

COUNCIL OF THE CITY OF COVENTRY

19 February 2008

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

104. **Apologies**

There were no apologies.

105. **Minutes**

The minutes of the meeting held on 15 January 2008, were signed as a true record.

106. Retirement of His Honour Brian Farrer QC

The Lord Mayor referred to the forthcoming retirement from his position as Chair of the Standards Committee of His Honour Brian Farrer QC.

Brian Farrer became Chair of Standards Committee at the time of its inception in 2000 and had held the post since that time.

It was moved by Councillor Williams and seconded by Councillor Mulhall that the warmest thanks of the Council were due and were hereby given to His Honour Brian Farrer QC for his dedication to the City and that a copy of this resolution, under the common seal, be presented to His Honour Brian Farrer QC.

107. Petitions

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

- (a) **Objection to the relocation of European Metals Recycling to Oban Road, Longford** – 255 signatures, presented by Councillor Duggins.
- (b) **Dangerous Parking Outside Stoke Park Primary School** - 56 signatures, presented by Councillor Asif
- (c) **Daimler Road – Pot Holes, Fly-Tipping, Vandalism and Anti-social Behaviour** – 31 signatures, presented by Councillor Mulhall
- (d) **Parking in Butchers Lane** – 10 signatures, presented by Councillor Gazey
- (e) **Building Works in the Garden of 41 Derwent Road**– 29 signatures, presented by Councillor Gazey
- (f) **Objections to Planning Application 54400 (41 Derwent Road)** – 11 signatures, presented by Councillor Gazey

108. 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

Member	Minute Number
Councillor Townshend	108

109. Membership of the Standards Committee

Further to Minute 30/07 of the Standards Committee, the City Council considered membership of the Standards Committee.

The City Council noted that the Standards Committee had given consideration to the future membership of the Standards Committee in light of Alice Casey's resignation in December 2007 and Brian Farrer's indication that he would be retiring at the end of the current Municipal Year. The Committee had given guidance on the recruitment process to be followed to enable these two vacancies to be filled at the Annual Meeting of the City Council on 15th May 2008. They had discussed the possibility of increasing the number of Independent Members on the Committee in light of their concerns regarding the possible effect that the Orders and Regulations relating to the conduct of local authority Members may have on the workload of the Committee.

Consideration had also been given to the current allowance paid to co-opted Members in light of the anticipated increase in workload and the Committee requested that the issue of paying an additional allowance for attendance at the Sub-Committees be referred to the Independent Remuneration Panel for consideration.

RESOLVED that the City Council increase the number of Independent Members on the Standards Committee from 7 (including a Parish Councillor) to 9 (including a Parish Councillor) from the start of the Municipal Year 2008/09.

110. Motion to Combine Agenda Items

It was moved by Councillor O'Neill, seconded by Councillor Taylor and carried that, in accordance with Paragraph 4.1.35.5 of the Constitution, the following agenda items be combined:

- 6.2.1 Council Tax Payment Date Changes
- 6.2.2 Review of Youth Resources Centre
- 6.2.3 Revenue and Capital Budget 2008/09
- 6.2.4 Council Tax Report 2008/09

111. **Council Tax Payment Date Changes/Review of Youth Resources Centre/ Revenue and Capital Budget 2008/09 and Council Tax Report 2008/09**

Further to Minute 197/07 of the Cabinet, the City Council considered the following reports:

- (a) **Council Tax Payment Date Changes** which sought approval to change payment dates on some council tax direct debits from 1 April 2008 and to amend payment dates on other council tax method of payments from 1 April 2009.
- (b) **Review of Youth Resources Centre** which outlined the findings of a review of the Youth Resources Centre and made recommendations for the future operation of the Centre.

The City Council noted that paragraph 4 of the report had been revised following consideration of the Cabinet Member (Children, Learning and Young People) on the basis that the increase in tariff of prices originally proposed had been reduced from 200% to 100%. The revised paragraph is shown below:

Paragraph 4.3 – revised

The following proposal has been identified as the most positive way forward.

