

The Executive

Minutes of the meeting held on 11 September 2013

Present: Councillor R Leese – in the Chair
Councillors Andrews, R Battle, Khan, N Murphy, S Murphy, Priest and Smith

Also present as Members of the Standing Consultative Panel:
Councillors Akbar, Di Mauro, Hyde and Wheale

Exe/13/116 Minutes

Decision

To approve the minutes of the meetings held on 24 July 2013 as a correct record.

Exe/13/117 High Speed 2 (HS2) Consultation and HS2 Manchester Piccadilly Strategic Regeneration Framework

In July 2009 we had endorsed and supported the establishment of a group of the UK's major cities to lobby for the development of a High Speed Rail network (Minute Exe/09/93). We consider that High Speed 2 (HS2) should provide a major boost to the economies of the cities of the North of England, provide essential additional capacity across the rail network and shorten journey times between Britain's major population centres. The economic significance of the project had been proven in research just published by KPMG on the future regional economic impacts of HS2.

The Chief Executive submitted a report that outlined the Government's consultation on the HS2 rail link from the West Midlands to Manchester and Leeds. The report also explained the growth opportunities this presented for the Manchester City Region. An initial preferred route and stations for the Birmingham to Manchester line was announced in January 2013, and the government had begun public consultation on those proposals in July. The Chief Executive's report focused now on the strategic implications of the proposals for Manchester and on the Piccadilly area in particular.

The report explained how the Council was working with TfGM, Network Rail and HS2 to ensure that Greater Manchester is "HS2 Ready", so as to accelerate and maximise the economic benefits to the sub-region of HS2 itself, of other planned investment in the rail network, and of associated investment in and around Piccadilly. Over the coming years there would be at least two major investment interventions in and around Piccadilly Station: one for the Northern Hub works and second for HS2. There was also the possibility of extending the capacity of Metrolink at Piccadilly Station. Therefore, it was important that these investments be coordinated to secure a seamless transition and to reduce blight and costs. These would also provide an early base for promoting growth and to accelerate investment and job creation. A robust planning and development framework explaining how these opportunities should be harnessed was considered to be an essential.

The report went on to present a draft Strategic Regeneration Framework (SRF) for the wider Piccadilly area, building on the opportunities presented by HS2 and the Northern Hub rail schemes. The SRF proposed significant changes in the vicinity of the station and also set out the preferred options for the design and functionality of the station itself. The SRF, combined with the work on the business benefits, would provide the basis of the response to the government's HS2 consultation. A copy of the draft SRF was included in the papers for the meeting.

The key themes of the draft SRF were:

- Maximising the opportunity: using the catalyst of HS2's arrival to create a new gateway and extend the boundaries of the city centre eastwards to the inner ring road and beyond.
- Place making: creating a new district with its focus around the station and a new boulevard with public spaces, streets and buildings that generate activity and promote city pride.
- Townscape integration: an area with its own character but also a seamless extension of the city centre which facilitates new routes and better connections.
- Neighbourhoods of choice: a diversity of neighbourhoods that attract people to live, work and socialise in.
- Transport connectivity: creating proposals that capture the potential for Piccadilly Station to be one of the world's great transport buildings which can capitalise on the area's unique location on the doorstep of one of Europe's largest multimodal transport interchanges.
- Market viability: defining proposals that offer a clear vision to investors and which are flexible and able to adapt to changes in demand.

The report explained how these could be realised through the development of new mixed-use neighbourhoods and high quality public spaces, with good levels of connectivity between them and with Piccadilly Station. The report also described the work being undertaken to assess the opportunities created by the proposal for a HS2 station adjacent to Manchester Airport.

The Chief Executive sought authorisation for a six week public consultation on the HS2 SRF, to run alongside the proposed consultation for the Mayfield SRF (Minute Exe/13/118). The intention was for a further report to us in December on the outcome of that consultation.

Decisions

1. To note the details of the HS2 consultation process, the potential opportunities presented for Manchester, and work which is being undertaken to ensure the Council can respond fully to the consultation exercise.
2. To agree that the Chief Executive undertakes a public consultation exercise, with the outcomes of the consultation to be brought back to us in December.
3. To request that the Chief Executive report on a substantive response to the HS2 consultation in December, including local impacts and on the HS2 Station at Manchester Airport.

Exe/13/118 Mayfield Strategic Regeneration Framework

In December 2009 we requested the Chief Executive undertake a public consultation exercise on the proposed Strategic Regeneration Framework (SRF) for the Mayfield area of Piccadilly, consulting with local residents and businesses (Minute Exe/09/165). In March 2010 we considered the responses to that consultation and approved the concept, vision and regeneration principles set out in the Framework (Minute Exe/10/29). The Chief Executive submitted a report to outline an updated SRF for Mayfield and sought authority to undertake public consultation on this revised Framework.

The revised SRF built on the extensive work undertaken in 2010 and now took into account the opportunities presented by Northern Hub and High Speed 2 (HS2) at Piccadilly Station. The SRF was to provide the context for the full economic, social and environmental potential of the Mayfield area to be realised through the creation of a distinctive new urban quarter. The report explained that developments and changes since the SRF was first approved in 2010 required that version to be refreshed. These included:

- a reduction in the scope for a significant relocation of government departments outside of London and the South East;
- continued changes in the property market and the preferences of occupiers for flexible accommodation options; and
- the confirmation of the Northern Hub initiative and the announcement of the high-speed rail HS2 proposals. Both those schemes involved major new interventions in the area that would affect the scale and potential of the development, including the opportunity for relocations from elsewhere in the Piccadilly area.

A copy of the revised Framework was included in the papers for the meeting. The document sought to achieve:

- up to 7,800 new office based jobs plus further job creation in retail and leisure;
- 1,330 new homes;
- 350 hotel bedrooms;
- high quality public realm including a new 6 acre city park;
- accelerating transformational change of the Eastern Gateway area of the city; and
- spin-off regeneration benefits for surrounding communities such as Ardwick and New East Manchester.

