchester City Council on youth employment. Mr Farr and Mr Edwards answered questions from members after the presentation.

CC/14/24 Minutes

Decision

To approve the minutes of the meeting on 7 March 2014 as a correct record.

CC/14/25 Proceedings of the Executive

The part proceedings of the Executive meeting on the 12 February and the full proceedings of the meeting on 12 March 2014 were submitted. The Council considered the following recommendations:

Exe/14/030 Local Flood Risk Management Strategy

To recommend that the Council adopts the Local Flood Risk Management Strategy as was appended to the Executive report.

Exe/14/037 Greater Manchester Investment Fund Project Catalyst

To recommend to Council that the Capital Programme be increased by £4.7m in 2014/15, financed from prudential borrowing, to be redeemed from the repayment of the loan scheduled for March 2016 (a loan of up to £4.7m to the relevant Bruntwood delivery vehicle to facilitate delivery of Project Catalyst)

Decision

1. To receive the minutes of the Executive meetings
2. Local Flood Risk Management Strategy

To adopt the Local Flood Risk Management Strategy which was appended to the Executive report.

3. Greater Manchester Investment Fund Project Catalyst

To increase the Capital Programme by £4.7m in 2014/15. This will be financed from prudential borrowing and redeemed from the repayment of the Project Catalyst loan scheduled for March 2016

(Councillor Shaukat Ali declared a personal interest in minute reference Exe/14/027 from the Executive minutes on 12 March 2014)

CC/14/26 Scrutiny Committees

The minutes of the following meetings were submitted:

Young People and Children – 4 February 2014 and 4 March 2014
Communities – 5 February 2014 and 5 March 2014
Neighbourhoods – 4 February 2014 and 4 March 2014
Economy – 5 February 2014 and 5 March 2014
Finance – 6 February 2014 and 6 March 2014
Health – 6 February 2014 and 6 March 2014
Joint Health Scrutiny Committee – 29 January 2014

Decision

To receive the minutes of these scrutiny committees.

CC/14/27 Proceedings of Committees

The minutes of the following meeting were submitted:

Constitutional and Nomination Committee – 26 March 2014

The Committee made recommendations about membership of Council committees and the delegation of non executive functions to the Deputy Chief Executive (Growth and Neighbourhoods).

Decision

1. To receive the minutes of the committee meeting.
2. To approve the recommendations in relation to membership of Council committees and joint committees.
3. To delegate to the post of the Deputy Chief Executive (Growth and Neighbourhoods) the discharge of those of the Council's functions that are designated as "Non Executive Functions" as attached as an appendix to these minutes.
4. To delegate to the post of the Deputy Chief Executive (Growth and Neighbourhoods) the discharge of those of the Council's functions that are designated as "General Functions" as attached as an appendix to these minutes, insofar as these are non executive functions

Personnel Committee – 12 March 2014

The Committee recommended that Council adopted the Pay Policy Statement which was appended to the minutes of the meeting. The Committee also made recommendations about the appointment of a Director of Adult Services in line with the pay policy statement.

Decision

1. To adopt the Pay Policy Statement.
2. To agree that the remuneration of the Director of Adult Services post remains at circa £120,000 and that the recruitment to the post be in line with the Pay Policy Statement,
3. To authorise the City Solicitor in consultation with the Chief Executive and Assistant Chief Executive (People) to make any consequential changes to the Management Structure in Part 8 of the Constitution.

Audit Committee – 20 March 2014

Health and Wellbeing Board – 19 March 2014

Licensing and Appeals Committee – 17 February 2014
Personnel Committee – 6 February 2014
Planning and Highways Committee – 13 February 2014 and 13 March 2014
Wythenshawe Area Committee – 27 February 2014

To note that the Wythenshawe Area Committee was not quorate on 20 March 2014

Decision

To receive the minutes of these committee meetings.

CC/14/28 Key Decisions

The report of the City Solicitor on key decisions that have been exempted from call in was noted by the Council.

