

Audit Committee

Minutes of the meeting held on 26 November 2024

Present:

Councillor Simcock (Chair)
Councillors Curley, Kilpatrick, Ogunbambo and Rasul
Independent Co-opted members: Dr S Downs

Apologies:

Dr David Barker (Independent Coopted Member)

Also Present:

Councillor Akbar, Executive Member for Finance and Resources
Councillor Robinson, Executive Member for Healthy Manchester and Adult Social Care
Suresh Patel, Engagement Partner, Forvis Mazars
Amelia Salford, Senior Manager, Forvis Mazars
Itai Mafusire, Assistant Manager, Forvis Mazars

AC/24/33 Urgent Business – Statement about the Mental Health Section S75 Partnership Agreement

[Dr Downs declared a personal interest in the item as his wife works for Greater Manchester Mental Health Trust]

The Director of Adult Social Services addressed the Committee to inform Members that, following a recent delivery model assessment, a 'Decision in Principle' had been taken to return Adult Mental Health statutory functions and duties from Greater Manchester Mental Health Foundation Trust (GMMHT) to the Adult Social Care Directorate working within the Manchester Local Care Organisation. The Directorate would continue to work collaboratively with both GMMHT and any staff concerned to ensure a safe transfer, and a report containing information on the new delivery model would be submitted for consideration to the Committee's February 2025 meeting.

Decision

To note that a report on the New Delivery Model for the Mental Health Section S75 Partnership Agreement will be submitted to the February 2025 meeting of the Committee.

AC/24/34 Minutes

Decision

To approve the minutes of the meeting held on 22 October 2024 as a correct record.

AC/24/35 2022/23 Audit Completion Follow Up letter

The Committee considered a letter from the External Auditors (Forvis Mazars) which

summarised the conclusion of pending matters in relation to the 2022/23 External Audit of Annual Accounts.

The External Auditor's Senior Manager explained that the letter was in follow up to items that were considered in the Committee's July 2024 meeting in relation to the 2022/23 audit. She explained that the letter essentially confirmed specific actions that had been addressed since that meeting in respect of outstanding matters.

Final review procedures were still in progress and it was anticipated that Audit Opinion would be signed off imminently.

Decision

To note the Audit Completion Follow Up Letter in respect of the 2022/23 Annual Accounts.

AC/24/36 2022/23 Annual Auditors Report

The Committee considered a report from the External Auditors (Forvis Mazars) which summarised work that had been undertaken for the year ended 31 March 2023. In introducing the report, the Senior Manager, (Forvis Mazars) gave an outline of items within it that had previously considered in earlier meetings (eg internal control recommendations and unadjusted misstatements) and pointed to the commentary in respect of Value For Money work. She reiterated that no significant weaknesses had been identified as part of that work.

Clarification was given to the report's reference to 'specific difficulties'. The Senior Manager (Forvis Mazars) stated that this was with regard to the complexities associated with Council's Group Accounts and not the Council's own single entity accounts. A member suggested that in future it would be helpful for committee members if an appendix were attached for reference to assist them in navigating those complexities. The Engagement Partner (Forvis Mazars) gave emphasis to the significant effort that had been undertaken by both the Council's Finance team and the External Auditors to better understand matters related to group consolidation work and to simplify the narrative in respect of future accounts.

The Chair commended Forvis Mazars on their efforts to ensure that the document was accessible in terms of being read by a wider audience including members of the public and other external stakeholders. He also noted that the report's commentary included a reference to the Avro Hollows Tenant Management Organisation (AHTMO) and described that as a significant reflection of the gravity of the situation. The Committee was mindful that a detailed discussion on the AHTMO would follow under a later item of business on this agenda.

Decision

To note the report.

AC/24/37 2023/24 Initial Audit Strategy

The Committee considered the report of External Auditors (Forvis Mazars) which presented the initial Audit Strategy for the year ended 31 March 2024.

The report summarised the scope of the audit and explained how the statutory backstop arrangements, as introduced by the Accounts and Audit (Amendment) Regulations 2024, had impacted upon the completion of that work and the reporting consequences with specific reference to the intention to submit a disclaimed opinion.

The report included an outline of procedures that had been determined as necessary to align with government measures, associated fees and confirmed that information about Value For Money would be included to facilitate to publication of the Accounts by 28 February 2025.

Forvis Mazars responded to questions from Members arising from the report. In respect of the impact of the disclaimed opinion for 2023/24 it was explained that a similar commentary would be provided in respect of Value For Money work as was outlined for the 2022/23 Accounts. Reporting would include a 'plain English' narrative on the decision for issuing the disclaimed opinion. They added that the wording would be agreed in collaboration with the City Treasurer. The Committee welcomed this approach.

Decision

To note the report.

AC/24/38 Final Statement of Annual Accounts 2022/23

The Committee considered a report of the City Treasurer which set out an update on the 2022/23 accounts and outlined the key audit adjustments since the last update was provided to the Committee in April 2024.

The City Treasurer referred the long and arduous process that had taken place in getting to the current position and confirmed that the Accounts were shortly due to be closed subject to a final checks and sign off. With reference to the 2024/25 accounts, he advised that discussions were planned with the External Auditors to agree on how assurance may be provided on those accounts in view of the disclaimed opinion on the 2023/24 accounts. He thanked the Deputy City Treasurer and the Finance team for their due diligence under extremely challenging circumstances and gave credit to the collaborative relationship with the External Auditors.

The Committee also recognised the significant effort that had been involved in the conclusion of the accounts and thanked the Council's Finance team and the External Auditors for their perseverance and endurance.