<u>Items</u>	<u>Savings</u>	<u>Detail</u>
Minibuses	£11,000	Delete
Equipment	£6,000	(100% rise for equipment with an additional 100% charged to schools on all equipment except fundraising equipment and where the price increase makes items beyond a viable hire rate.)
Staffing	£24,000	(3 staff 3 days)
Premises	£15,000	Through arranging cheaper premises.
Sub-Total		£56,000

Spend £2,000 on marketing and promotion.

Total Savings **£54,000**

- (c) **Revenue and Capital Budget 2008/09** which sought approval for the 2008/09 revenue budget proposals, Capital Programme and Treasury Management Strategy. The report also informed members of the Government's final Formula Grant allocation for the Council for 2008/09 and the implications for future years financial plans.

Councillor Duggins moved an amendment (appended to these minutes), which was seconded by Councillor Mutton and lost.

Councillor Windsor also moved an amendment (appended to these minutes), which was seconded by Councillor Nellist and lost.

- (d) Council Tax Report 2008/09** which calculated the council tax level for 2008/09 from the Collection Fund revenue estimates for the year, and made the appropriate recommendations to the City Council. It also assessed the wider impact of the tax on the City.

The Cabinet noted that the figures in the recommendations represented a Council Tax increase, from 2007/08 figures, of 2.70 per cent for the City's Council Tax and 2.76 per cent overall (including the effect of the precepts from the Police and Fire Authorities).

It was also noted that the recommendations followed the structure of resolutions drawn up by the Local Authority Associations to ensure that the legal requirements were fully adhered to in setting the Council Tax and, as a consequence, the wording of the proposed resolutions was necessarily complex.

RESOLUTIONS

(a) Council Tax Payment Date Changes

RESOLVED that the City Council:

- (1) Approve the proposals in the report submitted, to change Council Tax Payment dates from April 2008 and April 2009 in order to improve cash flow.**

- (2) Approve the following specific proposals from April 2008:**

(a) Bring forward the payment date for direct debit payers who currently pay on 1st May to the 1st April.

(b) Communicate this change in a user friendly way with support from the Corporate Communications Team and in conjunction with other actions, as outlined in paragraph 4.5.2 of the report submitted, in order to limit the impact this change will have on current 1st May direct debit payers.

(c) Introduce the actions outlined in paragraph 4.3.7 of the report submitted, to limit the impact of converting all cash payments to the 1st April to 1st January profile from April 2009.

- (3) Approve the following specific proposals from April 2009:**

(a) Bring forward the payment date for all cash payment dates to the 1st April to 1st January.

(b) Only have alternative payment options by direct debit on 1st, 10th, 17th or 24th.

(b) Review of Youth Resources Centre

Councillor O'Neill moved an addendum to recommendation 2.2 in the report (shown below in italics below).

RESOLVED that the City Council:

- 2.1 Approve the findings of the review.**
- 2.2 Agree the proposal set out in section 4 of the report (revised version detailed above) *which have been revised following consideration of this issue by the Cabinet Member (Children, Learning and Young People) on the basis that the increase in tariff of prices originally proposed had been reduced from 200% to 100% to ensure that the service is able to continue and provide customer satisfaction, cost effectiveness and value for money whilst making a clear contribution to the achievement of local and national policy for work with young people.***

(c) Revenue and Capital Budget 2008/09

RESOLVED that the City Council:

