

**COUNCIL OF THE CITY OF COVENTRY**

**11th December, 2007**

PRESENT

Lord Mayor (Councillor Batten)

Deputy Lord Mayor (Councillor Matchet)

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

Apologies:- Councillor Benefield  
Councillor Mrs. Waters

**69. Minutes**

The minutes of the meeting held on 30th October, 2007, were signed as a true record.

**70. Her Majesty Queen Elizabeth and HRH Duke of Edinburgh**

The Lord Mayor referred to the fact that the Queen and Duke of Edinburgh had celebrated their 60th wedding anniversary on 20th November, 2007.

Members noted that the Lord Mayor had written to their Royal Highnesses on behalf of the City Council and the people of Coventry, sending warmest good wishes and congratulations on their Diamond Wedding Anniversary.

**71. John Bolton**

The Lord Mayor referred to the imminent departure of John Bolton from the City Council. John had started work with the City Council in November, 2001, as Director of Social Services and Housing, in 2005 becoming the Director of Community Services as part of the City Council's reorganisation. John was leaving to take up the post of Strategic Finance Director responsible for Social Care at the Department of Health.

The Lord Mayor, on behalf of Members and Officers, expressed thanks to John, congratulating him on his new appointment and wished him well for the future.

**72. Roger Hughes**

The Lord Mayor referred to the imminent retirement of Roger Hughes from the City Council. Roger joined the City Council in June, 1983, as City Librarian and had held many senior posts since that time including Deputy Director and Head of Planning and Resources in Leisure Services, Strategy Co-ordinator for Social Justice. He commenced his current post of Head of Corporate Policy in 1999.

The Lord Mayor, on behalf of Members and Officers, expressed his thanks to Roger for his huge contribution and long service to the City Council and wished him every success for the future.

**73. Mick Green**

The Lord Mayor referred to the imminent retirement of Mick Green from the City Council. Mick joined the City Council as Assistant Director of Trading Standards in April, 1986. Since that time he had been Assistant Director – Environmental Services, Head of Environmental Services and he commenced his current post as Head of Public Protection in April, 2003.

The Lord Mayor, on behalf of Members and officers, expressed his thanks to Mick for his huge contribution and long service to the City Council and wished him every success for the future.

**74. Retirement of the Coroner, Mr. David Sarginson**

The Lord Mayor referred to the impending retirement of Her Majesty's Coroner for Coventry, Mr. David Sarginson, who would be retiring at the end of the year. Mr. Sarginson was first appointed to the post in 1985 and had played a full role representing the city on the Coroners' Society for England and Wales since that time. In 2000/2001 he was President of the Society and President of the Warwickshire Law Society in 1995.

The Lord Mayor indicated that he would be writing on behalf of the City Council to thank Mr. Sarginson for his dedication to the city and to wish him a long and happy retirement.

**RESOLVED that a copy of this resolution, and a Common Seal, be presented to Mr. Sarginson.**

**75. Retirement of the Bishop of Coventry, Right Reverend Colin Bennett**

The Lord Mayor drew attention to the retirement of the Right Reverend Lord Colin Bennett, the Bishop of Coventry, at the end of the month. Bishop Colin was appointed to the post in 1998 and had taken part in many civic events and ceremonial occasions since that time.

The Lord Mayor indicated that he would be writing, on behalf of the City Council, to thank the Right Reverend Colin Bennett for his dedication to the city and to wish him a long and happy retirement.

**76. Death of Former Councillor Cynthia Hubbard**

The Lord Mayor referred to the recent death of former Councillor Cynthia Hubbard. Mrs. Hubbard had served the City Council, representing Sherbourne Ward, from 1979 to 1988 and 1992 to 1996 and had served on several committees, including Education, Transportation and Highways and Social Services Committees.

The Lord Mayor indicated that he had already written to the Funeral Directors on behalf of the City Council requesting that the Council's sincere condolences were forwarded to the family.

