

Council

Minutes of the meeting held on Wednesday, 3 February 2021

This meeting of Council meeting was a meeting conducted via Zoom, in accordance with the provisions of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Present:

The Right Worshipful, the Lord Mayor Councillor T Judge – in the Chair

Councillors:

Abdullatif, Akbar, Azra Ali, Ahmed Ali, Sameem Ali, Shaukat Ali, Alijah, Appleby, Bridges, Butt, Chambers, Chohan, Clay, Cooley, Craig, Curley, M Dar, Y Dar, Davies, Doswell, Douglas, Evans, Farrell, Flanagan, Green, Grimshaw, Hacking, Hassan, Hewitson, Hitchen, Holt, Hughes, Igbon, Ilyas, Jeavons, S Judge, Kamal, Karney, Kilpatrick, Kirkpatrick, Lanchbury, Leech, Leese, J Lovecy, Ludford, Lynch, Lyons, McHale, Midgley, Madeleine Monaghan, Mary Monaghan, Moore, N Murphy, Newman, Noor, O'Neil, B Priest, Rahman, Raikes, Rawlins, Rawson, Razaq, Reeves, Reid, Riasat, Richards, Rowles, Russell, Sadler, M Sharif Mahamed, Sheikh, Shilton Godwin, A Simcock, K Simcock, Stanton, Stogia, Taylor, Watson, Wheeler, Whiston, White, Wills, Wilson and Wright

CC/20/1. Lord Mayor's Special Business

The Lord Mayor announced that he had agreed to the submission of the minutes of the meeting of the Constitutional and Nominations Committee held on 2 February 2021. The minutes had been circulated in advance of the meeting.

CC/20/2. Lord Mayor's Special Business - New Year's Honours List

The Lord Mayor informed the Council that he had written to the following people, who are either Mancunians or live or work in the city, to recognize and congratulate them on the honour they have received, as stated in the New Year's Honours list:

Professor Joy Duxbury	OBE
Professor Adele Jones	OBE
Sarah Wallace	OBE
Julie Cawthorne	MBE
Dr Heather Williams	MBE
Rebecca Gorman	BEM

CC/20/3. Lord Mayor's Special Business - Death of Captain Sir Tom Moore

The Lord Mayor invited those present at the meeting to observe a minute's silence in memory of Captain Sir Tom Moore, who had worked to raise millions of pounds for NHS charities during the Covid19 pandemic and in doing so helped to raise the spirits, resilience and awareness of the nation.

CC/20/4. Lord Mayor's Special Business - Supporting Business Presentation

The Lord Mayor invited Julie Price (Director of Customer Services and Transaction) to give a presentation on Supporting Business – Discretionary Support Grants that are available to businesses in the city. A copy of the presentation was added to the Council meeting documents included on the Council web site. Members were invited to ask questions following the presentation.

CC/20/5. Minutes

The Minutes of the three meetings held on 25 November 2020 were approved as correct records and signed by the Chair.

CC/20/6. Notice of Motion - End Our Cladding Scandal

The Lord Mayor informed the Council that Councillor Johns, the proposer of the motion, was unable to be present at the meeting and had requested that the Councillor Lyons, the seconder to the motion, propose the motion in his absence. The motion would then be seconded by Councillor Richards who is a signatory to the motion.

Motion proposed and seconded

This Council notes:

- the tragic fire in Grenfell Tower in 2017 led to a series of events Council which uncovered a growing scandal of residential buildings with flammable materials, missing fire breaks, and other fire safety defects;
- that thousands of Manchester people live in such buildings, and that number continues to rise, including disabled people who face compounding difficulties including lack of specific support for their needs, additional financial pressures, and the potential exacerbation of health conditions;
- the outstanding support that the Manchester Cladiators and CLADDAG campaigns have been providing to many residents;
- that many are unable to sell or re-mortgage their homes due to this situation and a broken ESW1 process;
- the support of the Executive Member for Housing & Regeneration alongside Manchester's Members of Parliament in putting pressure on Government to seek resolution and to protect affected Manchester People;
- that Manchester City Council has been named an early adopter of Hackitt's Grenfell building safety review, within which the Council aims to champion building safety, to encourage cultural change across the development industry, to ensure building safety is considered 'upfront' to prioritise safety now, and play an active role in developing building safety policy.

