

Audit Committee

Minutes of the meeting held on 11 February 2019

Present:

Councillor Ahmed Ali - In the Chair
Councillors Connolly, Lanchbury, Russell, A. Simcock and Watson
Mr S Downs (Co-opted member) and Dr D Barker (Co-opted member)

Apologies: -

Also in attendance:

Councillor B Craig (Executive Member for Adults Health & Wellbeing)
Mr Chris Jeffries (Chair, Audit Committee – Manchester Clinical Commissioning Group)

AC/19/01 Minutes

The minutes of the Audit Committee held on 10 December 2018 were submitted for approval.

Decision

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

AC/19/02 Audit Strategy Memorandum

Members considered the report of Mazars, the Councils appointed external auditor, which provided the Committee with the Audit Strategy Memorandum for the City Council for the year ending March 2019. The memorandum provided a summary to:

- Set out the audit approach;
- Identify significant audit risks and areas of key judgements
- Provide details of the audit team.

The Chair invited questions from the Committee.

A member requested an explanation of misstatements, referred to in the memorandum, regarding the material threshold level of triviality (£1.5m) and the potential that a number of errors occurring below the threshold could result in a significant amount.

It was reported that items below the material threshold would not be reported as a matter of course however, a number of errors in the same area of service would be highlighted. Members were informed that the practice of not reporting matters with no material impact is within the scope of national audit work.

A member asked for a position regarding the preparations in place for the completion submission of council's accounts by the July 2019 deadline.

It was reported that the preparations for the council's annual accounts were in place with the required information expected by the May deadline. An exercise would be undertaken to consolidate the Airport Group accounts and formalise accountancy practices. Work had also been undertaken to trial an earlier accounts deadline for the Airport Group using draft accounts in May to achieve a final version in July.

Decision

To note the report submitted.

AC/19/03 Internal Audit Assurance Report

Members considered the report of the City Treasurer and the Head of Internal Audit and Risk Management which presented a summary of audit work being undertaken and opinions issued for the period April to December 2018, as part of the annual programme of audit work across the Council.

The Head of Internal Audit and Risk Management introduced the report and provided an update on audit work and changes made within the audit plan.

The Committee was also informed that the Council would continue to issue press releases to public raise awareness of counter fraud investigations resulting in convictions.

The Chair invited questions from the Committee.

A member made reference to the requirement of three quotations for goods and services over the value of £2000 and asked officers how the level is set in view of the difficulties for schools in obtaining three quotations for such a low level of spend. Officers were also asked what impact the introduction of General Data Protection Regulations (GDPR) has had on the volume of Data Protection work within schools.

It was reported that the financial regulations used by schools is the same as that used by the City Council which also requires three quotations for services with a value of £2000 and over. The Committee was informed that the introduction of GDPR had raised the profile of Information Rights, which had resulted in increased activity and this had involved support and advice provided through the Internal Audit Data Protection Officer service to schools

A member referred to the limited assurance opinion in relation to the Mental Health Casework Audit and asked officers how the issues arising from the audit were being addressed.

It was reported that a holistic approach would be taken in addressing the issues as part of the Adult Services Directorate Business Plan and Improvement Plan which

had been shared with Internal Audit.

A member expressed concern regarding assurance findings within Adult Services, in particular, the issues relating to:

- mental health casework audit findings;
- limited assurance for arrangements in place for management oversight and supervision;
- outstanding recommendations from the audit of homecare contracts and transitions to adulthood;
- importance of a successful Liquidlogic system implementation

A member proposed that the Health Scrutiny Committee be made aware of the issues highlighted and to refer the report submitted for Scrutiny ensure that the improvement plan is addressing those areas of concern.

Officers were asked to provide further explanation of the issues relating to limited assurance of the Highways Framework TC886. Officers were also requested to check to ensure that the recommendation had been completed by management to address the issues raised by the end of the financial year 2018/19.

The Committee was informed that TC886 is a highways repair contract where concern had been raised on the operation of the contract framework which is not operating as was original proposed.

A member referred to the limited assurance relating to frameworks agreements, in particular, taxis, highways and financial services as referred to in the report and asked if this would be extended to other areas.

The Committee was informed that the audit of other framework agreements could be extended across the Council and will be included in the planning of the work programme based on the internal audit findings as outlined.

Decisions

1. To note the report submitted.
2. To note with concern the comments raised relating to Adult Services, in particular, the length of time that particular areas of the service have not shown improvement in the level of assurance given.
3. To refer the report submitted to the Health Scrutiny Committee for information and to draw the Committee's attention to the concerns raised regarding Adult Services.

AC/19/04 Internal Audit: Manchester Support for Independent Living (MSIL) Risk Assessment and Audit Plan

The Committee considered the report of the City Treasurer and the Head of Internal

Audit and Risk Management which presented a summary of the rationale for deferring an audit of Manchester Support for Independent Living until 2019/20 and replacing it with an audit of Deprivation of Liberties and Safeguarding. The report provided an explanation of the basis of the risk assessment and alternative means of assurance.

The Chair invited questions from the Committee.

