

## **Audit Committee**

### **Minutes of the meeting held on 29 November 2022**

#### **Present:**

Councillor Lanchbury - In the Chair  
Councillors Curley and Simcock  
Independent Co-opted member: Dr S Downs  
Independent Co-opted member: Dr D Barker

#### **Apologies:**

Councillor Russell

#### **Also Present:**

Councillor Akbar, Executive Member for Finance and Resources  
Councillor Stanton, Deputy Executive Member for Finance and Resources.  
Karen Murray, Mazars (External Auditor)  
Suresh Patel, Mazars (External Auditor)

#### **AC/22/45 Minutes**

The minutes of the previous meeting were submitted for consideration as a correct record.

Karen Murray (Mazars, External Auditors) asked the Committee to agree the following amendments:

AC/22/39 – bullet point 3 be revised to refer to the 2021/22 budget instead of 2022/23.

AC/22/40 – the commencement of Mazars external audit work was again in relation to 2021/22 budget and not 2022/23. Clarification that the agreed timeline for completion had been for the end of January 2023 was also put forward.

Those amendments were accepted.

#### **Decision**

To approve the minutes of the meeting held on 18 October 2022 as a correct record, subject to the amendments above.

#### **AC/22/46 External Audit update**

The Committee received a report of the External Auditors ( Mazars) which provided an update on progress on the completion of external audit work for the financial years 2020/21 and 2021/22. The Committee welcomed Karen Murray (Mazars) who introduced the report and Suresh Patel who members were informed would lead on completion of 2021/22 audit work.

The report provided the current position on:

- 2020/21 Financial Statements Work
- 2021/22 Financial Statements Work
- 2021/22 Value for Money Arrangements work; and
- An overview of national publications relevant to the Local Government audit function, one of which was with specific reference to Local Government Audit Committee function and remit.

With regard the list of national publications, a member referred to statistics on the number of Local Authorities that invest in corporate property outside of area. The Deputy Chief Executive and City Treasurer gave assurance that such investments did not align with the Council's Capital Strategy principles which require that corporate property investments must fall inside the Local Authority area (or in respect of energy investments, its economic area) or must not be made purely for yield.

In respect of recently published Chartered Institute of Public Finance and Accountability (CIPFA) guidance on Audit Committee function and remit (Audit Committee: Practical Guidance For Local Authorities And Police (2022 edition), the Head of Audit and Risk Management confirmed that a short update would be provided at the next meeting with regard to future implications on roles and responsibilities.

The Committee was invited to note that reference in the report to the external audit of 2020/2021 financial year related to Manchester Airport Group accounts and not the Council's 2020/21 accounts.

## **Decision**

To note the update.

### **AC/22/46 Letters from those charged with Governance**

The Committee received a report for information from the Deputy Chief Executive and City Treasurer which presented the main points of assurance issued to the External Auditor from the Audit Committee Chair and the Deputy Chief Executive and City Treasurer, in connection with the audit of the 2021/22 accounts.

A member noted that the responses did not make reference to the topic of potential fraud risk in schools. The Head of Audit and Risk Management explained that scope for potential fraud risk to an extent that it could impact on financial statements work was unlikely to be sufficient to warrant raising with external auditor colleagues as a significantly material concern.

Having duly considered the responses provided on financial accounting arrangements, the risks of fraud and compliance with laws and regulations, the Committee noted the report.

## **Decision**

To note the report.

### **AC/22/47 Treasury Management Interim Update**

The Committee considered a report of the Deputy Chief Executive and City Treasurer which set out treasury management activities of the Council during the first six months of 2022/23.

The report provided information on:

- The Council's portfolio position as at 30th September 2022
- A review of economic conditions 2022-23 to date
- An overview of Treasury borrowing in 2022-23 to date, with specific reference to Public Works Loan Board (PWLB), temporary borrowing and Salix borrowing
- Compliance with Prudential Indicators and Treasury Limits
- Investment Strategy for 2022-23 to date
- Temporary Borrowing and Investment for 2022-23 to date
- Implications of Rising Interest Rates; and
- Concluding comments

The Commercial Finance Lead responded to questions from members about the temporary borrowing portfolio, lender option borrower option (LOBO) loans, the implications of rising interest rates including international considerations, the nuances of local government cashflow and compliance with treasury limits.