CC/14/29 Motion: Manchester: European City of Culture 2023

Motion made and seconded:

This Council notes:

the United Kingdom will be asked to nominate a European Capital of Culture in 2023.

that hosting a European Capital of Culture provides cities with an enormous opportunity to generate considerable cultural, social and economic benefits and legacies.

Liverpool benefited enormously from hosting the 2008 European Capital of Culture. The city saw: 9.7million visitors (a 34% increase); a £753.8m boost to the economy; a 10% rise each year in arts audiences; 5.5 million visitors at the seven largest attractions; 85% of residents say the city was a better place to live than before; massive amounts of positive media coverage that helped change perceptions.

that the selection procedure for the 2023 UK European Capital of Culture will begin in 2016 but preparations for a bid must begin well in advance to ensure the opportunity to host a truly unique and spectacular year of events and create a lasting legacy.

Manchester is a proud European and International City. The Guardian suggests "the city is arguably the most ethnically diverse in Europe". Manchester residents speak at least 153 languages.

Manchester has one of the most diverse and influential cultural scenes in Europe including the Manchester International Festival, the Halle and BBC Philharmonic Orchestras; Manchester Art Gallery; Whitworth Art Gallery; the Cornerhouse; Manchester Costume Gallery; the Manchester Museum; the People's History Museum; the National Football Museum; the Museum of Science and Industry; the Royal Exchange; the Palace Theatre; the Contact Theatre; the Bridgewater Hall; the Manchester Opera House; the Royal Northern College of Music; the Library Theatre company; a series of fantastic parades ranging from the Manchester Day Parade to

the St Patrick's Day parade and Manchester Pride; a Caribbean Carnival; a Mega Mela; world class sports facilities; Manchester Arena; Manchester Central; Manchester Cathedral; Manchester Apollo; Manchester Academy; the Comedy Store; the Frog and Bucket; the Band on the Wall; a world class night-life and hundreds of cultural events and venues in communities.

This Council believes:

Manchester is already home to remarkable cultural activity and talent and would be the ideal European Capital of Culture in 2023. The City would be able to put on a world-class series of events and attractions for residents and visitors and would be best placed to ensure they have a lasting legacy for communities.

This Council:

Instructs the Chief Executive to produce a report for the Executive on how Manchester could put together a winning bid to host the 2023 European Capital of Culture including how to ensure long term benefits for Manchester residents.

Amendment made and seconded:

Delete all and replace with:

Council notes that despite the continued attacks and budget cuts by the Tory Lib Dem Government Manchester is still seen by both residents and visitors as the Cultural Capital of the UK and is firmly established as an international cultural destination.

Manchester has one of the most diverse and influential cultural scenes in Europe including the Manchester International Festival, the Halle and BBC Philharmonic Orchestras; Manchester Art Gallery; Whitworth Art Gallery; the Cornerhouse; Manchester Costume Gallery; the Manchester Museum; the People's History Museum; the National Football Museum; the Museum of Science and Industry; the Royal Exchange; the Palace Theatre; the Contact Theatre; the Bridgewater Hall; the Manchester Opera House; the Royal Northern College of Music; the Library Theatre company; a series of fantastic parades ranging from the Manchester Day Parade to the St Patrick's Day parade and Manchester Pride; a Caribbean Carnival; a Mega Mela; world class sports facilities; Manchester Arena; Manchester Central; Manchester Cathedral; Manchester Apollo; Manchester Academy; the Comedy Store; the Frog and Bucket; the Band on the Wall; a world class night-life and hundreds of cultural events and venues in communities.

Council recognises the work of Manchester's Cultural Partnership and asks it to continue to identify sustainable and appropriate cultural opportunities to ensure Manchester's world class reputation and cultural offer continues to grow year after year.

Resolution

The amendment was put and voted upon, and the Lord Mayor declared that it was **carried**.

The substantive motion was put and voted upon, and the Lord Mayor declared that it was **carried**.

