



## **Neighbourhoods and Environment Scrutiny Committee**

Date: Wednesday, 4 December 2019

Time: 2.00 pm

Venue: Council Antechamber, Level 2, Town Hall Extension

Everyone is welcome to attend this committee meeting.

There will be a private meeting for members of the Committee at 1:30 pm in Committee Room 6, Room 2006, Level 2 of the Town Hall Extension.

### **Access to the Ante Chamber**

Public access to the Ante Chamber is on Level 2 of the Town Hall Extension, using the lift or stairs in the lobby of the Mount Street entrance to the Extension. That lobby can also be reached from the St. Peter's Square entrance and from Library Walk.

**There is no public access from the Lloyd Street entrances of the Extension.**

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## **Membership of the Neighbourhoods and Environment Scrutiny Committee**

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**Councillors** - Igbon (Chair), Azra Ali, Appleby, Butt, Flanagan, Harland, Hassan, Hughes, Jeavons, Kilpatrick, Lynch, Lyons, Razaq, Sadler, Strong, Whiston, White and Wright

## Agenda

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**1. Urgent Business**

To consider any items which the Chair has agreed to have submitted as urgent.

**2. Appeals**

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

**3. Interests**

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

**4. Minutes**

To approve as a correct record the minutes of the meeting held on 6 November 2019.

5 - 14

**5. Improving Journeys to and from school including an update on Red and Amber School Crossings**

Report of the Strategic Director (Neighbourhoods)

15 - 38

This report provides an overview of the work being carried out to improve journeys to and from school. This includes opportunities for children and schools to encourage reduced use of the car for school journeys and to encourage alternative modes of active travel, activities to reduce idling and an update on the provision of school buses, including for those children with education, health and care plans.

The red and amber school crossings programme is well underway with 46 of the 81 sites being complete and the remainder due for completion by the spring/summer 2020.

**6. Greater Manchester Clean Air Plan - Update - To follow**

**7. Compliance and Enforcement Service - Performance in 2018/19**

Report of the Strategic Director (Neighbourhoods)

39 - 68

This report provides Members with an update on demand for and

performance of the Compliance and Enforcement service during 2018/19. As requested by the Committee the report also provides information on the activities undertaken around enforcement in relation to commercial waste enforcement, unlicensed drinking establishments, shisha businesses and management of waste associated with licensed HMOs.

- 8. Update on work to tackle counterfeit activity and environmental issues in the Strangeways area** 69 - 76  
Report of the Strategic Director (Neighbourhoods)

The Strangeways area of Manchester has a long history of trade in counterfeit goods. This report outlines multi-agency work carried out over the last 3 years, to disrupt and ultimately remove illegal businesses from the area and improve compliance with waste regulations.

- 9. Overview Report** 77 - 88  
Report of the Governance and Scrutiny Support Unit

This report includes a summary of key decisions that are within the Committee's remit as well as an update on actions resulting from the Committee's recommendations. The report also includes the Committee's work programme, which the Committee is asked to amend or agree as appropriate.

## Information about the Committee

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Scrutiny Committees represent the interests of local people about important issues that affect them. They look at how the decisions, policies and services of the Council and other key public agencies impact on the city and its residents. Scrutiny Committees do not take decisions but can make recommendations to decision-makers about how they are delivering the Manchester Strategy, an agreed vision for a better Manchester that is shared by public agencies across the city.

The Neighbourhoods and Environment Scrutiny Committee has responsibility for looking at how the Council and its partners create neighbourhoods that meet the aspirations of Manchester's citizens.

The Council wants to consult people as fully as possible before making decisions that affect them. Members of the public do not have a right to speak at meetings but may do so if invited by the Chair. If you have a special interest in an item on the agenda and want to speak, tell the Committee Officer, who will pass on your request to the Chair. Groups of people will usually be asked to nominate a spokesperson. The Council wants its meetings to be as open as possible but occasionally there will be some confidential business. Brief reasons for confidentiality will be shown on the agenda sheet.

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Smoking is not allowed in Council buildings.

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## Further Information

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For help, advice and information about this meeting please contact the Committee Officer:

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This agenda was issued on **Tuesday, 26 November 2019** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension, Manchester M60 2LA

## Neighbourhoods and Environment Scrutiny Committee

### Minutes of the meeting held on 6 November 2019

#### Present:

Councillor Igbon – in the Chair  
 Councillors Appleby, Butt, Flanagan, Hassan, Hughes, Jeavons, Kilpatrick, Lynch, Lyons, Razaq, Sadler, Whiston, White and Wright

**Apologies:** Azra Ali and Harland

#### Also present:

Councillor Akbar, Executive Member for Neighbourhoods  
 Councillor Richards, Executive Member for Housing and Regeneration  
 Councillor Stogia, Executive Member for Environment, Planning and Transport  
 Councillor S Murphy, Deputy Leader  
 Councillor T Judge, Lead Member for the Armed Forces  
 Hendrix Lancaster, Coffee4Craig  
 Yvonne Hope, Barnabus

### NESC/19/42            Minutes

Councillor Wright, Chair of the Climate Change Subgroup informed Members that following the initial meeting of the Subgroup she would be meeting with the Executive Member for Environment, Planning and Transport and officers to scope the Work Programme. She further commented that she had confirmed with the Leader that a progress report on the possibility of introducing a zero carbon 2030 target would be submitted to the Executive before the end of 2019.

#### Decisions

1. To approve the minutes of the meeting held on 9 October 2019 as a correct record.
2. To note the minutes of the Climate Change Subgroup meeting held on 22 October 2019.

### NESC/19/43            Housing Allocations Policy Review

The Committee considered the report of the Strategic Director, Growth and Development that described the Council's review of the social housing Allocations Policy and recommended changes to enable the city to best meet housing need within a backdrop of reduced turnover of stock.

The Committee had been invited to comment on the report prior to its submission to the Executive on 13 November 2019.

The Executive Member for Housing and Regeneration referred to the main points and themes within the report which included: -

- Providing a background and legal context to the Allocations Policy;
- Information regarding the demand and turnover of social housing;
- Information on the engagement and consultation exercise, noting that discussions always focussed on the objectives of helping those in greatest need;
- Information on the proposed changes to the Policy;
- Information on the Equalities Impact Assessment; and
- Next steps.

Some of the key points that arose from the Committee's discussions were: -

- Supporting the introduction of a two year continuous residency qualification;
- Supporting the review of the new policy at 12, 24 and 36 months following the implementation to identify if any of the changes had created any unintended consequences;
- Supporting the call to end the Right To Buy Scheme;
- What support was offered to assist people wishing to down size and free up larger family homes; and
- What was the support offered to ex-armed forces personnel.

The Committee then heard from Councillor T. Judge, Lead Member for the Armed Forces, who commented that some armed forces personnel experienced difficulties when accessing housing, health services and education when leaving service. He stated that the Armed Forces Covenant, a promise by the nation ensuring that those who serve or who had served in the armed forces, and their families, were treated fairly had improved the offer to ex-service men and women, and this was to be welcomed. He further noted the creation by Government of the Office for Veterans' Affairs was to be welcomed. He commented that the number of ex-service personnel who slept rough in Manchester was low and there were a number of charities and support services dedicated to supporting them.

The Executive Member for Housing and Regeneration commented that the impact of continued austerity; the capping of personal benefits and welfare reform; a freeze on the Local Housing Allowance had contributed to an increase in the number of families and individuals experiencing homelessness placing an increased demand on a very limited housing resource. She stated that the policy of Right To Buy had also significantly impacted on the availability of social housing and all of this had contributed to the necessity to review the Policy, to ensure the most vulnerable residents in the city were supported.

The Executive Member for Housing and Regeneration informed Members that Northwards had a dedicated officer who would help and support those tenants who wished to 'right size' and free up larger properties. She further commented that ex-armed forces personnel would be allocated a Band 1 (Priority) when applying for housing.

## **Decisions**

The Committee: -

Recommend that the Executive Member for Housing and Regeneration explore opportunities to work with those charitable organisations working with ex-armed forces personnel and their families to help them secure suitable accommodation.

The Committee endorse the recommendations that the Executive:

1. Note the statutory and online consultation responses received.
2. Approve the changes to the Housing Allocation Policy (the Policy) recommended within this report.
3. Delegate to the Head of Housing Services and the City Solicitor approval to complete the final and lawful version of the Policy.
4. Note that the Equalities Impact Assessment shows no unintended or disproportionate effects are likely to arise for applicants with protected characteristics.

**NESC/19/44                      Homelessness Update**  
(Cllr Flanagan in the Chair)

The Committee considered the report of the Director of Homelessness that provided an update, subsequent to the report to the Committee on the 17 July 2019, on the work that was taking place to tackle homelessness and rough sleeping in the city. The focus of the report reflected the concerns and questions raised by Members at previous meetings of the Committee.

The Director of Homelessness referred to the main points and themes within the report which included: -

- Data on the numbers of requests for assistance for the period July to October 2019;
- Information on the location of facilities for the accommodation of homeless households, noting that accommodation was provided for the extent of the legal duty owed to any household;
- An update on the A Bed Every Night Scheme; and
- Noting that the number of people who slept rough who come from the armed forces was quite small in the city, it was understood that this group may be less willing to access services and therefore could be under-represented.

The Committee then heard from Yvonne Hope, Barnabus. She described that they had witnessed a huge increase in people accessing their service who had complex needs, often as a result of mental health issues, substance misuse and trauma. She commented that the impact of continued budget cuts to public services and welfare reform had resulted in impact on the number of people who were experiencing homelessness. She stated that the reduction in preventive measures and support

had resulted in people presenting when they were in crisis. She stated that the increased rents within the Private Rented Sector and the freeze on the Local Housing Allowance meant that people would immediately be facing rent arrears and making their tenancy very unstable. She added that this was compounded due to the lack of affordable housing across the city. She concluded by stating that whilst many Mancunians had good intentions in trying to help homeless people, it was important to note that there were plenty of sources of food available for homeless people in Manchester and the best way Mancunians could help would be to give to the Big Change Campaign.

The Committee then heard from Hendrix Lancaster, Coffee4Craig. He reiterated the point that the numbers of people, and those with complex needs who were turning to them for assistance and support had increased significantly over the previous years. He said that due to the lack of appropriate housing for homeless people the risk was that they could become entrenched in this lifestyle and lose trust in services and support agencies. He stated that the A Bed Every Night scheme was welcomed, however this was not often appropriate for people with complex needs and assessment was always made. Mr Hendrix stated that people could volunteer to work with Coffee4Craig and Barnabus and information on how to apply to do this could be obtained from the respective websites. He also encouraged all Members to get involved in offering support to homelessness charities, throughout the year or to drop in to observe the support offered.

Some of the key points that arose from the Committee's discussions were: -

- Recognising and thanking the Voluntary and Community Sector for the important work that they delivered to support the most vulnerable people in the city;
- What was the inspection regime applied to Bed and Breakfasts used for temporary accommodation;
- What was the length of time people spent in temporary accommodation;
- More information was requested on the Council's Navigator Service;
- More information was requested on the Housing First model; and
- How many children were currently placed in temporary accommodation.

The Director of Homelessness stated that properties used to accommodate homeless people and families were inspected, in line with agreed standards and all properties would be inspected. He said that if they were found to be unfit families would be removed and they would work with landlords to rectify any issues and where appropriate enforcement action would be taken.

The Director of Homelessness stated that there were currently 3648 children housed in temporary accommodation, with the average time being 12 months stay in temporary accommodation, adding that that accommodation was provided for the duration of the legal duty owed to any household. In response to a specific question regarding the longest stay in temporary accommodation he said he would circulate this information following the meeting. He stated that he understood the disruption this could have for families and a child's education and work was ongoing with Children's Services to consider the options to best support these children. He further commented that families were offered floating support.



The Director of Homelessness informed Members that the Navigator Service consisted of four navigators and one team leader. Navigators would be assigned to work with people who were rough sleeping, who would benefit from tailored support, to help them access and sustain accommodation. They would follow the client from street outreach, giving a continued single point of contact and support through pathway systems and through to resettlement support. The navigators would have particular specialisms, including mental health and drug and alcohol support.

Yvonne Hope stated that the Housing First model was designed to support those people who had struggled to be accommodated through the traditional process, often due to complex needs. She described that people who were housed were intensively supported with wrap around services to help maintain their tenancy. She described that a panel would consider all applications to the scheme. However, she called for further investment into this model of housing.

The Deputy Leader stated that the Homelessness Service was responding to unprecedented demand on the service, commenting that they experienced on average 100 presentations per day. She stated this was as a direct result of austerity and welfare reform, in particular the roll out of Universal Credit. She further called for an end to the issuing of Section 21 Notices and the establishment of three year tenancy agreements within the Private Rented Sector. She further commented that she supported the Housing First model, noting that this offered a system wide response to the issue of homelessness, and in particular those with complex needs.

## **Decisions**

The Committee: -

1. Recognise the important work that the staff within the Homelessness Service do on behalf of the most vulnerable residents in Manchester;
2. Recognise the invaluable contribution the Voluntary and Community Sector play in supporting the most vulnerable residents in Manchester;
3. Recommend that visits be arranged for Members of the Committee to visit emergency accommodation and Bed and Breakfast accommodation that is used to house homeless people.
4. Recommend that a report on the approach to accommodating homeless families with children be provided to the Committee at an appropriate time. The report will include the numbers of children housed in temporary accommodation; the length of time spent in temporary accommodation and the support that is offered to minimise the disruption to their education.
5. Recommend that all Members of the Committee should commit to undertaking voluntary work with homeless charities.

[Councillor Igbon declared a prejudicial interest and withdrew from the meeting during consideration of this item]

## **NESC/19/45                      Highways Maintenance Programme**

The Committee considered the report of the Director of Highways that provided a further update to Members on the previous Highways Maintenance Programme report and is a follow on from the previous report of 7 November 2018.

The Executive Member for Environment, Planning and Transport referred to the main points and themes within the report which included: -

- An overview of the Highways Service's role, key achievements and challenges;
- An update on the progress of the reactive maintenance programmes;
- Information on safety inspections, detailing the most common types of highway defects to be checked for during highway safety inspections;
- Information on additional inspections following reports received from members or the public;
- Information on repairs, including emergency repairs accompanied by case studies and drainage repair works;
- Information on the small patching repair programme, noting that regular coordination meetings were held to ensure that all works were aligned to other MCC highways programmes to mitigate against duplication of work;
- Performance monitoring;
- The delivery of Social Value including case studies;
- The management of utility works;
- Information on the Cyclical Drainage and Improvement Programme;
- Information on Community Action Days, including case studies;
- Highways planned Maintenance Programme update, providing year 3 progress and year 4 programme confirmation;
- Major schemes update;
- An update on cycling schemes;
- Information about how information relating to major schemes are provided to both local Ward Councillors and residents;
- Information on how disruption caused by major schemes was managed;
- An update on resident parking schemes;
- Information on the approach to tree planting in capital schemes;
- An update on the Street Lighting PFI Programme;
- An update on the Winter gritting programme, including carriageways, footways and segregated cycle ways;
- The provision of motorbike parking facilities; and
- Information on parking and bus lane enforcement.

Some of the key points that arose from the Committee's discussions were: -

- Welcoming the investment into the Highways network,
- How many jobs had been created via Social Value;
- On some streets both footpaths had been closed during development works that endangered pedestrians e.g. at the Mechanics Institute;
- The investment in improvements to city centre paved areas was welcomed and it was asked that the footpaths in the district centres could also be improved;

- The Public satisfaction in the service being higher than any other Greater Manchester Council was welcomed and comment was made that Manchester should also strive to be the highest in England;
- Noting that there was no current policy in relation to motorcycle parking and this had not been evident in previous correspondence with the Highways Department;
- The issue of communications with Members and residents about highways works remained an issue;
- Acknowledging the Performance Dashboard that was available to Members;
- The need to promote and publicise the good work undertaken by the Highways Department;
- Would consultation be undertaken on every major Highways project; and
- How long did it take to implement a resident parking scheme.

The Director of Highways stated that he welcomed the satisfaction rating when considering the major works that had been undertaken and commented that they were the highest in Greater Manchester, however the service always aimed to improve. Members further commented on and welcomed the decrease in recorded complaints. In response to a specific question the Director of Highways confirmed that consultation would be undertaken on every major project and a draft proposal was included in the report.

The Director of Highways responded to the comments regarding Social Value stating that this was overseen by the Highways Social Value Project Manager and the service was accepted as a lead in this area within the Council. He stated that this activity was reported to the Ethical Procurement and Contract Management Sub Group. In response to the question regarding the number of jobs that had been created he confirmed that this information was recorded and would be provided to Members following the meeting.

The Director of Highways further responded to Members' questions by advising them that all micro-asphalt material 'bedded in' through the movement of traffic over it, so in the early weeks the surface could appear a little rough or 'open textured', particularly if there is not much traffic on the street and once the material had 'bedded in', it generally looked much more like a 'new' road surface. He said that following this period of 'bedding in' the works were revisited to ensure the gullies were clear of any debris.

In regard to the closure of footpaths during work by developers the Director of Highways stated that they were looking into this by recruiting additional inspectors. He invited Members if they had specific concerns to report these directly to the Department and this would be investigated. In response to the specific question regarding district centres, he commented that these paved areas would be looked at.

The Chair commented that she would liaise with the Executive Member for Environment, Planning and Transport; the Lead Member for Disability; the Lead Member for Age Friendly Manchester and the Director of Planning, Building Control & Licensing to discuss the issue of footpaths with the ambition to develop a specific policy regarding how these were managed during periods of construction works.

In response to comments regarding communications between Members and the Department, the Director of Highways stated that Members should always receive a reply to an enquiry they made and that he would investigate any incidents shared with him where this did not happen. The Head of Citywide Highways stated that the Department had utilised the Members Dashboard to improve communications and inform them of works. The Director of Highways did acknowledge that providing real time data presented a challenge when seeking to inform Members of disruptions to microasphalt programmes due to bad weather and would welcome suggestions from the committee about a solution.

The Chair commented that communications about major projects remained an issue for many Members and she would discuss this further with the Executive Member for Environment, Planning and Transport. Members recommended that a report on the Highways Communication strategy, including communications with Members be included on the Committee's Work Programme for consideration at an appropriate time.

The Head of Design, Commissioning and Project Management Office described the statutory process of consultation required to implement a resident parking scheme and informed Members that this took 94 weeks to complete. He further commented that lessons learnt and feedback received from previous schemes would be included in future schemes.

