

COUNCIL OF THE CITY OF COVENTRY

3rd July 2012

PRESENT

Lord Mayor (Councillor Sawdon)

Councillor Mrs Abbott	Councillor Lancaster
Councillor Akhtar	Councillor Mrs Lepoidevin
Councillor Ali	Councillor Mrs Lucas
Councillor Auluck	Councillor McNicholas
Councillor Bains	Councillor Maton
Councillor Mrs Bigham	Councillor Mrs Miks
Councillor Blundell	Councillor Mulhall
Councillor Caan	Councillor J. Mutton
Councillor Clifford	Councillor Mrs M. Mutton
Councillor Duggins	Councillor Noonan
Councillor Mrs Fletcher	Councillor O'Boyle
Councillor Foster	Councillor Ruane
Councillor Galliers	Councillor Sandy
Councillor Gannon	Councillor Sehmi
Councillor Gingell	Councillor Singh
Councillor Hammon	Councillor Skinner
Councillor Harvard	Councillor Skipper
Councillor Mrs Hetheron	Councillor Mrs Sweet
Councillor Howells	Councillor Taylor
Councillor Kelly	Councillor Thay
Councillor Kershaw	Councillor Thomas
Councillor A. Khan	Councillor Townshend
Councillor T. Khan	Councillor Walsh
Councillor Lakha	Councillor Welsh

Apologies: Councillor Andrews
Councillor Chater
Councillor Innes
Councillor Williams

Public Business

17. Minutes

The minutes of the meeting held on 17th May 2012, were signed as a true record.

18. Coventry Good Citizen Award

On behalf of the Council, the Lord Mayor and his Honour Judge Griffith-Jones, the Honorary Recorder, presented Mr Ralph Butcher with the Coventry Good Citizen

Award. The citation read:

"Ralph Butcher is very passionate about the environment, local history and community in Whitley. He had a significant impact on how Whitley looks today, making a stand to alter the plans for London Road and preserve the trees in the middle of the road near the Royal Oak pub.

Ralph was determined to keep an area of wild flowers in the meadow near his home in Abbey Road, and many of the trees that can now be seen in the wood were both grown and planted by Ralph - whose only reward was to think he had done something to help his community.

In addition to his passion for the environment, Ralph has also played a key role in researching and uncovering Whitley's local history. As one of the founding figures of the Whitley Local History Group, he helped collate a large amount of information about history in the area, including the tragic incident in October 1940 when one of Coventry's bomb disposal teams was killed on Whitley Common when a device they were attempting to defuse detonated. He was also involved in dedicating a memorial to these brave men so that they will never be forgotten.

Ralph is now well into his seventies but he is still very active in the community and shows a large amount of commitment and involvement. For his decades of commitment, the impact he has made on the lives of others, the outstanding achievements he has had in serving the community of Whitley and the way he has made people feel good about their area, Ralph Butcher is a deserving recipient of the Good Citizen Award."

19. **Birthday Honours**

The Lord Mayor referred to the awards made to the following people associated with the City in the recent Queen's Birthday Honours List:

- **MBE:** To Gwen Daley for services to the community in Coventry.
- **OBE:** To Phil Weaver of Coventry Golf Club for his services to sport.

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

20. **Death of Mr Brian Woods-Scawen CBE**

The Lord Mayor referred to the recent death Brian Woods-Scawen former chairman of Coventry, Solihull and Warwickshire Partnership. Brian had been awarded the CBE in 2008 for his services to business and the community.

Members noted that a letter expressing the Council's sincere condolences had been sent to Mr Woods-Scawen's family.

21. Petitions

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

- (a) Request road safety measures for residents of Nene Close – 14 signatures – presented by Councillor Lakha.
- (b) Request that the ‘free’ car park in Wellington Street be converted to a ‘Traders/Shoppers’ car park – 315 signatures – presented by Councillor Welsh.
- (c) Request for provision of a pedestrian refuge point in Engleton Road sited between the junctions of Wyley Road and Dugdale Road – 215 signatures – presented by Councillor Mulhall.
- (d) Request to remove flowerbeds from Stockton Road – 36 signatures – presented by Councillor Ahktar.
- (e) Request clean-up of dog waste in Allesley Park – 404 signatures – presented by Councillor Singh.
- (f) Request for dropped kerb in the area of Vernon Court – 6 signatures – presented by Councillor O’Boyle
- (g) Request for conversion of section of footpath on Quinton Park Road to car parking bays – 1,100 signatures – presented by Councillor Sehmi.
- (h) Objection to planning application OUT/2012/1100 to build 6 houses on green space land to the west of Bridgeacre Gardens, Spring Valley Estate – 91 signatures – presented by Councillor Abbott.

