

Communities and Equalities Scrutiny Committee

Minutes of the meeting held on 7 November 2019

Present:

Councillor Hacking - In the Chair

Councillors Andrews, Chambers, Doswell, Douglas, Evans, Grimshaw, Hitchen, Kirkpatrick and Rawson

Councillor Leese, Leader of the Council

Councillor N Murphy, Deputy Leader

Councillor Rahman, Executive Member for Skills, Culture and Leisure

Councillor Kilpatrick, Deputy Leader of the Opposition

Councillor Davies, Ward Councillor for Deansgate

Councillor Johns, Ward Councillor for Deansgate

Councillor Lyons, Ward Councillor for Piccadilly

Councillor Whiston, Ward Councillor for Sharston

Kathy Cosgrove, Greater Manchester Law Centre

Dr Morag Rose, University of Liverpool

John McGrath, Manchester International Festival (MIF)

Ciaron Wilkinson, MIF

Apologies:

Councillors M Dar and Rawlins

CESC/19/43 Minutes

Decisions

1. To approve the minutes of the meeting held on 10 October 2019 as a correct record.
2. To receive the minutes of the meeting of the Review of Advice Services in Manchester Task and Finish Group held on 30 September 2019.

CESC/19/44 Our Manchester Disability Plan

The Committee received a report of the Executive Director of Adult Services which provided an update on progress with the Our Manchester Disability Plan (OMDP), including the recent refresh of the Plan and the new Joint Strategic Needs Assessment (JSNA) for the Social Model of Disability. It also included updates from each of the current OMDP workstreams as well as a progress report on the Council's Disability Confident Scheme.

Officers referred to the main points and themes within the report, which included:

- An update on the Health and Social Care Workstream;
- Children and Young People update;
- Work and Skills update;

- Transport update; and
- The Disability Confident Scheme.

Some of the key points that arose from the Committee's discussions were:

- Educational attainment of young people with Special Educational Needs and Disability (SEND);
- Delays in pupils with SEND receiving an Education, Health and Care Plan (EHCP) and what support was available to parents of disabled children;
- The importance of considering mental health as part of the work on long-term health conditions and the social model of disability; and
- The problems some disabled people faced in accessing their own local area, for example, due to people parking cars across dropped kerbs and pavements and that work should take place with the Highways Team to address this.

The Chair commented that the Lead Member for Disability had been unable to attend the meeting but read out some comments she had wanted to make. These highlighted the breadth of the work taking place outside of the Board structure and through all the workstreams. Her comments also highlighted the work taking place to improve the accessibility of the Peterloo Memorial and to improve the Council's internal systems as well as initiatives taking place across the city such as Purple Tuesday the following week where the Christmas markets would open earlier and district centres like Wythenshawe would be supporting a quiet hour where loud instore music would be turned off and there would be more visible support for disabled shoppers.

The SEND Lead outlined the work taking place to improve educational outcomes for pupils with SEND, advising that her service reported regularly to the Children and Young People Scrutiny Committee on this. She informed Members that there had been a significant increase in application for EHCPs so the Statutory Assessment Team which dealt with these applications was being re-designed to meet the demand. She suggested that progress on this be included in a future report. She informed Members that parents could access an impartial information, advice and support service and could also receive support from volunteer Parent Champions. A Member commented that he would welcome updates on the timescales for the EHCP along with examples of any cases where the process had not worked well for the young person so that the Committee could identify areas for improvement.

The Public Health Specialist advised that other Joint Strategic Needs Assessment (JSNA) topic papers were being worked on which focused on mental health and that these were documents which were being updated and would be cross-referenced.

The Strategic Lead (Commissioning) reported that the problem of obstructions on pavements was something that had been raised by many disabled people as an issue for them. She advised that a public awareness campaign was needed to highlight to the general public how this impacted on disabled people but that this would require some resources. She confirmed that her team would engage with the Highways Team on this issue.

Decision

To note the report.

CESC/19/45 Proposed City Centre Public Spaces Protection Order

The Committee received a report of the Head of Compliance, Enforcement and Community Safety which provided an update on the outcome of the consultation for the city centre proposed Public Spaces Protection Order (PSPO).

Officers referred to the main points and themes within the report, which included:

- Background information;
- Supporting people with vulnerabilities;
- Evidence of issues of concern in Manchester city centre;
- The consultation and consultation responses;
- Consideration of the articles for a PSPO;
- The proposed PSPO;
- Enforcement;
- Equality Impact Assessment (EIA) and Human Rights; and
- Next steps.

