

**COUNCIL OF THE CITY OF COVENTRY**

**26<sup>th</sup> June, 2007**

**PRESENT**

Lord Mayor (Councillor Batten)

Deputy Lord Mayor (Councillor Matchet)

Councillor Adalat	Councillor Lee
Councillor Ahmed	Councillor Maton
Councillor Asif	Councillor McNicholas
Councillor Bains	Councillor Mulhall
Councillor Mrs. Bigham	Councillor Mutton
Councillor Blundell	Councillor Noonan
Councillor Charley	Councillor O'Boyle
Councillor Chater	Councillor O'Neill
Councillor Cliffe	Councillor Nellist
Councillor Clifford	Councillor Patton
Councillor Crookes	Councillor Miss Reece
Councillor Mrs. Dixon	Councillor Ridge
Councillor Duggins	Councillor Ridley
Councillor Foster	Councillor Sawdon
Councillor Gazey	Councillor Skinner
Councillor Mrs. Griffin	Councillor Skipper
Councillor Mrs Harper	Councillor Smith
Councillor Harrison	Councillor Sweet
Councillor Harvard	Councillor Taylor
Councillor Ms. Hunter	Councillor Townshend
Councillor Mrs. Johnson	Councillor Waters
Councillor Kelly	Councillor Williams
Councillor Kelsey	Councillor Windsor
Councillor Khan	
Councillor Lakha	
Councillor Mrs Lancaster	

Apologies: Councillor Arrowsmith  
Councillor Benefield  
Councillor Mrs. Lucas

**13. Minutes**

The minutes of the meeting held on 17<sup>th</sup> May, 2007, were signed as a true record subject to Councillor Harrison's name being added to the list of attendees.

**14. Non-Election of Councillors**

The Lord Mayor referred to the following Councillors who were not re-elected at the local elections on 3<sup>rd</sup> May, 2007:

**Mohammed Asif** was a member of the City Council for 3 years representing Foleshill Ward. He had been a member of Planning Committee, Scrutiny Board, North Area Forum and Deputy Chair of Scrutiny Board (4).

**Russell Field** was a member of the City Council for 4 years representing Upper Stoke Ward. He had been a member of the South East Area Forum and Chair of Scrutiny Board (2).

**Karen McKay** was a member of the City Council for 8 years representing St. Michael's Ward. She had been a member of numerous Policy Teams, Scrutiny Board (3), Licensing and Regulatory Committee, Planning Committee and South Central Area Forum.

**Michael Noonan** was a member of the City Council for 7 years representing Wyken Ward. He had been a member of Licensing and Regulatory Committee, Scrutiny Board (3), Planning Committee and North East Area Forum.

**Heather Rutter** was a member of the City Council for 4 years representing Sherbourne Ward. She had been a member of North West Area Forum and Scrutiny Boards 2 and 4.

Members expressed their thanks to the former Councillors for their contribution to the work of the Council and wished them well for the future.

#### 15. **Birthday Honours**

The Lord Mayor referred to the following awards made to Coventry citizens in the Queen's Birthday Honours List:

- **CBE:** To Stella Manzie, Chief Executive, for services to local government.
- **Knighthood:** To Paul Scott-Lee, Chief Constable of West Midlands Police for his services to the Police.
- **OBE:** To Des Kelly, Director of the National Care Forum, for services to social care
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- **OBE:** To Louise Bennett, Chief Executive of Coventry and Warwickshire Chamber for services to business
- **OBE:** To David Kershaw, former Headteacher of Coundon Court School for services to education.
- **MBE:** To Judy Woolfenden , a charitable fundraiser for the disabled, for her services to disabled people.

Members noted that letters of congratulations had already been sent, on behalf of the City Council, to all recipients.

16. **Death of Former Lord Mayor**

The Lord Mayor referred to the recent death of Maggie Rosher. Maggie was a member of the City Council for 16 years representing Wyken, Binley and Willenhall and Cheylesmore Wards. She was Lord Mayor in 1998 and was Chair of several former Committees and Policy Teams. Maggie served the city with pride and true dedication.

Members noted that a letter of condolence had been sent on behalf of the City Council to Mr. Rosher and his family.

17. **Retirement of Honorary Recorder, His Honour Judge Richard Cole**

The Lord Mayor referred to the impending retirement of the Honorary Recorder, His Honour Judge Cole, as a Circuit Judge for Coventry and Warwick at the end of this month. This also requires him to retire as the city's Honorary Recorder. Judge Cole was appointed to the post in 1999 and has taken part in the many civic events and ceremonial occasions since that time.

**RESOLVED:-**

- (1) **That the warmest thanks of the Council are due and are hereby given to His Honour Judge Cole for his dedication to the city.**
- (2) **That a copy of this resolution, under the common seal, be presented to His Honour Judge Cole.**

18. **Death of Jack Simpson, Former City Engineer**

Councillor Chater referred to the recent death of Jack Simpson, former City Engineer.

The Lord Mayor undertook to send a letter of condolence on behalf of the City Council to Mrs. Simpson and her family.

19. **Sponsorship for Fun Run**

The Lord Mayor informed Members that on Sunday 1<sup>st</sup> July both he and Lyn would be taking part in the Coventry Fun Run at the War Memorial Park. He would be running in aid of the Lord Mayor's Charity Appeal and that the beneficiaries would be the Tiny Tims Centre and RNIB Rushton School. The Lord Mayor circulated his sponsorship form around the Council Chamber.

20. **Petitions**

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

- (a) **Request for the installation of a bus shelter adjacent to St. George's Church in Barker Butts Lane to replace the one which has been removed – 104 Signatures presented by Councillor Skipper.**

- (b) Withdrawal of night time care for Pam Phillips – 650 Signatures presented by Councillor Patton.
- (c) Objection to Notification of Application for Planning Permission in respect of a Development at Caludon Castle School – 18 Signatures presented by Councillor Mrs. Dixon.
- (d) Impact of No Smoking Legislation on Residents of Stretton Lodge – 35 Signatures presented by Councillor Mutton.
- (e) Objection to the Proposed New District Centre for Binley, Coventry – 301 Signatures presented by Councillor Mrs. Dixon.
- (f) Objection to the Proposed Building of a Playground on Lake View Park – 295 Signatures presented by Councillor Ridley.
- (g) Request for Traffic Calming Measures in Shakespeare Street and Surrounding Streets between Dane Road and North Street – 77 Signatures presented by Councillor Bains.
- (h) Request to Extend the Stoke Heath School Playground – 300 Signatures presented by Councillor Asif.
- (i) Request for Traffic Calming Measures in Dorchester Way – 124 Signatures presented by Councillor Mrs. Dixon.
- (j) Request for Support to Rebuild Jubilee Crescent Community Centre – 69 Signatures presented by Councillor Skipper.
- (k) Request for the City Council to take note of the wishes of the Residents of Earlsdon regarding Shops in Earlsdon Street - 1653 Signatures presented by Councillor Mrs. Harper.
- (l) Concerns of Wheelwright Lane Residents regarding the Increasing Size of Rail Freight Trains Running from Prologis Park – 12 Signatures presented by Councillor Mrs. Lancaster.
- (m) Request for a Pedestrian Crossing on Heath Crescent – 61 Signatures presented by Councillor Asif.
- (n) Objection by the Red Brick Residents Association to the use of their area by Prostitutes and Anti-Social Residents – 20 Signatures presented by Councillor Smith.
- (o) Request to make Westwood Heath Area Safer for Residents – 14 Signatures presented by Councillor Lee.
- (p) Request for the Tarmac to be upgraded at the rear of properties in Shellon Close – 6 Signatures presented by Councillor Lakha.

- (q) **Objection to the Application for an Alcohol License for the BP Station 167 Ansty Road** – 98 Signatures presented by Councillor Mrs. Dixon.
- (r) **Request for Free 24 Hour Bus Passes for Senior Citizens** – 418 Signatures presented by Councillor Bains.
- (s) **Request for Action from the City Council to the Problem of Pavement Flooding on Keresley Road** – 63 Signatures presented by Councillor Gazey.

