

## **Executive**

### **Minutes of the meeting held on Wednesday, 13 December 2023**

**Present:** Councillor Craig (Chair)

**Councillors:** Akbar, Hacking, Igbon, Midgley, Rahman, Rawlins, T Robinson and White

**Also present as Members of the Standing Consultative Panel:**

**Councillors:** Ahmed Ali, Chambers, Douglas, Foley, Johnson, Leech and Lynch

**Apologies:** Councillor Bridges, Butt and Moran

#### **Exe/23/104 Minutes**

##### **Decision**

The Executive approve as a correct record the minutes of the meeting on 15 November 2023.

#### **Exe/23/105 Our Manchester Progress Update**

The Executive considered a report of the Chief Executive which provided an update on key areas of progress against the Our Manchester Strategy – Forward to 2025 which reset Manchester’s priorities for the next five years to ensure the Council could still achieve the city’s ambition set out in the Our Manchester Strategy 2016 – 2025.

The Deputy Leader (Statutory) reported that a Joint Targeted Area Inspection of multi-agency working to safeguard young people at risk of serious violence or criminal exploitation had been published last month and had praised their effectiveness. The headline findings of the detailed inspection noted the strength of multi-agency arrangements between the Council, Greater Manchester Police, schools, health agencies and other partner organisations such as the Greater Manchester Violence Reduction Unit and the voluntary and community sector in preventing and tackling serious youth violence and criminal exploitation – including early intervention initiatives to identify those at risk and put measures in place to support them. It was also noted that whilst recognising the strength of partnerships, the report had also identified areas for improvement. These included enhanced multi-agency evaluation of projects to understand better how they worked together as part of an overall system and more consistency in information recording and sharing between partners.

Councillor Leech sought clarification on why the Inspectors had identified the need for more consistency in information recording and sharing between partners as an area for improvement

The Deputy Leader (Statutory) also reported on the decision of English National Opera (ENO) to relocate its main base for the opera company to the City by 2029. The announcement followed an agreement reached with Arts Council England in July

in which £24m was awarded to ENO to enable the organisation to develop an artistic programme in a new base outside London during the 2024-26 period. It would develop significant performance and learning activity in Greater Manchester, whilst still delivering an opera season every year in its London home, as it works towards establishing a new main base by 2029. ENO cited Manchester's thriving cultural ecosystem as a key factor in its decision, as well as the chance to inspire and work with new audiences and communities and scope for exciting and ambitious new collaborations around new innovations in opera.

Councillor Leech sought clarification as to whether there was any indication of the proportion of work that the ENO would deliver would be in Manchester as opposed to London.

The Executive Member for Environment and Transport reported that Manchester had retained its high placing on a global list recognising cities that were showing leadership on environmental action and transparency. For the second year in a row, Manchester had received the top score – an A rating – which meant it was rated as being one of the cities in the forefront of building momentum in taking climate mitigation and adaptation measures. The list, compiled by global not-for-profit environmental organisation CDP, showed that A rated cities demonstrated their climate leadership through concerted and effective action, just as national governments will be asked to do at COP28 and were taking four times as many mitigation and adaptation measures as non A List cities.

The Deputy Executive Member for Housing and Development reported that plans for the regeneration of Wythenshawe town centre had been bolstered with the confirmation of £20 million funding from the Government's Levelling Up Fund. The money had been awarded by the Department of Levelling Up, Homes and (DLUHC) as part of the third round of national funding in recognition of the progress already made on proposals for Wythenshawe Civic, the high quality of the planned project and the fact it was ready to deliver. The Council was currently going through a formal tender process to find a joint venture partner to drive the 'once-in-a-generation' programme of investment over the next 10 to 15 years.

Councillor Johnson welcomed the additional funding secured to help deliver the aspirations for the redevelopment of Wythenshawe town centre.

