

## **Audit Committee**

### **Minutes of the meeting held on 13 February 2024**

#### **Present:**

Councillor Lanchbury - In the Chair  
Councillors Kilpatrick, Noor and Simcock

Independent Co-opted members: Dr D Barker and Dr S Downs

**Apologies:** Councillor Curley

#### **Also Present:**

Councillor Akbar, Executive Member for Finance and Resources  
Suresh Patel, Engagement Partner, Mazars  
Amelia Salford, Senior Manager, Mazars  
Itai Mafusire, Assistant Manchester, Mazars

#### **AC/24/01 Minutes**

##### **Decision**

The minutes of the meeting held on 28 November 2023 were approved as a correct record.

#### **AC/24/02 Letters from those charged with Governance**

The Committee considered the report of the Deputy Chief Executive and City Treasurer that described that as part of the audit of the accounts, the External Auditor requested information from the Deputy Chief Executive and City Treasurer and the Chair of the Audit Committee in respect of financial accounting arrangements, the risks of fraud and compliance with laws and regulations.

The report provided the responses issued to the External Auditor from (A) the Audit Committee Chair and (B) Deputy Chief Executive and City Treasurer for the audit of the 2022/23 accounts.

##### **Decision**

To note the letters to the External Auditor agreed by the Audit Committee Chair and the Deputy Chief Executive and City Treasurer.

#### **AC/24/03 Audit Strategy Memorandum**

The Committee received the report from the External Auditor (Mazars) Audit Strategy Memorandum for Manchester City Council for the year ending 31 March 2023. The purpose of this document was to summarise their audit approach, highlight significant audit risks and areas of key judgements and provide the Council with the details of their audit team.

The report described that it was fundamental requirement that an auditor was, and was seen to be, independent of its clients, section 8 of the report also summarised their considerations and conclusions on our independence as auditors. Mazars consider two-way communication with Manchester Council to be key to a successful audit and important in:

- Reaching a mutual understanding of the scope of the audit and the responsibilities of each of us;
- Sharing information to assist each to fulfil our respective responsibilities;
- Providing Manchester Council with constructive observations arising from the audit process; and
- Ensuring that Mazars, as external auditors, gain an understanding of the Councils attitude and views in respect of the internal and external operational, financial, compliance and other risks facing Manchester City Council which may affect the audit, including the likelihood of those risks materialising and how they are monitored and managed.

The Deputy Chief Executive and City Treasurer paid tribute to Mazars, the Head of Audit and Risk Management and officers in the Finance Team for their continued efforts. She further proposed that the submission to the national consultation on backstop arrangements that had been launched by the Government be provided to the March meeting of Audit Committee, noting that the formal consultation was scheduled to close on 7 March 2024. (The Department for Levelling Up, Housing and Communities had launched a consultation on its plans to tackle local government audit delays). She stated that she and all officers took the responsibility of delivering timely accounts very seriously, adding that delays to this were a national issue and not unique to Manchester. She stated that she remained committed to having the accounts audited within the relevant financial year going forward.

In response to a question the Engagement Partner, Mazars gave an assurance that work was ongoing regarding the auditing of the Greater Manchester Pension Fund. He further confirmed that wider financial considerations and pressures were taken into account when determining Materiality, noting that Materiality was an expression of the relative significance or importance of a particular matter in the context of financial statements as a whole. The Deputy Chief Executive and City Treasurer stated that that the Budget reports to be considered at Executive that week presented a balanced budget for 2024/25, however challenges in future years were recognised and planning for this had commenced.

## **Decision**

To note the report.

### **AC/24/04      Accounting Concepts and Policies, Critical Accounting Judgements and Key Sources of Estimation Uncertainty**

The Committee considered the report of the Deputy Chief Executive and City Treasurer that explained the accounting concepts and policies, critical accounting judgements and key sources of estimation uncertainty that will be used in preparing the 2023/24 annual accounts.

The Head of Corporate Finance commented that there was a significant undertaking required to comply with the International Financial Reporting Standards (IFRS) 16 Leasing requirements and assured the Committee that work on this had commenced to identify the necessary leases.

The Deputy City Treasurer clarified the approach to the assessment of Highways depreciation in terms of accounting purposes and the valuation of these as an asset. The Engagement Partner, Mazars commended the Committee for consideration this report, adding that this was not typical across other authorities.

## **Decisions**

The Committee:

1. Approve the accounting concepts and policies that will be used in completing the 2023/24 annual accounts.
2. Note the critical accounting judgements made and key sources of estimation uncertainty.

### **AC/24/05 Internal Audit Assurance (Quarter 3)**

The Committee received the report of the Head of Audit and Risk Management that described that the Internal Audit section delivered an annual programme of audit work designed to raise standards of governance, risk management and internal control across the Council. This work culminated in the Annual Head of Internal Audit Opinion and an Annual Assurance Report.

This report provided an update of progress on the agreed audit plan and details of assurances from the Internal Audit Service for quarter three 2023/24.

The Head of Audit and Risk Management stated that further information on the substantial assurance for the Manchester Hospital Schools would be provided following the meeting at the request of the Committee.

The Head of Audit and Risk Management said that the 70 school to be audited by the end of July were schools selected as not having had much previous attention or engagement with audit. He confirmed that the same methodology would be applied to allow for comparators to be identified. The Deputy Chief Executive and City Treasurer said that a substantive report on the subject of assurances and schools would be submitted to the Committee at an appropriate time, adding that there was a significant amount of work in this area underway.

The Head of Audit and Risk Management commented that the policy regarding officers and hospitality was clear, adding that officers should engage with their line managers to seek permission before accepting any gift of hospitality. He said that it provided a sensible framework established on sound principles.