## 21. Declarations of Interest

The following members declared interests in the matters referred to in the minutes indicated. The relevant minutes recording the decisions also record where appropriate, the actions that Members decided to take at the meeting indicated, having regard to the National Code of Local Government Conduct and the City Council's Constitution:-

### Interests in Questions

#### Prejudicial

Member	Minute No.
Councillor Chater )	22
Councillor Sawdon )	
Councillor Skinner )	
Councillor Townshend )	

### Interests in Notice of Motion

#### Personal

Member	Minute No.
Councillor Nellist )	33
Councillor Noonan )	

## 22. Question Time

The appropriate members provided a written response to all the questions set out in the questions booklet, together with an oral response to 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:-

Question Asked By	Question Put To	Subject Matter
1. Councillor Nellist	Councillor Noonan	Residents' Parking Scheme for Starley Road
2. Councillor Nellist	Councillor Sawdon	Tile Hill Wood School

		subsidy from Coventry Sports Trust
3. Councillor Chater	Councillor Noonan	Access for wheelchair users to visit shops and community facilities
4. Councillor Mutton	Councillor Ahmed	Training for People with Learning Difficulties – Disregard of Earnings
5. Councillor Kelly	Councillor Blundell	In view of no smoking laws, children at risk from parents smoking in the home
6. Councillor Skipper	Councillor Sawdon	Radford Common

**RESOLVED that:-**

- (1) In relation to question 2 arrangements be made for Councillor Nellist to discuss this matter further with Alice Davey.**
- (2) In relation to question 3 arrangements be made for Councillor Chater to discuss this matter further with Councillor Noonan.**
- (3) In relation to question 4 Councillor Mutton to submit his question in writing to Councillor Ahmed.**
- (4) In relation to question 6 arrangements be made for Councillor Skipper to discuss this matter further with Councillor Sawdon.**

**23. Statement by the Leader of the Council – Coventry Airport**

Councillor Taylor addressed the Council on the results of the Public Local Inquiry on the expansion of Coventry Airport. He reported that work was being undertaken to challenge the decision and that this course of action was supported by Councillor Mutton.

**24. Proposed Amendments to the Constitution**

Further to Minute 27/06 of the Standards Committee, the City Council considered a report of the Director of Legal and Democratic Services that outlined a proposed change to the Constitution following consideration of this matter by the Constitution Working Group.

Currently, there were no rules in the Constitution in relation to the non-attendance of co-opted Members at meetings. The Constitution Working Group had given consideration to this issue noting that co-opted Members were now paid an allowance (currently £438 per annum). Approval was sought to amend the Constitution to indicate that co-opted Members must attend at least one meeting every six months (in line with the requirement for Councillors). Any exemption to this rule (for example long term illness) would need to be approved by the full Council. The Committee had noted that the rule would not apply if a meeting had been cancelled and that non-attendance would mean that the Member would no longer be a co-opted Member of the particular body and no longer eligible for an allowance.

The report also indicated that the Constitution Working Group had been reviewing

the position on the length of speeches at Council meetings, which had been reduced to five minutes for the mover of a motion or recommendation and three minutes to any other speaker, for the past 12 months and that no agreement had been reached by the Political Groups on this issue. The Committee had noted that the Constitution Working Group would be considering this issue further at their meeting on 10th May and the Committee asked that the following suggestions be made to the Constitution Working Group:-

- (a) That whilst the time limit for seconders or other speakers should remain at three minutes, consideration be given to increasing the time allowed for the mover of a recommendation or motion.
- (b) That where the mover of a recommendation or motion felt it was necessary, they should apply in advance for a longer time limit.
- (c) That consideration be given to submitting background information in relation to motions prior to the start of the meeting.

**RESOLVED that the City Council approve the amendment to the Constitution to include a requirement for co-opted Members to attend at least one meeting in every six months.**

**25. Local Authority Response to the DfES Consultation on School, Early Years and 14-16 Funding 2008-2011**

Further to Minute 4/07 of the Cabinet, the City Council considered a report of the Director of Children, Learning and Young People on Government proposals to make changes to the funding system for schools, early years and 14-16 education and seeking approval to submit the response (attached to the report submitted) to the formal consultation.

The report had been considered by Scrutiny Board 2 at their meeting on the 23rd May, 2007. All members of that Scrutiny Board had been invited to this meeting of the Cabinet for the consideration of this matter.

In addition, a copy of the report had been circulated to all elected members on the 14th May, 2007.

The report indicated that significant reforms were made to the schools funding system for the 2006/07 financial year to cover the period 2006-08. This was based on the introduction of the Dedicated Schools Grant, which was a ring-fenced grant paid to local authorities for expenditure on educational provision. The Department for Education and Skills (DfES) had recently issued a consultation document which proposed further changes to the schools funding system to cover the next Comprehensive Spending Review (CSR) period from 2008-11.

The current consultation was significant in terms of both its scope and complexity. It recognised the need to achieve greater equity, flexibility and simplicity within the funding system while maintaining a level of stability over a longer term, multi-year funding period, aligned with the CSR period.

It was acknowledged that the need to balance these tensions would condition the pace of reform over the period 2008-11, as would a number of the policies and programmes set out in the recently-published progress report on the Government's five

year strategy, *The Five Year Strategy for Children and Learners: Maintaining the Excellent Progress*. Among these policies and programmes were:

- The commitment to extend the free offer for early years education and childcare from 12.5 to 15 hours per week for forty weeks a year for all children;
- Children's Trusts to bring together all those who provide services for children and families in each local area to improve the quality and flexibility of provision;
- Every primary and secondary school to provide access to a range of "dawn to dusk" extended services by September 2010;
- Additional funding to support the development of personalised learning;
- The introduction of three year budgets for schools from 2008;
- A long-term goal to raise average per pupil resource and capital funding for state schools to 2005/06 private sector levels in real terms;
- The introduction of fourteen specialised diplomas, with the first five to start in September 2008, all fourteen available by 2010, and an entitlement for every young person to have access to any of the fourteen diplomas by 2013;
- The target of 200 academies to be open or in the pipeline by 2010, with a longer-term aim of 400.

The proposed package of reforms would also have to take account of the level of increases in school funding that would result from the CSR 2007. The consultation document stated that stability of funding for schools would remain an important consideration over the period 2008-11. It also reiterated the commitment given by the Government to improving the educational opportunities for pupils and continuing to increase schools funding in real terms while acknowledging that this would be likely to be at lower levels than in recent years.

The consultation included 38 questions that covered a number of features of the current funding framework. They could broadly be divided into the following five categories.

The first chapter (The Distribution of DSG to Local Authorities) discussed how the Dedicated Schools Grant (DSG) should be distributed from the DfES to local authorities. It considered how the DSG could be used to facilitate joint working in support of the five *Every Child Matters* outcomes. It sought views on: whether to continue with the current spend plus approach, or use a single formula for distribution of DSG; how funding for children under 5 should be distributed; how academies should be funded from DSG; how best to reflect deprivation in the DSG allocations; and on the benefits to local authorities of moving the DSG count from January to autumn. Finally, it discussed a grant that could be paid in exceptional circumstances alongside DSG, to reflect significant changes in need that occur after a three-year settlement has been made.

The most significant of these proposals in terms of the level of schools funding received by the local authority was the proposal over whether to continue with the current spend plus approach, or use a single formula for distribution of DSG. Any move towards a single formula approach would almost inevitably mean lower than average increases in



funding for local authorities that spent in excess of notional government funding allocations (Schools Formula Spending Share or SFSS) at the point the DSG was introduced in 2006/07. At that point, Coventry was spending in excess of £2M on schools funding over the SFSS allocation.