The Executive Member for Housing and Development reported that Manchester Foyer, a leading provider of housing and support services for young people in the city, has marked its 25<sup>th</sup> anniversary. Since opening its doors in 1998, Manchester Foyer had provided a safe and supportive environment for more than 1,000 young people. Many of these young people come from challenging backgrounds and had experienced difficulties early in life, such as family breakdowns, abusive environments, mental health issues, or substance abuse. The Foyer was committed to providing these young people with the support they need to achieve their full potential and live independent, happy, and fulfilling lives.

The Executive Member for Housing and Development also reported on the proposals being brought forward for a raft of new Selective Licensing schemes to improve private rented sector housing standards in Manchester. Nine new Selective

Licensing areas across six wards, covering 1,872 private rented sector homes, had been proposed and were set to be subject to local consultation next year once Executive approval has been sought. The areas had been chosen following a 'hotspot' mapping exercise that looked at areas of the city where licensing could make a positive impact on those communities and where they met the criteria for a Selective Licensing scheme.

## **Decision**

The Executive note the report.

### **Exe/23/106 Homelessness & Rough Sleeping Strategy 2024/27**

The Executive considered a report of the Strategic Director (Neighbourhoods), the Director of Housing Services and the Assistant Director – Homelessness, which set out the Homelessness and Rough Sleeping Strategy for Manchester (2024-2027)

The Deputy Leader reported that it was a legal requirement for the Council to publish a strategy, informed by a homeless review, at least once every five years and the strategy would provide the Council and its' partners with a strategic direction and framework to achieve the city priority of reducing homelessness and rough sleeping.

The strategy built on the existing aims and overarching city-wide vision and had been developed in collaboration and co-produced with Manchester's Homelessness Service as well as wider Council Services including Adults and Children Services, Strategic Housing, Reform and Innovation, Health Services and the Manchester Homelessness Partnership (MHP) which consisted of voluntary, community and faith organisations, statutory organisations and businesses as well as individuals with personal insight into homelessness.

At the heart of the Strategy were people, with an ambition to achieve better outcomes for everyone, where every contact counted and those who were vulnerably housed or groups who were disproportionately impacted by homelessness were reached in the first instance. It was framed around the four principles of Manchester City Council's Homelessness Transformation Programme (A Place Called Home):-

- Increasing prevention
- Reducing rough sleeping
- More suitable and affordable accommodation
- Better outcomes, better lives

and complemented other existing Manchester Strategies, in particular the Housing Strategy and Making Manchester Fairer Framework, and would have a dynamic action plan sitting alongside it to provide the governance and operational framework to ensure the vision of the Strategy was achieved.

The Executive also heard from representative of Caritas and Manchester Communications Academy as to how they currently worked in partnership with the Council in supporting families and young people who were either experiencing or at risk from becoming homeless.

Councillor Leech sought clarity on how realistic where some of the ambitions of the strategy and whether Officers had undertaken a cost exercise to the Council if it was to fulfil all the criteria of the Homelessness Act. He also suggested that the Equality Impact Assessment of the strategy needed to consider hidden victims of homelessness insofar as those being families who were just about managing.

The Leader stated that it had been as a result of over a decade of national political choices that the city and the country was now facing a crisis housing and homelessness crisis, with a 75% increase in rough sleeping and 175% increase in homelessness since 2010.

## **Decision**

The Executive agree to adopt the Manchester Homelessness & Rough Sleeping Strategy (2024-2027)

### **Exe/23/107 Single Use Plastics Action Plan and Policy**

The Executive considered a report of the Deputy Chief Executive and City Treasurer, which provided an update on work being undertaken across the Council on Single Use Plastics (SUPs) as part of action within the Council's Climate Change Action Plan 2020-25, which included work to develop the 'Avoidable Single Use Plastic Free Action Plan' and 'Single Use Plastics Policy'.