Decision

Council notes that despite the continued attacks and budget cuts by the Tory Lib Dem Government Manchester is still seen by both residents and visitors as the Cultural Capital of the UK and is firmly established as an international cultural destination.

Manchester has one of the most diverse and influential cultural scenes in Europe including the Manchester International Festival, the Halle and BBC Philharmonic Orchestras; Manchester Art Gallery; Whitworth Art Gallery; the Cornerhouse; Manchester Costume Gallery; the Manchester Museum; the People's History Museum; the National Football Museum; the Museum of Science and Industry; the Royal Exchange; the Palace Theatre; the Contact Theatre; the Bridgewater Hall; the Manchester Opera House; the Royal Northern College of Music; the Library Theatre company; a series of fantastic parades ranging from the Manchester Day Parade to the St Patrick's Day parade and Manchester Pride; a Caribbean Carnival; a Mega Mela; world class sports facilities; Manchester Arena; Manchester Central; Manchester Cathedral; Manchester Apollo; Manchester Academy; the Comedy Store; the Frog and Bucket; the Band on the Wall; a world class night-life and hundreds of cultural events and venues in communities.

Council recognises the work of Manchester's Cultural Partnership and asks it to continue to identify sustainable and appropriate cultural opportunities to ensure Manchester's world class reputation and cultural offer continues to grow year after year.

CC/14/30 Motion: Gambling Premises

Motion made and seconded:

1. Council notes the changing usage patterns in betting shops across Manchester, where now less than 20% of takings are from over-the-counter or 'traditional' bets.
2. Council supports the rights of people to choose placing a bet as a recreational activity.
3. Council notes that the introduction of high stakes, no limit, fixed odds betting terminals has made addictive gambling accessible and attractive to a wide number of people, including vulnerable people at risk of gambling beyond their means.
4. Council notes the lack of effective controls on age restrictions and gambling addiction within betting shops that are often single-staffed, especially where those staff have reportedly been advised not to inform the police of incidents.
5. Council recognises that gambling addiction can represent a loss of income for the whole family and a significant cause of spiralling debt.

6. Council notes that betting shops have begun to cluster in some areas of the city, particularly in areas of multiple deprivation.
7. Council considers that the current licensing and planning regime does not provide for adequate control of gambling establishments.

Council therefore resolves to:

1. Invite representatives from the gambling industry to attend a Summit on Gambling in Manchester and to hear from community representatives and those whose lives have been affected by gambling.
2. Undertake a programme of test purchasing
3. Support and work with other local authorities who are using the Sustainable Communities Act to propose more effective control through the planning and licensing regimes.

Amendment made and seconded:

add at end

"4. Welcomes proposals in the budget to increase the tax rate on fixed odds betting terminals and so discourage their use."

Resolution

The proposer of the original motion accepted the amendment. The substantive motion was put and voted upon, and the Lord Mayor declared the motion **carried**.

Decision

1. Council notes the changing usage patterns in betting shops across Manchester, where now less than 20% of takings are from over-the-counter or 'traditional' bets.
2. Council supports the rights of people to choose placing a bet as a recreational activity.
3. Council notes that the introduction of high stakes, no limit, fixed odds betting terminals has made addictive gambling accessible and attractive to a wide number of people, including vulnerable people at risk of gambling beyond their means.
4. Council notes the lack of effective controls on age restrictions and gambling addiction within betting shops that are often single-staffed, especially where those staff have reportedly been advised not to inform the police of incidents.
5. Council recognises that gambling addiction can represent a loss of income for the whole family and a significant cause of spiralling debt.
6. Council notes that betting shops have begun to cluster in some areas of the city, particularly in areas of multiple deprivation.
7. Council considers that the current licensing and planning regime does not provide for adequate control of gambling establishments.