The second section (School Funding from 2008/09) set out proposals for changes to the distribution of funding to schools by local authorities on a three-year basis. It discussed the distribution of schools funding and how three-year budgets would work for local authorities and schools over the period 2008-11. It considered the scope for changes to the calculation of the Central Expenditure Limit, which was designed to ensure that centrally-retained funding for expenditure on educational provision does not increase by more than delegated schools funding in percentage terms. It set out what was expected of local authorities in distributing deprivation funding to schools, and sought views on the level, scope and operation of the Minimum Funding Guarantee (MFG) which delivers guaranteed per pupil levels of increases in funding to schools. Finally, it discussed the options for reducing the level of school balances and altering the remit and composition of School Forums.

The most significant proposals here related to the level of MFG, which effectively overrides local funding formula to deliver a guaranteed level of funding to schools. Proposals to reduce the level at which the MFG was set would allow greater local discretion in targeting resources to address national priorities and local needs.

The third chapter (Funding for Specialised Diplomas at 14-16) set out proposals for funding local authorities and schools for the roll-out of specialised diplomas for 14-16 year olds across the period 2008-11. It proposed that local authorities should be funded for specialised diploma provision through a specific grant rather than DSG. It sought views on three models for funding 14-16 partnership provision: central funding pool retained by the local authority; a central funding pool with partial delegation; and complete delegation to schools. It also considered the delivery costs of specialised diplomas, and how these might be set nationally through the Learning and Skills Council's new funding methodology, and sets out how this might be modified to provide scope for local flexibility on cost levels. Finally, it discussed the potential for cost reductions across the period 2008-11 as increasing numbers of 14-16 year olds take up places in partnership provision.

Delivery of the new Specialised Diplomas would present an important challenge for local authorities, which would need to work collaboratively with schools and other providers to establish the level of provision across the city. The funding model chosen would have a significant impact on how that provision is shaped and delivered within Coventry.

The fourth section (Early Years Funding) discussed proposals for funding the free entitlement to early years provision for three and four year olds. It described the Government's aims for early learning and care, and the key features of the local authority role as commissioner of this provision. It also described the current early years funding system and set out the challenges to funding a more flexible early years entitlement in the future. It set out three proposals, the objective of which was to bring the funding systems for Private Voluntary and Independent (PVI) and maintained provision into closer alignment to enable local authorities to shape the market in response to parental demand. These proposals were: changes to the pupil count for early years provision in maintained settings; encouraging local authorities to use the same method to set the level of per pupil funding for maintained and PVI settings; and a single local formula for funding all free entitlement provision. It sought views on the benefits of these proposals, and possible

timescales for their implementation. Finally, it made proposals for a greater role for the early years sector in Schools Forums, and in the process of developing the funding system for early years.

The proposals very much focused on the role of local authorities as commissioners and market facilitators. The proposed direction of bringing the funding systems into closer alignment did not necessarily mean convergence in funding levels but did have potential implications for the overall level of funding currently allocated to settings within the maintained sector.

The fifth chapter (Specific Grants) set out proposals for the further rationalising of specific grant streams. The proposals were to: merge School Standards Grant and School Standards Grant (Personalisation) into a single grant; keep School Development Grant as a separate grant, but with the long term aim of merging it into Dedicated Schools Grant. To move towards that aim, it was proposed to allow local authorities and Schools Forums more freedom on how to distribute the grant to schools, to start to move SDG towards their local funding formula. The proposals included two options for the degree of freedom to be allowed.

Any proposals to rationalise the number of grant-funding streams was welcomed although there would inevitably be issues of changes in the distribution of funding in moving from one formulaic approach to another.

The report concluded that the financial implications for schools funding would depend on the final approach selected from the number of options under consideration. The precise nature of these implications could not be ascertained until the outcome of the CSR 2007 was known. All financial implications would be met from within the overall allocation of Dedicated Schools Grant.

Any proposed changes to the funding framework would require amendments to the *School Funding (England) Regulations* and revisions to the City Council's local Fair Funding Scheme of Delegation and Fair Funding formula. These would need to be the subject of further consultation.

The outcome of the consultation process would be reported back to the Cabinet as part of the changes that would be required to the Council's local Fair Funding Scheme of Delegation.

Not having had the opportunity to examine the totality of the contents of the consultation document prior to this meeting, and having regard to the City Council's intention to request more details in respect of certain of its aspects, Councillor Nellist raised questions around points 5, 19 and 23, in particular, of the questionnaire. The Cabinet noted that, once he had been supplied with the relevant information, Councillor Nellist would pursue any further concerns, as appropriate, with Barry Hastie, Finance Manager in the Children, Learning and Young People's Directorate.

After due consideration of the options and proposals contained in the report and matters referred to at the meeting, the Cabinet had decided:-

- (1) Subject to the decision at (2) below, to give approval for the detailed response contained in Appendix A to the report submitted to be conveyed, on behalf of the City Council, to the Department for Education

and Skills (DfES) by the end of the consultation period on the 1st June, 2007.

- (2) To delegate authority to the Director of Children, Learning and Young People, in consultation with the appropriate Cabinet Members and the nominee of the Leader of the Main Opposition Group on the Council, (a) to consider any further observations received from elected members after this meeting of the Cabinet but prior to the end of the consultation period and (b) to include any such observation, if considered appropriate, in the local authority's response.
- (3) In accordance with the City Council's constitution, to request Scrutiny Board 2, so far as is practical, to consider the detailed response contained in Appendix A to the report submitted and to input any comments they might be minded to make in accordance with the procedure outlined at (2) above.
- (4) To request the City Council, at their meeting on the 26th June, 2007, (a) to consider the report submitted, together with any additional comments included in the response as a result of (2) above and (b) to endorse the action that will have been taken in submitting such response by the due date of the 1st June, 2007.

**RESOLVED that the City Council endorse the action taken in submitting the response by the due date of the 1st June, 2007.**

## 26. **Delegated Powers 2007**

Further to Minute 15/07, of the Cabinet the City Council considered a joint report of the Director of City Services and the Director of Legal and Democratic Services which sought (a) amendments to Part 3.8 of Coventry City Council's constitution in relation to powers delegated to the Head of Public Protection to reflect changes in legislation and the new duties placed upon the authority by this legislation; and (b) approval to conduct under-age test purchasing of age-restricted products, in addition to those currently authorised (alcohol, cigarettes, fireworks, knives and aerosols).

The report indicated that Part 3.8 of the Constitution (Functions Delegated to Employees) would need to be amended to reflect changes in UK legislation affecting the work of the Trading Standards Section. Appendix 1 to the report submitted listed the legislation that is, or would need to be, enforced by the Trading Standards and Environmental Health Sections.

The report itself contained summaries of the relevant legislation (including the duty under Part 5 of the Housing Act 2004 to provide a Homes Information Pack (HIP)) and when it came into force.

It also indicated that Trading Standards regularly conduct under-age test purchasing exercises. However, the range of products that can currently be test purchased was restricted by the Constitution. Approval was therefore sought to extend the range of products that could be test purchased to cover all age-restricted products that are generally recognised as the responsibility of Trading Standards. A full list of age-restricted products was detailed in Appendix 2 to the report submitted. Trading Standards would then make an operational decision as to whether a test purchase by someone under-age

was appropriate, proportionate and necessary.

The Council had no duty to enforce the age-restricted legislation relating to volatile substances, solvents, crossbows, air guns, air gun pellets, lottery tickets and instant win cards.

**RESOLVED that the City Council approve the amendments to Part 3.8 (Functions Delegated to Employees) of the City Council's Constitution (a) as detailed in the report and Appendix 1 submitted and (b) to allow for the authorisation of employees to conduct test purchases of all the age-restricted products listed in Appendix 2.**

**27. Changes to Permitted Development – Consultation Paper 1: Permitted Development Rights for Householder Microgeneration**

Further to Minute 20/07 of the Cabinet, the City Council considered a report of the Director of City Development on the above document, published on the 4th April, 2007, the period of public consultation for which was twelve weeks, with responses required by the 27th June, 2007.

