

Neighbourhoods and Environment Scrutiny Committee

Minutes of the meeting held on 7 November 2018

Present:

Councillor Igbon – in the Chair

Councillors Azra Ali, Chohan, Flanagan, Harland, Hassan, Hewitson, Hughes, Jeavons, Kilpatrick, Lyons, Noor, Reid, White and Wright

Councillor Akbar, Executive Member for Neighbourhoods

Councillor Rahman, Executive Member for Schools, Culture and Leisure

Councillor Richards, Executive Member for Housing and Regeneration

Councillor Stogia, Executive Member for Environment, Planning and Transport

Robin Lawler, Chief Executive Northwards Housing

Jenni Seex, Legal Support Officer, Greater Manchester Fire Service

Jonny Sadler, Programme Director Manchester Climate Change Agency

Apologies: Councillors Appleby and Sadler

NESC/18/44 Minutes

Decision

To approve the minutes of the meeting held on 10 October 2018 as a correct record.

NESC/18/45 Highways Reactive Maintenance Programme

The Committee considered the report of the Director of Operations (Highways) that provided Members with information on the Highways Reactive Maintenance Programme.

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

- An update on the process to comply with the statutory duty to maintain the highway network under Section 41 of the Highways Act 1980;
- Information on highway safety inspections of roads and footways in order to identify all defects likely to create danger or serious inconvenience to users of the network or the wider community;
- Information on the materials used to undertake repairs;
- Utility works and how these were planned;
- Cyclical Drainage Programme;
- Performance Monitoring;
- Customer satisfaction survey results and comparisons to the national average, and
- The new code of practice “Well Managed Highway Infrastructure”

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

- Was there a schedule for the inspection of gullies;
- Was there enough staff to undertake inspections;
- Whilst noting the reported 90% of highways repairs were completed to the agreed standard what happened to the remaining 10%;
- What action was taken against Utility Companies if the repair work to the highway was not satisfactory;
- What was the timescale for repairs to potholes, commenting that this often took a long time following the initial inspection;
- Noting that Members received a lot of enquiries from residents regarding the time scale for repair works it would be beneficial if the schedule for repairs was shared with Members;
- How was the standard of pothole repairs monitored;
- How were 'hot spots areas' dealt with in terms of repairs and clearing of gullies and commenting that the timing of repair work had to be considered to ensure gullies could be accessed;
- Welcoming the production of the monthly ward performance data and requested that this be shared via ward coordination;
- Major arterial roads should be prioritised for highways repairs over side streets;
- The use of contractors and the arrangements for paying them for the work they undertook; and
- Was the cleaning of gullies coordinated with the leaf sweeping schedule to maximise efficiencies and impact.

The Head of Citywide Highways informed the Committee that the cleansing of gullies was a city wide programme that had commenced in September of this year. He said that the report provided a snap shot of those wards that had been visited to date. He said all wards would be visited as part of this programme and the schedule for this activity would be shared with the Members. He further commented that the team worked closely with colleagues in the leaf sweeping teams to coordinate this activity.

In response to the issue of pothole repairs he said that there was a Service Level Agreement for these to be undertaken, however acknowledged that there were times this was not met due to the backlog of repairs. He described that contractors were paid for the work they undertook. He said that all works were recorded and photographed and the work was checked following completion. He said that if the works were not completed to the required standard the contractor was required to rectify this at no extra charge and if a job was to fail following a repair the contractor could be required to re attend depending on the reasons for the failure, explaining this was why it was important to document and photograph each repair job. He commented that they also undertook inspections of the repair works undertaken by utility companies.

The Director of Operations (Highways) informed the Committee that there were currently 88 staff employed by Manchester Contracts and four subcontractors. He said that preference was given to using this in house team, however due to the scale and volume of the works required it was necessary to use subcontractors. He stated that subcontractors were expected to adhere to the standards required by the

Council in relation to the use of zero hour contracts and social value, and this would be reported to the Ethical Procurement and Contract Monitoring Sub Group. He further commented that a team was available to respond to any highway repair emergencies that may occur.

With regard to the issue of highway repairs and side roads the Head of Citywide Highways informed the Committee that an inspection of all highways was undertaken every two years. He said that defects were graded and then prioritised for repair work explaining that when these works were undertaken an assessment would be made as to the efficiency of delivering repairs to side roads at the same time.

The Executive Member for Environment, Planning and Transport said that she welcomed the positive feedback from Members regarding the production of performance reports and commented that these could be shared with ward coordinators. She said that information would be submitted to the Committee regarding the drainage repair contract stating that every gully would be visited and assessed so repair works could be prioritised. She said that Members would be informed as to when their wards were to be visited and encouraged all Members to take the opportunity to attend inspections with officers from the team to witness the work they undertake. She said that Highways investment was a five-year programme and Members would be consulted with as this investment progressed.

