

**COUNCIL OF THE CITY OF COVENTRY**

**27<sup>th</sup> February 2007**

PRESENT

Lord Mayor (Councillor Ahmed)

Councillor Adalat	Councillor Kelsey
Councillor Arrowsmith	Councillor Lakha
Councillor Asif	Councillor Mrs. Lancaster
Councillor Bains	Councillor Lee
Councillor Benefield	Councillor Mrs. Lucas
Councillor Mrs. Bigham	Councillor Maton
Councillor Blundell	Councillor McNicholas
Councillor Charley	Councillor Matchet
Councillor Chater	Councillor Mutton
Councillor Cliffe	Councillor Nellist
Councillor Clifford	Councillor H. Noonan
Councillor Crookes	Councillor M. Noonan
Councillor Mrs. Dixon	Councillor O'Neill
Councillor Duggins	Councillor Patton
Councillor Field	Councillor Miss Reece
Councillor Foster	Councillor Ridge
Councillor Gazey	Councillor Skinner
Councillor Mrs. Griffin	Councillor Skipper
Councillor Mrs. Harper	Councillor Taylor
Councillor Harrison	Councillor Townshend
Councillor Harvard	Councillor Mrs. Waters
Councillor Ms. Hunter	Councillor Williams
Councillor Mrs. Johnson	Councillor Windsor
Councillor Kelly	

Apologies: Councillor Batten  
Councillor Mulhall  
Councillor Ridley  
Councillor Mrs Rutter

90. **Correspondence and Announcements of the Lord Mayor**

None

91. **Petitions**

**RESOLVED** that the following petitions be referred to the appropriate City Council body or external organisation:

- (a) **Red Route Initiative – Hinckley Road (A4600) – Major concerns regarding the negative impact that the Route Initiative will have on residents parking** - 20 signatures, presented by Councillor Kelly.
- (b) **Objection to the Planning Application in respect of Land at the rear of properties 40 – 60 Jobs Lane** – 33 signatures, presented by Councillor Lee.
- (c) **Retention of City College Buildings, Butts Site, for use as a Civic Arts, Cultural and Theatre Complex** – 5000 signatures, presented by Councillor Arrowsmith.
- (d) **Road Repairs, Jackers Road/Alderman's Green Road** – 86 signatures, presented by Councillor Bigham.
- (e) **Opposition to Proposals and Subsequent Planning Applications Presented by University Hospital Coventry and Warwickshire (UHCW) and Gallagher Estates in respect of Walsgrave Hill Farm Development** – 267 signatures presented by Councillor Dixon.
- (f) **Opposition to Proposals for the Development of a Second Access to UHCW, Walsgrave, across Green Belt Land** – 75 signatures, presented by Councillor Dixon.

92. **Declarations of Interest**

Councillors Field and Foster declared prejudicial interests in matters referred to in Minute 101/06 below, relating the Debate in respect of 'Trident Replacement' and withdrew from the meeting during the consideration of this item.

93. **Question Time**

The appropriate members answered all the questions set out in the questions booklet, together with supplementary questions put to them at the meeting.

The following Members answered oral questions put to them by other Members as set out below, together with supplementary questions on the same matters:

<b>Question Asked By</b>	<b>Question Put To</b>	<b>Subject Matter</b>
1. Councillor Patton	Councillor Ridge (in the absence of Councillor Sawdon)	Effectiveness of Scrutiny Process – having regard to the consideration of a report on Coventry Sports Trust Limited by Scrutiny Co-ordination Committee and the Cabinet.

2. Councillor Field	Councillor Foster	Resurfacing of Blackberry Lane
3. Councillor Kelly	Councillor Blundell	Plans to Develop 'Forest Schools' in Coventry
4. Councillor Skipper	Councillor Taylor (in the absence of Councillor Ridley)	Disbanding of Sports Development Team
5. Councillor Mutton	Councillor Foster	Repairs to Dunsmore Avenue
6. Councillor Townshend	Councillor Mrs. Johnson	Information Regarding Claims Lodged with Employment Tribunals as a Result of the Introduction of Single Status.

**RESOLVED that, in relation to question 4 above, a written response be submitted to all Members of the Council in accordance with paragraph 4.1.24 of the City Council's Constitution.**

**94. Statement by the Leader of the Council**

None

**95. Continuing the Council's Performance Improvement – Proposed Organisational Changes**

Further to Minute 180/06 of Cabinet, the City Council considered a report of the Chief Executive that sought agreement to proposals affecting all Directorates, designed to reflect the efficiency and effectiveness requirements of a modern local authority.

The report indicated that, since 2002, the Council had been developing its services very rapidly, in some cases, tackling services that were seriously below standard, in other cases continuing a process of cutting edge development, and in some cases, consolidating and maintaining standards. It was noted that the Council had now been designated as a 3\* authority under the Government's CPA framework and that the majority of its services were at least of a "reasonable" standard. A number (e.g. services to older people, community safety and regeneration) were amongst the most highly thought of in the country.

The report also pointed out that, whilst the Council had achieved the required efficiencies during 2005/06, in line with Government targets, it had further to go in terms of efficiency and effectiveness. In order to do this, the Council must give a lot of emphasis to forward planning, resource management and being clear about what citizens and service users wanted from the Council and at what cost. In doing this, the Council must make sure that it was not building in too much "overhead" i.e. it must be clear what tangible benefit every part of any structure contributed to better service outcomes and its costs. The Council needed to begin by examining how it made the best use of its resources, its people, its money and its assets. In addition to looking at how it deployed people, it also needed to analyse whether there was any overlap

between the Council and other key partners in the Primary Care Trust, Whitefriars Housing Group, the Chamber of Commerce and the Local Learning and Skills Council. All the proposals within the report submitted, where they impact on staff, were to be the subject to the Council's Security of Employment Policy.

The report began by posing the question of what sort of organisation did the Council want to be, given that all organisations go through cycles, and that, having got the Council to the point where it was a greatly improved service-delivery organisation (but still not perfect), it was necessary to examine what kind of organisation it would be in the future, taking account of some of the following key indicators of successful service delivery organisation:-

- Efficient forward planning of decision-making processes and service delivery.
- Well-researched recommendations for action, based on options that include financial evaluation, impact measures and a business case.
- A balance between the costs of direct service delivery and vital work which supports it (there is no set formula here, but this balance needs to be constantly borne in mind).
- Systematic shared knowledge and information management to enable a range of people to do their jobs effectively e.g. planning applications, personnel records, traffic orders.
- Well-organised procurement and commissioning of services, whether provided directly by the Council or by the voluntary or private sector.
- Effective project-management of services, once decisions have been taken on how they are to be delivered.
- Value for money i.e. services which are not only of a reasonable to excellent standard, but are also provided at a price the Council is prepared to pay.
- A well-managed, motivated and trained workforce engaged in design and delivery of services.

