

## **Neighbourhoods and Environment Scrutiny Committee**

### **Minutes of the meeting held on 6 September 2017**

#### **Present:**

Councillor Paul – in the Chair

Akbar, Azra Ali, Shaukat Ali, Appleby, Chohan, Green, Hughes, Igbon, Kirkpatrick, Leech, Longsdon, Noor, Paul, Rawson and Sadler

Councillor Stogia, Executive Member for the Environment

Councillor N Murphy, Executive Member for Neighbourhoods

**Apologies:** None received

#### **NESC/17/35      Minutes**

#### **Decisions**

1. To approve the minutes of the meeting held on 19 July 2017 as a correct record.
2. To note the minutes of the Air Quality Task and Finish Group meeting of 24 March 2017.

#### **NESC/17/36      UK Plan for tackling roadside nitrogen dioxide concentrations**

The Committee considered the report of the Deputy Chief Executive, People, Policy and Reform. The report summarised the report entitled 'The UK plan for tackling roadside nitrogen dioxide concentrations' that was published on the 26 of July 2017. The plan was produced in response to a ruling of the Supreme Court on the 29 April 2015, which ordered the Government to produce plans to reduce NO<sub>2</sub> pollution to legal levels as quickly as possible, following a case brought by environmental charity Client Earth. The Head of Policy, Partnership and Research introduced the report. He said that Transport for Greater Manchester (TfGM) were currently undertaking an exercise to compare the results of local monitoring and modelling of air quality with the data contained in the Government's plan

In response to questions from the Committee the Head of Policy, Partnership and Research said that they are seeking clarification on the roads identified in the maps provided with the report.

In response to a question from a Member the Head of Policy, Partnership and Research said that the assessment of value of money to qualify for government funding to support local schemes was complex and would use guidance that was due to be provided by the Department for Environment, Food and Rural Affairs and the Department of Transport.

The Executive Member for the Environment said that full consideration would be given to all proposals to address the issue of air pollution, and councillors and residents would be involved in the discussion to develop long term solutions. She said that she would consider the proposals of the Air Quality Task and Finish Group when these were presented.

The Executive Member for the Environment said that investment and funding from central government into public transport across Greater Manchester was required to encourage and support alternatives to car journeys. She also said that active travel, such as cycling and walking should be promoted.

A Member said that building developers should be encouraged to promote and support alternatives to car usage by providing adequate cycle storage or providing a tram pass for a period of time as an incentive.

A Member commented that he often witnessed buses in the city that were not in service, stationary with their engines running and emitting exhaust fumes. The Head of Policy, Partnership and Research acknowledged this was an issue that had been previously raised by Members. He said there was a Code of Conduct agreed by bus operators designed to prevent the practice and confirmed that operators were reminded of the importance of complying with this and enforcement officers had approached operators who were contravening the code in the past.

In response to a question from the Chair regarding the BreathLife campaign, a joint campaign lead by the World Health Organization, United Nations Environment and the Climate and Clean Air Coalition to protect health and the planet from the effects of air pollution, he said that recommendations would be considered as part of the work to develop a draft action plan which was scheduled for publication in March 2018.

The Head of Policy, Partnership and Research recommended that the Greater Manchester Combined Authority Air Quality Action Plan 2016-2021, including map showing the extent of the approved Greater Manchester Air Quality Management Area, be circulated to the members of the Committee for information. The Committee supported this recommendation. The Chair said that this plan identified a number of actions but did not include a car scrappage scheme or work place parking schemes.

In response to a comment from a Member regarding traffic on Princess Parkway the Chair said that the recently introduced 30mph limit would lead to less pollution for the majority of vehicles using this road. He further advised that evidence indicated that the number of car journeys into the city centre had reduced in peak periods as car drivers had switched to other modes. The use of active modes of travel into the city centre had increased.

## **Decisions**

1. To note the report; and
2. To recommend that the Greater Manchester Combined Authority Air Quality Action Plan 2016-2021 is circulated to members of the Committee.