Kathy Cosgrove from Greater Manchester Law Centre expressed concern about the lawfulness and fairness of the consultation. She advised that it did not include enough information, for example, on existing powers, to enable respondents to make an informed decision. She also stated that it was not balanced and that the way it was carried out as an online consultation meant that it did not target and was not accessible to some of the people who would be most impacted by the proposal, particularly homeless people. She also advised that the consultation responses were not presented fairly, not showing the full range of responses to the open text questions. She reported that the evidence presented did not demonstrate justification for the proposed PSPO, stating that it did not demonstrate that it would achieve its aims and that the benefits would outweigh the risk of harm. She expressed concern that the PSPO would indirectly discriminate against homeless people who could not avoid breaching it and were often members of other minority groups. She outlined the significant challenges facing homeless people and stated that the report did not address the additional risk of harm to this group which, she advised, the proposed PSPO would present. She stated that many professionals in this area of work and related fields were opposed to the proposed PSPO. She also reported that some other local authorities had introduced similar measures which had not been successful. A Member supported her comments.

Dr Morag Rose from the University of Liverpool outlined her concerns about the consultation, stating that it included leading and ambiguous questions, that it had received very few responses from homeless people, that some shop workers in the area had been coerced by their managers to complete it and that the analysis was flawed. She advised that there was academic evidence against the use of PSPOs to address the behaviours outlined. She also expressed concern that the proposed

PSPO could criminalise protest and that it sent a negative message about attitudes towards homeless people.

The Ward Councillors for the city centre wards of Deansgate and Piccadilly were invited to comment on the proposals. They provided a number of examples of the negative effect of the current situation on local residents, including repeated instances of people urinating and defecating outside their homes, alcohol consumption and associated litter and fighting, drug dealing and drug paraphernalia, receiving abuse and blocked entrances to residential buildings, which made residents feel intimidated going into and out of their home. A Ward Councillor for Deansgate noted that it was important not to penalise vulnerable people for unavoidable behaviour, that this had been given consideration in the proposals, and that this was the reason they had requested and obtained 24-hour access to the public toilets on Lloyd Street. He advised that it was important to provide support to people experiencing this issue from both sides and to find a solution that worked for everyone. Another Ward Councillor for Deansgate reported that begging in the city centre had increased and this was often not by people who were rough sleeping. She reported that local residents were sympathetic to the situation of vulnerable people but that the issue needed to be addressed. She reported that the police and Council officers did not just take enforcement action against vulnerable people but assessed their vulnerabilities and offered support to them. She outlined the dangers of people sleeping in tents and in doorways, which were often fire escapes.

The Deputy Leader of the Opposition reported that, while he accepted the points in the report about commercial waste and anti-social behaviour related to drinking and drug-taking, he was concerned about how the proposed PSPO would impact on vulnerable people living on the streets. He advised that the proposed PSPO would be a blunt tool to deal with complex issues and, in his opinion, it was the wrong approach. He commented that more 24-hour toilets were needed across the city. He highlighted that article 8 of the proposed PSPO required the individual to provide their address to the Authorised Person, which a homeless person could not do. He questioned how the Committee could consider the proposals without knowing the enforcement protocol. He emphasised the need to consider the disproportionate impact on those living on the streets and the necessity and proportionality of the proposals.

Some of the key points that arose from the Committee's discussions were:

- Recognition of the issues being experienced by city centre residents;
- The need to provide support to vulnerable people with complex needs;
- The importance of providing facilities such as 24-hour toilets and sharps bins for disposing of needles so that vulnerable people could avoid breaching the articles in the proposed PSPO;
- To ask what difference the PSPO would make and why this was preferable to using existing powers to tackle these issues;
- To question the appropriateness of fining vulnerable people with no means to pay a fine and the impact this would have on the relationship that Council officers were trying to build with these individuals to encourage them to engage with support services;
- Whether there was evidence that this would be effective;

- Whether a PSPO would just displace people outside the city centre rather than address the problem;
- That a significant number of the respondents to the consultation said the issues identified did not impact on their quality of life;
- How much money had been spent so far on the process for this PSPO, how much would it cost to implement and whether this money could be better spent on the valuable work the Council was already doing in this area; and
- That the Vagrancy Act 1824 should be reviewed.

The Deputy Leader commented that the main focus of Council officers engaging with these vulnerable groups was to encourage them to access support. He reported that the Council was engaging with pharmacies and other organisations over the provision of sharps bins. He advised that a review of the Vagrancy Act 1824 was underway.

The Head of Compliance, Enforcement and Community Safety reported that the PSPO was not intended to replace existing powers but to be an additional power and that the most appropriate power would be used in each case. She gave examples of how a PSPO would enable the Council to address issues in relation to waste which it was not able to do at present. She advised that it was hoped that the PSPO would have a deterrent effect and encourage vulnerable people to engage with services and that it would also reassure residents that these issues were being addressed.

