

**Manchester City Council
Report for Resolution**

Report to: Economy Scrutiny Committee – 27 May 2015
Subject: Overview Report
Report of: Governance and Scrutiny Support Unit

Summary

This report provides the following information:

- Recommendations Monitor
- Key Decisions
- Items for Information – including the most recent Real Time Economy Dashboard
- Work Programme (attached as an appendix)

Recommendation

The Committee is invited to discuss the information provided and agree any changes to the work programme that are necessary.

Contact Officers:

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Wards Affected: All

Background documents (available for public inspection): None

1. Monitoring Previous Recommendations

Date	Item	Recommendation	Response	Contact Officer
27 August 2014	ESC/14/32 Economic impact of health, research and bio-science – feedback from July’s meeting	To agree that the Chair and the three chairs of the subgroups will meet with the Chief Executive, the new Director of the Manchester Academic Health Science Centre (MAHSC), once appointed, and Peter Noble, of MAHSC to discuss this work further and agree the best way to take the recommendations forward.	This meeting will be arranged once the new Director of MAHSC has been appointed in the new year.	Eleanor Fort, Scrutiny Support Officer
24 September 2014	ESC/13/38 Universal Credit	To visit Barlow Moor Community Centre in Chorlton to meet people affected by the Universal Credit pilot in Manchester.	This visit will be arranged in 2015/16, once Universal Credit has been implemented.	Eleanor Fort, Scrutiny Support Officer
24 September 2014	ESC/13/39 Update on Community Budgets and Troubled Families	To request that the Head of Regeneration report back to the Committee how long the evaluation of the Troubled Families programme would run.	The evaluation of the Troubled Families programme will run for as long as the programme runs. The TF2 programme, which Greater Manchester commenced in September 2015, is expected to run for a further five years in total.	Angela Harrington, Head of Regeneration
11 February 2015	ESC/15/10 Minutes	To write to Lord Stephen Green, Dave Hartnett and Margaret Hodge.	These letters will be drafted and sent in consultation with the Chair.	Eleanor Fort, Scrutiny Support Officer
11 February 2015	ESC/15/13 Business Plans	To request that officers provide clarity on appendix 5 of the report.	This appendix was circulated on 10 March 2015.	Courtney Brightwell, Performance and Intelligence Lead
11 March 2015	ESC/15/20 District Centres	To request that the Head of Regeneration provide further information on the enforcement	The response to this request can be found under section 3 of this report.	Fiona Sharkey, Strategic Area Manager

		activity taking place to prevent traders from disposing of their waste incorrectly and blocking pavements outside of their premises.		
11 March 2015	ESC/15/20 District Centres	To recommend that the Deputy Leader, Executive Member for Environment and Head of Regeneration set up a meeting on District Centres to gather members' knowledge and experience on District Centres.	The Head of Regeneration has confirmed that members' feedback will be sought as part of a review on district centres, and she will confirm timescales at a later date.	Angela Harrington, Head of Regeneration
11 March 2015	ESC/15/22 Environmental Sustainability Subgroup; work programme for response to recommendations; progress report	To request a document clearly summarising the information detailed in the report along with an explanation of the key performance indicators.	The Environmental Strategy Team will work with the Communications Team to produce a document for members to use. This will be circulated once it has been produced.	Jessica Bowles, Head of Policy Partnerships and Research

2. Key Decisions

The Council is required to publish details of key decisions that will be taken at least 28 days before the decision is due to be taken. Details of key decisions that are due to be taken are published on a monthly basis in the Register of Key Decisions.

A key decision, as defined in the Council's Constitution is an executive decision, which is likely:

- To result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates, or
- To be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the city.

The Council Constitution defines 'significant' as being expenditure or savings (including the loss of income or capital receipts) in excess of £500k, providing that is not more than 10% of the gross operating expenditure for any budget heading in the in the Council's Revenue Budget Book, and subject to other defined exceptions.

An extract of the most recent Register of Key Decisions, published on **1 May 2015**, containing details of the decisions under the Committee's remit is included below. This is to keep members informed of what decisions are being taken and, where appropriate, include in the work programme of the Committee.