Note: In accordance with paragraphs 4.1.35.3 of the Constitution, a motion was moved to re-order the agenda so that the item entitled “Approval of the New Code of Conduct for Elected and Co-opted Members” be taken as the first “Matter for Determination by the City Council”

22. Approval of the New Code of Conduct for Elected and Co-opted Members

Further to Minute 03/12 of the Joint Cabinet Members’ Meeting (Community Safety and Equalities) and (Policy, Leadership and Governance), the City Council considered a report of the Director of Finance and Legal Services introducing a new Code of Conduct for Elected and Co-opted Members. Following consideration at the Joint Cabinet Member meeting, an amended version of the Code had been circulated to Members.

The existing ethical standards regime under the Local Government Act was abolished on 1 July 2012 and replaced by new arrangements in the Localism Act 2011. Amongst other things, all councils had a duty to adopt a Code of Conduct for Elected and Co-opted Members.

The Localism Act 2011 would abolish the existing Ethical Standards regime (including the existing Code of Conduct for Elected and Co-opted Members) when Part 1 Chapter 7 of the Act comes into force. New Ethical Standards arrangements would come into force at the same time. This was expected to take place on 1 July 2012 although the necessary Regulations to confirm this were still in draft form.

The City Council had created a new Ethics Committee, which would replace the Standards Committee with effect from 1 July 2012. Their Terms of Reference were referred to in the report.

The Code must also include provisions that the authority considered appropriate about registration and disclosure of pecuniary and other interests. The Regulations, which would set out the detail about interests, were at the time of writing, in draft form only. The remaining content of the Code (if any) was up to the discretion of individual authorities.

It would be a criminal offence if a Member without reasonable excuse failed to notify the Monitoring Officer within 28 days of any “disclosable pecuniary interests”. It would also be a criminal offence if a Member with a “disclosable pecuniary interest” participated in a meeting, took a decision or took any steps in relation to the matter in question.

In recommending the Code for approval, Councillor Townshend moved, and Councillor Mutton seconded, the following additional recommendations:

- That the Member Code of Conduct be approved for Coventry City Council only and to delete Recommendation 2 on the Joint Cabinet Member report
- To delegate authority to the Monitoring Officer to make necessary amendments to the constitution including its standing orders to incorporate all requirements of the new Member Code of Conduct in consultation with the appropriate Cabinet Member.
- To refer any future proposed amendments to the new Member Code of Conduct including any standing orders to the Cabinet Member (Policy, Leadership and Governance) Constitutional Advisory Panel.

RESOLVED:

- (a) That the draft Code of Conduct for Elected and Co-opted Members be adopted with immediate effect.**
- (b) That the Code be approved for Coventry City Council only (recommendation 2 on the Joint Cabinet report having been deleted).**
- (c) That authority be delegated to the Monitoring Officer to make necessary amendments to the Constitution including its Standing Orders to incorporate all requirements of the new Member Code of Conduct in consultation with the appropriate Cabinet Member.**
- (d) To refer any future proposed amendments to the new Member Code**

of Conduct including any standing orders to the Cabinet Member (Policy, Leadership and Governance) Constitutional Advisory Panel.

23. Declarations of Interest

There were no Disclosable Pecuniary Interests declared at the meeting.

24. Designation of the Coventry Canal as a Conservation Area

Further to Minute 03/12 of the Cabinet, the City Council considered a report of the Director of City Services and Development which indicated that, following the completion of a Conservation Area Appraisal and Management Plan, public consultation had demonstrated overwhelming support from local people, canal users and landowners for designating the Coventry Canal as a Conservation Area. The report summarised the Conservation Area proposals along with the responses from the consultation and recommended that the Conservation Area be formally designated.

The Coventry Canal runs through the City for five and a half miles from Hawkesbury Junction to the Canal Basin in the City Centre. Started in 1768, it is one of Britain's earliest canals and along its length are numerous important buildings related to Coventry's industrial heritage, details of which were contained in Appendix 1 to the report.

Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 allowed for local planning authorities to designate parts of their area as Conservation Areas if they believe them to have special character, appearance, architectural interest or historic interest. The Local Planning Authority would then ensure that the designated area is preserved and enhanced. Designation of a Conservation Area gives the local planning authority additional controls over the demolition of buildings and the removal of trees, but Conservation Areas were not about preserving places in aspic for the sake of it. Rather they were to ensure that development which takes place was sympathetic to the character and appearance of the surroundings and re-used important historic buildings in a sustainable way.

