

**COUNCIL OF THE CITY OF COVENTRY**

**13th January, 2009**

PRESENT

Lord Mayor (Councillor Matchet)

Deputy Lord Mayor (Councillor Harrison)

Councillor Adalat	Councillor Lapsa
Councillor Andrews	Councillor Lee
Councillor Arrowsmith	Councillor Mrs. Lucas
Councillor Auluck	Councillor Maton
Councillor Bailey	Councillor McNicholas
Councillor Bains	Councillor Mulhall
Councillor Mrs Bigham	Councillor J Mutton
Councillor Blundell	Councillor Mrs Mutton
Councillor Charley	Councillor Nellist
Councillor Chater	Councillor Noonan
Councillor Cliffe	Councillor O'Boyle
Councillor Clifford	Councillor Miss Reece
Councillor Crookes	Councillor Ridge
Councillor Mrs Dixon	Councillor Ridley
Councillor Duggins	Councillor Ruane
Councillor Field	Councillor Sawdon
Councillor Foster	Councillor Skinner
Councillor Gazey	Councillor Skipper
Councillor Mrs Johnson	Councillor Smith
Councillor Kelly	Councillor Taylor
Councillor Kelsey	Councillor Townshend
Councillor Khan	Councillor Mrs. Waters
Councillor Lakha	Councillor Williams
Councillor Lancaster	Councillor Windsor

**Apologies: -**

Councillor Asif  
Councillor Harvard  
Councillor O'Neill  
Councillor Mrs Sweet

**87. Minutes**

The minutes of the meetings held on 2nd and 9th December, 2008, were signed as true records.

## 88. **Coventry Good Citizen Award**

On behalf of the Council, the Lord Mayor and Judge Hodson, Honorary Recorder, presented Mrs Manjit Rattan with the Citizen of the Month Award for January 2009. Her citation read:-

"Mrs Manjit Rattan has done a considerable amount of voluntary work for Asian women in and around Wyken and Stoke Heath. She encouraged members of the Monday Asian's Women's Group, at St. Paul's Church, to build their self confidence then taught them to play the Dholki, a traditional musical instrument. She then set up the Subrang Group, for isolated women of all ages, ethnicity and background, which meets every Thursday and has proved very successful. She also attends Gurdwaras in Coventry, singing hymns in her beautiful soul touching voice. Manjit has been involved for many years with Coventry Carer Centre, supporting the service users and their families as well as the facilitator. Her greatest quality is the unconditional support that she gives to her colleagues whenever they need it. For many years she has helped to organise events like Diwali Day and A World Mental Health Day."

## 89. **Correspondence and Announcements of the Lord Mayor**

There were no announcements of the Lord Mayor.

## 90. **Petitions**

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

- (a) **Request to make safe the pedestrian strip of cobbles just outside Bonds Court in Hill Street – 90 signatures, presented by Councillor O'Boyle.**
- (b) **Request for an immediate end to Israel's war on Gaza and for the lifting of the siege of Gaza's 1.5 million residents – 253 signatures, presented by Councillor Nellist.**

## 91. **Declarations of Interest**

Councillor Townshend declared a personal interest in Minutes 94 and 95 below relating to "Government Consultation – Proposed Changes to Member Code of Conduct " and "Government Consultation – Model Code of Conduct for Employees", respectively. He remained in the meeting during the consideration of these items.

Councillor Townshend declared a prejudicial interest in Minute 96 below relating to "Appointment of Independent Members to the Standards Committee". He withdrew from the meeting during the consideration of this item.

Councillors Foster and Nellist declared a personal interest in Minute 99 below relating to "Statement by the Leader of the Council" insofar as it related to Jaguar Land Rover. They remained in the meeting during the consideration of this item.

Councillor Noonan declared a prejudicial interest in Minute 99 below relating to "Statement by the Leader of the Council" insofar as it related to Jaguar Land Rover. As this matter was raised as a Statement by the Leader of the Council and no decisions were being considered, she remained in the meeting for the consideration of this item.

**92. The Medium Term Financial Strategy 2009-2012**

Further to Minute 128/09 of the Cabinet meeting held on 16th December, 2008, the Council considered a report of the Director of Finance and Legal Services which presented a medium term financial strategy for 2009-2012 for adoption by the City Council. The Strategy was presented later than usual because of the speed of change in the financial economic climate over the last few months and the need to incorporate, as far as possible, input from the Chancellor's Pre-Budget Report (PBR) of November 24th, 2008.

Appendix 3 to the report, which illustrated Coventry's Proposed Annual Planning and Performance Cycle, was tabled at the meeting of Cabinet during their consideration of the report.

It was noted that Scrutiny Board 1 considered the report at their meeting on 17 December 2008 and had no specific comments to make on the report (their Minute 38/08 refers).