Decision title	What is the decision?	Decision maker	Planned date of decision	Documents that will be considered	Contact officer details
Eastlands Strategic Joint Venture	Approval of capital expenditure for Eastlands Strategic Joint Venture	The Executive	May 2015 or later	Report to the Executive	Eddie Smith Strategic Director - Strategic Development) 0161 234 3030 e.smith@manchester.gov.uk

3. Items for Information

Subject	Response to recommendation: ESC/15/20 District Centres
Contact Officers	Fiona Sharkey, District Area Manager Tel: 0161 256 2130 Email: f.sharkey@manchester.gov.uk

Summary

At its meeting in March 2015, the Committee made the following recommendation:
To request that the Head of Regeneration provide further information on the enforcement activity taking place to prevent traders from disposing of their waste incorrectly and blocking pavements outside of their premises.

Response

Section 34 of the Environmental Protection Act (EPA) imposes a 'duty of care' on businesses which produce or handle waste. This duty requires businesses to ensure their waste is properly stored, transported and disposed of. It applies to anyone who produces, carries, treats, imports or disposes of controlled waste. The section 34 provisions can be used

- To prevent illegal dumping and disposal of waste by checking whether businesses have a proper waste contract.
- To ensure waste is stored correctly, in a safe and secure manner
- To require proof that waste was transferred to an authorised person

A Section 34 notice tends to be served where a business claims to have a waste contract in place but is unable to provide documentary evidence of this. In most cases, the officer would also have reason to suspect that the specific business, or businesses in the area, are not disposing of their waste correctly e.g. black sacks dumped near business premises. This will result in enquiries to that business, regarding their duty of care. Enquiries should determine whether the current waste disposal arrangements comply with the law. This is likely to involve examining waste transfer notes and waste contracts to ascertain whether legal waste disposal provisions exist. Officers will, where necessary, also contact the waste collection company to confirm the waste collection arrangements in place. If the business fails to comply with the section 34 notice then they will be invited to attend an interview under caution during which they are given the opportunity to explain why they have failed to comply with the Notice. If appropriate, a Fixed Penalty Notice, can be offered to the company to discharge their liability for the offence. If the Fixed Penalty Notice (FPN) is refused/not paid or if the circumstances of the case are such that a FPN would not be appropriate, a prosecution should be pursued. .

Section 47 of EPA can be used to prevent or remedy poor waste management practices. Using this section, the Council can enforce requirements as to the types and numbers of waste receptacles (bins), and how they should be used. Businesses, particularly new businesses, may simply be unaware of their waste obligations, and they need to be educated regarding what is required of them. The serving of a section 47 notice is an opportunity for the owner to comply with the law rather than a punitive measure. Where no, or inadequate, waste collection arrangements are in

place a notice can be served under section 47 of the Environmental Protection Act 1990. To issue a section 47 notice, the Council must first prove that existing waste storage provisions are insufficient, or likely to cause an environmental problem. The notice is intended to remedy the existing problem by specifying the measures that need to be taken and gives the business the opportunity to comply with the law.

Officers will monitor the premises following service of the notice to confirm that the terms are being adhered to. Where businesses don't comply with the notice evidence of this is gathered and the offender is invited to attend an interview under caution (often referred to as a PACE Interview). If appropriate, a Fixed Penalty Notice can be served. For more serious breaches or if the FPN is refused/not paid a prosecution case should be prepared

Goods displayed on the highway are dealt with via section 148 of the Highways Act 1980 - placing objects which interrupt users of the highway. It is often the case that where businesses are displaying goods at the front of their premises that they actually own the land although it may appear to members of the public that it is part of the pavement.

In cases where goods are placed on the highway officers will initially take an informal approach and ask businesses to remove items. In the majority of cases this is successful and it is rarely the case that formal enforcement action using the Highways legislation is required.

A number of targeted enforcement initiatives have taken place around district centres across the city . These are planned based on a combination of intelligence from Member and resident complaints, feedback from Enterprise Manchester's operational crews and officer observations.