A member expressed concern on the Audit Plan regarding the level of focus given on service areas supporting individuals that should be allocated a higher level of importance. Reference was also made to the length of time taken to make an assessment, which had an average of seven months and asked, in view of this delay, how long did the work identified take to complete.

The Head of Internal Audit and Risk Management noted the comments made and reported that the Audit Plan provides a rounded audit assurance across the breadth of all activities of the Council. This would include the audit of services concerned with the health and wellbeing of residents as well as other services. The point raised regarding assessment time within MSIL would be considered as part of the planning for the audit of this service within the Audit Plan Quarter 1 - 2019/20.

The Committee discussed the preparation of the Annual Internal Audit Plan and the involvement of the Audit Committee in that process. The Committee was informed that preparations for the Audit Plan 2019/20 were ongoing and a report would be submitted to the April meeting of the Audit Committee. Members commented that the Committee should have opportunity to input earlier in the process rather than just at the approval stage and it was suggested that a report containing proposals be available before the beginning of new financial year.

Arising from the discussion the Head of Internal Audit and Risk Management reported that there would be difficulty in providing the Committee with a draft version of the Audit Plan prior to the April meeting. The Committee was informed that the preparation of the Audit Plan 2020/21 would be addressed within the Audit Strategy report and this would include input from other sources including issues arising from member casework for potential areas of service to audit. A draft 'visioning' document would be produced for consideration at the December 2019 meeting of the Committee.

Decisions

1. To note the report submitted and the comments made.
2. To request the Head of Internal Audit and Risk Management to include a draft Annual Audit Plan Visioning report item in the Annual Work Programme 2019/20 for submission to the December 2019 meeting of the Committee.

AC/19/05 Outstanding Audit Recommendations

The report of the City Treasurer and the Head of Internal Audit and Risk Management was considered which presented a summary of the current implementation position in respect of the high priority Internal Audit recommendations.

The Chair invited questions from the Committee.

A member referred to the outstanding audit recommendations relating to Transitions to Adults Services, Homecare Contract and Liquidlogic implementation and the reasons for this. The Head of Internal Audit and Risk Management was asked if there was confidence that the audit recommendations would be completed by March 2019 and if not would the Director of Adult Services be invited to attend the next meeting of the Committee. A member asked if officers were aware of other potential knock on effects of ICT related issues in other services areas.

The Head of Internal Audit and Risk Management explained that the timing of the process involving the circulation of reports to members and officers had been a factor in the delay. There was a potential risk that the recommendations may not be fully implemented relating to the Homecare Contract work and Transition to Adult Services.

The City Treasurer stated that it would be helpful to have the relevant officers present at the next meeting to explain the current audit position to the Committee. In addition, consideration would be given to other potential areas of high risk.

Decisions

1. To note the report submitted and the comments received.
2. To invite the Director of Adult Services to attend the next meeting of the Committee to provide a service wide report, that is supported by Children's Services, to respond to the concerns raised regarding the overdue audit work relating to:
 - Transition to Adult Services;
 - Homecare Contract.

AC/19/06 Register of Significant Partnerships

The Committee considered the report of the Deputy Chief Executive containing the Register of Significant Partnerships 2018. The report presented the format and review and assurance process associated with the register. The report also focussed on partnerships which have been added to the Register during 2018 and those where the governance strength rating had changed or where the rating remains 'Medium' or 'Low' following completion of the latest self-assessment.

The Chair invited questions from the Committee.

A member referred to the level given to the governance rating given the Manchester

Safeguarding Adults Partnership Board (MSAPB) and the process used to assess and determine the rating. Officers were asked how the disparity of a 'high' rating is addressed where there were issues of concern identified on the operational delivery of a service and was this replicated across the Partnership Register.

It was reported that there is a three stage process involving production of a self-assessment that in turn is assessed by an experienced panel to justify the governance strength applied. The governance assessment is then either confirmed or revised if it is not considered appropriate.

The Executive Member (Adult Health and Wellbeing) addressed the Committee and explained that changes introduced from the lessons learned had helped to strengthen the governance arrangements of the MSAPB. The point was made that audit work is based on a snapshot of the subject area at a point in time, however the issues identified may reduce as a result of recommended changes for improvement.

A member referred to Brunswick PFI (entry 50 on the Register of Significant Partnerships) and proposed that, in view of the concerns expressed within the report on refurbishment programmes not being achieved, the matter be referred to the Resource and Governance Scrutiny Committee.

A member made reference to the Northern Gateway (entry 15 on the Register of Significant Partnerships) and questioned the 'Medium' Governance Strength rating in view of the significance of the partnership and what this will deliver to Manchester. It was reported that from the comments raised, the significance rating of the Northern Gateway would be reassessed.

A member referred to the Factory Project (Manchester International Festival) and asked if this was a significant enough partnership to be included on the Register of Significant Partnerships.

The Committee was informed that the Factory Project would be subject to an assessment to determine its inclusion on the Register.

Decisions

1. To note the report submitted and comments received, in particular, the concerns raised regarding Brunswick PFI and Northern Gateway.
2. To refer the Brunswick PFI for consideration by the Resource and Governance Scrutiny Committee.