To plan for the implementation of the Masterplan council officers had worked with the key landowners in the area, including Transport for Greater Manchester Committee (TfGMC), British Rail Landholdings and London and Continental Railways (LCR). Heads of Terms between the parties were in an advanced stage of preparation. These would regulate the relationships of the partners, protect new financial investors, and provide the brief for procuring a development partner. The intention was for land assembly to be the responsibility of LCR and arrangements had been agreed for land pooling and profit sharing which reflected the value of the land of each of the partners.

Neither the Council nor TfGMC would incur any significant financial liabilities as a result of the arrangements for Mayfield. Expenditure incurred on masterplanning would be recoverable on the development taking place.

We supported the refresh of the SRF and agreed that consultation should be undertaken.

Decisions

1. To note the key principles of the SRF and the proposed delivery structures.
2. To request the Chief Executive undertake a public consultation exercise on the SRF with local residents, businesses and other stakeholders, and to report back to us in December 2013
3. To delegate responsibility to the Chief Executive, City Solicitor and City Treasurer in consultation with the Leader and Executive Member for Finance to finalise the Heads of Terms in accordance with the key principles outlined in the report.

Exe/13/119 Consultation on the Network Rail Manchester Piccadilly and Oxford Road Capacity Scheme

Network Rail was undertaking the first phase of consultation on proposals to build two new through platforms at Manchester Piccadilly Station, adjacent to platforms 13 and 14, and also to extend the platforms at Manchester Oxford Road Station. The intention was for the works to start in 2016 and be completed in 2018. These two proposals were part of the next phase of the Northern Hub capacity improvement works, a wider package of improvements to the rail network.

The report set out the heritage, urban design and environmental issues arising from both schemes. Both these schemes would be in prominent locations, close to people's homes, important cultural institutions and other important regeneration priorities. It was therefore important to ensure that the appearance of these structures is of the highest quality and consistent with the high standards of design that have been delivered elsewhere in the City. We asked officers to continue to work with Network Rail to refine and improve the options so as to achieve their objectives with the least possible harm.

The report described the options assessment for each of the two schemes. Three options were being put forward for Piccadilly, and two for Oxford Road. These varied in the impacts they would have on neighbouring properties and highways, and the nature of the disruption caused during the construction. We supported the minimum demolition options for both sites and authorised the Chief Executive to make a response to the consultation.

We noted that the Neighbourhood Scrutiny Committee had also considered this report and had endorsed its recommendations (Minute NSC/13/59).

Decisions

1. To reiterate the Council's strong support for Network Rail's proposal to deliver the next phase of the Northern Hub.
2. To ask officers to continue to work with Network Rail to further refine the current outline proposals for Piccadilly and Oxford Road and as detailed designs are brought forward to have particular regard to the issues identified in section 8 of the report.
3. To acknowledge the major impacts that this project will have during construction on local residents, businesses and Council regeneration projects and urges Network Rail to ensure ongoing dialogue with all affected parties.
4. To ask officers to continue to work with Network Rail to ensure that as detailed designs are brought forward that they are in line with the Council's wider economic and regeneration objectives for the regional centre and to ensure that this requirement is taken into account and incorporated in proposals to be included in a future Transport and Works Act Order application.
5. To authorise the Chief Executive to finalise the Council's formal response to consultation in consultation with the Leader and the Executive Member for Environment.
6. To recognise the impact that these proposals would have on the City Centre environment and require that the highest design solutions be delivered.

Exe/13/120 Rail Franchising and Devolution

A report by the Chief Executive provided us with an update on proposals to devolve greater responsibility for the rail network to local authorities across the north of England. The Northern Rail and Transpennine Express rail services were to be re-franchised with new contracts let in 2016. This presented an opportunity for a new approach to rail franchising that would see greater local control and the potential to maximise the economic benefits to be derived from both infrastructure and service improvements. Government ministers had been supportive of the principle of devolving responsibility for these franchises. The Brown Review of the rail franchising process published in January 2013 had similarly made the case for devolution of franchises to local level.

The Greater Manchester City Deal had included commitments to work with South and West Yorkshire to develop detailed proposals for devolution of rail franchises. This had included all the transport authorities across the North. 'Rail North' had been established to oversee this work on behalf of the key city regions and local transport authorities. Rail North had developed a draft business case for devolution within a strong governance and delivery framework.

The central premise of the business case was to bring about local specification and management of rail services in the North of England. To achieve this, the Rail North

partners were proposing the merging of the Northern and Transpennine franchises through the forthcoming refranchising process. The proposed governance structures for this included a Leaders' Committee and a Special Purpose Vehicle (SPV) with an independently chaired Executive Board responsible to the day-to-day oversight of the franchise through its contract with the train operator.

The report explained how the risks were being managed and apportioned across the authorities involved. Greater Manchester, West and South Yorkshire had put themselves forward as founding partners, willing in principle to assume franchise-wide risk. The North East local authorities, Merseyside and Cheshire authorities had also agreed in principle to assume proportionate risk. A priority for the next few months was to be the detailed analysis of the financial risk to the authorities and the development of strategies to mitigate those risks.

We welcomed the work that had been done on this and agreed to support the objective of the devolution of the franchises for Transpennine Express and Northern Rail by December 2013.

Decisions

1. To support in principle the proposals contained within the Rail North business case for the devolution of franchising powers and responsibilities to local authorities across the north of England through a new SPV Rail North.
2. To request that the Chief Executive, in consultation with the Leader of the Council, the City Treasurer and the City Solicitor and TfGM, continues to work with Rail North to finalise a business case for formal submission to the Department for Transport.
- 3 To request a further report on the analysis of risk and proposals relating to their effective management prior to any decision being taken on the devolution of rail services.