In response to questions raised regarding tree planting the Chair informed Members that an update report on the implementation of the Manchester Tree Strategy was scheduled to be considered at the Committee's meeting of 8 January 2020.

### **Decision**

The Committee recommended that a report on the Highways Department's communication strategy, including communication with Members be included on the Committee's Work Programme for consideration at an appropriate time.

### **NESC/19/46            Red & Amber School Crossings**

The Chair recommended that this item of business be deferred to the December meeting.

### **Decision**

To defer this item of business to the meeting of 4 December 2019.

### **NESC/19/47            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.

Members commented that consideration needed to be given to the number of items listed for each meeting to allow enough time for appropriate scrutiny by Members.

**Decision**

The Committee notes the report and approves the work programme.

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**Manchester City Council  
Report for Information**

**Report to:** Neighbourhoods and Environment Scrutiny Committee – 4  
December 2019

**Subject:** Improving journeys to and from school including an update on  
Red and Amber School Crossings

**Report of:** The Strategic Director (Neighbourhoods)

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### **Summary**

This report provides an overview of the work being carried out to improve journeys to and from school. This includes opportunities for children and schools to encourage reduced use of the car for school journeys and to encourage alternative modes of active travel, activities to reduce idling and an update on the provision of school buses, including for those children with education, health and care plans.

The red and amber school crossings programme is well underway with 46 of the 81 sites being complete and the remainder due for completion by the spring/summer 2020.

### **Recommendations**

The Scrutiny Committee is asked to note the content of the report.

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### **Wards Affected: All**

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**Background documents (available for public inspection):** None



## **1.0 Introduction**

1.1 This report provides an overview of the ongoing work to improve journeys to and from school, including a further update on the progress of the red and amber school crossings programme following the Neighbourhoods and Environment Scrutiny Committee held on 4 September 2019. The purpose of this report is to: -

- Outline activities to promote active travel to school as an alternative to cars, including walking plans;
- Provide information on the activities to address vehicle idling outside and near schools;
- Update provision of school buses / transport, including transport for children with special educational needs; and
- To receive an update on four specific issues in relation to red and amber crossings previously reported as follows: -
  1. The school crossing is in the correct ward.
  2. At what stage is each school crossing within the delivery process.
  3. Communication with schools is taking place.
  4. The time frame is correct for each school crossing.

## **2.0 Background**

2.1 The safety of journeys for children and young people to and from school is a key consideration for the Council. This is not only in the form of road safety initiatives and suitable crossings but also in support of the clean air and climate change agendas, particularly in relation to clean air around schools and action to prevent vehicle idling.

2.2 This report provides an overview of the wide range of activity that is taking place to create improved journeys to and from school.

## **3.0 Activities to promote active travel and address idling near or outside schools**

3.1 Over the past 12 months, a number of activities have taken place to encourage improved road safety, car users not to leave their engines idle outside schools and to promote active travel, as an alternative to driving to schools. The aim of these initiatives are not only to support a shift in the use of mode of transport but also to promote cleaner air around schools and support the city's response to the climate change agenda. Some of these activities have been aligned to national campaigns such as Road Safety Week and Clean Air Week and are driven forward by Highways and the Neighbourhood Teams in partnership with other teams from MCC and GMP. This activity has supported the delivery of ward priorities. Described below are a number of examples of activity that has taken place.

### **Road Safety Week**

- 3.2 Each November schools are supported with Road Safety Week, which sees a variety of events to promote road safety. This work is carried out in conjunction with partners such as GMP, Greater Manchester Fire and Rescue, NHS and the walking charity Living Streets. During this year's campaign week existing Junior PCSO schemes have been supported, and new schemes have been launched. These schemes are popular and enable school children, teachers and parents to better understand the multiple issues surrounding road safety. Work continues to set up and support these schemes throughout the year in schools across the city. Pupils are provided with resources and, often with GMP, will hold regular road safety sessions, such as monitoring car speeds, handing out penalty notices to parents who have parked inconsiderately or leave their engines idling, and promoting walking to school.
- 3.3 Alongside the Junior PCSO activity, cycle training provider Bikeright! have also arranged roadshows to encourage parents and the wider community to try cycling, especially if it has been a while since they last cycled. Following the week of intense activity, officers continue to work with schools to further embed the messages highlighted during the week of action.

### **Red Routes**

- 3.4 Red lines were established during October half term week outside Cheetwood Primary School and took effect from 4 November. They have been established to further improve road safety along Waterloo Road between Derby Street and Hoveden Street which means that all vehicles (except buses) will not be allowed to stop where there are red lines. They will be trialled for three months from this date. The Project Manager met with Barbara Oxton, the Headteacher, prior to this whereupon she confirmed to be very happy with the trial. A note was added the Cheetwood Newsletter issued to all parents on Friday 25 October.

### **Living Streets / TfGM**

- 3.5 The Council is working with Living Streets who are working in partnership with TfGM to manage and pilot a new School Travel Tracker. This is an interactive monitoring tool which allows primary school pupils to record how they travel to school each day. The new School Travel Tracker offers opportunities to monitor school travel, providing a means of capturing school travel behaviours and evidencing modal shift as a result of other active travel initiatives. The project is in its infancy, with four schools selected to take part in this initiative. These are: -

Broad Oak Primary School (Didsbury East)  
 Crumpsall Lane Primary School (Crumpsall)  
 Ringway Primary School (Woodhouse Park)  
 St Margaret Mary's RC Primary School (Charlestown)

### **University of Manchester**

- 3.6 A small group of third year students have been recruited to manage and implement a two semester project focussing on air quality around schools in priority areas. This project has the ultimate aim of improving the quality of the air our communities breathe, and will involve promoting sustainable modes of transport in primary schools, including measures to discourage vehicle idling outside schools and changing behaviours to improve local air quality for school children. Early meetings have taken place with the university and the initiative will be progressed over the coming weeks.

### **Clean Air Week**

- 3.7 During Clean Air week (July), a number of schools were supported in encouraging pupils to walk to school, and all schools were able to download packs which contain ideas for running events during the week. In some schools pupils again handed out pretend penalty notices to parents, containing short messages and pictures to make them think about the effects of parking in the vicinity of the school and idling engines.
- 3.8 Alongside targeted action weeks, schools are supported with one-off action days, typically working with GMP and Parking Enforcement. Pupils will sometimes have the opportunity to use speed monitors and learn how the parking enforcement CCTV car functions. This is supplemented by class room activities such as informal teaching sessions, work books etc. Classroom based resources are available for schools to borrow, this includes road safety kits, and a recently developed handbook for schools and pupils to support their road safety work, and encourage schools to lead on the day to day activity.
- 3.9 A variety of the initiatives outlined above are taking place across the city - some examples are outlined below.

### **North Manchester**

- 3.10 In a number of wards in North Manchester (Charlestown, Harpurhey, Moston, Crumpsall, Cheetham) the Neighbourhood Teams have carried out parking action in partnership with GMP and Parking Services at one school in the ward, the schools chosen were close to main roads where air quality might be poor. The schools supported the initiative through school poster campaigns that highlighted the problems associated with idling and promoted walking to school. Leaflets were distributed to parents on the day of action.
- 3.11 TfGM also continually promotes sustainable travel across schools. Their aim is to bring about long term behaviour change to make sustainable journeys a safe, attractive and convenient choice and to support the delivery of the vision for 2040 of 50:50 of all trips made by sustainable modes across Greater Manchester to help reduce congestion, air pollution and increase physical activity. An intensive programme of activity has taken place across GM over the past year. This programme has included working with Cheetham C of E Community Academy. Activities included a bespoke inter-form steps

challenge for years 4 - 6 which were developed by pupil travel champions and a learn to ride initiative for parents. A Hands Up survey was also conducted in the school to understand current and preferred modes of travel by pupils. Between October 2018 and June 2019 there has been an increase in both usual and preferred travel to sustainable modes of transport rather than use of car. Going forward TfGM are looking to build on this and work intensively with other schools across the conurbation and introduce further initiatives such as modeshift stars, a national accreditation system to incentivise more sustainable travel using gold, silver and bronze system to recognise and reward this.

### **Central Manchester**

- 3.12 Junior PCSO schemes are in place at St Wilfrids Primary and Webster Primary in Hulme. The schools have been extremely proactive in their approach. Pupils and staff regularly go out on 'patrol', reminding parents of road safety and air quality issues. These are often accompanied by GMP PCSO's. All involved speak highly of the scheme, and that it's been running for a year demonstrates their commitment to it. Officers in the central neighbourhood team are also supporting the creation of a curriculum module with schools around creating air quality officers. Here the children learn about air quality issues, climate change, environmental issues and identify their own work to improve these in the school.
- 3.13 During Road Safety Week 2019, a scheme was launched at Rushbrook Primary (Longsight), who will follow a similar model of the school running the day to day road safety activity. These will be supported by less frequent, larger action days with MCC and partners. These schemes are all supported through resources obtained by social value, such as work booklets, road safety kits, high-viz wear etc.

### **South**

- 3.14 Work is ongoing with TfGM (Living Streets) and schools across the area (including Manley Park, Rackhouse, St Bernard's, Beaver Rd, St Cuthbert's, St Margaret's, Broad Oak) delivering the year-round WOW "walk to school challenge" using a Travel Tracker to monitor daily journeys. This will help to look at behaviours for walking, as well as opportunities to support more pupils / parents to walk and reduce vehicle journeys (modal shift), deal with congestion and foster more clean air. Learning and good practice will be shared across the whole area.
- 3.15 Further work relates to the link with Road Safety Week and the new Road Safety Guide for schools (e.g. Rackhouse Primary in Northenden). This involved a partnership approach between the South Neighbourhood Team, Greater Manchester Police, Highways and schools. Different classes used the "Street Feet" resource to role play different road safety scenarios, and undertook traffic surveys to highlight dangerous behaviour. Rackhouse is also keen to explore the Junior PCSO programme that is being delivered in Central Manchester. Button Lane Primary School (Brooklands) piloted a School

Walking Bus on Clean Air Day, and has now mainstreamed the approach into school life with dedicated staff resources to encourage more pupils to walk and help reduce the number of vehicles coming to the site. Work has also been planned with St John's Primary (Chorlton) around no idling, road closures, walking routes and road safety awareness. Signs are being installed on school fences and lampposts to advise against idling, complemented by workshops with parents through the school's Parent & Teacher Association (PTA), Manchester Active, Public Health and Highways.

#### **4.0 Idling**

- 4.1 It is recognising that vehicle idling around schools remains an issue. Government guidance around enforcing against drivers who leave their engines idling is focussed on educating people. As a matter of course, the type of information shared with drivers is: -
- Leaving your engine ticking over when your car is stationary makes air pollution worse- by not ticking over we can reduce air pollution during peak travel hours by as much as 30%.
  - Switching your engine off when you're at a standstill for a while can make a real difference.
  - Engines will stay warm for 30-60 minutes after switching off so you needn't worry about the cold, and stopping and starting doesn't affect the lifespan of modern engines. In fact, leaving the engine running when you're parked up can actually increase wear and tear.
  - Improvements in technology also mean modern batteries need less engine running time.
  - Drivers and their passengers are exposed to fumes as well as people outside the vehicle.
  - By not ticking over we can reduce air pollution during peak travel hours by as much as 30%.
  - If you need to keep warm, your heater fan will still blow warm air for some time after you turn off your engine.
- 4.2 In addition to the education work outlined above, compliance and neighbourhood teams are asking people who are idling their engines outside schools to switch off their engines with which most people will comply. Enforcement on this issue is complex and a working group of officers is looking at the best way to achieve compliance. However, enforcement activity is undertaken outside of schools in relation to cars parking on yellow lines. Over the past year all wards (bar the city centre) have seen activity undertaken. In 2018/19 2221 Penalty Notices were issued across 167 school sites for breach of parking regulations.

## **5.0 Provision of School Buses/ Transport, including children with Education, Health and Care Plans**

### **School Buses**

- 5.1 TfGM contribute to the provision of School Transport across Greater Manchester. Total expenditure in 2018/19 across GM was circa £8m (net) and is funded by the levy payment from local authorities. While the statutory responsibility to provide school transport for journeys over a certain length rests with the Local Education Authorities, there is an agreement that TfGM discharge this responsibility on the LEAs' behalf. Across GM, there are 81 Yellow School Buses (YSBs) and 225 school contracts, approximately 14.5k pupils are transported daily, which is about 10% of the school population. Within Manchester itself there are 11 YSBs and 24 school contracts, costing £1.1m.
- 5.2 Contracts are reviewed every year, with officers liaising closely with schools to try and ensure the demand for services best meets the supply. There remains a pressure on this budget with an increased expectation, particularly from schools and parents. One such example of a service review was the 726 to East Manchester Academy. In order to maximise usage, the service was re-routed to serve Moston with the expectation that users in the Miles Platting area would be able to either walk to the school (thereby promoting sustainable transport) or use the commercial 53 service bus. However, following concerns raised by parents and local Councillors the decision was made to revert back to the original route.

### **Free Travel passes**

- 5.3 A parent or guardian has the legal responsibility for ensuring their child's attendance at school. A local authority is only under a statutory duty to provide transport assistance if the nearest qualifying school is not within statutory walking distance of the child's home by the nearest available route as set out in the Education Act 1996 (as amended) or to certain children whose families are on a low income (Schedule 35B to the 1996 Education Act), otherwise the provision of transport is at the local authority's discretion. This means that free transport assistance is provided for pupils who reside within Manchester City Council boundaries who meet a defined set of criteria (see appendix 1).
- 5.4 In the last 2 years the number of pupils accessing a free school travel pass has reduced because of the increase in school places becoming available across the City due to the significant expansion programme and opening of new schools. In 2019, to date there has been a total of 1616 applications for a free travel pass. From these 1067 have met the criteria outlined in Appendix 1 and been issued. There is a two stage appeal process in place for declined applications and to date there have been 54 appeals from which 12 free travel passes were allocated.

### **Our Pass**

- 5.5 A new Our Pass that for a one off £10 administration fee, allows 16 to 18 year olds to travel for free on local buses right across Greater Manchester was launched by the Mayor for Greater Manchester for a two year trial in September 2019. Holders can also benefit from half-price off peak 1 day and weekend travelcards on Metrolink, and from special offers from a range of partners.
- 5.6 Our Pass can be used for up to two years, starting from 1 September after the holders 16th birthday and is available to people who live in Greater Manchester. To date over 35,000 passes have been issued across Greater Manchester with over 7,500 being issued to Manchester City Council residents.

### **Home to school travel arrangements for pupils with Education, Health and Care plans**

- 5.7 For pupils with an Education, health and care plan who are attending the nearest suitable school identified in their Education health and care plan and who meet any of the criteria outlined in Appendix 1, the Council will offer a travel solution to enable the pupil to access school. This approach aims wherever possible to work with the family and young person to develop a travel solution which enables the child or young person to access education in the same way that members of their peer group who do not have a special educational need or disability would access their education. This includes travelling independently for young people and family based travel solutions for younger children. The desired outcome of this approach is to actively encourage children and young people's independence, which can result in them developing a skill for life and will help to develop their confidence and social skills as well as increase their future options for continuing education/training and employment.

Travel solutions may include for example:

**Travel pass** - This is a free pass for use on public transport. This may also be provided for a parent/carer or another travel buddy to support the child/young person to access education.

**Personal Travel Budget (PTB)** - Support for meeting the costs associated with ensuring support to access education may be provided through a Personal Travel Budget. This includes a variety of flexible support options such as access to funds for parent/carers to enable them to drop earlier and collect later, paying for a family member, mileage and use of a befriending service. Family based travel solutions could also be supported by a Personal Travel Budget.

**Independent travel training** - where appropriate young people will be supported and encouraged to travel independently to and from school, when it is assessed as reasonable for them to do so. Where a young person is offered independent travel training the process will begin with an initial assessment of their skills and abilities. The training provided will be targeted to individual need

and development. It is expected that where independent travel training is offered as a travel solution, a young person will take up this training.

**Travel Vehicles** - The Council may provide a vehicle to transfer a child and young person to and from school. Vehicles and drivers are provided by a suitably qualified, registered, commercial provider working to contractual standards set by the Council. All drivers will all have an enhanced Disclosure and Barring Service certificate. This could include:

- Multiple pick up Vehicles - Whenever possible, children and young people will travel together in mini-buses. Children and young people are picked up and dropped off at a convenient location, within a reasonable distance from their home, in many cases from recognised bus stops. A home pick up and drop off will only be made where it is deemed essential due to the child and young person's significant needs.
- Taxis and private hire vehicles - Under very exceptional circumstances, the Council may support children and young people to access education in separate taxis or private hire vehicles based on the assessed needs of the child or young person.

5.8 Currently, there are 1453 pupils with education health and care plans who have been assessed as meeting the criteria for a travel solution. There are 380 different transport routes provided by the Council and 115 families who access a personal budget to make their own transport arrangements. This Autumn term there have been 8 young people accessing travel training courses in addition to those accessing this through their school provision.

5.9 It is recognised there is more to do with special educational needs schools to promote active travel to and from school. However, there are examples of school initiatives that are having an impact. In June 2019, Melland school pupils led a campaign to encourage bus drivers to turn off their engines while idling near the school playground when dropping off and picking up students. The students planned and delivered the 'Cough, Cough, Cough Turn Your Engine Off' campaign. Students were then able to deliver their findings at the Skills for Life launch.

## **6.0 Red and Amber School Crossing Improvements Update**

6.1 There are eighty-one school crossings in the programme that require improvements so that their original rating score is reduced to 50 points or less as per the Royal Society for the Prevention of Accidents (ROSPA) "Census & Site Assessment" criteria that is the national standard. The sites are located across most wards in the city.

6.2 The delivery of the improvements continues through a purposely formed highways team comprising of a Project Manager, Construction Planner, Traffic Engineer, Quantity Surveyor, and Clerk of Works who are supported by the MCC Communications team and Raydar Safety Ltd for health and safety compliance. The MCC project team is also supported by design teams at both



TfGM UTC and Amey. Most of the works on site are being delivered by Highway Maintenance (formerly known as Manchester Contracts).

6.3 The location of each school crossing has been checked and is confirmed within the table below in 2.5 for the sites completed and the table in Appendix 1 for those still to be delivered. For clarity it is also noted that several crossings are in two wards and this is because the actual ward boundary is located either directly along the centre line of the carriageway or somewhere between the centre line and the footway. Example drawings to substantiate this are available upon request.