The report also indicated that, in addition to the requirements of effective forward planning and delivery set out above, it was necessary to ensure that the Council's management structures supported its requirements at this stage of its development. The proposed areas of change in the report related to the following Directorates:-

- Chief Executive's
- Legal and Democratic Services
- Finance and ICT
- City Services

- City Development
- Research, Knowledge Management and Consultation (all Directorates)

It was noted that there was no "set time" for the changes proposed in the report. The requirements in relation to different Directorates, and the circumstances they were facing, meant that there would need to be detailed discussion about timing, and a phased implementation was anticipated.

The report detailed the comprehensive consultation process (from the 17th November, 2006, to the 12th January, 2007), summarised the key issues raised and the Chief Executive's responses.

The report then put forward new senior management structures affecting the Chief Executive's, Finance and ICT and Legal and Democratic Services Directorates, proposals for City Services and City Development Directorates, and suggestions for research, consultation and knowledge management.

As regards financial implications, the report indicated that, subject to subsequent job evaluations, the proposed changes were expected to result in a small net reduction in costs of approximately £9,000 per annum, after pooling the existing available budgets. These included budgets for salaries and related costs in the Directorates potentially affected by the changes; a transfer of £76,000 from the existing budget for the establishment of a Programme Office in Customer and Business Services, and the transfer of £100,000 from a total of £200,000, set aside in the 2006/07 budget setting process for marketing the City and improving its profile. This sum would contribute towards the costs of the new posts of Deputy Director of City Development and City Centre Regeneration Director, both of which would enable the Council to provide a much stronger focus on this work.

It was noted that the costings did not include any savings from the centralisation of work on research and consultation. This was expected to reduce costs over time but it would be premature to put a figure to this until the detailed review work had been completed. An interim report on progress on the work on research and data would be submitted by the end of December 2007.

Further costs would be incurred in accordance with the provisions of the Council's Security of Employment Agreement in relation to any redundancies/early retirements occurring as a result of these changes. These costs would be funded from within the reserve balances that had previously been set aside for the Council's restructuring proposals.

The report also dealt with Equality Impact Assessment and assessed the proposals in the light of an analysis of the impact of services or policy on equality of opportunity, on the basis of a person's race, gender, disability, sexual orientation, religious belief or age – or on relations between or within those groups and how this could then be addressed.

Finally, the report indicated that the pace of change for the implementation of its recommendations would vary from Directorate to Directorate. In general, timetables would be finalised following clearance of these proposals', consultation and in accordance with the demands and constraints in relation to each Directorate's functions. Job descriptions would be produced for each new post for evaluation. There was already underway a three-year review of Hay graded posts, and the proposals in the report submitted would affect that review only in very limited respects.

It was noted that, at the meeting of the Cabinet, the Chief Executive had indicated that work was still ongoing as regards the question of whether Risk Management would be best located with Procurement or Internal Audit and the matter would be determined before the report was submitted to the City Council.

It was further noted, with reference to a question that Councillor Mutton had asked at the last meeting of the Council, relating to a view, associated with the Bloomfield Report, that the City Council's comparatively small International Office tended to limit opportunities for accessing European funding, Councillor O'Neill had undertook to provide him with a written answer outlining the other work being undertaken in the City Development Directorate to attract alternative sources of such funding.

The following amendment was moved by Councillor Field, seconded by Councillor Benefield and lost:-

"Delete from Appendix F in Section 14, headed 'Policy and Research (including policy and equality and diversity officers)' –

Paragraph 3 (which starts - 'It is proposed to reduce the number of posts dedicated to equalities.....') and

Paragraph 5 (which starts - 'I am proposing that we reduce the number of Posts dedicated to equalities.....')"

**RESOLVED that the City Council:-**

- (1) Delete the posts of Director of Finance and ICT, Director of Legal and Democratic Services, and Head of Corporate Policy.**
- (2) Create the posts of Director of Finance and Legal Services, Director of Customer and Workforce Services, Assistant Chief Executive, and Head of Procurement (with the Head of Legal Services undertaking the role of Monitoring Officer once these proposals are implemented).**
- (3) Agree that the Assistant Chief Executive will play the lead role in supporting the Scrutiny function.**
- (4) Agree the recommendations set out in Appendix F of the report submitted on changes to functions currently in the Chief Executive's Directorate in the Policy and Performance Service.**

- (5) Create a post of Policy and Research Manager with a remit to bring together overall management of the research, consultation and knowledge management function, as well as the core function of co-ordinating the Council's regional liaison and activity, particularly between the Chief Executive and the City Development Directorate.
- (6) Agree the deletion of the posts of Head of Public Protection and Head of Street Services and the creation of one post of Head of Street Services and Public Protection.
- (7) Engage in further discussions about the future management arrangements of the Health Development Unit.
- (8) Transfer the Environmental Health and Trading Standards Service into the new Street Service and Public Protection Unit.
- (9) Adjust the title of Head of Customer and Support Services in City Services to Head of Performance and Support Services and transfer the Emergency Services Unit (ESU), the Emergency Planning Service and enhanced City Services policy and performance function into this unit.
- (10) Transfer management accountability of six Area Service Officers to the Neighbourhood Management Service.
- (11) Allocate officer responsibility for the promotion of the City (to include co-ordination with major partner organisations) to the Director of City Development supported by the Communication and Media Relations Manager.
- (12) Create the post of Deputy Director of City Development (approval for the advertisement of which was given in Minute 146/06 from the meeting of the Cabinet on the 12th December, 2006).
- (13) Create the post of City Centre Regeneration Director (approval for the advertisement of which was given in Minute 146/06 from the meeting of the Cabinet on the 12th December, 2006).
- (14) Consider the appropriate location and long-term structure for corporate management of Health and Safety following the outcome of the HSE review of Health and Safety.

#### 96. Council's Response to the Regional Spatial Strategy Consultation

Further to Minute 191/06 of Cabinet, the City Council considered a joint report of the Chief Executive and the Director of City Development, which sought approval of a proposed response to the Phase II review of the Regional Spatial Strategy (RSS), which was required by 5<sup>th</sup> March 2007. It was noted that the RSS would have a fundamental influence on the medium to long term planning of Coventry and the sub-

region, as well as the region as a whole, and that the Council's response to the consultation options was of key importance. It was noted that the report had been considered by Scrutiny Board 3 at their meeting held on 12<sup>th</sup> February 2007, and that a briefing note detailing the Board's views had been circulated.