[Councillor Hughes declared a Personal Interest in this item as he is employed as a bus driver in the city]

**NESC/17/37                      Final Report and Recommendations of the Air Quality Task and Finish Group**

The Chair announced that an additional meeting of the Task and Finish Group was to be convened to review and agree the recommendations before the final report was submitted to the Committee.

**Decision**

1. To defer consideration of this item to a future meeting of the Committee.

**NESC/17/38                      Compliance and Enforcement Service - Performance in 2016/17 and planned future activity**

The Committee considered the report of the Deputy Chief Executive (Growth and Neighbourhoods). The report provided Members with an update on demand, performance and key achievements of the Compliance and Enforcement service during 2016/17 and planned future activity. The Strategic Lead, Compliance introduced the report.

The Executive Member for Neighbourhoods informed the Committee that the service had received 35,000 requests for service (RFS) and he expressed his gratitude to all of the staff for their continued hard work.

Members enquired about the length of time taken to respond and resolve a RFS. The Strategic Lead, Compliance said that all requests were prioritised, and the time to respond to a RFS depended on the nature of the request. She said that resolving an issue could vary as this depended on what action was required to resolve a complaint. She said if an issue could be resolved informally this was quicker than if a prosecution was required.

The Strategic Lead, Compliance said that whenever possible, informal action was always sought to resolve an issue. She said that formal action was predominately in relation to complaints of waste and fly tipping. She said teams worked closely together to resolve issues and welcomed any intelligence and evidence that could be provided by residents to help identify and prosecute offenders. She said that CCTV evidence was useful to help identify vehicle registration numbers as this could then be traced to an individual. She said that wherever possible officers would respond quickly to reports of fly tipping.

In response to a Members question regarding fines the Strategic Lead, Compliance said that money from Fixed Penalty Notices was paid to the Council, however fines imposed by the courts were paid directly to the Treasury.

Members discussed if staffing resources were sufficient to respond to the number of RFS received. The Neighbourhood Manager, Environmental Health, Trading

Standards and Housing said that funding had been secured from the Department of Communities and Local Government to fund additional work with private landlords. A Member asked about the impact of Brexit and the potential for increased inspections that would be required at the airport. The Neighbourhood Manager, Environmental Health, Trading Standards and Housing said this was currently unknown due to the ongoing Brexit negotiations.

The Executive Member for Neighbourhoods said that the Council was required to undertake statutory duties and funding and resources was a challenge due to budgetary restraints. He said that services would continue to be delivered to residents in an efficient manner. He said that staff and resources were deployed at key times of the year, and in known hot spot neighbourhoods, such as when students left their accommodation in the summer. He said staff would continue to work with residents to influence behaviour change and continue with the reported progress.

### **Decision**

To note the report.

### **NESC/17/39            Food Hygiene Inspection Programme**

The Committee considered the report of the Deputy Chief Executive (Growth and Neighbourhoods). The report described that all Local Authorities must have an up to date documented Food Service Plan, which covered all the areas of food law the authority had a statutory duty to enforce. The plan must be available to the public and set out how the Authority intended to deliver 'Official Controls' within its area and its approach to enforcement. The report detailed the Food Hygiene Inspection Programme element of the Food Service Plan. The Strategic Lead, Compliance introduced the report.

A Member asked if staffing resources were sufficient to meeting the increasing number of food premises across the city. The Strategic Lead, Compliance said that following the restructure in 2016 the team had increased in number. She said that food premises were prioritised for inspection, and staff from other services would check those premises identified as low priority.

The Neighbourhood Manager, Environmental Health, Trading Standards and Housing informed the Committee that all new food premises were inspected within 28 days and were allocated a risk category. This category then informed the re inspection frequency.