This Council believes that:

- the cladding crisis is a scandal that punishes leaseholders and Manchester people for systemic problems with building safety regulations and methods of development in England;

- this has a cruel effect on affected Manchester people's mental health, leaving them in unsafe homes and facing lifechanging bills;
- it is grossly unjust that residents who bought homes in good faith should face remediation costs;
- the Government's Building Safety Fund is inadequate both in scope and amount, failing to protect leaseholders from costs and to accelerate remediation;
- the Government must right broken promises, return to the original premise that no cost is passed to leaseholders, abandon 'loan schemes', and act quickly;
- a viable route to remediation is for payment nationally to fall on the building industry coupled with a 'pay now, litigate later' approach as recently developed by the Australian Labor Party State Government in Victoria.

This Council resolves to:

- thank Manchester Cladiators and all campaigners for their efforts fighting this injustice, and to continue to support them in their campaign;
- continue supporting the End our Cladding Scandal campaign's 10-step plan to tackle this crisis, to which Greater Manchester Council Mayor Andy Burnham, the Leader, and Councillors Richards, Lyons, Wheeler, Johns, Davies, and Wright are signatories;
- ask the Chief Executive to write to the Minister for Housing Communities and Local Government to ask Government to accede to those 10 asks;
- continue providing practical support to affected Manchester people, including asking the Planning Department to prioritise applications for fire-related remediation work, asking the Executive Member for Housing & Regeneration to continue to work with local groups, and helping affected Manchester people to understand their situation;
- continue acting inclusively on this issue, including actively involving affected disabled people, raising awareness of their specific issues and campaigning;
- ask the Executive Member to work alongside Manchester's Members of Parliament to develop a 'Manchester Ask' outlining the funding required remediate affected buildings in our city, saving Manchester people from hardship, unfair cost and worse consequences.

Amendment moved and seconded / -

In the section "This Council Notes", Paragraph 4, remove:

"that many are unable to sell or re-mortgage their homes due to this situation and a broken **ESW1** process;" and replace with "that many are unable to sell or re-mortgage their homes due to this situation and a broken **EWS1** process;"

At the end of the section "This Council believes that", add

- Developers who delivered dangerous and unsafe buildings due to negligence and poor workmanship should remediate this work rather than expecting leaseholders to pay.

The proposer of the motion accepted the amendment put forward.

The motion, as amended, was then put to the Council as a substantive motion. It was voted upon and the Lord Mayor declared that it was **CARRIED**.

Decision

This Council notes:

- the tragic fire in Grenfell Tower in 2017 led to a series of events Council which uncovered a growing scandal of residential buildings with flammable materials, missing fire breaks, and other fire safety defects;
- that thousands of Manchester people live in such buildings, and that number continues to rise, including disabled people who face compounding difficulties including lack of specific support for their needs, additional financial pressures, and the potential exacerbation of health conditions;
- the outstanding support that the Manchester Cladiators and CLADDAG campaigns have been providing to many residents;
- that many are unable to sell or re-mortgage their homes due to this situation and a broken EWS1 process;
- the support of the Executive Member for Housing and Regeneration alongside Manchester's Members of Parliament in putting pressure on Government to seek resolution and to protect affected Manchester People;
- that Manchester City Council has been named an early adopter of Hackitt's Grenfell building safety review, within which the Council aims to champion building safety, to encourage cultural change across the development industry, to ensure building safety is considered 'upfront' to prioritise safety now, and play an active role in developing building safety policy.

