

Council Meeting

11 January 2011

Booklet 1

Recommendation Minutes

INDEX TO MINUTES

Cabinet, 4th January 2010

CABINET

4 January 2011

Cabinet Members
Present:

Councillor Mrs Bigham
Councillor Clifford
Councillor Duggins (Deputy Chair)
Councillor Kelly
Councillor A. Khan
Councillor J. Mutton (Chair)
Councillor O'Boyle
Councillor Townshend

Non-Voting Opposition

Representatives present: Councillor Foster
Councillor Taylor

Other Members present: Councillor Mrs Lucas
Councillor Nellist

Employees Present:

H. Abraham (Customer and Workforce Services Directorate)
P. Baggott (Finance and Legal Services Directorate)
M. Box (Customer and Workforce Services Directorate)
S. Brake (Community Services Directorate)
V. Clowes (Customer and Workforce Services Directorate)
B. Cocks (City Services and Development Directorate)
F. Collingham (Chief Executive's Directorate)
C. Forde (Finance and Legal Services Directorate)
C. Green (Director of Children, Learning and Young People)
P. Jennings (Finance and Legal Services Directorate)
T. Jones (City Services and Development Directorate)
A. Maqsood (Community Services Directorate)
B. Messinger (Director of Customer and Workforce Services)
K. Palmer (City Services and Development Directorate)
C. Pearson (City Services and Development Directorate)
M. Reeves (Chief Executive)
S. Roach (Community Services Directorate)
C. Sinclair (Customer and Workforce Services Directorate)
R. Sugars (Finance and Legal Services Directorate)
B. Walsh (Director of Community Services)
C. West (Director of Finance and Legal Services)
M. Yardley (Director of City Services and Development)

Apologies:

Councillor Harvard
Councillor Skipper

Recommendations

Public business

99. **Declarations of Interest**

(a) Councillor Townshend declared a personal interest in the matter referred to in Minutes 103 and 110 below (Heat Line and District Heating Project). His interest arose as he was a member of the Coventry and Solihull Waste Disposal Company Shareholder's Panel.

(b) As a member of the Board of Governors of Coventry University, Martin Reeves, Chief Executive, withdrew from the meeting during consideration of the Heatline and District Heating Project reports (Minutes 103 and 110 below refers)

100. **Exclusion of Press and Public**

RESOLVED that, under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the item of business indicated below on the grounds that this item involves the likely disclosure of exempt information as defined in Schedule 12A of that Act, in particular those paragraphs of Part I of that Schedule as indicated:-

Minute No.	Subject	Relevant Paragraphs of Part I of Schedule 12A
110	Heat Line and District Heating Project	3

103. **Heat Line and District Heating Project**

The Cabinet considered a report of the Director of City Services and Development which, as part of the sustainability and low carbon agenda for the City, outlined the intention to develop a heatline and district heating network for the City Centre. A corresponding private report detailing commercially confidential and financial aspects of this proposal was also submitted to the meeting (Minute 110 below refers).

The Heatline and District Network would comprise of a network of insulated pipes that would be used to deliver heat in the form of hot water or steam, from the point of generation (the Energy from Waste (EfW) plant based on London Road) to end users. The heat would be transported into the City Centre through a series of underground pipes to provide heat to Council offices and other buildings.

The Council was seeking approval to create an arms length company (HeatCo) with Coventry University and jointly procure a private sector partner to provide an element of the necessary capital investment, the ongoing operational maintenance and management to operate the Heatline district heating scheme. HeatCo would be responsible for the infrastructure works to transport the heat from the current plant to the city centre through a series of underground pipes. The main end users of the heat in the city centre would initially be the Council, the University and the Sports Centre, with the potential to expand the network over future phases. The plan for the future was to

expand the district heating network to residential properties in the vicinity of the city centre, the proposed Friargate development and City Centre Masterplan.

The Council had secured £2.3m grant funding from the Homes and Communities Agency (HCA) to part fund the cost of installing the main heatline pipe from the EfW plant into the city centre. This funding needed to be committed by 31 March 2011 and the Cabinet noted that the report before them was an enabling report to facilitate the initial steps to take forward the project in order to secure this funding and the project's benefits. The Coventry and Solihull Waste Disposal Company (CSWDC) who operate the EfW, had agreed to commit £0.2m for alterations to the heat plant equipment at the EfW facility.

The initial aim of the project was to utilise waste heat in the form of space heating supplied by CSWDC and to maximise CO² savings for the City. Utilising waste heat in this way had a number of benefits including reducing CO² emissions, conserving natural resources, reducing carbon taxes (Carbon Reduction Commitment (CRC) Energy Efficiency Scheme carbon tax), improving the carbon footprint for individual participants and the city as a whole, helping to meet Government carbon reduction targets and improving Coventry's credentials both nationally and internationally as a green dynamic city. This in turn could bring added benefits such as inward investment and employment opportunities.

The basis of the project would be to install two large heating, flow and return, pipes from the CSWDC site London Road to the City Centre. The pipes would supply a network of smaller pipes inside the Ring Road which in turn are connected via plate heat exchanges to independent heating systems within the existing buildings. Medium pressure hot water would be circulated through the pipes which in turn will provide the primary source of heating to the buildings being served.