It was also noted that the 2004 Planning Act gave statutory status to Regional Plans and redefined the Development Plan to incorporate both the strategic elements of the Regional Plan and more local issues, which would be determined via the Local Development Framework (LDF), particularly the Core Strategy. Furthermore plans prepared by the local planning authorities were required to be in accordance with the RSS. This meant that the Council's Core Strategy must be in accord with the final approved RSS and in that context is fundamental to the Council's recent considerations of the vision for the City and how the Core Strategy helped to deliver this.

The Regional Plan for the West Midlands was approved in 2004 but, in approving the Plan, the Government required reviews of some aspects the Spatial Strategy. Phase One related to the Black Country and Phase Two, which was the subject of consultation, covered the issues of Housing; Employment; Strategic Centres; Offices; Regional Casinos; Waste; and Transport and Accessibility.

The Consultation on the Phase 2 Review was based on the West Midlands Regional Spatial Strategy – Phase Two Revision that set out a range of special options and asked a set of specific questions on each of the seven issues.

The report indicated that, following the consultation, the Regional Planning Partnership would publish a Preferred Option which would be presented to Government in late 2007 with an Examination in Public in 2008. At the same time, work was proceeding on the Council's Local Development Plan Framework (LDF) and it was anticipated that the Core Strategy would be submitted for examination in 2008.

The Core Strategy was a mechanism for the delivery of the Council's Vision for Coventry, to be a growing accessible City where people choose to live, work and be educated and businesses choose to invest. It was noted that Coventry's growth potential had already been recognised by Government as a New Growth Point and was, subject to further studies and the formal planning process, committed to the development of 9,000 new homes in the next 10 years (i.e. 2016). The Core Strategy of the LDF would, following the necessary further studies, need to consider and identify specific areas of land to meet the RSS proposals. As part of this process it would be vital for the Council, and its partners, to deal with issues of climate change, seek to achieve carbon neutrality in all new build, provide an appropriate range of housing from affordable through to aspirational and to take account of the consequences of demographic change in meeting Lifetime Homes Standards. An exercise the Council was about to undertake was to engage with communities in the debate on options as to how, when and where these should be planned.

Whilst the West Midlands Regional Assembly (WMRA), as 'Regional Planning Body', had the job of producing the RSS and its reviews, it had to be approved, and could only be changed by the Government.

It was further noted that the existing RSS is underpinned by the two principles of Urban

Renaissance (developing Major Urban Areas (MUA's) [being Birmingham, Solihull, The Black Country, Coventry and the North Staffordshire conurbation] in such a way that they could increasingly cater for their own economic and social needs— countering the unsustainable outward movement of people and jobs; and Rural Renaissance (meeting the economic and social needs of rural communities, whilst enhancing the unique qualities of towns and villages and the surrounding countryside).

Fundamental to delivering the urban and rural renaissance that underpinned the RSS was the 'step-change' in the distribution of housing growth across the Region. Since World War II, new household growth had been generated in roughly equal proportions by the region's MUA's and the surrounding shires. However, prior to the current RSS, two-thirds of new housing development had been directed to the shires and one-third to the MUA's. The RSS sought to reverse this de-centralising trend by re-directing housing growth, and along with it, economic growth, so that the MUA's took the larger share of future regional development. In the sub-regional context, this focused on growth in Coventry, although Rugby had been specifically earmarked as an overspill growth location as an alternative to less sustainable locations in Warwickshire, in the event of Coventry being unable to accommodate potential growth.

In the Phase Two review, the WMRA had set out spatial options that outline future development choices or directions for the region until 2026, principally for housing growth and employment land, but also on centres, waste and some specific aspects of transport policy. To develop these options, the starting point was advice from the Strategic Authorities, often referred to as the "Section 4(4) authorities" (Unitary and County Authorities), as they had a legal right under S 4(4) of the 2004 Act to put forward the first detailed sub-regional proposals for the RSS. The WMRA brief asked how housing growth down to district level might be handled, taking into account the household projections then just published by Government (the 2003 based projections) which indicated levels to 2026 up to 51% higher than the original 2004 strategy had assumed.

The Section 4(4) authorities in this sub-region worked together, through the Coventry, Solihull, Warwickshire Forum (CSWF) to respond to the WMRA's brief. A robust technical response was agreed by the Forum and included a strategy for addressing growth in the sub-region. The joint submission indicated that Coventry should be the focus of growth within the sub-region and at the core of the North/South Growth Corridor. The joint submission recognised that there may need to be a release of some green belt land close to the core development area (North/South Corridor); balanced provisions of housing and employment; support for the defined centres within the sub region, and significant upgrading of public and other transport networks.

The Council made a second contribution through the West Midlands Planning and Transportation Sub-Committee, as part of the response on behalf of the Birmingham, Coventry and Black Country City Region (BCBCR), in a similar vein to the CSWF response.

The report submitted outlined a number of options identified within the consultation documents and the issues arising from each of these options. The report further indicated that, following the publication of the Phase 2 Options on 8<sup>th</sup> January 2007, a number of consultation events had been organised to engage with

stakeholders, and the Cabinet were advised of the main issues raised at these events. It was noted that the Cabinet had also been advised that a presentation was made to the Coventry Partnership, which also participated in the stakeholder consultation event, to ensure, as far as possible, that the City Council's and the Partnership's response were aligned.

It was noted that, although the City Council had provided input to the earlier stage of the process, via sub regional responses on behalf of the CSWF and the BCBCR, responses to the current options were also being considered by CSWF and the West Midlands Planning and Transportation Sub Committee (on behalf of BCBCR) on the 23<sup>rd</sup> February 2007, and that it was vital that the City Council views and aspirations, as set out in the report submitted, were fed into those responses.

It was further noted that the Cabinet had acknowledged that, in responding to the options, there were a number of issues that needed to be considered and that studies were on-going that would identify, clarify and inform the preparation of the Core Strategy, and that these were essential to forming final decisions on the scale of growth that should be accommodated and the associated infrastructure requirements.

The report also referred to the fact that economic and the social importance of housing growth increasingly drives consumer led private investment in business expansion and public investment, infrastructure, such as transport, health and education facilities. Consequently, the scale, rate and distribution of housing growth was the single most important factor in delivering the RSS's urban and rural principles through the 'step-change'.