(The Chair adjourned the meeting: 11:30am – 11:40am.)

AC/19/07 Health and Social Care Assurance Framework

The Committee considered the report of the Head of Internal Audit and Risk Management, which provided the key elements of the current health and care

assurance framework with a focus on governance and assurance from a Council perspective.

The report provided an outline of the assurance framework across the partnership involved in the coordination of health and care services to Manchester residents and how the partnerships interact with the Council's assurance framework.

The Chair invited questions from the Committee.

A member referred to paragraph 6.2 of the report and the issue of liaison between auditors of the Council and its partners and asked officers where had liaison proved to be less effected and when would the development of processes be completed. Reference was also made to the integration of health and social care with the purpose of empowering communities and officers were asked if governance arrangements were proposed to implement this at a local level.

The Committee was informed that the issue of liaison between auditors related to auditing work that had been undertaken which had not been notified to the Council's auditors or partnership auditors. Discussions had been held between auditors resulting in the production of a draft working protocols and joints plans document for introduction in 2019/20.

The Executive Member for Adults Health & Wellbeing reported that from a local governance perspective, neighbourhood working through the use of boards was ongoing and this would be included in the memorandum of understanding with the interested partners. This had helped to connect with groups with decision making into a very complex process.

In welcoming the arrangements and processes to introduce and develop local governance, the point was made that the importance of the strategic process was to effect positive outcomes for people at a local level. Officers were also asked that, in view of the separate nature of the audit work undertaken by partners, was it possible to meet at a joint level with the partner audit committees to better understand the breadth of the audit work involved. Also could the Audit Plan include an item that would involve a joint meeting with partnership audit members.

The Audit Committee Chair (Manchester CCG) addressed the Committee and welcomed the opportunity to meet with the Chair of the Committee to identify areas of overlap between the two committees and produce a joint planning paper.

A member stated that consideration needed to be given in the establishment of audit committees within the partner organisations to avoid the duplication of processes and create a streamlined integrated audit service.

The Executive Member (Adult Health & Wellbeing) made the point that in welcoming the opportunity for the two audit committee chairs to meet it was also important to consider that the Council already had planning and meeting structures in place where health and social care matters are reported, scrutinised and accountable.

A member commented that the Audit Committee could receive the minutes of the

Manchester Local Care Organisation Audit Committee to be made aware of the matters being audited.

Decisions

1. To note the report submitted and the comments received.
2. To note the current assurance framework, planned developments.
3. To note that arrangements will be made for a meeting of the Chair of the Audit Committee (Councillor Ahmed Ali) and Councillor Russell (as an Audit Committee Member) and the Chair of the Audit Committee (Manchester CCG) to identify and discuss areas of potential common interest between the two audit committees.
4. To request that the minutes of the Manchester Local Care Organisation Audit Committee be submitted to the Audit Committee for information.

AC/19/08 Work Programme and Audit Committee Recommendations Monitor

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

Decision

To note that the Work Programme and Recommendations Monitor will be updated for the next meeting of the Audit Committee.

Licensing Committee

Minutes of the meeting held on Monday, 4 March 2019

Present: Councillor Ludford (Chair) – in the Chair

Councillors: Grimshaw, Chohan, Evans, Hassan, Hughes, Jeavons, Lynch, McHale, Madeleine Monaghan, Reid, Stone and Paul

Apologies: Councillor Barrett and T Judge

LHP/19/10. Minutes

To approve as a correct record the minutes of the meeting held 22 October 2018.

Decision

To approve as a correct record the minutes of the meeting held 22 October 2018.

LHP/19/11. Compliance Report Qtr 1 2018/19

This item was withdrawn prior to the meeting.

LHP/19/12. Compliance Report Qtr 2 2018/19

This item was withdrawn prior to the meeting.

LHP/19/13. Compliance Report Qtr 3 2018/19

This item was withdrawn prior to the meeting.

Licensing and Appeals Committee

Minutes of the meeting held on Monday, 4 March 2019

Present: Councillor Ludford (Chair) – in the Chair

Councillors: Grimshaw, Chohan, Evans, Hassan, Hughes, Jeavons, Lynch, McHale, Madeleine Monaghan, Paul, Reid and Stone

Apologies: Councillor Barrett and T Judge

Also present: Councillors:

LAP/19/31. Minutes

To approve as a correct record the minutes of the meeting held on 3 December 2018.

Decision

To approve as a correct record the minutes of the meeting held on 3 December 2018.

LAP/19/32. Taxi Compliance Update Report

The Principal Licensing Officer presented the report that provided the Committee with information in respect of compliance work undertaken by the Unit during April - June 2018 and where possible provided comparative data to demonstrate performance and change.

Table 1 in the report showed an increase in complaints received during Qtr 1 and Qtr 2 18/19 compared to the same quarters the previous years. As has previously been reported to the Committee, service improvements over the past 2 years included objectives to:

- Ensure the wider public are more aware of how to report issues and find it more accessible to do so – particularly with regards to disability related issues
- Improve response, investigation times and quality; thereby generating more complaints as people see more value in doing so

and therefore the general increase in complaints from residents and visitors to the City was anticipated and welcomed.