Decisions

The Committee: -

1. Recommend that future update reports include more information and data at a ward level;
2. Recommend that the highways and gully maintenance schedules be shared with ward coordination; and
3. Recommend that the schedule for pot hole repairs be shared with ward coordination.

NESC/18/46 Highways and the Flow of Traffic in the City Centre

The Committee received the report of the Director of Operations (Highways) that provided Members with information on Highways and the flow of traffic in the City Centre.

Members expressed their dissatisfaction with the content of the report and commented that it was not suitable to scrutinise. The Chair recommended that a report be submitted to the December meeting that provided the Committee with information on how traffic flow was monitored, managed and facilitated across the city. The Committee supported this recommendation.

Decision

The Committee recommend that this report be withdrawn from the agenda and a report be submitted to the December meeting that provides information on how traffic flow is monitored, managed and facilitated across the city.

NESC/18/47 Improving Road Safety around Schools

The Committee considered the report of the Operational Director of Highways that provided Members with an update to the report that was considered by the Committee at their July meeting.

The Chair opened this item by apologising to the residents of Manchester that this item continued to be brought back to the Committee. She explained that this was an important subject to ensure the safety of all children across the city, and to date the Committee had not been satisfied with the information that they had been provided with.

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

- A response to the inaccuracies and comments sent by Members following the July meeting and whether these have been implemented in the plans;
- A full list of work programmed and the associated timescales in phase 1; and
- Information on what consultation with members, schools and residents would happen and the time frame for this activity.

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

- Members expressed their dissatisfaction with the lack of consultation with schools regarding any proposals;
- Dissatisfaction with the lack of responses to enquires raised with Officers when seeking clarification on proposed schemes;
- Questions were raised as to how policy and assessment criteria had been applied, commenting that there was no confidence that these had been applied correctly or consistently;
- Frustration that this work still had yet to be implemented, commenting that the safety of children needed to be prioritised;
- There appeared to be a failure in communications between the Highways Department and the Education Department that had contributed to delays in delivering road safety improvements;
- A question was raised as to why one school had been identified for works, commenting that it was not felt to be appropriate.

The Executive Member for Environment, Planning and Transport said that she took full responsibility for the lateness of the report and for it not coming back to the September meeting, and accepted that the Highways Department needed to work more closely with the Education Department. She said that a Project Lead had been appointed to oversee this work and the Council was fully committed to improving the safety of our school children as they travelled to and from school. She said she remained committed to delivering the schemes identified by the end of January 2019.

The Executive Member for Schools, Culture and Leisure said that whilst ultimately this was a highways project he remained committed to working with his Executive colleague to successfully implement these improvements.

The Director of Operations (Highways) responded to a request from a Member for timely and regular updates on the progress of this programme by offering to provide a weekly update to Members and gave an assurance that this work would be progressed.

Having discussed the item Members stated that they were not confident with the process and moved a recommendation that the Chair raise the concerns expressed by the Committee with the Leader and the Chief Executive.

Decision

The Committee recommend that the Chair raise the concerns expressed by the Committee with the Leader and the Chief Executive.

NESC/18/48 Sprinkler and fire safety works update

The Chair introduced this item of business by stating that the Committee condemned the recent deplorable actions of individuals on bonfire night. She said the Committee extended their solidarity and condolences to the victims and families of the Grenfell tragedy. This sentiment was supported by the Committee and all those present. The Committee then considered the report of the Strategic Director (Development) that described that following the Grenfell Tower tragedy, the Executive had considered reports at their June, September and December 2017 meetings. The Committee was advised that the Council had committed to installing sprinklers, subject to surveys, consultation and receiving updated costs, in all Council-owned tower blocks as well as to implement fire safety works recommended by Type 4 Fire Risk Assessments.

This report provided an update and recommended additional approvals in relation to the 24 Council-owned tower blocks managed by Northwards Housing, 11 tower blocks managed by two PFI-funded contractors and Woodward Court managed by homelessness.

It did not cover in detail those blocks managed by PFI contractors in Miles Platting (7) and Brunswick (4), nor did it include privately owned blocks.

The Committee had been invited to comment on the report prior to its submission to the Executive on 14 November 2018.

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

- The rationale for the decision previously taken by the Executive at their meeting of 13 December 2017;
- A description of the budget approval, procurement, technical approval and risk assessments; and

- Information on the consultation exercise undertaken by Northwards Housing.

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

- Welcoming the comprehensive report, noting that it demonstrated the 'Our Manchester' approach to engaging with residents;
- Every effort should be taken to challenge the myths around sprinkler systems and encourage all residents to have sprinklers installed in their flats, including the use of communal spaces, social media, resident's groups and one to one discussions with residents and experienced firefighters;
- Portable Appliance Testing (PAT) needed to be undertaken, especially with the increase in second hand sales of appliances;
- What was being done to influence owners of private blocks to introduce safety measures and reassure the tenants;
- Would a sprinkler system be installed if a tenant who refused one subsequently moved out; and
- What impact would the installation of sprinklers have on insurance premiums.

