

Planning and Highways Committee

Minutes of the meeting held on 19 October 2023

Present: Councillor Lyons - In the Chair

Councillors: Chohan, Curley, Davies, Gartside, Hassan, Hewitson, Hughes, Johnson, Kamal and Lovecy

Apologies: Shaukat Ali, Andrews and Riasat

PH/23/76 Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding application 135932/FO/2023 and 136878/FO/2023.

Decision

To receive and note the late representations.

PH/23/77 Minutes

Decision

To approve the minutes of the meeting held on 21 September 2023 as a correct record.

PH/23/78 136314/JO/2023 - 60 Oldham Street, Manchester, M4 1LE - Piccadilly Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding a variation of Condition 3 (Opening Hours) to planning permission 126960/JO/2020 (amended under 124836/NMC/2019) (as discharged under CDN/21/0969) to allow opening of premises the following hours: Sunday to Thursday – 11:00 to 02:30 (the next day); and Friday and Saturday – 11:00 to 03:30 (the next day).

60 Oldham Street had been converted into four apartments with the ground floor and basement changed to a restaurant and bar (126960/JO/2020 amended by 120878/FO/2018). The opening hours applied for and approved at the ground floor and basement were Tuesday 17.00-00.00, Wednesday to Saturday 12.00 to 13.30 and 17.00 to 00.00 (application ref no CDN/21/0969). A scheme of acoustic insulation was approved (CDN/21/0947).

The approval included the erection of a 7-storey building on an empty plot to the rear at 53 Spear Street to form five apartments. The consent had been fully implemented.

The site is in the Stevenson Square Conservation Area and on the edge of the Smithfield Conservation Area. It is in as the Northern Quarter which contains homes, hotels, commercial, places of worship, bars and restaurants.

Two objections had been received regarding the application.

The Planning Officer had nothing to add to the printed report.

The applicant attended but had nothing to add to the report.

Members queried if there was a mechanism to shield noise from the internal venue and how issues would be monitored between Planning and Licensing.

The Planning Officer stated that there was Acoustic Insulation installed and Environmental Health were happy with that, noting there was no objection raised by them. It was noted that the operating hours were most effectively managed through Licensing.

A member then raised concerns about the hours, live music and queried if a condition could be attached regarding occupancy levels.

The Planning Officer noted that noise levels had been tested by Environmental Health who were happy that there was no noise transfer if the venue stays within the noise management plan. The Planning Officer noted that this Committee was to deal with Planning issues, and they were satisfied with all Planning related issues. They acknowledged that there were tensions in this area but reiterated that they were satisfied with the noise management plan.

The Director of Planning noted that a condition regarding occupancy levels was difficult to do through the Planning process and advised members to not consider that.

Councillor Lovecy moved the Officer's Recommendation to Approve. Councillor Curley seconded the proposal.

Decision

The Committee resolved to Approve the application.

PH/23/79 135932/FO/2023 - East Manchester Academy, Grey Mare Lane, Manchester M11 3DS - Ancoats & Beswick Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the Installation of Multi Use Games Area (MUGA) together with the installation of 5-metre-high boundary treatment and 3-metre-high acoustic barrier.

The proposal was for the creation of a Multi-Use Games Area (MUGA) together with the installation of boundary treatment.

The proposal would result in the loss of grass playfield. Sport England have objected on this basis. MCR Active support the proposals.

The Planning Officer had nothing to add to the printed report.

The applicant did not attend, nor did any objector.

Members queried if the throwing cage due to be lost would be relocated and why the pitch was unusable and such poor quality. It was also noted that grass space was being lost and if that could be replaced by the planting of extra trees or something similar.

The Planning Officer noted that the drainage was poor which had led to the pitch being waterlogged. It would cost more to fix the drainage than what was proposed in the application. They noted that as Sport England had objected to the proposals, should the Committee be Minded to Approve, the application would be referred to the Secretary of State. There was a condition that the throwing cage would be relocated. The Planning Officer stated that a condition could be added regarding adding greenery.

Councillor Curley moved the Officer's Recommendation of Minded to Approve.

The Chair queried if members wanted to add a condition related to greenery. The Director of Planning noted that the condition would need to be carefully crafted as the application was subject to funding.

Councillor Kamal seconded the proposal of Councillor Curley.

Decision

The Committee resolved to be Minded to Approve, subject to the conditions set out in the report and an additional condition, the wording of which is to be agreed by the Director of Planning and the Chair, regarding the adding of greenery to replace the lost grass pitch.

PH/23/80 136878/FO/2023 - 4B Albany Road, Manchester M21 0AW - Chorlton Ward

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the erection of a 4-storey building to form 40 no. residential apartments, together with cycle and car parking, bin store, landscaping, and boundary treatments following demolition of existing buildings.

The application related to the erection of a 4-storey residential development comprising 40 affordable apartments, following demolition of an existing business premises together with the provision of car parking, cycle parking and landscaping.

Following notification of the application 15 representations have been received, including 13 objections, 2 in support and 1 neutral response with comments.

The Planning Officer had nothing to add to the printed report.