Qtr 3 18/19 shows a decrease in the number of complaints both from the previous quarter and against the same quarter the previous year. Qtr 3 is usually the busiest quarter for complaints with the City seeing peak numbers in visitors and journeys over the festive period; so this reduction could indicate improved levels of customer service and satisfaction.

The Committee questioned whether more could be done to improve the standard of driving for both Hackney Carriage and Private Hire Drivers, and officers confirmed that driving standards are constantly monitored. Officers also agreed to investigate the possibility of using technology to help improve standards where they fell below the expected level.

The Committee also asked about the issue of ply-for-hire offences, and asked for clarification as to how widespread this was. Officers said that the problems were widespread, and included both drivers licensed by Manchester, and drivers who had Hackney Carriage licenses issued by other authorities, which allowed them to work as Private Hire drivers in Manchester. Officers confirmed that routine checks are carried out on both day and night shifts at various locations across the City, including railway stations, the airport, hospitals and supermarkets. On night shifts interactions are targeted to hotspot areas causing congestion within the Night Time Economy, and locations where the risk of illegal activity is higher. Officers also confirmed that they regularly undertook operations such as Operation Aztec to identify drivers willing to ply-for-hire illegally, but that their resources, although improved, were limited. More recently, Aztec has expanded its focus and now regularly targets illegal plying for hire using specially trained Special Constables undertaking journeys as customers in licensed vehicles. The Operations use different sites to direct vehicles for questioning under caution or vehicle checks, and the system is flexible to enable a check site to be shut down and moved on any given operation.

The Committee asked whether drivers with Hackney Carriage licenses issued by local authorities could misunderstand the law that they could only ply-for-hire within the area covered by the issuing authority, but officers confirmed that they believed the drivers were fully aware of the illegality of their actions, but were willing to take the risk as the financial rewards were high. Officers also confirmed that they would consider changing the paperwork issued by Manchester to make the illegality of ply-for-hire explicit.

Decision

To note the report.

Planning and Highways Committee

Minutes of the meeting held on Thursday, 14 February 2019

Present: Councillor Ellison (Chair)

Councillors: Shaukat Ali, Clay, Curley, Dar, Kamal, Kirkpatrick, J Lovecy, Lyons, Watson, White and Wilson

Apologies: Councillor Nasrin Ali and Madeleine Monaghan

Also present: Councillors: Hughes, Newman and Wheeler

PH/19/12. Supplementary Information on Planning Applications on this agenda.

To receive the supplementary information on Planning applications on this agenda.

Decisions

To receive and note the supplementary information on Planning applications on this agenda.

PH/19/13. Minutes

To approve as a correct record the minutes of the meeting held on 17 January 2019.

Decision

To approve as a correct record the minutes of the meeting held on 17 January 2019.

PH/19/14. 120302/FO/2018 - Heald Green House Irvin Drive Manchester M22 5LS.

This application was reported to the Committee on 17th January 2019. As Members resolved that they were minded to refuse the proposal, the application was deferred for the following reasons and asked that a report be brought back which addresses these concerns and provide for further consideration of potential reasons for refusal:

- Loss of visual amenity for local residents and loss of amenity relating to traffic and noise
- Loss of residential units
- Air quality – cumulative impact
- Pressure on the road network
- Sustainable Transport

The site measuring 0.9 hectares is currently occupied by a two storey residential apartment block known as Heald Green House.

The site sits to the south of a surface level airport car park consented under reference 072290/FO/2004/S2 for 640 long stay car parking spaces with associated landscaping and boundary treatment, access from Irvin Drive and 5 metre high lighting columns, operated by Peter Ashley.

Decision

To refuse to grant the application for the following reasons.

1. The development proposals would result in a large expanse of surface level car parking that would be visible from outside of the site to the detriment of the character of the area thereby causing harm to the visual amenity of neighbouring property, contrary to policy DM1 of the Core Strategy and the National Planning Policy Framework.
2. The increase in comings and goings of vehicles and increase in the numbers of vehicles within the application site will lead to noise disturbance that would cause harm to the residential amenities of surrounding property, contrary to policy DM1 of the Core Strategy, saved policy DC26 of the Unitary Development Plan and the National Planning Policy Framework.

PH/19/15. 121709/FO/2018 - 111 Lapwing Lane Manchester M20 6UR.

The application site relates to a vacant retail/off-licence shop formerly known as Didsbury Food and Wine which occupies one unit within a parade of nine mixed units that includes, a bar, cafés, a post office and a pharmacy. In addition to the Edwardian parade there is also a Pizza Express restaurant and a former bank which fronts the corner of Palatine Road and Lapwing Lane. The property is three storeys in height and in 2017 permission was granted to create two, one bedroom apartments on the upper floors (117372/FO/2017). The property fronts Lapwing Lane, where there are eighteen car parking spaces directly in front of the parade, a bus stop and tram services from the West Didsbury Metrolink Stop.

Change of use from retail (Class A1) to restaurant (Class A3) with new shop front and extraction flue to rear.