Exe/13/121 Holt Town: A Draft Regeneration Framework

Over the last eight years the City Council had been working to bring forward the redevelopment of the Holt Town area of East Manchester via Cibitas Investments Ltd (Minutes: Exe/08/98, Exe/11/133). However, the financial crisis and subsequent economic recessions had stalled progress with no meaningful development activity within the Holt Town area over the previous six years. To help enable a new planning application to be submitted by Cibitas Investments Ltd the City Council had engaged consultants to revise the part of the 2008 – 2018 East Manchester Strategic Regeneration Framework that related to the Holt Town area. This revision was to take into account the wider developments the Great Ancoats Street corridor and at the Etihad Campus.

A report submitted to us set out a draft Regeneration Framework for the Holt Town area of East Manchester. The intention was for this draft Framework will to be subject

to a period of public consultation in the autumn, with the outcomes reported to us at a future meeting.

Decisions

1. To endorse the draft Holt Town Regeneration Framework as a basis for consultation with local stakeholders and landowners.
2. To note that the outcomes of consultation and a final version of the Holt Town Regeneration Framework will be reported to a future.
3. To note the progress in relation to the successful relocation of all tenants from Chesshyre Avenue and Sidwell Walk.

Exe/13/122 Capital Programme – proposed increased

A report concerning requests to increase the capital programme was submitted. We agreed eight changes under delegated powers. Taken together these eight changes would increase the capital budget by £33.632m, financed by: £32.9m government grant and £732k external contributions.

Decisions

To approve the following:

1. Children's Services – Various School Contributions: To increase the capital budget by £251k in 2013/14, funded from contributions.
2. Highways – New Islington Free School Road: To increase the capital budget by £345k in 2013/14, funded by Education Funding Authority (EFA).
3. Highways – Bus Priority Package: To increase the capital budget by £32.49m (£5.701m in 2013/14, £18.446m in 2014/15 and £8.343m in 2015/16), funded by grant from GMCA.
4. Chief Executive's Regeneration – Longsight Cricket Club: To increase the capital budget by £88k in 2013/14, funded by Section 106.
5. Chief Executive's Regeneration – Broadband Voucher Scheme: To increase the capital budget by £65k in 2013/14, funded by Department for Media, Culture & Sport (DCMS) grant.
6. Highways – Central Manchester University Hospital Signing: To increase the capital budget by £25k in 2013/14, funded by an external contribution.
7. Highways – Whalley Range High School Road Safety Measures: To increase the capital budget by £18k in 2013/14, funded by school contribution.

8. Central Library – Development Fund: To increase the capital budget by £350k in 2013/14, funded by an external contribution.

Exe/13/123 Development of Extra Care Retirement Living

(Councillor Andrews declared a personal interest in this as the vice-chair of the Wythenshawe Community Housing Group)

The Director of Housing and the Strategic Director, Families Health and Wellbeing submitted a report on proposals to deliver mixed tenure retirement living developments in partnership with a major Registered Provider. This was in response to the need for more accommodation for older households in the city. The report explained how the council was keen to work with other Providers to deliver Extra Care retirement living as opportunities arose. A number of individual schemes were under discussion that may be funded through partner organisations' resources, or by the Homes and Communities Agency through the Affordable Homes Programme. However, the additional costs required for delivery of this kind of extra care scheme, including provision of community space and facilities, reduced the viability of such schemes for Registered Providers dependent on grant funded schemes.

The portfolio approach had been successfully used in the development of the Housing Investment Fund. Therefore a search for sites that could have potential as part of a portfolio for an Extra Care Investment Project was under way. The overall portfolio of sites needed to meet identified need for retirement living with care and be capable of delivering units for sale, shared ownership and affordable rent in proportions appropriate to the local needs.

The report also provided information on a successful funding bid for a scheme to be developed by Willow Park Housing Trust, (now part of Wythenshawe Community Homes Group, WCHG) in Wythenshawe. The bid had been for the development of a large Extra Care Specialist Housing Development for Older People, providing 135 new two bedroom apartments of varied tenure mix: 66 apartments for affordable rent; 39 apartments for Shared Ownership; and 30 apartments for outright sale.

Decisions

1. To note the successful funding bid by Wythenshawe Community Housing Trust to deliver the Extra Care scheme.
2. To note the need to work with other Providers to develop further proposals for Extra Care retirement living that will address identified gaps in the Manchester market and to bring forward detailed proposals to Executive for approval.

Exe/13/124 Didsbury Campus Regeneration Framework

A report by the Chief Executive described the proposals that had been brought forward by the Manchester Metropolitan University (MMU) for the future development of their Didsbury Campus estate. These had been set out in a draft Regeneration

Framework document and a copy of the framework was appended to the report. It was intended that would undergo a period of public consultation in the autumn.

The main development principles in the draft Regeneration Framework were:

- The Main Campus should be redeveloped for high quality housing.
- The Broomhurst Halls of Residence site was considered suitable for residential use, including family housing, apartments and care home or retirement home use, as well as having the potential to accommodate a new primary school.
- The Simon Playing Fields should be retained as playing fields.

Councillor Simcock addressed the meeting to express his support for the proposals, and to welcome the intention to build a new primary school in the area.

We supported these proposals and noted that the university was soon going to embark upon a period of consultation with local stakeholders.

Decision

To endorse the draft Didsbury Campus Regeneration Framework as a basis for consultation with local stakeholders and note that the outcomes of consultation and a final version of the Framework will be reported to a future meeting.