Council therefore resolves to:

1. Invite representatives from the gambling industry to attend a Summit on Gambling in Manchester and to hear from community representatives and those whose lives have been affected by gambling.
2. Undertake a programme of test purchasing
3. Support and work with other local authorities who are using the Sustainable Communities Act to propose more effective control through the planning and licensing regimes.
4. Welcomes proposals in the budget to increase the tax rate on fixed odds betting terminals and so discourage their use."

CC/14/31 Motion - Asylum Seekers

Motion made and seconded:

Manchester has a long history as a welcoming and tolerant city to those fleeing persecution and the strong record of the Council in protecting and speaking out for the most vulnerable. Manchester and Greater Manchester have a large population of asylum seekers and refugees.

Worldwide, approximately 80 countries criminalise lesbian, gay, bisexual and trans people resulting in persecution, imprisonment, and even death. The deteriorating situation for LGBT people in Uganda, Nigeria and Malawi has been heavily documented. Some of these LGBT people who have been tortured or imprisoned, flee to the UK for safety.

Reports from the Home Affairs Select Committee, Stonewall, The Lesbian and Gay Immigration Group and leaked Home Office documents detail the culture of disbelief and inhumane treatment facing LGBT asylum seekers in the process.

Asylum seekers face a lengthy application process, poverty and homelessness. The Red Cross (2014) found that over 50% of Greater Manchester's Asylum Seekers had living in destitution (no access to public funds or housing) for over two years. Asylum seekers want to work to support themselves, but are not allowed to do so by the Home Office.

Often the financial burden falls on local authorities to support those with no recourse to public funds with little central government support.

This Council resolves to:

Re-state our commitment in support of the fair treatment of LGBT people fleeing persecution and ensure that these values are shared by partners and funded groups working with asylum seekers.

Write to the Home Secretary voicing concerns that the current application of the asylum process allows too many people to fall destitute and that responsibility needs to be more equally shared between local and national government.

Sign up to the relevant sections of the Still Human, Still Here Campaign which includes faith groups, charities and a number of other Labour Councils such as Liverpool, Leeds, Bradford, Glasgow and Sheffield.

Encourage all Manchester MPs to adopt this position and raise these issues nationally.

Resolution

The motion was put and voted on, and the Lord Mayor declared that it was **carried**.

Decision

Manchester has a long history as a welcoming and tolerant city to those fleeing persecution and the strong record of the Council in protecting and speaking out for the most vulnerable. Manchester and Greater Manchester have a large population of asylum seekers and refugees.

Worldwide, approximately 80 countries criminalise lesbian, gay, bisexual and trans people resulting in persecution, imprisonment, and even death. The deteriorating situation for LGBT people in Uganda, Nigeria and Malawi has been heavily documented. Some of these LGBT people who have been tortured or imprisoned, flee to the UK for safety.

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Encourage all Manchester MPs to adopt this position and raise these issues nationally.

CC/14/32 Motion: Living Wage

Motion made and seconded:

This Council recognises:

- that tackling in-work poverty is a high priority for Manchester, given that many families don't earn enough to have a decent quality of life, despite working full-time and receiving in-work benefits
- that the many Manchester residents who are stuck in cycles of unemployment and low-paid work make a substantial contribution to the city's prosperity
- that earning a Living Wage would help some of the poorest workers in the city deal with the unprecedented pressures on their incomes; and that the non-London Living Wage rate, endorsed by the Living Wage Foundation, applies to Manchester
- that many businesses – large and small and across many sectors – pay a Living Wage to their staff, and the Council commends them for doing so
- that there are many advantages to paying a Living Wage – many businesses report higher retention, and higher quality of staff and work
- that across the country many local authorities have been able to pay a Living Wage, and have overcome the legal and financial obstacles of becoming accredited by the Living Wage Foundation
- that in paying staff first the Manchester Minimum Wage from 2009, and then the Living Wage from this year, the most challenging steps have already been taken
- that more can be done to help the low paid: such as requiring it of, or commending it to, contractors, sub-contractors, agency workers, school staff and employers in the wider economy