Decision

1. To approve the revised annual accounts including the accounting policies contained within them.

2. To delegate authority to the City Treasurer and Chair of Audit Committee to approve any final non-material changes

AC/24/39 Governance and Management of Complaints and Information Requests 2023/24

The Committee received its annual report from the Assistant Chief Executive and the City Solicitor setting out the Council's annual performance for 2023/24 regarding the management of corporate and social care complaints, Councillor and MP enquiries, Ombudsman enquiries, as well as information requests.

The City Solicitor introduced the report and referred to the evident increase in the number of complaints received, which she explained were in the context of service pressures that had also impacted upon a slight decrease in overall response rates. Complaints had effectively doubled since 2020, with a significant increase in number when compared to the previous year. A majority had been transactional complaints in that they had been directed at the Neighbourhoods Directorate and were specifically related to complaints about waste and highways issues. Corporate Core complaints were largely focussed on Revenue and Benefit matters and parking related complaints (the latter being the highest). Social Care complaints had increased slightly, with an associated reduction in the response rate that was felt to be relatively small in view of their complexity. With regard to Local Government and Social Care Ombudsman complaints, emphasis was given to an overall reduction in the number of upheld complaints.

The number of Councillor and MP enquiries had increased. The City Solicitor referred to an ongoing piece of work to strengthen the governance and management of those enquiries in a more streamlined way. A further update on this would be submitted in a future report to this committee. The report also included a narrative on learning action plans to improve future practice and performance. Reference was made to the implementation of a new recording system that would enable improved linkages between service requests, complaints and councillor enquiries.

In response to questions from the Committee, the Complaints Manager advised that the Council's response rates targets had been internally set and that it was accepted to be more ambitious than other Local Authorities. She added however that the Local Government Ombudsman had recently launched a new Code of Practice that specifically referred to the management of Local Government complaints. This would, effectively increase the target timeframe for the Authority to respond to Stage 1 and 2 complaints. This would be implemented by the Authority next year and would support greater scope to undertake benchmarking activity with other authorities. In the meantime, an interactive map was available to enable comparisons with Core City authorities and it was felt that Manchester compared favourably with authorities of a similar size.

There was a discussion about the impartiality of the complaints process. The Complaints Manager outlined the basis on which established procedures are followed across both stages of complaint, the aim of which was to ensure that responses are informed, objective and fair.

With regard to Subject Access requests (SARs), the City Solicitor advised that such matters were dealt with rigorously with embedded quality assurance procedures that were overseen by the Council's Legal Services department to ensure compliance with the regulations. With regard to SARs that were applicable to external partners (eg schools sector), she explained that the Local Authority's role was advisory only and as such it was not possible to provide absolute assurance that those actions would be delivered with the same degree of rigor as is applied by this Council. The City Solicitor agreed to explore the feasibility of a report on the consistency of the approach to SARs across the partnerships at a future stage.

Discussions turned to the timeliness of responses and the impact of those delays on residents. It was acknowledged that performance in that regard had slipped largely due to the increased volume of complaints that had been received in conjunction with ongoing service and capacity pressures. A key element in the management of this was described as ensuring that residents were informed about delays and were provided with an alternative deadline for a response.

The Committee acknowledged the correlation between greater access to digital channels and the increased volume of complaints. The Chair requested that future reports on the governance and management of complaints should include a ward by ward analysis of the way in which complaints were received. It was felt that this would be feasible following the implementation of the new complaints software. In the meantime, it was acknowledged that a majority of complaints were received via the completion of the online form on the Council's website.

Decision

1. To note the report.
2. To request that the City Solicitor explores the feasibility of a report on Subject Access Request governance across the partnerships for consideration at a future meeting of this committee.
3. To request that future reports include a ward by analysis of the way in which the complaint was received.

AC/24/40 Corporate Risk Register

The Committee considered a report of the Assistant Director, Assurance and Risk which set out the latest refresh of the Council's Risk Register. The Assistant Director Assurance and Risk introduced the report inviting members to note that the report reflected the new approach that had been outlined in the previous report to this Committee. He explained that the focus of the report was to provide assurance around the risk management framework, advising that risks were defined as either strategic, corporate or at directorate level with a summary of those risk attached as an appendix to the report.

The Committee was invited to note that the next round of risk refresh was scheduled to take place in December with an updated Council Risk Register to be presented to the Senior Management Team by the end of January 2025. Following that review, a

further update on the Register would be shared with Audit Committee for assurance purposes.

Decision

To note the report.

AC/24/41 Outstanding Recommendations: Avro Hollows Tenant Management Organisation

The Committee considered a report of the Assistant Director, Assurance and Risk and the Assistant Director Strategic Housing regarding ongoing concerns about the Council's role in managing the Avro Hollows Tenant Management Organisation (AHTMO) and a summary of actions to date.

In addition to an introduction and background, the report included information about:

- Reports and areas of concern, including an Internal audit report dated March 2022, a Special Review undertaken in November 2023, as well as concerns around consumer standards and building safety
- A summary and next steps

The Chair informed the Committee that he had received email communications from the Chair of the Tenant Management Organisation who had initially asked to speak on the item regarding the matter concerns however she had later withdrawn that request.

The Executive Member for Housing and Development explained that whilst AHTMO was one of two Tenant Management Organisations (TMO) within the city it was important to recognise that the residents of those properties remained council tenants. He referred to AHTMO's responsibility for 312 properties across 4 high rise blocks and other low rise homes and concerns were attributed to the effectiveness of the TMO's governance arrangements, as well as concerns about the probity and the safety of affected tenants.