An objector attended and addressed the Committee, noting that they owned a local recording studio that had been there for 20 years. The recording studio was close to the proposed site and it was felt that the construction phase of development would create a level of noise that would stop their ability to work. They felt that the noise report provided had not considered their business needs. There were no mitigation measures in place for the noise created during construction for their business. The objector requested that the Committee declined the application, but if they were to approve it then to add strong conditions regarding noise and vibration during construction or that there should be some financial compensation available in order that they could operate from an alternative studio during that noisy time.

The applicant's agent addressed the Committee, noting that there had been prior engagement with local residents, ward councillors and planning officers before submitting the application. They noted there would be short-term, temporary disruption during construction but that there had been no objection from Environmental Health and the disruption needed to be balanced with the social value of the proposals. Construction timing and activity was proposed to be regulated by conditions from officers. The applicant would register with the considerate constructors' scheme and liaise with the studio. This was a 100% affordable scheme, which was noted as being much needed. The application would not result in any overlooking, overshadowing or loss of light for its neighbours. Energy for the proposed site would be 100% electric, with no gas used. The level of parking proposed had been deemed acceptable by Highways Officers. The scheme would improve Biodiversity. The applicant's agent felt this was a much-needed scheme for the area.

The Planning Officer noted that it was key that the applicant was fully aware of the concerns raised by the neighbouring recording studio and had agreed to all points listed within the construction management plan including a communication strategy with neighbouring occupiers and businesses, including the recording studio. This would mean that the recording studio would be pre-warned of noisy activities. The applicant had also confirmed that they would join the considerate contractors scheme. The officer also stated that demolition could take place under a prior approval notice without the level of control available through this planning application process and that works could take place without the need for planning permission which could bring substantial noise and disturbance, such as refurbishment works, and replacing hard standings. It is also the case that the application property could be used for a variety of other uses without the need for planning permission without any control by the Local Planning Authority in relation to hours of operation, outside working, or numbers of HGVs for example. The proposed construction management plan offered reasonable levels of mitigation in this case. It was also stated that the applicant had confirmed that Pad Foundations would be used rather than more intrusive traditional foundation types.

Members raised queries regarding the architecture, biodiversity and the wording of the condition relating to communication between the applicant and the recording studio.

The Director of Planning stated that construction was difficult to control but they, alongside the Chair, could look at the wording regarding the Construction

Management Plan and in particular the requirement for a community consultation strategy, and that this should provide detailed time frames for demolition works and additional requirements relating to details of notification of noisy activities..

The Planning Officer stated that negotiation had taken place with the applicant to secure a quality approach to architecture and also clarified that the existing site consisted largely of built form and hard standing and that the proposal included soft landscaping, the planting of five new trees and bio-diversity enhancements.

Councillor Curley moved the Officer's Recommendation of Approve subject to additional wording within the construction management plan condition.

Councillor Hughes seconded the proposal.

Decision

The Committee resolved to Approve the application, subject the conditions set out in the report, including an amendment to the condition relating to the construction management plan, the wording of which is to be agreed by the Director of Planning and the Chair.

Health and Wellbeing Board

Minutes of the meeting held on 1 November 2023

Present:

Councillor T Robinson, Executive Member for Member for Healthy Manchester and Adult Social Care (MCC) - In the Chair
Katy Calvin, Thomas - Manchester Local Care Organisation
Kathy Cowell, Chair, Manchester University NHS Foundation Trust
Paul Marshall, Strategic Director of Children's Services
David Regan, Director of Public Health
Bernadette Enright, Director of Adult Social Services
Tom Hinchliffe, Deputy Place Based Lead
Dr Murugesan Raja, Manchester GP Board

Apologies:

Councillor Craig, Leader of the Council
Councillor Bridges, Executive Member for Children and Schools Services
Councillor Chambers Deputy Executive Member for Healthy Manchester and Adult Social Care
Bill McCarthy, Chair, Greater Manchester Mental Health NHS Foundation Trust
Amanda Smith, Chair, Healthwatch

Also in attendance:

Jane Pilkington, Director of Population Health, NHS Greater Manchester
Dr Cordelle Ofori, Deputy Director of Public Health

HWB/23/20 Minutes

Decision

To approve the minutes of the meeting held on 20 September 2023 as a correct record.

HWB/23/21 Manchester Partnership Board Update

The Board considered the report of the Deputy Place Based Lead that provided an update on the topics discussed at the private meeting of the Manchester Partnership Board held 3 October 2023. Reference was made to ongoing work concerning:

- Commissioning work within Manchester and Greater Manchester, concerning the integrated commissioning function for health and social care with all partners.
- Winter planning relating to Urgent and Emergency Care Capacity Funding. It was reported that agreement had been reached on the most effective use for the limited level of funding available for the winter period. The funding will be used for additional capacity in primary care. It was acknowledged that work

with partners had enabled the funding available to be targeted in areas of need.

The Chair also reported that so far, no response had been received to the letter sent to the Secretary of State for Health, from him and Councillor Green (Chair of the Health Scrutiny Committee), concerning funding arrangements for the Integrated Care Board (ICB) for the 2023/24 winter period. Any response received would be circulated to members of the Board and the Health Scrutiny Committee. The Chair also reported that he will discuss the importance of using the Urgent and Emergency Care Capacity Funding effectively with the Deputy Chief Executive (Manchester Foundation Trust).

Decision

The Board noted the report.