The Head of Audit and Risk Management commented that the challenges of recruitment were sector wise and not unique to Manchester and work was ongoing to

address this.

The Head of Audit and Risk Management stated that the issues identified in the paper in relation to the audit of Direct Payments would be followed up.

The Head of Audit and Risk Management informed the Committee that Council staff were deployed to check contractors' performance to ensure that the appropriate assurances were obtained, noting the comments made regarding waste and street cleansing and housing contractors. He clarified that the information provided in the report related to street cleaning and not waste. He clarified that the purpose of the audit was to check the data that the contractor was submitting. He said this model and approach had identified improvements that were required in performance data recording by housing contractors and repairs. With regard to fire risk assessments, he said that further details would be provided following the meeting. He said that the audit opinions and updates were considered by the Housing Improvement Board. He stated that those relating to schools were provided to the relevant Director and Executive Member, adding that the Executive Summaries are in the public domain.

The Executive Member for Finance and Resources reassured the Committee that the officers in the Neighbourhood Teams did check that street cleansing work undertaken by Biffa was completed to provide an additional level of assurance.

The Chair, noting the discussion regarding officers and gifts and hospitality said that this should not dissuade officers from engaging and working with partners across the city. She further commented that different departments and services should use audit assurances as an opportunity to review and where appropriate refresh their systems to improve ways of working and she was pleased to see in the improvement plans that some departments had.

The Chair commented that it was important to articulate and promote the depth of work that was undertaken by the Internal Audit Team to provide an assurance that this work was being delivered and reported with clear actions identified where appropriate.

## **Decision**

To note the report.

### **AC/24/06 Outstanding Audit recommendations (Quarter 3)**

The Committee received the report of the of the Head of Audit and Risk Management that described that in accordance with Public Sector Internal Audit Standards, the Head of Audit and Risk Management must "establish and maintain a system to monitor the disposition of results communicated to management; and a follow-up process to monitor and ensure that management actions have been effectively implemented or that senior management has accepted the risk of not taking action". For Manchester City Council this system included reporting to directors and their management teams, Strategic Management Team, Executive Members and Audit Committee.

This report summarises the implementation position at the end of December 2023. The Chair commented that if the recommendation relating to Avro Hollows Tenants Management Organisation (TMO) was still outstanding by the time this is next reported to the Committee, that the relevant Director and Executive Member attend the Committee. The Head of Audit and Risk Management informed the Committee that he was due to meet with Avro Hollows imminently, along with the Director of Housing to discuss this recommendation as part of a wider discussion around improvements. He further added that he was confident that the recommendation relating to Privacy Notices would be fully implemented by the time of next reporting.

Following a discussion regarding historical outstanding recommendations, particularly surrounding the issues of Adults and Mental Health that had been reported to the Committee, and the importance of not losing sight of these, the Head of Audit and Risk Management informed the Committee that these had been incorporated into wider pieces of work such as the Better Outcomes Better Lives programme and the Greater Manchester Mental Health Trust Improvement Plan. The Committee suggested that when this did occur it should be articulated in the tracker so there was a clear audit trail.

The Head of Audit and Risk Management said that a new contracts management system was due to be launched and this would assist with the recording of social values outcomes, and this would provide consistent monitoring and evaluation. He added that the banked hours of historical contracts would be picked up.

### **Decision**

To note the report.

### **AC/24/07 Work Programme**

The Committee considered a report of the Governance and Scrutiny Support Unit which set out its future Work Programme for the remainder of 2023/24 municipal year.

The Chair stated that the date of the March meeting had been changed to 28 March to finalise the accounts. The Head of Audit and Risk Management commented that the date of the April meeting will need to be moved to a later date.

### **Decision**

To note the report and approve the work programme, noting the above comments.

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## **Personnel Committee**

### **Minutes of the meeting held on Wednesday, 14 February 2024**

**Present:** Councillor Akbar (Chair) – in the Chair

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

**Apologies:** Councillor Craig and Leech

#### **PE/24/1 Minutes**

##### **Decision**

The Committee approve the minutes of the meeting held on 13 September 2023

#### **PE/24/2 Draft Pay Policy Statement 2024-2025**

The Committee considered a report of the Director of Human Resources, Organisation Development and Transformation, introducing the draft Manchester City Council Pay Policy Statement for 2024/25. The report sought approval of the statement prior to its agreement by Council.

The statement proposed took account of the organisational context and the impact of the 2024/25 budget. The statement also set out the direction of travel in relation to pay for Manchester's officers for the year ahead, in line with the organisational priorities.

The Statement also included information on the Council's 'Gender Pay Gap' and work to proactively promote workforce equality, in accordance with the requirement to carry out Gender Pay Reporting set out within The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017. For the first time, the Council had voluntarily included information on its Ethnicity Pay Gap in line with the government guidance published in 2023

The Chair introduced the report and reminded the Committee that the pay award for 2023/24 was applied differently and involved a fixed sum to each pay scale up to and including SCP 43. Beyond this an uplift of 3.88% had been awarded on pay points from SCP 44 to SCP 51 and SS Grades 1 and 2 (SCP 11 to 24 inclusive). For officers falling within the scope of the Joint National Council for Chief Officers and for Chief Executives, a pay award of 3.5% on individual basic salaries had been awarded.

In terms of Gender Pay Gap reporting, the headline figure was a mean gap of 3.6% and median gap of 1.1%. This represented a reduction in the gap between the average pay of men and women from the previous year. This was significantly below the mean and median gap for the UK of 13.2% and 14.93% respectively

The Council was an accredited 'Living Wage Employer' and as such was committed to paying the Living Wage Foundation's 'real' living wage (also known as the Foundation living wage). In October 2023, the Living Wage Foundation announced the new real living wage hourly rate for the coming year of £12.00 per hour, an increase of £1.10 per hour. Accredited Living Wage Employers were required to implement the rise by 1 May 2024. The Manchester Living Wage (MLW) would therefore be aligned to the new real living wage rate from 1 April 2024.