The Committee recognised the seriousness of the implications of the limited assurance opinion. Members were also mindful of the significant length of time that had elapsed since the relationship between the TMO and the Council had been highlighted as a concern. In view of the Committee's role in the oversight of risk management, they were keen to establish appropriate actions to address those concerns in view of the perceived lack of progress, given that liability for the affected tenants sat with the Council. The Assistant Director Strategic Housing referred to specific complexities that had influenced next steps and spoke about an intention to consult with senior colleagues in Legal Services about the feasibility of potential improvement measures and a timeline for any agreed measures to be implemented.

The Executive Member for Housing and Development welcomed the Committee's feedback on the seriousness and severity of the concerns. He referred to the Right to Intervene mechanism within the legislation in view of the deteriorating relationship with the TMO and its capacity to comply with significant regulatory changes in

housing standards and the safety and wellbeing of its residents. A further update on this matter would be submitted to a future meeting of the Committee. The Chair requested that an update is provided at the February 2025 meeting.

Decision

1. To note the report.
2. To request that a further update on matters concerning the Avro Hollows Tenant Management Organisation is submitted to the February 2025 meeting.

AC/24/42 Treasury Management Update (Quarter 2)

The Committee considered a report of the City Treasurer which set out treasury management activities of the Council during the first six months of 2024-25.

In addition to an introduction and background the report included information about:

- The portfolio position as at 30th September 2024
- A review of economic conditions 2024-25 to date
- Treasury borrowing in 2024-25 to date
- Capital finance budget forecasting
- Compliance with Prudential Indicators and Treasury Limits
- Investment Strategy for 2024-25 to date
- Temporary Borrowing and Investment for 2024-25 to date

The Commercial Finance Lead introduced the report and explained that in view of significant borrowing having taken place in October 2024, this had been reflected in the report. He referred to a challenging financial market in the first six months of year 2024/25 in terms of fluctuating interest rates and an uncertain economic outlook. Whilst it was recognised that interest rates had fallen, longer term rates had increased slightly alongside a dampening of market expectations around falling interest rates. Borrowing had therefore been timed and structured in the most cost-effective way.

He responded to questions about future borrowing implications, temporary investment strategies, the use of capital financing reserves, and Lender Option Borrower Option (LOBO) loans.

Decision

1. To note the report.
2. To request that the next update includes information about the rationale and process that is applied to proposals to increase the capital budget of a given capital project.

AC/24/43 Internal Audit Annual Counter Fraud report and the Counter Fraud Plan

The Committee considered a report of the Assistant Director, Assurance and Risk which provided a summary of anti-fraud arrangements and investigation work undertaken during 2023/24 by the Internal Audit team.

In addition to an introduction and background, the report provided information about:

- Internal control arrangements
- The structure and roles within the Internal Audit team, and the Council approach
- Financial outcomes in terms of recovery and prevention
- Proactive antifraud activity,
- The reactive antifraud caseload; and
- An outline of key proactive work and plans for 2024/25

The Assistant Director, Assurance and Risk introduced the report. He explained that whilst the Committee's earlier approach had been to receive its annual report in a closed session (ie exempt from both the press and the public), it had been agreed in consultation with the Chair that the report would be considered in an open session to reflect activity that is undertaken with regard to anti-fraud and anti-corruption arrangements.

The Assistant Director, Assurance and Risk responded to questions about the impartiality of the Council's self-assessment framework, Covid-19 business support grants, phishing awareness activity across the workforce and the Council's Whistleblowing policy. Through this it was established that line-management evaluation procedures formed part of the self-assessment framework. The Audit Committee's role was also recognised as a key source of support and challenge in the wider process. The Council's ICT service periodically undertakes simulated phishing exercises to determine where specific guidance and training may be necessary. Legacy work attributed to Covid-19 business grant fraud was drawing to a close. The Council's Whistleblowing policy would soon be refreshed at which point a report could be brought to this Committee. It was suggested that following an amendment to that policy, a statistical analysis of referrals that followed is included.

Decision

1. To note the assurance provided.
2. To note that a report on the refreshed Whistleblowing policy will be submitted to a future meeting of the Committee.

AC/24/xx 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 2024/25 municipal year.

The discussed items for inclusion in the upcoming training event for Audit Committee members that is scheduled for December. As part of this discussion, a member raised a query about the process that is applied to proposals to increase the capital

budget for specific projects. The Executive Member, Finance suggested that this information could be included in the next scheduled update on Treasury Management activities. The Committee agreed to this.

Decision

1. To note the report and approve the work programme, subject to the amendments made in the previous agenda items.
2. To request that the next update on treasury management activities includes information about the rationale and process that is applied to proposals to increase the capital budget of a given capital project.

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Planning and Highways Committee

Minutes of the meeting held on 21 November 2024

Present: Councillor Lyons - In the Chair

Councillors: Shaukat Ali, L Bell, Chohan, Curley, Davies, Gartside, Hassan, Hewitson, Hughes, Kilpatrick, Lovecy and Richards

Apologies: Councillors Kamal and Riasat

Also present: Councillor Abdullatif and Razaq

PH/24/61 Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding applications 139987/FO/2024, 136256/FO/2023, 140955/FO/2024 and 139986/FO/2024.

Decision

To receive and note the late representations.

PH/24/62 Minutes

Decision

To approve the minutes of the meeting held on 24 October 2024 as a correct record.