A Member commented on the Food Standards Agency audit and asked how Manchester compared to other core cities with regard to the amount of enforcement action we take. The Neighbourhood Manager, Environmental Health, Trading Standards and Housing said that it was currently less than Sheffield, which was a comparable city in regard to the number of food premises but that we are working towards ensuring that formal enforcement action is taken whenever it is needed

The Executive Member for Neighbourhoods said that the programme of food hygiene inspections provided residents and visitors to the city an assurance that premises

were safe to eat in. He informed the Committee that premises were not required to display their star rating. The Committee recommended that the Executive Member for Neighbourhoods should make representations to ensure that all food premises were required to display their current food star hygiene rating.

### **Decisions**

1. To note the report; and
2. The Committee recommended that the Executive Member for Neighbourhoods should make representations to ensure that all food premises are required to display their current food star hygiene rating.

### **NESC/17/40 Licensing and Out Of Hours Service**

The Committee considered the report of the Deputy Chief Executive, Growth and Neighbourhoods. The report provided an update on the work of the Licensing and Out of Hours Service. The Strategic Lead, Compliance introduced the report.

The Executive Member for Neighbourhoods said that the service had developed as a response to resident's comments and feedback during the budget consultation. He thanked all the staff in the service for their commitment and hard work on behalf of the residents of Manchester.

The Strategic Lead, Compliance informed the Committee that recruitment of staff for the City Wide team was currently underway to fill the 21 officer posts. She said this new team would deliver a consistent, city wide service for the residents of Manchester.

The Chair of the Licensing and Appeals Committee asked that the relevant officers were made available to attend Licensing Hearing Panels. The Strategic Lead, Compliance said that staff worked on a shift pattern so may not always be available for when the panels convened. She said when the officer was not available the officer attending the panel hearing would be fully briefed. The Committee recommended that whenever possible, the relevant officer be available to attend the Licensing Hearing Panel when their case was considered.

A Member asked for clarification regarding the relationship between Licensing enforcement and Planning enforcement. The Strategic Lead, Compliance said that teams would work together and share intelligence to pursue enforcement action, with the most appropriate team taking the lead. She said that officers also worked collaboratively with other agencies, such as Greater Manchester Police, Social Service, the Fire Service and Immigration when proactively inspecting premises, and shared information with the relevant authority if concerns were identified. She said that staff had received awareness training to identify signs of sexual exploitation and in particular Child Sexual Exploitation.

### **Decisions**

1. To note the report; and

2. The Committee recommends that whenever possible, the relevant officer be available to attend the Licensing Hearing Panel when their case is considered.

### **NESC/17/41                      Strangeways - Tackling Counterfeit Activity and Environmental Issues**

The Committee considered the report of the Deputy Chief Executive, Growth and Neighbourhoods. The report provided an update on the multi-agency work carried out over the last 18 months, to disrupt and ultimately remove illegal businesses from the area and to improve compliance with waste regulations. The Strategic Lead, Compliance introduced the report.

The Executive Member for Neighbourhoods said that the area had been problematic for a number of years and a new approach to tackle the identified issues was being adopted. He said that actions to disrupt illegal activity in the area included the targeting landlords of the premises and offering support to the law abiding business in the area.

In response to a question from a Member, the Strategic Lead, Compliance said that the company referred to within the report, TMI, was a private company employed by brands to identify and assist prosecutions of traders selling counterfeit goods.

In response to a Members comment on the attraction of the area to low income families, the Executive Member for Neighbourhoods accepted this was an issue. He said that the public needed to be made aware that the sale of counterfeit goods was often funding organised crime.

The Neighbourhood Manager, Environmental Health, Trading Standards responded to a comment from a Member who asked about alternative solutions considered to address the area. She said that examples of good practice in other cities needed to be considered. She said that Glasgow had experienced a similar problem and the solution was to redevelop the area and encourage smaller, artisan businesses to relocate and help reinvent the area.

The Executive Member for Neighbourhoods said that he was committed to working in this area to deliver improvements. He said that working in a coordinated, multiagency way would help drive improvements. He said consideration needed to be given to developing the wider area and suggested this area, along with the former Boddingtons Brewery site were ideal locations for development.

### **Decision**

To note the report.