**Decisions**

The Committee:-

- (1) Note the content of the draft Pay Policy Statement 2024-25 and commend it for approval by the Council at its meeting on 20 March 2024.
- (2) Note the organisation's Pay and Grading Structure for the financial year 2024/25 appended to the draft Pay Policy Statement and commend it for approval by the Council at its meeting on 20 March 2024.

**PE/24/3 Market Rate Supplements**

The Committee considered a report of the Director of Human Resources, Organisation Development and Transformation, which provided a summary of Market Rate Supplements (MRS) currently in place in the Council.

As of 1 November 2023, there were a total 196 of MRS attached to 26 different roles in the Council. This equated to an overall reduction of 19 market rate supplements, mainly due to service redesigns. The total number of roles which received a market rate supplement had decreased by 13, with only 26 roles now attracting market rate supplements.

<b>Directorate</b>	<b>Number of individuals receiving a MRS</b>	<b>Number of discrete roles carried out by those individuals receiving a MRS</b>	<b>Reduction /increase in last 6 months</b>
Children Services	180	15	increase of 13
Chief Executives	0	0	decrease of 19
Corporate Core	12	7	increase of 1
Neighbourhoods	2	2	increase of 1
Growth & Development	2	2	decrease of 15
Adult Services	0	0	0

No analysis by gender, ethnicity or any other protected characteristic has been undertaken because the MRS related to posts rather than individual postholders.

The report set out the rationale for the use of MRS in each service area



## **Decision**

The Committee note the report

### **PE/24/4 Senior Management Team updates**

The Committee considered a report of the Director of Human Resources, Organisation Development and Transformation, which set out proposals to realign senior management within the council and set out the changes to senior posts at SMT level and the resulting reallocation of accountabilities and responsibilities.

The Deputy Chief Executive and City Treasurer (Carol Culley) had announced her decision to resign and her last day in work will be 15th March 2024. Carol had held this position since 2019 and whilst she had been successful in contributing to the delivery of the Council's priorities, it was always recognised that there were very few people who could be successful in the combined position of Deputy Chief Executive, City Treasurer, and the statutory responsibility as section 151 (s 151) officer due to the breadth of responsibility

Under the review it was proposed to separate the role Deputy Chief Executive (DCX) and City Treasurer (including s 151 responsibilities) into two separate roles. This was how the senior management team was structured prior to 2019 and separating these responsibilities gave the Council the opportunity to review the focus of each role and realign them with corporate plan priorities.

It was also considered that with the difficult financial context that local government was having to operate within, having a City Treasurer with dedicated focus on helping the Council to meet these challenges now and into the future was the right thing to do. This would allow the Deputy Chief Executive role focus on providing capacity and support to the Council's Chief Executive and Senior Management Team, manage corporate services, support digital strategy and transformation as well as leading on high profile major programmes of work. The role would also play a leading role in our ambitions around zero carbon and equalities.

The role profile for Deputy Chief Executive and the grade has been subject to job evaluation and would remain on the spot salary for this position which was £167,144. Subject to agreement, it was proposed to advertise the role in line with chief officer member panel recruitment protocols outlined in the constitution.

The creation of the City Treasurer and s.151 officer provided dedicated focus on the management of our finances at a time when local government funding was facing significant challenge. This role would report directly to the Chief Executive, be a member of the Senior Management Team, manage the Finance and Procurement functions and be the Council's statutory section 151 officer. A new role profile had been created and subject to job evaluation, the grade was SS5 with a salary of £135,976 to £155,898.

Under the councils redeployment policy, the Deputy City Treasurer was given consideration for the City Treasurer role and had been interviewed under the statutory chief officer member panel recruitment protocol outlined in the constitution

and a recommendation was put forward that the committee recommended to Council the appointment of the current Deputy City Treasurer (Tom Wilkinson) to the position of City Treasurer and Section 151 Officer with effect from 1 April 2024, at a salary of £135,976p.a.

Related to the separation of Deputy Chief Executive and City Treasurer consideration had also been given to other areas of responsibility across the Council's corporate services, and it was proposed to align the Head of Audit and Risk Management and this service as a direct report to City Treasurer. Other changes proposed under this review were to align the City Solicitor and Monitoring Officer to report to Deputy Chief Executive. The main reasons for this related to the capacity of the Chief Executive and greater alignment of legal services with other corporate services. As one of the three key statutory officers (along with the Head of Paid Service and the Section 151 Officer) responsible for good Council governance, the Monitoring Officer should have a direct reporting line to the Chief Executive and this element of the role would continue. It was also proposed to align the Head of Revenues, Benefits and Customer Services with the Deputy Chief Executive. This service had been through a period of significant change and RBDxP - the new Customer Relationship Management system which provided an opportunity for ongoing and lasting transformation in these services. The service had been well supported by its current alignment to ICT but it was felt that alignment to the Deputy Chief Executive would help to drive this organisational transformation.

It was also reported that following the agreement of this Committee in September 2023 a recruitment exercise had been undertaken recruit to the Director Public Health (with the statutory responsibilities of the Director of Public Health). A recommendation was put forward that the committee recommended to Council the appointment of Dr Cordelle Ofori to Director of Public Health Cordelle effective from 1 April 2024 at a salary of £111,906 and designate Dr Cordelle Ofori as Director of Public Health under Section 73A(1) of the National Health Service Act 2006.