6.4 For clarity the delivery process comprises of four stages as follows: -

1. Outline design by MCC.
2. Final design by Amey where sites include belisha beacons and/or by UTC where sites include traffic signals.
3. Purchase order issued and works to be programmed.
4. Construction on site by a combination of Highway Maintenance, North Midland Contracting, Amey and UTC.

6.5 The following table confirms the 46 sites already completed.

<b>School</b>	<b>Crossing Point</b>	<b>Ward</b>
Baguley Green Primary/Newall Green High	Holyhedge Road/Greenbrow Road	Baguley
Newall Green High/Primary	Firbank Road/Highdales Road	Baguley
St Paul's High/Newall Green High/St Peter's Primary	Greenbrow Road/Simonsway	Baguley
Sacred Heart Catholic Primary	Floatshall Road / Bowland Road	Baguley
Newall Green Primary / Newall Green High	Greenbrow Rd / Whitburn Road	Baguley
St Peter's RC Primary / St Paul's High	Firbank Road	Baguley
Sandilands Primary	Wendover Road/Sandilands Road	Brooklands
Button Lane Primary	Moorcroft Road/Button Lane	Brooklands
Sandilands Primary	Ferndown Road/Wendover Road	Brooklands
Greenend Primary/St Bernards Primary/Burnage High	Greenend Road/Burnage Lane	Burnage
Acacias Primary/Levenhulme High	Crossley Avenue / Moorton Avenue	Burnage
Greenend Primary/St Bernards Primary/Burnage High	Greenend Road/Broadlea Road	Burnage

Alma Park & St Mary's Primary Levenshulme High	Albert Road / Marshall Road	Burnage / Levenshulme
St Matthews High	Nuthurst Road / Blandford Drive	Charlestown
Oswald Road / St John's RC Primary	Longford Road / Oswald Road	Chorlton
Oswald Road / St John's RC Primary	Nicolas Road / Oswald Road	Chorlton
St Barnabus Primary	Parkhouse Street/Wood Street	Clayton Openshaw
Varna Street Primary	Ogden Lane/Varna Street	Clayton Openshaw
Broad Oak Primary	Broad Oak Road/Outside School Gates	Didsbury East
Beaver Road/St Catherine's Primary	Fog Lane/ Clayton Avenue	Didsbury East
Abbey Hey Primary	High Bank/Cross Lane	Gorton & Abbey Hey
Wright Robinson High	Abbey Hey Lane/Lakeside Close	Gorton & Abbey Hey
Old Hall Drive Primary	Levenshulme Road / Ryder Brow Road	Gorton & Abbey Hey
St Francis Primary / All Saints	Gorton Lane / Gardner Street	Gorton & Abbey Hey
Holy Trinity/Moston Lane Primary	Moston Lane/Upper Conran Street	Harpurhey
St Malachy's/Saviour Primary	Rochdale Road/Eggington Street	Harpurhey
Pikefold Primary/Co-operative Academy	Old Market Street/Chapel Lane	Higher Blackley
Crowcroft Park Primary/St Richard's Primary	Northmoor Road/Sutcliffe Avenue	Levenshulme / Longsight
St Agnes Primary	Hamilton Road/Clitheroe Road	Longsight
St Wilfrids Primary	Daisy Bank/Mabel Street	Miles Platting & Newton Heath
All Saints/Christ the Kings Primary	Culcheth Lane/Outside School Gates	Miles Platting & Newton Heath
Park View Community Primary	Varley Street/Holland Street	Miles Platting & Newton Heath
Briscoe Lane	Briscoe Lane / Scotland Hall Road	Miles Platting & Newton Heath
Broadhurst Primary	St Mary's Road / Williams Road	Miles Platting & Newton Heath /

		Moston
Heald Place Primary	Claremont Road/Outside School Gates	Moss Side
New Moston/St Margaret Mary's Primary	Broadway/Moston Lane east	Moston
New Moston Primary	Moston Lane East/Outside School Gates	Moston
Lily Lane / St Dunstons Primary	Lily Lane / Lizmar Terrace	Moston
St John Fisher & Thomas More RC Primary	Hollyhedge Road/Woodhouse Lane	Northenden
Haveley Hey/Benchill Primary's	Hollyhedge Road / Broadoak Road	Northenden / Sharston
Haveley Hey Primary	Broadoak Road/Nearbrook Road	Sharston
Mauldeth Road Primary	Talbot Road/Green Street	Withington
Ringway Primary/St Anthony's Primary	Portway/Cornishway	Woodhouse Park
Ringway Primary/St Anthony's Primary	Cornishway/Rossett Avenue	Woodhouse Park
St Anthony's RC/The Willows Primary	Cornishway/Portway	Woodhouse Park
St Anthony's RC / The Willow's Primary	Portway / Selstead Road	Woodhouse Park

6.6 The following images illustrate two examples of completed work.



*Firbank Road/Highdales Road, Baguley - Reconfigured junction/bollards/drop kerbs/tactile pavings/road markings/traffic signs/No Waiting at any time restrictions*



*Lily Lane/Lizmar Terrace, Moston - Raised junction/speed cushions/crossing points/kerb build outs/bollards/No Waiting at any time restrictions*

- 6.7 The tables in Appendix 1 indicate the delivery method and expected construction period for the sites still to be completed. In summary this is: -
- 2 sites are complete with all features constructed except the additional Puffin crossings that will be installed by Highway Maintenance with support from UTC.
  - 5 sites have been designed and are still to be programmed for delivery by Highway Maintenance individually or with support from either UTC or Amey.
  - 28 sites are awaiting final design by either UTC or Amey to be programmed for delivery by Highway Maintenance with support from either UTC, Amey or both.
- 6.8 The progress since the last report and programme is summarised in the table below and the time frame for completing the remaining works is by early summer 2020.

<b>Site Status</b>	<b>At 4 September</b>	<b>Expected at 4 December</b>
Complete	17	46
Work in progress	27	4
Still to be programmed	5	2
Awaiting final design	32	29
<b>Total</b>	<b>81</b>	<b>81</b>

The impact of involving third parties within the delivery process has led to benefits too. For example, this has enabled the proposed zebra crossing on Abbey Hey Lane in Gorton to be upgraded to a signal controlled crossing.

- 6.9 All schools that still have improvement works to be implemented have received letters via post. In addition, our Clerk of Works hand delivers a supplementary letter to the schools whilst delivering letters to the local residents within 7 to 14 days before works commence at each site.

## **7.0 Recommendations**

- 7.1 It is recognised that there is still more to do to develop the significant culture shift that is required to encourage pupils to walk to school and not use cars. There still remains too much congestion around schools at the beginning and end of the school day and often irresponsible behaviours of drivers dropping off and collecting children. There are many opportunities, to drive forward behaviour change through initiatives described in the report and through work taking place on climate change to promote this more with children and young people, particularly as it is as an issue they care about.
- 7.2 The Scrutiny Committee is asked to note the progress made in delivering the programme of activity that promotes safer travel to and from school.

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**Appendix 1: Criteria for Free School Travel Passes**

## A) Looked After Child (LAC) and previous LAC

- A child aged 4 – 16 years old and looked after by Manchester City Council or previously LAC, and attending a school or academy beyond 2 miles from their placement

## B) Distance/nearer

## Provision\*

- A child who is aged between 4 - 11 years old and living in Manchester who is attending a primary school beyond 2 miles from home, and where nearer provision in Manchester is not available.
- A child who is aged between 8-16 years old and living in Manchester who is attending a school beyond 3 but less than 15 miles from home, and
- where nearer provision in Manchester is not available.

\* nearer provision in school is defined as any school (other than the school the applicant currently attends) which may be closer to the applicant's home address. A school's performance and Ofsted rating are not applicable when assessing for nearer similar provision.

## C) Low income. Free school meals/maximum Working Tax Credit.

- A child aged 4 - 16 year old and living in Manchester who is attending a school more than 2, but less than 6 miles and there are not three or more suitable nearer schools
- Or attending a secondary school or Academy more than 2 but less than 15 miles if their preferred school is on the grounds of religion or belief from their home address;

## D) Other criteria

- A child in Year 10 or Year 11 who has recently moved into Manchester from another local authority and wishes to remain at their current school, and lives between 3 and 15 miles from their current school
- A primary aged child living within 2 or 3 miles (dependant on age) walking distance from their school where the nature of the route is unsafe or such that the child could not be expected to walk
- a child living in temporary or homeless accommodation which is more than 2 or 3 miles (dependant on age) from their current school.

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**Appendix 2: Red and Amber School Crossings  
Delivery Method & Expected Construction Period for the Outstanding Sites**

**Construction by the end of 2019:**

Ref	School	Crossing Point	Ward	Current Status & Delivery Method for those still to be completed	Old RAG	New RAG
238	Greenend Primary/St Bernards Primary/Burnage High	Burnage Lane Rbt	Burnage	To be delivered by Highway Maintenance/Amey - start on site 25 November 2019	73	50
327	St Anthony's RC / The Willow's / Ringway Primary's	Portway / Ruddpark Road	Woodhouse Park	To be delivered by Highway Maintenance/Amey - start on site 25 November 2019	81	48
121	St Margaret's Primary	Withington Road / College Road	Whalley Range	To be delivered by Highway Maintenance/Amey - start on site 2 December 2019	128	50
123	The Devine Mercy Primary	Lloyd Street South / Edith Avenue	Moss Side / Whalley Range	To be delivered by Highway Maintenance/Amey - start on site 2 December 2019	91	41

### Construction by Spring 2020:

Ref	School	Crossing Point	Ward	Current Status & Delivery Method for those still to be completed	Old RAG	New RAG
130	Chorlton High / Chorlton Park Primary	Manchester Road / Longford Road	Chorlton	To be delivered by Highway Maintenance/UTC - start on site 6 January 2020	94	50
208	Stanley Grove Primary	Stanley Grove / Rushford Street	Longsight	To be delivered by Highway Maintenance/UTC - start on site 6 January 2020	86	50
515	Aspinal Primary	Reddish Lane / Turnbull Road	Gorton & Abbey Hey	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC/Amey	99	50
230	Acacias Primary/Levenhulme High	Burnage Lane/School Gates	Burnage	Awaiting final design from Amey and will be delivered by Highway Maintenance/Amey	81	49
406	St Mary's Primary	St Mary's Road / Outside School Gates	Charlestown / Moston	Awaiting final design from Amey and will be delivered by Highway Maintenance/Amey	75	45
234	Mauldeth Road Primary	Mauldeth Road	Withington	Awaiting final design from Amey and will be delivered by Highway Maintenance/Amey	75	50
316	Newall Green Primary / Newall Green High	Firbank Rd / Ninfield Road	Baguley	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC/Amey	109	50
419	Irk Valley Primary	Crescent Road / Waterloo Street	Crumpsall	All works completed by NMC apart from the installation of the Zebra crossing	105	45

220	Chapel Street Primary	Broom Lane / Chapel Street	Levenshulme	To be delivered by Highway Maintenance	61	41
502	St Wilfrids / All Saints / Christ the Kings Primary	All Saints Street / Culcheth Lane	Miles Platting & Newton Heath	To be delivered by Highway Maintenance	83	48
412	Lily Lane / St Dunstons Primary	Kenyon Lane / Lily Lane	Moston	All works completed by NMC apart from the installation of the Puffin crossing	102	49
205	St Joseph's / Plymouth Grove	Plymouth Grove / Daisybank Road	Ardwick	To be delivered by Highway Maintenance/UTC	91	49
513	Abbey Hey Primary	Abbey Hey Lane Outside Abbey Hey School	Gorton & Abbey Hey	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC/Amey	83	48
217	Rushbrook Primary	Wembley Road / Melland Road	Longsight	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC/Amey	91	49
447	Moston Lane Primary	Ashley Lane / Whitman Street	Harpurhey / Moston	Awaiting final design from Amey and will be delivered by Highway Maintenance/Amey	85	45

**Construction by early Summer 2020:**

Ref	School	Crossing Point	Ward	Current Status & Delivery Method for those still to be completed	Old RAG	New RAG
501	All Saints / Christ the Kings Primary	Droylsden Lane Outside School Gates	Miles Platting & Newton Heath	Awaiting final design from Amey and will be delivered by Highway Maintenance/Amey	65	48
505	All Saints / Christ the Kings Primary	Culcheth Lane / Briscoe Lane	Miles Platting & Newton Heath	Awaiting final design from Amey and will be delivered by Highway Maintenance/Amey	65	45
125	William Hulme	Alexandra Road/Brantingham Road	Whalley Range	Awaiting final design from Amey and will be delivered by Highway Maintenance/Amey	62	50
236	Greenend Primary/St Bernards Primary	Burnage Lane/Outside School Gates	Burnage	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC	107	49
134	Chorlton High / Chorlton Park Primary	Nell Lane / Sandy Lane	Chorlton Park	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC	119	50
128	St Kentigerns RC Primary	Wilbraham Road / Bethnall Drive	Fallowfield	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC	100	48
219	Chapel Street Primary	Barlow Road / Cromwell Grove	Levenshulme	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC	88	39
401	Manchester Creative & Media Academy for Boys	Charlestown Road / Hinchley Road	Baguley	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC/Amey	91	47

224	Alma Park & St Mary's Primary's	Errwood Road / School Gates	Burnage / Levenshulme	Awaiting final design from Amey and will be delivered by Highway Maintenance/UTC/Amey	95	49
414	Moston Fields Primary/Manchester Creative Media For Girls	Moston Lane/Croft Hill Road	Charlestown / Moston	Awaiting final design from Amey and will be delivered by Highway Maintenance/UTC/Amey	74	43
146	St Catherine's RC Primary	School Lane / Outside School Gates	Didsbury East	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC/Amey	82	50
340	St Wilfrids C of E Primary	Royle Green Road / Patterdale Road	Northenden	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC/Amey	91	47
330	Crossacres Primary	Crossacres Road / School Gates	Sharston	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC/Amey	95	49
241	Ladyburn, St Cuthberts & Mauldeth Road Primary's	Parrswood Road / Briarfield Road	Withington	Awaiting final design from UTC and will be delivered by Highway Maintenance/UTC/Amey	64	44
430	Crumpsall Lane Primary / Abraham Moss High	Delaunays Road / Crumpsall Lane	Crumpsall	Awaiting traffic modelling/final design from UTC and will be delivered by Highway Maintenance/UTC	92	50
114	Heald Place / The Devine Mercy Primary's	Claremont Road / Yew Tree Road	Moss Side	Awaiting traffic modelling/final design from UTC and will be delivered by Highway Maintenance/UTC	91	50

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**Manchester City Council  
Report for Information**

**Report to:** Neighbourhoods and Environment Scrutiny Committee - 4  
December 2019

**Subject:** Compliance and Enforcement Service - Performance in 2018/19

**Report of:** The Strategic Director (Neighbourhoods)

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**Summary**

To provide Members with an update on demand for and performance of the Compliance and Enforcement service during 2018/19. As requested by the Committee the report also provides information on the activities undertaken around enforcement in relation to commercial waste enforcement, unlicensed drinking establishments, shisha businesses and management of waste associated with licensed HMOs.

**Recommendations**

That Members note and comment on the report.

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**Alignment to the Our Manchester Strategy Outcomes (if applicable):**

<b>Manchester Strategy outcomes</b>	<b>Summary of how this report aligns to the OMS</b>
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	By enforcing the law in a fair, equitable and consistent manner, assisting businesses to meet their legal obligations and taking firm action against those who flout the law or act irresponsibly.
A highly skilled city: world class and home grown talent sustaining the city's economic success	Providing advice and assistance to businesses to help them understand and comply with regulations contributes to thriving businesses which support the city's economy. Taking action against those businesses who are not compliant allows law abiding businesses to thrive.
Working with both residents and businesses to support them in improving the neighbourhoods in which they live and work and socialise	Working with both residents and businesses to support them in improving the neighbourhoods in which they live and work and socialise.

A liveable and low carbon city: a destination of choice to live, visit, work	Addressing nuisance issues to support individuals to live in successful neighbourhoods. Ensuring a safe and compliant night time economy to sustain the city as a destination of choice. Supporting work to improve air quality and address contaminated land. Creating places where people want to live and stay.
A connected city: world class infrastructure and connectivity to drive growth	

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**Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

Report to Neighbourhoods Scrutiny Committee 4th December 2018: Compliance and Enforcement Service – Overview of the role of the service and performance to date.  
Report of Chief Operating Officer (Neighbourhoods)



## 1.0 Introduction

1.2 The Compliance and Enforcement service brings together the services responsible for fulfilling the Council's statutory duties in respect of protecting the public and the environment and ensuring that businesses and residents comply with a range of legislation that helps to make our neighbourhoods places where people want to live, work and socialise.

1.3 The teams that make up the Compliance and Enforcement services are:

- **Neighbourhood Compliance Teams (NCT)** – based within the three neighbourhood areas of North, Central & South, the teams are responsible for compliance & enforcement across these areas, ensuring that local communities have safe, clean and attractive neighbourhoods to live in. Their particular focus is resident & business compliance with waste disposal & recycling; untidy private land; visual disamenity of private buildings & land; flytipping; littering; dog fouling; highway obstructions including skips; flyposting; empty properties and unauthorised encampments.
- **Environmental Crimes Team (ECT)** – responsible for works carried out in default; contract management; enforcement support; prosecutions; animal welfare and public space protection orders.
- **Neighbourhood Project Team (NPT)** - responsible for investigating incidents of flytipping in conjunction with Biffa, taking enforcement action against those who illegally dispose of their waste and delivering the Commercial Waste Project.
- **Food, Health & Safety & Airport Team (FHS)** – responsible for regulating food safety and food standards; health and safety in certain premises; dealing with complaints and requests for service; accident investigations; infectious disease control; port health and the importation of foodstuffs arriving at Manchester Airport.
- **Environmental Protection Team (EP)** – responsible for dealing with the environmental aspects of planning applications; provide technical support to strategic regeneration schemes; noise control at large events and exhumations. The team discharge the council's regulatory duties in relation to contaminated land; industrial processes; air quality and private water supplies.
- **Licensing and Out Of Hours Teams City Centre and City Wide (LOOH)** - responsible for licensing enforcement and for addressing effectively a range of issues that that can arise both during and outside of normal working hours e.g. licensed premises enforcement; street trading; domestic and commercial noise enforcement; busking; begging etc. These teams provide cover over 7 days providing a service during the day, evenings and at night. In the city centre the team also deals with resident & business compliance with waste disposal, untidy private land; flytipping; littering; dog fouling; highway obstructions including skips; flyposting; etc.