Therefore, this Council:

- supports the principle of both introducing and maintaining a Living Wage for all of the Council's directly employed staff, and of this being a requirement in contracts and sub-contracts, including agency workers and school staff
- will ask all those it contracts and sub-contracts, now and in future (including agency workers and school staff) whether they currently pay a Living Wage and if they are willing to do so
- will launch a member-led task and finish group to oversee the implementation of the Living Wage as far as possible, and to investigate:
 - if the Council can require contractors to pay a Living Wage on a case-by-case basis for all existing and future contracts;
 - whether the Council should apply for accreditation from the Living Wage Foundation; and
 - how the Living Wage can be extended out across Greater Manchester.
- will ensure the terms of implementing a Living Wage are negotiated through the recognised trade union(s)
- encourages members to urge the partner organisations they engage with – such as schools, colleges and housing associations – to pay the Living Wage

- will annually publish the most detailed statistics possible on low-paid staff who the Council directly employs, contracts, sub-contracts, hires as agency staff and school staff; and on low pay in general across Manchester and Greater Manchester.

Resolution

The motion was put and voted on, and the Lord Mayor declared that it was **carried**.

Decision

This Council recognises:

- that tackling in-work poverty is a high priority for Manchester, given that many families don't earn enough to have a decent quality of life, despite working full-time and receiving in-work benefits
- that the many Manchester residents who are stuck in cycles of unemployment and low-paid work make a substantial contribution to the city's prosperity
- that earning a Living Wage would help some of the poorest workers in the city deal with the unprecedented pressures on their incomes; and that the non-London Living Wage rate, endorsed by the Living Wage Foundation, applies to Manchester
- that many businesses – large and small and across many sectors – pay a Living Wage to their staff, and the Council commends them for doing so
- that there are many advantages to paying a Living Wage – many businesses report higher retention, and higher quality of staff and work
- that across the country many local authorities have been able to pay a Living Wage, and have overcome the legal and financial obstacles of becoming accredited by the Living Wage Foundation
- that in paying staff first the Manchester Minimum Wage from 2009, and then the Living Wage from this year, the most challenging steps have already been taken
- that more can be done to help the low paid: such as requiring it of, or commending it to, contractors, sub-contractors, agency workers, school staff and employers in the wider economy

Therefore, this Council:

- supports the principle of both introducing and maintaining a Living Wage for all of the Council's directly employed staff, and of this being a requirement in contracts and sub-contracts, including agency workers and school staff
- will ask all those it contracts and sub-contracts, now and in future (including agency workers and school staff) whether they currently pay a Living Wage and if they are willing to do so
- will launch a member-led task and finish group to oversee the implementation of the Living Wage as far as possible, and to investigate:
 - if the Council can require contractors to pay a Living Wage on a case-by-case basis for all existing and future contracts;
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 - how the Living Wage can be extended out across Greater Manchester.

- will ensure the terms of implementing a Living Wage are negotiated through the recognised trade union(s)
- encourages members to urge the partner organisations they engage with – such as schools, colleges and housing associations – to pay the Living Wage
- will annually publish the most detailed statistics possible on low-paid staff who the Council directly employs, contracts, sub-contracts, hires as agency staff and school staff; and on low pay in general across Manchester and Greater Manchester.

Deputy Chief Executive (Growth and Neighbourhoods)

The holder of the post of Deputy Chief Executive (**Growth and Neighbourhoods**) shall be responsible for the management of the **Directorate of Growth and Neighbourhoods** and without prejudice to the foregoing, shall have the powers set out below subject to compliance with the Constitution, Standing Orders, any relevant provisions of the Financial Regulations and any legal requirements.

General Functions

These functions can be either Executive or Non-Executive depending on the circumstances.