**77. Petitions**

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

- (a) **Request to Improve the Street Lighting on the Footpath Running Between Athol Road, Walsgrave Gardens and Boswell Drive as a Matter of Urgency** – 24 signatures presented by Councillor Patton.
- (b) **Request for the Removal of the Ansty Road Red Route In Bound from Clifford Bridge Road Roundabout to the Walsgrave Public House** – 193 signatures presented by Councillor Mrs. Dixon.
- (c) **Request that the City Council to Reinstate the Post of Ecology Officer** – 592 signatures presented by Councillor Mrs. Dixon.
- (d) **Objection to the Safer Route to School Proposals at Blue Coat School and the Time Given to Reply/Lack of Consideration of Opinions of Local People** – 68 signatures presented by Councillor Windsor.

## 78. **Declarations of Interest**

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

### **Interest in Recommendations**

#### **Personal**

<b>Member</b>	<b>Minute Number</b>
Councillor Townshend	80
Councillor Sawdon	82

## 79. **Licensing Act 2003 – Revised Statement of Licensing Policy**

Further to Minute 134/07 of the Cabinet, the City Council considered a report of the Director of City Services that set out the results of the consultation on the revised Statement of Licensing Policy and recommended that policy for adoption. The report had also been considered and approved by the Licensing and Regulatory Committee at their meeting on 6th November, 2007 (their Minute 83/07 refers).

Before determining policy for any three year period, licensing authorities were required to carry out a wide consultation process. The Council had the authority to include in the process any individuals or organisations it deemed appropriate. The revised Statement of Licensing Policy, which had been produced in compliance with the revised Government guidance, was appended to the report submitted. West Midlands Police, West Midlands Fire Service, Planning and Building Control, Coventry's Safeguarding Children Board, the Community Safety Team, Community Services Directorate and City Services Directorate had all been involved in the production of the revised policy. In addition, a public consultation had been carried out, which had ended on 23rd October, 2007 and had included mail shots to local businesses, key partners, residents groups and trade organisations. Access to the consultation had been provided via the City Council's website and a Member information event had also been held.

The revised Statement of Licensing Policy must be published by 6th January, 2008, before the Council could carry out any function in respect of individual applications made under the authority of the Licensing Act 2003.

**RESOLVED that the City Council adopt the revised Statement of Licensing Policy attached at Appendix A to the report submitted subject to comments detailed in Appendix B of the report submitted for the purposes of Section 5 of the Licensing Act, 2003.**

## 80. Whistle Blowing Policy

Further to Minute 21/07 of the Standards Committee, the City Council considered a report of the Director of Customer and Workforce Services which had also been considered by the Scrutiny Co-ordination Committee (their Minute 89/07 refers). The report sought approval for the introduction of a Whistleblowing Policy.

As part of the Corporate Performance Assessment, the external auditors had identified that the Council did not have a Whistleblowing Policy Document. The Council had in place a Whistleblowing Procedure Document that provided a framework within which employees could raise concerns easily, internally or externally regarding concerns about bad practice, however, this document had not been reviewed for a number of years. Good practice models had been used to prepare the policy document, including documents from CIPFA, Public Concern at Work Best Practice Guidance, the Committee on Standards in Public Life and established policy documents from other Local Authorities. The whistleblowing policy was an employment policy document for which Human Resources were responsible for the maintenance, communication and dissemination. However, it was necessary to identify links with services such as supporting children and services supporting vulnerable adults, as well as having clear links with the Council's Fraud and Corruption Policy. The document had been prepared in consultation with the Council's Internal Audit Team and representatives from adult and child protection.

The primary legislation that formed the background to the procedure was the Public Interest Disclosure Act 1998. The policy provided protection to employees from being dismissed, or other forms of victimisation, should they choose to "blow the whistle" on bad practice within their employment. The Council could not protect non-employees from victimisation for "blowing the whistle" on bad practice as identified within the Council, however, the policy document enabled contractors working for the Council to use the provisions of the document to make the Council aware of any concerns that the contractors' employees may have with regard to contractual or other arrangements within the City Council.

Revising the document provided an opportunity to re-launch and publicise the policy to employees and it would be available to all employees via a range of sources including the intranet, managers, Human Resources and Trades Union representatives. The policy would also appear on the Council's website to demonstrate openness and probity and would form part of the City Council's Constitution. The role of the Standards Committee was to monitor and review the Council's whistle blowing procedure in accordance with the City Council's Constitution.