Exe/13/125 Clean and Green Places Initiative

A report by the Chief Executive explained that in 2013/14 the Council was due to receive additional dividend of £14.5m from Manchester Airport Group over and above the dividend that had been included in the budget. This included an estimated £10.65m as a one-off additional dividend from Manchester Airports Holdings Ltd arising from the cash balance attributable to Stansted Airport at the time of its acquisition by Manchester Airports Holdings Ltd. It also included £3.91m of additional recurring dividend. Due to the one-off nature of the majority of this funding it was proposed that the money be used to benefits the city in accordance with the Council's strategic priorities, and such that it did not lead to any commitments for ongoing expenditure.

The report set out proposals to invest the largely one-off funding in strategic interventions to improve the quality of the environment, and which are linked to bringing about behaviour change. It was not to be seen as being for filling current gaps in service provision, nor about creating long term additional revenue budget pressures. It was envisaged that the investments could range from:

- one-off interventions and investment that improve street cleanliness, improve recycling and that improve the quality of the City's public realm and parks;
- one-off interventions to support more robust environmental enforcement;
- local interventions to improve the physical environment and that support the drive for growth and make more neighbourhoods desirable for working families; and

- implementing proposals for behaviour change and community ownership at neighbourhood level so that the improvements achieved are continued when the funding ends.

The proposed criteria for assessing investments were:

- visibility - proposals should make a difference people can see where they live and work;
- speed of implementation - the impact has to be felt this year and next;
- clarity and creativity of ideas;
- sustainability - how will the improvement be maintained after the one-off investment has ended; and
- community involvement - proposals must show how communities will be involved in changing behaviour so that a new normal is created in terms of the way the council, partners and residents work together to keep the city clean and keep the streets and neighbourhoods looking their best.

The report put forward governance and decision making arrangements for the investments, delegating decision making to the Chief Executive and City Treasurer, in consultation with the appropriate member of the Executive. We agreed to recommend that the Council establish this reserve to support the investments proposed.

Decisions

1. To recommend to Council that a reserve is established for the Additional Airport Dividend of £14.5m due to be received in 2013/14, with the ability to commit up to the full £14.5m in this financial year, to draw down any remaining balance in subsequent years and that it is used as set out in the report.
2. Once the reserve is established, to delegate the arrangements for the establishment and use of the reserve to the Chief Executive in consultation with the City Treasurer and Executive Member for Finance and Human Resources.
3. To delegate the approval of expenditure commitments from the reserve to the City Treasurer in consultation with the Chief Executive and the Executive Member for Finance and Human Resources.

Exe/13/126 Manchester Airport City Enterprise Zone: Proposed Governance Arrangements and Land Assembly

A report was submitted to provide us with an update on the commercial terms which had been completed with Manchester Airport Group for the new lease on Airport City South and commercial arrangements proposed for the land which will form part of Airport City North currently held in Trust by the City Council for the other nine Greater Manchester Districts.

The report also addressed matters evidenced under the terms of the current Trust Deed for the Governance arrangements which are in place to manage the relationship between Manchester City Council and the other nine Districts in dealing with property matters with Manchester Airport Group plc (MAG) involving land that is leased to the Airport and held in Trust by the City Council for the other nine Districts.

The consultation arrangements in the Trust Deed required MCC to consult the District Surveyors on a range of property matters, including through the negotiation process on the transactions associated with Airport City South and Airport City North. However, as the Enterprise Zone developments were being reviewed regularly by the Enterprise Zone Landowners Commissioning Board, which included the Chief Executives of Stockport and Oldham Districts, it was felt that the Deed should be revised such that the consultation was conducted via those two Chief Executives and reported back to that Board. This would operate for the lifetime of the Enterprise Zone Landowners Commissioning Board.

Decision

To delegate authority to the Chief Executive, in consultation with the Executive Member for Finance and Human Resources, to approve arrangements for varying the consultation arrangements with the nine Greater Manchester Districts as set out in the 1994 Trust Deed.

Exe/13/127 Localism Act 2011 – (1) Community Right to Bid (Assets of Community Value) and (2) Community Right to Challenge

The Community Right to Bid and the Community Right to Challenge were two of the new community rights introduced by the Localism Act 2011. They provided community groups with a formal opportunity to bid to buy local amenities if they come on to the open market (Community Right to Bid), and to express an interest in taking over and running a local authority service (Community Right to Challenge).

A report by the City Solicitor explained the background to both these rights and the role of the Council in considering such expressions of interest should they arise. Appended to the report was a draft of the procedure to handle bids to buy local amenities, and a draft procedure for bids to take over services. We endorsed both of the drafts.

Decisions

1. To note the statutory requirement for the Council to implement the Community Right to Bid introduced by the Localism Act 2011.
2. To approve the draft Community Right to Bid Procedure at Appendix A of the report.
3. To note the statutory requirement for the Council to implement the Community Right to Challenge introduced by the Localism Act 2011.

4. To approve the draft Community Right to Challenge Procedure at Appendix B of the report.

Exe/13/128 Delegation of Executive Functions to the Head of Neighbourhood Delivery

On 26 June 2013 the Personnel Committee agreed to create a new Directorate of Growth and Neighbourhoods with consequent changes in senior management arrangements (Minute PE/13/13). A report submitted by the City Solicitor explained that the role of the new post of Head of Neighbourhood Delivery had been set out in the Personnel Committee's report. It was to be responsible for the discharge of most of the Council's "neighbourhood delivery" functions that were previously delegated to the post of Assistant Chief Executive (Neighbourhood Strategy and Delivery), which had now effectively been disestablished. This did not include the Council's "environmental strategy" functions were to become the responsibility of the Head of Policy, Partnerships and Research, nor the Council's various licensing functions that were to be the responsibility of the new post of the Head of Planning, Building Control & Licensing.

Therefore, appended to the report were the proposed delegations to the post of Head of Neighbourhood Deliver, including "General Function" of supporting the Chief Executive in his responsibilities in relation to civil contingencies, emergencies and disasters, with day to day responsibility for such matters. We agreed to the delegations.