The consultation paper set out the Government's proposals for changes to the planning system in relation to the installation of microgeneration equipment for domestic properties. The revised system would deliver a more permissive regime than exists at present and remove the need for a planning application for many householders. Changes would be delivered through amendments to the Town and Country Planning (General Permitted Development) Order 1995.

The report set out the background and findings of the Householder Development Consents Review (HDCR) launched in January 2005 to look at ways of reducing bureaucracy for neighbours, the wider community and the environment.

The HDCR found that several categories of development require a planning application even though they have little or no impact and it recommended that the system be reformed using an impact approach which would be based upon height of a proposal and its proximity to the plot boundary.

The report outlined the principles that Ministers made clear should underpin the above and it analysed a range of pertinent issues.

The Government intended to provide guidance for householders on permitted development rights for microgeneration. It would seek to give householders a simple introduction as to what was permitted and more general advice about how they should go about exercising their rights.

The report indicated that the consultation document (a) debated the technical issues relating to microgeneration which were summarised in Appendix 1 to the report submitted and (b) also proposed that the developments set out in a table in the report submitted be permitted development (that is, they will not require an express planning permission). These developments relate to solar on buildings, solar stand alone, ground source heat pumps, air source heat pumps, water source heat pumps, wind turbines on buildings, wind turbines (stand alone), bio mass, combined heat and power, and hydro.

This consultation highlighted the potentially-conflicting issues that wind turbines in

particular could raise. The City Council would wish to promote and support the use of renewables in line with its objective to tackle climate change and Government targets to reduce carbon dioxide emissions. However, there were also statutory duties in respect of complaints of a statutory nuisance. These conflicts led to the withdrawal of the first planning application for a micro wind turbine submitted earlier this year.

In addition, local information as to the suitability of micro wind turbines should be produced by local authorities. A sustainability Supplementary Planning Document was already drafted and consideration would be given to the inclusion in that of guidance to householders to assist them in their choice of renewable technologies.

The report examined the question of the need for a balance to be struck between the benefits and disbenefits, noting that the proposal for a specific noise level would achieve consistency. However, the environmental effect was that impact would vary depending on local circumstances, in common with other familiar plant and equipment, such as domestic gas boilers,

The Government had asked for responses to the consultation paper by the 27th June, 2007, and it seemed likely that implementation would be linked with the other proposals coming forward for change in the Planning White Paper (due to be considered by the Cabinet at the meeting on the 3rd July, 2007).

After due consideration of the options and proposals contained in the report and matters referred to at the meeting, the Cabinet had decided:-

- (1) Subject to the decision at (2) below, to approve the detailed response contained in the appendix to the report submitted and, in accordance with the City Council's constitution, to request Scrutiny Board 3 to consider the detailed response and to suggest any further comments they might be minded to make in accordance with the procedure outlined at (2) below.
- (2) To delegate authority to the Director of City Development, in consultation with the appropriate Cabinet Member and the nominee of the Leader of the Main Opposition Group on the Council, (a) to consider any further observations received from Scrutiny Board 3 after this meeting of the Cabinet and (b) to include any such observation, if considered appropriate, in the local authority's proposed response.
- (3) To request the City Council, at their meeting on the 26th June, 2007, to consider the report submitted, together with any additional comments included in the response as a result of (2) above.

The City Council considered the report together with the additional response from Scrutiny Board (3), which was tabled at the meeting.

**RESOLVED that the City Council submit an appropriate response to the Department for Communities and Local Government by the due date of the 27th June, 2007.**

## 28. **Corporate Plan 2007/08 – 2009/10**

Further to Minute 24/07 of the Cabinet, the City Council considered a report of the Chief Executive, which sought approval of the Corporate Plan 2007/08-2009/10. A copy of

the Plan was appended to the report submitted. The Head of Corporate Policy had indicated that there had been a printing error within pages 10, 17 and 19 of the document submitted and circulated revised versions of these pages at the meeting of the Cabinet.

The report summarised the background to the Council's performance management framework and the role of the Corporate Plan in it, setting out how the Council would deliver its vision and objectives at a corporate level. It covered a three-year period and was updated annually.

The Corporate Plan showed proposed measures and targets for each Corporate Objective. It also showed proposed management objectives which set out how the Council must work if it was to put its policies into place. Each of these also had a number of performance measures and targets. A separate technical manual for managers set out the detailed methodology to be used for calculating each performance measure.

The measurement and review of performance at corporate level is based on a balanced scorecard which brought the corporate and management objectives together. The Corporate Objectives were shown under the heading of "Customers & Communities". The management objectives were grouped into three themes - "Budgets", "Improving The Way We Work and Deliver Value for Money" and "People". This approach recognised that the Council needed to have a sound financial base, effective processes and trained and knowledgeable Members and employees if it was to achieve its vision and corporate objectives.

At its meeting on 19<sup>th</sup> December 2006, the Cabinet had agreed to consult on amending two of the Council's Corporate objectives to reflect new priorities. The changes proposed were to add the wording shown in italics to the objectives shown below:

Regenerate the City and ensure that people have a good choice of jobs and housing *and transform the city centre;*

To make the City clean and green *and work to tackle climate change.*

On 20<sup>th</sup> February 2007, the Council noted that these proposed changes had been well received by consultees and it was proposed that by approving the new Corporate Plan, these changes be accepted.

For a number of years the Council had been working towards achieving Level 4 of the Equality Standard for Local Government and it achieved this during 2006/07. The Council would continue to ensure that it complies with the Standard but was now replacing this as a key measure in the Corporate Plan with a new set of equality outcomes relating directly to the Council's Corporate Objectives. Progress on these would make a real difference to equality of opportunity in Coventry.

Some minor amendments were also proposed to the balanced scorecard to reflect the adoption of the corporate Value for Money Strategy on 25<sup>th</sup> July 2006. The theme of "Improving the way we work" had been renamed "Improving the way we work and deliver value for money" to give greater emphasis to the importance of this theme and to make it clear that the achievement of value for money depends on achieving optimum economy, efficiency and effectiveness. In order to avoid confusion, the name of the theme relating to financial resources had been changed from "Money" to "Budgets".

In addition, one change was proposed to the Management Objectives. By

adopting the new Corporate Plan, the Council was asked to agree to amend the objective “Deliver value for money to meet the Council’s priorities” to “Deliver the Council’s Medium Term Financial Strategy to meet the Corporate Objectives and balance the budget”. This more closely aligns the Medium Term Financial Strategy and the Corporate Plan. The achievement of greater value was, of course, an integral part of the Medium Term Financial Strategy.

The Corporate Plan would assist the Council in achieving further improvements in its services and the way it works.

**RESOLVED that approval be given to the Corporate Plan 2007/08-2009/10 and that authority be delegated to the Chief Executive in consultation with the Leader of the Council to make any final minor amendments, corrections or additions to it prior to its publication on 30<sup>th</sup> June 2007.**

## 29. Performance Report 2006/07

Further to Minute 25/07 of the Cabinet, the City Council considered a report of the Chief Executive, which sought approval of the Performance Report 2006/07, a copy of which was appended to the report submitted.

The report indicated that the Local Government Act 1999 made it a statutory duty for councils to produce a Best Value Performance Plan (BVPP) by the 30<sup>th</sup> June each year. The minimum required content of BVPPs was specified by the Department for Communities and Local Government (DCLG).

Councils with a Comprehensive Performance Assessment rating of 2 stars and above were now only required to include the following information in their BVPP:

- Out-turn performance over the past year on all Best Value Performance Indicators (BVPIs)
- Targets for the current year and subsequent two years for all BVPIs
- A brief statement certifying that all individual contracts awarded during the past year which involve a transfer of staff comply, where applicable, with the requirements of the Code of Practice on Workforce Matters in Local Authority Service Contracts.