The Executive Member for Finance and Resources thanked officers for the comprehensive report with particular reference to their important role in minimising borrowing costs and maximising the Council's investment returns in the context of financial volatility and uncertainty.

The Committee noted report.

## **Decision**

To note the report.

### **AC/22/48 Risk Review: Governance and Management of Complaints**

The Committee received a report of the Assistant Chief Executive and the City Solicitor which presented the complaints, enquiries and information request dashboard. The dashboard set out the Council's annual performance for 2021/22 in the management of corporate and social care complaints, Councillor and MP enquiries, as well as information requests.

Key themes of the report were:

- An overview of the complaints and enquiries dashboard

- Corporate Complaints: 77% of Stage one complaints. responded to within ten working days, 16% of complaints escalated to Stage two., 60%of stage two complaints responded to within ten working days, 28% of Stage one and two complaints upheld.
- Councillor and MP enquiries: 76% of enquiries responded to within ten working days
- Social Care Complaints: 59% of social care complaints handled within timescale, 27% of social care decisions upheld
- Local Government and Social Care Ombudsman (LGSCO) Enquiries: There had been an increase in the number of Local Government and Social Care Ombudsman enquiries, and performance had improved in that the average number of days taken to respond had fallen to 16 in comparison with the previous year's 2, 24% of Local Government and Social Care Ombudsman decisions were upheld
- Praise: there had been an increase in the number of instances of praise (409) in comparison with the previous year (383)
- Learning from complaints: including Critical Learning and Learning Action Plans
- Freedom of Information and GDPR requests: 84% of GDPR requests responded to within relevant statutory timescale, 79% of Freedom of Information Act requests responded to within relevant statutory timescale

The Committee welcomed the comprehensive report and noted the increase in instances of praises for Council Services. A discussion followed on the comparative increase in complaints with regard to the previous year's data. The impact of changed expectations about service delivery in the post-pandemic environment, including a greater reliance on remote-working and an associated trend towards uptake of digital channels for residents, businesses and service users were cited amongst possible influencing factors.

A member commented on the significant increase in complaints to Children's Services and Education which had arisen following the implementation of a new system being used for school place admissions. The Deputy Chief Executive and City Treasurer spoke about the value in learning from complaints and emphasised the significance of the tone of engagement taken with the city's residents and the shift to a listening culture.

Following a question about the number of logged Councillor enquiries referenced in the report and how that compared with the number of councillor-led requests for service / information, the Assistant Chief Executive agreed to undertake a piece of work with services to improve how Councillor enquiries are recorded and monitored, including the development of refreshed guidance.

The Deputy Executive Member for Finance and Resources spoke about plans to broaden digital access to Council services to ensure inclusivity of all of the city's residents, businesses and other users of Council services and the impact of an increased awareness about legislative rights under for example, the General Data Protection Regulation and Freedom of Information Acts.

In terms of closing comments, the Executive Member for Finance and Resources

acknowledged the importance of a robust, positive and responsive complaints system which supports the organisation in identifying weaknesses in its systems or policies in seeking to address them. He indicated that the overall increase was attributable to a shift towards increased remote-working practices which, in the context of a natural tendency to notice when things go wrong as opposed to when they work well and an ongoing commitment to widen digital access, should be encouraged and embraced as opportunities for continuous and ongoing improvement.

## **Decision**

1. To note the update.
2. To note that the Assistant Chief Executive will undertake a piece of work with services to improve how Councillor enquiries are recorded and monitored, including the development of refreshed guidance.