Paragraph 127 of the National Planning Policy Framework which was published and came into force on the 27th March 2012, is clear that "when considering the designation of Conservation areas, Local Planning Authorities should ensure that an area justifies such status because of its special architectural or historic interest and that the concept of conservation is not devalued through the designation of areas that lack special interest". The special architectural and historic interest of the Coventry Canal is demonstrated in the Conservation Area Appraisal which supports this proposal.

A further Appendix to the report detailed the 10 week public consultation exercise, to which the Council received 43 responses which were detailed in the report.

RESOLVED that the City Council agreed to formally designate the Coventry Canal as a Conservation Area.

25. Council Plan – Performance Report 2011/12

Further to Minute 04/12 of the Cabinet, the City Council considered a report of the Assistant Chief Executive which indicated that the Council Plan, which set out a revised vision and objectives for 2011-2014, had been approved by Council in June 2011. The report was the performance report for 2011/12, which identified baseline performance information for a key set of headline indicators and looked at the progress that had been made during the first year of the Plan.

The report detailed the arrangements for reporting progress on the Council Plan and for making performance more accessible to a wider audience including public, partners and senior managers.

The performance report presented a high level summary of the key messages arising from the first year review of the Council Plan. The information was presented through the summary scorecards of which there was one for each of a number of Council priorities. The performance report was appended to the report.

The summary scorecards presented the latest available performance data and also highlighted anything that was new over the previous six months. Where previous year's data was available and/or comparisons with the national/regional rate exist, this had been used to assess progress. Where the indicator was a new measure for 2011/12, it would set the baseline for future comparison. The summary scorecards contained links to web based report cards which provided more detail below the headline indicators and included performance trends and targets. There were also links to other performance reports which were published for Cabinet Members, Scrutiny Boards and for Central Government. These were made available through a Calendar of Performance Reports and gave context and the story behind the headline indicators. The web based information was being published for the first time in June 2012 and more information would be added over the next twelve months.

The end of year report included an assessment of progress in relation to the Council's values; these were: being honest, fair and transparent when we make decisions; working with residents and partners to get things done; celebrating all that's good about our city and its future. One of the objectives was that information would be readily available and easy to understand, and the development of the performance reporting arrangements outlined above contributed to this objective.

The Council Plan aimed to promote equality of opportunity through all four of its priorities and one of these priorities specifically aimed to protect the city's most vulnerable residents. The Council had twenty two objectives in its Council Plan and the majority of these had a significant impact on equality in the city, as a result these had been determined to be the Council's equality objectives for the three years of the current Plan. To measure progress on these equality objectives, in addition to the overall performance indicators that had been identified to track progress on the Council Plan, progress on specific equality measures had been included and summarised in the end of year performance report 2011/12, Appendix A.

RESOLVED that the City Council approve the end of year performance report 2011/12.

26. Changes to the Constitution

Further to Minute 04/12 of the Joint Cabinet Members Meeting (Community Safety and Equalities) and (Policy, Leadership and Governance), the City Council considered a report of the Director of Finance and Legal Services which recommended a number of changes to the Constitution which were detailed in the report.

The Localism Act 2011 was coming into force in stages and its implementation meant that changes need to be made to the Constitution. Following the recent introduction of new regulations dealing with marriages and civil partnerships, the opportunity was also being taken to recommend updated delegations in relation to registration services and the licensing of marriage venues as well as changes which would improve the efficiency of these services. The report set out the changes that were recommended and asked Council's approval of those amendments. The report had also been considered by the Cabinet Member's Constitutional Advisory Panel on 23 May 2012 and they had recommended these changes.

The report set out the changes to the Constitution in respect of the headings listed below, that were recommended for approval. They detailed the relevant provision of the Localism Act (where applicable), the change that was needed to reflect the Act, the location of the change in the current Constitution and when it comes into force.

- Politically Restricted Posts
- Requests for Dispensations
- New Standard Regime
- Assets of Community Value
- Consideration of Scrutiny Reports by Cabinet
- Community Right to Challenge
- Planning
- Proper Officer for Registration Services and Licensing of Marriage Venues

At the Joint Cabinet Member Meeting, the Monitoring Officer had proposed amendments to paragraph 2.5 (Assets of Community Value) in that where reference was made to the proposed delegated authority to Group Manager – Planning and Building Control, that this be in consultation with the Cabinet Member for City Development prior to the addition of any asset to the list of assets of community value. In addition further proposed amendments to paragraph 2.9 in that where reference was made to the Cabinet Member (Community Safety and Equalities) this should be in consultation with the Council Solicitor.

RESOLVED that the City Council approve, with immediate effect, the proposed changes to the Constitution as set out in Section 2 of the report subject to the amendments to paragraphs 2.5 and 2.9 as indicated above.