In recent years, the City Council had produced its Best Value Performance Plan in two parts:

- (a) The *Corporate Plan*, which described the Council's Vision, Values and Corporate Objectives, a statement of Management Objectives to support these, and a series of performance indicators and targets for each objective. Some of these elements were previously a formal requirement for the BVPP. (The *Corporate Plan 2007/08 – 2009/10* is dealt with at Minute 24 above.)
- (b) The *Performance Report*, which met the requirements referred to above. It also included a range of other information, including an end-of-year summary of progress made against the objectives in the previous year's Corporate Plan.

*DCLG Guidance says that, "One of the fundamental issues for authorities in preparing their Performance Plans is to ensure that it meets the needs of its intended audience.... Elected Members and officers with responsibility for delivering quality local services need to be aware of the authority's improvement priorities and how they will be addressed over the coming year..."*

As in previous years, a seminar for all Members had been held about the *Performance Report* and *Corporate Plan* prior to this Council meeting, so that they could be discussed in greater detail and employees could be questioned on their content.

The *Performance Report* would be subject to external audit by the Audit Commission (the Council's external auditors). This audit must be completed by the 31<sup>st</sup> December 2007, and the Council was then required to respond to any recommendations in their report within thirty working days of receipt.

At the time of writing the report submitted, some information in the *Performance Report* was still being checked and finalised. Approval was therefore sought for the Chief Executive to make any further amendments necessary so that it could be published by the statutory deadline of the 30<sup>th</sup> June, 2007.

**RESOLVED that the *Performance Report 2006/07* be approved and that authority be delegated to the Chief Executive in consultation with the Leader of the Council to make any final minor amendments, corrections or additions to it prior to its publication on the 30<sup>th</sup> June, 2007.**

### 30. **Statement on Internal Control 2006/07**

Further to Minute 26/07 of the Cabinet, the City Council considered a report of the Acting Director of Finance and ICT which sought approval for the Statement on Internal Control (SIC), which formed part of the 2006/07 Statement of Accounts. Best practice as reflected in the Corporate Performance Assessment of Use of Resources required that the approval of this Statement was considered separately from the Statement of Accounts.

The report (which had also been considered at a joint meeting of Scrutiny Board 1 and the Audit Sub-Group earlier that day reiterated that Coventry City Council must conduct its business in accordance with the law and ensure proper standards; safeguard public money and account for it properly; and use it economically, efficiently and effectively so as to achieve value for money. It must also, under the Local Government Act 1999, make arrangements to secure continuous improvement in the way its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. In discharging this overall responsibility, the Council was responsible for ensuring that there was a sound system of internal control that facilitates the effective exercise of its functions, including arrangements for risk management.

As a result, the Council was required by the Accounts and Audit Regulations 2003 to produce and approve a SIC and subsequently include/publish it within the annual accounts by the end of October. The 2006/07 Statement had been produced based on the same principles as in 2005/06.

The Statement of Recommended Practice (SORP) for 2006 now required that "where the authority is in a group relationship with other entities and undertake significant activities through the group, these activities should be encompassed within the SIC".



Despite attempts to get more clarity on what 'significant activities' were, no specific guidance had been produced. For 2006/07, the Council had extended the scope of the SIC to include the four companies that currently form part of the Group Accounts, namely Coventry and Solihull Waste Disposal Company; North Coventry Holdings Limited; Coventry North Regeneration Limited; and Arena Coventry Limited.

Within Section 3 of the SIC (Appendix One) was a description of the companies and their links with the Council, along with how such companies currently gained assurance around the robustness of their systems of internal control. The proposed wording had been agreed with senior management from both the Coventry and Solihull Waste Disposal Company and Arena Coventry Limited.

Section 5 of the Statement highlighted those areas that the Council considered required improvements to the systems of internal control. These areas were identified through a review of the effectiveness of internal control informed by the work of the internal auditors and directors within the Council who have responsibility for the development and maintenance of the internal control environment, and also by reviews undertaken by the Council's external auditors and other review agencies and inspectorates.

Whilst this process considered new issues facing the Council, it also assessed whether significant internal control issues identified in the 2005/06 SIC were still relevant for inclusion in the 2006/07 SIC. Within last year's SIC, nine areas were identified that required focus and development. An update was received by Scrutiny Board 1 – Audit Sub Group in January 2007 on progress made against those issues raised. For 2006/07 it was proposed that three of the nine areas be excluded on the basis that these areas were no longer regarded as significant internal control issues. These areas were detailed in table one of the report submitted.

For the issues that remained in the SIC from 2005/06, it was acknowledged that progress had been made over the last year on improving controls in all the areas identified. The key reasons why they remained in the SIC were that they were high profile areas closely aligned to delivering Council priorities, cover Council-wide activities where improvements would take time to embed into practice, or were expanding areas (e.g. partnerships). In all cases, the nature of the challenge had changed in the last year.

In addition, for 2006/07, three new areas had been identified that were included in the SIC. These stemmed from the reviews carried out by the Council's Internal Audit Service in 2006/07 and were, in the opinion of the Council's Internal Audit Manager (as reflected in the Internal Audit Annual Report), issues that needed to be considered when the Council produced its SIC for 2006/07.

**RESOLVED that the Statement on Internal Control (SIC) for 2006/07 (attached as Appendix 1 to the report submitted) be approved and that the Leader and the Chief Executive be authorised to sign it on behalf of the City Council.**

### **31. Revenue and Capital Out-turn 2006/07 and Statement of Accounts**

Further to Minute 27/07 of the Cabinet, the City Council considered a report of the Acting Director of Finance and ICT, which set out the final revenue and capital out-turn position for 2006/07 and sought approval for the 2006/07 Statement of Accounts.

The report (which had been considered at a joint meeting of Scrutiny Board 1 and the Audit Sub-Group earlier that day) also reviewed treasury management activity during

the year, including borrowing, lending and investments. In addition, 2006/07 out-turn Prudential Indicators were reported on under the Prudential Code for Capital Finance.

The report indicated that the City Council's budget had been approved by the Cabinet on the 21<sup>st</sup> February 2006. The last formal monitoring report to the Cabinet had been on the 6th February, 2007, covering the position to Period 8. Management Board subsequently considered monthly revenue reports setting out the budgetary position to Period 10.

As regards the 2006/07 Revenue Out-turn position, there was a forecast over-spend of £0.8m at period 8. Since period 8, the level of over-spending had decreased by £1.6m, moving to an out-turn under-spend position of £0.8m

The report outlined the summary variation and out-turn position, the situation relating to liabilities and claims, and resource movements through budget realignment.

It then dealt with reserve requests (carry forwards) totalling £0.7m for 2006/07 and reserve movement, showing a corporate reserve balance of £16.5m (including this year's reserve requests referred to above) and a level of uncommitted corporate reserves of £3.8m.

As regards the 2006/07 Capital Out-turn, the position was summarised in the following table:

Final Budget	Final Spend	Rescheduling Now Reported	Overspend Now Reported	Total Variance
£105.6m	£105.7m	- £0.2m	£0.3m	+ £0.1m

The report analysed the position in detail (particularly re-scheduling and measures to minimise future levels of re-scheduling), and covered Funding of the Capital Programme and Capital Receipts (a total of £18.6m of which was used to fund part of the capital programme).

In summary, as regards financial implications, the final revenue out-turn for 2006/07 was an underspend of £0.8m, while the final capital outturn for 2006/07 was £105.7m against a final budget of £105.6m. The overspending of £0.3m that had arisen at outturn was mostly funded from corporate resources and revenue contributions.

The report then analysed treasury management activity in 2006/07, dealing with interest rates, long-term funding, temporary borrowing and lending, and external investments.