The Scrutiny Co-ordination Committee during their consideration of the issue had welcomed the introduction of the revised Whistleblowing Policy and extensively discussed its future operation. The Committee had been particularly interested in Section 6 of the policy relating to "safeguarding" and had raised concerns about Section 6.2 in relation to ensuring that individuals were not to be victimised in any way. The Scrutiny Co-ordination Committee had asked the Standards Committee to incorporate revised wording in this section that would provide the maximum safeguard for staff who legitimately took advantage of the whistle blowing policy and to ensure that every protection was afforded them. The Committee had also indicated that individuals

could be discriminated in a number of ways after they had expressed concerns about different actions or practice and the Whistleblowing Policy should, wherever possible, ensure that people were not passed over for promotion or their careers affected in less obvious ways, which could only be achieved by careful monitoring over time. The Committee had also strongly emphasised the need for a publicity plan and for officers to make every effort to ensure that all staff were made fully aware of the new policy.

The Standards Committee had agreed with the comments made by the Scrutiny Co-ordination Committee and had requested that Section 6.2 of the policy be amended accordingly, a revised policy taking into account these comments was appended to the minutes of the Standards Committee submitted.

**RESOLVED that the City Council approve implementation of the amended Whistleblowing Policy as submitted.**

#### **81. Review of Members' Allowances**

Further to Minute 143/07 of Cabinet, the City Council considered a report of the Director of Customer and Workforce Services that set out the recommendations of the Independent Remuneration Panel on the review of Members' Allowances. The report prepared by the Panel was appended to the report submitted.

The Independent Remuneration Panel had been appointed by the City Council on 18th May, 2006, to undertake a review of the Members' Allowance Scheme. The Local Authority (Members' Allowances) (England) Regulations 2003, which came into effect in May 2003, required the Council to have regard to the recommendations of the Independent Remuneration Panel before a Members' Allowances Scheme was introduced or amendments made to a current scheme, although it was noted that the Council was obliged to adopt any recommendations that the Panel might make. It was further noted that there was a legislative requirement for a Members' Allowances to be reviewed every four years.

Members Allowances were increased annually in line with national pay awards for all employees in local government. The 2007/08 settlement was agreed following negotiations with the employers and unions at an increase of just under 2.5% for all local government Employees and Members.

Following their review of the current scheme of allowances, the Panel set out a series of recommendations which were included in the Executive Summary recommendations and Appendix 1 to the report submitted. The recommendations related not only to the Basic Allowance and Special Responsibility Allowance payable to Elected Members but also to Carers' Allowance and the allowances paid to non-member co-optees to Scrutiny Boards and Members of the Standards Committee. In relation to its recommendations on the basic rate, the Panel had used a formula recommended nationally by the Local Government Association and, in relation to the amount of time spent by Councillors, they use the same formula as had been used by the previous Panel in 2003. There were some proposed changes in relation to the current payment for Deputy Chairs of Scrutiny Boards.

The City Council noted that the Cabinet had thanked the Independent Remuneration Panel for undertaking the review and noted the recommendations. They had taken into account the indication in the report submitted that officers had had some informal discussion with Cabinet Members, who had indicated that, whilst having no dissatisfaction with the Panel's proposals they were not prepared to implement the recommendations in the current financial climate. On that basis the Cabinet had recommended not to implement the panels' recommendations at this point.

**RESOLVED that the City Council:-**

- (1) Thank the Independent Remuneration Panel for undertaking the Review.**
- (2) Note the Panel's recommendations.**
- (3) Take into account the Cabinet's views summarised above.**
- (4) Do not implement the Panel's recommendations at this point.**

**82. Response to "Have Your Say" Consultation on Regulations for Local Involvement Networks**

Further to Minute 151 of the Cabinet, the City Council considered a report of the Assistant Chief Executive that sought approval to a response to the Department of Health "Have Your Say" consultation on the draft regulations for Local Involvement Networks. Scrutiny Board (4) had previously considered the report at their meeting on 14th November, 2007, their Minute 56/07 refers.

The Local Government and Public Involvement in Health Act 2007 included provisions to establish Local Involvement Networks (LINKs). A LINK was envisaged as a network of local people and organisations, funded by Government and supported by an independent organisation, to hold commissioners and providers of health and social care services to account. There would be a LINK in each local authority area that had social services responsibility. The introduction of LINKs and their "hosts" would replace the existing Public and Patient Involvement Forums, Forums Support Organisations and Commission for Public Patient and Public Involvement in Health.