## **NESC/17/42            Taxi Licensing Enforcement**

The Committee considered the report of the Head of Planning, Building Control and Licensing. This report provided an overview of the current remit and regulatory approach of the Taxi Compliance Team within the Licensing Unit. It detailed current use of powers and outputs, and reflected on some of the challenges facing the industry and the City in terms of recent legislative changes, with consideration of the next steps required to meet some of those challenges. The Head of Planning, Building Control and Licensing introduced the report.

Members noted that Manchester had vigorous standards for taxi drivers and their vehicles and that these were designed to protect and ensure passenger safety. Members commented that unfortunately these standards were not replicated across all authorities and drivers who were licensed outside of the city were entering the city, especially at the weekend to work. Members commented that this situation was very unsafe and very confusing for members of the public.

The Executive Member for Neighbourhoods acknowledged the concerns expressed by the Committee. He said that he had asked his deputy Executive Member, Councillor S Judge to establish a working group to look into these issues at a Greater Manchester level. He said that the ambition was to establish a Greater Manchester standard for all taxi drivers and their vehicles.

A Member commented that there should be a national registration scheme for all taxi drivers to prevent those drivers refused a licence by one authority then applying and being awarded a licence by another. The Head of Planning, Building Control and Licensing said that this would require devolved powers or a change in national legislation. The Committee recommended that the Executive Member for Neighbourhoods should make representations for the introduction of a national registration scheme for all taxi drivers.

A Member commented that he had visited Birmingham to visit their Taxi Licensing Unit as they were regarded as an authority with outstanding good practice. He said that a model that they had adopted involved a police officer being co-opted to the unit. The Member asked how this was being progressed in Manchester. The Executive Member for Neighbourhoods said that he shared the Members frustration with the delays in establishing this arrangement in Manchester and he would ask the Director of Neighbourhoods to escalate this issue with GMP and then provide an update to the Committee.

Members then discussed the issue of enforcement and the proactive work of the Taxi Compliance Team. The Committee were informed that the Compliance Team consisted of seven officers and a unit manager. The team covered weekends, targeting known hot spot areas and were deployed to cover large events. She said that they did focus their work on those vehicles not licensed by Manchester and used mystery shopping techniques. She said that as the compliance officers were now well known and recognised amongst drivers the ambition would be to work closer with GMP and deploy Special Constables in civilian dress to approach drivers.

The Unit Manager said the Taxi Licensing Unit were involved with the Safety Advisory Group when large events across the city were being planned. She said when events take place, officers were deployed to ensure the public safety and to deter taxi drivers who were operating illegally. She said that any prosecutions that arose were publicised as this would act as a deterrent to other drivers and help inform members of the public about the risks associated of getting into an uninsured private hire vehicle.

The Executive Member for Neighbourhoods and the Chair of the Licensing and Appeals Committee expressed their thanks to the Taxi Compliance Team for their continued hard work on behalf of the residents of Manchester. The Committee paid particular appreciation to Ms Doyle, Manager of the Licensing Unit for all of her commitment and hard work.

### **Decisions**

1. To note the report; and
2. The Committee recommends that the Executive Member for Neighbourhoods should make representations for the introduction of a national registration scheme for all taxi drivers.
3. The Committee recommends that the Director of Neighbourhoods provide an update to the next meeting on the progress made with GMP to co-opt a police officer to work with the Taxi Compliance Team.
4. The Committee thanked all of the staff working in the Taxi Compliance Team and the Taxi Licensing Unit Manager, Ms Doyle for all of their hard work to ensure the safety of the residents of Manchester.

[Councillor Appleby declared a personal interest as an employee of the Manchester College and Councillor Shaukat Ali declared a disclosable pecuniary interest and withdraw from the meeting during consideration of this item.]

### **NESC/17/43 Overview Report**

The report of the Governance and Scrutiny Support Unit which contained key decisions within the Committee's remit and responses to previous recommendations was submitted for comment. Members were also invited to agree the Committee's future work programme.

### **Decision**

To note the report.