As regards the Prudential Code and Indicators, the report indicated that the Local Government Act 2003 and associated CIPFA Prudential Code for Capital Finance set the framework for the new local government capital finance system. Authorities were able to borrow whatever sums they saw fit to support their capital programmes, subject to them being able to afford the revenue costs. The framework required that authorities set and monitor against a number of Prudential Indicators relating to capital, treasury management and revenue issues. These indicators were designed to ensure that borrowing entered into for capital purposes was affordable, sustainable and prudent. The purpose of the indicators was to support decision-making and financial management, rather than illustrate

comparative performance.

As regards the Statement of Accounts, the report indicated that the Accounts and Audit Regulations 2003 determine the preparation and presentation of the Council's Statement of Accounts. The Statement contained a summary of the Council's end-of-year accounts, including notes of explanation. The Council's auditors (the Audit Commission) would be auditing the Statement over the next few months.

This year there was a significant change in how the accounts were presented. The Statement of Recommended Practice (SORP) 2006 had introduced a number of presentational changes which had been brought about by the move to UK Generally Accepted Accounting Policies (UKGAAP) accounting. These changes included replacing the Consolidated Revenue Account with an Income and Expenditure Account and a Statement of Movement on the General Fund. The result of these changes was that the Council's Income and Expenditure Account showed a deficit of £35.8m. This deficit did not reflect the position of the Council's General Fund which was a £0.8m surplus, as shown in the Statement of Movement on the General Fund Balance, and detailed in Table 9 and note 15 to the accounts.

The Statement of Movement on the General Fund takes the income and expenditure deficit, adjusts it for depreciation, movement in reserves plus other allowable adjustments, (total value £36.6m) to arrive at an outturn of £0.8m under-spend. The £0.8m under-spend was a variation against the budget of £233.7m, as shown in table 1 of the report submitted. It was this variation that was used to measure the Council's performance. The Council does not budget on the basis of the Income and Expenditure Account, which was an accounting reporting statement.

One of the issues still outstanding from 2005/06 and still being considered by the Auditors was the treatment of the reconciliation between the capital financing requirement and the closing credit ceiling (also referred to as the 'A factor calculation'). The Council had been in dialogue with the Auditors throughout the year.

The Cabinet had noted that the Acting Director of Finance and ICT had not been in a position to sign the 2006/07 Statement of Accounts at the time of writing the report submitted as there had been a further meeting with the Auditors on 19th June 2007. The Acting Director had informed the Cabinet of the outcome of that meeting; the current situation in relation to the A factor calculations; the partial qualification of the 2005/06 Statement of Accounts and the impact of this on the 2006/07 Statement of Accounts.

The report identified the following key elements of the Statement:

- The Income and Expenditure Account (page 13) ~ This Account records how much the Council has spent and received for the day to day spending on its services (revenue expenditure and income). It also shows how that net expenditure has been funded – from the combination of Council Tax, National Non Domestic Rates and Central Government Grant (the Revenue Support Grant). The City Council deficit for 2006/07 was £35.8m.
- The Statement of Movement on the General Fund Balance (page 14) ~ This statement shows how the deficit on the Council's Income and Expenditure Account for the year reconciles to the surplus / deficit for the year on the General Fund.

- Statement of Total Recognised Gains and Losses (page 15) ~ This statement brings together all the gains and losses of the Council for the year.
- The Balance Sheet (page 16) ~ This is a snap shot of the Council's financial position as at 31st March 2006. It shows the Council's assets, liabilities, and reserves and balances as at that date. At the end of 2006/07 the City Council's net assets were £487m.
- The Cash Flow Statement (page 18) ~ This shows actual cash received and spent by the Council as a result of revenue and capital transactions with third parties.
- The Collection Fund (page 51) ~ The Council is required to maintain a separate account that records the transactions the City Council undertakes in relation to the collection and distribution of Council Tax and National Non Domestic Rates. In broad terms, this account shows income from Council Tax payers, and expenditure on payments (called precepts) to the City Council, the West Midlands Fire and Civil Defence Authority and the West Midlands Police Authority.
- Group Accounts (page 54) ~ These statements consolidate the City Council's accounts with those companies considered to be part of the Council's group. For 2006/07 those companies are North Coventry Holdings Ltd, Coventry North Regeneration, Coventry and Solihull Waste Disposal Company and the Arena Coventry Ltd.
- The Statement of Accounting Policies (page 65) ~ This explains the main accounting policies the City Council used to produce the figures in the accounts. The general principles applied are those set out in the Accounting Code of Practice.

In addition to the above statements, a number of explanatory notes were included as specified in the Accounting Codes of Practice.

Once the Statement of Accounts had been audited by The Audit Commission, any material changes made to the Statement would be reported to Members, informing them of those changes. This was required by the Accounts & Audit Regulations 2003.

The report concluded by indicating that, in terms of legal Implications, the City Council was required by the above Regulations to approve, and subsequently publish, certain financial information in a document known as the Statement of Accounts. The Director of Finance and ICT must also certify that the document presents fairly the financial position of the City Council at the end of the financial year. The Regulations require that the Statement was normally approved by elected members, by no later than the 30th June, 2007.

The auditors' interpretation of the Regulations was that formal approval of the Statement was given by a non-executive committee. Therefore, the formal approval of the Statement by the City Council was being sought. It was a requirement of the Regulations that the person presiding at the meeting at which approval was given signs the Statement. This was reflected in the final recommendation below.

Finally, the audited Statement of Accounts would be published by the end of October to meet the statutory requirement.

**RESOLVED that the City Council:-**

- (1) note that the final revenue outturn for 2006/07 was an underspend of £0.8m which was to be contributed to corporate reserves.**
- (2) note that capital expenditure of £105.7m in 2006/07 against a final budget of £105.6m, a variance of £0.1m, as detailed in section 7 of the report submitted.**
- (3) determine the resourcing of this capital expenditure as detailed in section 8 of the report submitted.**
- (4) approve net rescheduling of £0.2m of capital expenditure after taking into account the 5% allowance for rescheduling approved by Council on 21<sup>st</sup> February, 2006, which can be managed and will not result in any loss of resources.**
- (5) approve the Prudential Indicators as detailed in Appendix 7 of the report submitted.**
- (6) approve the Statement of Accounts for 2006/07 and to authorise the Leader to sign them off on behalf of the City Council.**

**32. The Planning White Paper and Associated Consultation Documents**

Further to Minute 29/07 of the Cabinet, the City Council considered a report of the Director of City Development, which sought approval of a proposed response to the Planning White Paper and a number of associated consultation documents which had recently been published. The period of public consultation would last for 12 weeks, with responses required by 17<sup>th</sup> August 2007.

The Council noted the comments from the meeting of Scrutiny Board (3) held on 20<sup>th</sup> June, 2007, which were tabled at the meeting.

The White Paper continued the reform of the planning system and provided the Government's response to the Barker and Eddington Reports. There were separate consultations on the following publications:

- Planning Performance Agreements: A New Way to Manage Large Scale Major Planning Applications;
- Planning for a Sustainable Future: A Regime for Nationally Significant Infrastructure Projects and Reforms to Town and Country Planning System;
- Planning Fees in England: Proposals for Change;
- Changes to Permitted Development Consultation Paper 2: Permitted Development Rights for Householders; and

- Improving the Appeal Process in the Planning System – Making It Proportionate, Customer Focused, Efficient and Well Resourced.

The Planning and Compensation Act 2004 sought to modernise and provide a simpler and more responsive planning system. Since then a series of changes had been made and there had been a number of significant reports to the Government, including Barker and Eddington.

Key messages and proposals from the White Paper included a new system to decide major infrastructure projects with a simpler approval regime, new approaches to community engagement, independent expert decision makers and new inquiry procedures; and improvements to the town and country planning system.

Chapters 2 to 5 dealt with Key National Infrastructure and indicated that the Government considered that major infrastructure projects take too long to deliver. The major examples quoted were Terminal 5 at Heathrow and an electricity grid update in Yorkshire. These delays were considered to impair the country's economic performance.