- (1) Determine that its budget requirement calculated for the financial year 2008/09 in accordance with the requirements of Section 32 of the Local Government Finance Act 1992 be £257,717,192 (a council tax rise for the City Council of 2.7%) as outlined in Paragraph 5.1, Table 1 of the report submitted.**
- (2) Note the implications of the budget for the 2009/10 and 2010/11 financial years as detailed in Section 8 of the report and instruct the Management Board, to implement the strategy outlined in the report submitted, to deliver a fully balanced budget in the medium term.**
- (3) Approve the fees and charges as detailed in Section 9 of the report.**
- (4) Note the Director of Finance and Legal Services' comments confirming the robustness of the budget and adequacy of reserves, as detailed in Sections 12 and 13 of the report.**
- (5) Approve the Capital Programme of £91m for 2008/09 and the future years' commitments arising from this programme of £82m in 2009/10 to 2012/13 as detailed in Section 10 and Appendix 7 of the report.**
- (6) Note those schemes in Section 10, Table 15 and Appendix 7 of the report as being of high priority for inclusion in future programmes, subject to the 2009/10 and future budget setting process.**
- (7) Authorise the Head of Housing Policy and Services to vire between the elements of the Housing Capital Programme in line with previous years to achieve spend during the year, as detailed in Paragraph**

10.16 of the report.

- (8) Approve the allocation of Department for Children, Schools and Families (DCSF) Capital funding approvals for Modernisation, Basic Needs and Schools Access, as set out in Paragraph 10.17 and Appendix 8 of the report.
- (9) Authorise employees to progress the proposals for increasing primary pupil places (as outlined in Paragraph 2 and Appendix 8) to Design Stage, and in particular, authorise the use of the original consultants and contractor for the extension of Aldermoor Farm Primary School as outlined in Paragraph 10.18 of the report.
- (10) Approve the proposed Treasury Management Strategy for 2008/09 (Section 14) and the revised investment policy (Appendix 9), and to adopt the prudential indicators and limits described in Section 15 and summarised in Appendix 10 of the report.

(d) Council Tax Report 2007/08

RESOLVED that the City Council:

- (1) Note that at its meeting on 29th January 2008 the Council's Cabinet approved the following amounts as its Council Tax base for the year 2008/09 in accordance with Regulations made under Section 33(5) of the Local Government Finance Act 1992:
 - a) 89,174.6 being the amount calculated by the Council, in accordance with Regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992, as its Council Tax base for the year;
 - b) Allesley 383.4
Keresley 222.2

being the amounts calculated by the Council, in accordance with Regulation 6 of the Regulations, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate.
- (2) Calculate the following amounts for the year 2008/09 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:
 - a) £704,082,192 being the aggregate of the amounts that the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act, other than any expenditure estimated to be incurred which will be charged to a Business Improvement District (BID) revenue account as set out in Section 43(2)(a) of the Local

Government Act 2003. (Gross Expenditure including the amount required for the working balance);

b) £446,365,000 being the aggregate of the amounts that the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act, other than any income estimated to be received which will be credited to a BID revenue account as set out in Section 43(2)(b) or (c) of the Local Government Act 2003. (Gross Income including reserves to be used to meet the Gross Expenditure);

c) £257,717,192 being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council in accordance with Section 32(4) of the Act, as its budget requirement for the year;

d) £146,650,628 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of Formula Grant (the sum of Revenue Support Grant and National Non Domestic Rates) [£145,403,117] and the amount of the sums which the Council estimates will be transferred in the year from its Collection Fund to its General Fund in accordance with the Act as amended by the 1994 Regulations (Council Tax Surplus) [£1,242,485] and pursuant to the Collection Fund (Community Charge) directions under Section 98(4) of the Local Government Finance Act 1988 (Community Charge Surplus) [£5,026].

e) £1,245.50 = 2(c) – 2(d) = $\frac{257,717,192 - 146,650,628}{89,174.6}$

being the amount at 2(c) above, less the amount at 2(d) above, all divided by the amount at 1(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year. (Average Council Tax at Band D for the City including Parish Precepts).

f) £4,950 being the aggregate amount of all special items referred to in Section 34(1) of the Act. (Parish Precepts)

g) £1,245.44 = 2(e) – 2(f) = 1,245.50 - 4,950

1(a)

89,174.6

being the amount at 2(e) above, less the result given by dividing the amount at 2(f) above by the amounts at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of the area to which no special item relates. (Council Tax at Band D for the City excluding Parish Precepts);