## **Decisions**

The Committee:-

- (1) Note the resignation of the Deputy Chief Executive and City Treasurer and thank Carol Culley for her service and leadership over the last 23 years.
- (2) Recommend to Council the creation of a new Deputy Chief Executive role at DCX (£167,144) following the separation of the role from City Treasurer.
- (3) Recommend to council the creation of a new City Treasurer role at SS5 (£135,976 - £155,898) following the separation of the role from Deputy Chief Executive.
- (4) Note the disestablishment of Deputy Chief Executive and City Treasurer post and disestablishment of Deputy City Treasurer post
- (5) Recommend to Council the appointment of Tom Wilkinson to the position of City Treasurer with effect from 1 April 2024, at a salary of £135,976p.a.
- (6) Recommend to Council the designation of Tom Wilkinson as Section 151 Officer in accordance with Section 151 of the Local Government Act 1972 with effect from the 1 April 2024.
- (7) Note the re-alignment of the City Solicitor to report to DCX role.

- (8) Note the re-alignment of Audit and Risk Management to sit under direct management of the City Treasurer.
- (9) Note the re-alignment of Revenue and Benefits & Customer Organisation from Director of ICT to directly report to the Deputy Chief Executive.
- (10) Recommend to Council the appointment of Dr Cordelle Ofori to the position of Director of Public Health with effect from 1 April 2024, at a salary of £111,906.
- (11) Recommend to Council the designation of Dr Cordelle Ofori as Director of Public Health under Section 73A(1) of the National Health Service Act 2006.

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## **Planning and Highways Committee**

### **Minutes of the meeting held on 15 February 2024**

**Present:** Councillor Lyons - In the Chair

**Councillors:** Andrews, Chohan, Curley, Davies, Gartside, Hassan, Hewitson, Hughes, Kamal, Lovecy, Riasat

**Apologies:** S. Ali, Johnson

**Also present:** Councillors T Judge and Taylor

#### **PH/24/09      Supplementary Information on Applications Being Considered**

A copy of the late representations received had been circulated in advance of the meeting regarding applications 138768/VO/2023, 138712/FO/2023, and 138730/FO/2023.

#### **Decision**

To receive and note the late representations.

#### **PH/24/10      Minutes**

#### **Decision**

To approve the minutes of the meeting held on 18 January 2024 as a correct record.

#### **PH/24/11      138294/FO/2023 - Land At Plymouth Grove Manchester**

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the erection of a part six storey, part eight storey building for use as purpose-built student accommodation (PBSA) (Sui Generis) comprising 263 bed spaces, with associated amenity space, cycle parking, external landscaping, access and other associated works.

The application proposed a 6 to 8 storey purpose building student accommodation (PBSA) building with ground floor amenity space.

Two previous planning permission had been granted at the site for a 7-storey building for residential purposes and occupied a similar footprint to the proposed development.

6 objections had been received.

The Planning Officer confirmed that Committee members had been on a site visit, where questions were raised. One of those related to the relationship between the proposed development with neighbouring properties, including 21 Plymouth Grove. The Planning Officer stated that the relationship was acceptable and was also in line

with the parameters established under the 2017 permission that remained extant. A further question was raised relating to the layby and provision of disabled parking on Dryden Street. It was noted that this issue had been considered in the printed report and there was no principal issue relating to highway and pedestrian safety.

The applicant's agent attended and addressed the Committee, stating that the development was purpose-built student accommodation, specifically marketed at second and third-year students. The development would reuse a vacant brownfield site that is in close proximity to the core university areas. The site had previously had two planning permissions for residential properties and this development occupied a similar footprint to a previous permission. The design was of high quality and would contribute positively to the area. The application fully accorded with Policy H12 and would bring economic benefits of the creation of 130 jobs during construction. There would be an affordable element within the development. The development would meet identified need for new student accommodation in a sustainable location near to the university.

A member commented that they were disappointed there was a lack of greenery at the borders of the development.

The Planning Officer noted that the report provided the landscaping and public realm layout at page 62. The development would be set back and would not reach the footpath edge, which would allow for a degree of public realm around the perimeters. They noted there would be two principal areas of soft landscaping and recreational space that would provide biodiversity and ecology benefits.

Councillor Andrews moved the Officer's recommendation.

Councillor Riasat seconded the proposal.

## **Decision**

The Committee resolved to be Mindful to Approve subject to the signing of a section 106 agreement to secure the provision of affordable rented accommodation, that private waste collections would take place for the perpetuity of the development and secure the project architect.

## **PH/24/12 138424/FO/2023 - All Saints Campus Oxford Road Manchester M15 6BH**

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the part demolition and redevelopment of existing library building to form new library (Use Class F1) including a new 13 storey building, external amenity spaces, public realm, access, and servicing arrangements and other associated works.

The proposal was for the part demolition of the All Saints Library and All Saints Building, and erection of a 13-storey library building with amenity spaces and public realm.

Two letters of objection had been received from the same individual.

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

The applicant's agent attended and addressed the Committee, noting that the application had been brought forward by Manchester Metropolitan University as the next stage in investment in their estate. The application would provide a further world class facility, adding to the appearance and environment of the Oxford Road corridor. It would replace an outdated library with a modern, dynamic library environment, fostering community and belonging. It was noted that the existing library did not hold sustainability credentials, and these proposals were a low carbon and sustainable design. It was stated that the overwhelming majority of feedback received in consultation was positive.

A member sought clarity on disabled parking provision within the application. A member also sought assurance that the design as applied for was what would be delivered if approved.

The Planning Officer noted that there was no specific parking provision contained within the application. The development was to be situated on a campus that already had those facilities for those who required it. The Planning Officer also noted that they had challenged the applicant on if the application was deliverable. They had been reassured by the applicant that it was a buildable scheme.