## **AC/22/49 Code of Corporate Governance**

The Committee considered a report of the Deputy Chief Executive and City Treasurer which presented the revised draft of the Council's Code of Corporate Governance (the Code). The Code had been updated to align with published guidance and was attached as an appendix with a proposal that the Code should instead be a stand-alone document, instead of an aspect of the Council's Constitution to create greater flexibility in terms of timings of updates

The Committee was invited to note that revised draft had been considered at a recent meeting of the Council's Standards Committee, which made no amendments.

The Committee was invited to consider the Code and to recommend to the Council that responsibility for approval of the Code of Corporate Governance is delegated to the Audit Committee, with Standards Committee members invited to comment. Next steps were described as an assessment of the Council's compliance with the Code to be completed within the Annual Governance Statement to be considered by both committees in the summer of 2023.

The Committee agreed the recommendations.

## **Decision**

1. To note the report
2. To recommend to the Council that responsibility for approval of the Code of Corporate Governance is delegated to the Audit Committee and in doing so that Council:
  - Agrees changes to the delegations to the Audit Committee set out in the Council's Constitution so that approval of the Code of Corporate Governance is the responsibility of Audit Committee.
  - Agrees to delete the reference to the Code of Corporate Governance from the

- Council's Policy Framework at Article 4 of the Council's Constitution; and
- Removes Section G of Part 6 ("Manchester City Council - Code of Corporate Governance") from the Council's Constitution.

### **AC/22/50 Risk Management Strategy and Corporate Risk Register**

The Committee considered a report of the Deputy Chief Executive and City Treasurer which discussed the Council's corporate governance and risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements. It included a copy of the latest refresh of the Corporate Risk Register and an overview of the approach being taken to respond to inflationary finance risks, at the committee's earlier request.

The Committee was invited to consider the assurance provided in the report, which made specific reference to:

- The context of recent updates to the Corporate Risk Register, influenced by a fundamental rewrite of the risks and the description of response actions which itself had arisen due to a re-evaluation of the degree those risks interact.
- A summary of risks agreed at the Senior Management meeting held in September 2022 (the Corporate Risk Register (CRR) was appended to the report)
- A discussion about Inflationary risk

In response to a question about climate change targets, the Deputy Chief Executive and City Treasurer explained the reasons behind the risk being split and the Council's approach to deliver high return / low risk interventions as part of the agreed Action Plan. With regard to actions to meet cross city targets, she referred to the Climate Change Partnership Framework which sets out the scale of action required and those that sit within the agency of the Council or local partners. She added that the Council would continue to seek solutions use its influence in terms of lobbying and pressure regarding policy change requirements that sit within the agency of central government.

There was a discussion about risk management of a further global pandemic. The Head of Audit and Risk Management referred to the involvement of the Local Resilience Forum as well as a Greater Manchester and city-wide response to business continuity, with appropriate planning around response. However those risks would be cross-referenced.

A member noted the risk referred to in relation to scale and type of housing in the city and requested further information and assurance on how those risks are being managed. The Deputy Chief Executive and City Treasurer referred to pressures on the availability of temporary accommodation in the city some of which directly affected the Council's ability to develop services associated with homelessness. She however asked the Committee to note that aspects of provision did not sit wholly with the Council which added to a degree of complexity around the matter.

With regard to the Cost of Living Crisis, the Chair commented that implications associated with Risks 6 and 7 in the report are given appropriate focus assessed in

preparation for the next review of the Register. The Deputy Chief Executive advised that the review would reflect the impact on service delivery implications as well as the impacts residents (a number of whom were employees) and mitigations associated with the Anti-Poverty Workforce Strategies that would be in place.

The Chair thanked officers for the helpful and informative report and requested that should risks in relation to the implications of the Cost of Living Crisis significantly increase, a further update to the Audit Committee should be brought for members' views.

## **Decision**

To note the report and in doing so, request that should risks in relation to the implications of the Cost of Living Crisis significantly increase, a further update shall be brought to the Committee.

## **AC/22/51 Register of Significant Partnerships**

The Committee considered a report of the Deputy Chief Executive and City Treasurer which provided a six-monthly update on the partnerships issued a 'reasonable' or 'limited' rating in terms of governance arrangements. A copy of the Register in full was appended to the report.