- **Trading Standards Team (TS)** - responsible for enforcing a wide range of criminal legislation aimed at protecting consumers and maintaining standards of fair trading e.g. counterfeiting; product safety; sale of age restricted products such as fireworks, alcohol, cigarettes, knives, solvents etc.; rogue traders; doorstep scams and regulation of weights and measures.
- **Housing Compliance & Enforcement Team (HCT)** - responsible for ensuring that privately rented properties meet acceptable safety and management standards. The team manage the licensing of HMOs and selective licensing schemes and deal with complaints regarding private rented housing ranging from complaints about disrepair to preventing unlawful eviction and harassment.
- **Compliance & Enforcement Support Team (CST)** – responsible for intelligence and evaluation of project based activities, producing management information and monitoring service performance. The team also undertake a wide range of desk based compliance activities in support of the specialist teams: e.g. creating programmed inspection plans; verifying waste management contracts; food business registration; verification surveys and checks and management of the debt recovery and enforced sales processes. The team is also responsible for producing service wide statutory returns.

- 1.4 This report sets out the key areas of demand and how the teams performed across the whole service in 2018/19. The workload of the service is a combination of planned regulatory work such as inspection programmes; regulatory compliance activities such as assessing planning and licensing applications; reactive work such as investigating complaints from customers and proactive and project work to pick up on issues that are causing problems but may not be being reported or are intractable issues that need a more focussed and targeted approach.
- 1.5 The service takes an Our Manchester approach to achieving compliance, working on the principle that the vast majority of citizens and businesses in Manchester want to do the right thing. Sometimes people are not sure what they need to do and our approach to achieving compliance includes working with people and giving them the chance to get it right.
- 1.6 The City Council's Corporate Enforcement Policy outlines the approach that officers should take when considering enforcement action. The policy is an overarching policy that applies to all the Council's Services with enforcement duties, although some services have specific Legislative Guidance and Regulations which set out the enforcement requirements in these services. The appropriate use of the full range of enforcement powers, including prosecution, is important, both to secure compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard health, safety and welfare or breach of regulations enforced by the Council. In deciding on the most appropriate course of action officers should have regard to the principles set out in the policy and the need to

maintain a balance between enforcement and other activities, including inspection, advice and education.

1.7 The policy states that an open, fair and proportionate approach will be taken in dealing with breaches of legislation which are regulated and enforced by the Council. Raising awareness and promoting good practice in regulated areas is the first step in preventing breaches, and officers of the Council will signpost to guidance on aspects of the law where requested to do so. Best efforts will be used to resolve any issues where the law may have been broken without taking formal action, or referring the matter to the courts when the circumstances indicate that a minor offence may have been committed and the Council is confident that appropriate corrective action will be taken. However, there may be occasions when the breach is considered to be serious and/or where informal action is not appropriate. In such cases immediate enforcement action may be taken without prior notice and as noted above some services have specific Legislative Guidance and Regulations which set out the enforcement requirements in these services.

1.8 The report also addresses the following areas as requested by Members:

- Commercial waste enforcement;
- Shisha businesses;
- HMO Licensing and waste; and
- Unlicensed drinking establishments.

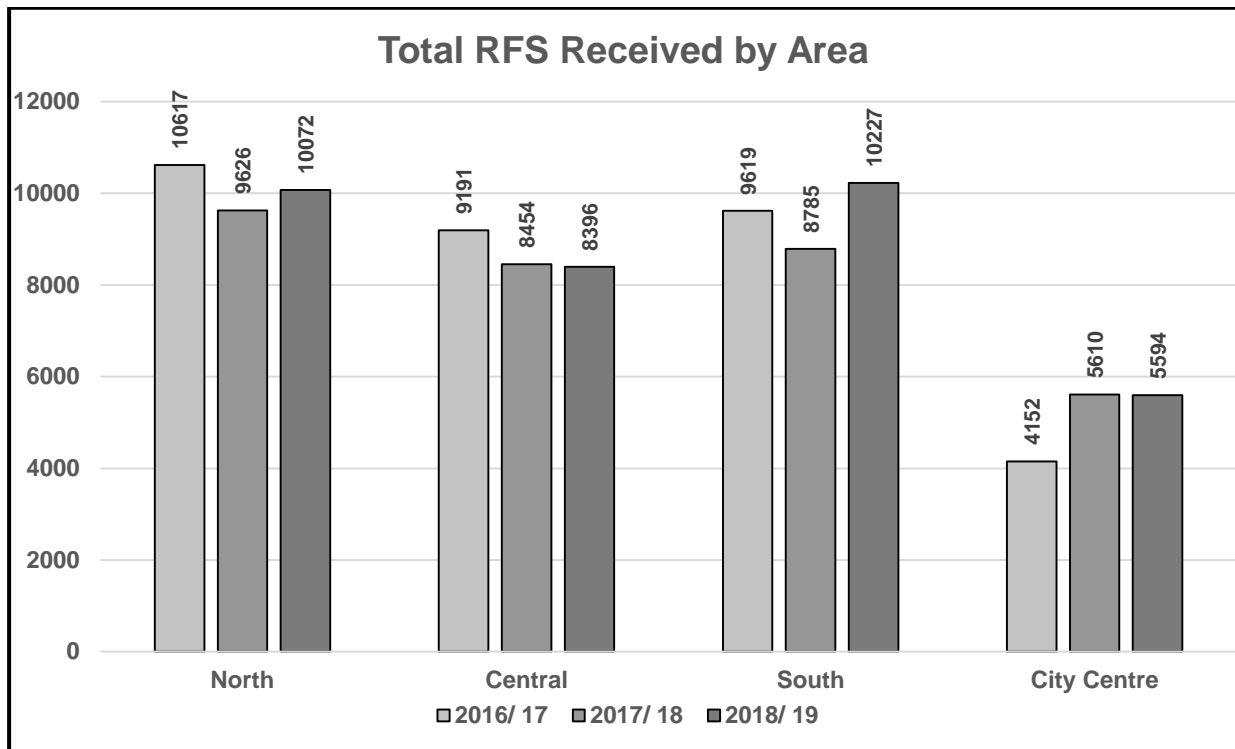
Case studies are included to illustrate the diverse nature of the issues that the service helps to resolve.

## **2.0 Overall Demand**

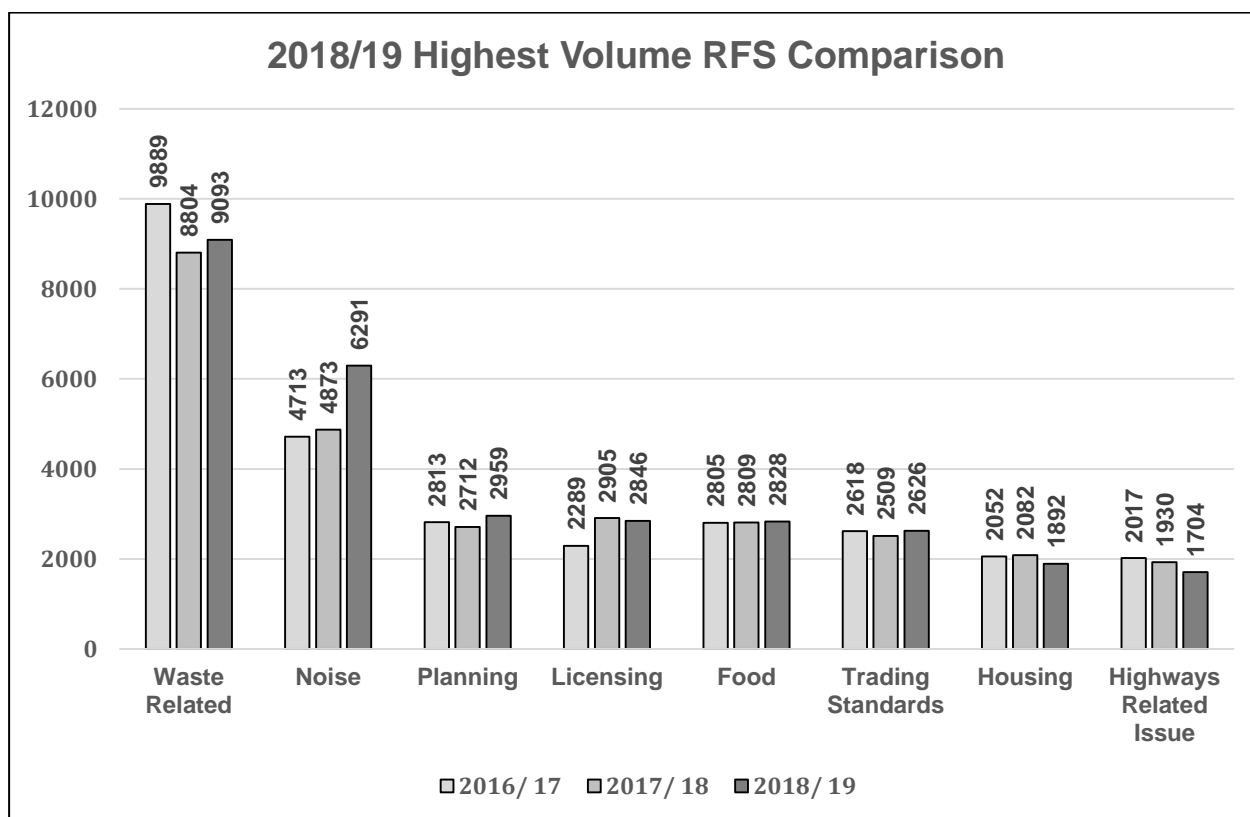
2.1 In 2018/19 the service received 36,288 requests for service (RFS) and completed 13,780 proactive activities. This is compared to 34,063 RFS and 5,683 proactive activities in 2017/18. There has been an overall increase in RFS of 7% but a significant increase of 142% in proactive activities during the year. Proactive jobs will be discussed in more detail in section 3.

2.2 Figure 1 compares the overall volume of RFS received by area over the last 3 years. The table excludes RFS that had no specific ward assigned (1,999). These are mostly related to Trading Standards issues such as notifications of unfair commercial practices where businesses located outside of Manchester operate across the city.

**Figure 1. RFS Volume comparison 16/17, 17/18, 18/19**



- 2.3 The overall number of RFS when compared over the last 2 years has not changed significantly, however there is a slight increase in the North (5%) and a more pronounced increase in the South (16%) while Central and City Centre (Deansgate and Piccadilly wards) have both remained relatively stable compared to last year.
- 2.4 As noted above the South has had the most significant increase in demand overall at 16% when compared to the previous year. Noise, waste and airport work remain the highest volume areas of demand and each has increased in 18/19. Total noise RFS has increased by 50% (1535 – 2310), waste related RFS by 11% (1,556 – 1,732) and airport work by 10% (1,313 – 1,444).
- 2.5 Across the city the work areas of highest demand are set out in Figure 2. As is the case in previous years the greatest demand comes from waste related RFS which remains around 25% of all RFS received by the service.

**Figure 2. Highest volume of RFS category comparison 16/17, 17/18, 18/19**

- 2.6 A total of 9093 waste related RFS were investigated, this is compared to 8804 in 17/18. The breakdown being: North 4060 (45%), Central 3039 (33%), South 1738 (19%), City Centre 255 (3%). One job was categorised as out of Manchester in relation to land on the border of Brooklands and Trafford maintained by MCC. Overall waste related RFS has risen by 3%.
- 2.7 Of the 9093 waste related RFS dealt with by the service, 3389 (37%) were proactively identified and investigated by our Neighbourhood Project team who work closely with Biffa to address incidents of flytipping and pursue legal action where appropriate. The remaining waste RFS are complaints from the public and jobs logged by MCC officers. These have increased by almost 14% from 4813 to 5466 in 18/19. This is due to a 12% increase in RFS coming from the public but also a 22% increase in jobs logged by MCC Officers directly (670 – 819).
- 2.8 Waste complaints made by the public in the City Centre have reduced from 306 to 236 in 18/19 (23%). This is mainly due to an increase in proactive activity in the City Centre dealing with waste as and when officers come across it, including weekends when visitor numbers are at their highest. This flexible approach has resulted in fewer RFS being received. Proactive waste jobs in the City Centre have increased from 184 to 324 (76%). The proactive waste work in the City Centre includes flytipping, domestic and commercial waste.

- 2.9 Of the top 8 RFS demand categories, noise related RFS have increased the most (29%). 6291 noise RFS were received compared to 4873 in the previous year. Noise RFS include domestic noise, licensed premises and construction noise. The overall figure also includes RFS for applications for noisy working.
- 2.10 The breakdown for noise RFS is as follows: North 1461 (23%), Central 1298 (21%), South 2310 (37%), City Centre 1214 (19%), there are an additional 8 jobs not linked to a ward, these are RFS where the source of the noise is outside Manchester e.g. where a Manchester resident who lives on the border of a neighbouring Local Authority has complained about noise. Within this category, the highest areas of demand are domestic noise 3701 (59%), Licensed Premises noise 658 (11%) and construction noise 555 (9%).
- 2.11 In the South noise has seen the most significant increase, specifically in relation to domestic noise, increasing by 53%. This includes noise from student accommodation, barking dogs, people making noise such as slamming doors, shouting etc. and noise making equipment. In the South domestic noise accounts for 68% of all noise RFS received. Prior to the introduction of the Licensing and Out of Hours Team (LOOH) residents would contact GMP and Manchester Student Homes (MSH) to report domestic noise nuisance. However, residents are now more aware of the service provided by the LOOH team through having previously used the service and as a result of us actively promoting the service (through resident community meetings, the Council website, the Community Safety Team, the Neighbourhood Team and MSH), and will usually contact the service direct. Those who do still contact GMP or MSH are directed to contact the LOOH team via the City Council's Contact Centre.

#### **Case Study 1 – Student noise (Fallowfield)**

The Licensing and Out of Hours Team (LOOH) continue to work in partnership with the Off Campus Student Affairs Officer and the Community Neighbourhood Response Team (G4S) to address issues of student noise. A recent example is a report to the council from a resident about a student party. The LOOH Team attended the house party and warned the students that it was too loud and needed to be turned down. Officers warned that if it continued a notice would be served. At the time this request was complied with. The LOOH Team informed the Community Neighbourhood Response Team of the party and asked them to monitor during their patrols. Later that night the Community Neighbourhood Response Team witnessed loud music from the house and challenged the students about this. They informed the LOOH Team and provided statements about what they had witnessed, so a notice could be served.

The Community Neighbourhood Response Team remained in the area to challenge any further noise but there was none. Through working together the disturbance was quickly resolved. A notice was served on the students and details passed to the Off Campus Student Affairs Officer who is currently pursuing internal University disciplinary proceedings against these students.

- 2.12 Two notable increases are the number of construction noise RFS received and applications for prior consent for noisy working. Construction noise increased by 28% (from 434 – 555) prior consent by 46% (from 224 – 327). Manchester's economic success has resulted in significant investment in new building projects which inevitably results in increases in construction noise. However, having the Licensing and Out of Hours Team available to address noise as it is happening and work with construction companies and residents to minimise the impacts has been very successful. Some noisy work such as crane lifts are subject to time restrictions for being brought onto site through busy arterial routes. This is usually outside of normal working hours. Crane erection and dismantling is also a 10 -12 hour activity which usually requires out of hours working consent. By working with residents to explain why this is the case and working with the companies to ensure that it is done as quickly as possible and within agreed timeframes enables a balance to be struck.

#### **Case Study 2 – Construction noise (Piccadilly)**

Significant development involving a number of companies in a fairly compact area of the city generated a number of complaints about noise nuisance during the permitted hours for noisy construction work. LOOH met with all of the sites and continue to engage with new sites as they start work in the area to agree informal action plans which are site specific to reduce impact on the nearby residents. This includes working with site managers to reduce the hours they will conduct noisy working particularly at weekends and on bank holidays. This has been welcomed by residents and improved relationships between them and the construction companies. Control of Pollution Act notices are used to ensure all sites operate within the hours stipulated unless consent to work is approved and where residents have complained of sites starting earlier than allowed officers start their shifts as early as 06:30 to capture the evidence required to take enforcement where necessary.

#### **Case Study 3 – Ordsall Chord (Deansgate)**

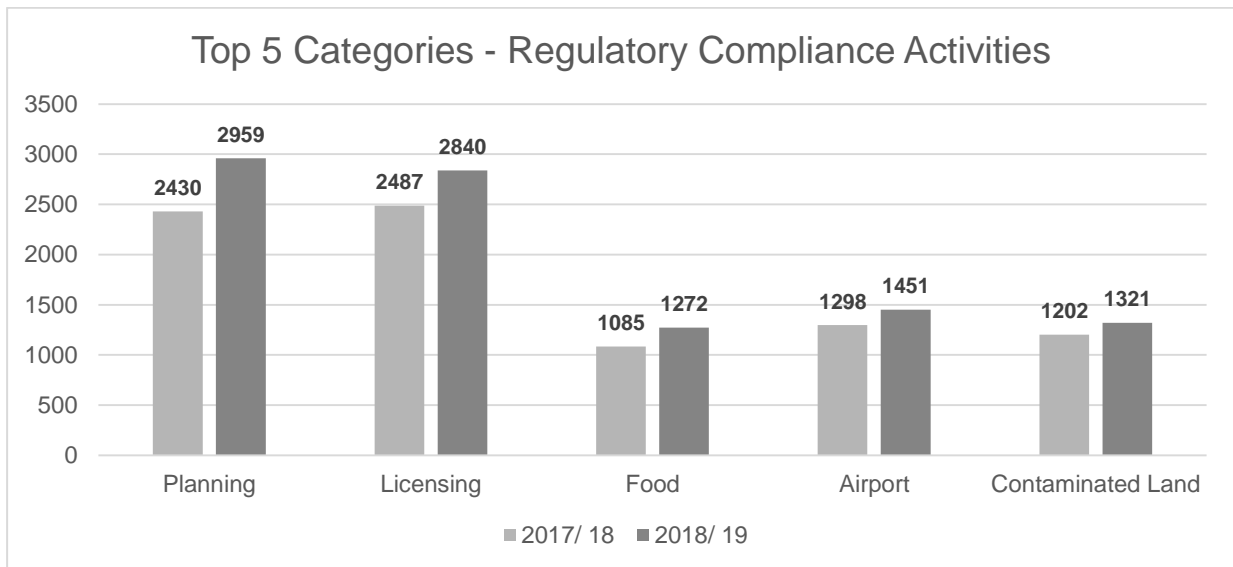
The Ordsall Chord project was the installation of a railway line to link Manchester Piccadilly and Oxford Rd stations to Victoria station. The new connection has increased capacity and reduced journey times into and through Manchester. The Environmental Protection team worked closely with engineers from Network Rail and their contractors to protect residents and businesses from excessive noise disturbance. Around 700 engineers worked on the longest most complex stage of the project which included a 24hr blockade for out of hours work. Thousands of residents and businesses were affected by the work, but by ensuring suitable working methods and controls were in place and implemented the impact was managed and the project was delivered with the least amount of noise & vibration impact on the surrounding buildings and occupants.