Councillor Andrews moved the Officer's recommendation.

Councillor Chohan seconded the proposal.

## **Decision**

The Committee resolved to Approve the application.

### **PH/24/13 138768/VO/2023 - 258 Brownley Road Manchester M22 5EB**

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding a City Council development which was to change the use of a former probation centre (Class E) to a homeless shelter for up to 20 homeless people (sui generis).

The conversion of a vacant probation centre to a homeless shelter would provide 20 bedrooms for single homeless people, incorporating communal living areas, staffroom, and parking.

Objections had been received from 92 local residents, together with 2 letters of support.

The main concerns raised related to the proximity of the proposed use to a neighbouring children's day nursery and safeguarding issues; anti-social/criminal behaviour perceived to be generated by prospective residents; the use of the open space opposite and interaction with children; the impact to nearby property values

and the provision of satisfactory operational arrangements, to ensure that the development does not harm the living conditions of nearby residential occupiers.

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

A representative for the applicant attended and addressed the Committee, noting the application would provide temporary accommodation for homeless people within Manchester who require low to medium support. The site would be managed by a team leader, with ten staff on a 24/7 rota. There would be a minimum of three staff on site at all times. Residents would be in this accommodation for a maximum of six months, with most moving on quicker. The applicant had a proven track record of managing such establishments successfully. All residents would sign a licence agreement that if broken would mean them losing their place in the accommodation. The accommodation would have a no visitor policy. It was noted that there was a shortage of this type of accommodation in the South of Manchester. The engagement pre-application was wider than usual.

A Sharston ward Councillor addressed the Committee, noting the close proximity to their ward of the application but that they had not been consulted at the same time as Woodhouse Park ward councillors. They felt that Sharston residents needed assurances that the site would be properly managed, and their concerns could not be ignored. They requested that the Committee complete a site visit before determining the application. In particular, the ward Councillor wanted the Committee to look at the impact on parking, litter, anti-social behaviour, security, CCTV and other operational arrangements.

The Planning Officer noted that the consultation was in excess of the statutory requirements and that the local community were aware of the proposed development with over 90 comments received. A drop-in event had been held in Sharston to discuss resident concerns. It is necessary to consider the material planning impacts and whether these could be mitigated, and as part of the consideration a detailed management plan, detailed in the report, would form a condition of planning permission and the implementation of this plan would mitigate against any harm. The existing lawful planning use of the building was that of offices and there is no control in relation to intensity of use or hours of operation. The premises could be used for a number of other uses without requiring an application for planning permission and this includes retail, restaurant or day nursery, again, without any control over intensity of use or hours of operation. The Planning Officer stated that conditions within the application would address the concerns that had been raised.

A member queried if the Planning Officer could confirm which post codes the objections had been received from.

A member accepted that the consultation had been wider than required. They felt that the success of these types of accommodation relied on management and good staff upholding the management plan. The member supported the idea of a site visit.

The Planning Officer did not have a break down of figures relating to where objections had been received from but noted it was a mixture of Woodhouse Park and Sharston residents. They noted that the management plan was clearly detailed



within the report and that the site would be managed by the Council's homelessness team.

Councillor Curley moved a proposal for the Committee to complete a site visit.

Councillor Andrews seconded the proposal.

## **Decision**

The Committee resolved to approve the motion for a site visit.

### **PH/24/14 138765/FO/2023 - Wren House 108 Palatine Road Manchester M20 3ZA**

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the erection of a three-storey building to provide 37 retirement living apartments (comprising 24 no. 1 bed and 13 no. 2 beds) including communal facilities, access, car parking and landscaping and reconfigured car parking arrangement for Wren House.

The application proposals were for the redevelopment of an area of land previously used as surface car parking associated with a former public house on the southwest corner of the junction between Lapwing Lane and Palatine Road in the Didsbury West Ward. The proposals were for the development of a three-storey building to provide 37no. retirement living apartments.

The site is located within the Albert Park Conservation Area and lies adjacent to both Ballbrook and Blackburn Park Conservation Areas. The key issues for consideration of this application were:

- The provision of older person accommodation in this area
- Impacts on the character and appearance of the conservation area
- Impacts on residential amenity of existing residents particularly in respect of privacy and overlooking
- Impacts on trees
- Level of car parking provision
- Density, scale and layout of the proposals

Following notification of the application 4 representations were received including 3 objections and 1 in support. The issues raised related to: the need for this type of residential provision in this area; the scale and design of the proposed building, and the level of car parking. These issues together with other matters were fully considered within the report.

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

The applicant's agent attended and addressed the Committee, noting that the application was for 37 retirement apartments that would be well served by local amenities. The apartments would be situated in a sustainable location. They noted that the housing strategy accepted the need for this type of residential property. They felt the application was comparable in scale to neighbouring buildings and that the

level of parking proposed was sufficient. They stated that the applicant was happy for conditions to be attached to the planning permission as the Committee saw appropriate.

The Planning Officer noted that they supported the principle of the use of the site for retirement living, but the details of the scheme were not appropriate and acceptable in this context within a conservation area, particularly the scale, mass, and materials to be used in construction. They felt the application was out of character with the area. There was also 3-storeys running along the boundary with a neighbouring house and issues relating to overlooking. The Planning Officer stated that this could not be alleviated through the imposition of conditions.

A member raised concerns that the applicant had not worked with Planning Officers to find acceptable conditions.

Councillor Curley moved the Officer's recommendation.

Councillor Gartside seconded the proposal.

## **Decision**

The Committee resolved to Refuse the application.

**PH/24/15     138712/FO/2023 - B&M Home Store Burnage Kingsway Manchester M19 1BB**

The Committee were informed that the item had been formally withdrawn and therefore no determination was necessary.