PH/24/63 139987/FO/2024 - Victoria Point 44 Hathersage Road Manchester

The Committee considered a report that proposed the redevelopment of existing student accommodation buildings (6 in total) to include the phased demolition and extension of the existing buildings to a maximum height of 12 storeys to form Purpose Built Student Accommodation (876 bedspaces in total) (Use Class Sui Generis), including associated ancillary internal and external amenity space, ground floor community/commercial (Use Class E, F1 and F2), hard and soft landscaping and associated highway works.

This application was deferred at the committee meeting held on the 24 October 2024 to enable members of committee to undertake a site visit on the grounds of understanding the impact of the development on the adjacent Grade II* listed Victoria Baths, the unadopted road and use of open air roof terraces.

At the meeting held on the 24 October members of committee also made comments regarding the external terraced areas, and the number of disabled car parking spaces provided for the increase in bedspaces proposed.

Further drawings are provided within the body of this report in the residential amenity section of this report confirming the location of roof top terraces and relationship to

existing residential properties. Comments were also raised regarding impacts on the privacy of existing residential properties and their occupiers, and responses to this issue are set out within the residential amenity section of this report together with diagrams indicating distances to existing residential properties.

The level of disabled parking spaces to be provided is 3 and this has been assessed as acceptable by the Council's Highway Services team. However, there is a proposed condition (number 19) for a car parking management plan to be prepared. Further clarification has been provided in the wording of this condition that monitoring of the demand for accessible spaces should be undertaken as part of the management plan and additional spaces identified if demand requires these. As Bax Road is unadopted and in the applicant's ownership they would be able to identify potential additional accessible spaces if these were identified as being required.

For clarification purposes, the site currently provides accommodation in the form of 566 bedspaces. The application proposals would uplift the numbers of bedspaces available on site to a total of 876 bedspaces thereby providing an increase of 310 bedspaces.

The Planning Officer confirmed that a site visit had taken place that day, viewing the relationship to Victoria baths, viewed from the frontage on Hathersage Road, and from the rear, as well as the relationship to neighbouring residential properties. The applicant had agreed an extra condition for full details of a community engagement strategy to be controlled by condition. The late representations included images and cross sections to show the relationship to nearby properties and houses to the rear in more detail.

The applicant's agent addressed the Committee, noting the current condition and appearance of the site, and thus the benefits of the application on this. They noted a need for additional student accommodation, with this application reusing an existing student accommodation block. 62 of the bedrooms would be affordable, subsequently reducing the use of family homes and HMOs for students. There was to be engagement with the local community throughout the construction phase and post-management of the site. A space would be provided on-site for community use and a forum set up for the community to raise any issues and the applicant was happy for a condition to be added regarding this. They noted the lack of a representation from the neighbouring Victoria Baths. The agent stated that the car parking on offer was proportionally a greater amount than offered at other student accommodation. Regarding Block 4, the separation distance between the northern elevation and the southern elevation of neighbouring properties was 40 metres. Typically, those separation distances in more suburban areas are 20 metres. The separation distance was set as further than normal to prevent overshadowing and ensure there was no direct and clear view into the windows of neighbouring properties.

A ward Councillor addressed the Committee, noting that Ardwick had become an increasing focal point for students, and it was the only Planning applications that seemed to be received for the area. They accepted the need for additional accommodation but raised resident concerns. The ward Councillor felt there was an uneven distribution of students into the ward and the cost of purpose-built student

accommodation was still higher than family homes or HMOs. They felt there was a significant impact on residents who felt they had no power, and the ward Councillor wondered how much weight was given to resident voices. They had concerns about a height increase from 4 to 9 storeys and did not believe the mitigation measures offered were enough to alleviate concerns. The ward Councillor acknowledged the level of engagement from the applicant and welcomes some of the proposals. They did not ask for the rejection of the proposals but a reduction in the size.

The Planning Officer noted that this application was to refurbish and extend existing student accommodation to improve the site. The 9-storey block was in a central location which was more than 40 metres from the rear wall of neighbouring residential properties which was in excess of requirements in Planning terms. The scheme will help release HMOs into family housing. The scheme was in accordance with the policy on student accommodation.

A member queried if modelling had been completed on acoustics and raised concerns that the bin storage area was not kept well.

The Planning Officer stated Environmental Health colleagues were satisfied that noise would not be substantial. There would be on-site management and there would be a phone number for residents to raise any concerns for management to investigate further. Full details had been provided on waste management and the plan had been looked at in detail. The outdoor areas are currently in use as amenity space for existing students and there will be landscape buffer to residents to the rear.

A member raised concerns regarding the detracting from the heritage site, density of the scheme and the cumulative impact on residents of more purpose-built student accommodation in the area.

The Planning Officer noted that the impacts of the scheme on neighbouring occupiers had all been fully tested and they were satisfied that those impacts were appropriate and acceptable from a material planning consideration point of view. In terms of heritage, the application had less than substantial harm which is the national test that needs to be met which is outweighed by the public benefits..

Councillor Davies moved the Officer's recommendation.

Councillor Hughes seconded the proposal.

Decision

The Committee resolved to be Mindful to Approve the application subject to a S106 agreement to secure affordable student housing for 20% of the additional 310 bedspaces to be provided at the site at a rate of 80% of the market rent.

PH/24/64 136256/FO/2023 - 136 Withington Road Manchester M16 8FB

The Committee considered a report that proposed the partial demolition of existing buildings and redevelopment to provide 35 no. residential homes, consisting of 31

apartments (13 x 1 bed and 18 x 2 bed) and 4 townhouses (2 x 2 bed and 2 x 3 bed), landscaping, access and associated works.