HWB/23/22 Fairer Health for All

The Board considered the report of the Director of Population Health, NHS Greater Manchester Integrated Care and the Director of Public Health, Manchester City Council, that described the opportunities for the Manchester Locality, through the Health and Wellbeing Board, to input and shape priorities for co-ordinated action on health inequalities across Greater Manchester.

The report described that Fairer Health for All (FHFA) was a system-wide commitment and framework for reducing health inequality and tackling inequalities across the wider, social, and commercial determinants of health, leading to a greener, fairer, more prosperous city-region. In addition, it was noted that FHFA had been co-produced through extensive locality and community participation and engagement over the past fifteen months, which had taken place alongside the development of NHS Greater Manchester's Integrated Care Partnership strategy and the Five Year Joint Forward Plan.

Consideration would also be given to the proposed principles, targets and metrics in the Greater Manchester Fairer Health for All Framework. It was important to note that Manchester already had the well-developed Making Manchester Fairer Action Plan (2023-2027) and the Director of Public Health, Deputy Director of Public Health and the GM Director of Population Health would continue to work collaboratively to ensure plans were aligned and clear.

The Board was requested to review and comment on the Fairer Health for All Framework Engagement Draft and engagement questions outlined in section 2.2 of the report submitted.

The Director of Population Health provided an overview of the plan and outlined the ongoing work to align sectors in addressing health inequalities. The Board was informed that the document sets out a plan and provides practical tools and resources to help make Fairer Health for All a reality. This includes two central tools: a Fairer Health for All Academy to support learning and development and Health and

Care Intelligence Hub will foster shared learning and collaboration and collate vast and diverse intelligence, data and insights from across public and VCFSE partners.

Confirmation was given that the Fairer Health for All will be submitted to the Integrated Care Board and Integrated Care Partnership. Health Trusts will also receive the document for comment, via a task group appointed to provide the alignment to Manchester Foundation Trust. Discussions are currently ongoing to determine how the providers will be engaged.

The Chair welcomed and commented that the report is accessible to all audiences. In reference to the delivery work within localities it was requested that separate reference should be included in the final document to acknowledge this.

It was reported that the final report will include all linked plans as well as references to locality work.

The Chair invited questions and comments from the Board.

In response to the report the board made the following comments: -

In welcoming the report, the Chair of MFT highlighted the importance of using the document as a tool to help engage with and better inform local people and MFT members and use the input to complement the work of MFT Governors.

Reference was made to NHS community services/ Living Well at Home, and it was suggested that a more explicit reference on of role of community services within integrated urgent care should be included. Currently work across GM is working to standardise delivery of services and the inclusion of that work in the document would be beneficial.

Reference was made to the importance of all partners working to the same plan and direction to ensure that the resources available to providers are used in the most efficient manner. The document contains information to help better support the dialogue for a joined-up and preventative care approach and inform financial planning to achieve it.

A comment was made that it is important that the inclusion of principles to provide a level of standards on what to expect at a local level within a neighbourhood setting is presented as an enabler rather than another strategy.

A comment was made that specific reference could be made to work on commissioning within the care market.

In response to the points and comments made, the Director of Population Health referred to discussions currently ongoing on contracting and commissioning arrangements to agree on a process to align social value on commissioning. With reference to principles, there are principles included within the document. The principles are being used in conjunction with GM system boards and other partners on the design of an assurance process/framework. The Fairer Health for All Academy website will be used to provide examples of the work and stories of

change. The comment made on alignment of partners feature strongly within work to build relationships and strengthen communication. Developing models of care also provide the opportunity to make financial savings. The Director also undertook to provide feedback on a social model for health and where possible to support arrangements for the work of MFT Governors.

The board was informed that the next steps of the process for the document would be presented to locality boards during November across Greater Manchester, with a final consideration by the ICB and ICP in January 2024.

Decision

The Board noted the report.

HWB/23/23 Making Manchester Fairer: Tackling Health Inequalities in Manchester 2022-2027

The Board considered the report of the Deputy Director of Public Health that described the key achievements of the Making Manchester Fairer programme in September as well as an update on the Communities and Power Theme and the Race & Health Education Programme.

The report and accompanying presentation described that a comprehensive and immersive education programme on Race and Health Equity had been developed and commissioned. The programme was launched on 18 September at the Manchester Art Museum with partners from across the council, health, and housing attending. 75 people had been invited as the first cohort which would enable our workforce to be better informed, equipped and confident to implement the right solutions that will improve outcomes for communities experiencing racial inequality and discrimination.

The report and accompanying presentation further described that a Communities and Power Steering Group, co-chaired by Manchester City Council's Deputy Leader Cllr Rahman, and Executive Member for Vibrant Neighbourhoods Cllr Igbon, had been established to drive forward the actions outlined within the two Manchester-specific themes of (i) Tackling systemic racism and discrimination, and (ii) Communities and power. The Communities and Power Steering Group work had developed several workstreams that would support the delivery of the aims and objectives of the MMF Action Plan.

The Chair invited questions from the Board.

A member asked if there is an opportunity for partners to join up existing workstreams relating to race and racism in the workplace to help amplify the approach across Manchester. With reference to neighbourhood working, and in particular community development work, the comment was made that it is important for community-based roles/skills to be co-ordinated to ensure that the same approach and methodology are used whenever the community is being engaged and amplify this across Manchester.