1. Without prejudice to the specific delegations of the **Head of Neighbourhood Delivery, Head of Planning, Building Control and Licensing**, the Director of Commercial Services, the Head of Community and Cultural Services and the Head of Business Units, to exercise a strategic overview of the Council's functions and services relating to private sector housing, environmental health, environmental services, waste, environmental protection, street management and enforcement, licensing, operational services, **regeneration**, highways, environmental strategy and community and cultural services, including Art Galleries, Museums, Libraries, Theatres, Sport and Leisure.
2. To support and assist the Chief Executive in his responsibilities in relation to civil contingencies, emergencies and disasters, and to take day to day responsibility for such matters.
3. To discharge the Council's functions as a "responsible authority" as defined by Section 13(4)(za) of the Licensing Act 2003
4. To take any urgent action in connection with the functions delegated to **the Deputy Chief Executive (Growth and Neighbourhoods)** after consultation with the appropriate Chair or Executive Member, subject to any such action taken under this power being reported to the next ordinary meeting of the Executive or appropriate committee.
5. **At the request of the Chief Executive, to exercise any power delegated to the Chief Executive relating to economic development and regeneration.**

Art Galleries and Museums

6. To discharge the functions of the Council in relation to Art Galleries and Museums and to oversee the management of the City Galleries Service.

Without prejudice to the generality of 6 above:

7. To approve the purchase of works of art using monies from the Art Fund up to a maximum of £25,000 in consultation with the Executive Member for Culture and Leisure.

8. To determine grants, contributions, subscriptions or loans in appropriate cases to bodies or organisations for the provision of artistic activities in the City.
9. To approve the acceptance of gifts, donations, deposits or offers of grant.
10. To make arrangements in relation to exhibitions including the borrowing of works of art from other collections and temporary loan of works of art from Manchester City Galleries collections.
11. To maintain war memorials and public statues.

Non-Executive Functions

12. To exercise the functions of the Council in relation to Manchester Art Gallery under Section 149 of the Greater Manchester Act 1981 (“the Local Act”) (with the exception of Section 149(3) of the Local Act which in the case of the proposed sale or exchange of any works or objects of art worth more than £25,000 shall be approved by the Art Galleries Committee).
13. To consider and determine, in consultation with the Executive Member for Environment, objections and representations in respect of the proposed granting of licences under Section 115E of the Highways Act 1980 (provision of amenities on highways).
14. To discharge the functions of the Council in relation to the suspension of licences under section 55A (premises licence) and section 92A (club premises licence) of the Licensing Act 2003.

Executive Functions

Flood and Water Management

15. To discharge the functions of the Council as a “lead local flood authority” under the Flood and Water Management Act 2010 (“the Flood Act”).
16. Without prejudice to the generality of paragraph 15 above, to discharge the Council’s functions in relation to:-
 - (a) the “local flood risk management strategy” under section 9 of the Flood Act;
 - (b) “investigations” under section 19 of the Flood Act.
 - (c) establishing and maintaining a “register” of flood risk structures and features under section 21 of the Flood Act.
17. To determine plans relating to schemes for culverting watercourses.
18. To perform the enforcement functions of the Council regarding reservoirs.
19. To exercise the Council’s remedial and enforcement functions in relation to watercourses, non-main rivers classified as streams, brooks and ditches etc.

Miscellaneous

20. To consider and determine, in consultation with the **Executive Member for Environment**, objections and representations in respect of proposed traffic regulation orders, speed limits, on-street parking places orders and traffic calming measures; and disposal or appropriation of open spaces.
21. To consider and determine, in consultation with the **Deputy Leader**, objections and representations in respect of proposed gating orders under Section 129A-G of the Highways Act 1980.
22. To consider and determine, in consultation with the **Executive Member for the Environment** objections and representations of proposed Orders concerning pay and display car parks.
23. To prepare where necessary statutory statements for works carried out by the DLOs /DSOs within the department including street cleansing, grounds maintenance, fleet management, vehicle maintenance, street lighting, highways, building cleansing.
24. Subject to consultation with the City Solicitor to enter into Agreements in relation to any of the above matters.