The application site, which formerly accommodated the former Nello James Centre, comprises a brownfield site measuring 0.25 hectares located on Withington Road within Whalley Range Conservation Area within Whalley Range Ward. The building on site is a non-designated heritage asset.

The proposals were subject to the notification by way of 117 letters to nearby addresses, a site notice was posted on site and an advertisement placed in the Manchester Evening News.

In response to the originally conducted neighbour notification 8 letters of objection were received, 1 letter of support was also received. 4 letters of objection have been received in relation to the submission of revised plans, one neutral comment and one comment of support, additionally Ward Councillor Razaq has objected.

All matters raised by objectors are fully addressed in the following report.

Amongst other matters that are set out within the body of the report it is considered that the principle of housing development in this part of South Manchester is appropriate as it will add to the stock of housing. The scheme will also bring forward high quality development on a brownfield site in a sustainable location that will not give rise to unacceptable impacts on the highway network or cause undue harm to the amenity of surrounding property or the character of the Conservation Area within which the site is located.

The Planning Officer noted that the late representation included some additional illustrations to show the relationship to houses at rear of site.

The applicant's agent addressed the Committee, noting that the application was to redevelop a vacant site into new homes as the site had fallen into disrepair. There had been common instances of anti-social behaviour at the site. They felt the application would enhance the Whalley Range conservation area. The applicant had worked closely with Officer's to find an appropriate design for the site and felt the application would safeguard heritage assets and key mature trees. They stated that there was an appropriate mix of size of properties. The development was in a sustainable location. There was appropriate car parking provision along with 36 cycle spaces which was above 100% provision.

A ward Councillor addressed the Committee, stating that the development of the site was welcomed. They noted that the development was in a family area and requested that there was an increase in 2-bedroom properties to reflect that, whilst reducing the number of 1-bedroom properties. They raised concerns regarding mature trees, believing they needed to be retained. They asked for a Section 106 agreement to allow for investment within the community. They requested a site visit for members to determine what is beneficial for the area.

The Planning Officer noted there was a mix of units proposed on the site, including four town houses, with family accommodation as well as 1-bedroom units. The

application retained and respected the character of the conservation area, keeping the most important trees and keeping the original building on-site. A financial viability assessment had been done which showed that the mix of properties proposed would work and that was what was viable. There would be 18 replacement trees for those that were to be lost.

Members queried if on-street parking would be increased by only providing 37% parking as part of the proposal. Members noted the loss of Class A and Class B trees and queried if there was any mitigation for this. Members also queried whether the application met Manchester's space standards, as well as national space standards.

The Planning Officer acknowledged that Class A and B trees would be lost but 18 more trees would be added to the site along with other landscaping. They stated it would be difficult to provide 100% car parking at the site as this would mean a further impact on the landscape and spacious character within the Conservation area and the loss of more trees. Manchester's space standards were met as part of the proposals.

Councillor Curley proposed a motion for a site visit on the grounds of viewing the trees and the existing building on-site and the potential impact of the development on them.

Councillor S. Ali seconded the proposal.

Decision

The Committee resolved to defer consideration of the application, so that a site visit could be undertaken for the reasons stated.

PH/24/65 140955/FO/2024 - Former Barclays 537 Stockport Road Manchester M12 4JH

The Committee considered a report that proposed the use of a property on Stockport Road in Longsight District Centre as an Adult Gaming Centre providing slot machines for gambling purposes (Sui Generis). 13 objections have been received, together with a petition signed by 180 signatories and objections from Ward Councillors and Councillors from adjoining Wards.

The report explained that the City Council has been notified of an appeal against non-determination. Members cannot now determine the application, but a resolution is required as to what decision Committee would have made if it was still within its power to determine the application.

The Planning Officer informed the Committee that an appeal against non-determination had been received therefore the Committee were unable to make a decision on the application but could endorse reasons given for the Officer's recommendations of refusal which would then be used in the appeal.

The Director of Planning noted that the Committee could go against the Officer's recommendations.

The applicant or their agent did not attend the Committee.

A ward Councillor noted that there had been a lack of engagement from the applicant. The ward Councillor had not met anyone who supported the application. It was felt to be inappropriate for the site to be open 24/7 especially given that those hours went beyond the current use of the district centre. The site is situated in a vibrant centre and a premises such as this would detract from that. The ward Councillor noted that there were a high number of young people in the area and a high number of vulnerable people that this application could have a negative impact on. They welcomed the Officer's recommendation of refusal.

The Planning Officer noted that there were two reasons for refusal; that the application would undermine the character and attractiveness of the district centre and that there was no evidence to show other shop type uses would not be viable at the location. The hours of 24/7 would also bring noise disturbance.

A member raised a concern that the applicant had a site in another area of the City that they won on appeal and queried if there was confidence this would not happen again. Members also raised concerns about the possibility of there being a bar at the premises.

The Planning Officer stated that the application did not include provision for a bar. At the appeal, it would be asked that a condition was attached to exclude an ancillary bar if the appeal was upheld, however it was felt that there was a strong case against the application. There had been other appeal decisions that supported the Officer's recommendations.

Councillor Curley proposed a motion to endorse the Officer's recommendation.

Councillor Gartside seconded the proposal.

Decision

The Committee resolved to endorse the Officer's recommendation of refusing the application.