It was reported that the work to amplify workstreams is already taking place through the regular meetings with those linked to the various organisations involved. Highlighting the work would be discussed to decide how to best showcase what is happening and how specialist skills are used.

In response to a comment made on the importance of achieving the correct narrative for a holistic approach from organisations, the board was informed that partners involved in housing had set up a task group to work on all eight themes to engage with communities and reflect on the approach of the organisation. The task group has enabled specific matters to be addressed in a joined-up approach from the partner organisations.

A member referred to the Community Development Review and the importance of ensuring service users have a voice and that the voice is heard and asked how the services users will know they have been heard and how will that help to shape future actions.

It was reported that the maturity assessment quality standards will measure how the information received is used and will feed back to the participants on any action taken on issues raised. The Community and Residents Involvement Framework provides a description of the arrangements for engagement and accountability. A Making Manchester Fairer Community Forum will be established for residents with a lived experienced to help input on the best way to hold Making Manchester Fairer to account.

The Chair stated that it is important to reflect on what has taken place during the last twelve months on the work to develop Making Manchester Fairer and what has been achieved in that time. The initiative involves key stakeholders from across Manchester and it is important to maintain a spirit of versatility with integrity to ensure that tackling health inequality is the central focus while working towards Making Manchester Fairer a whole Council approach. Monitoring the delivery of the initiative will be the key to assure the residents of Manchester that the right approach has been taken.

Acknowledgement was given to the work undertaken by the lead officers involved in the two themes presented.

Decision

The Board noted the report.

HWB/23/24 Stopping the start: Our new plan to create a smokefree generation in Manchester

The Board considered the report of the Director of Public Health that provided an update to previous reports about the Tobacco Control and Vaping Programme and set out the response to the government's proposals.

Noting that on 4 October 2023, the Rt Hon Steve Barclay MP, Secretary of State for Health and Social Care, wrote to Directors of Public Health to advise them of the government's future plans to control tobacco use and vaping. The letter was accompanied by the publication of a Command Paper titled, "*Stopping the start: our new plan to create a smokefree generation.*" The Command Paper sets out the government's plan to prevent addiction to all forms of tobacco, to support current smokers to "quit" and to enhance the controls and legislation around electronic cigarettes, with the aim of curtailing the worrying phenomenon of youth vaping.

The proposals contained within the Command Paper are the subject of a major public and professional consultation which closes on the 6 December 2023.

The Department of Public Health at Manchester City Council welcomes the contents of the Command Paper because smoking remains the biggest cause of preventable death in Manchester. Government estimates suggest that there have been as many, if not more, deaths from smoking, as from COVID-19 in England since the start of the pandemic. In Manchester, although improvements have been made, smoking rates are still higher than national averages.

Vaping, when used appropriately, could be one of the treatment solutions available to support tobacco users to manage their addiction to Nicotine and ultimately to "quit" smoking. However, Manchester is experiencing some of the social problems associated with vaping, in terms of youth vaping and a significant counterfeit market.

Manchester City Council and partner organisations had taken a whole system approach to Tobacco Control for many years. The well-established partnership programme had been extended to incorporate the phenomenon of vaping and is well placed to implement all the government's recommendations and much of this work is already underway.

The report described that the Director of Public Health had worked with the Programme Lead for Tobacco Control to collate a Manchester response to the proposals contained within the Command Paper. These are set out in section 6.4 and the Health and Wellbeing Board are asked to comment on each of them. Pending any additions and changes suggested by the Board, the Chair, supported by the Director of Public Health, will submit the formal response to the consultation on behalf of the Board by 6 December 2023. The report presented the initial summary responses.

The Chair in acknowledging the importance of Tobacco Control and Vaping Programme, thanked officers for the work undertaken.

The Chair requested an update be submitted to the next meeting of the Board in January 2024, to set out what the intensions are for Manchester and the proposals to use the allocated funding from the Government.

The Board was advised that a bid will also be submitted for funding for the Swap to Stop Scheme. This will involve the creation of a focus scheme in Newton Heath and Miles Platting working with housing providers in those areas to identify and engage with smokers in those areas who are not known to the Stop Smoking service.

Members of the Board welcomed the report and acknowledged the challenge of changing the behaviour of smokers and communities.

The Chair referred to Section 4 of the report and asked if specific issues should be included in the Chair's response to the consultation.

The Board was informed that there are different reasons for vaping which include vaping to help stop smokers for health purposes and vaping that is not that is related to criminality. The use of vaping has grown massively across all sections of the city and Trading Standards officers have helped to uncover an illegal vaping market and have seized a high volume of vapes in the process which have been linked to organised crime groups.

A member of the Board asked if there are sufficient resources available to address the behavioural change needed to prevent the take up of vaping by young people.

It was reported that a training programme is being developed for professionals, parents and carers working with children to help address any confusion on the safety of vaping. A North West School Vaping Statement has been published and is being disseminated and will be circulated shortly. The increase in the use of vaping will need to be considered separately to tobacco control. The update report to be submitted in January 2024 will outline how funding received will be used on smoking cessation and will include a focus on the increase in vaping and youth vaping and how existing resources can be used and where additional capacity may be needed for local approaches.

The findings of the consultation and anticipated recommendations expected from the Government will help to start to address youth vaping through legislation on the marketing of products, similar to those used for tobacco products. This approach will be as important as the ongoing related health work.