An overview of further steps that had been agreed to strengthen and enhance governance practices was also included. These incorporated amendments to the way relevant information was captured, the timeline for the production of the register as well as proposals to build a lessons learnt exercise into the annual process to aid continuous improvement.

The Committee was invited to note that a further six entities had been identified for inclusion on the Register. The next annual update to Committee is scheduled for June 2023.

In response to a comment about recent events under the remit of the Greater Manchester Mental Health Trust (GMMHT), the Head of Programme Management Office: Commercial Governance advised that the partnership's performance would be reviewed as part of the next cycle. The Deputy Chief Executive and City Treasurer gave assurance that the Council was working closely with GMMHT and that an update outlining that assurance would be reflected in the next update.

The Committee was also invited to note the Acting Chief Executive of One Education's term of office had been further extended whilst further arrangements were being implemented to improve governance and strategy were being developed and formalised.

In response to a question from the chair about board vacancies for Manchester Working Limited, the Head of Programme Management Office: Commercial Governance advised that those vacancies were a package of directorships under review given the impending departure of the Director of Commercial Operations from the Neighbourhoods Directorate.

**AC/22/52 Work Programme and Recommendations Monitor**

The Committee considered a report of the Governance and Scrutiny Support Unit which set out its future Work Programme for the forthcoming municipal year.

Members discussed proposals for the Annual Training Event and noted the information provided in Sections 2 in respect of recent comments in relation to the Christie Car Parking Scheme.

**Decision**

To agree the Committee's Work programme as set out in the report.

## **Licensing Committee**

### **Minutes of the meeting held on Monday, 5 December 2022**

**Present:** Councillor Grimshaw – in the Chair

**Councillors:** Connolly, Flanagan, Connolly, Hassan, Hilal, Jeavons, Judge, Reid and Riasat

**Apologies:** Councillor Evans, Hewitson and Hughes

#### **LHP/22/03 Minutes**

##### **Decision**

To approve the minutes of the meeting held on 7 March 2022 as a correct record.

#### **LHP/22/04 Licensing Update**

The Committee considered the report of the Director of Planning, Building Control and Licensing, which provided an update on the following licensing functions:

- An update on the Government's response to the Licensing Act (2003): post-legislative scrutiny
- An update on Martyn's Law, Manchester's Action Counters Terrorism (ACT) Pilot and the delivery of training associated with the pilot.
- The Manchester Arena Inquiry
- An update on the Licensing Policy Review
- Gambling update including statistics at Greater Manchester level on the number of residents experiencing the harmful effects of gambling.

The Chair welcomed the report, with particular reference to commend officers for the work undertaken with all stakeholders to deliver training for operators and staff in preparation for the implementation of Martyn's Law.

There was a discussion about the accuracy of the reported number of residents across the Greater Manchester region who were experiencing the harmful effects of gambling. A member commented that those figures appeared be low given the size of the geographical area and established intelligence about associated levels of deprivation. It emerged that those figures were captured through self-reporting mechanisms. Scope that those figures could be exacerbated in the current Cost of Living Crisis was also highlighted. The Director of Planning, Building Control and Licensing agreed to circulate a note to members of the Committee outlining the interventions/support to businesses and residents with regard to the harmful effects of gambling that the Council currently undertakes.

There was a discussion about the development of guidance for premises to enable them to support the needs of people with a disability (including those with hidden disabilities) who experience difficulties arising directly or indirectly from licensed premises' activity. A member commented that not all types of disability would be

captured by a reliance on building regulations legislation only. The Director of Planning, Building Control and Licensing referred to a wholesale review and refresh of the Council's current guidance to raise awareness about the reasonable steps required to effectively manage issues and challenges associated with disability that may arise. An interim update would be submitted to a future meeting of the Committee. A member suggested that this particular piece of work was done in consultation with disability groups and the Council's Lead Member for Disability.

## **Decision**

To note the report.