(Councillors Chohan, Hewitson, Lovecy and Richards declared a prejudicial interest in the item and remained in the room as Ward Councillors until they had spoken, subsequently leaving the room and taking no further part in the discussion or decision-making process).

**PH/24/66 138696/FO/2023 - Land At 33 - 41 Cheetham Hill Road Manchester
M4 4FT**

The Committee considered a report that proposed the erection of a part 17 / part 23-storey residential development comprising 237 apartments (Use Class C3a) and ground floor commercial uses (Use Class E) together with landscaping, cycle parking and other associated works following demolition of existing buildings.

The site contains a vacant building, a canopy, hardstanding and limited vegetation and scrub and is secured by a hoarding. There have been 3 objections.

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

The applicant stated that they are a community focused organisation, and the proposal met the company's ethos. The application met Council policies and the National Planning Policy Framework. This was a sustainable location that would enhance biodiversity. The jobs during the construction phase and operational phase would focus on local people.

Members noted the importance of jobs for local people and affordable housing and welcomed the Section 106 agreement. A member queried if the viability of affordable housing would be tested further.

The Planning Officer noted that Condition 10 ensured that local people would benefit from jobs related to the scheme. Affordable housing would be retested at an agreed point in the future.

Councillor Curley moved the Officer's recommendation.

Councillor Hughes seconded the proposal.

Decision

The Committee resolved to be Minded to Approve the application subject to the signing of a Section 106 Agreement to secure an initial contribution towards affordable housing, a late stage review of the viability to determine if there is any uplift in conditions to warrant a further contribution towards affordable housing and to ensure the project architect is retained.

PH/24/67 139986/FO/2024 - Sparkle Street Manchester M1 2NJ

The Committee considered a report that proposed the demolition of existing part vacant buildings and erection of a part 10 storey, part 27, part 28 storey residential development comprising 359 homes (Use Class C3) with supporting amenity spaces, and associated highways works, landscaping, plant areas, and other associated works. There have been 13 objections.

The Chair declared a prejudicial interest in the application and sought nominations for a Chair for this item. Councillor S. Ali nominated Councillor Curley to Chair the item. Councillor Chohan seconded the nomination.

Members voted in favour of Councillor Curley as Chair for this item.

The Planning Officer had nothing to add to the printed report or the late representation.

The agent stated that the proposal would transform a vacant Brownfield site. The height was considered to be appropriate, at 28-storeys stepping down to 10-storeys,

in-keeping with neighbouring residential buildings. There had been extensive consultation, and all impacts had been tested, as set out in the Officers report. The scheme would be energy efficient and provide green space, enhancing biodiversity. Jobs would be provided for local people.

A ward Councillor objected to the scheme on height, traffic and a lack of affordable housing. They felt that the height would dominate and was not in-keeping with its neighbours. The affordable housing offered was not enough. Traffic issues continue to grow in the area and this application would exacerbate that. The Committee were asked to refuse the application based on height, massing and traffic issues, complete a site visit or to add a condition for speeding prevention measures such as speed bumps.

The Planning Officer stated that the issues had been covered in the report and that the nature of development in the area had changed and had become high density. The impacts of the scheme were not unusual for the city centre. This was a car free scheme but there was an acknowledgment that improvement was required on Store Street. The application was on the margins of affordable housing and to add a condition regarding traffic may cause affordable housing to be lost. The offer of affordable housing was off-site. The scheme only had 12% profit. Strategic issues relating to Highways could be picked up outside the Committee in a wider piece of work rather than burdening this particular Planning application.

Members raised similar concerns regarding traffic. Members also raised queries regarding whether the scheme was accessible and if there were any sports facilities offered due to the objection received from Sports England.

The Planning Officer stated that there were accessible units throughout the scheme. There was no specific policy requiring sports facilities and if members wanted a financial contribution towards this, then the amount of affordable housing would be further reduced.

Members welcomed that there was some contribution to affordable housing but were concerned that the contribution was off-site, although acknowledging the impact that land value had likely played in that. Members acknowledged the difficulty of how to address highways concerns and queried whether it should be addressed as part of this application.

The Planning Officer stated that there is always a want for more affordable housing, however it had been tested extensively and this was the outcome. Any condition relating to highways would reduce the offer of affordable housing.

Members raised concerns about how to get affordable housing to acceptable levels on applications. Members queried if guidance could be provided as to whether there could be wording added to the Officer's recommendation regarding highways issues.

The Director of Planning noted that there was a want for the biggest contribution possible for affordable housing but a viability assessment had to be undertaken which had been independently assessed and verified. In relation to Highways, the

Director of Planning and the Chair can be requested to take the issues raised back to the relevant Executive member.

Councillor Lovecy moved the Officer's recommendation with a request that the Director of Planning and the Chair take the issues raised in relation to Highways back to the Executive member.

Councillor S. Ali seconded the proposal.

Decision

The Committee resolved to be Minded to Approve the application subject to the signing of a Section 106 Agreement to secure an initial contribution towards affordable housing, a late stage review of the viability to determine if there is any uplift in conditions to warrant a further contribution towards affordable housing and to ensure the project architect is retained.

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Planning and Highways Committee

Minutes of the meeting held on 19 December 2024

Present: Councillor Lyons - In the Chair

Councillors: Shaukat Ali, L Bell, Chohan, Curley, Davies, Gartside, Hassan, Hughes, Kamal, Kilpatrick, Lovecy, Riasat and Richards

Apologies: Councillor Hewitson

PH/24/68 Supplementary Information on Applications Being Considered

A copy of the late representations received had been circulated in advance of the meeting regarding applications 136256/FO/2023, 141415/FO/2024 and 139778/FO/2024.