Decisions

1. The Board noted the report and agreed that the Chair, supported by the Director of Public Health, responds formally to the consultation on behalf of the Manchester Health and Wellbeing Board as set out in section 6.4 of the report.
2. To circulate the Chairs consultation response to all Board members and the Member of Parliament for each of the Manchester constituencies (as set out in 1 above).

Standards Committee

Minutes of the meeting held on Thursday, 2 November 2023

Present:

Nicolé Jackson, Independent Co-opted Member – In the Chair
Councillors Andrews, Connolly, Evans, Lanchbury and Simcock
Councillor O'Donovan, Ringway Parish Council

Apologies: Councillor Good, Geoff Linnell, Independent Co-opted Member, Alan Eastwood, Independent Person

ST/23/16 Minutes

Decision

To approve the minutes of the meeting held on 15 June 2023 as a correct record.

ST/23/17 Member Code of Conduct

Consideration was given to the report of the City Solicitor that asked the Committee whether to support the adoption of the LGA Model Code of Conduct for Members or retention of the Council's current code, both of which were appended to the cover report. Members noted the Monitoring Officer's views regarding adoption of the LGA Code.

Members commented that the Manchester Code of Conduct for Members was more robust than the LGA Code. The Chair noted that whilst the LGA Code specifically referenced bullying and harassment, the Manchester Code did refer to 'respect' and the Committee commented that they were satisfied that the inclusion of the word respect would cover any allegation of harassment.

The Chair commented that she was of the opinion that the format of LGA Model Code of Conduct for Members was slightly confusing to the reader, adding that this was not the case with the Manchester Code of Conduct for Members.

Decision

To recommend to full Council that the Council retain its current Code of Conduct for Members.

ST/23/18 Update report on the Disclosure and Barring Service (DBS) checks for Elected Members

The Committee considered the report of the Strategic Head of Human Resources that provided an update on the process for elected members to complete Disclosure and Barring Service (DBS) checks and the follow-up work that had been carried out by the Human Resources Organisational Development and Transformation (HROD&T) Compliance Team to ensure completion of the checks. This followed the decision made by full Council in 2018 that a criminal record check should be carried

out for all elected and co-opted members who undertake “saved” regulated activities in line with the Council’s Corporate Parenting Responsibilities in safeguarding children, young people, and adults.

The report listed the proposals to make the process as straightforward as possible for elected members to complete any outstanding DBS checks.

The Committee noted that there were five Members who had not yet completed a DBS check. Members acknowledged that Officers had done as much as was possible to support Councillors to complete the required checks. The Committee therefore supported the recommendation proposed by a Member to refer the outstanding cases to the relevant Group Officer/ Leader to ensure that the checks were completed.

In response to a question asked regarding potential sanctions for any Councillor failing to complete a DBS checks, the Assistant Director of Legal Service: Governance stated that whilst DBS checks were voluntary and there were no formal sanctions as such, it was important to note that it had been agreed by the Council in 2018 that DBS checks be carried out for all members. She indicated that ultimately it was a matter for the relevant political group as to the consequences for a member who fails to comply with a decision of full Council.

The Chair of the Committee stated that if any Member had a concern about completing a DBS check they should discuss this with the Monitoring Officer at the earliest opportunity.

In response to a question, the Head of HR Operations advised the Committee that a DBS check was valid for three years and was carried out on a rolling basis as and when the checks expired.

The Committee requested that an update report be submitted to the Standards Committee meeting of 14 March 2024.

Decision

The Committee

1. Support the proposals set out in Section 5 of this report in order to make the process as straightforward as possible for elected members and assist with the completion of the outstanding checks.
2. Recommend that the outstanding five DBS cases be referred to the relevant Group Officer/ Leader to assist in ensuring the completion of the outstanding DBS checks.
3. Recommend that an update report be submitted to the Standards Committee meeting of 14 March 2024.

ST/23/19 Process for Dispensations

The Committee considered the report of the City Solicitor and Monitoring Officer that discussed the operation and efficacy of the process for granting dispensations in relation to Members' Interests, noting that the Committee last received a specific report regarding dispensations at its meeting on 16 June 2022. The Annual Report received by the Committee on 16 March 2023 also provided a brief update on the grant of dispensations.

The report described that it was the Monitoring Officer's view that the requests for dispensations that had been made had been sought in appropriate circumstances and that the level of requests for dispensations did not give rise to concern.

Decision

To note the report.

ST/23/20 Register of Members Interests

The Committee considered the report of the City Solicitor and Monitoring Officer that discussed the operation and efficacy of the Register of Members' Interests, noting that the Committee last received a specific report on this issue at its meeting on 16 June 2022. The Annual Standards Report considered by the Committee at its meeting on 16 March 2023 had also contained a short update on the Register of Members' Interests.

The report described that the Monitoring Officer was of the view that Register of Interests requirements are understood by Members but would, as a matter of good practice, continue to issue specific guidance to all Members regarding declaration of interests at meetings.

Decision

To note the report

ST/23/21 Review of the Operation and Efficacy including a proposed amendment of the Arrangements for dealing with Code of Conduct complaints against Members

The Committee considered the report of the City Solicitor and Monitoring Officer that provided an update on the operation and efficacy of the Arrangements for dealing with Code of Conduct complaints against Members ('the Arrangements') and to set out the Monitoring Officer's proposal for an amendment to the Arrangements.