It was noted that, in terms of housing levels, Option 1 simply rolled forward the current RSS housing levels, ignoring the increased levels of housing demand indicated by Government's 2003, based household projections, and, as such, it was no more than a base line. Option 2, which was broadly compatible with the New Growth Points aspiration, proposed that building rates in the City broadly maintain the level which was expected to be achieved next year. It was a 'halfway-house' between meeting future demand and the City's current delivery capacity, with the result that Warwickshire towns would take the lion's share of new housing growth in the Coventry, Solihull and Warwickshire sub-region. As such, the 'step-change', focusing growth in Coventry would not be achieved

Option 3 provided the focus on Coventry which was implicit within the CSWF's Section 4 (4) response, but implied a substantial increase in build rates in both the City and Warwickshire and pushed the scale and rate of housing development overall to significantly above that experienced in the past 5 years. It was proposed that this should be distributed to the more sustainable locations in the North/South corridor within Warwickshire, with less restraint in Warwick, but still with significant growth in or around Rugby. There was concern that this option assumed levels of infrastructure services and economic investment that could be beyond the capacity of existing delivery agencies

It was suggested that Options 2 and 3 were not mutually exclusive and it would be possible to progress from Option 2 levels, rates and distributions of new housing growth to those promulgated in Option 3. It mainly depended on the degree of public

infrastructure and private business investment that could be applied to the locations taking the growth. However, this investment would always be limited and many places in the region and adjoining regions would be competing for it. Arguably, under both options, the scale of investment required to support increases in the size of Rugby of 50% and 100% respectively would compete with Coventry's requirements to support housing growth between 24,000 and 44,000 respectively (and vice versa). The City's ability to attract jobs and employment and retain graduates could also be challenged.

It was pointed out that the issue in considering the Council's response was whether or not the approach of the RSS in distributing growth would deliver the strategy agreed by the CSWF and whether or not the scale of growth assigned to Coventry would deliver the Council's Vision. It was suggested that Coventry had all the right things in place for growth (i.e. strong restructured local economy; a young and growing population; development of the knowledge economy; two universities; and excellent communications.) There was, therefore, the potential for Coventry and the sub-region to benefit from the substantial investment, which must be associated with any growth agenda.

The quality of the environment of the City and the strength of the sub-regional economy would continue to be a key consideration. Whilst traditionally most development land in Coventry had been 'brown field', there had been, until recent moratoriums, an extensive release of green field sites in Warwick. It was considered that, in sustainability terms, it must be better for green field land to be developed for housing in the right locations, with access to jobs, transport and community services, than 'brown field' land developed in the wrong locations. Similarly, it was maybe inappropriate if all employment allocations were peripheral. Cross border proposals involving some defined urban extensions that focus on the existing North/South corridor could reduce travel and provide accessible and sustainable developments.

If the underlying principle of focusing growth in the MUA's was not maintained, then the regeneration objectives would not be achieved. If the scale of growth assigned to Coventry, relative to the surrounding districts in the sub-region and areas beyond, was insufficient, then there would be real risks that Coventry could become a dormitory town located between Birmingham and a new town scale development to the east of Rugby and with a huge increase within the Milton Keynes and South Midlands Growth Area. If substantial growth also went to Daventry, as some of the pressure is outward migration from London, it seemed likely that this could undermine the regeneration of the City and the sub-region.

The consultation asked for responses to specific questions, and these, together with the recommended response were attached as appendix to the report submitted. It was considered important that, in responding, the Council set out its strategy and the underlying principles in achieving the vision for a growing sustainable community. In this context it was recommended that the Council:-

- (a) Confirm its continued support for the strategic approach of focusing development and regeneration on the Major Urban Areas including Coventry;
- (b) Confirm that growth must be employment led and that the strategy

must be aligned with WMRES;

- (c) Emphasise that growth can only be delivered with the support for infrastructure provision in terms of improved communications, public transport and the growth in schools, medical services etc;
- (d) Emphasise that growth can and must provide the stimulus and opportunity necessary to improve the quality of life;
- (e) Emphasise that growth must act as the catalyst for developing sustainable communities and address climate change and quality of life issues;
- (f) Endorse the approach advocated by the CSWF that Coventry should be the focus of growth within the sub-region and at the core of the North/South Growth Corridor and that there may need to be a release of some green belt land close to the core development area (North/South Corridor); balanced provisions of housing and employment; support for the defined centres within the sub region, and significant upgrading of public and other transport networks;
- (g) Indicate that further joint working with adjacent authorities is essential, particularly those within the Warwickshire sub-region to undertake the necessary further studies to identify and address any potential infrastructure constraints to move towards achieving Option 3;
- (h) Emphasise that the housing strategy must make provision for housing for all sectors of the population and fully take into account predicted demographic changes;
- (i) Indicate its concern that Option 2 may not achieve the underlying strategic objectives of the Region or the sub-region or deliver the City's vision due to the level of housing provision being proposed elsewhere in the sub-region and notably in Warwickshire towns, particularly Rugby.

It was noted that, in addition, the Cabinet had concurred with the comments raised by Scrutiny Board 3 in that the wording in relation to park and ride facilities be amended to incorporate a reference to the possibility of developing further such facilities in Coventry.

The following amendment was moved by Councillor Windsor and seconded by Councillor Nellist and lost:-

"The following be added as an additional recommendation to the report –

- 2.5 In addressing the proposed targets in this Strategy, that the City Council agrees that each new development should include 40% affordable housing (the bulk being rented housing through housing associations, with a lesser amount for low cost home ownership

schemes) in any development over 10 homes."

**RESOLVED that the City Council:-**

- (1) Agree the proposed response to the consultation as detailed in Appendix 1 of the report submitted;**
- (2) Take a proactive role in influencing the sub-regional responses of the West Midlands Planning and Transportation Sub Committees and Coventry Solihull and Warwickshire Forum and the West Midlands Regional Assembly (WMRA) in the development of the preferred options in accordance with the recommendations in the report submitted.**

**97. Changes to Planning Obligations: A Planning Gain Supplement - Consultation**

Further to Minute 191/06 of Cabinet, the City Council considered a report of the Head of Planning and Strategic Transportation, that sought approval for a proposed response to the Government's proposals for a new system of planning obligations and a consultation document that builds on proposals for a planning gain supplement, which was published in December 2005 and sought views on more detailed aspects of the scope of the new system and how planning obligations would operate if a Planning Gain Supplement (PGS) was introduced. It was noted that the report had also been considered by Scrutiny Board 3 at their meeting held on 12<sup>th</sup> February 2007. A briefing note detailing the Board's views, had been circulated.