Common tactics employed in these operations are initially visiting the commercial premises to check that they have adequate waste management provisions in place and issuing a combination of s34 and s47 notices depending on the issues that are encountered. There is a high degree of compliance with notices which means that further enforcement action is not required. Where businesses fail to comply with the notice they are issued with a fixed penalty notice.

In some areas, following investigation, it has become clear that there is also an issue with flats above shops having inadequate waste disposal arrangements. In such cases the residents have been depositing their refuse next to the commercial bins which has led to the perception that the businesses are not managing their waste. In these cases section 46 notices under the EPA have been issued to the residents of the domestic properties.

A sample of the initiatives undertaken, drawn from across the city, are outlined below:

Levenshulme District

Waste hotspots along sections of Stockport Rd (North Western St to Kevin St, Woodfold Ave to Belvoir Ave, Delamere Rd to Southyard St and Worsley to Carrill Grove) were visited to ensure compliance with commercial waste management. Nine

S47 notices were issued on business to ensure waste was contained and they had contracts, two Fixed Penalty fines were issued for non compliance with the notices.

It was also the case in this area that a large amount of waste was deposited from flats above the shops without bins and five S46 notices were served on domestic properties.

At four of these hotspots council tax was checked for registered domestic properties and a set of 240 litre general and recycling bins locked in frames were installed, re-using redundant recycling frames. Currently the areas appear to have improved significantly but will require ongoing monitoring by both compliance and operational staff. In addition to this warning letters have been given to four businesses along Stockport Rd for displaying goods on the highway where they have encroached on the footpath. These have been complied with.

Hulme

A full audit of commercial waste provision was undertaken in the Hulme District Centre. Twelve premises already had suitable waste arrangements, four complied after advice. S47 notices were served on the others and three premises failed to comply, resulting in FPNs being issued. Two premises complied after paying the FPN and one premises failed to pay the FPN and legal action was taken for non-payment.

Cheetham Hill

NDT officers participated in a multi-agency initiative inspecting commercial premises located at 408-438 Cheetham Hill Road

Part of the commercial premises inspections involved ascertaining whether businesses had commercial waste contracts and also determining whether any obstructions were occurring due to the inappropriate location of 'A' boards or goods being displayed on the public highway. Nine of the businesses were identified as having waste contracts, six businesses were identified as having no or insufficient waste contracts. All businesses were advised of requirements to have a contract set up and follow up inspections confirmed that all had complied.

Newton Heath

An initiative was carried out in Newton Heath targeting the shops on Briscoe Lane following this being raised as a priority at Newton Heath Ward Co-ordination

The businesses were visited and all shops in the area now have a waste contract in place. One S47 notice was served which was complied with.

Real Time Economy Dashboard

The Real Time Economy Dashboard is now being produced on a quarterly basis, rather than monthly. The Dashboard for 2014/15 Quarter 4 was not available at the time of publication, but will be circulated to members when it is available.

Economy Scrutiny Committee Work Programme – May 2015

Wednesday 27 May 2015, 10.00am (Report deadline Thursday 14 May 2015)				
Item	Purpose	Lead Executive Member	Lead Officer	Comments
Update on the city's economy – how residents benefit	The Chief Executive attended the February 2014 meeting of the Committee to discuss a presentation he had recently given to full Council in detail. The presentation was on developments to the city's economy. The Committee would like to invite the Chief Executive to a meeting to receive an update on this activity and the work taking place to ensure that residents benefit from the improvements to the city's economy.	Councillor Leese	Sir Howard Bernstein Eddie Smith	See February 2014 minutes.
Overview Report	This is a monthly report which includes the recommendations monitor, relevant key decisions, the Committee's work programme and any items for information. To include the most recent Real Time Economy Dashboard.	Not applicable	Eleanor Fort Christina Sharples	
Annual Work Programming Session	The meeting will close for the annual work programming session where members determine the work programme for the forthcoming year. To follow an oral presentation from the strategic director on upcoming issues and challenges within the Committee's remit.	N/A	Eddie Smith Eleanor Fort	This will take place following the close of the meeting.