The Chief Executive Northwards Housing stated that if a tenant was to move out of a property a sprinkler system would be installed prior to the property being re-let. He said that he respected the decisions taken by individuals not to have a sprinkler system installed but wanted to ensure that this was an informed decision. He said that Manchester was pioneering in the approach taken to this issue.

The Greater Manchester Fire Service Officer commented that a lot of myths surrounded the issue of sprinkler systems, in particular the concern around faulty activation. She commented that the occurrence of such events were very low, stating that evidence had shown that the chances were 16m to 1, and the priority was to ensure all residents were safe and protected in their homes. She said awareness and engagement events had been arranged for residents and this had included 1 to 1 meetings. The Chief Executive Northwards Housing commented that a sprinkler system had been installed seven years ago in a block without failure, he further commented that 'safe and well' visits were all routinely undertaken with vulnerable residents.

The Executive Member for Housing and Regeneration stated that she recognised the concerns expressed by both Members and residents about the issue of safety in privately owned blocks. She informed the Committee that both herself and the Director of Housing and Residential Growth had been appointed to the Ministerial Task Force that had been established to influence the private sector. She said that she also worked closely with the Fire Service in Manchester to engage with and influence private owners for the benefit of residents. With regard to those tenants who opted not to have sprinklers installed she said that whilst every effort was taken to educate and inform people as to the benefits of these, ultimately the decision not have them would be respected.

The Head of Housing said that if sprinklers were installed in all apartment blocks the cost of the insurance premium to the Council would remain the same however the excess that would be charged would be dramatically reduced.

The Director of Housing and Residential Growth commented that he was fully aware of the safety concerns expressed by residents living in private blocks. He said that a moral position had been taken with developers and owners to influence them into taking action to address any issues. He said he remained committed to working with apartment block owners to influence change and would update the Committee at a future date.

The Director of Housing and Residential Growth further paid tribute to the resident who had contacted the council to raise their concerns regarding the installation of sprinkler systems.

In response to the issues raised regarding white goods and PAT testing the Executive Member for Housing and Regeneration acknowledged the concerns expressed and noted the cost to families of replacing broken or faulty white goods and the potential dangers of purchasing second hand white goods. She stated that Northwards were currently reviewing their options for offering an affordable scheme to tenants to purchase white goods. The Chief Executive Northwards Housing stated that currently they did not offer a PAT testing service however he was mindful that the Grenfell enquiry may consider recommendations around this issue following conclusion on their investigation.

Decisions

The Committee endorse the recommendations contained within the report that the Executive:

- Is requested to note the progress made since December 2017.
- Is requested to note that the consultation undertaken demonstrated significant support for sprinklers but also that a minority of residents were strongly opposed.
- Is requested to note the support for sprinklers from Greater Manchester Fire and Rescue Service and National Fire Chiefs Council. The Prime Minister has also recently endorsed retrospective fitting of sprinklers to publicly-owned tower blocks.
- Is recommended to continue to proceed with fitting sprinklers, but give residents the ability to decline having sprinklers installed in their flat as long as they have first been given the opportunity to understand the benefits and risks as outlined in paragraph 3.8.
- Is requested to note that the overall budget for sprinkler installation across 35 tower blocks (Whitebeck Court extra care scheme already has a sprinkler system) remains, as estimated, £10.5m approved by Executive in December 2017 and that these systems will have a 30-year life. These costs are being met within the Housing Revenue Account (HRA) through the rephrasing of the Public Sector Capital Programme.

- Is recommended to approve that the initial installation of sprinklers is offered to leaseholders free of charge at an estimated cost of £240k (to include Miles Platting and Brunswick PFI leaseholders) from the Council's General Fund Housing Private Sector Capital Programme as detailed in paragraph 4.4. This is in addition to the £10.5m sprinkler budget identified above, and will require an increase of £240k to the Private Sector Housing capital budget. However, leaseholders will be required to meet the estimated £167 annual repair and maintenance costs.
- Is requested to note that the fire safety works recommended by the fire risk assessor, Savills, are mandatory and is asked to recommend to Council that the budget for these fire safety works should be increased from £4.0m to £5.2m as the budget request to Executive in February 2018 did not include the tower blocks managed by PFI contractors in Miles Platting and Brunswick and Woodward Court. This will require an increase of £1.2m to the Public Sector Capital Programme from revenue contributions from the HRA.
- Is requested to note that the contracts for sprinklers and fire safety works (plus the other works included in those contracts) include contingency but otherwise place cost risk on the Council, with Northwards Housing managing these contracts on the Council's behalf to mitigate against further costs. Further costs are, however, possible as the sample surveys undertaken may not have identified the full extent of works.
- Is recommended to approve the revenue costs associated with maintaining sprinkler systems as outlined in the revenue consequences section of this report and in paragraph 4.3. Negotiations will be held with Northwards and the PFI providers with regard to the additional revenue funding required, and any subsequent increase in the budget will be met from the Housing Revenue Account.
- Is requested, where access is denied by tenants or leaseholders to implement fire safety works, to delegate authority to take legal action, where required, to the City Solicitor in discussion with the City Treasurer, Director of Housing and Residential Growth, Executive Member for Housing and Regeneration and Executive Member for Finance and Human Resources.