The report indicated that, as part of the modernisation agenda, there had been a number of options considered relating to how the planning system should seek to ensure that developers met the costs of providing infrastructure necessary to serve their development and how local authorities managed the process of change. Agreements made under Section 106 of the Town & Country Planning Act 1990 (as amended) had, to date, been the principal source of funding, although guidance and case law had limited the extent of obligations that could be sought to that reasonably related to the development permitted. This had been interpreted widely and as well as infrastructure, extended to the provision of affordable housing. The Community Land Act in the 70's was the last attempt to introduce a tax that recognised the enhanced value arising from the grant of planning permission and/or allocations.

There had, in the last few years, been proposals for a tariff approach towards infrastructure contributions where Local Planning Authorities (LPA's), through the development plan process, would have been able to set tariffs whereby all development would be required to provide specified amounts towards infrastructure provision. The Barker Review into housing supply recommended that the supply of housing land should be increased significantly, but also recommended that infrastructure provision should be funded by a gain supplement (or tax by any other name) based on the uplift in value arising from the grant of planning permission.

In December 2005, the Treasury and the then Office of the Deputy Prime Minister (ODPM) consulted on a proposal for a planning gain supplement (PGS) and a

reduced scope of planning obligations statutorily defined. It was proposed that planning obligations related only to those matters that needed to be addressed, in order for the environment of the development site itself to be sustainable, safe, of high quality and accessible, and the provision of affordable housing. That consultation indicated that the PGS would be set as a “modest” proportion of the increase in land value arising from the grant of permission so that there remained an incentive to develop land. 'Modest' was not clarified or defined, although it was indicated that there could be a differentiation between green field and brown field sites. It would be payable on implementation of the development and the developer would have to provide the necessary valuations to Customs and Excise to define the extent of any PGS. The developer would also have to provide notice of commencement to HM Revenue & Customs (HMRC) and penalties would be imposed or powers made available to stop development proceeding, if the necessary returns and funding had not been provided.

It was noted that the Cabinet had indicated that they did not support the proposals as outlined and believed that they would not meet the intended objectives of encouraging development and/or facilitating the provision of infrastructure.

At the pre-budget report 2006 the Government announced that it would move forward with the implementation of PGS if, after further consultation, it continued to be workable and effective. However, the Government also indicated that PGS would not be introduced until at least 2009, and following further consultation. The 2006 pre-budget statement also indicated that 70% of PGS revenue would be recycled to a local level to enable Local Authorities to provide infrastructure for growth and the remainder revenues would be ring fenced for strategic regional infrastructure. PGS would apply to both residential and non-residential development. A supporting technical document published with this latest consultation document discussed how the increase in land value that would form the basis of the PGS would be calculated.

The current consultation document summarised the main points raised by consultees to the earlier proposal and it acknowledged that the priority of all respondents was an efficient, transparent and relatively simple system giving confidence over infrastructure provision. It indicated that respondents were confused about the scope of a development site environment approach and that there were certain misconceptions, including a belief by local authorities that central government would control PGS funds and a failure of respondents to appreciate that PGS would provide a revenue stream to fund infrastructure, in advance of development. Furthermore, respondents had not appreciated that scaled back planning obligations would be reflected in the planning value of a development when calculating liability to PGS. It further acknowledged that detailed issues raised by respondents included concerns that the new arrangements would penalise efficient local authorities currently skilled at Section 106 negotiations; result in a loss of flexibility; result potentially in some contributions falling in a gap between Sections 106's and PGS; still result in protracted negotiation relating to affordable housing; and result in local authorities looking to widen the scope of Section 106's and refuse more applications.

The consultation document also included an overview of the current system of Section 106 obligations and identified key problems and deficiencies, which were detailed within the report submitted. The consultation document did however acknowledge that many of these problems had been addressed to some extent through

recent guidance in Circular 5/05; the Practice Guidance on Planning Obligations issued in August 2006; and the Audit Commission's Toolkit, but indicated that the introduction of PGS gave rise to the need to redefine the scope of planning obligations.

The report indicated that the Governments proposals, on which views were now sought, related to a series of specific questions, which were appended to the report submitted. The report submitted provided specific details of the proposals now put forward by the Government and the Cabinet had noted that the exact nature and scale of the obligation requirements could still be governed by tests of relevance to planning; direct relationship to the development; reasonableness; and proportionality (the current tests).

It was noted, in respect of all other matters where finance is presently secured through Section 106 agreements, that this would be replaced by the requirement for a developer prior to implementation of a permission to pay PGS to HM Revenue and Customs (HMRC). The PGS would be calculated as a levy based on the increase in land values arising from a planning permission. The developer would be required to self assess the increase in land values and submit this to HMRC, which would then calculate the PGS (presumably from published scales) and the developer would have to pay this before the development could commence. The local authority could then expect to receive 70% of the PGS, although it was not clear when.

From this PGS fund, the Government would, in respect of the 30% not returned directly to local authorities in which the development lay, be able to provide the funding necessary to allow local authorities to meet the strategic infrastructure requirements of the growth agenda.

In respect of affordable housing, the consultation acknowledged that there must be a clear legal and policy basis for affordable housing contributions so as to avoid delay. Local Development Frameworks should make clear the link between housing need, planning policies and the developer contribution being made. The document indicated that the government would expect to consult further on how this link should be made explicit in draft regulations and circulars for implementing the new arrangements.

Affordable housing provision was proposed to remain within the remit of Section 106 agreements and the consultation document illustrated a range of various alternatives for developer contributions towards affordable housing, based on either a land valuation/build costs approach or the use of a formula developed by the local authority (a largely formula based approach is utilised in the Council's adopted Affordable Housing Supplementary Planning Guidance).

The report further indicated that the views of stakeholders on the best common starting point for the value of contributions towards affordable housing would be sought. It was further indicated that the Government would also be carrying out a short research study to ascertain what values of contribution currently being made by developers and what the implications of a common starting point for negotiations there would be for a range of case study schemes. However, there would be a presumption that contributions greater than the common starting point would not be sought unless they were justified within the LPA's planning policies contained in its Local Development

Framework. It was envisaged that a reduction in contribution would be possible in certain instances e.g. if there were large remedial costs to address land contamination.