The Executive Member for Environment and Transport reported that the picture on single-use plastics was complex and was not as straight forward as removing or replacing all SUPs, as for some there were no viable alternative. A working group had been established and had developed an approach, which ensured the Council fully embedded SUP reduction practices in decision making across Council services, as well as fulfil its influencing and leadership role outside of the Council. This included three levels of control, which underpinned the action plan:-

- Direct Purchases
- Indirect Purchases (contracts, concession and commissioning)
- Influencing (workforce, residents, partners and businesses)

New procurement regulations would come into effect from October 2024 and guidance and documentation for inclusion in tenders was to be developed before mid-2024. This would include requirements to eradicate avoidable SUPs as per the policy and would incorporate guidance for suppliers to help them provide relevant responses including how to develop and implement action plans that were appropriate to the service / goods being procured with achievable targets.

It was recognised that continued communications and engagement actions would be fundamental to the success of the SUP Action Plan.

Councillor Leech queried whether the target of 60% of products to come in bulk containers by the end of 2024 was going to be achieved or whether it was ambitious enough.

## Decision

The Executive endorse the approach set out in the 'Avoidable Single Use Plastic Free Action Plan' and the Single Use Plastics Policy.

### **Exe/23/108 Victoria North Development Area Business Plan 2: Dantzic Street Plots**

The Executive considered a report of the Strategic Director (Growth and Development), which provided a high level summary of the second Development Area Business Plan for the Victoria North programme, which was being taken forward by the City Council operating in a Joint Venture Partnership with Far East Consortium (FEC). The report also provided an update on the current position with regards to the Housing Infrastructure Fund (HIF) grant allocation of £51.6m that had been provided to the Council by Homes England for the delivery of core infrastructure works which would unlock a development platform for up to 5,500 homes in the New Town and Red Bank neighbourhoods in Cheetham Ward

The Executive Member for Housing and Development reported that following the refresh of the Strategic Business Plan, FEC have now brought forward the next formal Development Area Business Plan in line with the governance arrangements established at the outset of the partnership. The entire Development Area site extends to circa 7 acres and was bounded by Dantzic Street, Dalton Street and the Trans-Pennine Rail / Metrolink Viaduct. Other than a small parcel of land for which the Council had freehold ownership, FEC had acquired the freehold or long-leasehold ownership of the majority of land that the Development Area would utilise. This had been made possible through negotiation with landowners where they have been identified. There were however, a number of parcels of land, that were either unregistered, with no known legal owner, or where FEC had only been able to register "possessory title" meaning that there was insufficient documentation to register absolute title. Without contact information available for the unregistered parcels of land, FEC had been unable to identify or contact owners to acquire the land through negotiation. This presented a risk to the delivery of the scheme covered by the DABP2 and as such a proposed approach to mitigate against this would see the Council making a Compulsory Purchase Order for the parcels of land.

It was also reported that as part of the proposal an affordable housing contribution of 5% has been secured through the formal Planning process, however FEC would work with their panel of Registered Providers with the aim to increase affordable housing to deliver a 20% provision outside of the confines of the s106 which will allow access to grant funding from Homes England

In relation to the HIF, it was reported that since its commencement a number of packages of work had been completed. However, as with many current construction projects, the programme had experienced a number of delays and impacts from the pandemic, cost inflation and labour and supply chain instability as well as previously unidentified contamination being found onsite. In addition, the Council and appointed contractors would be unable to prosecute in-channel flood resilience measures as originally envisaged within the project programme. This would result in on-plot solutions being required that would materially increase project delivery costs for

residential development schemes as they came forward in the future. As a consequence of these unforeseen issues, the Council had been in a position of General Default against the terms of the GDA. The intention was that, subject to Homes England approval, a variation to the GDA would be entered into, including a new cashflow, and extended programme milestone events and end date for eligible expenditure. Homes England had confirmed their in-principle approval of variations sought by the Council and had instructed Solicitors to draft a Deed of Variation to the GDA.