Officers advised that should the Committee be minded to approve the application, an additional condition would be added to ensure that roller shutters would be opened in the morning and remain open throughout the day until the restaurant was open and trading.

The applicant's agent spoke to the Committee and said that the application would bring back to use a currently empty unit, and that the use would be as a Sushi Restaurant which was a unique food offering in the immediate vicinity. He added that Sushi requires very little cooking, which meant that they had been able to reduce the size of the extraction flue following discussion with officers. He added that the unit has not attracted any interest for use as a retail business, and that all enquiries had related to food use.

He also said that the proposed operator had a great deal of experience in running a business of this type, and that the conditions contained in the report would be sufficient to mitigate the concerns raised by local residents. He said that they had worked closely with officers to ensure that the issues raised by residents were fully addressed.

The Committee considered that on balance the proposed change of use would not give rise to unacceptable impacts to warrant refusal of the application. The use would introduce additional activity to a parade that has been subject of recent environmental improvements led by a local organisation and bring back into use a currently vacant unit. It is not considered that the proposed use would give rise to unacceptable impacts in terms of residential amenity either by way of noise, odours or an increase in comings and goings within a commercial parade.

Decision

To approve the application subject to the conditions and reasons in the report and the late representation.

PH/19/16. 121410/JO/2018 - McDonalds 312-316 Barlow Moor Road Manchester M21 8AY.

The planning application site is located in Chorlton District Centre on Barlow Moor Road. The application relates to an established restaurant with the frontage to Barlow Moor Road, to the south there are established commercial uses, to the west are residential homes fronting Barlow Moor Road. To the immediate north of the existing building lies a commercial use fronting Barlow Moor Road, to the north east separated by a car park lies residential property at 324 Barlow Moor Road, beyond that lies Norbreck Avenue, immediately to the east separated by a car park lies residential property at Park Place.

Consent was granted under application 034033 for the McDonalds in 1989, the permission was subject to condition 8 which restricted the hours of opening to Sundays to Thursday: 8.00 a.m. to 11.30 p.m. Fridays and Saturdays: 8.00 a.m. to Midnight. This is the first application since 1989 to vary the hours of opening condition.

It is now proposed that the opening hours are extended as follows:
Monday to Sunday - 6.00 am to 12 midnight. This would have the effect of allowing the addition of two hours in the morning and half an hour of opening hours in the evening Sunday to Thursday.

The application was originally submitted requesting 5.00am to midnight Sundays to Thursdays and 5.00am to 01.00am Friday and Saturday, but following consultation responses McDonald's altered their planning application and a further consultation process was undertaken.

Officers confirmed that an additional condition restricting servicing hours to those approved under the original consent would be added, should the Committee be minded to approve the application.

The applicant spoke to the Committee and said that surrounding businesses of a similar nature, had similar or longer opening hours than those applied for. For example, Tesco Express opens 6am to 11pm, KFC restaurant opens 10.30am to 01.00am (12.30am on a Sunday), Marks and Spencers Food opens 7.00am (8.00am on a Sunday) to 10.00pm.

She added that customers during the morning hours typically accessed the site as part of their commute, so would be very unlikely to exhibit anti-social behaviour or to create noise nuisance. She also said that the site was on a busy main road, and the longer hours were designed to attract road users, so no increase in traffic was anticipated as the vehicles were already on the road.

The applicant also told the Committee that a comprehensive noise impact assessment had been submitted as part of the application process. This report was submitted on the basis of the hours originally applied for, the hours are now more restrictive and the impacts would therefore be less than those assessed.

The applicant also explained that McDonalds was committed to ensuring that there would be minimal impact on residents, and would work proactively to ensure that this was the case.

With regard to resident's concerns about increased litter, she explained that in addition to regular litter picks around the site, they work with local Councillors and undertake a wider monthly litter pick, often alongside the Chorlton Wombles, a voluntary community group, friends of Chorlton Park and volunteers from the restaurants in the area.

She added that the evidence submitted with the application and summarised in the report showed that the grant of permission would not impact on the amenity of local residents, and that the conditions would alleviate their concerns.

The Committee asked if the car parking arrangements, which had been sold on to a 3rd party organisation, could be improved as the current parking officer is very difficult to deal with. Officers advised the Committee that this issue was not a relevant concern with regard to the Planning application, but that officers would discuss this issue with McDonalds.

The Committee also asked for confirmation of the service hours, and officers advised that the standard condition was that servicing should not take place before 8am.

The Committee also commented on the proximity of the restaurant to local schools, and the possibility of an increase in anti-social behaviour with extended hours. Officers confirmed that they expected McDonalds to fully comply with the Noise Management Plan submitted as part of the application. In addition, Greater Manchester Police had no objections to the application. It is not considered that the addition of two hours in the morning and half an hour in evening Sundays to Thursdays would increase the probability of anti-social behaviours occurring on site.

Decision

To approve the application subject to the conditions and reasons in the report and the late representation, and an additional condition restricting service hours to those approved in the original permission granted.

PH/19/17. 121380/FO/2018 - Swan House Swan Street Manchester M4 5DF.