A copy of the Arrangements was provided as an Appendix to the report with the proposed amendments to paragraphs 2.1 and 2.2 shown as tracked changes and any proposed additional wording in bold. The proposed amendments related to the need for any complaint to be in writing, with appropriate reasonable adjustments for complainants who were not able to do so.

Other than the proposed amendments to paragraphs 2.1 and 2.2 of the Arrangements it was noted that the Monitoring Officer was satisfied that the

Arrangements remained fit for purpose and was not aware of any issues arising from their operation.

Decision

The Standards Committee:

1. Note the Monitoring Officer's information on the operation and efficacy of the Arrangements for dealing with Code of Conduct complaints against Members.
2. Recommend to full Council the Arrangements as amended.

ST/23/22 Work Programme for the Standards Committee

Consideration was given to the report of the Governance and Scrutiny Support Unit that presented the Work Programme for the Committee. The Committee were invited to approve or amend the Work Programme as appropriate.

The Chair noted that under discussion of a previous agenda item it had been agreed to include a report on the Disclosure and Barring Service (DBS) checks for Elected Members for the meeting scheduled for 14 March 2024.

Decision

The Committee note and approve the Work Programme, subject to the above additional item for the meeting of 14 March 2024.

Licensing Committee

Minutes of the meeting held on Monday, 23 October 2023

Present: Councillor Grimshaw – in the Chair

Councillors: Andrews, Flanagan, Hewitson, Hilal, Hughes, Judge and Reid

Apologies: Councillors Connolly, Evans, Ludford and Riasat

LC/23/01 Minutes

Decision

To approve the minutes of the meeting held on 5 December 2022 as a correct record.

LC/23/02 Statement of Licensing Policy 2023-2028

The Committee considered the report of the Director of Planning, Building Control and Licensing, presents a proposed final revision of the Statement of Licensing Policy under the Licensing Act 2003 to be presented to the Licensing Policy Committee.

The Committee was reminded that the Licensing Act 2003 came into effect on 24 November 2005 and covers the following licensable activities:

- Sale or supply of alcohol
- Provision of regulated entertainment
- Provision of late-night refreshment

The Licensing Act also requires each Licensing Authority to publish a statement of licensing policy to show how it intends to achieve the four licensing objectives:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance
- Protection of children from harm

A review of the Policy has been undertaken together with a public consultation. The outcome was included in Appendix 1 of the report submitted.

The policy will be presented to the Licensing Policy Committee on 31 October 2023 with the recommendations of the Licensing Committee. The Licensing Policy will then be submitted to the meeting of Council on 29 November 2023 for approval.

The Chair invited the Committee to comment on the proposed Licensing Policy.

Members referred to the current arrangements for Fallowfield and Withington and the City Centre within the current policy. Members suggested that the current arrangements for Fallowfield and Withington should be applied all areas of the city. The student population within those area had started to reduce and move to other areas and for that reason the special arrangements should be applied to other areas

outside of the City Centre. Additional information on the demographic makeup of the local area could be included in applications for premises licences.

The Committee were informed that Section 4 of the Policy focuses on how a premises licence application is considered and additional information could be required for premises applications to provide more information to better explain how the proposed business would operate.

A member made reference to restrictions placed on people with a disability regarding the arrangements currently in place for the outside area of the Albert Schloss premises on Peter Street in the City Centre. The current policy arrangements appeared not to be strong enough to protect the interests of disabled people using the pavement footpath outside of the premises. A loading/parking area had been established that impacts on the pavement and the management of the area was not working. The member undertook to contact officers on the areas of concern that had been outlined.

The Committee was advised that enforcement officers can investigate how premises operate and take appropriate action under the guidance of current legislation. Consideration would be given to the requirements of the Equalities Act and Planning and Building Control.

Decision

To recommend to the Licensing Policy Committee the following changes to the content of the Licensing Policy:

Remove the current area-based policies in place for Fallowfield and Withington and apply these to all areas of the city, outside of the City Centre.

LC23/03 Delegation of Licensing Authority Functions

The Committee considered the report of the City Solicitor that sought the Committee's agreement to the licensing authority delegations contained in Sections C and F of Part 3 of the Council's Constitution.

Decision

To affirm the existing arrangements as set out in the excerpts from Sections C and F of Part 3 of the Council's Constitution as included to the report submitted.

Licensing Committee

Minutes of the meeting held on Monday, 13 November 2023

Present: Councillor Grimshaw – in the Chair

Councillors: Connolly, Andrews, Evans, Flanagan, Hewitson, Hughes, Judge, Riasat and Reid

Apologies: Councillors Ludford and Hilal

LC/23/04 Minutes

Decision

To approve the minutes of the meeting held on 23 October 2023 as a correct record.

LC/23/05 Statement of Licensing Policy 2023-2028

The Committee considered the report of the Director of Planning, Building Control and Licensing, which presented proposed revisions of the Statement of Licensing Policy under the Licensing Act 2003. This followed consideration of the matter at the previous Licensing Committee on 23 October 2023 and at Licensing Policy Committee on 31 October 2023.

On 10 March 2023, the Licensing Policy Committee received a report presenting the draft revised Statement of Licensing Policy and requested officers to consult upon it. Officers consulted with statutory consultees and arranged for an 8-week public consultation which took place from 31 May to 26 July.