The report indicated that the principles were sound and proven and were currently utilised to serve a number of similar projects both within the UK and Europe. It was intended that the project would be undertaken in the knowledge of the improvements proposed to the City in relation to the Olympics and that the two projects were managed to ensure that they were mutually supporting.

RESOLVED that, after due consideration of the options and proposals contained in the report and matters referred to at the meeting, the Cabinet:

- (1) Approved the establishment a Cabinet Advisory Panel to provide advice and guidance to Cabinet in relation to progression of the project which would comprise 4 members, to be Chaired by the Cabinet Member (City Development), Councillor Bigham, and that Councillor Bigham be authorised to nominate to the Director of Customer and Workforce Services the remaining 3 members of the Panel.**
- (2) Recommends that Council:**
 - (a) Approve the creation of an arms length company (HeatCo) in conjunction with Coventry University, in order to procure a**

private sector partner to install and operate the Heatline and District Heating network.

- (b) Approve the legal structure for this project set out in the report with the ability delegated to the Director of Finance and Legal Services to change the structure to achieve the most advantageous structure from both a taxation position and benefits to the Council.**
- (c) Approve the appointment of 2 senior Council Officers, namely the Director of City Services and Development and the Director of Finance and Legal Services to the Board of HeatCo.**
- (d) Approve an indemnity to the Council officers as Directors of HeatCo for all future lawful actions they take in relation to the implementation of the Heatline project by HeatCo.**
- (e) Approve the completion of a grant funding agreement with the HCA for the sum of £2.3 million together with any additional funding that can be secured from HCA as referred to in section 1.14, for the purpose of part funding the capital costs of the heatline, subject to acceptable grant conditions, affordability and project timescale considerations.**
- (f) Approve that the Council prudentially borrows a maximum of £1m as equity or capital funding to the project if required and that the £0.085m savings that will be generated from the project be ring fenced to repay this investment.**

104. Transparency in Outcomes: A Framework for Adult Social Care – Consultation Response

The Cabinet considered a report of the Director of Community Services which detailed the City Council's response to the public consultation on 'Transparency in Outcomes: A Framework for Adult Social Care', published by the Department of Health on 16 November 2010. The document consulted on a strategic approach to quality and outcomes in adult social care. Published alongside the consultation document was 'A Vision for Adult Social Care: Capable Communities and Active Citizens', a policy document setting out the overarching principles for adult social care and giving context for future reform. In addition, four best practice guidance documents had been published to support practical approaches to market and provider development, to safeguarding and personalisation, to co-production and to improving the lives of disabled and older people through building stronger communities.

The documents set out the Coalition Government's new agenda for adult social care in England and its aim to make services more personalised, preventative and focused on delivering the best outcomes for those who use them. The proposals under consultation presented a new framework for adult social care that placed outcomes at the centre of social care, committed to improving the quality of services and made steps to ensure that citizens were empowered to hold their councils to account for the services they provided.

A commitment was made that the proposals contained in the document would be developed and co-produced with partners in an effort to create a system that re-designed top-down programmes and performance management and developed mechanisms for transparent local accountability to empower local people.

As such, the current arrangements for performance management of Adult Social Care were reviewed with immediate effect. There would be no requirement for Council's to produce an Annual Performance Assessment of adult social care for 2010-11 and all data requirements placed on councils were under review. Until the new framework was developed and implemented, and to avoid additional collection and reporting burdens on councils, a proposed set of outcome-focused measures for 2011-12 were presented, based on data that will already be nationally available.

The report had also been considered by the Health and Social Care Scrutiny Board at their meeting on 15th December 2010.

RESOLVED that, after due consideration of the options and proposals contained in the report and matters referred to at the meeting, the Cabinet recommends that Council approve the consultation response.

106. Response Paper to CLG Local Decisions – A Fairer Future for Social Housing Consultation

The Cabinet considered a report of the Director of Community Services which outlined the City Council's response to the public consultation on 'Local Decisions: A Fairer Future for Social Housing', published on 22 November 2010. The proposals to fundamentally reform the provision of social housing in England, had been described as the 'most radical reform of social housing in a generation'.

The Consultation Paper set out a number of questions aimed at Councils and landlords. The response was mainly based around those proposals that would have a direct impact on the City Council.

The proposals included introducing a new more flexible affordable rent tenancy, reforming the social housing allocations system, enabling local authorities to fully discharge homeless duties into the private rented sector, addressing overcrowding, introducing a nationwide home swap scheme and reforming social housing regulation.

The reforms aimed to:

- Make the system fairer, striking a proper balance between the needs of new and existing tenants.
- Ensure that the support which social housing provides is focused on those who need it most for as long as they need it.
- Give local authorities and housing associations new powers so that they can make best use of their housing, in a way which best meets the needs of individual households and their local area.

The government was consulting on these proposals until 17 January 2011. The law would need to be changed to deliver many of the reforms and the Government would use the localism bill to do this.