Wednesday 24 June 2015, 10.00am (Report deadline Friday 12 June 2015)				
Item	Purpose	Lead Executive Member	Lead Officer	Comments
Tax Avoidance	<p>At the February 2015 meeting of Council a motion was passed on Tax Avoidance. The Council agreed to request that the Chief Executive report back on the issue of tax avoidance in a Manchester context.</p> <p>Following this, the Council resolved to form a Task and Finish group under the remit of the Economy Scrutiny Committee, to explore what practical measures the Council can implement to tackle tax avoidance. This would include reviewing procurement policies.</p>	Councillor Leese	Sir Howard Bernstein Eddie Smith	<p>See motion to Council – February 2015</p> <p>Date to be confirmed.</p>
Overview Report	To include the most recent Real Time Economy Dashboard.		Christina Sharples	

Wednesday 22 July 2015, 10.00am (Report deadline Friday 10 July 2015)				
Item	Purpose	Lead Executive Member	Lead Officer	Comments
Overview Report	To include the most recent Real Time Economy Dashboard.		Christina Sharples	

Wednesday 2 September 2015, 10.00am (Report deadline Thursday 20 August 2015)				
Item	Purpose	Lead Executive Member	Lead Officer	Comments
Overview Report	To include the most recent Real Time Economy Dashboard.		Christina Sharples	

Wednesday 30 September 2015, 10.00am (Report deadline Friday 18 September 2015)				
Item	Purpose	Lead Executive Member	Lead Officer	Comments
Overview Report	To include the most recent Real Time Economy Dashboard.		Christina Sharples	

Items To be Scheduled				
Item	Purpose	Lead Executive Member	Lead Officer	Comments
Impact of Funding Cuts to the Third Sector	To invite representatives of third sector organisations to hear their personal experiences of the impact of funding cuts on their organisation and the people they help.	Councillor S Murphy	Geoff Little Liz Goodger	See July 2013 minutes To invite Mike Wild of Macc to the meeting
Cost of transport	To look into the cost of transport and the impact this	Councillor	Jessica	

	has on people's finances. (To be fully scoped)	Chappell	Bowles	
Financial Inclusion	To invite representatives from local banks to discuss how they can work with the Council and social housing providers to support residents in budgeting and making best use of the services available. To consider examples of where this has worked well.	Councillor Leese Councillor Smith	Angela Harrington	See September 2013 minutes
Greater Manchester Growth and Reform Plan update	To follow up on the evaluation plan for the Greater Manchester Growth Deal once it has been developed. To include more information on the commitment to communicate with local people on a regular basis.	Councillor Leese	Jessica Bowles	See August 2014 minutes
Smart Cities	To receive an update on the Smart Cities work, including the key deliverables and how this links to the Manchester Strategy.	Councillor Leese	Jessica Bowles	See August 2014 minutes
The Council's procurement from small and medium businesses	To examine the reasons why Manchester Council is bottom of the Greater Manchester League Table of council's procuring services from small and medium sized businesses.	Councillor Leese Councillor Flanagan	Ian Brown Eddie Smith	To invite the chair of the Finance Scrutiny Committee See September 2014 minutes
Work Programme Update	When the Committee next considers the Work Programme performance, to invite people who have participated in the Work Programme to hear about their experiences.	Councillor S Murphy	Angela Harrington	See September 2014 minutes
Universal Credit	To request a briefing note on the detail of the unintended consequences of Universal Credit which may have a significant impact on claimants, once the roll out of Universal Credit has been implemented.	Councillor S Murphy	Angela Harrington	See September 2014 minutes
Troubled Families	To receive a further update on the Community Budgets and Troubled Families Programme, to be submitted when appropriate. To include:	Councillor S Murphy	Geoff Little Jacob Botham	See September 2014 minutes