The site measures 0.3 hectares and is bounded by Rochdale Road, Swan Street, Cable Street and Mason Street. It includes a two storey, red brick, warehouse building that was used as a fish processing factory but has been split into several units used for textile manufacturing, storage, double glazing sales and a furniture shop with garages at ground floor.

The development proposes 373 apartments, 12 serviced apartments and 408 sq m of commercial space (Use Class A1, A2 or A3). The building would have two taller elements with a 31 storey tower on the corner of Rochdale Road/Swan Street and 13 storey building on the corner of Cable Street/Mason Street which would be joined by a low rise section of building along Cable Street.

Officers advised the Committee that the late representations contained information about several additional conditions that should have been detailed in the report, but had been omitted in error.

The applicant's agent spoke in support of the proposals and said that the development would enhance the New Cross Neighbourhood Development Framework (NDF) which will become a dense residential area and contribute to the City's economic and population growth. The Framework proposes development at a high to medium density with a taller building at the corner of Rochdale Road and Swan Street.

He added that the development would include several residential amenity improvements, as detailed in the report. 19 units would be reserved for affordable rent at 80% local market rents, the units being spread throughout the development, and would include a mixture of different types of accommodation on offer. He also said that the units would be directly marketed at key workers in Manchester. He explained that there would also be a S106 contribution, as determined by the viability assessment, for improvements to the public realm in the area.

He added that the principle of development accorded with Manchester Policies for growth, in particular the The Unitary Development Plan for the City of Manchester (1995). The construction phase would support over 700 new jobs, with a local labour agreement to be put in place. He added that this was a high quality, well designed development, and would accord with the highest architectural standards and positively connect to the surrounding area. The aim was to minimise car parking provision, but would include 1:1 cycle parking per unit.

Councillor Wheeler spoke regarding the proposals, and while he welcomed the fact that there would also be some on site affordable provision, was disappointed that this would only be 5% of the units developed. He also expressed concerns about eligibility for the affordable units, and questioned how key workers would be defined.

He said that the Council should have nomination rights to the affordable units, so that the Council would determine who was a key worker rather than the developer. He said that similar schemes in other local authority areas often used an ALMO or other local housing provider to determine who should occupy affordable units.

Officers confirmed that the issue of viability had been independently assessed on behalf of the Council, and that the independent assessment had concluded that a 5% provision was appropriate. Officers added that this was the first time that on site affordable housing would be provided in the City Centre for many years. The proposals had been fully tested against all local and regional benchmarks.

The Committee welcomed the provision of on-site affordable housing, but expressed disappointment that the scheme would not provide the Policy level of 20% affordable housing. The Committee also expressed some concern at the height of the Tower, and agreed that the Council, in conjunction with a local housing provider should retain nomination rights to the affordable units. The Committee also asked for more information regarding the proposed tree planting scheme, and asked for clarification as to how many trees would be planted.

Officers confirmed that the height of the tower was not unusual, and that the New Cross Neighbourhood Development Framework (NDF) actually required a tall building on this site. Officers also confirmed that the Policy required a contribution of up to 20% affordable housing, subject to viability. They added that the viability assessment had thoroughly tested the scheme, and the viable number of affordable units was 5%. With regard to the trees, officers said that there would be a minimum of 5, but that the number of trees planted would be limited by the constraints of the site itself.

While the Committee appreciated the provision of affordable housing, they also noted that consideration should be given to the provision of social housing in the city centre, as this was sadly lacking in the city centre environment. The Committee were satisfied that the affordable units would be of benefit to key workers, but commented that housing provision was also needed for the very poorest members of society.

The Committee also asked for clarification as to how the commercial units were assessed as part of the viability assessment, and officers advised that the commercial space is very small, but that this would have been factored in to the viability assessment.

The Committee asked for further clarification as to the provision of outside space and services that would be required for families living in the units. Officers confirmed that there were several green spaces within a short distance, and that further public realm being developed as part of the wider New Cross Neighbourhood Development Framework would add to this. In addition, there is a green roof on the development, which is designed as an amenity space. There is a school within a short distance of the site, and there will be ongoing dialogue with health providers to ensure that health provision is adequate.

Officers confirmed that the provision of disabled parking acceptable in light of the highly sustainable location. The level is in accordance with the Core Strategy and the

Residential Quality Guidance which states that the constraints of a site and the proximity of public transport should be a key consideration when considering onsite provision. Mobility scooters could be parked in safe and secure areas in the car park. In addition, there is a condition that will ensure that the developer will address any specific parking issues for residents that may arise.

Decision

To approve the application subject to the conditions and reasons in the report and the late representation.

PH/19/18. 120893/FO/2018 - Land Bounded By Bengal Street, Primrose Street, Radium Street And Silk Street Manchester M4 6AQ.

The Committee received a request for a site visit. The Committee considered that the report did not show the full context of the proposed development in the setting of the area, so concluded that a site visit was necessary.

Decision

To defer the matter to allow a site visit to be carried out.

PH/19/19. 121806/JO/2018 - Cotton Field Wharf 4 New Union Street Manchester M4 6FR.