- 2.13 Planning includes planning applications and consultations on potential sites and review of conditions. This has increased by 9% with 2959 RFS received. The breakdown is North 689 (23%), Central 759 (26%), South 572 (19%) and City Centre 927 (31%). Citywide general enquiries/consultations 12 (1%).

- 2.14 Licensing has remained relatively consistent 2846 compared to 2905 in the previous year. Licensing work includes responding to new applications, the review of applications for temporary events and requests related to premises licence conditions. The breakdown is North 377 (13%), Central 423 (15%), South 619 (22%) and City Centre 1427 (50%).
- 2.15 Food RFS make up the biggest percentage (62%) of the Food, H&S and Airport team's total workload and has remained at a similar level to last year - 2828 compared to 2809. Food RFS includes food hygiene complaints such as poor cleanliness, pest infestations and food poisoning issues. Food standards complaints include labelling irregularities and failure to comply with allergen information and control systems. The breakdown for food RFS is as follows: North (545, 19%), Central (539, 19%), South (703, 25%) and City Centre (746, 26%) there are also 273 (10%) citywide RFS cases for such things as requests for advice on setting up a food business in Manchester. The team also deal with H&S and Airport work. Total RFS for all 3 areas covered by the team have stayed relatively constant at 4567 RFS received in 18/19 compared to 4422 the previous year. Health and Safety includes accident investigations, gas safety inspections in food premises and risk assessments. Airport work includes clearing consignments of non-animal and animal products and pests on planes.
- 2.16 In 18/19 the Food, Health & Safety and Airport team introduced a new procedure aimed at improving how businesses ensure that their food is safe for members of the public with food allergies. The consequences of ingesting allergenic ingredients can be severe. Due to the food safety risks for those suffering food allergies, ensuring businesses comply with legal requirements was a key area of work for 2018/19. A new procedure was implemented which includes the use of voluntary stop agreements (VSA) where businesses agree to stop serving members of the public who have food allergies. The stop agreements ensure that risk to the public is removed whilst businesses work towards compliance. In 18/19 570 stop agreements were put in place (North 137, Central 131, South 203, and City Centre 99).
- 2.17 Manchester has a large student population and a Food Standards Agency (FSA) led campaign (Easy to Ask) recognises that young people (16 – 24 years old) are the most vulnerable group when it comes to allergens, many leaving home for the first time, with a tendency to eat out more and inexperience with cooking for themselves. The campaign also recognises that newer students tend to be less confident in asking about the food they purchase. A FSA survey in 2018 revealed only 14% of young people felt extremely confident asking for allergen information when dining out. Manchester City Council has led the way in how local authorities approach the regulation of legislation regarding food allergies and this has been acknowledged by the FSA as a model they would wish to adopt. The team will continue to work with the FSA and other Local Authorities in implementing their own processes. To date 5 other Local Authorities have adopted our approach via the Association of Greater Manchester Authorities Food Liaison Group



- 2.18 Trading standards complaints include issues with product safety, consumer scams, doorstep crime, under age sales, illicit tobacco, weights and measures, animal welfare and counterfeiting. A total of 2626 RFS were received in 18/19 a 5% increase from the previous year. The breakdown is North (386, 15%), Central (229, 9%), South (256, 10%), City Centre (230, 9%) There are also a number of citywide enquiries and complaints in relation to businesses/organisations not located in but who operate in Manchester (1525 57%). This is a 15% increase from the previous year attributed to an increase in online business and businesses located outside of Manchester.
- 2.19 Housing RFS cover damp, drainage, fire precautions, heating and hot water, gas and electric, unlawful eviction and tenant and landlord disputes. The service received 1892 RFS compared to 2082 the previous year which is a 9% decrease. The RFS breakdown is North (693, 36%), Central (640, 34%), South (484, 26%) and City Centre (75, 4%). The decrease is mainly due to the increase in proactive activity being able to address housing issues more quickly and efficiently. As a result of successful funding bids, having greater capacity has allowed the team to focus on the key issues such as rogue landlords and compliance with Selective and Mandatory Licensing schemes rolled out in specific areas of the city known to have concentrations of poorer housing condition. In October 2018 the extension to Mandatory HMO Licensing came into force increasing the scope of properties brought within the regulatory regime. Smaller properties used as HMOs which house 5 or more people in 2 or more separate households will in many cases require a licence. New mandatory conditions included in licences were also introduced, prescribing national minimum sizes for rooms. The team has found that many of these smaller HMOs fail to meet standards so have successfully used legislation to ensure such properties meet space, amenity and fire safety standards while also strengthening conditions around waste management and noise nuisance. The importance of proactive work in improving housing conditions should not be underestimated as often the most vulnerable, who are the least likely to complain, live in such housing.
- 2.20 Highways related RFS cover issues such as obstructions, skips, muddied sites and cars for sale on the highway. A total of 1,704 jobs were received, a 12% decrease from the 1,930 received the previous year. Year on year since 2016/17 Highways related RFS have decreased. This is linked to an increase in proactive work by the Neighbourhood Compliance teams who pick up on issues before they become complaints In 18/19 301 proactive obstruction jobs were recorded compared to 161 in the previous year, this is an 87% increase in activity.
- 2.21 The successful growth of the city places greater demand on regulatory compliance services as the number of planning and premises licence application and food businesses increase. In addition to this more businesses are importing foods that need to be cleared at the airport Border Inspection Post and there is greater demand for new build properties both commercial and residential. Figure 3 shows the volume of the top 5 regulatory compliance activities received in the year.

**Figure 3. Top 5 Regulatory Compliance Activities RFS received**

- 2.22 The areas of greatest demand for regulatory compliance activity are shown in figure 3. All areas have seen increases in regulatory compliance activities however it was the South and the City Centre which rose the most, by 486 and 387 respectively, cumulatively accounting for 64% of the total increase.
- 2.23 Planning work increased from 441 in 17/18 to 572 in 18/19 (30%) in the South. The largest increase in planning consultation is mainly due to small developments and changes to domestic properties such as extensions and conversions.
- 2.24 In the South of the city contaminated Land RFS increased from 600 in 17/18 to 723 in 18/19 (21%) The Environmental Protection team receive these requests to investigate ground conditions for suitability for proposed developments and to ensure where required suitable land remediation is undertaken to make the site safe. With the increase of construction across the City there is less land to build on so developers are looking at Brownfield sites that were previously for industrial use, this will include sites that were formally used as landfill. The importance of this work not only protects public health but underpins Manchester's vision for commercial and residential growth.

#### **Case Study 4 - Brownfield Sites (Citywide)**

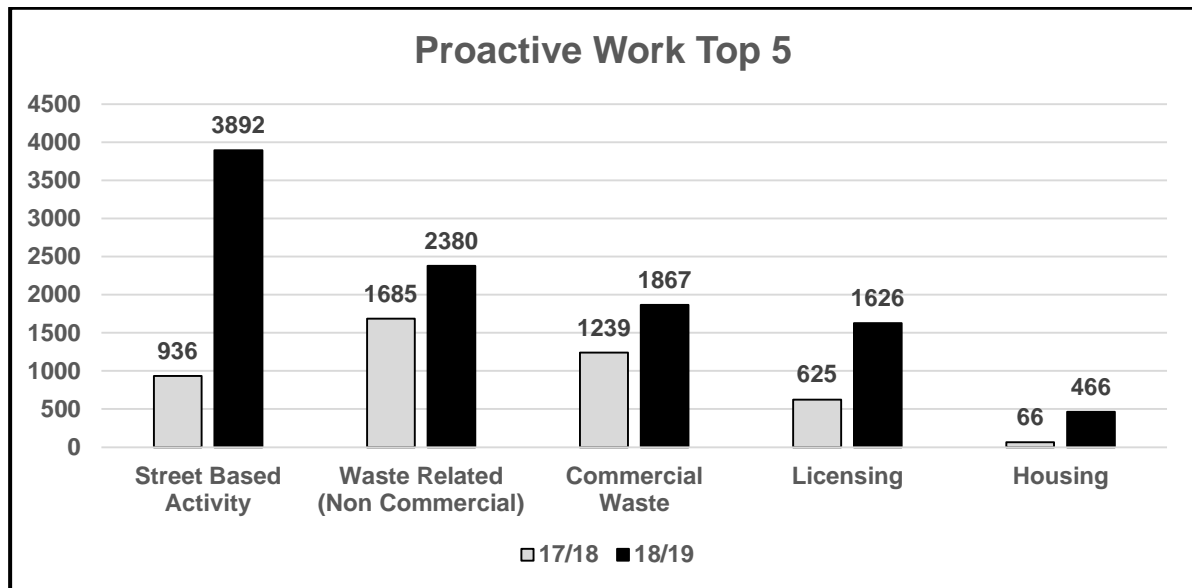
Regeneration is occurring across the city transforming vacant land and degraded buildings into thriving new communities. Sites range from small housing infill schemes to large multi-storey developments. Through the planning process the developers need to show that the land is suitable for use and that the necessary enabling works are undertaken to secure the safety of the land (for stability and human health). These developments would not be possible without the land being remediated and the works being approved by the Environmental Protection Team.

- 2.25 Airport consignment work increased from 1295 in 17/18 to 1444 in 18/19 (12%). Airport work includes assessments of consignments and imported food. Manchester Airport has EU approval to operate as a Border Inspection Post (BIP). BIP status allows the airport to import food and food products of animal origin, i.e. meat, poultry, fish and products derived from them, from outside the EU. These products are subject to specific import controls before they can be released and given free movement to any EU country. Manchester Airport is the only airport in the UK outside the London area to have this status for products for human consumption. Chilled products and fresh products need to get to market promptly to be in optimum condition for consumers and businesses so having the BIP at Manchester Airport is important to the regional as well as local economy.
- 2.26 In the City Centre Planning RFS (927) and Licensing RFS (1422) saw the biggest increases 29% and 14% respectively. This is in keeping with the projected growth outlined in the State of The City Report with an estimated 29,400 people living in the City Centre (Piccadilly and Deansgate wards). An increase of 185% since 2004 (10,315). In the longer term it is expected new apartment-led residential development will lead to 100,000 residents by 2025. In line with this, construction in particular is projected to grow at a significant rate which will continue the upward trend in planning work.
- 2.27 Temporary Event applications account for 47% of all licensing regulatory compliance work received in the City Centre in 18/19. These are applications to carry out licensable activities for when a venue doesn't need a permanent licence or when they want to temporarily amend a licence for a particular event such as selling alcohol, providing regulated entertainment or serving hot food or drink between 11pm and 5am. Businesses can apply to temporarily extend their working hours or to carry out specific licensable activities not included in their original licence and unlicensed venues such as community centres , school etc. use them to enable them to carry out licensable activities at community and charity events, school fairs etc. As these applications have a statutory response time of 96 hours this places a time pressure on the team.

### **3.0 Proactive Activity**

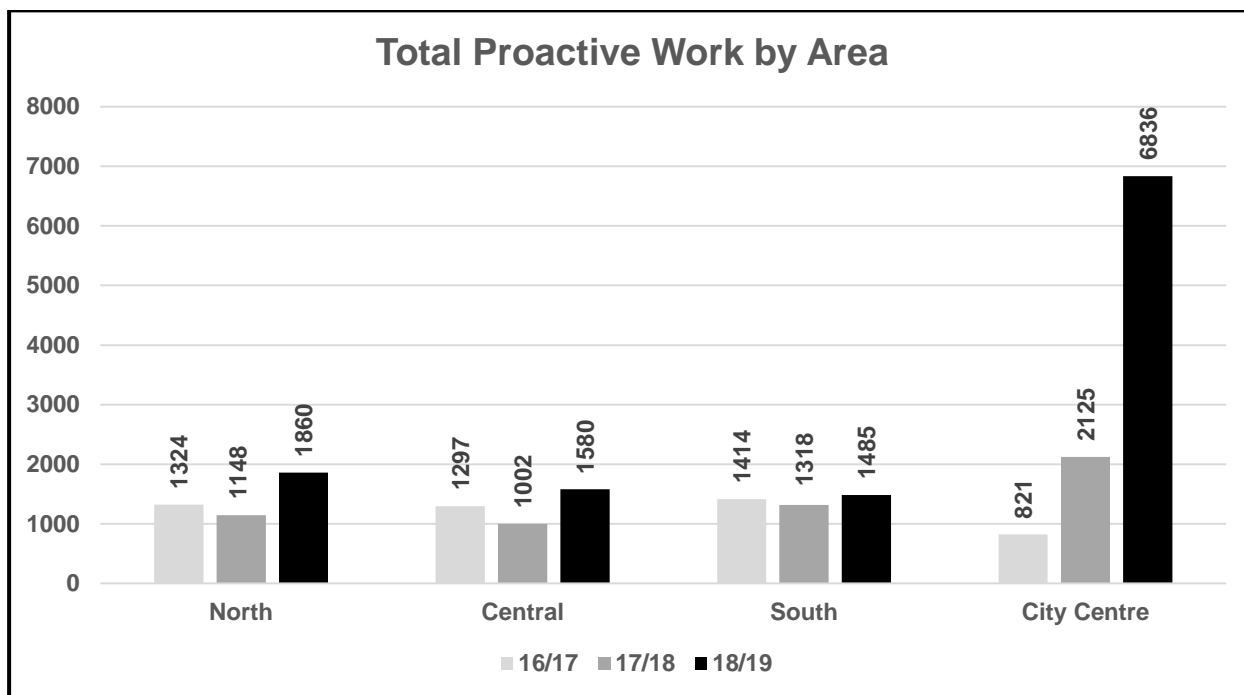
- 3.1 Figure 4 shows the increase in proactive and project work across the city. 11,852 proactive activities took place compared to 5655 in the previous year which is a 110% increase. The top 3 categories in terms of volume are Street based activities such as peddling, busking and charity collections 3892 (33%), Waste related 4247 (combined commercial and non-commercial waste categories 36%) and licensing work such as compliance visits to licensed premises 1626 (14%).

**Figure 4. Top 5 proactive work categories 17/18 compared to 18/19**



- 3.2 Significant increases occurred in all 5 categories. Street based activities increased by 316%. Waste related work such as domestic waste and certain types of flytipping increased by 41%, Commercial waste activities increased by 51%, licensing work increased by 160% and Housing activities such as work to identify rogue landlords increased by 606%. Commercial waste and licensing increases relate to the city centre area where proactive work in these areas increased by 222% from 2125 to 6836 in 18/19.
- 3.3 As noted in 2.26 and figure 5 the largest increase, geographically, in proactive work is the city centre increasing from 2125 to 6836 compared to the previous year. The biggest increases are street based activities 878 to 3742 (326%), licensing activities 424 to 1247 (194%) and commercial waste 398 to 1144 (187%).

**Figure 5. Proactive volume comparison year on year 16/17, 17/18, 18/19**  
 NB Chart does not include jobs logged as Citywide or out of Manchester



3.4 There are a number of reasons for the overall increase in the city centre. Further analysis shows that these are:

- The recording of street based interactions was not introduced until September 2017 so only two full quarters of reportable data were included in last year's report (878). For 2018/19 we have a full year of data which has more than quadrupled with 3742 recorded interactions which is a more accurate reflection of the work carried out.
- The second largest increase year on year in the city centre is licensed premises inspections. This is due to the Licensing & Out Of Hours team having a fuller complement of staff leading to an increase in work with Licensed Premises ensuring compliance with licence conditions. There has also been a change in how the information is recorded to ensure that revisits to premises are captured which has led to more accurate figures. 424 recorded visits in 17/18 compared to 1247 in 18/19, a difference of 823.
- The third largest increase year on year in the city centre is proactive commercial waste interventions (298 in 17/18 compared to 1144 in 18/19, 745 difference, 284%). A greater focus on proactive work and extended hours mean officers are able to pick up and investigate waste issues before they are cleared and focus on waste related projects such as the Northern Quarter Commercial Waste Project which involved surveying all commercial enterprises in the district that inhabit Office Blocks to help identify those without suitable commercial waste contracts or no waste contracts at all.

3.5 The rise in proactive Housing work is due to identifying and addressing rogue landlords. (33 proactive cases in 17/18 compared to 429 in 18/19).

This has been possible due to successful bids to the Controlling Migration Fund from Central Government which enabled a dedicated rogue landlord team which is funded for 2 years and consists of 3 full time officers, to be set up. The work allows us to proactively inspect properties, where tenants may be being exploited and living in unsafe conditions. The work involves multi agency partnership with GMFRS, GMP, Immigration and local Neighbourhood teams to address a range of issues that arise from these types of properties.

- 3.6 In Manchester we have successfully prosecuted a number of landlords and agents for Housing Act offences over the years, however, the low fines imposed by the Courts did not always reflect the seriousness of the offence. Prosecutions are generally resource intensive and can often be a lengthy process. In some cases, the low level of fine was not a strong enough deterrent. The Housing and Planning Act 2016 introduced Civil Penalties of up to £30,000 from 6th April 2017 as an alternative to prosecution for certain offences under the Housing Act 2004.
- 3.7 Between April 2018 and March 2019 we issued 28 civil penalties with fines totalling £300,000. The level of fine is determined in line with the Council's civil penalty policy looking at the culpability of the offender and the harm caused. As some of the fines are substantial, it is having a real impact and making landlords/agents sit up and take note of what their legal obligations are to prevent any further breaches.

#### **Case Study 5 – Rogue Landlords (Gorton & Abbey hey)**

The Housing Compliance team first visited a large detached former pub in Gorton converted into 3 self-contained HMO flats with immigration enforcement (ICE) in December 2017 where a number of arrests were made. Following that initial visit the Housing Compliance team together with Greater Manchester Fire and Rescue Service attempted to work with the landlord (long term leaseholder of the building) to bring it up to standard. Once those attempts failed, officers served an improvement notice but the landlord failed to comply with the requirements of the notice. The landlord was also warned that he must apply for an HMO licence and to meet HMO standards to which he also failed to comply. Subsequently the team served 2 civil penalties on the landlord with a total value of £47,500. The owners have ended the lease agreement taking back control of the property from the leaseholder.