The Government therefore proposed to produce National Policy Statements which would set out the national need for major projects in the eight areas of airports; ports; motorways and other key roads; nuclear power stations; nuclear waste disposal; wind farms; waste incineration plants; and reservoirs. They would consult the public in this process.

Promoters would be helped to improve the way that they prepare applications for individual schemes together with consultation requirements. Individual schemes would be considered by an "independent infrastructure planning commission". This would hear evidence from all sides and take a decision in the light of the national policy statements. The consent regime would be simplified.

Chapters 6 to 9 entitled "Improving the Town and Country Planning System" propose five main improvements so that the planning system could deliver sustainable development through addressing climate change; planning for a sustainable supply of land for development; planning for sustainable economic development; improving the effectiveness of town centres policy; and producing a more strategic and clearly focused national policy framework. The report submitted outlined the issues that would need to be addressed under each of these areas.

Chapter 8 considered further changes to The Development Plan System – "place shaping" and acknowledged that operation of the new (2004) system had thrown up some problems and unnecessary complications in that a plan found to be "unsound" had to go back to the very start of the process even if the problems were relatively minor; too many documents were required in some cases; Supplementary Planning Documents (SPD) had to be included in the Local Development Scheme and require Government approval; Sustainability appraisals were being repeated unnecessarily; there was evidence of "consultation fatigue"; and some plans had not had a long term spatial vision nor integrated properly with other partners' activities.

The Planning for a Sustainable Future National Infrastructure Projects consultation document built on the White Paper and set out the reforms to replace the existing multiple consent regime with a new system for such projects and the report submitted outlined the reforms required to facilitate this.

In terms of amendments to the Householder Permitted Development Regulations, which control what householder developments require a planning application to be made for express planning permission, there had been several reviews of consents. The review found that several categories of development require a planning application even though they have little or no impact. The review recommended that the system be reformed using an impact approach which would be based upon height of a proposal and its proximity to the plot boundary. The report also outlined the three important principles that Ministers have made clear must underpin these considerations.

Further consultation papers were promised in respect of basements, flats and local development orders but the consultation focused on householder permitted development (the development that was permitted by legislation rather than needing an express permission) and specifically sought to move away from prescriptive volume calculations to an “impact” assessed process. The consultation acknowledged that this assessed process would not be viewed as objective by everybody. The consultation also acknowledged that removal of existing rights may result in compensation claims. It was further proposed that the Secretary of State would be required to approve article 4 directions (the approach by which local planning authorities (LPAs) can remove the normal permitted development rights). Discretion to LPAs would also be provided by their ability to make Local Development Orders that were introduced by the 2004 Act.

By a series of changes the consultation indicated that the number of householder applications would be reduced by around 26%. The report further summarised the changes proposed relative to the existing regulations.

The Government considered that the existing appeal system (operated by the Planning Inspectorate) was not equipped to handle the large numbers of appeals it received, which led to delays in decision making. There were three key elements to the improvements in the service that were being suggested. Firstly to ensure procedure was proportionate to the type and complexity of each appeal; secondly to provide better customer service and efficiency; and finally that the system was better resourced (appeal system currently costs £30m from the public purse).

Although these changes would primarily impact on the Planning Inspectorate and an appellant, there would also be consequences for the City Council as local planning authority. There were three main strands to the proposed changes, which could be summarised as a fast-track approach to dealing with householder and tree preservation order appeals via written representations; For minor appeals, introducing to each local authority area a board of Councillors to be known as the Local Member Review Body who would review a decision; and the introduction and application of published criteria, which would determine the appropriate appeal method. A number of measures were also proposed to improve customer service and efficiency.

It was proposed to introduce fees for the making of appeals based either on a fixed administrative fee applied across appeal types or a proportionate fee based on a sliding scale mirroring the planning application fee. The appellant could seek an award of costs including the appeal fee if they felt the LPA had acted unreasonably.

The consultation paper indicated that if these measures were put into place, it was expected that the Planning Inspectorate's targets would be increased as follows:-

- 80% of fast-tracked householder appeals and all other written representation appeals would be determined within 13 weeks (currently

50% within 16 weeks);

- 80% of all hearings would be determined within 16 weeks (currently 50% of all hearings within 30 weeks);
- 80% of inquiries would be determined within 22 weeks (currently 50% within 30 weeks);
- All appeals determined within six months.

With regard to the Planning Performance Agreements (PPA), the report submitted indicated that the proposal follows from trials in the last 12 months and it was proposed to substitute the 13 and 16 week period for determination of major applications and those accompanied by an environmental impact statement. These were the periods currently used to assess for Best Value and CPA purposes whether or not the LPA was operating to an acceptable level and it was expected that 60% of all of this type of application were determined within the prescribed period.

Basically a PPA was an agreement between an LPA and an applicant to provide a project management framework for handling a major application, that was proposed to be defined for this purpose as a scheme for more than 200 houses or a site area in excess of 4 ha and in non residential schemes more than 10,000m<sup>2</sup> or site area of 2 ha. Milestones would be agreed between the parties at the various stages in the process, including negotiations relating to Section 106 agreements. Where such an agreement was made, then these applications would not be included in Best Value statistics.

The consultation paper in respect of fees for planning applications described a change that would come into effect on 1<sup>st</sup> April 2008. Fees had not been increased for the last 2 years and the consultation paper indicated that the proposals reflected not only inflation in relation to local authority cost but also the cost of continuing to drive service improvements.

Fees were set centrally and in the last 5 years planning delivery grant had partially bridged the gap between fee income and cost of the services. The report submitted outlined the 3 specific and evidenced grounds for the suggested changes to planning fees acknowledged within the consultation document.

The consultation document also confirmed that research had found the planning service to be under-funded and that in part this was owing to insufficient fee coverage to achieve the intended cost recovery.

The proposals within the White Paper continued the theme of modernisation but also addressed issues that had arisen where the aims of simplification and speedier decisions had perhaps not been achieved. There were a number of matters where further consultations were promised and only when the details were available could meaningful comment be made.

Possibly the most controversial element of the proposals was the intention to take out of local decision making and that of elected representatives of the communities decisions on major infrastructure projects. It had to be recognised that many developments of significant national significance had been delayed by the current processes. A truly independent body could, providing there were safeguards for the communities to engage and LPAs to have input, be a way forward.



In respect of the detailed amendments to the development plan processes and also the changes to householder permitted development, these did seem to have merit. In principle the impact approach to determining whether or not express permission should be required was sound. However, those decisions should be based on nationally or locally set guidelines and should not be dependant on agreement between neighbours. Generally the amendments proposed seemed reasonable. The proposals would bring some developments into requiring permission where there was no control but would be more closely related to impacts. It seemed unlikely that the level of decrease in applications anticipated would be achieved and it seemed highly probable that any savings in time would be countered by enforcement enquiries. There had also in the past been proposals that there would be a common consent regime based around the building regulations and this would have had the merit of simplification.

The proposals in respect of the appeals system had considerable merit particularly in introducing local boards of elected members although their impartiality would need to be ensured and the system made transparent.