Non-voting opposition representatives at the Cabinet meeting had expressed the view that current financial circumstances were likely to lead to an increase in demand for council services.

Following discussion about assumptions relating to the recession and the need for the Council to plan to meet the challenges of a very difficult situation, the Cabinet had agreed the Medium Term Financial Strategy appended to the report submitted.

**RESOLVED that the City Council approve the Medium Term Financial Strategy as the basis of the City Council's medium term financial planning process.**

**93. Government Consultation: "Transforming Places; Changing Lives – A Framework for Regeneration"**

Further to Minute 135/09 of the Cabinet meeting held on 16th December, 2008, the City Council considered a report of the Director of City Development which detailed the consultation by the Government on a proposed framework for regeneration.

The proposed framework aimed to change the way regeneration was delivered in the future. The report highlighted the issues the proposed framework raised and the possible implications for Coventry. It also sought to retrospectively endorse the sub-regional response to the framework from the Coventry, Solihull and Warwickshire Partnership. Lastly, the report proposed recommendations for the way forward.

The sub-regional response was developed in liaison with Warwickshire County Council and the Coventry, Solihull and Warwickshire Partnership. This included holding a half-day seminar in which partners were invited to contribute their views to the draft

framework. Representation included Coventry City Council and the Coventry Partnership. The draft statement was circulated for comments and feedback from partners before a final version was submitted by the consultation deadline.

The report had been considered by Scrutiny Board 3 at their meeting on 3<sup>rd</sup> December 2008 (their Minute 68/08 refers). They had considered the relevant document, retrospectively endorsed the position statement as requested and asked that the Cabinet be informed accordingly.

The City Council noted that endorsement was being sought retrospectively as the deadline for the submission of responses had been 31<sup>st</sup> October 2008.

The Cabinet at their meeting had decided to retrospectively endorse the Coventry, Solihull and Warwickshire "Position Statement" on the consultation document – appended to the report submitted - and had commended it to full Council. They had also decided to seek to ensure that the Council and its partners continued to make a clear and robust case for the Government to fund regeneration activity in Coventry and the sub-region.

**RESOLVED that the City Council retrospectively endorse the Coventry, Solihull and Warwickshire "Position Statement" on the consultation document, appended to the report submitted.**

#### **94. Government Consultation – Proposed Changes to Member Code of Conduct**

Further to Minute 140/09 of the Cabinet meeting held on 13th January, 2009, the City Council considered a report of the Director of Finance and Legal Services which requested the Council to approve the submission of the proposed response to the Department for Communities and Local Government (DCLG) in relation to its consultation paper of proposed changes to the model code of conduct.

The report explained that DCLG had produced a consultation paper entitled "Communities In Control: Real People, Real Power - Codes of Conduct for Local Authority Members and Employees". It addressed the proposal to amend the Member Code of Conduct included within this consultation. A copy of the existing Member Code of Conduct was appended to the report for comparison purposes.

A separate report relating to the proposed introduction of a Code of Conduct for Employees (also included in the consultation document) is referred to in Minute 95 below.

The report further explained that one of the proposals for change was to revise the order of the Code with the intention of making it easier to interpret and apply. This was to be achieved by dividing the code into two sections. The first dealt with the member's conduct when acting in an official capacity and reflecting what was in the current Code, and the second section dealt with the member's conduct in their non-official capacity.

The report had been considered by the Standards Committee at their meeting on 27<sup>th</sup> November 2008 and the Scrutiny Co-ordination Committee at their meeting on 17<sup>th</sup> December 2008 (their Minutes 32/08 and 116/08, respectively refer). The outcome of those Committees' consideration of the proposed Council response to the changes to this Code of

Conduct set out in the consultation paper issued by the DCLG, was detailed in a briefing note circulated prior to the Cabinet meeting.

Both Committees had agreed the proposed response and, in doing so, made the following comments:-

- (a) In respect of the response to question 3, it is the Committees' view that the definition in the existing Code in relation to "official capacity" is more accurate and provides more clarity. Also, additional new guidance would assist in providing more examples of when the Code applied, particularly when Members claim to act or give the impression of acting as a member of the Council.
- (b) In respect of the response to question 4, the Committees do not consider cost to be a relevant criteria for consideration. In addition, whilst there is some value in having provision relating to overseas convictions, the Committees can foresee difficulties in ensuring that laws within different countries are consistent. In view of this, the Committees do not consider that provision for overseas convictions would be appropriate.
- (c) In respect of question 6, the Committees consider that the response should be amended to read "it would be helpful to clarify if any of the 10 General Principles are not followed, then this 'could' cause a member to breach the Code (i.e. not following the General Principles is insufficient alone to breach the Code)".