On 23 October 2023, the Licensing Committee received a report presenting the findings of the public consultation and the changes proposed as a result. On 31 October 2023, the Licensing Policy Committee considered the recommendation of the Licensing Committee and referred the matter back to this Committee.

The draft policy is updated to include the proposed area plans and copies of these are provided at Appendix 1. Subject to any further required amendments and subsequent approval of the Licensing Policy Committee at the scheduled meeting on 20 November 2023, it was intended to present the policy to the Council on 29 November 2023 to approve the publication of this policy.

It was noted that all areas could be kept under review and this policy would not rule out special policies for areas that do not currently have one.

The Committee were provided with two options; Option 1 was to retain Section 6 with the addition of the area boundary maps for Fallowfield and Withington Special Policies, and Option 2 revised Section 6 to remove any 'Special Policy' and to put the revised policy back out to public consultation.

The Chair invited the Committee to comment on the proposed Licensing Policy.

A member queried how many responses had been received to the public consultation from Fallowfield and Withington. 41 responses were received in total, but the Principal Licensing Officer was unsure how many were received from each area. They believed that over 80% were from Fallowfield and Withington, with the rest from City Centre residents.

A member queried why any area should have a special policy when others do not, noting their belief that all areas experience problems. It was stated that area profiles were based on clusters of Licensed Premises. It was recognised that all areas do have challenges but that some are more significant than others. A continued analysis of data would allow the Licensing Unit to continuously review the policy.

A member asked how an area that had not yet been developed had a special policy and if the names of special policies could be more specific to the area they are for. It was noted that this was due to experience of similar areas and members can raise issues for other areas. The policy could be reviewed at any point if appropriate to do so. The Principal Licensing Officer was supportive of more specific titles for special policy areas.

A member wondered how many Licensed Premises an area would require for a special policy to be implemented, whilst concerns were also raised regarding the 'patchwork' nature of special policies across the City. It was noted that placing a special policy in an area was not an exact science and that various things went into it, including the number of alcohol related issues, not just the number of Licensed Premises. It was accepted that the 'patchwork' nature could become a limitation if the number of special policy areas becomes too many.

The Licensing Unit manager noted that it was a challenge to keep up with the development of the City and that the policy had been worked on for a long time. They accepted that other areas had their own issues, but the evidence gathered from various teams across the Council, GMP and others had informed the need for special policy areas. The Licensing Unit manager did believe that the issues experienced in Fallowfield and Withington were different to those in other areas. They noted additional guidance could be provided for other areas.

A member queried the process for an area becoming a special policy area. The Committee's legal adviser stated that the policy would continually be under review and could be amended at any time. Any substantial change to the policy, such as creating a new special policy area, would require public consultation but the rest of the policy would remain live during that time.

Decision

To recommend to the Licensing Policy Committee the following:

1. To retain Section 6 with the addition of the area boundary maps for Fallowfield and Withington Special Policies.
2. To amend the names of the special policy areas to be more specific to the area rather than the ward.

3. Delegating to the Chair and Director of Planning, Building Control and Licensing to look into the possibility of annual reviews with ward members and officers to see if there is a need to add or remove any special policy areas.

Licensing and Appeals Committee

Minutes of the meeting held on Monday, 23 October 2023

Present: Councillor Grimshaw – in the Chair

Councillors: Andrews, Flanagan, Hewitson, Hilal, Hughes, Judge and Reid

Apologies: Councillors Connolly, Evans, Ludford and Riasat

LAC/23/05 Minutes

The minutes of the meeting held on 17 July 2023 was submitted.

Decision

To approve the minutes of the meeting held on 17 July 2023 as a correct record.

LAC/23/06 Hackney Carriage Fare Review 2023

The Committee considered the report of the Director of Planning, Building Control and Licensing, that set out the relevant information the Committee would need to consider, to enable it to make recommendations to the Executive in relation to the Hackney Carriage Fare tariff. The Committee had previously considered a report on 17 July 2023 that outlined relevant information to review the Hackney Carriage Fares.

The Committee made the following recommendations to the Executive:

- 1) Increase the unit cost per mile on all tariffs by 8%
- 2) Increase the waiting time fare by 23%
- 3) Increase the Day flag tariff to £3.40
- 4) Increase the Night flag tariff to £3.80

Hackney Trade representatives were present at the Committee meeting 17 July, where the Committee was informed that the majority of members supported the proposals.

The Committee was advised that a notice was placed in the Manchester Evening News on 15 September 2023 setting out the proposed changes for Hackney Carriage Fares. Seven objections were received to the proposed changes. The reasons for the objections were as follows:

- Private hire companies are cheaper and therefore the increase will mean more lost business;
- Customer feedback to drivers is that they are expensive anyway;
- Upfront flag is too high and could have an adverse effect;
- Cost of other public transport is getting cheaper so believe this will kill the trade.

From the seven objections were submitted, six were from Hackney Carriage drivers. Two Hackney Carriage drivers had submitted two objections. The five objections were set out in the appendix to the report submitted.

The Chair then invited members of the trade and their representatives to speak on the proposed changes to fares.