And note that Executive recommend that Council

- is asked to approve a capital budget increase for these fire safety works of £1.2m (from £4.0m to £5.2m) to include the tower blocks managed by PFI contractors in Miles Platting and Brunswick and Woodward Court in the capital programme. This will require an increase of £1.2m to the Public Sector Housing Capital Programme funded from revenue contributions from the HRA.

[Councillor Hassan declared a personal and non-prejudicial interest in this item as he is a member of the Northwards Housing board.]

The Committee considered the report of the Deputy Chief Executive that provided Members with an update on the recent work undertaken by the Tyndall Centre for Climate Research which recommended the establishment of a carbon budget for Manchester. Adopting this carbon budget would mean committing the city to a target of becoming zero carbon by 2038 rather than the existing 2050 target. The report detailed that the Manchester Climate Change Board had developed an outline proposal setting out how all partners and residents in the city might play their full part in achieving this ambition and this was provided with the report.

The Committee had been invited to comment on the report prior to its submission to the Executive on 14 November 2018.

The Programme Director Manchester Climate Change Agency referred to the main points and themes within the report which included: -

- Information demonstrating the impact of global warming and the local response to this;
- Information on the work of the Tyndall Centre for Climate Research at the University of Manchester and its recommendations that the city adopt a carbon budget and emit only a maximum of 15 million tonnes CO₂ for the period 2018-2100; commit to a 13% year-on-year reduction in citywide CO₂ emissions from 2018 to achieve this carbon budget; and for the city to be zero carbon by 2038;
- The role of the Council in both leadership and influencing partners across the city; and
- Anticipated timescale for work.

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

- Support for the roll out of Carbon Literacy Training to schools and registered provider residents;
- More detail was required regarding the plans and timescales to deliver this programme;
- Aviation emissions and Manchester Airport needed to be addressed within the climate change action plan;
- The impact on health and the wider determinants of health needed to be addressed such as fuel poverty and what options were available for retrofitting homes so they were energy efficient; and
- How could the Council use its existing policies, such as planning to influence climate change and mitigate against extreme weather conditions.

The Programme Director Manchester Climate Change Agency informed the Committee that Manchester would be one of a small number of cities across the world to commit to becoming a zero carbon city in line with the Paris Agreement. He stated that the health and wellbeing benefits to citizens of this activity were also understood noting that significant savings could be realised to the health economy through, for example better insulation of homes. He also referred to the economic

opportunities that this presented to the city which were significant as green technology businesses could be attracted into the city.

In response to the comments regarding how this ambitious programme would be delivered he advised that this report presented a platform for the development of a more detailed draft plan that would be reported to the Committee in February 2019, with the target of launching the full plan in April 2020. He said the report in February 2019 would detail the various activities and work streams identified and the partners identified to deliver this plan and begin to address the questions that Members had.

The Programme Director Manchester Climate Change Agency further commented that he welcomed the proposals circulated by the resident from Gorton who had attended the meeting that called for closer working with young people, schools and school's governors to achieve the ambitions described within the report.

Decisions

The Committee endorsed the recommendations contained within the report that the Executive:

- Adopt the Tyndall Centre's proposed targets and definition of zero carbon on behalf of the city.
- Commit to developing a draft action plan by March 2019 and a final detailed plan by March 2020 setting out how the city will ensure that it stays within the proposed carbon budget.
- To recognise that by taking urgent action to become a zero carbon city, starting in 2018, we will achieve more benefits for Manchester's residents and businesses up to 2025 and beyond.
- Work with partners to ensure that Manchester accelerates its efforts to encourage all residents, businesses and other stakeholders to take action on climate change, starting in 2018.

NESC/18/50 Overview Report

The report of the Governance and Scrutiny Support Unit which contained key decisions within the Committee's remit and responses to previous recommendations was submitted for comment. Members were also invited to agree the Committee's future work programme.

The Chair informed the Committee that she would be meeting with Officers at the rise of this meeting to discuss the Work Programme and agree the items that were to be scheduled.

Decisions

The Committee notes the report and approve the work programme.