**RESOLVED that the City Council approve the draft responses set out in the Appendix to the report submitted.**

### 33 Appointments to Committees and Outside Bodies

Further to Minute 12/07, the City Council considered a report of the Director of Legal and Democratic Services which detailed the following proposed changes to appointments to Committees and Outside Bodies:-

<b>Committee</b>	<b>Annual Meeting Nomination</b>	<b>Proposed Change</b>
Planning Committee	Councillor Ms Hunter  1 Socialist Group place	Remove and replace with Councillor Arrowsmith  Councillor Windsor to fill the vacancy
Licensing and Regulatory Committee	1 Liberal Democrat place	Remove and replace with Councillor Mrs Harper to fill the vacancy
Scrutiny Board (1)	1 Socialist Group place	Councillor Nellist

<b>Organisation</b>	<b>Annual Meeting Nomination</b>	<b>Proposed Change</b>
School Admission Forum	Councillor Sawdon	Remove and replace with Councillor Crookes
Belgrade Theatre Trust	Councillor Sawdon	Remove and replace with Councillor Blundell
Local Enterprise Growth Initiative Board	Councillor Batten	Remove and replace with Councillor Mrs Lucas
Institute of Community Cohesion	Councillor Matchet	Remove and replace with Councillor O'Neill

**RESOLVED that the above proposals be approved.**

#### 34. **Debate – Closure of Post Offices**

Councillor Foster moved the following motion, which was seconded by Councillor Ridley:-

"This Council deplores the Government's decision to close a further 2,500 Post Offices nationally which threatens the closure of a further 8 Post Offices in Coventry."

The following amendment was moved by Councillor Duggins which was seconded by Councillor Mutton and lost:-

"This Council notes the pending consultation process to be undertaken by Post Office Ltd and commits to playing a full and robust role in the area implementation plan".

(NOTE: In respect of the above, a recorded vote was required in accordance with paragraph 4.1.71 of the City Council's Constitution. The Councillors voting for and against the amendment were as follows:-

For

Councillor Asif  
Councillor Bains  
Councillor Batten  
Councillor Mrs. Bigham  
Councillor Chater  
Councillor Clifford  
Councillor Duggins  
Councillor Harrison

Against

Councillor Adalat  
Councillor Ahmed  
Councillor Blundell  
Councillor Charley  
Councillor Cliffe  
Councillor Crookes  
Councillor Mrs. Dixon  
Councillor Foster

Abstain

Councillor Nellist  
Councillor Windsor

Councillor Harvard	Councillor Gazey
Councillor Kelly	Councillor Mrs. Griffin
Councillor Khan	Councillor Mrs. Harper
Councillor Lakha	Councillor Ms. Hunter
Councillor Mrs. Lancaster	Councillor Mrs. Johnson
Councillor Maton	Councillor Kelsey
Councillor McNicholas	Councillor Lee
Councillor Mulhall	Councillor Matchet
Councillor Mutton	Councillor Noonan
Councillor O'Boyle	Councillor O'Neill
Councillor Patton	Councillor Miss Reece
Councillor Skipper	Councillor Ridge
Councillor Mrs. Sweet	Councillor Ridley
Councillor Townshend	Councillor Sawdon
	Councillor Skinner
	Councillor Smith
	Councillor Taylor
	Councillor Mrs. Waters
	Councillor Williams

Result:           22 for  
                       27 against  
                       2 abstentions

Councillor Windsor moved the following amendment, which was seconded by Councillor Nellist and carried:-

"To add after "Post Offices in Coventry" – "and calls for a review of the Postal Services Act 2000 and especially the sections related to "Market Freedom" that are at the root of their closure issues"."

(NOTE: In respect of the above, a recorded vote was required in accordance with paragraph 4.1.71 of the City Council's Constitution. The Councillors voting for and against the amendment were as follows:-

<u>For</u>	<u>Against</u>
Councillor Adalat	Councillor Asif
Councillor Ahmed	Councillor Bains
Councillor Blundell	Councillor Batten
Councillor Charley	Councillor Mrs. Bigham
Councillor Cliffe	Councillor Chater
Councillor Crookes	Councillor Clifford
Councillor Mrs. Dixon	Councillor Duggins
Councillor Foster	Councillor Harrison
Councillor Gazey	Councillor Harvard
Councillor Mrs. Griffin	Councillor Kelly
Councillor Mrs. Harper	Councillor Khan
Councillor Ms Hunter	Councillor Lakha
Councillor Mrs. Johnson	Councillor Mrs. Lancaster
Councillor Kelsey	Councillor Maton
Councillor Lee	Councillor McNicholas
Councillor Matchet	Councillor Mulhall

Councillor Nellist  
Councillor Noonan  
Councillor O'Neill  
Councillor Miss Reece  
Councillor Ridge  
Councillor Ridley  
Councillor Sawdon  
Councillor Skinner  
Councillor Smith  
Councillor Taylor  
Councillor Mrs Waters  
Councillor Williams  
Councillor Windsor

Councillor Mutton  
Councillor O'Boyle  
Councillor Patton  
Councillor Skipper  
Councillor Mrs. Sweet  
Councillor Townshend

Result: 29 for  
22 against

**RESOLVED that the substantive motion, as set out above, be adopted.**

**35. Debate – Replacement of Bishop Street Sorting Office and the Transfer of the Hertford Street Post Office to WH Smith**

Councillor Mutton moved the following motion, which was seconded by Councillor Duggins:-

"We call upon the Council to rescind the decision of the 12<sup>th</sup> December, 2006, meeting and open urgent talks with the Royal Mail to identify a single site for the replacement of the Bishop Street sorting office.

At the same time the Council make clear our opposition to the transfer of the Hertford Street Post Office to WH Smith, and calls for immediate talks with Post Office Ltd to express our opposition to their franchising proposal."

Councillor Foster moved the following amendment, which was seconded by Councillor Ridley and carried:-

"Delete paragraph 1 and replace with:

"This Council confirms its support of the Communication Workers Union Campaign to retain a mail centre in Coventry and Warwickshire. Council notes that leading members and officers have already begun urgent talks with Royal Mail to identify a single site for replacement of the Bishop Street sorting office within Coventry and Warwickshire".

Leave paragraph 2 unchanged."

(NOTE: In respect of the above, a recorded vote was required in accordance with paragraph 4.1.71 of the City Council's Constitution. The Councillors voting for and against the amendment were as follows:-

For

Councillor Adalat  
Councillor Ahmed  
Councillor Blundell  
Councillor Charley  
Councillor Cliffe  
Councillor Crookes  
Councillor Mrs. Dixon  
Councillor Foster  
Councillor Gazey  
Councillor Mrs. Griffin  
Councillor Mrs. Harper  
Councillor Ms Hunter  
Councillor Mrs. Johnson  
Councillor Kelsey  
Councillor Lee  
Councillor Matchet  
Councillor Nellist  
Councillor Noonan  
Councillor O'Neill  
Councillor Miss Reece  
Councillor Ridge  
Councillor Ridley  
Councillor Sawdon  
Councillor Skinner  
Councillor Smith  
Councillor Taylor  
Councillor Mrs Waters  
Councillor Williams  
Councillor Windsor

Against

Councillor Asif  
Councillor Bains  
Councillor Batten  
Councillor Mrs. Bigham  
Councillor Chater  
Councillor Clifford  
Councillor Duggins  
Councillor Harrison  
Councillor Harvard  
Councillor Kelly  
Councillor Khan  
Councillor Lakha  
Councillor Mrs. Lancaster  
Councillor Maton  
Councillor McNicholas  
Councillor Mulhall  
Councillor Mutton  
Councillor O'Boyle  
Councillor Patton  
Councillor Skipper  
Councillor Mrs. Sweet  
Councillor Townshend

Result: 29 for  
22 against

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

"Add at end:-

"and finally, whilst regretting the necessity of the Communication Workers Union industrial action beginning on Friday June 29<sup>th</sup> supports their resistance to a pay cut and potential loss of 40,000 jobs nationally which deserves the support of the whole of Coventry".

**RESOLVED that the substantive motion, as set out above, be adopted.**

33. **Debate – Sale or Break-up of Jaguar/ Land Rover**

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

"This Council is appalled at the potential consequences of the sale or break-up of

Jaguar/Land Rover, on the workforce and their families in Coventry, as well as Birmingham and Liverpool.

We call on the Government to intervene to ensure that the jobs and skills in this key part of manufacturing industry are retained.

We pledge our support for the trades unions from the plants affected in their campaign to safeguard jobs."

**RESOLVED that the motion as set out above be adopted.**

**(NOTE: The meeting closed at 11.10 p.m.)**