The Community Safety Lead reported that, of the councils which had introduced similar PSPOs, some had revised them at the end of the initial period, some had extended them and some had terminated them; however, there were no published evaluations nationally about this use of PSPOs. She commented that, for Manchester City Council, the proposed PSPO was an opportunity to seek compliance and engage with individuals.

The Community Safety Lead reported that the analysis of the consultation responses had taken into account the responses to all the questions, including the open text responses, to determine how big a problem a particular behaviour was and what should be included in the PSPO. She outlined the current multi-agency approach, involving different Council teams, GMP and the voluntary sector, to encourage and enable vulnerable individuals to access support and that, where appropriate, they chose from a range of existing powers to address behaviours. She reported that the same approach would be used if the proposed PSPO was introduced. She advised the Committee that she could identify the costs of the consultation and the costs of implementation if the PSPO went ahead and share this information with Members.

Decisions

1. To thank everyone for sharing their views.
2. To ask the decision maker and Deputy Leader to take into account all the views raised when making their decision.
3. That if the decision maker wishes to respond to the Committee on any of the points raised, they are welcome to do so.

4. To note that the Community Safety Lead will share information on the costs of the consultation and the costs of implementation, if the PSPO goes ahead, with the Committee Members.

[Councillor Doswell declared a disclosable pecuniary interest as Secretary of the Tenants' Union and withdrew from the room for this item.]

CESC/19/46 Manchester International Festival 2019

The Committee received a report of the Deputy Chief Executive and City Treasurer and the Strategic Director (Neighbourhoods) which provided information on the outcomes of the evaluation of the Manchester International Festival (MIF) 2019 and re-confirmed the funding arrangements for the 2021 Festival as approved by the Executive on 18 October 2017. The Committee was invited to comment on the report prior to its submission to the Executive on 13 November 2019.

John McGrath, Artistic Director and Chief Executive of MIF, referred to the main points and themes within the report, which included:

- An assessment of the delivery of objectives for 2019;
- Key Performance Indicators (KPIs), sustainability and financial performance;
- The zero carbon agenda;
- Staffing; and
- Future planning.

The Leader highlighted the opening in 2021 of The Factory, which would be the new hub for the Festival, and reported that it was proposed to maintain the level of funding from the Council, supported by a significant investment from the Arts Council England towards the running of The Factory and to build MIF's capacity to run the Factory. He informed Members that the biennial MIF had previously been awarded funding from the Council every two years for the next Festival but that he would be recommending to the Executive that longer-term funding arrangements be put in place for MIF and The Factory.

Some of the key points that arose from the Committee's discussions were:

- That this was a fantastic event and Members wanted to ensure that it was accessible to all residents;
- To request a ward breakdown of volunteers from Manchester;
- To request further information on what was being done to encourage people in areas with lower levels of engagement to access, participate in and volunteer at MIF, noting that some people could not afford even the discounted £10 tickets;
- What was being done to promote employment opportunities to local people;
- Whether 30% of attendees being from Manchester was sufficient and could more detailed information on where attendees were from be provided; and
- How the figure on the economic impact of MIF had been arrived at.

Ciaron Wilkinson, MIF's Cultural Connector, outlined the work he had undertaken over the previous 18 months to work with communities which were less likely to access arts and cultural activities, engaging with local partners such as Ward Councillors and the Council's Neighbourhood Teams and holding events and activities within the local area in order to increase residents' awareness of and willingness to participate in MIF.

John McGrath reported that a lot of outreach work had been carried out to recruit a diverse range of volunteers for this year's Festival and that this had been successful in recruiting volunteers from diverse backgrounds and, to a degree, in recruiting volunteers from a range of locations. He informed Members that the work that Ciaron Wilkinson had been doing had aimed to encourage residents in those wards to engage with MIF in a range of different ways, as audience members, as participants, as volunteers and as employees. He acknowledged that some people could not afford the discounted £10 tickets but reported that some free tickets were made available through local organisations and there were also a number of free events which were part of the MIF programme. He reported that his organisation was also working to address other barriers to people's attendance, for example, working with Transport for Greater Manchester (TfGM) regarding transport to events.

John McGrath outlined the range of methods his organisation had used to encourage local people to apply for jobs with MIF. He also informed Members about the traineeships which MIF had offered this year which had led to all seven apprentices going on to employment. He advised Members that the proportion of MIF employees from BME (Black and Minority Ethnic) communities had increased considerably and his organisation was aiming to increase recruitment from a range of wards across the city. He reported that his organisation was in a period of expansion and informed Members about the training programme which was being developed, stating that it would increase people's awareness, particularly young people's awareness, of the range of jobs available within the creative industries.