The Consultation also included an extensive discussion of how to deal with transport infrastructure and acknowledged that applying the development site environment approach to the use of planning obligations to manage transport impacts of a development was complicated by the dynamic nature of transport and policy encouraging development to reduce the need to travel, especially by car and promoting more sustainable choices for people and freight. Views were sought on where planning obligations, highways agreements or where PGS and other revenues should be adopted. The discussion excluded management of major infrastructure projects, such as ports and airports because of the Eddington Transport Review. It concluded that measures to implement travel plans and demand management measures directly related to the environment of the development site should remain within the scope of planning obligations, but asked whether or not respondents agree or disagree.

In determining the response to this Consultation, it was considered appropriate to assess whether or not the objectives of the Government in introducing a two-tier system would be likely to be achieved. It was stated that the rationale for scaling back planning obligations was to improve the current system by reducing negotiation costs for developers and giving greater certainty around the costs of developers contributions required; and to ensure the two systems of PGS and planning obligations could operate alongside each other, so that developers do not think they are paying twice and facilitating speedier agreements.

The Consultation document indicated that the Government's objective was for a scaled-back system of planning obligations that provided for affordable housing, as well as providing direct impact mitigation measures resulting from the development.

It was noted that, whereas at present, when a proposal is considered, the potential impacts are assessed and through planning conditions and or planning obligations, the local authorities could require that the essential infrastructure to serve the development be provided or financial contributions be made to enable it, with appropriate agencies, to make the necessary provision, the proposal being consulted on would mean that the local authorities would only be able to negotiate planning obligations in respect of specific matters. In respect of all other contributions, these would be replaced by the requirement to pay the PGS, assuming that there was an increase in land value between the existing use and the proposed use.

In practical terms, the proposal for this two tier system did not seem to achieve the objectives identified and the Consultation document highlighted very clearly the difficulties in avoiding overlap or gaps between the systems. For local authorities, it provided considerably less certainty because, under the current system at the point permission is granted, there is clarity as to the total package of proposals, including what infrastructure would be provided and what funding would be made available. The only potential benefit could be if the PGS fund was used to release monies in advance of developments to meet strategic infrastructure requirements arising from the growth agenda. However, it was considered that there is scope for this to be achieved within the present system and the local authorities then had greater certainty.

It was considered that, in reality, one of the most contentious debates in the existing system centred around affordable housing provision and that those debates would continue. The approach that separated and required that a developer pay PGS to address some impacts of their development, may create further tension and protract the negotiation. For the developer, there would not necessarily be the certainty when applying for planning permission as to the levels of PGS that may be in force when development commenced up to 3 years later.

Furthermore, whilst the technical paper on methodology suggested a simple approach, the reality was likely to be more complex and, since site assembly costs are not permitted within either valuation, there was a prospect that difficult cases would be more difficult to deliver because of the uncertainty and costs of the elements.

The provision of community and social facilities were no longer provided within Section 106 agreements. However, the proposed approach did not address how to deal with the land upon which either the social and/or community facilities were to be physically located. The current regime of Section 106 agreements allow local authorities to secure the provision of land either on or off-site that are owned by the developer or other parties for these obligations. This would change under the proposals and would require separate negotiations to take place between the developer/land owner(s) and the 'relevant public sector body' (whoever that may be) in order that sufficient and appropriate land was secured. It was not clear whether splitting the process in this way would, in reality, save time, since the negotiations that currently take place within the Section 106 arena would be displaced elsewhere.

The report submitted recommended that the Council further advise the Government that it remained of the view that the proposal would not assist in delivering the infrastructure required to deliver the growth agenda and that any failings of the existing system could be and had already been addressed through recent publications

**RESOLVED that the City Council approve the proposed response to the Consultation as detailed in the report submitted.**

**98. Council's Response to Planning and Climate Change Consultation Documents**

Further to Minute 193/06 of Cabinet, the City Council considered a report of the Director of City Development that sought approval of responses on two recent consultation documents on sustainability issues recently published by the Government. It was noted that the report had also been considered by Scrutiny Board 3 at their meeting held on 12th February 2007.

The report indicated that the Government had brought out a package of consultation papers and measures to help deliver its ambition of achieving zero carbon development, which included "Planning Policy Statement: Planning and Climate Change" (a consultation paper which, when finalised, would form a supplement to Planning Policy Statement 1); "Building a Greener Future: Towards Zero Carbon Development" (a consultation paper); and "Code for Sustainable Homes" (a final document which aims to promote higher environmental standards).

With regard to the Planning and Climate Change Consultation document, it was noted that the proposed supplement contained guidance to local planning authorities on what steps needed to be taken when making planning decisions to ensure that they contributed to reducing emissions and took into account the unavoidable consequences of climate change. It made it clear that spatial planning had a significant role in helping to secure progress against national emissions targets. There was an expectation that planning authorities would incorporate the listed Key Planning Objectives and prepare spatial strategies that enabled the delivery of the Government's Climate Change Programme; secure the highest viable standards of resource and energy efficiency in the provision of homes, jobs and infrastructure and in shaping the places where people live and work; deliver patterns of urban growth that assisted in the development of sustainable transport, public transport and reduce the need to travel; sustain biodiversity; reflect the needs and interests of communities, and enable them to contribute to tackling climate change; respond to the concerns of business; and encourage competitiveness and technology.

The document also stated that planning authorities should adhere to a number of principles in the preparation of spatial strategies. These included consideration of mitigation and improved carbon performance in the provision for new development; the consideration of decentralised energy supply from renewable sources; and the application of Sustainability Appraisal to shape strategies and policies in line with the Key Planning Objectives as set out.

In relation to planning applications, the proposed supplement said that, in the interim period before the development plan was up-dated to reflect the new policies in the PPS, planning authorities should ensure that proposed development was consistent with the policies in the PPS and avoid placing inconsistent requirements on applicants.

In determining planning applications, planning authorities should consider the likely impact of the proposed development on existing or other proposed development and its renewable or low-carbon energy supply.

The Consultation document on Building a Greener Future contained proposals for building regulation reforms to achieve the zero carbon target by 2016 for new homes, alongside measures to tackle energy use in existing stock.

It was reported that, over time, the Government aimed to move towards zero carbon development across all sectors, beginning with low carbon development and ultimately zero carbon development. Thus, it proposed that a target of 10 years should be set for moving to zero carbon housing, progressing from a 25% improvement in energy/carbon performance by 2010 to a 44% improvement by 2013 and then to net zero carbon by 2016. The Government stated that local authorities had an overriding responsibility to ensure that new homes were planned and built in a way that helped its strategy to cut carbon emissions.