Decision

To receive and note the late representations.

PH/24/69 Minutes

Decision

To approve the minutes of the meeting held on 21 November 2024 as a correct record.

PH/24/70 136256/FO/2023 - 136 Withington Road, Manchester M16 8FB

The Committee considered a report that proposed the partial demolition of existing buildings and redevelopment to provide 35 no. residential homes, consisting of 31 apartments (13 x 1 bed and 18 x 2 bed) and 4 townhouses (2 x 2 bed and 2 x 3 bed), landscaping, access and associated works.

The application site, which formerly accommodated the former Nello James Centre, comprises a brownfield site measuring 0.25 hectares located on Withington Road within Whalley Range Conservation Area within Whalley Range Ward. The building on site is a non-designated heritage asset.

The proposals were subject to the notification by way of 117 letters to nearby addresses, a site notice was posted on site and an advertisement placed in the Manchester Evening News.

In response to the originally conducted neighbour notification 8 letters of objection were received, 1 letter of support was also received. 4 letters of objection have been received in relation to the submission of revised plans, one neutral comment and one comment of support, additionally Ward Councillor Razaq has objected.

There were no objectors present.

The applicant's agent spoke in support of the application. He said that the site was currently in a state of significant disrepair and attracted anti-social behaviour. He said that the developer had worked closely with the Planning Department to bring forward the proposal that was well designed, high quality and sympathetic to the local conservation area. He said that the proposal was to deliver 13 one bedroom apartments, 18 two bedroom apartments and 4 townhouses. He said that all options to retain the existing trees had been explored and that whilst three mature trees would be lost, noting that one had recently been lost due to a storm, 18 new trees would be planted. He commented that the site was in a highly sustainable area with access to public transport and the car parking space offered had been assessed as being acceptable for the proposed development, in addition to the 36 secure cycle parking that would be delivered. He concluded by stating that the proposed development would address a site that was currently dilapidated and increase the housing stock in the area. He asked that the Committee endorse the officer recommendation and approve the application.

Councillor Curley stated that the site visit had been very beneficial, a view that was reiterated by a number of Members. He commented that whilst he had every confidence in the assessment of the Viability Statement that had been received to state that the development cannot support any affordable housing provision, he remained disappointed that no affordable housing could be provided, making reference to the Council's Manchester Housing Strategy 2022 to 2032 that identified increasing affordable housing as a priority for the city. He said that for this reason alone he could not support the application.

Councillor Kilpatrick spoke and referred to the current state of disrepair on the site and acknowledged the cost associated with bringing this site back into use. He also stated that he was not confident that the car parking provision was adequate for the size of the development. He also stated that if approved, any associated S106 funding should be used for other local improvements or community use. Similar to Councillor Curley he stated that he could not support the application due to the lack of affordable housing being proposed.

Councillor Davies commented that whilst recognising that it was not a material planning consideration, the site was currently strewn with litter and would cause a visual disamenity to local residents. She said that the owner should take responsibility and remove the litter on their land, adding that this extended to all landowners as this was not unique to this application.

Councillor Richards supported the comment made regarding litter and the comment made in regards to car parking, adding that this was an issue that needed to be looked at more widely across the city.

Councillor Lovecy reiterated the comments previously expressed in regard to affordable housing. She said this was a priority for the city and all developers needed to take this seriously as there were huge levels of demand for affordable housing across the city. She concluded by stating that for this reason she could not support the application.

The Planning Officer noted the comments made in regard to affordable housing and stated that a Viability Assessment had been received to state that the development cannot support an affordable housing contribution, this had been assessed and the findings were found to be correct, particularly having regard to the costs of the retention of the existing building within the Conservation Area. He added that if the recommendation of Minded to Approve was agreed then this would be subject to a Section 106 legal agreement that required a re-testing of the viability at a later date during development of the site, adding any future Section 106 monies would be used towards delivering future affordable housing if there was an uplift. With regard to car parking he said that it was important to meet the correct balance, noting that the changes made to the scheme to further protect trees had resulted in the loss of car parking spaces and he directed Members to the section of the report that discussed trees, and this was in addition to the Travel Plan that was also referred to in the report. He concluded by stating that the application had been assessed in accordance with all relevant policies and that the recommendation was to be minded to approve subject to the signing of a Section 106 agreement to require re-testing of viability.

Councillor Shaukat Ali moved the Officer's recommendation to be minded to approve subject to the signing of a Section 106 agreement to require re-testing of viability.

Councillor Hughes seconded the proposal.

Decision

The Committee resolved to be minded to Approve subject to the signing of a Section 106 agreement to require re-testing of viability.

(Councillor Chohan arrived during the item discussion and therefore took no part in the discussion or decision making for this item)

PH/24/71 141415/FO/2024 - 16 Alness Road, Manchester M16 8ET

The Committee considered a report that presented the application for the change of use of the property from a House in Multiple Occupation to a 15 unit property offering short stay accommodation for homeless single men over 18 years of age with complex needs. A single storey extension and associated wheelchair lift and external steps are proposed at the rear, along with car parking and cycle and bin stores. The site is located within the Whalley Range Conservation Area.

Twelve letters had been received from local residents, ten of which object to the proposal, while the remaining two did not object in principle but requested that any consent granted be conditioned to ensure that users of the service sign up to a code of conduct and a system to be in place to deal with local residents' concerns when the use is operational. The objections raised include overdevelopment of the site; potential increase in anti-social activity and crime in the area resulting from future residents; and the design of the extension and elevational alterations.