The Leader advised the Committee that there needed to be a balance of attendees from Manchester and people from further afield as the event was used to promote Manchester on the international stage. He highlighted that audience attendance was increasing overall, which included an increase in Manchester residents, and that Manchester residents were increasingly participating in the Festival in different ways, not just as audience members.

Decisions

1. To request a ward breakdown of volunteers from Manchester.
2. To request more detailed information on where MIF attendees were from.
3. To request information on the methodology used to calculate the economic impact of the Festival.
4. To endorse the recommendations to the Executive that:

The Executive is recommended to: -

1. Note the substantial achievements of the 2019 Festival in overachieving its objectives, particularly in continuing to grow its international reputation, increasing co-commissioning partnerships, record attendance levels and increased involvement by Manchester emerging artists;
2. Recognise and support the importance of maintaining public sector funding commitments in order to attract significant match funding from other public and private sector partners;
3. Delegate responsibility to the Strategic Director of Neighbourhoods and City Treasurer in consultation with the Executive Member for Finance and Human Resources and Executive Member for Skills, Culture and Leisure to finalise the financial arrangements.

CESC/19/47 2019 City Centre Festive Delivery Programme

The Committee received a report of the Strategic Director (Neighbourhoods) which provided an update on the 2019 City Centre Festive Delivery Programme.

Officers referred to the main points and themes within the report, which included:

- Christmas Markets;
- Family Focused Festive Attractions;
- Christmas Lighting Scheme; and
- Christmas Light Switch On and New Year's Eve Celebrations.

Some of the key points that arose from the Committee's discussions were:

- Why MIF boosted the economy by a greater amount than the Christmas Markets, when the former ran over a shorter period; and
- That future reports which estimate the economic impact of an event should be clearer on the detail of this.

The Executive Member for Skills, Culture and Leisure reported that the MIF attracted international visitors, artists, organisations and media and resulted in increased hotel occupancy rates and spending in the local economy, whereas the Christmas Markets mainly attracted people from across the region so the economic impact was not comparable.

Decisions

1. To note the report.
2. To request that further detail of how estimates of economic impact have been arrived at be included in a future report.

CESC/19/48 Widening Access and Participation in Leisure, Libraries, Galleries and Culture - Update and Cultural Impact Survey Data

The Committee received a report of the Strategic Director (Neighbourhoods) which provided an update about Widening Access to and Participation in Leisure, Libraries and Culture. The purpose of the Widening Access work was to understand resident engagement and to explore routes to increase participation among groups or communities that might be less engaged. The report highlighted progress made and outlined the priorities proposed for future work.

The Executive Member for Skills, Culture and Leisure referred to the main points and themes within the report, which included:

- The background to the Widening Access and Participation work;
- Data improvement;
- Wider access for under-represented groups;
- Leisure;
- Libraries, galleries and culture;
- Communication; and
- Resident engagement.

Councillor Whiston, Ward Councillor for Sharston, informed the Committee that he was the substitute for Councillor Stone on the Board of HOME. He highlighted the invisible barriers people faced if they were not used to participating in arts and culture, for example, if they did not go to the theatre when they were growing up and felt uncomfortable and did not know the etiquette of these environments. He advised that more work should be done with schools to encourage them to take pupils to the theatre and other cultural activities to break down these invisible barriers.

Some of the key points that arose from the Committee's discussions were:

- To welcome the work being done in this area;
- To support Councillor Whiston's comments; and
- What progress was being made in engaging women and girls in sport.

The Executive Member for Skills, Culture and Leisure supported Councillor Whiston's comments and advised that work was already taking place to address this. He informed Members about the development of the Manchester Cultural Education Partnership and outlined how this aimed to embed arts, culture and creativity across the curriculum.

The Head of Parks, Leisure, Youth and Events reported that a lot of work was taking place to engage women and girls in sport and physical activity. He informed the Committee that there was a national gap between male and female participation in physical activity; however, the gap in Manchester was much smaller than the national average because of the work which was being carried out. He highlighted the provision of women-only sessions in all the Council's leisure facilities in Manchester, securing funding two years ago to run the This Girl Can campaign through which targeted activities had been put on across the city and, recently, an additional £100,000 funding from Sport England which would enable the further development of

this work. He reported that more women than men used the Council's leisure facilities, particularly pre-paid gym memberships, but that in the private and third sector male participants greatly outnumbered female participants so the Council did need to do more to support female participation.

Decisions

1. To note the report.
2. To endorse Widening Access and Participation as a key priority to continue to be embedded in Leisure, Libraries, Galleries and Culture strategies and reporting going forward.

CESC/19/49 Overview Report

A report of the Governance and Scrutiny Support Unit was submitted. The overview report contained a list of key decisions yet to be taken within the Committee's remit, responses to previous recommendations and the Committee's work programme, which the Committee was asked to approve.

Decision

To note the report and agree the work programme.