- h) Coventry Unparished Area 1,245.44
Allesley 1,254.05
Keresley 1,252.87

being the amounts given by adding to the amount at 2(g) above, the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate. (Council Taxes at Band D for the City and Parish).

i)	Valuation Band	Parts to which no special item relates	Parish of	Parish of
			Allesley	Keresley
		£	£	£
	A	830.29	836.03	835.24
	B	968.68	975.38	974.46
	C	1107.06	1114.71	1113.66
	D	1245.44	1254.05	1252.87
	E	1522.20	1532.72	1531.28
	F	1798.97	1811.41	1809.70
	G	2075.73	2090.08	2088.11
	H	2490.88	2508.10	2505.74

being the amounts given by multiplying the amounts at 2(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwelling listed in different valuation bands.

- (3) Note that for the year 2008/09 the West Midlands Police Authority and

West Midlands Fire Authority have stated that the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwelling shown below:

Valuation Band	West Midlands Police Authority £	West Midlands Fire Authority £
A	63.11	30.49
B	73.63	35.58
C	84.15	40.66
D	94.67	45.74
E	115.71	55.90
F	136.75	66.07
G	157.79	76.23
H	189.34	91.48

(4) Set the following amounts as the amounts of Council Tax for the year 2008/09 for each of the categories of dwellings shown below, having calculated the aggregate in each case of the amounts at 2(i) and 3 above, in accordance with Section 30(2) of the Local Government Finance Act 1992:

Valuation Band	Parts to which no special item relates £	Parish of Allesley £	Parish of Keresley £
A	923.89	929.63	928.84
B	1077.89	1084.59	1083.67
C	1231.87	1239.52	1238.47
D	1385.85	1394.46	1393.28
E	1693.81	1704.33	1702.89
F	2001.79	2014.23	2012.52
G	2309.75	2324.10	2322.13
H	2771.70	2788.92	2786.56

112. Licensing Act 2003 – Legislative Reform Order – Proposal to Introduce a Simplified Process for Minor Variations to Premises Licences and Club Premises Certificates

Further to Minute 200/07 of the Cabinet, the City Council considered a report of the Director of City Services, which outlined the contents of a consultation document "Licensing Act 2003 – Legislative Reform Order – Proposal to Introduce a Simplified Process for Minor Variations to Premises Licences and Club Premises Certificates" and detailed the proposed response for submission to the Department for Culture, Media and Sport (DMCS). The consultation document and proposed response were appended to the report submitted.

The City Council noted that the report had been considered by the Licensing and Regulatory Committee at their meeting on 5 February 2008 and a briefing note, which

outlined issues raised at the meeting and which had also been considered by Cabinet on 12 February 2008, was circulated.

DCMS sought comments on a proposal to amend the Licensing Act 2003 to provide for a new 'minor variations' process. The plan was to reduce the administrative burden on businesses and non-commercial organisations.

The proposed changes fitted around the Government's drive for 'Better Regulation' in terms of simplifying regulatory oversight of business activities and with the general thrust of the 'Hampton Review' recommendation of reducing the administrative burden of regulation.

The Government proposed that the 2003 Act be amended to make provision for a new 'minor' variations process. This would allow applicants to make small alterations to their licences or certificates for a reduced fee and without having to advertise the variation or copy it to all responsible authorities.

The report submitted detailed the current process that licence holders were required to follow in applying for variations to their licence, including the requirement for advertising the variation in order that interested parties may comment on the proposed variation, should they wish to. The Cabinet had noted that a significant number of applications to vary a licence (approximately 30 per cent nationally) were for 'minor' changes such as the re-location of a bar; moving safety equipment to a more appropriate location; or adding the performance of dance to a licence that already permits all other regulated entertainment, which were less likely to impact on the four licensing objectives of the prevention of crime and disorder; public safety; prevention of public nuisance; and protection of children from harm.