The application site is approximately 0.99 hectares and consists of three interlinked residential blocks known as 'Cotton Field Wharf' which were granted planning permission in 2015 under planning permission 108562/FO/2015/N1.

Planning condition 22 of planning permission 118030/JO/2017 restricts the opening hours of the 3 ground floor commercial units within this development. CASK which operates under their own planning permission has the same restriction to their opening hours.

Condition 22 states that the commercial premises shall operate under the following opening hours:

The commercial premises hereby approved (including external seating areas), as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 shall not be open outside the following hours:-

<i>Monday to Saturday</i>	<i>08.00hrs - 23.00hrs</i>
<i>Sundays</i>	<i>09.00hrs - 23.00hrs</i>

The external seating areas shall not allow for the use of amplified sound or any music at any time.

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

The applicant originally applied to vary the operating hours within the above condition as follows:

*Sunday to Thursday 08:00 to 23:30
Friday and Saturdays 08:00 to 00:30*

The opening hours that were applied for were amended during the course of this planning application as follows:

*Sunday to Thursday 08:00 to 23:30
Friday and Saturdays 08:00 to 00:00*

These opening hours are on the basis which this planning application is being considered.

Officers recommended that condition 22 should therefore be altered as follows:

The commercial premises hereby approved, as indicated on drawing P30000 Rev E stamped as received by the City Council, as Local Planning Authority, on the 30 June 2015 and drawing SK-RB001 Rev A stamped as received by the City Council, as Local Planning Authority, on the 26 October 2017 shall not be open outside the following hours:-

*Sunday to Thursday 08:00 to 23:30
Friday and Saturday 08:00 to 00:00*

The external seating areas shall not allow for the use of amplified sound or any music at any time and shall operate in accordance with the following hours:

*Monday to Saturday 08.00hrs - 23.00hrs
Sundays 09.00hrs - 23.00hrs*

Reason - In interests of residential amenity in order to reduce noise and general disturbance in accordance with saved policy DC26 of the Unitary Development Plan for the City of Manchester and policies SP1 and DM1 of the Core Strategy.

Decision

To approve the application subject to the conditions and reasons in the report.

PH/19/20. 121537/FO/2018 - Land Bounded By Pottery Lane, Gorton Lane, Belle Vue Street And Polesworth Close Manchester M12 5JD.

The application site is comprised of two separate pieces of land located either side of Gorton Lane at the junction with Pottery Lane within the Gorton area of the City. The

two sites measure approximately 0.98 hectares in combined area, with Site 1 measuring 0.286 hectares, and Site 2 measuring 0.695 hectares.

Planning permission is sought through this application for a proposed residential development comprising 13 no. houses and 102 no. apartments across the two sites. The houses are either semi-detached or detached properties, and the apartments are provided within 4no. blocks ranging in height from 3 to 6 storeys.

The proposed housing will be of an affordable tenure, providing a mix of shared ownership and rent to buy properties increasing access to new affordable homes in the East Manchester area.

The applicant spoke in support of the proposals and said that the development would support the strategic aims for the City and this neighbourhood by delivering a high quality scheme in a priority location. The redevelopment of this site with a quality development will bring forward major environmental and regeneration benefits to the neighbourhood. The proposals would bring about the comprehensive redevelopment of the site and will be a major catalyst for further regeneration in this area. It is considered that the scheme would transform this junction on a main radial route in the City with the provision of quality residential accommodation close to existing employment opportunities and a range of locally available services.

The proposal will see the redevelopment of a brownfield site where the site is currently underused, within the heart of one of Manchester's key regeneration areas and positioned along a main radial route in the City. A total of 115 spacious residential units will be created which will contribute to the City's residential growth strategy and help support neighbourhoods of choice by introducing affordable accommodation.

He said that the applicant had worked closely with officers to ensure that the scale and design of the proposals were appropriate, and the clarifications within the report would address the concerns of current residents.

The Committee welcomed the proposals, and asked for clarification as to whether older people would be targeted to attract them to the apartment blocks, as there was a current focus on initial home buying rather than older people home buying.

The Committee also commented that they would like to see the Council having at least 50% nomination rights to the properties, and would like to see a mixture of affordable housing, private sale and social housing at social rent.

Officers confirmed that the scheme would be open to anyone to apply for any of the units, and not just targeted at younger residents. In addition, The land is subject to a development agreement, so the Council would not manage the list of nomination through the planning process, but officers would consult with colleagues as to how this could happen in the future.

The Committee asked for clarification as to the arrangements for Waste Management, and officers confirmed that there will be a full Waste Management

Strategy employed, and that the arrangements had been fully tested and found to be adequate.

Officers confirmed that there would be retention of existing trees and additional tree planting, to assist with reducing noise as much as possible, but that the location of the site was already on a busy road, so the increased levels of noise were within acceptable limits.

Decision

To approve the application subject to the conditions and reasons in the report and the late representation.

Personnel Committee

Minutes of the meeting held on Wednesday 13 February 2019

Present: Councillor Ollerhead (Chair) – in the Chair

Councillors: Akbar, Bridges Craig, Leech, S Murphy, Rahman, Richards and Stogia

Also present: Councillors Ilyas and Sheikh

Apologies: Councillors Leese and N Murphy

PE/19/06 Minutes

Decision

To approve the minutes of the meeting held on 29 January 2018 as a correct record.