27. Review of the City Council's Petition Scheme

Further to Minute 05/12 of the Joint Cabinet Members Meeting (Community Safety and Equalities) and (Policy, Leadership and Governance), the City Council

considered a report of the Director of Customer and Workforce Services which introduced an amended petition scheme.

The provisions of the current Petition Scheme had been considered at a meeting of the Constitutional Advisory Panel (CAP) on 23 May 2012. The CAP recommended that the Council should review the current Scheme and approve a flexible, inclusive Scheme, appropriate for the citizens of Coventry.

The Joint Cabinet Member meeting had agreed the following amendments which had been included in the final version of the Scheme considered by Council.

That the following matters should be referred by the Petitions Officer to the Leader of the Council and the Leader of the main opposition group for adjudication and where there was no consensus, the matter would be decided by the leader:

- *Where the Petition Officer considered that the petitions should be rejected on grounds that it is considered vexatious, abusive or otherwise inappropriate.*
- *Petitions received where the subject matter had been considered by the Council within the previous 6 months and there had been a material change affecting the topic of the petition.*
- *Where the Petition Organiser was minded to permit the Petition Organiser to withdraw a petition and there was not consensus with the Chair of the body to which the petition would have been presented.*

The following amendment was proposed by Councillor Noonan, seconded by Councillor Blundell and lost:

“That the following additional recommendation be added:

That paragraph 4.9.7.1 of the proposed Petition Scheme be amended by the deletion of “15,000” in the first line of the paragraph and replace by “5,000”, that paragraph now to read:

4.9.7.1 If a petition is supported by 5,000 or more people it will be debated by a Full Council meeting when all Councillors can attend. The Council will endeavour to consider the petition at its next available meeting, although on occasions this will not be possible and the matter will be passed to the next Full Council meeting.”

RESOLVED that the City Council approve the revised Petition Scheme.

28. Scrutiny Boards' Annual Report 2011/12

The City Council noted the Scrutiny Boards' Annual report to the City Council for 2011/12 which highlighted examples of the wide-ranging scrutiny work undertaken during the year across all the Scrutiny Boards and the Scrutiny Co-ordination Committee.

RESOLVED that the City Council receive the Scrutiny Boards' Annual report 2011/12.

29. Appointments of the City Council

The Council considered a report of the Director of Customer and Workforce Services which sought approval in respect of a number of appointments by the City Council and amendments to appointments.

RESOLVED that the City Council:

- (a) **Appoints Councillor John McNicholas as the City Council's representative on the Birmingham Airport Focus Group with immediate effect.**
- (b) **Approves the appointments of Councillor Kamran Caan and Councillor Faye Abbott to the Tansley Charity Trust.**
- (c) **Approves the appointment of Councillor Linda Bigham to the John Friends Memorial Fund.**
- (d) **Approves the appointment of Councillor Joe Clifford as a member of the Jobs, Skills and Growth Scrutiny Board (3) in place of Councillor Alison Gingell with immediate effect.**
- (e) **Approves the appointment of Ms Kellie Jones, as a Co-opted Member on the Children and Young People Scrutiny Board (2) if education matters are to be considered on the terms set out in the report, with immediate effect.**
- (f) **Approves the appointment of Councillor Ruane as the City Council's representative on the Coventry Citizen's Advice Bureau Management Board in place of Councillor Bigham.**
- (g) **Approves the appointment of Councillor Sawdon as the City Council's representative on the Transport Museum in place of Councillor Williams.**

30. 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:

No	Question Asked By	Question Put To	Subject Matter
1	Councillor	Councillor Lancaster	Refusal to serve uniformed

	McNicholas		officers at 'Browns'
2	Councillor Foster	Councillor Noonan (as Ward Forum Chair)	Proposed closure of Cheylesmore Children's Centre
3	Councillor Lepoidevin	Councillor Blundell (as Ward Forum Chair)	Proposed closure of Finham Cheylesmore Centre
4	Councillor Fletcher	Councillor O'Boyle	Proposed closure of Children's Centres
5	Councillor Foster	Councillor Duggins	Costs of cancellation of Godiva Festival and future mitigation measures.

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

There was no statement

32. **Debate – Olympics 2012**

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

“This Council welcomes the Olympics to Coventry starting on 25th July and recognises the historical opportunities for Coventry to take its place on the world stage.

This Council further recognises that without the City of Coventry Stadium this event would not be possible.”

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

33. **Debate – Diamond Jubilee**

The Lord Mayor, Councillor Sawdon, moved the following motion which was seconded by Councillor Skinner:

“This Council congratulates Her Majesty Queen Elizabeth II on her Diamond Jubilee and 60 glorious years on the throne.”

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

Meeting closed at 4.40 pm