The report indicated that the average cost of a variation was estimated to be approximately £610, which was charged on the same basis as for a full licence application. This figure included application fees (approximately £225 per premise) and other related fees, which were detailed in paragraph 2.7 of the consultation document. However, additional costs may apply to some variations which included professionally-drawn revised plan of the premises and/or obtaining legal help, which could raise the average cost of a variation to £950 (excluding fees) or £1,170 (including fees).

Nationally, on average, there were 20,000 variation applications per year. Coventry had received 69 applications for a variation in the last 12 months.

DCMS considered that the current procedure for varying a licence constituted a burden under section 1 of the Legislative and Regulatory Reform Act 2006, within the scope of all four definitions in section 1, which were a financial cost; an administrative inconvenience; an obstacle to efficiency, productivity or profitability; and a sanction, criminal or otherwise, for doing or not doing anything in the course of an activity.

DCMS had therefore outlined two options for removing the identified burden in the consultation document and a third option to do nothing.

The report outlined that the proposed response to the consultation should be that Option 3 be the preferred option, to do nothing. In particular, there was concern in respect

of removing the requirement to advertise a variation, which enabled local residents to submit representations, removing the requirement to enable all Responsible Authorities to check and monitor variation applications, the definition of 'minor' variations and the administrative burden being increased on the licensing authority.

The City Council noted that Scrutiny Board 3, at their meeting on 16th January 2008 had endorsed the report and the proposed response to DCMS.

RESOLVED that the City Council approve the draft response appended to the report submitted for submission to the DCMS.

114. Appointment of Monitoring Officer for the City Council

An Appointments Panel convened on 30 January 2008 and had appointed Ms Christine Forde as the new Head of Legal Services and Monitoring Officer with effect from 1st April 2008. Until that date, it was necessary to appoint an Acting Monitoring Officer. The appointment formed part of the interim management arrangement, which had been put in place to cover the period between the departure of the former Head of Legal Services and the Appointment of the new Head of Legal Services.

RESOLVED that:

(a) Ms Christine Forde be appointed as the Monitoring Officer for Coventry City Council with effect from 1st April 2008.

(b) Mr Andrew Burton be appointed as Acting Monitoring Officer for Coventry City Council from 19 February until 31 March 2008.

115. Statement by the Leader of the Council

There was no statement.

(NOTE: The meeting closed at 8.05 pm)

Labour Group Alternative Budget Proposals 2008/09

Line Number	Title	Impact of Change	
		£000	£000
	<u>Pressures Not Funded</u>		
111	Council Property Electrical Surveys	(230)	
116	Emergency Services Unit	(150)	
118	Emergency Planning	(34)	
122	One Stop Shops	(65)	
123	Coventry Direct Express	(30)	
124	ICT Restructure	(210)	
127	Coventry Direct	(460)	
128	Criminal Records Bureau Checks	(40)	(1,219)
	<u>Savings Not Taken</u>		
202	Policy & Performance - Local Government Information Unit	18	
205	Scrutiny	20	
244	Children's Residential Placements	330	
246	Before and After School Childcare Provision	33	
247	Youth Service	300	
252	Public Protection - Environmental Health and Trading Standards	150	
274	Community Safety	34	
277	Review of CVOne Contract	270	
282	Public Protection Out of Hours	35	1,190
	<u>New or Extended Proposals</u>		
269	Revenues and Benefits Extended Homeworking	(150)	
288	Corporate Communications Review of Publications	(145)	
	Wardens	250	
	Extended Recycling Scheme	470	
	Keep Council Tax at 2.5%	216	
	Funding From Reserve Balances	(612)	29
Balanced Budget			0

Socialist Group Alternative Budget Proposals 2008/09

Title	Impact of Change £000
<u>New Proposals</u>	
Grant to WATCH	60
Grant to City Farm	25
Community Led Clean Ups	20
One-Off Bulky Items Collection	45
Ecology Officer	44
Empty Properties Officer	26
Funding initially from reserve balances pending a review of the costs of consultants, temporary/agency workers and external legal advice for Equal Pay Claims	(220)
Balanced Budget	0