Representatives of Unite the Union and ATA (Union) addressed the Committee and stated that the proposals were supported by the majority of the 1882 members with three opposing the changes. Unite represented 375 members of the Hackney Carriage trade and ATA represented 88 members at Manchester Airport. Reference was made to the rising costs including insurance for Hackney Carriages, and the requirement to upgrade vehicles. These cost-of-living increases had contributed to a reduction in the number of Hackney Carriage drivers.

At this point the chair requested all parties to leave the meeting room to allow the Committee to consider the proposal and the submissions received in private.

All parties were readmitted into the meeting room and were informed of the Committee decision.

Decision

To recommend the following changes to Hackney Carriage Fares to the Executive:

- Increase the unit cost per mile on all tariffs by 8%
- 2) Increase the waiting time fare by 23%
- 3) Increase the Day flag tariff to £3.40
- Increase the Night flag tariff to £3.80.

Licensing Policy Committee

Minutes of a meeting held on 31 October 2023

Acting under Delegated Powers

Present: Councillors Grimshaw (Chair), Davies, Evans and Flanagan

Apologies: Councillor Leech

LPC/23/03 Minutes

Decision

To approve as a correct record the Minutes of the meeting held on 10 March 2023.

LPC/23/04 Statement of Licensing Policy 2023 - 2028

The Committee considered the report of the Director of Planning, Building Control and Licensing that presented a proposed final revision of the Statement of Licensing Policy under the Licensing Act 2003.

The Committee had been invited to:

- i. Review the responses received to the consultation and the proposed changes to the policy.
- ii. Consider any recommendations by the Licensing Committee on final content of the policy.
- iii. Recommend to Council to approve the policy for publication subject to any final changes required by this Committee.

The Principal Licensing Officer presented the report by providing an introduction to The Licensing Act 2003 that had come into effect on 24 November 2005 and the requirements this placed on each Licensing Authority to publish a statement of licensing policy to show how it intended to achieve the four licensing objectives.

The Principal Licensing Officer described that the policy was published for a five-year period although the licensing authority must keep its policy under review and make such revisions to it, at such times, as it considered appropriate.

The Principal Licensing Officer described that there were several issues that had gained further prominence since the last policy had taken effect, namely, Martyn's Law and consideration of counter terrorism security measures at licensed premises; Agent of change; spiking, vulnerability in the Nighttime Economy (NTE), women's safety, water safety and the increase in delivery services. These had been outlined and addressed within the draft policy to enable all relevant parties to understand what considerations they should make in each regard.

The Principal Licensing Officer referred to the consultation strategy that had been undertaken and provided a summary of the responses as detailed within the covering report and accompanying appendices.

The Principal Licensing Officer referred to the policy for Fallowfield and Withington, noting that this had been proposed to ensure that there was some increased scope for applications to be granted, subject to limitations. There was also concern about the saturation of hot food takeaways and issues of litter arising from them. It was recognised that in Fallowfield, there was a need to diversify the local sociable economy and there was a recognised local support for ensuring this. Similarly, in Withington, there was support for ensuring that there were opportunities for good operators to flourish and to promote vibrancy, within reason. The proposed NTE policy for Pubs, clubs and bars, including other primarily drinking establishments: changed from ‘Policy was to refuse except in exceptional circumstances’ to “Applications will be considered on their merits having regard to the local area objectives”.

The Principal Licensing Officer summarised the key changes described in the Statement of Licensing Policy 2023 – 2028 that was appended to the cover report, noting that consideration had been given to the phases identified (Twilight/Evening Economy/NTE/Late Night Economy) but it was proposed to retain them as originally proposed:

- Section 2 had been merged with previous Section 15 (Determining applications) to present the decision-making considerations at an earlier stage of the document. In turn, it is hoped that this would then enable readers to home in on those subsequent sections most relevant to them.
- Section 5: Steps rephrased to improve clarity and revised to ensure comprehensiveness.
- Restructured Section 2 to incorporate previous Section 6 (General approach to determining applications) to give a more direct approach.
- Addition of detail on what might constitute an exception to any special local area policies (Section 6).
- Area profiles updated with additional detail e.g. recognition of recent closures on Deansgate Locks, increased prominence of Bridge Street, and including relevant area boundaries.
- Section 4 – clarification around expectations of venue ‘Plan of Management’.
- Updates to responsible authority contact details in Appendix B.
- Additional information in Appendix E around consideration of representations.

The Committee noted that the Licensing Committee had considered the proposed final revision of the Statement of Licensing Policy at their meeting of 23 October 2023. Having considered the report, the Licensing Committee made the following recommendation to the Licensing Policy Committee.

Remove the current area-based policies in place for Fallowfield and Withington and apply these to all areas of the city, outside of the City Centre.

The Committee debated the recommendation and agreed that a meeting of the Licensing Committee should be convened at the earliest opportunity, followed by a

meeting of the Licensing Policy Committee to reconsider the Statement of Licensing Policy 2023 – 2028 and to enable officers the opportunity to provide for clarification the location maps of the areas incorporated in the proposed Fallowfield and Withington area-based special policies.

Decision

The Committee recommend that a meeting of the Licensing Committee should be convened at the earliest opportunity, followed by a meeting of the Licensing Policy Committee to reconsider the Statement of Licensing Policy 2023 – 2028 and to enable officers the opportunity to provide for clarification the location maps of the areas incorporated in the proposed Fallowfield and Withington area-based special policies.