In describing the task, the Government quoted that 150 million tonnes of CO<sub>2</sub> were emitted in 2004, of which nearly half resulted from energy usage in buildings and over a quarter came from energy used to heat and run our homes. It forecasted that trends in increased power usage for appliances would continue: in 2003, 53% of domestic carbon emissions came from space heating and 20% from water heating.

Within this overall framework, there were three main policy areas that could affect energy performance of new development: the planning system; the Code for Sustainable Homes; and building regulations. The Government envisaged a complementary relationship between these policy areas. Planning would deal with location design and reducing the need to travel. Building Regulations and the Code would focus on the performance of the buildings themselves.

In December 2006, the Government also published its "Code for Sustainable Homes", the third part of its package of measures. This was not a consultation document, but a new national standard for sustainable design and construction of new homes. By integrating elements of the Code into new homes and obtaining assessments against it, developers would be able to obtain a 'star rating' for any new home that would demonstrate its environmental performance. Although the Code was to be voluntary for the time being, it heralded a progressive tightening of Building Regulations, referred to in "Building a Greener Future". The introductory pages of the Code itself also mentioned that the Government was considering making assessments under the Code standards mandatory in future.

Proposed responses on the Consultation documents were set out in the appendices to the report submitted.

It was reported that the Cabinet had acknowledged that the Coventry Development Plan 2001 had policies that sought to provide more sustainable development in terms of locational policy and energy conservation and that, in January 2006, the Council committed itself to ensuring that, from January 2008, all new build would make provision for onsite renewable energy and recycling facilities. During 2006, following approval by Planning Committee, consultation was carried out on a draft Supplementary Planning Document on Sustainability Assessments. That document was intended to promote best practice. Planning Committee would now be recommended to further revise this draft considerably, and undertake a further consultation, by aligning it with BREEAM (Building Research Establishment Environmental Assessment Method) and Code for Sustainable Homes Standards and by, wherever possible, quantifying requirements, including adopting "the Merton rule". The document would enhance the planning and development process in Coventry by ensuring that continuing growth would contribute to the City's commitment to tackling climate change.

It was noted that the City Council is committed to tackling climate change and to making a major contribution to reducing greenhouse gas emissions for the City. In addition to the planning process, the City Council continued to promote many other initiatives that contribute to climate change, which were outlined in the report submitted.

The following amendment was moved by Councillor Nellist and seconded by Councillor Windsor and lost:-

"That the penultimate line of Q1 in the Appendix 1 of report, headed 'Planning Policy Statement: Planning and Climate Change Consultation Response', be amended by deleting the words 'this raises the question whether' and inserting the words 'we believe' and

That the last line of Q4b in that Appendix be amended by deleting the word 'may' and inserting the word 'would'."

**RESOLVED that the City Council approve the Council's response to the consultation documents as outlined in the Appendices to the report submitted.**

**99. Council's Response to West Midlands Economic Strategy (WMES)**

Further to Minute 194/06 of Cabinet, the City Council considered a report of the Director of City Development that sought to secure agreement to the sub-regional response in respect of the West Midlands Economic Strategy (WMES) Review 2006-07 – Consultation on Policy Choices. Responses to the third in a planned five-stage review process had been requested by 28<sup>th</sup> February 2007. It was noted that the report had been considered by Scrutiny Board 3 at their meeting held on 12th February 2007. A briefing note, detailing the Board's views had been circulated.

The report explained that the WMES set out a vision for the region's economy. The purpose of the WMES itself was to provide a clear framework for achieving future economic prosperity in the West Midlands. It provided the framework for investment in economic regeneration throughout the West Midlands to raise the region's economic performance. It should set out the relative importance and priority attached to each of the challenges that needed to be overcome, and the opportunities that needed to be grasped.

It was noted that Advantage West Midlands (AWM) had been charged by the Government to take the lead in the preparation and review of the WMES. However, the WMES was very much a strategy for the whole region and all the organisations – public, private, community and voluntary – involved in its economic development and regeneration. The Government required Regional Development Agencies to fully review Regional Economic Strategies every three years, and undertake detailed consultation with key partners to ensure that there was widespread engagement and support of the strategy. The report submitted outlined the five key phases of the WMES, that commenced in March 2006, along with the timescale for each phase of the review.

The report indicated that the review of the WMES was needed because the region, as elsewhere, had seen changes within its economic circumstances and in the external economic environment in which it operated, including the recent closure of MG Rover and the closure of car manufacturing at the Peugeot plant in Coventry. The region was preparing the WMES in the face of a future backcloth of tight control on public spending and of ever-stronger global competitiveness and environmental challenges.

The data collected through Phase 1 highlighted the significant challenges that the region's economy faces: the region had particularly low skill levels compared to the rest of the country, exhibited low amounts of innovation and Research and Development activity, had an economy skewed towards low productive sectors, and suffered from areas of intense deprivation with high levels of unemployment and

economic inactivity. These factors had led to the regional economy underperforming significantly, creating a £10 billion output gap and without new interventions, this underperformance was predicted to continue and increase over the next 10 years.

The vision contained in the current WMES produced in 2004, set the goal that, by 2010, 'The West Midlands would be recognised as a World Class region in which to invest, work, learn, visit and live and the most successful in creating wealth to benefit all of the people'.

The policy choices set out in the report submitted and detailed in Appendix B did not fundamentally challenge this vision but were intended to provide a refreshed and structured approach to the revision of the WMES. They were provided in the form of a series of questions designed to help shape stakeholders' thoughts about the major issues facing the region, to stimulate thinking about the way forward and gauge opinions on the relative importance of different factors impacting upon the economic performance of the West Midlands. The choices presented in the consultation could not be and were not exhaustive. However, they had been designed to focus debate around the bigger issues that would affect the future economic success of the region.

In parallel with the revision of the WMES, the West Midlands Regional Assembly was leading a partial revision to the Regional Spatial Strategy (RSS). Phase 2 of that revision was covering issues, which included housing, employment, transport and waste. It was noted that an analysis on this, including specific implications for Coventry, had also been reported to the Cabinet (Minute 191/06 refers) and that work was ongoing, by all stakeholders, to ensure that there was as much alignment as possible between the review of the WMES and the revision of the RSS, which should ensure a consistent approach to urban renaissance between the WMES and the Regional Economic Strategy (RES).

The report indicated that the policy choices were divided into three areas:-

- (i) Issues and choices facing the region and the WMES the key themes of enterprise, innovation, skills, economic activity, quality of life, infrastructure, the role of places and sectors and how they impact upon economic performance;
- (ii) Broad questions about the type of RES the region would like to see. Should it focus on tackling need, promoting success, or a mix of both?
- (iii) Cross cutting questions about whether the strategy should particularly focus on any key sectors or geographies, or should it be a wide and holistic strategy?