The applicant was proposing the following:

- Change of use from House in Multiple Occupation (Sui Generis) to create 15no. self-contained residential units for short stay homelessness accommodation (Sui Generis) with associated support services. Of the 15 units, three will be accessible rooms, with two of these being wheelchair accessible.
- Erection of a single storey rear extension to form enlarged basement accommodation and provide a wheelchair platform lift and external steps.
- Elevational alterations consisting of the installation of larger fire-escape windows (front and rear elevations) for the basement accommodation and wall lights.
- Provision of four car parking spaces to the rear, accessed of Mayfield Road.
- Installation of cycle parking and bin store.
- Associated landscaping works, i.e. provision of pavements.

The proposal would provide accommodation for 15 single homeless men, with complex needs, who meet the following referral criteria:

- Aged 18 and over.
- Single Males.
- Eligibility to benefits.
- No Schedule 1 offenders or arsonists.
- Ready to move into stable accommodation and engage with support.
- Scheme is able to manage risk.
- Right to reside in UK.

The Planning Officer commented that if the application was approved, there would be a revision to Condition 10 in accordance with the City Arborist report.

There were no objectors present.

The applicant was present but chose not to address the Committee.

Councillor Gartside spoke and said that the inclusion of a floor plan in the papers would have greatly assisted the Committee. This view was reiterated by a number of Members. She enquired if there was a communal area for residents to congregate and socialise.

Councillor Lovecy commented that it was often important for people with complex needs to be able to access communal areas to engage with therapeutic and social activities.

Councillor Bell enquired about the use of the basement for accommodation and the need to ensure resident safety if they needed to evacuate in the event of an emergency. He also enquired about the location of the staff office.

Councillor Curley addressed the concerns expressed by local residents and stated that it was incumbent on the provider to ensure they were a good neighbour.

Councillor Davies asked if residents would be required to sign any form of agreement in regards to their conduct and behaviour whilst living at the property so as not to cause any disturbance to the local neighbourhood. She also sought an assurance

that contact details would be provided to local neighbours to report any issues associated with the residents/premises. She requested that any such documents should be included in future reports.

Councillor Ali commented that the operator managed a site in his Ward and it was his experience that those premises were managed very well.

The Planning Officer stated that this proposal was for short term supported accommodation and there would be a range of appropriate services available to residents. He said that the provider had a proven record of delivering this kind of accommodation and the application had been fully assessed and endorsed by the Councils Homelessness Team. He said the individual apartments comprised of a small living area and kitchenette in addition to the bedspace. He said that the basement would be utilised to deliver some of the 15 units. He also clarified the proposed location of the office in the building. The Planning Officer said that all residents would be required to sign a licence agreement to occupy the premises. He said that any breaches of the licence agreement would have consequences for the resident. He also stated that the requirement to provide contact details to local residents would be included in the Management Plan.

The Director of Planning said that evacuation measures would be addressed and subject to satisfactory Building Control arrangements and Building Regulations requirements in relation to the windows in the basement units. She reiterated that the applicant had a strong proven track record of delivering such supported housing schemes and the application had been fully endorsed by the Homelessness Team. The Director of Planning commented that there was a wealth of information that was listed in the background documents that were available to Members via the Portal and having received the reports seven days prior to the meeting Members could contact the officers for any additional information they needed.

Councillor Riasat moved the Officer's recommendation to Approve.

Councillor Richards seconded the proposal.

Decision

The Committee resolved to Approve the application.

(Councillor Hassan declared a personal and prejudicial interest in this item as he is a Trustee of SSG Sustainable Living and he withdrew from the meeting during consideration of this item).

PH/24/72 139778/FO/2024 - Land Bound by Lever Street, Great Ancoats Street, Little Lever Street and Houldsworth Street, Manchester

The Committee considered a proposal for the part retention, part demolition of existing buildings with the retained fabric forming part the base of an 18 storey 'tower'. There would be 2 ground floor commercial units, 2 basements and a central landscaped courtyard. There have been 11 objections and a neutral comment.

Objections have been received from Victorian Society, Georgian Group and Historic Buildings and Places, none of whom are Statutory Consultees.

Historic England's interest relates to the impact on the setting of the Grade II* Listed Express Building and have not objected.

There were no objectors present.

The applicant's agent spoke in support of the application. He said that the applicant had worked with Planning Officers and the scheme would deliver significant commercial and economic benefits to the city. It would retain some aspects of the heritage buildings. All buildings are vacant and structurally unsafe. The proposal is a modern, high quality design and would deliver high quality office space that would be attractive to existing and new businesses.

Councillor Garside, whilst noting the comments from the Agent expressed concern that a significant section of working class heritage could be lost.

Councillor Richards stated that there was always a tension between development and protecting heritage, however she was satisfied that the correct balance had been achieved in the proposals presented to Committee.

The Deputy Director of Planning reiterated the comment previously expressed by the Agent that none of the buildings were protected and they did not sit within a conservation area. He said that all consultees and their responses were documented in the report. There are two viable options for the site, demolish the whole site or retain the best examples of heritage and incorporate these into the proposal. Officers consider the proposal as the best option.

Councillor Garside proposed a site visit to enable members to understand the nature of the heritage to be retained and the impact the development would have on the immediate area.

Councillor Kilpatrick seconded the proposal.

Decision

The Committee resolved to defer consideration of the application, so that a site visit could be undertaken for the reasons stated.