The Cabinet discussed at length a number of issues arising from the proposals including concerns about the move away from lifetime tenancies towards fixed-term tenancies in the social sector and the negative impact this would have in creating and maintaining balanced, sustainable communities as well as reducing the stability and security for individual households and families. It was also considered that the impact of the proposals should not be considered in isolation, but alongside the proposed welfare reform and new rules regarding local communities' involvement in planning.

The Economy, Regeneration and Transport Scrutiny Board (Scrutiny Board 3) had also considered the report at their meeting earlier the same day and a Briefing Note informing the Cabinet of the Board's deliberations was tabled at the meeting. Cabinet noted that the Board supported the consultation response however they recommended that additional contextual information was included in the introduction on proposed changes to the welfare and planning system which would impact on social housing.

RESOLVED that, after due consideration of the options and proposals contained in the report and matters referred to at the meeting, the Cabinet recommends that Council approve the consultation response.

107. **Statutory Review of Polling Districts and Polling Places**

The Cabinet considered a report of the Director of Customer and Workforce Services which set out a summary of how the review of Polling Districts and Polling Places was conducted and the resulting proposed changes. The report contained the following appendices:

- Appendix A – Comments received during the consultation process
- Appendix B – Revised polling arrangements scheme for approval and implementation on 1 February 2011
- Appendix C – List of polling districts and polling places to be reviewed after the election in May 2011.

Section 18C(1) of the Representation of the People Act 1983 (the Act) placed a duty on all UK local authorities to review their parliamentary polling districts and polling places every four years. The previous review was completed in December 2007.

Advice from the Electoral Commission was received in August 2010 that the review should be completed in time for changes to be implemented by May 2011 local elections.

In conducting the review, the Act required local authorities to:

- Seek to ensure that all electors in the constituency have such reasonable facilities for voting as are practicable in the circumstances
- Seek to ensure that, so far as is reasonable and practicable, the polling places are accessible to those who are disabled
- Have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place or the designation of which as a polling place it is reviewing.

The Cabinet discussed aspects of the report and noted that, where there was a possible change of polling place, it was recommended that the whole of the polling district be approved as the polling place in order that the change can be effected for the

elections in May 2011. This enabled a change to be made to the specific premises used without further referral to Council as they will sit in the designated polling place i.e. the polling district. In respect of those districts where the specific premises involved further investigation, assurances were given that appropriate and full consultation would be undertaken.

RESOLVED that, after due consideration of the options and proposals contained in the report and matters referred to at the meeting, the Cabinet:

- (1) Gave approval for officers to continue discussions for the five premises which need to be finalised (which were specified in Appendix B of the report as 'possible change of polling place').**
- (2) Agreed the polling districts and polling places, set out in Appendix C of the report, to be reviewed during 2011, and proposed changes resulting from this brought back to Cabinet prior to the Register of Electors being published on 1 December 2011.**
- (3) Recommend that Council:**
 - (a) Consider the comments received during the consultation process as set out in Appendix A of the report.**
 - (b) Consider comments arising from the Cabinet meeting of 4th January 2011.**
 - (c) Approve the revised polling arrangements scheme in its entirety, as set out in Appendix B of the report.**

108. Outstanding Issues

There were no outstanding issues for consideration.

109. Any Other Public Business

There were no other items of public business.

Private Business

110. Heat Line and District Heating Project

Further to Minute 103 above relating to the public aspects of this report, the Cabinet considered a report of the Director of City Services and Development which included details of financial information in respect of the proposal to develop a heatline and district heating network for the City Centre.

RESOLVED that, after due consideration of the options and proposals

contained in the report and matters referred to at the meeting, the Cabinet:

- (1) Approved the establishment a Cabinet Advisory Panel to provide advice and guidance to Cabinet in relation to progression of the project which would comprise 4 members, to be Chaired by the Cabinet Member (City Development), Councillor Bigham, and that Councillor Bigham be authorised to nominate to the Director of Customer and Workforce Services the remaining 3 members of the Panel.
- (2) Recommends that Council:

 - (a) Approve the creation of an arms length company (HeatCo) in conjunction with Coventry University, in order to procure a private sector partner to install and operate the Heatline and District Heating network.
 - (b) Approve the legal structure for this project set out in the report with the ability delegated to the Director of Finance and Legal Services to change the structure to achieve the most advantageous structure from both a taxation position and benefits to the Council.
 - (d) Approve the appointment of 2 senior Council Officers, namely the Director of City Services and Development and the Director of Finance and Legal Services to the Board of HeatCo.
 - (e) Approve an indemnity to the Council officers as Directors of HeatCo for all future lawful actions they take in relation to the implementation of the Heatline project by HeatCo.
 - (f) Approve the completion of a grant funding agreement with the HCA for the sum of £2.3 million together with any additional funding that can be secured from HCA as referred to in section 1.14, for the purpose of part funding the capital costs of the heatline, subject to acceptable grant conditions, affordability and project timescale considerations.
 - (g) Approve that the Council Prudentially Borrows a maximum of £1m as equity or capital funding to the project if required and that the £0.085m savings that will be generated from the project be ring fenced to repay this investment.

111. Any Other Private Business

There were no other items of private business.