PE/19/07 Senior Management Capacity

The Chair informed the Committee that this item had been withdrawn from the agenda.

PE/19/08 Senior Management Arrangements for the Homelessness Service

The Committee considered a report of the Acting Director of Adult Social Services (DASS) which sought approval for the establishment of a role of Director of Homelessness Services to take strategic and overall responsibility for the delivery of the Homelessness Strategy within the city.

The Acting DASS explained that currently a temporary resource was in place but in recognition of the growing challenges and demands within the service a permanent Director of Homelessness was required. The Committee acknowledged that a key driver for homelessness was the impact of welfare reform alongside increasingly high private sector rents which had increased three times faster than wages nationally. It was therefore anticipated that demands on the service would continue to increase and would be a significant challenge for the city. In addition, the Homelessness Reduction Act had placed new duties on the Council to prevent homelessness which had widened the application of the assistance and support that the Council is required to give, at the same time had significantly increased the bureaucracy. The Acting DASS then spoke about the vision for homelessness in the city which would be taken forward through the Homelessness Partnership and Strategy which was aligned with the following priorities:

- **Homelessness as a rare occurrence:** increasing prevention and earlier intervention at a neighbourhood level.
- **Homelessness as brief as possible:** improving temporary and supported accommodation to be a positive experience
- **Experience of homelessness to be a one-off occurrence:** increasing access to settled homes

It was asserted that the establishment of the post would enable strategic and overall responsibility for the delivery of the Strategy, address the challenges, champion interventions to support the prevention of homelessness and develop and strengthen the partnerships across the broad range of organisations that are involved.

No comments from the Trade Unions were submitted for consideration at the meeting.

It was acknowledged that tackling the complex issue of homelessness in times of austerity was a significant priority for the Council. The Committee commended the establishment of the post, recognising that dedicated strategic leadership would enable the Council to carry out a key part of the Strategy's pledge and agreed the recommendations.

Decisions

1. To approve the establishment of a post of Director of Homelessness Services to take strategic and overall responsibility for the delivery of the council's statutory functions and in relation to the city's Homelessness Strategy. The post will be part of the Senior Management team within Adults Services.
2. To recommend to Council that the Director of Homelessness Services post is remunerated at Grade SS4 (£94,072 - £103,863).

PE/19/09 Flexible Working Policy Framework

The Committee considered a report of the Director of Human Resources / Organisational Development (HROD) which sought approval of a number of policy and guidance developments in relation to flexible working practices that support the Our Ways of Working (OWOW) programme and the broader aspirations of the Our People Strategy.

It was explained that a significant piece of work had been undertaken to look at flexible working arrangements across the Council with the aim of taking advantage of new technologies, learning from best practice elsewhere and modernising the workforce approach. The Head of Workforce Strategy said that there was a clear evidence base which showed a link between improved flexible working practices and ultimately productivity and organisational performance. There had been a significant programme of engagement with the Council's services in recognition that any policy changes should be flexible and take into account the contrasting nature of services of across the Council – this had ultimately led to the development of a robust policy and guidance framework. The policies had been strengthened to reflect best practice, had used clear user-friendly language and took into account feedback from engagement with staff. As a result, changes were proposed to the Council's Special Leave and Flexible Working policies as well as clearer guidelines for Flexitime and Working From Home.

The Committee acknowledged the importance of leading by example as an employer by removing barriers to employment through a flexible workforce approach. It also particularly welcomed the reference within the Special Leave policy the role of carers,

which aligned with the Greater Manchester Carer's Strategy in which there is an explicit ambition to be an exemplary employer of people who are carers. The Committee noted that this specific area was supported by a detailed piece of guidance which had been developed in consultation with the Greater Manchester Health and Social Care partnership and the City Council's own Staff Carer's Network.

There was a discussion about the proposed arrangements within the Special Leave policy that related to IVF treatment of Gender Reassignment. A member felt that requests for leave that related to either of these matters ought to be considered in the same way that disability related special leave. It was felt that robust training and guidance for managers should underpin this specific policy area and be considered on a case by case basis. Officers were subsequently asked to undertake further work to strengthen guidance and training for managers where leave is required in relation to issues that concern these two matters. Officers were also asked to bring back a further report on this to a future meeting of the committee.

No comments from the Trade Unions were submitted for consideration at the meeting.

Decisions

1. To approve the revised Special Leave Policy (attached as Appendix A) with the exception of the approval of the arrangements within the policy that relate to special leave for IVF treatment or Gender Reassignment. Officers are asked to undertake further work to strengthen guidance and training for managers where leave is required in relation to issues that concern these two matters. A further report on this will be submitted to a future meeting of this committee
2. To approve the revised Flexible Working Policy (attached as Appendix B)
3. To note the proposal to strengthen guidance in relation to flexitime and ad-hoc working from home in line with existing policy provision.
4. To note the intention to proactively communicate these developments and the Council's broader suite of support for flexible working as a new Flexible Working Policy Framework.