## **LHP/22/05 Delegation of Licensing Authority Functions.**

In line with its statutory responsibilities, the Committee considered a report of the City Solicitor in which it was invited to agree non-executive licensing authority delegations as described in Sections C and F of Part 3 of the Council's revised Constitution (appended to the report).

The changes were predominantly in relation to the Constitution's Scheme of Delegation and reflected the transfer of delegated responsibility for the discharge of particular non-executive functions from the Director of Neighbourhoods to Director of Planning, Building Control and Licensing, recent amendments to the Local Authorities (Functions and Responsibilities) (England) Regulations (2000) as well as the correction of a small number of typographical errors from the previous version.

The Director of Planning, Building Control and Licensing, gave assurance that the changes did not represent an extension of officer's delegations nor should be seen as a dilution of powers within the committee's gift. She described the changes as a simplification and smoothing of processes for officers in terms of reporting arrangements.

## **Decision**

To approve the delegation of non-executive functions as set out in the revised Sections C and F of Part 3 of the Council's Constitution (as referenced in the report submitted).

## **Planning and Highways Committee**

### **Minutes of the meeting held on 15 December 2022**

#### **Present:**

Councillor Curley – in the Chair  
Councillors Shaukat Ali, Andrews, Davies, Flanagan, Hewitson, Kamal, Leech, Lovecy, Lyons and Riasat

**Apologies:** Baker-Smith, Y Dar and Stogia

#### **PH/22/66      Supplementary Information on Applications Being Considered**

A copy of the late representations received had been circulated in advance of the meeting regarding application 135281/FO/2022, 134603/FO/2022 and 134971/FO/2022.

#### **Decision**

To receive and note the late representations.

#### **PH/22/67      Minutes**

#### **Decision**

To approve the minutes of the meeting held on 17 November 2022 as a correct record.

#### **PH/22/68      Application 135281/FO/2022 - 32 Montcliffe Crescent, Manchester, M16 8GR - Whalley Range Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented an application that sought the retention of a 3-bedroom single storey dwelling house (Class C3) in the rear garden of a two storey dwellinghouse known as 32 Montcliffe Crescent in the Whalley Range Ward.

This application relates to the rear garden of a modern two storey detached house within the Whalley Range ward. The property has a single storey side extension and gardens to the front and rear. There is a drive at the front of the property and a garage in the rear garden which has been demolished and replaced with a single storey 3-bedroom dwellinghouse that is the subject of this application. The original dwellinghouse fronts a footpath linking Montcliffe Crescent to Stoneyfield Close. Montcliffe Crescent runs along the eastern side of the site where access is provided by a double metal gate to the single storey dwellinghouse in the rear garden.

The planning officer did not add anything by way of a statement.

No objector to the application attended or made any representations.

The applicant's agent for the application addressed the Committee and stated the family's reasons for retaining the building at 32 Montcliffe Crescent, stating that the dwelling had been built for the family's disabled daughter (a single mother) and her 3 children. The children were attending a school in the area, and it was hoped that the family would not have to be re-housed and need to find other school places as a result. The family's needs would not easily be met outside of Whalley Range. The agent stated that these are challenging times and there would be a long waiting list for the family to await a housing solution in Manchester. The agent wished for the Planning Committee to support this family and overturn the officer's recommendation of Refuse for the application.

The planning officer stated that this decision was made all the more difficult in that the premises was currently occupied but added that there had been 2 previous applications for planning permission at this site that had been withdrawn due to having not been supported by the Planning team at the city council. Any public benefits of the scheme would be outweighed by the harm caused. Other extensions in this location had been granted but these differed in that they formed part of the main dwelling/garden and were not a separate dwelling with own fencing and sub-standard garden, parking and mentioned that this site, having already been built, was cramped and out of character for the area. The planning officer requested the Committee to refuse the application.

Councillor Leech asked how long the dwelling had been occupied.

The planning officer did not know but stated that it was not occupied prior to the previous, withdrawn applications.

Councillor Leech asked if the applicants were aware that the previous applications were deemed unsuitable by the Planning team.