## Decisions

The Executive:-

- (1) Note the summarised content of the second Development Area Business Plan which will focus on the delivery of 1,551 homes at Dantzic Street and delegate authority to the Chief Executive in consultation with the Deputy Leader and the Executive Member for Housing and Development to approve the detailed Development Area Business Plan in conjunction with FEC.
- (2) Delegate authority to the Strategic Director (Growth and Development) and the Deputy Chief Executive and City Treasurer to finalise terms for the disposal of the Council's land interests within the Development Area Business Plan and to agree any adjustments to the Joint Venture partnership documentation that helps secure the Council's objectives and facilitates the delivery of the Development Area Business Plan.
- (3) Note the historically complex nature of land interests acquired by FEC and that a separate report on the agenda sets out a proposal to use Compulsory Purchase Powers to ensure the delivery of the Development Area Business Plan.
- (4) Note that Council Officers are currently negotiating with Homes England to secure some adjustments to the approved Housing Infrastructure Fund grant funded programme which will facilitate delivery of the Development Area Business Plan and delegate authority to the Strategic Director (Growth and Development) and Deputy Chief Executive and City Treasurer to finalise the terms of a Deed of Variation to the existing Grant Determination Agreement to reflect agreed adjustments.
- (5) Authorise the City Solicitor to enter into and complete all necessary documents to give effect to the recommendations set out in this report.

### **Exe/23/109 Victoria North - The Proposed City of Manchester (Dantzic Street) Compulsory Purchase Order 2023**

The Executive considered a report of the Strategic Director (Growth and Development), which sought approval of a proposed compulsory purchase of land within the Red Bank neighbourhood, which consisted of former industrial land and highway as part of the wider Victoria North scheme.

The Executive Member for Housing and Development advise that the proposed Compulsory Purchase Order (CPO) would be made under the provisions of sections 226(1)(a) and (1A) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 to facilitate development, redevelopment and improvement of land between Dantzic Street and the railway line for the provision of 1,551 new residential dwellings, public realm and ancillary uses.

As referred to in the previous item (Exe/23/??), without the acquisition of the unregistered land, and the land for which absolute title could not be registered with the Land Registry, there remained inherent risks to the delivery of the Scheme. Given that there was no available route to acquire the land through negotiation, or upgrade titles within the required programme, it was proposed that the use of CPO powers represented the most suitable option available to secure the delivery of the Scheme and which was determined to be in the public interest due to the benefits and target outcomes as reflected in the Statement of Reasons.

## Decisions

The Executive:-

- (1) Authorise the making of the City of Manchester (Dantzic Street) Compulsory Purchase Order 2023 (“the Order”) under Section 226(1)(a) and (1A) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 and the Acquisition of Land Act 1981 to acquire the Order Lands for the purpose set out in the Statement of Reasons.
- (2) Note the content of the Statement of Reasons attached at Appendix 2 of the report.
- (3) Note that all costs associated with the CPO and the acquisition of the Order Lands will be met by Far East Consortium International Limited who will reimburse the City Council of all costs incurred in accordance with a CPO Indemnity Agreement to be entered into between the City Council and Far East Consortium International Limited.
- (4) Authorise the Assistant Director Development and Investment Estate to approve the Indemnity Agreement between the City Council and Far East Consortium International Limited
- (5) Authorise the City Solicitor to seal the Order and to take all necessary steps, including the publication and service of all statutory notices and presentation of the Council’s case at Public Inquiry, to secure confirmation of the Order by the Secretary of State for Levelling up, Housing and Communities and the vesting of the land in the City Council.
- (6) Authorise the Strategic Director (Growth and Development) to confirm the Order, if the Secretary of State is satisfied that it is appropriate to do so.
- (7) Authorise the Assistant Director Development and Investment Estate to approve agreements with landowners, if identified, setting out the terms of withdrawals of

objections to the Order including where appropriate the exclusion of land from the Order.