	<ul style="list-style-type: none"> • data broken down by ward; • information on the long term evaluation of the project; • what lessons are being learned from the project that influence practice elsewhere; • how the learning and evaluation of the project will be taken forward. 			
Corporate Social Responsibility	<p>To receive a report on corporate social responsibility (CSR) following up on matters raised when the Committee last considered it in October 2014. To include the strategic context to CSR in the city.</p> <p>To also include detail on the work that the Technology Strategy Board is doing to support organisations to track their corporate social responsibility, which has Manchester Metropolitan University as its first client.</p>	Councillor Leese	Eddie Smith Angela Harrington	See October 2014 minutes
Digital Skills	To hold a meeting dedicated to digital skills in the city. Date to be confirmed and content of the meeting to be fully scoped.	Councillor S Murphy	Eddie Smith John Edwards	See September and October 2014 minutes
Impact of Birley Fields development	<p>To assess the impact of the development of the new campus of Manchester Metropolitan University at Birley Fields, in terms of benefits to the local economy. For example:</p> <ul style="list-style-type: none"> • number of level of jobs created; • comparisons to other big developments; • cost benefit analysis of the investment. • to what extent the supply chain of the development has an impact in Manchester and Greater Manchester. 	Councillor S Murphy	Eddie Smith Angela Harrington	See October 2014 minutes.
Impact of worklessness on	To consider the impact of worklessness and poverty on health. To consider what support is in place in the	Councillor S Murphy	David Regan	See October 2014 minutes.

health	<p>city for helping people back into work with health problems. To include consideration of mental health in this, and what support is available for people with mental health problems in accessing work.</p> <p>To consider the work of Well North.</p>	Councillor Andrews		To invite the Chair of the Health Scrutiny Committee
Talent Match update	To receive an update on the Talent Match approximately a year to consider progress on the Talent Match programme and invite young people involved in the programme.	Councillor S Murphy	Angela Harrington	<p>Date to be confirmed – November 2015</p> <p>See November 2014 minutes</p>
Apprenticeships update	<p>To add an item to the agenda for early 2016 to consider progress in apprenticeships and youth initiatives in Greater Manchester since it was last considered in November 2014. To ensure that the item has sufficient time on the agenda.</p> <p>To consider dedicating a meeting to apprenticeships.</p>	Councillor S Murphy	Angela Harrington	<p>Date to be confirmed – November 2015</p> <p>See November 2014 minutes</p>
Skills funding	<p>To provide an overview of post-16 skills capital and revenue funding in Greater Manchester and Manchester. To include:</p> <ul style="list-style-type: none"> • detail of the roles of the Skills Funding Agency and Local Enterprise Partnership; • the reductions in funding compared with previous years, particularly for post-16 education, and the impact of this; • implications for learners in Manchester. 	Councillor S Murphy Councillor S Newman	John Edwards	To invite the Young People and Children Scrutiny Committee.
Job creation through large investments	<p>To request a report which provides analysis of the jobs that were created in large developments in the last five years. To consider:</p> <ul style="list-style-type: none"> • all developments which planned to create 100+ jobs; 	Councillor Leese	Angela Harrington Jessica Bowles	

	<ul style="list-style-type: none"> • to compare the number of jobs planned with the number of jobs created; • to provide an analysis of the jobs by development and in total: <ul style="list-style-type: none"> - what level they are; - whether they are full or part time; - how many went to Manchester residents. 			
Manchester College	To invite the Manchester College to provide an update on their activity since they last attended the Committee in February 2015.	Councillor S Murphy	The Manchester College	See February 2015. Date to be confirmed – February 2016
Greater Manchester Business Survey	To consider the results of the Greater Manchester Business Survey.	Councillor S Murphy	Angela Harrington	
Business Growth Hub Update	<p>To receive an update on the work of the Business Growth Hub.</p> <p>To invite representatives from businesses which had benefitted from the Hub’s support to hear about their experiences.</p>	Councillor S Murphy	Angela Harrington Business Growth Hub	See February 2015 minutes
Update on Working Well	<p>To receive an update on the Working Well programme since the Committee last considered it in March 2015.</p> <p>To include consideration of the expansion of the Working Well programme, including which cohort would be targeted.</p>	Councillor S Murphy	Angela Harrington	See March 2015 minutes
Christmas 2015 Summary	To receive the annual update on the economic performance of the city over Christmas. To include full costs of the markets, including cleaning and restitution costs, such as damage to Albert Square.	Councillor Leese	Sara Tomkins Jennifer Green Pat Bartoli	To be added to the agenda for March 2016.