**PH/24/16     138730/FO/2023 - Land Bounded By Oldham Road (A62), Old Church Street, The Lidl Foodstore And Newton Street Manchester M40 1EZ**

The Committee considered the report of the Director of Planning, Building Control and Licensing regarding the erection of 3 and 6 storey buildings to form 81 residential apartments (Use Class C3a) and erection of 28, two storey dwellinghouses (Use Class C3a), including green spaces, landscaping, boundary treatment, access arrangements, parking and other associated works.

The proposal would create 109 new homes, all would be affordable (either social rent or affordable rent), within two apartment buildings of 3 and 6 storey and two storey dwellinghouses. There would be public realm, parking and an off-site contribution of £110,000 for environmental improvements, place making and linkages within Newton Heath District Centre. Social Value would also be captured through a local labour agreement. The applicant was committed to ensure that local residents benefit from the development through access to employment.

Part of the site benefited from an extant planning permission for residential purposes. The remaining part of the site, the former Rosedale site, had previously been granted

planning permission for a building which was significantly larger (at 10 storeys) than this proposal. This permission had expired.

This proposal presented a significant opportunity to transform a highly prominent vacant site along a main road route in the City together with having a positive impact on the ongoing transformation of Newton Heath district centre.

This development, together with an adjacent scheme being delivered by the applicant, would deliver 146 new affordable homes across the two developments.

Cllr Hitchen and Cllr Flanagan both object to the proposal.

The Director of Planning noted that many schemes are subject to funding or need to seek funding to be realised. They felt this was a much-needed scheme, providing 100% affordable housing, but that a determination was required to enable the applicant to seek funding required.

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

The applicant's agent attended and addressed the Committee, noting that the application was for 100% affordable housing on an unused Brownfield site. The application would bring 109 new homes, a mix of affordable and social rented housing. Three of those homes would be fully accessible for wheelchair users and all other homes would be adaptable. More than half of the proposed homes were 2 or more bedrooms, intended for families. The remaining 1-bedroom homes would be targeted at smaller families or those who can downsize, enabling larger family homes within One Manchester's portfolio to be freed up. The applicant was committed to entering into a local labour agreement, ensuring construction jobs were made available to Manchester residents. The applicant had agreed to a financial agreement via a Section 106 agreement for environmental improvements, place making and linkages within Newton Heath District Centre. New green infrastructure was also to be provided across the site.

A local ward Councillor addressed the Committee, noting that they did not object to the applications intention to provide affordable and social rented accommodation. Their objection related to the Section 106 agreement and how the £110,000 would be spent. They requested that the financial settlement be spent on the public realm around the nearby library, parking and the disamenity the development would cause.

The Planning Officer noted that the legal agreement states that the financial agreement was for a contribution to improve public spaces and facilities and create a well-designed environment, all of which related to the issues raised by the local ward Councillor.

The Chair requested assurances that local ward Councillors would be involved in discussions relating to the Section 106 agreement.

The Director of Planning noted that the wording in the agreement was loose, and that local ward Councillors could be involved in those discussions.

A member questioned how many of the 109 homes would be social housing.

A member noted that the report states 81 homes would be social housing and sought an assurance that would not be able to change after approval.

A member then requested that the wording of the Section 106 agreement be tweaked to provide assurances that local ward Councillors are involved in discussions.

The Director of Planning stated that it could not be added to the wording on a Section 106 agreement relating to local ward Councillors involvement, but the wording was flexible enough for allowing those discussions to take place around what would be delivered. They assured members that local ward Councillors would be consulted and that the Planning team would guide what was legitimate.

The Planning Officer confirmed that there would be 81 social rented accommodation, and that was controlled by condition 41 in the report.

Councillor Andrews moved the Officer's recommendation.

Councillor Curley seconded the proposal.

### **Decision**

The Committee resolved to be Minded to Approve subject to the signing of a Section 106 agreement to secure a financial contribution towards environmental improvements.

## Licensing Committee

### Minutes of the meeting held on Monday, 4 March 2024

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

**Councillors:** Connolly, Andrews, Evans, Flanagan, Hewitson, Judge, and Ludford

**Apologies:** Councillors Hilal, Hughes and Reid

#### **LC/24/01     Minutes**

#### **Decision**

To approve the minutes of the meeting held on 13 November 2023 as a correct record.

#### **LC/24/02     Government Consultation on Age Verification and Remote Sales in Connection with Alcohol**

The Committee considered the report of the Director of Planning, Building Control and Licensing, which presented information on the UK Government's Consultation on whether to allow digital identities and technology to play a role in age verification for alcohol sales and whether for sales of alcohol that do not take place face to face, age verification should take place at the point of delivery as well as at the point of sale. In addition, the consultation also asked for consideration on whether the Licensing Act 2003 adequately covered transactions known as remote sales.

The Principal Licensing Officer (Planning, Licensing and Building Control) introduced the report and outlined the key points for consideration. The Committee was invited to review the consultation proposals and provide officers with any views to be reflected in the Authority's formal response.

The Committee broadly welcomed the proposals and commented as follows:

- The proposals would facilitate an alignment with other remote sale providers
- Providers and Third Party Deliverers: how well-equipped are they in terms of knowledge and technology to enable them to carry out age verification checks in a safe and secure way ?
- Third Party Deliverers: what will their responsibilities be with regard to General Data Protection Regulations in view of the handling of personal information?
- Artificial Intelligence: what consideration has been given to its role in fraudulent transactions, how well is it understood and how robustly would it be policed and monitored following implementation.
- Digital Identity Providers: which organisations will be involved in the provision of acceptable digital identities and what checks and balances will be in place to enable the national standards to be safely and securely met?