It was intended that LINKs would be an improved mechanism by which the public could have a say in local health and social care services. Their role would be to promote and support involvement, obtain and present the public's view and make recommendations for service improvement.

The process of initiating a consultation on regulations before a Bill becomes an Act was unusual, but reflected the short timetable that the Government had in mind for the introduction of LINKs. It was anticipated that Local Authorities would be required to have commissioned a host for LINKs by 1st April, 2008. The consultation, which would close on 21st December, 2007, sought views on the proposed regulations relating to:-

- Requests for information.
- Responding to reports and recommendations made by LINKs.

- The duty to allow entry to LINKs.
- LINK referral to an Overview and Scrutiny Committee.

A proposed response to these issues was appended to the report submitted.

**RESOLVED that the City Council approve the response to the Department of Health consultation as set out at Appendix 1 to the report submitted.**

### **83. Review of Polling Districts and Polling Places**

Further to Minute 154/07 of the Cabinet, the City Council considered a report of the Interim Head of Democratic Services that provided an update on the progress made on the statutory review of polling districts and polling places and sought approval to the revised polling scheme, recently agreed by the Cabinet Member (Customer, Workforce and Legal Services) Advisory Panel on Electoral Arrangements.

The City Council was required to divide its area into polling districts for the purposes of parliamentary elections and to designate polling places for each of those districts. In doing so, the Authority had to ensure that all electors had such reasonable facilities for voting as were practicable in the circumstances and had regard to the needs of electors who were disabled. In order to satisfy new legislative requirements, the City Council was required to complete a review of all polling districts and polling places by the end of 2007. The review had begun on 19th September, 2007 and further reviews were required every four years.

In conducting the review, Local Authorities had to demonstrate that they had, as far as was practicable, ensured that all electors in the constituency had such reasonable facilities for voting and ensured that the polling places that they were responsible for were accessible to all electors, including those who were disabled, and, when considering the designation of a polling place, had regard to the accessibility needs of disabled people. Once a decision on the proposals had been made, reasons had to be given for change or for maintaining the status quo. The proposal had to address the reasonable requirements of the electors in the area and accessibility for disabled people to polling stations. The final scheme was required to be published by 31st December, 2007.

**RESOLVED that the City Council:-**

- (1) Note the comments received during the consultation period required as part of the statutory review, as detailed in Appendix C of the report submitted.**
- (2) Approve the revised polling scheme agreed by the Cabinet Member (Customer, Workforce and Legal Services) Advisory Panel on electoral arrangements, as set out in Appendix D of the report submitted.**



#### 84. **Scrutiny Boards Annual Report to the City Council 2006/07**

Further to minute 70/07 of the Scrutiny Co-ordination Committee, the City Council considered a report of Scrutiny that detailed the work of the Scrutiny Boards and the Scrutiny Co-ordination Committee during the 2006/07 Municipal Year. The report was presented in accordance with the City Council's Constitution and included a brief overview of the highlights of Scrutiny's work during the period:-

- The Scrutiny Co-ordination Committee had overseen the process for relocating the tenants of Cygnet and Orwell Court as part of the implementation of the Swanswell Initiative.
- Scrutiny Board (1) continued to give a high level of priority to the reduction of sickness absence levels.
- Scrutiny Board (2) had held a teenage pregnancy event showing good practice disseminating significant levels of local research undertaken by Coventry University.
- Scrutiny Board (3) have ensured that prominence was given to the preparation for the new city centre IKEA store.
- Scrutiny Board (4) had played an influential role in the consideration of Phlebotomy services in Coventry.
- The City Council had hosted a visit from a group of councillors and employees from Johannesburg who were touring the country to find out more about scrutiny arrangements.

A Scrutiny "Vision Statement" had been developed and four "Scrutiny Themes" had been agreed by the Scrutiny Co-ordination Committee to guide work planning. It was considered that there were two main challenges for the future in terms of Scrutiny, to improve Scrutiny's effectiveness and to implement the additional role for Scrutiny set out in the Police and Justice Act 2006 and the Local Government and Public Involvement in Health Bill.