This Council believes that:

- the cladding crisis is a scandal that punishes leaseholders and Manchester people for systemic problems with building safety regulations and methods of development in England;
- this has a cruel effect on affected Manchester people's mental health, leaving them in unsafe homes and facing lifechanging bills;
- it is grossly unjust that residents who bought homes in good faith should face remediation costs;
- the Government's Building Safety Fund is inadequate both in scope and amount, failing to protect leaseholders from costs and to accelerate remediation;
- the Government must right broken promises, return to the original premise that no cost is passed to leaseholders, abandon 'loan schemes', and act quickly;
- a viable route to remediation is for payment nationally to fall on the building industry coupled with a 'pay now, litigate later' approach as recently developed by the Australian Labor Party State Government in Victoria;
- developers who delivered dangerous and unsafe buildings due to negligence and poor workmanship should remediate this work rather than expecting leaseholders to pay.

This Council resolves to:

- thank Manchester Cladiators and all campaigners for their efforts fighting this injustice, and to continue to support them in their campaign;
- continue supporting the End our Cladding Scandal campaign's 10-step plan to tackle this crisis, to which Greater Manchester Council Mayor Andy Burnham, the

Leader, and Councillors Richards, Lyons, Wheeler, Johns, Davies, and Wright are signatories;

- ask the Chief Executive to write to the Minister for Housing Communities and Local Government to ask Government to accede to those 10 asks;
- continue providing practical support to affected Manchester people, including asking the Planning Department to prioritise applications for fire-related remediation work, asking the Executive Member for Housing & Regeneration to continue to work with local groups, and helping affected Manchester people to understand their situation;
- continue acting inclusively on this issue, including actively involving affected disabled people, raising awareness of their specific issues and campaigning
- ask the Executive Member to work alongside Manchester's Members of Parliament to develop a 'Manchester Ask' outlining the funding required to remediate affected buildings in our city, saving Manchester people from hardship, unfair cost and worse consequences.

(Councillor Midgely declared a personal and prejudicial interest and did not take part in the consideration or vote on the item.)

(Councillors Davies declared a personal and prejudicial interest and did not take part in the consideration or vote on the item.)

(Councillor Jeavons declared a personal and prejudicial interest and did not take part in the consideration or vote on the item.)

CC/20/7. Proceedings of the Executive

The proceedings of the Executive on 9 December 2020 and 20 January 2021. The Council was asked to give particular consideration to the following recommendations:

Exe/20/134 Revenue Budget Monitoring to the end of October 2020

To recommend to the Council, the approval of a proposed budget transfer of £1m from Corporate Core directorate to Collection Fund to offset council tax discounts (funded through the specific Hardship Fund grant); and also approve a £375k transfer within Adults Social Care for the Impower savings delivery partnership.

Exe/21/3 Manchester Aquatics Centre Investment

To recommend that the Council approve an increase the capital budget by £0.7m in 2020/21, £8.5m in 2021/22 and £21.2m in 2022/23, funded by £29.2m borrowing, and a capital budget virement of £1.3m funded by capital receipts via the Asset Management Programme Budget.

Exe/21/13 Capital Programme Update

To recommend that the Council approve the following changes to Manchester City Council's capital programme:

- (a) ICT – End User Devices. A capital budget virement of £3.615m is requested, funded by Unallocated ICT Investment Budget.

- (b) Children's Services – Our Lady's RC High School – Permanent. A capital budget virement of £2.4m is requested, funded by Unallocated Education Basic Needs Grant Budget.
- (c) ICT – Network Refresh Programme. A capital budget virement of £3m is requested, funded by Unallocated ICT Investment Budget.