At the meeting of the Cabinet, Councillor Sawdon had sought clarification as to the interpretation of provisions relating to members' declaration of interests with regard, for example, to (a) membership, as appointees of the City Council, of external bodies (such as the West Midlands Police Authority), (b) membership, in a personal capacity, of external bodies such as the University Hospitals Coventry and Warwickshire NHS Trust and (c) Council-provided services, such as the commercial waste collection scheme.

He had also asked that a coherent commonality of approach be sought with the other six West Midlands District Councils to clarify the situation relating to the declaration of such interests referred to above at meetings of such bodies.

The Head of Legal Services had undertaken to expand the proposed response in order to take on board the thrust of the above representations. She had also outlined the work being done to try to make the position clearer for elected members by providing examples of guidance pertinent to particular circumstances.

With that addition, the Cabinet had decided to endorse the decisions of the Standards Committee and the Scrutiny Co-ordination Committee shown above and to incorporate them in its recommendations to full Council.

**RESOLVED that the City Council:**

- (1) Approve the response to the consultation document issued by the DCLG, incorporating the above comments of the Standards**

**Committee and the Scrutiny Co-ordination Committee and the additional representations summarised above.**

- (2) Delegate authority to the Head of Legal Services to finalise that response in the light of the Council's views.**

**95. Government Consultation – Model Code of Conduct for Employees**

Further to Minute 141/09 of the Cabinet meeting held on 13th January, 2009, the City Council considered a report of the Director of Finance and Legal Services and the Director of Customer and Workforce Services which requested the City Council to submit a response to the Department for Communities and Local Government (DCLG) in relation to its consultation paper that proposed to introduce a model code of conduct for local authority employees.

The report explained that, in August 2004, the Government consulted on a model code of conduct for local government employees. Responses indicated that the model code of conduct consulted on was inadequate. In addition, it was felt that a code of conduct for all staff would be needlessly bureaucratic as all employees would be subject to the same code regardless of their position. There was some support for following the model of the Welsh code of conduct, which only applied to a certain category of defined senior officer. Alternatively, the code could be restricted to those who exercise executive, regulatory or overview and scrutiny powers under the authority's scheme of delegation to officers.

The report had been considered by the Standards Committee at their meeting on 27<sup>th</sup> November 2008 and the Scrutiny Co-ordination Committee at their meeting on 17<sup>th</sup> December 2008 (their Minutes 33/08 and 117/08, respectively refer). A briefing note had been circulated prior to the Cabinet meeting on the outcome of those Committees' consideration of the proposed Council response to the changes to this Code of Conduct set out in the consultation paper issued by the DCLG.

The note had indicated that both Committees decided to agree the proposed responses to questions 15 and 17 to 22, but had considered that the responses to questions 13, 14 and 16 should be as follows:-

- (a) **Question 13** - A model code of conduct for local government employees should not be mandatory but voluntary.
- (b) **Question 14** - The employees' code should apply to all employees, including those who already have additional professional codes (for instance, the Solicitors Code of Conduct does not include any reference for employees to be politically neutral). A code for all employees could overarch existing professional codes and fill any gaps that may exist.
- (c) **Question 16** - The first paragraph of the response should read "Within the general principles, it should also state to treat others with **due** dignity and respect." In addition, the subjects of the proposed additional sections contained in the last three paragraphs of the response are not considered to be core values and, in any event, the proposed section on the requirement

in respect of the disclosure of criminal charges and convictions is covered in other legislation.

The Cabinet had decided to endorse the decisions of the Standards Committee and the Scrutiny Co-ordination Committee shown above and to incorporate them in its recommendations to full Council.

**RESOLVED that the City Council:**

- (1) Approve the response to the consultation document issued by the DCLG, incorporating the above comments of the Standards Committee and the Scrutiny Co-ordination Committee.**
- (2) Delegate authority to the Head of Legal Services to finalise that response in the light of the Council's views.**

**96. Appointment of Independent Members to the Standards Committee**

The City Council considered a joint report of the Director of Finance and Legal Services and the Director of Customer and Workforce Services which requested the appointment of three independent members to fill vacancies on the Standards Committee.

The City Council's Constitution currently provided that the membership of the Standards Committee would be thirteen and would comprise three Elected Members, eight Independent Members and two Members from the Parish Councils.

At its Annual Meeting on 15<sup>th</sup> May, 2008, the City Council had appointed five Independent Members to the Standards Committee and left three vacancies to be filled following a recruitment and selection process. Since the Annual Meeting, Margaret Farrell, an Independent Member, had resigned and therefore four vacancies for Independent Members now existed on the Committee.

Following a recruitment and selection process, interviews were held on the 18<sup>th</sup> December, 2008, and three Independent Members were selected for appointment to the Committee. This would leave one remaining independent position vacant.