**RESOLVED that the City Council notes and endorses the Scrutiny Board's Annual Report for 2005/06.**

#### 85. **Appointment to Outside Bodies**

The City Council considered a report of the Director of Customer and Workforce Services regarding nominations to the position of Local Authority Representative on the Coventry and Solihull Valuation Tribunal and to a vacancy on the Adoption Panel.

**RESOLVED:-**

- (1) That Bev Messenger, Director of Customer and Workforce Services, be nominated to the position of Local Authority Representative on the Coventry and Solihull Valuation Tribunal.**
- (2) That Councillor Mrs. Sweet be nominated to the vacancy for an Elected Member on the Adoption Panel.**

**86. 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:-

<b>Number</b>	<b>Question Asked By</b>	<b>Question Put To</b>	<b>Subject Matter</b>
1	Councillor Nellist	Councillor O'Neill	Legal costs associated with equal pay claims
2	Councillor Windsor	Councillor Matchet	Funding of the Gosford Asian Centre
3	Councillor Patton	Councillor Ahmed	Eligibility criteria

**RESOLVED that in relation to Question 1 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.**

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

There was no statement by the Leader of the Council.

**88. Debate – Elimination of Single Use Plastic Carrier Bags at Retailers in the City**

Councillor Ridley moved the following motion, which was seconded by Councillor Mrs. Dixon:-

"This Council instructs officers to bring forward a feasibility study on the elimination of single use plastic carrier bags at retailers in the city and to report back to the Cabinet Member for Climate Change, Housing and Sustainability within six months."

**RESOLVED that the motion be adopted.**

89. **Debate – Funding Arrangements for Community Centres**

Councillor Kelly moved the following motion, which was seconded by Councillor Mrs. Bigham:-

"This Council is saddened by the closure of Henley Green Community Centre and extends its thanks to all the MANDA committee members for their hard work over the past four years.

Community Centres are a vital local resource, providing a hub for activities and events in an area and helping to promote cohesive communities.

We are aware that many community centres struggle financially and we are concerned that others may also be forced to close.

We call on this Council to reconsider the present funding arrangements for community centres and to make funding on a fair and transparent basis."

**RESOLVED that the motion be adopted.**

90. **Debate – Collapse of First Solution Money Transfer**

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

"This Council:

Notes the collapse in June of First Solution Money Transfer, a private limited company which provided money transfer to expatriates seeking to transfer money back to their families in Bangladesh;

Regrets that the importance of the monies of these victims seems to be viewed as less than those of Northern Rock in that no government protection, guarantees or compensation has been provided in this case;

Further regrets that the regulation of money transfer businesses like First Solution Money Transfer is not scheduled to take place until 2009; and

Believes that both government nationally and councils locally should allocate more funds to promote community alternatives in financial services, in particular credit unions."

Councillor O'Boyle moved the following amendment, which was seconded by Councillor Mutton and lost:-

"First paragraph delete semicolon and insert fullstop

Delete second paragraph and insert "This Council will do all that it can to help bring pressure to bear on the administrators to reimburse the residents of Coventry who have been hit by its collapse. We further seek an investigation

into what support the Government can give to help in the short term, those who have lost money. Council notes the high profile campaign of Fairpack customers' seeking redress for its collapse and calls for similar help for First Solution Money Transfer customers."

Delete third paragraph and insert "Council welcomes the current ongoing investigation into the collapse of First Solution Money Transfer by the Companies Investigation Branch, within the Department for Business, Enterprise and Regulatory Reform."

Delete paragraph four and insert "This Council also welcomes the regulation of companies like First Solution Money Transfer which will give people protection instead of pious motions."

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

Last paragraph: paragraph delete ".... allocate more funds to .....".

Insert "support and".

The above amendment was carried giving rise to the following substantive motion:-

"This Council:

Notes the collapse in June of First Solution Money Transfer, a private limited company which provided money transfer to expatriates seeking to transfer money back to their families in Bangladesh;

Regrets that the importance of the monies of these victims seems to be viewed as less than those of Northern Rock in that no Government protection, guarantees or compensation have been provided in this case;

Further regrets that regulation of money transfer businesses like First Solution Money Transfer is not scheduled to take place until 2009; and

Believes that both government nationally and councils locally support and promote community alternatives in financial services, in particular credit unions."

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

(NOTE: The meeting closed at 6.50 p.m.)