Decisions

1. To delegate to the post of the Head of Neighbourhood Delivery the discharge of those of the Council's functions that are designated as "Executive Functions" in the annex to these minutes.
2. To delegate to the post of the Head of Neighbourhood Delivery the discharge of those of the Council's functions that are designated as "General Functions" in the annex to these minutes, insofar as these are executive functions.
3. To note that the proposed delegations to the post of the Head of Neighbourhood Delivery in relation to the discharge of those of the Council's functions that are designated as "Non-Executive Functions" in the annex to these minutes will be submitted to Council for approval on 9 October 2013.

Exe/13/129 The Corn Exchange – A New Vision

In June we endorsed the next steps to achieving the "Strategic Approach to Revitalising Manchester's Corn Exchange" and asked the Chief Executive to undertake a further consultation exercise on the vision and strategy with local landowners and occupiers (Minute Exe/13/095). A report submitted by the Chief Executive presented the outcome of the consultation, describing the key issues

raised in the six responses that had been received, and the Chief Executive's responses to them.

In general the responses indicated broad support for the vision to revitalise the Corn Exchange. It was felt that the majority of issues that had been raised by consultees would be addressed as the proposed changes to the building were brought forward over the coming months, and as part of the planning application for the scheme. On this basis, we agreed that no amendments were required to the strategic approach.

Decisions

1. To note in summary the comments received from local businesses.
2. To endorse the "Strategic Approach to Revitalising Manchester's Corn Exchange", and request that a partnership team is established to build on the vision.

Exe/13/130 Greater Manchester Combined Authority

Decision

To receive and note the Decision Notice of the meetings of the Greater Manchester Combined Authority on 26 July and 30 August 2013.

Exe/13/131 AGMA Executive Board

Decision

To receive and note the Decision Notice of the meetings of the AGMA Executive Board on 26 July and 30 August 2013.

Exe/13/132 Liz Bruce – Strategic Director of Families, Health and Wellbeing

Liz Bruce was leaving the Council to take up a new post with the Tri-Boroughs in London. We thanked Ms Bruce for all the work she had done for the city and its residents, and expressed our good wishes for her future role.

Exe/13/133 Former Deputy Leader, Councillor Jim Battle

Former councillor and former Deputy Leader Jim Battle had stepped down from the council and from the Executive to take up the post as Deputy Police and Crime Commissioner for Greater Manchester. In his 10 years as Deputy Leader Councillor Battle had given excellent service to the city. We expressed our thanks for all his work and wished him well in his new role.

Exe/13/134 Exclusion of the Public

A recommendation was made that the public be excluded during consideration of the next items of business.

Decision

To exclude the public during consideration of the following item which involved consideration of exempt information relating to the financial or business affairs of particular persons and public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Exe/13/135 Variations to Land Tenure Structure to support Development of Manchester Airport City Enterprise Zone on Airport City South and at Airport City North

(public excluded on the grounds the report contain exempt information about the financial or business affairs of a particular person and the public interest in maintaining the exemption outweighed the public interest in disclosing the information)

The report considered earlier at this meeting had provided details of changes to the governance arrangements recommended to address matters evidenced under the terms of the current Trust Deed to manage the relationship between Manchester City Council and the other nine Districts in dealing with property matters with Manchester Airport Group plc (Minute Exe/13/126).

A further report submitted by the Chief Executive provided an update on the land tenure changes in respect of the Airport City South development together with an update on the commercial terms being proposed with Manchester Airport Group for the land that will form part of Airport City North.

Decisions

1. To approve the commercial terms agreed with Manchester Airport Group for the new leases on Airport City North.
2. To delegate authority to the Chief Executive in consultation with the City Treasurer and City Solicitor:
 - i) to engage with the other nine Greater Manchester Councils through the Enterprise Zone Landowners Commissioning Board; and
 - ii) to agree the land transfers and future individual property transactions.
3. To authorise the City Solicitor to finalise and complete all legal documentation required to give effect to these proposals.

ANNEX

Minute Exe/13/128 Delegation of Executive Functions to the Head of Neighbourhood Delivery

HEAD OF NEIGHBOURHOOD DELIVERY

The holder of the post of Head of Neighbourhood Delivery shall be responsible for the management of the Neighbourhood Delivery Division within the Growth and Neighbourhoods Directorate including highways, street scene services (including grounds maintenance), environmental health and protection, consumer protection, and private sector housing and without prejudice to the foregoing, shall have power subject to compliance with the Constitution, Standing Orders, any relevant provisions of the Financial Regulations and any legal requirements, to:

GENERAL FUNCTIONS

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

1. Without prejudice to the specific delegations of the Deputy Chief Executive (Growth and Neighbourhoods), to exercise the functions of the Council relating to highways and to administer and enforce all relevant legislation relating to the Council's functions as local highway authority, including the authorisation of legal proceedings and the authorisation of officers to enter land and premises and exercise any powers in pursuance of the Council's functions as local highway authority.
2. To exercise the functions of the Council relation to environmental health, waste and environmental protection, pollution control, contaminated land, private sector housing, street scene services (including grounds maintenance), health and safety, food safety, animal welfare, consumer protection, and weights and measures.
3. To administer and enforce all relevant legislation relating to the Council's functions listed at item 2 above, including the authorisation of legal proceedings and the authorisation of officers to enter on to land and premises to carry out their duties.
4. 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.
5. To take any urgent action in connection with the functions delegated to the Head of Neighbourhood Delivery) 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.