**RESOLVED that the City Council:**

- (1) Approve the appointment of Gaile Allen, Christine Edden and Anil Patel as Independent Members of the Standards Committee with immediate effect.**
- (2) Give approval for the one remaining position for an Independent Member on the Standards Committee to remain vacant until a suitable candidate is identified.**

**97. Written Questions**

There were no written questions.

## 98. Oral Questions

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

No.	Question Asked By	Question Put To	Subject Matter
1	Councillor O'Boyle	Councillor Sawdon	Proposals to Remove Neighbourhood Wardens from the City Centre
2	Councillor Field	Councillor Mrs Johnson	Car Parking Charges at Walsgrave Hospital
3	Councillor Kelly	Councillor Noonan	Section 106 Contributions
4	Councillor Kelly	Councillor Sawdon	Maintenance of Facilities Such as Play Areas
5	Councillor Kelly	Councillor Blundell	Wraparound Schemes
6	Councillor O'Boyle	Councillor Noonan	Ironmonger Row Scheme
7	Councillor O'Boyle	Councillor Ridley	The Belgrade Plaza Development
8	Councillor Bains	Councillor Taylor	Calendar of Meetings
9	Councillor Chater	Councillor Foster	Support for Local Businesses and Local People in the Current Economic Climate
10	Councillor Skipper	Councillor Sawdon	Funding for Free Swimming
11	Councillor Ruane	Councillor Foster	The Gating Scheme

**RESOLVED** that in relation to questions 3 and 6, a written response be submitted to all members of the Council in accordance with paragraph 4.1.25 of the City Council's Constitution.

## 99. Statement by the Leader of the Council

Councillor Taylor addressed the City Council on the future of Jaguar Land Rover in Coventry. The Statement read:

"Coventry is proud to be home to many important firms that have played a role in making this city prosperous, successful and respected around the world.

But there's one manufacturer that holds a uniquely special place in the people of Coventry's hearts – a manufacturer that stands for all that is best about British and Coventry invention, innovation and manufacturing excellence. That firm is, of course, Jaguar.

Many of us here tonight were also here in 2004 when, as a united Council, we tried to keep a manufacturing base for Jaguar in the city at Brown's Lane. Although Brown's Lane has closed, we were delighted that Jaguar chose to keep its headquarters here and showed a strong commitment to our city and its workforce through the research and development centre at Whitley. Since then we have worked closely with Jaguar to ensure a solid future for the firm in Coventry.

But no manufacturer, no matter how successful it is, is immune from the harsh effects of the current economic crisis and Jaguar Land Rover is no different. All of you will be aware of the call to the government to approve a loan or financial guarantees that will help Jaguar Land Rover weather the current crisis. And as you all know, as well, this would not be a bail-out to a struggling organisation – it would ensure the future of one of this country's most important brands and the jobs of thousands of people – either directly employed by Jaguar Land Rover, or in their supply chain – across the region.

The effect of losing Jaguar in this area would be catastrophic. Some 4,000 people work at Whitley and Gaydon. Add to that the thousands of people whose livelihoods depend on making and supplying parts and the picture is a stark one.

Everyone here tonight will, I know, also be aware of – and I am sure will be supporting - the campaign launched by the Coventry Telegraph and its sister papers in Birmingham and Liverpool urging the government to give Jag the financial help it needs.

Yesterday the Lord Mayor of Coventry, Councillor Andy Matchet, led a trip to Downing Street with the Coventry Telegraph to deliver a 6,000 name petition calling on the government to help Jaguar Land Rover. We hope it will make a difference, and more people are adding their names to the petition every day – we have already invited the Coventry Telegraph to use the reception area of the Council House to gather signatures.

Meanwhile I would urge everyone in the Chamber tonight to do what they can, personally, to support Jaguar Land Rover – I am doing everything in my power to make sure our message is heard loud and clear at every level. Last week in my role as chair of the West Midlands Local Government Association I attended the Regional Economic Council where leaders from the whole region were able to give the strongest possible message to the Prime Minister, Chancellor and Business Secretary that we believe help should be forthcoming. I made a point of speaking directly to the Business Secretary about Jaguar and its importance to the city, region and country and I believe he was listening.

While the government has so far given us no details of a support package I was given the strong impression something is happening at the highest levels. I sincerely hope that is the case, and will continue to work with colleagues across the region to do what I can to help.

The future of Jaguar Land Rover is vital to the future of the local economy and I urge you to give it your support".

100. **Debate – The Government's Plans for Privatisation of the Post Office**

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

"This Council is opposed to the Government's plans for privatisation of the Post Office".

**RESOLVED that the motion be carried unanimously.**

(NOTE: The meeting closed at 6.10 p.m.)