The Committee agreed that the draft consultation response would be circulated to its members outside of the meeting, mindful that the final sign off of the draft sat with the Chair and Deputy Chair.

### **Decision**

1. To note report subject to the comments outlined above.
2. To agree that the draft response shall be circulated to members of the committee outside of the meeting mindful that the final sign off would be undertaken by the Chair of the Committee.

### **LC/24/03 Government consultation on proposed amendments to the Terrorism (Protection of Premises) Bill: Standard Tier**

The Committee considered the report of the Director of Planning, Building Control and Licensing, which presented information about the Government's consultation on requirements proposed in relation to standard duty premises, referred to as the "standard tier", under the Terrorism (Protection of Premises) Bill.

In summary the proposal specific to standard tier premises was for there to be no requirement to complete a specified form (the 'Standard Terrorism Evaluation') for standard tier premises or ensure that people working at the premises were given any bespoke training on terrorism protection as outlined in the report. Instead it was proposed that as part of implementing the procedural measures, venue staff would need to be sufficiently instructed or trained in an alignment with company procedures concerning evacuation, invacuation, lockdown and communications procedures in order to carry them out effectively through their own in-house training products.

The Principal Licensing Officer (Planning, Licensing and Building Control) introduced the report and outlined the key points for consideration. Emphasis was given to a lack of sufficient detail on the precise nature of training or on any requirements that would be necessary to put the proposed procedures in place. A risk was therefore highlighted with regard to undermining the efforts the Authority had made in respect of the training that had already been provided to licensed premises in the city. A further risk was highlighted in relation to a focus purely on response procedures in contrast to the current training offer which went far beyond what was being proposed in terms of protection and security. He referred to recent feedback on a trial workshop to work through the original proposals where it emerged that concerns over cost and burden had been overwhelmingly dispelled once the practicalities had been tested leading to a conclusion that the original proposals were not felt to be burdensome.

The Committee was invited to consider the consultation proposals and provide officers with any views to be reflected in the Authority's formal response.

The Committees comments were as follows:

- Members were disheartened and expressed concern that the proposals were effectively a dilution of what were felt to be minimum requirements. It was felt that proposals significantly undermined what the city was striving to achieve in terms of safety for venue staff and users.
- Members felt that insufficient consideration had been given to known human behaviours in life-threatening circumstances and that the role of 'shock' had not been carefully considered. Members felt that it was manifestly unreasonable to expect venues and members of staff to deliver an effective and meaningful response to an attack without an appropriate level of preparation.
- The Action Counter Terrorism (ACT) training which had been delivered to thousands of the premises in the city placed no financial impediment on businesses and only required venue staff to undertake a small number of hours training to seek to ensure the safety of venue users.
- The Committee did not accept that the Home Affairs Select Committee's conclusion that this placed an unnecessary burden on venues was factually correct given the overwhelmingly positive feedback from venues in the city that had already undertaken ACT training.
- The focus of Section 182 guidance was to promote protection and prevention and the proposal to remove bespoke counter terrorism training for standard tier venues was counter-intuitive in view of the clear message from venues in this city that the original measures had benefited businesses and was neither burdensome nor a hindrance.

The Committee agreed that the draft consultation response would be circulated to its members outside of the meeting, mindful that the final sign off of the draft sat with the Chair and Deputy Chair. The Principal Licensing Officer highlighted that the Authority would be submitting a corporate response to the consultation, meaning that comments from other areas of the Council would be included.

## **Decision**

1. To note report subject to the comments outlined above.
2. To agree that the draft response shall be circulated to members of the committee outside of the meeting mindful that the final sign off would be undertaken by the Chair and Deputy Chair of the Committee.

## **24/04          Matthew Callaghan**

The Principal Licensing Officer (Planning, Licensing and Building Control) informed the Committee that Matthew Callaghan (Principal Licensing Officer) would be retiring from his position at the end of the month. Matthew had been a longstanding member of the Licensing Unit, whose years of service predated the introduction of the Licensing Act (2003).

The Committee agreed to place on record its sincere thanks for Matthew's hard work, knowledge, experience and long service over the years and wished him all the best in his retirement.

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## **Licensing and Appeals Committee**

### **Minutes of the meeting held on Monday, 4 March 2024**

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

**Councillors:** Connolly, Andrews, Evans, Flanagan, Hewitson, Ludford, Judge and

**Apologies:** Councillors Hilal, Hughes, Reid and Riasat

#### **LAC/23/05 Minutes**

The minutes of the meeting held on 23 October 2023 were submitted for consideration as a correct record.

#### **Decision**

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

#### **LAC/24/01 Greater Manchester Clean Air Plan and Clean Taxi Fund Update**

The Committee considered the report of the Director of Planning, Building Control and Licensing, which provided an update on the revised Greater Manchester Clean Air Plan (GM CAP) following its recent submission to the Joint Air Quality Unit (JAQU) (December 2023) in light of the implications for licensing policy.

The Principal Licensing officer (Compliance) introduced the report and outlined the key points for consideration. The Committee was invited to note the latest position on the development of an investment-led Clean Air Plan for Greater Manchester and approve the amendment to the current compliance date for the emissions standard on licensed vehicles from 1 April 2026 to 31 December 2025, in support of the GM CAP.

A member of the Manchester Hackney Carriage Association attended the meeting and addressed the Committee about the amended compliance date for the emissions standard. He asked the Committee to note that the Secretary of State's decision to bring forward the date had only recently been communicated to the Trade by TfGM. He indicated that the Trade were concerned at TfGM's approach in respect of the removal of grant funding for conversion kits for Euro 5 vehicles, kits which he said was in contrast to other authority areas such as Birmingham and Sheffield. He added that there was no current data to suggest that those kits would fail the emissions standard on taxi vehicles and asked that that is taken into consideration in respect of grant funding. He also asked the Committee to recommend that Transport for Greater Manchester (TfGM) consults with the Trade on the issue to discuss these matters.