- 3.8 In 18/19 Trading Standards took part in a national home office funded project looking at the sale of knives to children aged under 18. Seventy two Test purchases of knives using young volunteers were attempted and in twelve of these cases knives were sold to a young person under the age of 18. Three of these cases have been taken to prosecution and the businesses received fines and costs of over £3000 for 2 of the businesses and over £4000 for a 3rd business. A further case is due to go to trial in January. In the other businesses they were able to demonstrate due diligence in that they had good processes in place to prevent sale of knives to those under 18 and had trained staff but employees had not followed training given. Written warnings are issued to employees for a first offence. Following on from this further funding

has been secured which will enable Trading Standards to offer businesses free training for their staff to help ensure their staff don't sell knives to under 18's. This will be in conjunction with officers from GMP.

- 3.9 The Trading Standards team also worked to remove 32,823 unsafe/non-compliant items from the supply chain through checks of product imports at the airport such as toys with excessive phthalates linked with fertility issues and childhood asthma, hairdryers that caught fire when tested and doorbells that were electrically unsafe. The team also seized 18,555 unsafe items from trade premises in 18/19. Unsafe goods seized included TV boxes with non-compliant plugs, skin lightening creams containing banned substances and Bug Zappers with access to live parts.

#### **Case Study 6 – Unsafe imported products (Woodhouse Park)**

Trading Standards officers visited Manchester Airport following a referral of a consignment that potentially contained unsafe toys. Intelligence showed that Trading Standards officers had previously stopped the same importer and taken samples of 'soft toys' which had failed the Toy (Safety) Regulations.

A sample was sent to the laboratory for testing which failed safety tests. One of the tests identified a choking hazard due to small detachable parts. The consignment was refused entry into the UK the case is ongoing but the consignment will be destroyed.

#### **Case Study 7 – Electrical safety/Counterfeit goods (Cheetham)**

During a routine inspection of an importer based in Manchester samples were taken including electrical items with 2 pin plugs. Suspected counterfeit goods were also discovered and seized. Samples of the electrical items were sent to the laboratory for testing.

The samples failed the relevant testing under the Electrical Equipment (Safety) Regulations 2016 this included a hairdryer that whilst under test, set on fire. The Lab stated -'this was the worst they had seen'

The team is currently working with Legal Services to prosecute the individuals running the company.

#### **Case Study 8 – Illicit Tobacco (Sharston/ Old Moat)**

Trading standards received intelligence via members of the public reporting premises to the Keep it out campaign website following a media campaign encouraging people to report illicit tobacco sales.

2 seizures of illicit cigarettes and hand rolling tobacco were made at a shop in Sharston. A seizure of 240 illicit cigarettes and 1.20 kg of hand rolling tobacco were seized from a shop in Old Moat. These seizures were carried out with the assistance of a tobacco detection dog. The results are shared with HMRC who

calculate how much unpaid duty is owed and Trading Standards is taking forward a prosecution.

- 3.10 In addition to requests for service and proactive work there are 2 key areas of programmed work.
- 3.11 In 2018/19 439 HMO properties were due a compliance inspection. All inspections were completed within the year. New licensable HMOs make up a very small percentage. The vast majority are licensed properties that have expired so an officer is required to inspect to verify that the property meets HMO standards and that certain management standards are met before another licence is granted. HMO licences last a maximum of 5 years however a licence can be granted for a shorter period of time e.g. if a property should have been licensed and has been operating without a licence prior to making an application or where there are concerns about management, a licence can be granted for a shorter period.
- 3.12 The annual programmed inspection of food businesses is one of the largest demands on the team. There were 4,869 food premises on the City Council's database which is a 5% increase from the previous year. For 18/19 just over 3,000 premises were due an intervention which included approximately 712 newly registered food businesses. Levels of compliance among food businesses remain high with 92% of food businesses in Manchester within the broadly compliant category. This aspect of the food team's work is vitally important as Manchester establishes itself as one of the UK's most exciting culinary destinations. The team's priority is to ensure good quality compliant food premises that contribute to the City's reputational success and economic growth.

**Case Study 9 – Food Allergens (Citywide)**

Food officers are working with a national care home provider and their Primary Authority to raise standards in relation to allergen controls. Significant improvements have already been made. This work will improve allergen controls in relation to the care homes in Manchester but also nationally.

**Case Study 10 – Food Safety (Ardwick)**

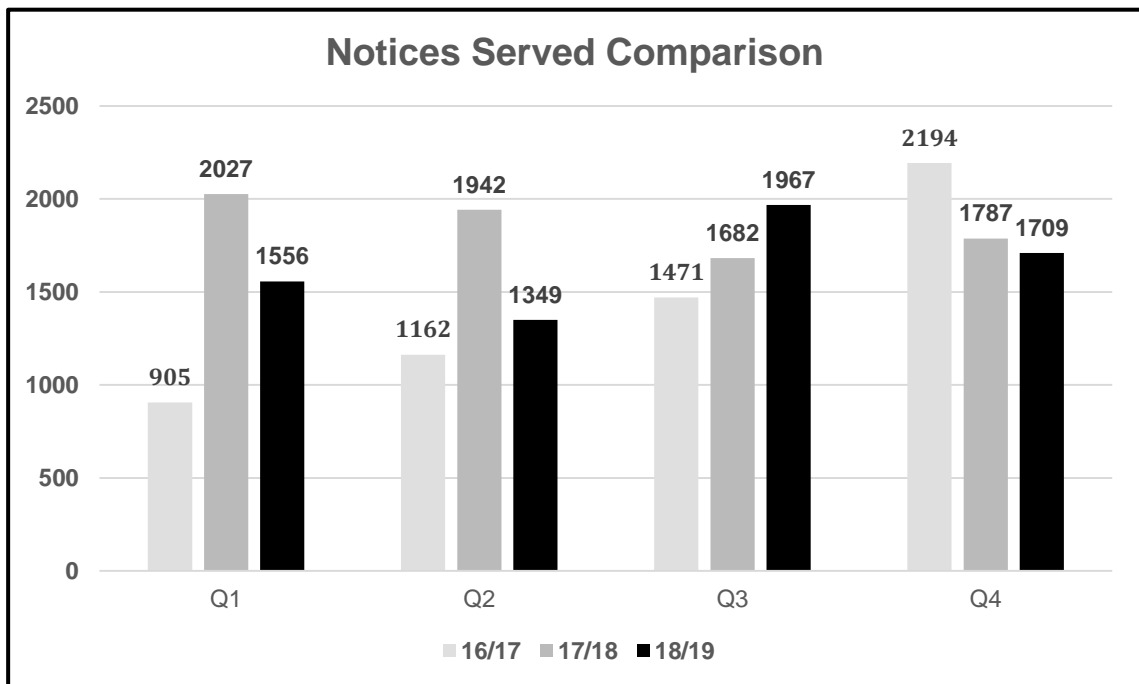
Following 2 hospital Listeria deaths the team was involved in the investigation of such and has continued working with several onsite food providers together with the inpatient caterer and the Trust to further improve food safety standards. One area being looked at is food prepared/provided by clinical staff. The team has become the advising Authority with the Trust in a Primary Authority partnership in relation to food safety and standards. This partnership is considered as leading the way nationally in relation to food handling by clinical staff.



**4.0 Formal Enforcement Action**

4.1 In line with the Corporate Enforcement policy and the Our Manchester approach in the vast majority of cases compliance is achieved through working with people and using informal means. However, where formal action is required to achieve compliance it will be taken. In 18/19 6581 legal notices were served compared to 7438 in the previous year. This is a 12% reduction in the requirement for legal notices indicating that working proactively with residents and businesses continues to be successful in achieving compliance.

**Fig 8. Notices served 17/18 compared to 18/19**



4.2 Where legal notice is served, as long as the person or business complies with the requirements of the notice, which may include discharging liability by paying a fixed penalty notice, no further enforcement action will be taken. There is a high degree of compliance with legal notices making them a successful tool.

4.3 Where notices are contravened or where cases are of a more serious nature more formal enforcement action including prosecutions will be pursued. Figure 9 shows the number of successful prosecutions across all Compliance & Enforcement Teams. In 17/18 379 prosecutions were carried out. In 18/19 a total of 1061 prosecutions were concluded by the service. Figure 9 shows the number of successful prosecutions and results achieved in the year.

**Fig 9 Number of successful prosecutions 2018/19**

<b>Prosecutions types 2018/2019</b>	<b>No. of Prosecutions</b>	<b>Total fines /charges /outcomes</b>
Flytipping	225	<b>£104,372.00</b> <b>(1 x 4 months imprisonment suspended for 2 years. 2 x vehicle involved in flytipping seized and destroyed)</b>
Commercial Waste Duty of Care – (Waste transfer/ escape of waste) EPA 1990 Sec. 34	15	<b>£17,573.36</b>
Commercial Waste Duty of Care (Control of waste from the premises) EPA 1990 Sec 47	1	<b>£1,009.00</b>
Flyposting – Highways Act 1980 Sec. 132	3	<b>£4,496.00</b>
Littering prosecutions	717	<b>£261,948.50</b>
Microchipping of dogs Regs 2015	4	<b>£2,706.96</b>
Breach of Public Spaces Protection Order (Dog Control)	1	<b>£20.00</b>
Food Safety & Hygiene Regs 2013 – (Pest infestation)	2	<b>£17,560.00</b>
Health & Safety at work - (falls from height, unsafe storage racking and equipment and inadequate training)	1	<b>£29,800.00</b>
Local Gov. (MP) Act 1982	16	<b>£10,509.35</b>
Health Act 2006 Sec. 8 - Smoking	21	<b>£39,812.00</b>
Trade Marks Act 1994 / Toys (Safety) Regs 2011	13	<b>£22,309.61 and 3 x Forfeiture of counterfeit goods</b>
Electrical equipment safety Regs 1994 – (E-cigarette's)	1	<b>Forfeiture Order granted</b>
Supply of Machinery (Safety) 2008 – (unsafe Hover Boards)	1	<b>£47,684.60</b>
Consumer Protection from Unfair Trading Regs 2008 – (Meet & Greet parking)	2	<b>£4,425.00</b>
Consumer Protection Act 1987 Pt 3 – skin lightening creams with hydroquinone.	1	<b>£2,632.00</b>
Children & Young People Act 1933 (tobacco)	1	<b>£408.00</b>
Children & Young People (protection from tobacco) Act 1991	1	<b>£1,300.00</b>
Registration, Evaluation, Authorisation and Restriction of Chemicals Regs 2008 – Supply of toys containing excess phthalates	1	<b>£4,106.00</b>
Failure to comply with a Housing Prohibition Order under the housing Act 2004 and breaches of HMO management regulations	6	<b>£31,246.00</b>
Housing Civil Penalties	28	<b>£300,000.00</b>
<b>Grand Total</b>	<b>1061</b>	<b>£903,918.38</b>

## 5.0 Littering Enforcement

- 5.1 3GS are a company employed to take environmental enforcement action on behalf of the Council for littering offences. 3GS primarily operate in the City Centre and periodically throughout the year in outlying district centres and parks across Manchester.
- 5.2 Enforcement officers are deployed 7 days a week working 8am to 8pm. Their introduction has positively impacted on City Centre hot-spot areas where litter is discarded. There has been a particular emphasis on businesses where workers congregate outside buildings to smoke. Education with businesses and their staff in the past had not deterred workers from discarding their cigarette butts on the footpath but the introduction of enforcement has greatly reduced this practise where it was most prevalent.
- 5.3 The enforcement officers can issue FPNs for offences such as littering, graffiti, flyposting, dog fouling and littering due to leaflet distribution. In 2018/19 13,742 FPNs were issued.
- 5.4 Manchester launched a joint campaign in 2018 with Keep Britain Tidy and other partners across the city to tackle littering and fly-tipping in Manchester with the aim of making Manchester the first tidy city by 2020. Education is at the forefront of the campaign but there is also a role for enforcement measures where people don't respond to education and disregard the laws around littering.

## 6.0 Flyposting enforcement

- 6.1 Flyposting can be dealt with where appropriate by Fixed Penalty Notice e.g. minor scale offences. However, where the fly-posting is widespread/prolific or the responsible parties fail to engage, incidents are escalated to the Environmental Crimes Team for investigation. The following case study indicates a case where a prosecution was the most appropriate action.

### **Case Study 11 – Flyposting (Piccadilly)**

A recent flyposting prosecution was taken against a large sports retailer after plastering Manchester City Centre with more than 30 fly-posters advertising their store on Market Street. The Environmental Crimes Team investigated the case and the company's response was that their staff had been 're-educated' and that the member of staff responsible for the campaign was no longer with the company. The company was given several opportunities to attend an interview under caution to discuss these matters but failed to send a representative.

At the court hearing, the company pleaded guilty to the fly-posting offences and were fined £7,500.

6.2 The following sections provide information on the issues requested by the committee

## **7.0 Commercial waste enforcement**

7.1 Reports of flytipping or discarded commercial waste are reported to the Neighbourhood Compliance Teams. Section 34 of the Environmental Protection Act (S34 EPA) imposes a 'duty of care' on businesses which produce or handle waste. This duty requires businesses to ensure their waste is properly stored, transported and disposed of. It applies to anyone who produces, carries, treats, imports or disposes of controlled waste. The section 34 provisions can be used:

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

7.2 A S34 EPA notice tends to be served where a business claims to have a waste contract in place but is unable to provide documentary evidence upon initial request. In most cases, the officer would also have reason to suspect that the specific business, or businesses in the area, are not disposing of their waste correctly e.g. black sacks dumped near business premises this will result in enquiries to that business, regarding their duty of care.

7.3 Enquiries determine whether the current waste disposal arrangements comply with the law. This is likely to involve examining waste transfer notes and waste contracts to ascertain whether legal waste disposal provisions exist. Officers will where necessary, contact the waste collection company to confirm the waste collection arrangements in place. If the business fails to comply with the section 34 notice then they will be invited to attend an interview under caution during which they are given the opportunity to explain why they have failed to comply with the Notice. If appropriate, a Fixed Penalty Notice, can be offered to the company to discharge their liability for the offence. If the Fixed Penalty Notice (FPN) is refused/not paid or if the circumstances of the case are such that a FPN would not be appropriate, a prosecution will be pursued.

7.4 Section 47 of EPA can be used to prevent or remedy poor waste management practices. Using this section, the Council can enforce requirements as to the types and numbers of waste receptacles (bins), and how they should be used. Businesses, particularly new businesses, may simply be unaware of their waste obligations, and they need to be educated regarding what is required of them. The serving of a section 47 notice is an opportunity for the owner to comply with the law rather than a punitive measure. Where no, or inadequate, waste collection arrangements are in place a notice can be served under section 47 of the Environmental Protection Act 1990. To issue a section 47 notice, the Council must first prove that existing waste storage provisions are insufficient, or likely to cause an environmental problem. The notice is intended to remedy the existing problem by specifying the measures that need to be taken and gives the business the opportunity to comply with the law.

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

- 7.5 A number of targeted enforcement initiatives took place around district centres across the city. In 2018/19, 71 projects were completed. This was 9% higher than the previous year. These projects are based on a combination of intelligence from Member and resident complaints, feedback from colleagues in the Neighbourhood Teams our waste contractors Biffa and officer observations. These targeted initiatives were additional to the 1867 proactive commercial waste investigations carried out in the year
- 7.6 In some areas, following investigation, it has become clear that there is also an issue with flats above shops having inadequate waste disposal arrangements. In such cases the residents have been depositing their refuse next to the commercial bins which has led to the perception that the businesses are not managing their waste. In these cases section 46 Environmental Protection Act notices have been issued to the residents of the domestic properties.
- 7.7 The following case studies are examples of where compliance was achieved using the approach outlined in 6.1 to 6.6. The key aims of these projects were for all commercial premises in the areas to have an appropriate waste contract that is managed effectively and to achieve a cleaner environment to live and work in with changed behaviours of businesses, which will include taking greater responsibility of reporting issues in the community.

#### **Case Study 12 – Commercial waste (Rusholme)**

Rusholme is one of the busiest districts within Manchester with a high concentration of residential properties, shops, restaurants and takeaways that produce a considerable amount of commercial waste. During the past 12 months there has been a high turnover of businesses and new business owners requiring more frequent visits to the area to educate and ensure compliance.

The NCT identified a number of environmental issues and prepared a project plan to ensure that duty of care is incorporated in every businesses' operating strategy.

Before the project started NCT officers proactively visited the area including the alleyways at the rear of the businesses. Flytipped black bags, mainly containing food waste were strewn along the back alleyways. In addition the waste containers were strewn along the alleyway, some of them unlocked and overflowing. Many of the commercial waste containers had no markings to identify which premises they belonged to.

To improve the state of the alleyways officers visited each business to ascertain their commercial waste contract details and confirm if the business used containers or a bag collection service and the frequency of collections.

During visits officers took the time to show the business owners/managers the alleyways at the rear of their premises to establish how and where they stored and disposed of their commercial waste and expressed the importance of disposing their commercial waste correctly to improve and reduce the waste in the alleyways and the impact on the wider community.

Since the initial visits 37 Section 34 notices and 80 Section 47 notices have been served. In total 117 legal notices were served on businesses in the Rusholme Area.

Since the start of the project there has been a vast improvement, in the waste management and overall appearance of the area particularly the alleyways at the rear of the business premises on Wilmslow Road.

There has also been a significant reduction in requests for service and complaints from the public compared to 12 months ago.

Officers will continue to monitor the businesses and “hotspot” areas to ensure businesses maintain valid waste contracts and that they are also complying with their contract conditions.

### **Case Study 13 – Circus Development (Deansgate)**

Located on Oxford Street, at one of Manchester’s most prominent city centre junctions, the Circus is a multi-level leisure scheme incorporating a selection of bars and restaurants on the ground floor. Over the past twelve months there had been significant issues on site regarding waste management. Each of the six tenants at the property were responsible for their own waste management, and there were a total of 82 bins on site. These bins were poorly managed by some tenants, resulting in pest infestations, unsightly appearance and several complaints from the local business and residential community. Unsightly waste management was impacting on the businesses themselves as there were approximately 82 bins visible with multiple waste contractors collecting at different times creating traffic, noise pollution, lack of recycling, waste management accountability, and increased CO2 emissions from daily heavy duty vehicles.