NON-EXECUTIVE FUNCTIONS

Highways

6. Power to create footpath, bridleway or restricted byway by agreement (subject to consultation with the Chair of the Planning and Highways Committee) under Section 25 of the Highways Act 1980 (“the 1980 Act”).
7. Power to create footpaths, bridleways and restricted byways (subject to consultation with the Chair of the Planning and Highways Committee) under Section 26 of the 1980 Act.
8. Duty to keep register of information with respect to maps, statements and declarations under Section 31A of the 1980 Act.
9. Power to grant permission for the provision, etc of services, amenities, recreation & refreshment facilities on highway, and related powers under Sections 115E, 115F and 115K of the 1980 Act (but subject to the referral of objections / representations to any Section 115E proposals to the Deputy Chief Executive (Growth and Neighbourhoods).
10. Duty under Section 115G of the 1980 Act to publish notice in respect of proposals to grant permission under Section E of the 1980 Act.
11. Power to stop up footpaths, bridleways and restricted byways (subject to consultation with the Chair of the Planning and Highways Committee) under Section 118 of the 1980 Act.
12. Power to make a rail crossing extinguishment order (subject to consultation with the Chair of the Planning and Highways Committee) under Section 118A of the 1980 Act.
13. Power to make a special extinguishment order (subject to consultation with the Chair of the Planning and Highways Committee) under Section 118B of the 1980 Act.
14. Power to divert footpaths, bridleways and restricted byways (subject to consultation with the Chair of the Planning and Highways Committee) under Section 119 of the 1980 Act.
15. Power to make a rail crossing diversion order (subject to consultation with the Chair of the Planning and Highways Committee) under Section 119A of the 1980 Act.
16. Power to make a special diversion order (subject to consultation with the Chair of the Planning and Highways Committee) under Section 119B of the 1980 Act.
17. Power to require applicant for order to enter into agreement under Section 119C(3) of the 1980 Act.

18. Power to make SSSI diversion order (subject to consultation with the Chair of the Planning and Highways Committee) under Section 119D of the 1980 Act.
19. Duty to assert and protect the rights of the public to use and enjoyment of highways under Section 130 of the 1980 Act.
20. Duty to serve notice of proposed action in relation to obstruction under Section 130A of the 1980 Act.
21. Power to apply for variation of order under Section 130B of the 1980 Act.
22. Power to authorise temporary disturbance of surface of footpath, bridleway or restricted byway under Section 135 of the 1980 Act.
23. Power to permit deposit of builder's skip on highway under Section 139 of the 1980 Act.
24. Power to license planting, retention and maintenance of trees etc. in part of highway under Section 142 of the 1980 Act and provision of trees and shrubs under Section 24 of the Greater Manchester Act 1981.
25. Power to authorise erection of stiles etc. on footpaths or bridleways under Section 147 of the 1980 Act.
26. Powers relating to the removal of things so deposited on highways as to be a nuisance under Section 149 of the 1980 Act.
27. Power to license works in relation to buildings etc. which obstruct the highway under Section 169 of the 1980 Act.
28. Power to consent to temporary deposits or excavations in streets under Section 171 of the 1980 Act.
29. Power to dispense with obligation to erect hoarding or fence under Section 172 of the 1980 Act.
30. Power to restrict the placing of rails, beams etc. over highways under Section 178 of the 1980 Act.
31. Power to consent to construction of cellars etc. under street under Section 179 of the 1980 Act.
32. Power to consent to the making of openings into cellars etc. under streets, and pavement lights and ventilators under Section 180 of the 1980 Act.
33. Power to extinguish certain public rights of way (subject to consultation with the Chair of the Planning and Highways Committee) under Section 32 of the Acquisition of Land Act 1981.

34. Duty to keep definitive map and statement under review under Section 53 of the Wildlife and Countryside Act 1981.
35. Power to include modifications in other orders under Section 53A of the Wildlife and Countryside Act 1981.
36. Duty under Section 53B of the Wildlife and Countryside Act 1981 to keep a register of prescribed information with respect to applications under Section 53(5) of the Wildlife and Countryside Act 1981.
37. Power to prepare map and statement by way of consolidation of definitive map and statement under Section 57A of the Wildlife and Countryside Act 1981.
38. Power to designate footpath as cycle track under Section 3 of the Cycle Tracks Act 1984.
39. Power to extinguish public right of way over land acquired for clearance under Section 294 of the Housing Act 1981.
40. Power to consider and (subject to consultation with the Chair of the Planning and Highways Committee) to make applications for an Order to authorise stopping up or diversion of highway under Section 247 of the Town and Country Planning Act. 1990.
41. Power to authorise stopping up or diversion of footpath, bridleway or restricted byway (subject to consultation with the Chair of the Planning and Highways Committee) under Section 257 of the Town and Country Planning Act 1990.
42. Power to extinguish public rights of way over land held for planning purposes (subject to consultation with the Chair of the Planning and Highways Committee) under Section 258 of the Town and Country Planning Act 1990.
43. Power to enter into agreements with respect to means of access under Section 35 of the Countryside and Rights of Way Act 2000.
44. Power to provide access in absence of agreement under Section 37 of the Countryside and Rights of Way Act 2000.
45. Power to grant a street works licence under Section 50 of the New Roads and Street Works Act 1991.

Environmental Protection

46. The inspection of the Authority's area to detect any statutory nuisance under Section 79 of the Environmental Protection Act 1990.
47. The investigation of any complaint as to the existence of a statutory nuisance under Section 79 of the Environmental Protection Act 1990.