It was noted that, as part of the Coventry, Solihull and Warwickshire Partnership (CSWP), a sub regional response had been developed as a result of a consultation exercise hosted and held by CSWP on 9<sup>th</sup> January 2007. The overall findings of the draft response recognised the importance of "Place" – Coventry and Warwickshire, as a distinct economic unit.

The report submitted recommended that the following issues were reinforced

further in the final response to AWM on the RES:-

- (a) The WMRES should more explicitly recognise the challenges and opportunities that will arise as the country and our economy gears up to adapt to and tackle the consequences of climate change.
- (b) Strengthening the importance of the message that the sub regional economy plays a significant role as a distinctive unit in delivering improved economic performance.
- (c) AWM must position their economic strategy for the region to support the Government's proposals to focus growth and development on their proposed growth points. It would be explicitly acknowledged that the RES, and the use of AWM funds it supports, must be aligned with the investment priorities and expectations that Government will embed in the RSS.

The evidence base produced for the WMES review had highlighted that there were great variations in sub-regional performance. Coventry and Warwickshire were one of only three parts of the sub-region that were above or close to the national gross value added (GVA) average. The evidence base further acknowledged the spatial pattern of economic activity in the region that had been shifting away from Birmingham towards a Coventry and Warwickshire belt that encircled the conurbation.

Factors that contributed to the strong performance included a strong corporate commitment towards delivering the vision to regenerate the area and improve the quality of the location as a destination of choice. Advantage West Midlands (AWM) financial investment to Coventry had influenced the level of growth and regeneration, with schemes such as the Ricoh Arena, Electric Wharf, Belgrade Theatre etc., valued at £10m in the last 3 years. The City itself had a regeneration programme of £6.5 bn and, for the period of the AWM Corporate Plan 2005–08, the sub region would secure an estimated £200m share of the funding. This represented a 20% share of AWM's total budget, a positive ratio when compared to the City's population share of 16%.

The City Council's approach to economic development in Coventry over the past 10 years had, in general, been aligned to AWM's. This provided a twin track strategy of encouraging growth and investment in high value added and knowledge economy sectors, alongside a continuing focus on narrowing the north and south divide, that still characterised access to employment opportunities and other quality of life indicators amongst many of the City's residents. However, although Coventry compared well to the West Midlands Region, it did not do so well in comparison to its neighbours to the south and east. The south east of the region in particular was continually spreading outwards and the WMES needed to recognise this dynamic, that would have a particular impact on the Coventry and Warwickshire sub region in the first instance, before it began to have an economic (and demographic) impact elsewhere in the West Midlands.

The sub-regional approach to strengthen the Council's commitment to "invest in opportunity" as well as "need" would provide the overall context for its emerging Local Area Agreement, Economy and Enterprise 4th Block Strategy and the City's own

Economic Development Strategy adopted in alignment with the Local Development Framework.

**RESOLVED that the City Council approve the response to the West Midland Economic Strategy (WMES) as detailed in the report submitted.**

**100. Consultation on the Model Code of Conduct for Elected Members**

Further to Minute 194/06 of Cabinet, the City Council considered a report of the Director of Legal and Democratic Services, that sought approval to submit a response to the Department for Communities and Local Government in relation to its consultation paper on amendments to the Model Code of Conduct for Local Authority Members which it was currently undertaking. The deadline for the submission of responses was 9<sup>th</sup> March 2007. It was noted that the report had been considered by both the Standards Committee and the Scrutiny Co-ordination Committee at their meetings held on 7th February 2007.

The report explained that, as part of the Modernisation Agenda for Local Government, a new Code of Conduct for Elected Members was introduced by the Government in November 2001. Legislation required that all local authorities adopted the Model Code by no later than May 2002. Those local authorities that did not adopt the Code, had it automatically imposed upon them. The City Council adopted the Model Code, without alteration, in May 2002.

In 2005, the Government asked the Standards Board for England to undertake a review of the effectiveness of the Code of Conduct and to explore ways in which it could be improved or clarified. The Standards Board for England issued a consultation document on which the City Council responded in May 2005. The City Council's draft response was considered by both the Standards Committee and by Cabinet.

The Standards Board for England submitted its proposals for amendments to the Code to the Government and, in December 2005, the Government accepted all the Standards Board's recommendations indicating that it would make the changes as soon as practicable.

The Local Government White Paper "Strong and Prosperous Communities", issued in October 2006, set out the Government's proposals to put in place a clearer, simpler and more proportionate Model Code of Conduct that would include changes to the rules on personal and prejudicial interest. In Ministerial statements, the Government made it clear that it was its intention to issue a consultation document on the changes to the Code towards the end of 2006, and that it intended that the new Code would come into operation for all authorities in May 2007. In the event, the Consultation Paper and draft revised Model Code were issued by the Department of Communities and Local Government on 22nd January 2007. A copy of the Consultation Paper and draft Model Code of Conduct was appended to the report submitted, along with a suggested response to the consultation paper.

It was noted that most of the points that had been made in the City Council's

submission to the Standards Board for England had been accepted by both the Standards Board and the Government. However, there were several areas where the Government's proposals ran counter to the City Council's views. The report highlighted, in particular, the new proposed provisions on behaviour outside of official duties and the creation of a new category of "public service interest".

The report outlined a number of issues and proposed responses in relation to proposed amendments to the Code of Conduct in respect of bullying; the disclosure of confidential information; conduct of individuals in private and public life; using official capacity to obtain advantage; Code of Recommended Practice on Local Authority Publicity; breaches in the Code of Conduct and their reporting; gifts and hospitality; personal association; personal interests; public service interests; and prejudicial interests.

**RESOLVED that the City Council approve the response to the consultation document issued by the Department for Communities and Local Government, as detailed in the report, and to delegate authority to the Director of Legal and Democratic Services to finalise that response in the light of the Council's views.**

#### 101. **Debate – Trident Replacement**

Councillor Nellist moved the following motion, which was seconded by Councillor Windsor and lost:-

"This Council's believes that the £20 billion earmarked for a Trident replacement, plus annual running costs of £1.6 - £1.9 billion would be better spent on improving public services; and calls upon Coventry's 3 MP's to vote against replacing Trident when the matter comes before Parliament."

(NOTE: The meeting closed at 9.40 p.m.)