Compliance officers visited the area and issued S47 EPA notices to all the businesses outlining conditions for better waste management to prevent escape of waste, which led to multiple fines being issued to businesses for non-compliance.

A number of meetings were held with Planning, Environmental Health and the Managing Agent to look at consolidating the waste management on site. The managing agent was able to alter lease agreements and negotiate with businesses to agree an additional service charge to bring the waste

management into the terms and conditions of the leases for the whole development. Following discussions with partners and negotiations the agent agreed to replace the 82 bins with one shared compactor for general waste and recycling. The compactor was delivered on site in February 2019.

To date there have been significant improvements to the overall waste management for the Circus Development. Businesses have reported the ease of use and the improved ability to manage and control waste for their business. The bin storage area is now much cleaner and accessible. Any issues with the compactor have been resolved within a 2 hr time frame and businesses are satisfied with the new arrangements. Officers have seen the improvements to the quality of the environment, as well as the reduced traffic congestion and pollution from multiple journeys. Officers have not had to issue any notices or fines for the period of January- October 2019 for this location

- 7.8 Another increasing issue predominantly in the South and Central area of the city has been flytipping of commercial builders waste with a large increase of reported incidents in 2018/19. The rise in the '*man in a van*' services and unregistered waste carriers has meant more proactive investigations taken by the Neighbourhood Compliance Team (NCTs).
- 7.9 In addition the Biffa Investigation team who cover all wards within Manchester have worked closely with all Compliance Teams and the Environmental Crimes Team in gathering information and intelligence from residents, businesses and stakeholders which has been a vital building block in achieving positive enforcement outcomes throughout Manchester.

#### **Case Study 14 – Waste Issues (Baguley)**

Biffa reported regular problems with the bin store room at a high rise apartment block in Baguley where the containers were overflowing making it impossible for them to be emptied safely. On visiting it was clear to the compliance officer that there were too many (4) blue containers (for paper & card) and just 1 brown container (for glass, cans and plastic) with no signage explaining what type of waste should be put in the different containers. The officer liaised with the building's management company and the MCC Recycling Team to replace one of the blue containers with a brown container; to install signage to explain what can be recycled and providing residents with split bags to use within their apartments. This resulted in better waste management, increased recycling, and happier residents as their bin store room is now much cleaner.

- 7.10 The introduction of CCTV cameras placed in known hot-spot areas has been a success in tackling this issue. Their introduction has been invaluable in identifying offenders and taking enforcement action including fines and prosecutions. These cameras have enabled the Environmental Crimes Team to utilise their enforcement powers to seize the vehicles, which were later crushed. In total there were five vehicles crushed. Three of these were due to camera footage and two from partnership working/sharing information. Without the introduction of CCTV cameras in hot spot areas it's likely these vehicles

would still be operating and committing flytipping offences. To date CCTV evidence provided by the City Council's Control Room has supported the Environmental Crimes team in taking forward environmental enforcement cases, which has resulted in:

- 11 criminal convictions for fly-tipping
- 8 littering Fixed Penalty Notices issued
- 5 fly-tipping Fixed Penalty Notices issued
- 3 vehicles seized after being involved in fly-tipping offences

This, in turn, has resulted in the following sanctions:

- Fixed Penalty Notices issued totalling £2,490
- Court fines and costs totalling £20,794.49
- A 20-week suspended prison sentence
- 350 hours of community service
- 1 conditional discharge

#### **Case study 15 – Builders Waste (Longsight)**

In July a white Ford Transit tipper van was seized after evidence was obtained over an 8 month period linking it to large-scale flytipping across the city, in particular one major incident in Longsight.

Suspicious had first been raised due to the amount of waste regularly being stored in the vehicle, which was marked "scrap" in large letters alongside a mobile telephone number, this vehicle had been seen on CCTV flytipping but officers struggled to find where it was being kept. As such, when Biffa operatives noticed the vehicle filled with refuse and parked up on a street in Longsight, they acted quickly and placed a unique marker on the waste for identification purposes.

When a large amount of waste was subsequently found fly-tipped on another street in Longsight, the waste was inspected and the marker was found, alongside other waste which could be identified as originating from the vehicle. The Local Authority can seize a vehicle when they have evidence of it being used in the commission of an alleged flytipping offence. In addition to seizing the vehicle officers wrote to the registered keeper, according to the DVLA, but no reply was received and further checks confirmed that this person was not registered at the address provided by the DVLA. Since no valid claim for the vehicle was received, arrangements were made to have the van destroyed.

## **8.0 Unauthorised encampments**

- 8.1 NCT in conjunction with GMP take action to remove unauthorised encampments from council land. The legal powers to enable this are Section 77 Criminal Justice & Public Order Act 1994 and Civil Procedures Rules Part 55. The process is time and resource intensive.



- 8.2 Irrespective of which powers are used the Neighbourhood Compliance Officers must first visit the site to conduct welfare checks to ensure there are no social care or medical issues that need assistance.
- 8.3 As the council is responsible for securing and clearing any waste after eviction the NCT liaise with relevant Departments as soon as an illegal site is reported so preparations can be put in place to deal with this quickly particularly to secure the site to try to prevent further unauthorised encampments.
- 8.4 The process should take between 7- 14 days but this is dependent on securing a court date which can add to the timescale significantly. Often Travellers will vacate sites before the expiry of legal notice or court hearing but the legal process must be followed to secure an eviction.

#### **Case study 16 – Land (Miles Platting & Newton Heath)**

In June 2018 following a report of 20 caravans on council owned land in Newton Heath officers visited, carried out welfare checks and arranged for legal services to prepare a notice under Section 77 Criminal Justice & Public Order Act 1994 to be served by NCT instructing the occupiers to vacate the land within 24 hours. When the NCT officers returned to serve the notice the site had been vacated. They arranged for waste to be removed and corporate estates arranged for the site to be secured.

3 months later the same site was reoccupied by 8 caravans as the security put in place had been breached. Welfare checks were carried out and notice served giving 24 hours to vacate. The travellers did not comply with the notice so a court date was arranged.

A further revisit took place by NCT which confirmed that the travellers had moved on. Again the site was cleared and secured but due to this site having been reoccupied the NCT asked corporate estates to improve the security measures at the site which now include a raised concrete block behind the gates and bunding to the site perimeter. Since these additional security measures were put in place there have been no further encampments at this site.

#### **9.0 Shisha businesses**

- 9.1 As reported to this committee in February 2019 the Licensing and Out of Hours team have successfully carried out enforcement on illegal shisha premises including warning them that they are committing an offence by allowing smoking in the premises and following this up with seizures of the shisha pipes and prosecutions enabling the seized pipes to be destroyed.
- 9.2 In 2018 there were 3 successful prosecutions of shisha premises with fines imposed totalling £10,595. In 2019 to date there have been 13 successful prosecutions of shisha premises with fines imposed totalling £36,270. In addition, the Licensing and Out of Hours Team have seized 803 shisha pipes

in 2019, following the agreed strategy. Based on the wholesale price of a shisha pipe (£30) the estimated value of goods seized is £24,090.

**Figure 10. Shisha Bar Enforcement outcomes**

Year	No. of FPNs	No. of Prosecutions	Prosecutions Fines
2016	0	0	£0.00
2017	6	6	£7,776
2018	2	3	£10,595
2019 to date	3	13	£36,270

- 9.3 In April 2019 the first case went to court where a seizure has taken place. As well as imposing a fine the court also granted a disposal order on the goods seized. Following this every successful prosecution has resulted in a disposal order for good seized.

#### **Case study 17 – Shisha pipes (Rusholme)**

The team was part of a multi-agency operation with Planning Enforcement, four cafés were visited over two days with all the shisha related equipment on site being seized due to breaches of a planning stop notice. To date planning have seized 468 shisha pipes with an estimated value of £14,040. All of these items have been disposed of.

Suede Shisha Café on Wilmslow Road was shut down for 6 months using a closure order due to multiple anti-social behavioural issues towards City Council and GMP Officers.

- 9.4 As well as taking enforcement action against shisha businesses who allow people to smoke inside their premises the team is involved in work nationally to share good practice on enforcement methods and also to work on a public health campaign to educate people of the harmful effects of smoking shisha which is considered far more harmful to health than smoking cigarettes.

## **10.0 HMO Licensing and waste**

- 10.1 When the extension to HMO licensing came into force in October 2018, the Council reviewed and updated the HMO licensing conditions. As part of the review, the conditions around waste were strengthened to ensure there is more accountability with licence holders in how waste is managed in their properties. The Housing Compliance and Enforcement Team who implement, issue and inspect licensed HMO's have set up a referral process working closely with local Neighbourhood Compliance teams who investigate and deal with all waste complaints.
- 10.2 Problematic properties where notices have been served and there has been little or no improvement with waste issues will be referred to the Housing Compliance Team if in the first instance the Neighbourhood Compliance Team

(NCT) make the landlord aware of the waste issues and advise them of the actions they need to take to improve waste management. Early indications are that this appears to be working and no cases have yet been referred for breach of the conditions.

#### **Case Study 18 – Waste RFS, Licensed HMOs (Moss Side / Withington)**

The NCT received a waste complaint for an address in Moss Side. The compliance officer contacted the landlord and served s46 notices on the tenants. Following some further problems they sent the landlord the HMO waste letter who contacted the compliance officer to advise that they had recirculated all the relevant information about bins and collections to their tenants, and would consider taking further action against the tenants if the problems recurred. To date, there have not been any further issues at this address.

At an HMO in Withington an issue arose in Nov 2019. The Managing Agent was contacted using the HMO waste letter and responded to apologise and explain what they'd done to resolve the matter. No further problems were experienced at this address. The knowledge that action can be taken against the HMO licence appears to be achieving compliance with waste issues at HMOs where problems have been raised.

### **11.0 Unlicensed drinking establishments**

- 11.1 Illegal drinking establishments are those that sell alcohol, do not obtain a licence and operate completely outside of licensing regulations.
- 11.2 There are very few reports of this type of activity and usually where this is a problem a multi-agency response is needed as there will likely be other issues such as ASB or criminal activity associated with the premises. In 2018/19 two complaints about such premises were received.

#### **Case Study 19 – Illegal drinking (Moston)**

The Licensing and Out of Hours Team received reports of unauthorised licensable activities and nuisance at a commercial address in Moston. The report was that groups gathered in the early hours of the morning and that alcohol and hot food (which requires a licence if being sold after 11pm) were being sold.

The team worked with GMP and an initial visit took place at 6am. Around 30 men, many of whom appeared drunk were in the premises and hot food was being prepared. At this initial visit there was no evidence of sale of hot food or alcohol (which are licensable activities) taking place. One man who was witnessed leaving the premises in a car, was stopped and arrested after being breathalysed and found to be over the legal limit.

Due to the issues being caused in the area a multi-agency initiative took place to gather the evidence necessary to take action. Teams involved were the

Licensing and Out of hours Team, Anti-Social Behaviour Action Team, Housing Compliance Team and GMP, Due to the impact that this activity was having in the local area a premises closure order was used to stop the activity and give respite to the local community. The closure order runs until 22 November and an extension to this order is being considered.

### **Case Study 20 – Illegal alcohol sales (Burnage)**

The LOOH team received a request for service from a local resident that an Off-licence were allegedly serving alcohol outside of permitted hours, counterfeit tobacco and selling alcohol to underage customers. An investigation was opened in December 2018 with referrals also being made to Trading Standards.

The LOOH monitored the premises and discovered 'vulnerable' customers purchasing alcohol (mainly high strength) in the mornings before alcohol sales were permitted. 3 test purchases of alcohol outside of permitted hours were conducted which were all failed by the premises. A full licensing inspection revealed there were multiple condition breaches and more out of hours sales of alcohol were witnessed on the premises CCTV.

Interviews under caution highlighted further concerns regarding modern slavery involving a staff member, which was referred to GMP. The case has now been forwarded to City Solicitors where a prosecution is pending for Licensing Act offences.

## **12.0 Conclusion**

- 12.1 The range of issues in Manchester requiring regulatory intervention continues to grow. Different approaches are needed depending on the issue but as can be seen from the work across the range of compliance and enforcement services a strong Our Manchester approach is taken particularly in respect of owning it both through working with businesses and residents to take responsibility for issues and working closely with colleague departments and partners to resolve issues. This is reflected in the significant increases in proactive and project work undertaken by the teams to ensure that where issues arise, they are dealt with.

**Manchester City Council  
Report for Information**

**Report to:** Neighbourhoods and Environment Scrutiny Committee - 4  
December 2019

**Subject:** Update on work to tackle counterfeit activity and environmental  
issues in the Strangeways area

**Report of:** The Strategic Director (Neighbourhoods)

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**Summary**

The Strangeways area of Manchester has a long history of trade in counterfeit goods. This report outlines multi-agency work carried out over the last 3 years, to disrupt and ultimately remove illegal businesses from the area and improve compliance with waste regulations.

**Recommendations**

To note the progress made and provide comment on further planned work.

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**Wards Affected:** Cheetham

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**Alignment to the Our Manchester Strategy Outcomes (if applicable):**

<b>Manchester Strategy outcomes</b>	<b>Summary of how this report aligns to the OMS</b>
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	Safe, compliant and successful businesses contribute to a thriving economy. Unchallenged, the trade in counterfeit goods in Manchester undermines legitimate businesses and exploits migrant and vulnerable workers
A highly skilled city: world class and home grown talent sustaining the city's economic success	Removing illegal businesses from the area, and supporting legitimate businesses to thrive and contribute to the economy
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	As above

A liveable and low carbon city: a destination of choice to live, visit, work	The regulatory and environmental problems in the area have resulted in an unattractive and challenging neighbourhood developing on the City Centre doorstep. Work to improve compliance will ultimately improve the desirability of the area as a place to live, visit and work.
A connected city: world class infrastructure and connectivity to drive growth	The Strangeways area is on one of the main routes into the City Centre and both environmental and parking issues create a negative feel along this route making it undesirable to use

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**Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

Counting the Cost - the Trade in Counterfeit Goods in Manchester

<https://www.gov.uk/government/publications/counting-the-cost-of-counterfeit-goods>

Strangeways - Tackling Counterfeit Activity and Environmental Issues

Report to Neighbourhoods and Environment Scrutiny Committee, 6th Sept 2017

[https://secure.manchester.gov.uk/meetings/meeting/3034/neighbourhoods\\_and\\_environment\\_scrutiny\\_committee](https://secure.manchester.gov.uk/meetings/meeting/3034/neighbourhoods_and_environment_scrutiny_committee)

## **1.0 Introduction**

- 1.1 The production, distribution, and sale of counterfeit goods is a problem that cuts across national and international borders and has close links to serious organised crime. In September 2017 Neighbourhoods and Environment Scrutiny Committee received a report outlining the work of Manchester Trading Standards, Greater Manchester Police, City of London Police, Intellectual Property Office (IPO), Home Office, HMRC, National Crime Agency, Salford City Council, and the Border Force on 'Project Magpie' which aims to tackle the national trade in counterfeit goods from the Strangeways area.

This report provides an update on further progress to date.

## **2.0 Background**

- 2.1 Days and weeks of action had previously been carried out by enforcement agencies on a regular basis. Despite successful raids, large seizures of goods and prosecutions: this type of action did not impact the prevalence of counterfeit activity in the area. It was recognised that an alternative approach was needed to achieve a more lasting outcome.
- 2.2 The Strangeways Operational Group formed in 2016, and brought together a range of enforcement agencies and brand protection partners to tackle and remove counterfeit traders from the Strangeways area and ultimately improve the general environment in the area.
- 2.3 Corporate landlord powers have now been used to good effect with units trading in counterfeit goods from land owned by Manchester City Council now removed from the area. This work resulted in counterfeit traders being removed from 43 separate units. Regular checks and intelligence gathering are in place to ensure that this remains the case.

## **3.0 Privately Owned Premises and Closure Orders**

- 3.1 The Strangeways Operational Group now have a focus on those privately owned premises allowing the trade of counterfeit goods.
- 3.2 Aside from traditional Trade Mark offences, businesses and landlords involved with these premises could be committing a range of other offences including profiting from the proceeds of crime, facilitating organised crime and the employment of illegal immigrants.
- 3.3 Warning letters are now issued to premises owners where it is clear that counterfeit goods are being sold. Trading Standards then engage with owners to ensure they are aware of ongoing activities and their responsibilities as landlords.
- 3.4 To date warning letters have been issued to the owners of 52 premises and as a result 32 premises are no longer trading in counterfeit goods. As many of

these premises contained multiple trading units we estimate this amounts to a further 84 separate units that have ceased trading in counterfeit goods so far.

- 3.5 This work has resulted in much greater engagement with property owners in the area and Trading Standards have built effective relationships with 7 landlords in the area who own 15 buildings containing multiple units. These landlords have committed to removing and keeping their properties free of those who sell counterfeit goods.
- 3.6 Where building owners fail to respond to warnings about the use of their premises, investigations are carried out by the Anti-Social Behaviour Action Team in relation to ongoing criminality and nuisance in the area. This has led to one premises comprised of 3 separate retail units being subject to a Closure Order for 3 months. This Closure Order has ended and as a result of the action taken the previous tenant has now been evicted and the property is no longer used for the sale of counterfeit goods. New shop fronts have been installed.
- 3.7 Since the last scrutiny report in September 2017, Trading Standards have also carried out 16 separate seizures of counterfeit goods in the Strangeways area, amounting to over 300,000 individual counterfeit items being seized. 9 large multi-agency operations have also been carried out involving GMP, Immigration Enforcement, Brand Representatives, Border Force and the Intellectual Property Office.
- 3.8 Since 1st April 2019 there have been 7 successful prosecutions for the sale of counterfeit and unsafe goods in the Strangeways area resulting in over £19,000 in fines and costs awarded.

#### **4.0 Private Prosecutions**

- 4.1 Alongside this work, TM Eye, a private company, have carried out 81 successful private prosecutions since June 2015 against persons found to be selling counterfeit goods in the area. Sentences have ranged from fines and community orders, to custodial sentences of up to 12 weeks for repeat offenders. A further 13 cases are currently listed at Court.
- 4.2 This work helps to bolster enforcement in the area by taking action against those operating within the retail units, provides evidence for warrants and evidence to property owners of the illegal activities taking place in their premises.

#### **5.0 Neighbourhood Compliance and Waste Enforcement**

- 5.1 From July 2017 – February 2018 Compliance officers completed a project in which 104 businesses in the Strangeways area were visited. Officers found just over 40% had waste contracts.
- 5.2 33 enforcement notices were served under s34 of the Environmental Protection Act 1990 requiring businesses to comply with their duty of care to



dispose of waste appropriately and provide waste transfer notes. All notices were complied with.