The planning officer stated that they would have been made aware of this.

Councillor Lovecy felt some sympathy with the family and asked about dimensions of the building and if they met expected standards.

The planning officer confirmed that the overall floorspace of the dwelling was deemed below standards expected for a three bedroomed building for four occupants.

Councillor Andrews referred to the report whereby it stated that previous applications would not have been granted and asked what timescale would be given for the family to relocate if the Committee agreed with the officer's recommendation of Refusal for this application.

The planning officer stated that there would be a period of negotiation to agree an appropriate timescale to allow the family to relocate. Ideally, there would be no need to issue an enforcement, but the planning officer added that there would still be reasonable negotiations if notice was served on the occupants.

Councillor Davies referred to the report and a table which showed the planning history, noting that withdrawals of previous applications had been implemented prior to the building work beginning. Councillor Davies enquired about the legal aspect of removing the family, any conditions attached in this regard and the following phrasing in the Late Reps report “Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.”

The Director of Planning stated that there would be regard paid to the Equality Act, that there was an understanding of the family having a disabled member and added that there was no prescribed way of dealing with “consciously thinking about the aims of the Equality Duty.”

Councillor Davies asked what would happen if the Committee support the officer’s recommendation to refuse this application and whether the decision to remove the family is not legally a part of the Committee’s decision.

The Director of Planning stated that all factors have been considered in making the recommendation to the Committee and it is expected that the Committee take all factors into account in their decision making.

Councillor Andrews moved the officer’s recommendation of Refuse for the application and requested that any enforcement action taken would be over an appropriate period of time, taking account of the circumstances of the occupants at the property.

Councillor Lovecy seconded the proposal.

## **Decision**

The Committee resolved to refuse the application for the reasons detailed in the reports submitted.

### **PH/22/69      Application 134603/FO/2022 - Pellowe House, Francis Road, Manchester, M20 9XP - Withington Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented an application for the erection of a three-storey building to provide 24 apartments following demolition of existing buildings including creation of a new vehicular access from Francis Road, parking provision, landscaping and associated works.

The application site currently contains a former industrial building that previously contained a commercial laundry with areas of hardstanding to the front and rear used for vehicle parking associated with the use. The building on the application site is vacant.

The planning officer did not add anything by way of a statement.

No objector to the application attended or made any representations.

The application's agent attended but did not wish to add anything to the printed report as no objector had attended to make representations.

Councillor Lyons enquired whether the scheme was affordable or social and also rent and/or shared ownership.

The planning officer stated that the scheme was either for affordable or social rented accommodation which will be decided through discharging a condition of planning permission for 100% rented product, managed by the registered provider.

Councillor Leech stated that he knew this area fairly well and questioned the lack of 100% off-street parking for the scheme, with parking being a problem in this location. Councillor Leech was not convinced that the scheme would not add to additional car journeys or further parking issues in this area, noting that Christies Hospital extended parking scheme areas which has experienced problems. He noted that there were more electric vehicle charging points to come but asked what would happen for cars with no parking space for this development. Previous planning applications for this site had been deemed not sustainable at 16 places for 16 dwellings and yet this scheme had been deemed suitable at 62% parking. Councillor Leech concluded by stating that affordable rented property was welcome, but should the Committee approve them if the parking was not sustainable.

The planning officer stated that there was a balance to be struck with what exists at the site already. Currently there was a factory building with limited parking on site whereas this was a scheme with a travel plan including public transport links and 100% cycle parking for all dwellings, and therefore, fully sustainable. The planning officer asked the Committee to consider the merits of this application and noted the 4 electric vehicle charging points with more to follow. Additionally, the scheme was worthy of approval on its own merits, regardless of its offer of 100% affordable rented property.

Councillor Leech noted the report stating the need for people to downsize who are under-occupying their properties. Councillor Leech felt that the majority of tenants for these dwelling places would be older people who would be less likely to cycle, adding that there was a need for larger homes in the area, contrary to the comments in the report.