48. The service of an abatement notice in respect of a statutory notice under Section 80 of the Environmental Protection Act 1990.
49. Duty to enforce Chapter 1 of the Health Act 2006 (Smoke-Free Premises, Places and Vehicles) and regulations made under it pursuant to Section 10(3) of the Health Act 2006.
50. Power to authorise officers to act in matters arising under Chapter 1 of the Health Act 2006 (Smoke-Free Premises, Places and Vehicles) and regulations made under it pursuant to Section 10(5) of the Health Act 2006.
51. To exercise the Council's functions relating to fixed penalty notices pursuant to Paragraphs 13, 15 and 16 of Schedule 1 to the Health Act 2006 and the Smoke-Free (Vehicle Operators and Penalty Notices) Regulations 2007 (S.I. 2007/760).
52. Power to transfer enforcement functions to another enforcement authority pursuant to the Smoke-free (Premises and Enforcement) Regulations 2006 (S.I. 2006/3368).
53. To exercise the Council's powers to give notice to reduce the emission of dust etc. from building operations under Section 34 of the Greater Manchester Act 1981 ("the Local Act").
54. To exercise the Council's powers to order reduction of gas, vapour or fumes coming from chimneys under Section 36 of the Local Act.
55. To exercise the Council's powers to require owner to provide adequate means of lighting in habitable rooms under Section 48 of the Local Act.
56. To exercise the Council's powers in relation to trees impeding natural light to houses, shops and offices under Section 49 of the Local Act.
57. To exercise the Council's powers in relation to the prohibition of interference with bird traps authorised by the Council under Section 53 of the Local Act.

Health and Safety at work Functions

58. Functions under any of the "relevant statutory provisions" within the meaning of Part 1 (health, safety and welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc. Act 1974, to the extent that those functions are discharged otherwise than in the authority's capacity as an employer.

Miscellaneous

59. Obtaining particulars of persons interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.

60. To prepare and serve notices under Section 215(1) of the Town and Country Planning Act 1990.

EXECUTIVE FUNCTIONS

Highways

61. To approve the making of permanent and experimental traffic regulation orders, speed limits and on-street parking places orders and their implementation including associated engineering measures subject to:
- (a) consultation with the Executive Member for Neighbourhood Services in all cases.
 - (b) the referral of objections / representations received in relation to proposed orders to the Deputy Chief Executive (Growth and Neighbourhoods).
62. To approve the construction of road humps and other traffic calming measures subject to:
- (a) consultation with the Executive Member for Neighbourhood Services in all cases.
 - (b) the referral of objections / representations received in response to proposals for road humps to the Deputy Chief Executive (Growth and Neighbourhoods).
63. To make arrangements for the establishment, alteration and removal of zebra crossings.
64. To consider and to make applications for Orders under Sections 248, 249, 251, 253 to 256, 258, 259 and 261 of the Town and Country Planning Act 1990 and Section 48 of the Civil Aviation Act 1982 and to make orders under Section 294 of the Housing Act 1985.
65. To undertake schemes to improve road safety and pedestrian and cycling facilities.
66. In consultation with the Executive Member for Neighbourhood Services to approve the construction, alteration and removal of highway improvement schemes, including the making of agreements for the execution of works under Section 278 of the 1980 Act.
67. To accept the dedication of land as highways (including for highway widening) and to adopt highways and to approve the entering into of agreements for these purposes.
68. To approve the entering into of Walkway Agreements.
69. To exercise the Council's functions under Part 2 of the Traffic Management Act 2004.

70. To prepare and publish the Rights of Way Improvement Plan.
71. To approve the making of applications to the magistrates court under Section 116 of the Highways Act 1980 for orders stopping up and/or diverting highways, subject to consultation with the Executive Member for Neighbourhood Services, and to take such steps considered appropriate to secure the making of such orders for which no further consultation with the Executive Member is required.
72. To make arrangements for the provision of and authorise the provision of road and directional signing (except temporary direction signing).
73. To make arrangements for the provision of school crossing patrols in consultation with the Executive Member for Children's Services.
74. To respond to consultation regarding the siting and erection of bus stops and bus shelters.
75. To agree bus timing points.
76. To make application to the Traffic Commissioner for the imposition of traffic regulation conditions in respect of local services.
77. To make objections / representations in relation to the proposed grant of or changes to heavy goods vehicle operators' licences.
78. To undertake maintenance and repair of bridges and other structures.
79. To take action in relation to retaining walls near streets.
80. To determine and issue licences for bridges over the highway.
81. To respond to consultation on the highway / traffic implications of planning proposals.
82. To make minor amendments to the details of approved highways or traffic related proposals.
83. To maintain and repair highways within approved budgets (with the exception of highway bridges and other structures).
84. To be responsible for the control of work and the placing of items in, over, under, on or adjacent to highways and streets including the taking of enforcement action.
85. To manage the Council's rights of way network including the exercise of the Council's functions in respect of such matters.

86. To exercise the Council's functions under the New Roads and Street Works Act 1991 (with the exception of Section 50 of that Act).
87. To make temporary traffic orders and issue temporary notices under the Road Traffic Regulation Act 1984 and to make Orders under the Town Police Clauses Act 1847 and to carry out associated works.
88. To exercise the Council's functions in relation to the naming and numbering of streets and their renaming and renumbering, including the exercise of the Council's powers in relation to Street Numbers under Section 22 of the Greater Manchester Act 1981.
89. To provide street trees and highway grass verges and their removal and replacement.
90. To determine applications for street performance / displays etc.
91. To determine applications for Homewatch / Business Watch signs.
92. To keep and update the Council's list of adopted streets.
93. To carry out urgent repairs to private streets or to require such urgent repairs to be carried out.
94. To provide or approve the provision of temporary directional signing for events.
95. To carry out improvements to private forecourts where this would promote the environmental well-being of the area when the Council undertakes adjoining highway improvement schemes.
96. To prepare, publish, review and make amendments to the Council's Rights of Way Improvement Plan.
97. To establish and appoint members to the Local Access Forum under Section 94 of the Countryside and Rights of Way Act 2000, in consultation with the Executive Member for Neighbourhood Services.
98. To exercise the Council's power in relation to the recovery of street works charges where the owner is unknown under Section 21 of the Greater Manchester Act 1981 ("the Local Act").
99. To exercise the Council's power in relation to the prohibition of parking of goods vehicles in residential streets under Section 26 of the Local Act.
100. To exercise the Council's power in relation to the control of verges under Section 27 of the Local Act.
101. To exercise the Council's power in relation to the temporary stoppage of footpaths and bridleways under Section 28 of the Local Act.