- 5.3 Harris Street in particular was targeted as a problem area generating a high number of requests for service. From Nov 2016 to Oct 2017 the team received 23 complaints about waste. Following the project complaints from this area have reduced as a result of the action taken
- 5.4 Neighbourhood Compliance activities continue in the Strangeways area, with a current focus on Broughton Street where officers are ensuring all business have waste contracts in place. One of the main issues in the area is cardboard left on the highway. The Biffa investigation crew flag where this is an issue and refer through to Neighbourhood Compliance for further visits and enforcement action.
- 5.5 There are also many small plots of land hidden behind and in between premises and in the centre of buildings where waste issues need to be addressed and work on this has begun.
- 5.6 More recently, between January 2019 - October 2019 there have been 169 investigations into fly-tipping within the Strangeways area. This has resulted in 35 warning letters being sent out to business owners and 93 legal notices being served. There are 6 pending prosecutions for this period, these will be scheduled through the Single Justice Procedure at the Magistrates Court.
- 5.7 The Neighbourhood Compliance Team has also dealt with 140 requests for service within the Strangeways commercial district area since January 2019, raised by residents and businesses. In addition, over 200 jobs have been logged by Compliance Officers requesting the removal of general fly tipped waste where there is no evidence to allow further investigation.
- 5.8 A Neighbourhood Compliance Officer covers Strangeways as a proactive working area and visits weekly, building relationships with business owners, investigating instances of fly tipping and carrying out Duty of Care visits to ensure that commercial properties have the appropriate waste provision.
- 5.9 The North Area Neighbourhood Team Lead co-ordinates monthly waste meetings with Biffa, the Neighbourhoods Team, Waste and Recycling, and the Neighbourhood Project Team to assist joint working.
- 5.10 In addition the North Area Neighbourhood Team Lead and Neighbourhood Compliance Officer attend the Strangeways Operational Group meetings, providing intelligence acquired whilst working across the district. North Compliance Officers have also supported the Trading Standards counterfeit goods raids carried out this year. The Neighbourhood Manager has also attended the Strangeways Business Network meeting held with the local business owners and shared information on what the service can do to help with issues of fly-tipping in this location.

- 5.11 One common theme when engaging with business owners is a lack of use of the "my account" facility and reporting of issues to the North Compliance Team. Officers from the Neighbourhood Team and Compliance team have arranged joint visits to provide details to business owners on how to address this.
- 5.12 Challenges remain in identifying some business owners and maintaining consistent standards in the area but work is continuing to address this

## **6.0 Business and Community Engagement**

- 6.1 The North Neighbourhood Team carried out a community clean up as part of Keep Britain Tidy campaign earlier this year led by Prestwich Litter Pickers. Volunteers from Manchester, Salford and Bury joined and helped to clean up the area on Bury New Road. 100 bags of waste were collected. Support was provided by Greater Manchester Police, Biffa, and Travelodge. Building on this work, the North Neighbourhood Team are coordinating an Environmental Action Group involving the North NCT and partners to work with local Members on planning and delivering a programme of activity to address environmental issues across Cheetham for delivery in 2020
- 6.2 The team have also objected to street trading licence applications on Howard Street and Bury New Road where there has been concern that street trading could add to current problems around waste management and anti-social behaviour.
- 6.3 A business forum has been set up by the North Neighbourhood Team in the Derby Street area of Strangeways, to help promote improvements in the area.

## **7.0 Future Enforcement Work**

- 7.1 As a result of successful funding bids to the Controlling Migration Fund, a Senior Investigating Officer (SIO) from GMP has been appointed for 12 months, to assist in the coordination and development of complex Trade Mark cases where action could also be taken using Proceeds of Crime powers. This may enable the seizure and forfeiture of assets gained through criminal activity.
- 7.2 Trading Standards and the SIO are also exploring further funding opportunities to bolster the current resource dedicated to these investigations.
- 7.3 A workshop has been held with a range of enforcement agencies to discuss progress made so far and to identify further areas of work. Officers from the City Council and GMP are working together to develop a Gold Strategy for the area, providing senior leadership and governance to ensure that progress continues.
- 7.4 The Gold Strategy will also promote improved communication on both progress to date and information to consumers to dissuade them from buying

counterfeit goods, and the future use of properties when illegal counterfeit traders are removed.

- 7.5 Investigations are also taking place into alternative uses for counterfeit goods seized as part of the raids on premises. In other parts of the country a Community Shop founder has developed a successful model to repurpose and sell seized counterfeit goods which have had all labelling removed, while also offering valuable training and employment opportunities to vulnerable groups. This may be an approach that could be replicated in Manchester.

## **8.0 Recommendation**

- 8.1 To note progress made in the removal of 127 counterfeit traders from the Strangeways area; the continued execution of raids and subsequent prosecutions carried out; the appointment of an externally funded SIO within GMP to assist with complex investigations and the commitment to develop a shared Gold Strategy between GMP and the Council to ensure that the partnership continues to make progress in this area.

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**Manchester City Council  
Report for Resolution**

**Report to:** Neighbourhoods and Environment Scrutiny Committee  
– 4 December 2019

**Subject:** Overview Report

**Report of:** Governance and Scrutiny Support Unit

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### **Summary**

This report provides the following information:

- Recommendations Monitor
- A summary of key decisions relating to the Committee's remit
- Items for Information
- Work Programme

### **Recommendation**

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

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### **Contact Officers:**

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Position: Scrutiny Support Officer  
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### **Background documents (available for public inspection):**

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

None

## 1. Monitoring Previous Recommendations

This section of the report lists recommendations made by the Neighbourhoods and Environment Scrutiny Committee. Where applicable, responses to each will indicate whether the recommendation will be implemented, and if it will be, how this will be done.

Date	Item	Recommendation	Response	Contact Officer
6 February 2019	NESC/19/09 Updated Financial Strategy and Directorate Business Plan 2019/20	Request that the Deputy Leader provide a further breakdown of the Homelessness Budget.	A response to this recommendation has been requested and will be circulated once received.	Cllr S Murphy
6 February 2019	NESC/19/12 Highways and the flow of traffic across the city	Recommend that legal advice is obtained in relation to Stopping Up Orders issued under provisions within the Town and Country Planning Act and the time limits contractors and developers are permitted to close the highway. Following this advice, a review of all Stopping Up Orders issued should be undertaken to establish if there had been any breaches of such orders.	A response to this recommendation has been requested and will be circulated once received.	Fiona Worrall
9 October 2019	NESCC/19/39 Waste, Recycling and Street Cleansing Update	Recommend that representatives from the Environment Agency and the National Rivers Authority be invited to attend a future meeting to discuss the approach to removing waste from rivers and waterways.	The Chair will consider when this item is to be scheduled into the Committee's Work Programme and invitations will be sent.	Cllr Igbon
9 October 2019	NESCC/19/39 Waste, Recycling and Street	Recommend that invitations be sent to ward Councillors to accompany officers when undertaking street	A response to this recommendation has been requested and will be	Fiona Worrall / Heather Coates

	Cleansing Update	cleansing inspections to assess the standard of cleansing and quality of services provided by Biffa.	circulated once received.	
9 October 2019	NESCC/19/39 Waste, Recycling and Street Cleansing Update	Recommend that the Executive Member for Neighbourhoods reviews the Biffa contract to ensure that it stipulates that Biffa operatives to replace emptied bins in a safe and appropriate manner so as not to cause a hazard or obstruction to other users of the highway and pavement.	A response to this recommendation has been requested and will be circulated once received.	Cllr Akbar
9 October 2019	NESCC/19/39 Waste, Recycling and Street Cleansing Update	That the passageway programme of works and cleaning for the next six months is circulated to all Members.	A response to this recommendation has been requested and will be circulated once received.	Fiona Worrall / Heather Coates
9 October 2019	NESCC/19/39 Waste, Recycling and Street Cleansing Update	Recommend that an intelligence based approach to street cleaning should be adopted with consideration to using intelligence from local residents; and understand how other core cities engage with residents around the issue of waste and recycling to influence behaviour change. The Committee shall receive a report on this at an appropriate time.	A response to this recommendation has been requested and will be circulated once received.	Fiona Worrall / Heather Coates
6 November 2019	NESCC/19/44 Homelessness Update	Recommend that visits be arranged for Members of the Committee to visit emergency accommodation and Bed and Breakfast accommodation that is used to house homeless people.	A response to this recommendation has been requested and information on the proposed dates will be circulated to Members once received.	Mike Wright / Nicola Rea

## 2. Key Decisions

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

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

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

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

An extract of the most recent Register of Key Decisions, published on **22 November 2019**, containing details of the decisions under the Committee's remit is included overleaf. This is to keep members informed of what decisions are being taken and to agree, whether to include in the work programme of the Committee.

Decisions that were taken before the publication of this report are marked \*



<b>Decision title</b>	<b>What is the decision?</b>	<b>Decision maker</b>	<b>Planned date of decision</b>	<b>Documents to be considered</b>	<b>Contact officer details</b>
Clean Air Plan (Full Business Case) 2018/12/18B	To approve the Clean Air Plan Full Business Case for the city of Manchester	Executive	11 September 2019 or later	Report to the Executive meeting	Richard Elliott Head of Policy, Partnerships and Research 161 219 6494 r.elliott@manchester.gov.uk
To report on changes to the Council's Allocations Scheme 2019/04/25D	To agree the changes to the Allocations Scheme.	Executive	16 October 2019	Revised Allocations Scheme	Martin Oldfield m.oldfield@manchester.gov.uk
Social Housing Allocation Policy 2019/09/18A	To approve a new Social Housing Allocation Policy	Executive	13 November 2019	Executive report	James Greenhedge j.greenhedge@manchester.gov.uk

**Neighbourhoods and Environment Scrutiny Committee  
Work Programme – December 2019**

<b>Wednesday 4 December 2019, 2 pm (Report deadline Monday 25 November 2019)</b>				
Item	Purpose	Lead Executive Member	Lead Officer	Comments
Improving journeys to and from school including an update on Red & Amber School Crossings	To receive an update report on the activities to improve the journey to and from school (including Special Schools). - This report to include information on the activities to address vehicle idling outside and near schools; - Activities to promote active travel to school as an alternative to cars, including walking plans; and - The provision of school buses / transport.	Cllr Stogia	Steve Robinson	Invitation to be sent to The Executive Member for Children and Schools; Cllr Stone, Chair of the Children & Young People Scrutiny Committee and representatives from TfGM.
Greater Manchester Clean Air Plan – Update	To receive an update on the Greater Manchester Clean Air Plan.	Cllr Stogia	Richard Elliott	
Compliance and Enforcement Service - Performance in 2018/19	To provide members with an update on demand for and performance of the Compliance and Enforcement service during 2018/19. This will provide information on a range of activities that include, action to address illegal drinking establishments; shisha bars; business / commercial waste compliance.	Cllr Akbar	Fiona Sharkey	
Strangeways area: Compliance and Enforcement	To receive a report that describes the activities to tackle illegal and antisocial behaviour in and around the Strangeways area.	Cllr Akbar	Fiona Sharkey	This item was deferred from the meeting of 17 July

	The report will include information on the positive outcomes achieved to date i.e. the number of closure orders, fines issued, local litter campaigns and how this is communicated to residents. Information will also be provided on any long term plans for the area.			2019
Overview Report	This is a monthly report, which includes the recommendations monitor, relevant key decisions, the Committee's work programme and any items for information.			

**Wednesday 8 January 2020, 2 pm (Report deadline Friday 20 December 2019) \*\* PLEASE NOTE DEADLINE DUE TO CHRISTMAS HOLIDAYS**

Item	Purpose	Lead Executive Member	Lead Officer	Comments
Petition requiring debate at a scrutiny committee: Declare a Climate Emergency	<p>The Council has received a petition with more than 1000 signatures, which requires a council officer to be called to account at the relevant scrutiny committee.</p> <p>The petition details are as follows: - We the undersigned petition the Council to declare a climate emergency, with a target to be "zero carbon" by the year 2030, with a proportionate share of Manchester Airports emissions (35.5 percent owned by the Council) included in the carbon budget it sets. Justification: Other councils around the United Kingdom have declared a climate emergency. While Manchester has set a target of being zero-carbon by 2038 (based on</p>	Cllr Stogia	Fiona Worrall Donna Barnes	

	production-based emissions), this is not ambitious enough. Moreover, it excludes a fair share of the overall emissions from Manchester Airport. Declaring a climate emergency, and then taking the relevant actions, will show true leadership on the crucial issue facing young people today.			
Budget 2020/21 – Officer proposals	The Committee will receive a report outlining the main changes to delivery and funding arrangements.  Savings included as officer options to be debated.	Cllr Akbar Cllr Stogia	Fiona Worrall	
Green and Blue Infrastructure Strategy	To receive an update report on the Green and Blue Infrastructure Strategy. This report will also provide an update on the implementation of the Manchester Tree Strategy. Data will be provided on the number of trees planted / replaced, where possible this information is to be provided at a ward level.	Cllr Stogia	Richard Elliott	The designated Tree Officer to be invited to attend this meeting.
Planning and Compliance	To provide a report that describes how agreed planning conditions are monitored and where necessary enforcement action is taken, with a particular reference to developers not adhering to their condition to plant / replace trees and develop green spaces.  The report will further provide information on how the Planning Department work with the Highways Department.	Cllr Stogia	Julie Roscoe	
Scheme Review – Princess Road / Princess Parkway	To receive an update report to review the speed limit reduction scheme that was implemented on the A5103 - Princess Road and the impact on 2 adjacent roads	Cllr Stogia	Steve Robinson	

	(Alexandra Road South and Nell Lane). The report will include analysis of the displacement of traffic.			
Overview Report				

**Wednesday 5 February 2020, 2 pm (Report deadline Monday 27 January 2020)**

Item	Purpose	Lead Executive Member	Lead Officer	Comments
Budget 2020/21 – final proposals	The Committee will consider refreshed budget proposals following consideration of original proposals at its January 2020 meeting.	Cllr Akbar Cllr Stogia	Fiona Worrall	There will be no detailed business plans for Directorates included in this report
Climate Change	To receive a report on Climate Change and the activities to address this. This will include information on: <ul style="list-style-type: none"> <li>- Single use plastics;</li> <li>- The delivery of wildlife corridors in the city and the role of Planning to influence developers to support this activity;</li> <li>- Information on the installation of electric vehicle charging points;</li> <li>- Information on the support available to residents for vehicle scrappage schemes;</li> <li>- Planning and the use of tarmac on driveways noting the impact this has on water displacement and drainage of surface water;</li> <li>- Improvements to public transport to encourage people to travel by means other than cars;</li> <li>- Analysis of the number of journeys to Manchester</li> </ul>	Cllr Stogia	Richard Elliott	

	Airport undertaken by public transport; and - Park and Ride Schemes.			
Update on Selective Licensing Schemes	To receive a report that provides an update on the Selective Licensing Schemes. The report will provide and analysis of the impact of such schemes and the options for extending the scheme to other areas of the city.	Cllr Richards	Fiona Sharkey	
Delivering the Our Manchester Strategy	This report provides an overview of work undertaken and progress towards the delivery of the Council's priorities as set out in the Our Manchester Strategy for those areas within the portfolio of the Executive Member for Neighbourhoods and the Executive Member for Environment, Planning and Transport.	Cllr Akbar Cllr Stogia		
Overview Report				

<b>Wednesday 4 March 2020, 2 pm (Report deadline Monday 24 February 2020)</b>				
Item	Purpose	Lead Executive Member	Lead Officer	Comments
Taxi Licensing	To receive a report that provides Members with information on the work undertaken in Manchester and across Greater Manchester to improve standards across Private Hire Taxis.	Cllr Akbar	Julie Roscoe	
Private Rented Sector Strategy	To receive a report on the Private Rented Sector Strategy.  This will include information on the issues related to Airbnb across the city and the response to this.	Cllr Richards	Kevin Lowry	Executive Report
Overview Report				

<b>Items to be scheduled</b>				
Item	Purpose	Lead Executive Member	Lead Officer	Comments
Air Quality Task and Finish Group – Update report	To receive a report that provides the Committee with an update on the actions taken to progress the recommendations made by the Air Quality Task and Finish Group. The report will include a section specifically on air pollution around schools.	Cllr Stogia Cllr Craig	Richard Elliott	See minutes of NESC November 2017. Ref: NESC/17/53
Update on the Delivery of Cycle Schemes and Proposed Principles to Guide the Extension of Cycling and Walking Networks	To receive an update report on the Delivery of Cycle Schemes and Proposed Principles to Guide the Extension of Cycling and Walking Networks. This report will included information on the Chorlton Road Corridor consultation.	Cllr Stogia	Richard Elliott Steve Robinson	Invitation to be sent to Chris Boardman, Cycling and Walking Commissioner for Greater Manchester
War Memorials Update	To receive a progress report on the implementation of the recommendations of the Committee following their consideration on this item at their meeting of 4 Sept 2019.	Cllr Stogia	Fiona Worrall	See minutes of the Neighbourhoods and Environment Scrutiny Committee Ref. NESC/19/35
Behaviour Change and Waste Task and Finish Group – Update report	To receive a report that provides the Committee with an update on the actions taken to progress the recommendations made by the Behaviour Change and Waste Task and Finish Group that were endorsed by the Committee at their meeting of 9 October 2019.	Cllr Akbar	Fiona Worrall	See minutes of the Neighbourhoods and Environment Scrutiny Committee Ref. NESC/19/40
Highways Department's communication strategy	To receive a report on the Highways Department's communication strategy, including communication with Members.	Cllr Stogia	Steve Robinson	See minutes of the Neighbourhoods and Environment Scrutiny Committee Ref.

				NESC/19/45
Homelessness Update	To receive a report on the approach to accommodating homeless families with children. The report will include data on the numbers of children housed in temporary accommodation; the length of time spent in temporary accommodation and the support that is offered to minimise the disruption to their education.	Cllr S Murphy	Mike Wright	See minutes of the Neighbourhoods and Environment Scrutiny Committee Ref. NESC/19/44
Lithium Batteries for the use in electric vehicles	To receive a report on the environmental and social impact of lithium batteries, including the extraction of the materials used for the production of these units and the arrangements for the safe recycling of them when they degrade.	Cllr Stogia	TBC	See minutes of the Neighbourhoods and Environment Scrutiny Committee Ref. NESC/19/39