The planning officer referred to his previous statement with nothing further to add.

Councillor Flanagan stated that he would not put car parking before affordable housing, was in agreement of turning a run-down warehouse into affordable rented accommodation and moved the officer's recommendation of Approve for the application.

Councillor Davies seconded the proposal, adding that the city has seen a reduction in car ownership and that this should be further encouraged, and that down-sizing would free up larger family homes whilst allowing single occupants to have a more affordable solution.

Councillor Lyons added that car ownership in the city was at 44% and added that there was a need to move with the technology of the times.

## **Decision**

The Committee resolved to agree the application for the reasons detailed in the reports submitted.

### **PH/22/70      Application 134971/FO/2022 - 67 Deansgate, Manchester, M3 2BW - Deansgate Ward**

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented an application for the use of a ground floor property on Deansgate in Manchester City Centre as an Adult Gaming Centre.

It is proposed to change the use of the ground floor to an adult gaming centre (Sui Generis), with slot machines for gambling. This would occupy the ground floor with the upper floor and basement used for storage and staff facilities. The premises would be open to the public and in use 24 hours a day, seven days a week.

This site is a three-storey building with frontages onto Deansgate and Barton Square. The building adjoins the Grade II\* Listed Barton Arcade and is in St Ann's Square Conservation Area and adjacent to the Parsonage Gardens Conservation Area.

The building is not listed but is a non-designated heritage asset with decorative stone elevations and modern shopfronts.

The planning officer noted the information in the late representations report regarding the marketing that was taken to let out the property and explained why this was not successful. The applicant stated that vacancy rates had risen on Deansgate and that no other offers came forward for the property during the advertising period. The planning officer confirmed that the officer's recommendation was still to refuse the application.

No objector to the application attended or made any representations.

The applicant's agent for the application addressed the Committee and stated that there were no external alterations and that the refusal reason given was that the scheme was not compatible with Deansgate. Leisure uses in this area were permitted by the city council and the NPPF specifies that this style of property is a leisure-based premises, appropriate for town centres. The agent expressed that it would surely be better to have this development and the creation of 12 jobs, rather than a derelict shop front. He noted that the client had provided a bespoke plan and that the use of digital displays would add interest to the frontage. Another gambling premises in this location with digital displays in the windows had their planning applications approved and the agent noted that a refusal reason was regarding the scheme providing insufficient natural surveillance and would be harmful to the vitality, viability and character of the area, yet there had been no objections from the

environmental agency or GMP, who had encouraged a 24-hour establishment. Having a premises open for 24 hours a day would be good for the area in terms of safety, environment and security. Adult Gaming Centres are notable for generating increased footfall in town centres, information in which had been submitted to the city council and possibly overlooked. The agent concluded by stating that the client would not have chosen this area if they did not think it suitable and requested that the Committee overturn the officer's recommendation to refuse the application.

The planning officer stated that all the reasons for the officer's recommendation to refuse were set out on page 86 of the printed report.

Councillor Davies stated that there were restrictions on traffic in this location which can lead to it feeling less safe for pedestrians with a reduced traffic flow. She noted 2 points, that units in this area had been empty and also had traffic controls in place prior to the pandemic. It had been raised that this had impacted on businesses in this location and Councillor Davies felt that it was not currently a good place for businesses. Councillor Davies supported the planning officer's recommendation to refuse this application but asked, if approved, what would the opening hours be and would security be on site?

The planning officer stated that the Committee could restrict the hours of operation if they approved the application.

Councillor Leech noted the agent's comments on other local gambling establishments and asked if the refusal reasons were robust enough for the Committee to agree without an appeal being subsequently lodged.

The planning officer expressed that the refusal reasons were robust and defensible.

Councillor Leech thanked the planning officer for their assurance.

Councillor Andrews moved the officer's recommendation of Refuse for the application, noting that the scheme was contrary to the policies contained in the report.

Councillor Davies seconded the proposal.

## **Decision**

The Committee resolved to refuse the application for the reasons detailed in the reports submitted.