- (8) Authorise the Strategic Director (Growth and Development) and the City Solicitor to make deletions from, and/or minor amendments, and modifications to the proposed Order and Order Plan or to agree to refrain from vesting any land included within the Order should this be in their opinion appropriate.
- (9) Authorise the Assistant Director Development and Investment Estate to negotiate terms for the acquisition by agreement of any outstanding interests in the land within the Order prior to its confirmation.
- (10) Authorise the Strategic Director (Neighbourhoods) to take all necessary steps to secure the closure of all relevant highways streets and alleyways which are required for the development to proceed, if requested by the Director of Strategic Housing and Development.
- (11) Agree that the resources of the City Council are sufficient to carry out the duties resulting from the making of the Order, as outlined in this report.
- (12) Authorise the City Solicitor to do all things necessary or incidental to implement the above.

#### **Exe/23/110 Large Scale Renewable Energy Generation - PPA Purchase (Part A)**

The Executive considered a report of the Deputy Chief Executive and City Treasurer, which provided an update on the progress of the City Council's proposal to purchase renewable energy supplies via a Power Purchase Agreement (PPA) to ensure the Council has a long-term, cost-effective supply of renewable energy to meet its energy needs and achieve its Zero Carbon objectives to reduce the Council's CO2 emissions.

The Leader advised that following on from the decision in February 2023 not to progress with the acquisition of the solar farm, procurement activity to secure a suitable Power Purchase Agreement (PPA) opportunity was now concluding. The procurement was led by the Council with technical, financial and market advice being provided by Ernst & Young (EY), alongside DLA Piper who were advising on legal and contractual matters.

Following assessment of the current market conditions and lessons learned from the experience of others (including the City of London as the only other Council currently with a form of PPA in place) it was decided that a 'competitive process with negotiation' was the most appropriate way in which to secure the best possible opportunity for the Council. Prior to the formal commencement of procurement activity, a market engagement session was hosted by the Council and EY to make potential bidders aware of the opportunity which the Council was to put to market and its requirements for the PPA it was looking to secure. Over 30 different organisations were on the call, with a further 50 receiving notification of Manchester's intention to advertise the opportunity.

A thorough assessment of the potential financing and structures of the bidders had been undertaken in order to gain a full understanding of the party which the Council would be potentially contracting with and to gain an understanding of the origin of the funding source to develop the asset. The parties that were successful through the Invitation To Tender stage had moved into the negotiation phase and final tender stage. Following conclusion of this negotiation stage, a preferred bidder had now been selected.

Following the conclusion of the mandatory standstill period and subject to Council approval, the Council would formally announce the bidder it would be contracting with on the PPA arrangement in early January 2024. Regular updates on the development of the asset which the PPA would come from would be submitted via the Council's Zero Carbon governance arrangements, with progress reports being presented to the Executive and appropriate Scrutiny Committee(s) on an annual basis as part of the Council's Zero Carbon reporting.

### **Decision**

The Executive note the report.

### **Exe/23/111 Exclusion of the Public**

#### **Decision**

The Executive agrees to exclude the public during consideration of the following item which involved consideration of exempt information relating to the financial or business affairs of particular persons and public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### **Exe/23/112 Large Scale Renewable Energy Generation - PPA Purchase (Part B)**

The Executive considered a report of the Deputy Chief Executive and City Treasurer, which provided details around the commercial, financial and legal arrangements in respect of the purchase of a Power Purchase Agreement (PPA) as part of the Large-Scale Renewable Energy Generation Project to act as a key contributor to enable the Council to meet the Zero Carbon targets and sought approval to enter into a PPA with the preferred bidder.

### **Decisions**

The Executive:-

- (1) Note the content of the report.
- (2) Approve the entering into of the Power Purchase Agreement the preferred bidder linked to the development of the Bicker Fen Solar Farm.

- (3) Authorise the City Solicitor to enter into and complete on behalf of the Council all the necessary legal documentation giving effect to the above.
- (4) Agree that progress reports will be presented to the Executive and appropriate Scrutiny Committee(s) on an annual basis as part of the Council's Zero Carbon reporting.