102. To exercise the Council's power in relation to the prohibition of the riding of pedal cycles in any pedestrian area under Section 164 of the Local Act.
103. Subject to consultation with the City Solicitor to enter into Agreements in relation to any of the above matters.

Crime and Disorder Strategy

104. To implement the Crime and Disorder Strategy and to discharge or arrange for the discharge of the Council's functions in relation to reduction of crime and disorder and antisocial behaviour.

Without prejudice to the generality of item 104 above:

105. To discharge the functions of the Council in relation to Anti-Social Behaviour Orders under Section 1 of the Crime and Disorder Act 1998.
106. To discharge (in consultation with the Director of Children's Services) the functions of the Council in relation to local child curfew schemes under Section 14 of the Crime and Disorder Act 1998.
107. To discharge the functions of the Council in relation to Mediation Services.

Waste and Cleansing

108. To exercise the functions of the Council under Part II of the Environment Protection 1990.

Without prejudice to the generality of item 108 above;

109. To be responsible for community based clean up campaigns.
110. To be responsible for litter abatement and environmental education.
111. To liaise with the Chief Executive, the Waste Disposal Authority and other local authorities in the preparation and revision by the Waste Disposal Authority of waste disposal plans.
112. To manage the storage, collection and transportation for final disposal of domestic, commercial and industrial refuse, certain classes of hazardous wastes, liquid wastes, bulky items of waste, clinical waste, garden refuse and building materials.
113. To arrange for the provision, hire or sale of refuse receptacles, the provision, hire or sale of receptacles for clinical waste, and the provision of litter bins.
114. To participate in the recycling of waste materials.

115. To purchase refuse containers, compactors and skips in accordance with the needs of the service.
116. To serve statutory notices in respect of the removal of abandoned motor vehicles and the collection, removal and disposal of unwanted or abandoned motor vehicles.
117. To serve statutory notices in respect of the removal of waste from land.
118. To discharge the functions of the Council in relation to the control of waste and litter generally and including under Section 2 of the Refuse Disposal (Amenity) Act 1978, Section 33(1)(a) of the Environmental Protection Act 1990 and Section 87 of the Environmental Protection Act 1990.
119. To serve statutory notices in respect of the removal of litter from land.
120. To remove refuse abandoned on land in the open air.

Housing

121. To exercise the functions of the Council in relation to conditions associated with private sector and social residential accommodation and facilities (excluding accommodation owned by the Council), including but not limited to powers derived from the following statutes:
 - a. Public Health Act 1936
 - b. Public Health Act 1961
 - c. Prevention of Damage by Pests Act 1949
 - d. Greater Manchester Act 1981
 - e. Local Government (Miscellaneous Provisions) Act 1976 and 1982
 - f. Building Act 1984
 - g. Environmental Protection Act 1990
 - h. The Water Act 1989
 - i. Health and Safety at Work Act 1974
 - j. Food Safety Act 1990
122. To authorise the City Solicitor to make, vary and revoke Gating Orders.

Environmental Health

123. To exercise the Council's functions as food authority under EU Food Hygiene Regulations, the Food Safety Act 1990 and the Food Hygiene (England) Regulations 2006 (S.I. 2006/ No. 14).

Without prejudice to the generality of item 123 above;

124. To exercise the Council's functions in relation to the grant of approvals to establishments handling, preparing or producing products of animal origin for which requirements are laid down in Regulation (EC) 853/2004.

125. To requisition information in connection with environmental health functions generally and including under Section 93 of the Control of Pollution Act 1974, Section 19 of the Environmental Protection Act 1990 and Section 108 of the Environment Act 1995.
126. To exercise the Council's functions under The Cattle Identification Regulations 2007 (S.I. 2007/ No. 539).
127. To exercise the Council's functions under the Pigs (Records, Identification and Movement) Order 2011 (S.I. 2011/ No. 2154).
128. To exercise the Council's functions under the Animal By-Products (Enforcement) (England) Regulations 2011 (S.I. 2011 No. 881).
129. To operate disinfection and sharps collection services.
130. To operate a Dog Control Service (including the control of stray dogs).
131. To exercise the Council's powers in relation to the control of the carriage and storage of waste food under Section 35 of the Greater Manchester Act 1981 ("the Local Act").
132. Powers of entry under Section 38 of the Local Act for enforcement under Prevention of Damage by Pests Act 1949.
133. To exercise the Council's powers in relation to the control of stray dogs under Section 42 of the Local Act.
134. To exercise the Council's powers in relation to the temporary repair of defective premises under Section 44 of the Local Act.
135. To exercise the Council's powers in relation to urgent repairs to water, gas and electricity apparatus under Section 47 of the Local Act.
136. To take action for the seizure and retention, or destruction, or disposal of animals in circumstances where emergency action is warranted.
137. To deal with applications relating to the control of noise on construction etc., sites.
138. To exercise powers relating to the prior approval of new furnaces and to the height of chimneys.
139. To exercise powers and regulations made relating to the control and measurement of grit and dust.
140. To exercise powers relating to the cleansing and disinfection of premises and the temporary removal of occupants.
141. To take action necessary for the removal of asbestos.

142. To discharge the functions of the Council under the Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2000 No. 2853).

Street Scene Services (including Grounds Maintenance)

143. To discharge the functions of the Council relating to grounds maintenance, street cleansing, arboriculture services and the removal of graffiti etc.
144. To arrange for sweeping of highways, streets and passages, the removal of fallen leaves, the removal of litter from landscaped areas, and the emptying of litter bins.
145. To be responsible for grounds maintenance functions (excluding schools).

Miscellaneous

146. To exercise the powers of the Council to control street trading under the Manchester City Council Act 2010.