In response the Chair gave assurance that it had already been agreed that the measures relating to taxi and private hire vehicles would be cascaded down to the Trade at their regular meetings, adding that the amended compliance date and the intention to cascade further information as it arises had been communicated through

those meetings some time ago. He thanked the representative for his comments. The Principal Licensing Officer (Compliance) added that whilst those comments would be taken into consideration, it was important that the Trade notes that the Council itself had no control over either the level of grant funding or what it is to be spent on.

## **Decision**

1. To note the latest position on the development of an investment-led Clean Air Plan for Greater Manchester.
2. To approve the amendment to the current compliance date for the emissions standard on licensed vehicles from 1 April 2026 to 31 December 2025, in support of the GM CAP

## **LAC/24/02 Taxi & Private Hire Service and Policy Update**

The Committee considered the report of the Director of Planning, Building Control and Licensing, which summarised the key points in the recently published non-statutory DfT Taxi and Private Hire Vehicle Licensing Best Practice Guidance for Licensing Authorities In England. The report included a summary of officer's concerns about the Guidance, sought views with regards to feeding back those concerns to the DfT, as well as responding to the current Wolverhampton consultation on Taxi and Private Hire Policy revisions. In addition, the report proposed several initial policy revisions for Manchester alongside other areas that the Committee may wish to instruct officers to consult further upon.

The Principal Licensing Officer (Compliance) introduced the report highlighting key points for consideration. The Committee was invited to note the report and consider the following recommendations:

- To instruct officers to consult on updating the Private Hire Operator Conditions to include:
  - The disability awareness training requirement
  - The accessibility requirement of booking platforms
- To instruct officers to consult with the trade on
  - Vehicle Age Policy; and
  - NCAP ratings
- To remove the current tint requirement for rear passenger windows in the private hire vehicles policy with immediate effect and replace it with the following:
  - a) Front windscreen – min. 75% light transmission
  - b) Front side door glass – min. 70% light transmission
  - c) Rear door glass - min. 30% light transmission
  - d) Rear window – manufacturer's tint
- To approve the Private Hire door sticker design to replace the bonnet sticker requirement
- To approve the removal of the requirement for licensed vehicles to carry fire extinguishers and first aid kits

- To request Officers to respond to the City of Wolverhampton public consultation on behalf of the Licensing Authority subject to comments by the Committee
- To request officers to provide a written response to the DfT on the following areas of the Guidance:
  - Driving Proficiency
  - Joint Authorisation
  - Incentivising vehicle choices and accessibility provision
  - Pedicabs and rickshaws
  - Mandating CCTV in vehicles
  - The risks associated with the testing requirements and frequency
  - The continued negative impacts of licence shopping on the authority's ability to devise local best practice
- To approve the move to daily DBS checks on all our licensed drivers in the interests of public safety.
- To approve the removal of the forward facing VPIS application requirement and fee.

A coloured example of the proposed door sticker for display on Private Hire Vehicles was provided to members during their consideration of the report.

There was a discussion about the proposal to remove the requirement for licensed vehicles to carry fire extinguishers and first aid kits. A member suggested that the proposal be reviewed in consultation with the Trade. It was subsequently clarified that the Authority was not seeking to prevent drivers from carrying the items should they choose to do so and instead was a removal of the requirement that they should do so. Having taken the advice from the Fire Service, it was explained that in the circumstances of a vehicle fire the safest course of action for drivers and passengers was to remove themselves from the vehicle as quickly as possible and move to a safe distance and allow the Fire Service to deal with the fire. It was also explained that were the Authority to continue to require drivers to carry an extinguisher and a driver subsequently became injured as a result of fighting a fire, the Authority could in theory be deemed liable as a result of requiring them to carry the items and take those measures. Adopting this proposal would therefore facilitate the Authority aligning with the approach taken with other Greater Manchester Authorities.

After careful consideration, the Committee agreed the proposals, with the exception of recommendation 5 regarding the requirement to carry fire extinguishers and first aid kits and agree that officers should consult with the trade on next steps before taking any further action.

## **Decision**

1. To instruct officers to consult on updating the Private Hire Operator Conditions to include:
  - The disability awareness training requirement
  - The accessibility requirement of booking platforms
2. To instruct officers to consult with the trade on
  - Vehicle Age Policy; and
  - NCAP ratings

3. To remove the current tint requirement for rear passenger windows in the private hire vehicles policy with immediate effect and replace it with the following:
  - a) Front windscreen – min. 75% light transmission
  - b) Front side door glass – min. 70% light transmission
  - c) Rear door glass - min. 30% light transmission
  - d) Rear window – manufacturer's tint
4. To approve the Private Hire door sticker design to replace the bonnet sticker requirement
5. To request that officers consult with the trade regarding the proposal to remove the requirement for licensed vehicles to carry fire extinguishers and first aid kits
6. To request Officers to respond to the City of Wolverhampton public consultation on behalf of the Licensing Authority .
7. To request officers to provide a written response to the DfT on the following areas of the Guidance:
  - Driving Proficiency
  - Joint Authorisation
  - Incentivising vehicle choices and accessibility provision
  - Pedicabs and rickshaws
  - Mandating CCTV in vehicles
  - The risks associated with the testing requirements and frequency
  - The continued negative impacts of licence shopping on the authority's ability to devise local best practice
8. To approve the move to daily DBS checks on all our licensed drivers in the interests of public safety.
9. To approve the removal of the forward facing VPIS application requirement and fee.