Decisions

1. To receive the minutes of the Executive held on 9 December 2020 and 20 January 2021.
2. To approve the following changes to the Manchester City Council's Capital Programme:
 - (a) ICT – End User Devices. A capital budget virement of £3.615m is requested, funded by Unallocated ICT Investment Budget.
 - (b) Children's Services – Our Lady's RC High School – Permanent. A capital budget virement of £2.4m is requested, funded by Unallocated Education Basic Needs Grant Budget.
 - (c) ICT – Network Refresh Programme. A capital budget virement of £3m is requested, funded by Unallocated ICT Investment Budget.
3. To approve a budget transfer of £1m from Corporate Core directorate to Collection Fund to offset council tax discounts (funded through the specific Hardship Fund grant); and also approve a £375k transfer within Adults Social Care for the Impower savings delivery partnership.
4. To approve an increase the capital budget by £0.7m in 2020/21, £8.5m in 2021/22 and £21.2m in 2022/23, funded by £29.2m borrowing, and a capital budget virement of £1.3m funded by capital receipts via the Asset Management Programme Budget.

CC/20/8. Questions to Executive Members and Others under Procedural Rule 23

Councillor Akbar responded to a question from Councillor White regarding enforcement action being taken to prevent fly-tipping.

Councillor Craig responded to a question from Councillor Wills regarding the number of people that have received at least one dose of one of the COVID-19 vaccines.

Councillor Craig responded to Councillor A Simcock regarding the placing of defibrillators in local business premises within Didsbury for use by the general public.

Councillor Stogia responded to a question from Councillor A Simcock regarding the actions of emergency services and statutory agencies in dealing with recent flooding in Didsbury East ward.

Councillor Murphy responded to a question from Councillor Stanton regarding the work to clear up the West Didsbury ward area following recent flooding.

Councillor Craig responded to a question from Councillor Sharif Mahamad regarding work to ensure the take up of the Covid 19 vaccine across all communities.

Councillor Stogia responded to a question from Councillor Wills regarding traffic calming measures on and around Parsonage Road in Withington.

Councillor Murphy responded to a question from Councillor Hitchen regarding action to address crime rates.

Councillor Stogia responded to a question from Councillor Lyons regarding Tree Preservation Order requests.

Councillor Leese responded to a question from Councillor O'Neil regarding council support for residents and businesses who rely on the airport for employment, during the Covid19 pandemic.

Councillor Craig responded to a question from Councillor Midgley regarding support the mental health and wellbeing of our residents during the covid pandemic.

Councillor Murphy responded to a question from Councillor Kilpatrick regarding the Council's flood policy.

Councillor Curley responded to a question from Councillor Kilpatrick regarding the protection of green and community spaces to help support new communities.

Councillor Leese responded to a question from Councillor Kilpatrick regarding the publishing of a Brexit impact assessment for the city.

Councillor Murphy responded to a question from Councillor Leech regarding flooding notification to homes.

Councillor Russell responded to a question from Councillor Leech regarding call-in of a key decision.

Councillor Stogia responded to a question from Councillor Leech regarding road safety.

Councillor Craig responded to a question from Councillor Rawlins regarding the Council's work to tackle food poverty within the city.

CC/20/9. Scrutiny Committees

The minutes of the following Scrutiny Committee meetings were submitted:

Resources and Governance – 1 December 2020 and 12 January 2021

Health - 1 December 2020 and 12 January 2021

Children and Young People – 2 December 2020 and 13 January 2021

Neighbourhoods and Environment – 2 December 2020 and 13 January 2021
Economy – 3 December 2020 14 January 2021
Communities and Equalities - 3 December 2020 14 January 2021

Decision

To receive those minutes.

CC/20/10. Proceedings of Committees

The minutes of the following meetings had been submitted:

Audit Committee - 19 January 2021
Health and Wellbeing Board - 9 December 2020 and 27 January 2021
Licensing Committee 30 November 2020
Licensing and Appeals Committee 30 November 2020
Planning and Highways Committee 19 November, 17 December 2020 and 21 January 2021

Personnel Committee 20 January 2020, and in particular to consider:

PE/21/03 Revised Employee Code of Conduct, Smoking and Vaping and Digital Media Policy

To approve the Digital Media and Smoking and Vaping Policy, and to commend the revised Employee Code of Conduct to Council at its meeting on 3 February 2021.

Constitutional and Nomination Committee 2 February 2021.

The Council was asked to give particular consideration to the following recommendations:

CN/21/02 Membership of Council Committees and Representation on Joint Boards and Joint Committees

Decision

To recommend the Council to make the following changes in appointments to Committees of the Council.

COMMITTEE	APPOINTED	REMOVED
Children and Young People Scrutiny Committee	Walid Omara Co-opted parent governor	

Health and Wellbeing Board

Remove: Michael McCourt - Manchester Local Care Organisation

Appoint: Katy Calvin-Thomas - Manchester Local Care Organisation

Remove: Dr Claire Lake - GP member - South Locality on Manchester Health and Care Commissioning Board

Appoint: Dr Geeta Wadhwa is the GP member - South Locality on Manchester Health and Care Commissioning Board

Remove: Jim Potter - Chair, Pennine Acute Hospitals NHS Trust

Appoint: - Michael Luger, Chair of Northern Care Alliance

CN/21/02 Constitution of the Council

Recommend that the Council agree the recommendations set out as follows:

1. Adopt, subject to recommendation 5 below, the attached revised Sections of the Constitution of the Council, namely:

- a) Part 2
- b) Part 3: Sections, C and F
- c) Part 4: Sections A, B, C and F
- d) Part 5: Sections C, D and E
- e) Part 6: Sections B, C and E
- f) Part 8

2. Make consequential and ancillary changes to other Parts of the Constitution to align with the changes set out in the report.

3. Amend Part 4: Section E as detailed at Paragraph 4.5 of the report as follows:

It is proposed that the reference to “The Chief Executive of the Skills Funding Agency” is deleted from Rule 8A.1 of the Scrutiny Procedure Rules (Part 4 Section E). This is to reflect a change in the list of relevant partner authorities contained in section 104 of the Local Government and Public Involvement in Health Act 2007.

4. Readopt the remainder of the Constitution

5. Note in relation to Part 3 of the Constitution that responsibility for the discharge of executive functions and the delegation of such responsibility rests with the Leader of the Council and that the recommended delegations of executive functions set out in Part 3 (Sections A and F) are for the information of the Council only.

Decisions

1. To receive those minutes submitted.
2. To approve the changes in appointments to Committees of the Council, as detailed above.

3. To note the recommendation of the Personnel Committee on the revised Employee Code of Conduct.
4. To note the recommended changes to the Council Constitution made to the Council by the Constitutional and Nomination Committee.

CC/20/11. The Council Constitution

The Council considered a report of the City Solicitor to adopt proposed amendments to the Constitution of the Council as detailed in the report submitted.

Decision

1. Adopt, subject to recommendation 5 below, the attached revised Sections of the Constitution of the Council, namely:
 - a) Part 2
 - b) Part 3: Sections, C and F
 - c) Part 4: Sections A, B, C and F
 - d) Part 5: Sections C, D and E
 - e) Part 6: Sections B, C and E
 - f) Part 8
2. Make consequential and ancillary changes to other Parts of the Constitution to align with the changes set out in the report.
3. Amend Part 4: Section E as detailed at Paragraph 4.5 of the report as follows:

It is proposed that the reference to “The Chief Executive of the Skills Funding Agency” is deleted from Rule 8A.1 of the Scrutiny Procedure Rules (Part 4 Section E). This is to reflect a change in the list of relevant partner authorities contained in section 104 of the Local Government and Public Involvement in Heath Act 2007.
4. Readopt the remainder of the Constitution.
5. Note in relation to Part 3 of the Constitution that responsibility for the discharge of executive functions and the delegation of such responsibility rests with the Leader of the Council and that the recommended delegations of executive functions set out in Part 3 (Sections A and F) are for the information of the Council only.

CC/20/12. Key Decisions Report

The Council considered the report of the City Solicitor on key decisions that have been taken in accordance with the urgency provisions in the Council’s Constitution.

Decision

To note the report.

